

DOVER PLANNING BOARD
MINUTES OF MEETING
PUBLIC HEARINGS

HELD: Wednesday, June 18, 1969
7:00 p.m.
City Hall Auditorium
Dover, New Hampshire

ITEM NO. 1: ROLL CALL:

On Roll Call the following were present:
Chairman Akerman, Messrs. Bernard, Adams, Chick, Ouellette.
Approximately 75 people were in the audience and Card Vancelette
of WTSN and Jon Breen of Foster's, and Mr. Chandler.

ITEM NO. 2: REQUEST FOR REZONING ON OAK STREET:

Mr. Chandler stated that the Dover City Council has referred to the Planning Board two requests for rezoning from single family residential to two family dwellings, two lots on Oak Street. He continued that the Board has also received a petition with 34 signatures asking that the Zoning Ordinance be amended by allowing the use of multi-family dwellings on Oak Street. The main purpose of this portion of the public meeting is to try to obtain a consensus of opinion from the property owners along Oak Street as to where and what type of rezoning, if any, they are in favor of.

Mr. Chandler stated that it was customary for the Planning Board to hold public meetings on any proposals for rezoning. He made it clear that these meetings had no legal power and that it would be up to the City Council to hold a public hearing. He continued that the purpose of tonight's meeting was strictly informational to assist the Planning Board in making its recommendations.

Mr. Chandler gave a little background information and read the letter than was sent to the property owners.

He then read the letter sent to the City Council by Henry Royer requesting the rezoning of Lot #28-25B on the corner of Oak Street and Floral Avenue from single residence to two-family dwellings. He also read the other request to the City Council from Mr. Leopold Gagne located at 59 Oak Street from single family residence to two-family dwellings. He stated that subsequent to receiving these requests, the Planning Board received a petition to amend the Zoning Ordinance to allow the use of multi-family dwellings on Oak Street.

Mr. Chandler continued that he had also received four letters - two in opposition and 2 in favor of the proposed rezoning. He read the letters to the audience. He then read the petitions to allow multi-family dwellings on Oak Street.

Mr. Paul McQuade, asked Mr. Chandler to describe multi-family residence. Mr. Chandler read the types of uses allowable in such zones. The question of "spot zoning" was discussed.

Mr. Chandler then reiterated that the proposed rezoning is not a recommendation of the Board but rather something to discuss. He stated that the Board toured the area and decided that they would come up with some suggestions and call the property owners in and find out the true feeling of the people involved. This was the purpose of tonight's meeting, he stated. The Board noted that the area requested for rezoning confined itself to the area between Broadway and Central Avenue. The question of "spot zoning" was brought up.

Upon question, Mr. Chick replied that should the proposed rezoning be passed, it would in no way effect the property as far as the tax rate is concerned.

Mr. Robert Haley, asked if there is going to be any consideration given to "spot zoning" or was the issue merely multi-family dwellings. Mr. Chandler stated that the Board will not get involved in spot zoning.

Mr. Ronald Royer, 31 Sixth Street, stated that this is not going to affect anyone on Oak Street and that legally it affects only to the extent that there will be a change of land use.

Mr. Roland Hemon questioned the minimum lot size requirement in an R-2B district. Mr. Chandler answered that any construction zoned R-2B would have to be 20,000 sq. ft.

Mr. Hemon asked if the sizes of the undeveloped lots met these requirements. Mr. Chandler stated that this would depend on the development or building coming down or going up. He continued that 20,000 sq. ft. would be required.

Mr. Hemon asked how an R-2 zone differed from an R-2B zone. Mr. Chandler answered that the R-2B zone is much more restrictive.

A question was then posed as to the possibility of tax increase because of the rezoning. Mr. Chick answered that the rezoning would in no way affect the tax rate.

Mr. Paul Bruyere, 59 Oak Street, spoke representing Mr. Gagne, stating that the petition as circulated was not meant to create a lot of apartment buildings on Oak Street. He stated that he spoke with the residents in the area and told them that the reason for having this petition circulated was so that they could remodel a structure already in existence

Mr. Ronald Royer stated that he was in favor of such rezoning.

Mr. Robinson also stated that he was in favor.

Mr. Paul McQuade spoke in opposition to the rezoning.

Mr. Edward V. McDonald, stated that as a property owner on Ela Street he was in opposition to it. He informed those present that there were a great majority of single family homes in the area and in his opinion this would be spot zoning. He stated that Mr. Gagne had presented the case to the Zoning Board of Adjustment and was rejected. He stated that this constituted no hardship and that Mr. Gagne and his attorney have received a letter stating such from the Zoning Board of Adjustment.

It was learned that if said property is rezoned to R-2B, the petitioner couldn't build what they wanted to build

Mr. Hemon suggested that the property be rezoned R-2.

Mr. Chandler stated that the Planning Board is open to suggestions. He stated that more than forty letters had been mailed out.

Mr. Roland Hemon, recommended a show of hands of everyone who is involved in the area and the opponents and proponents of the rezoning. There were 8 in favor of the rezoning and 18 in opposition.

ITEM NO. 3: PROPOSED REZONING ON MIDDLE ROAD (Ordinance 15-68):

Mr. Chandler stated that Ordinance 15-69 was received at the previous Council Meeting in May and referred to the Planning Board at its first meeting in June. Mr. Chandler outlined the Ordinance. He pointed out the area on a displayed map. He stated that the land is now zoned R-1 and the petition requested rezoning to A. The possibility of mobilehomes in the area was discussed. It was noted that mobilehomes were allowed only in licensed mobilehome parks.

Mr. McDonald read the present uses allowed in A Districts.

Mrs. Franklin Dame, who requested the rezoning, spoke in favor saying that she had a great deal of land zoned R-1 which she would like to use for agricultural purposes. She stated that she had visited with the people in the area and they were all agreeable.

No-one spoke in opposition to the proposed rezoning.

ITEM NO. 4: TOWNHOUSE ORDINANCE (10-68):

Copies of the Ordinance were available.

Mr. McDonald questioned the requirement for one parking space per dwelling unit. He felt this was not enough.

He then questioned the play area for children and the association rules.

Mr. White, Clerk of the Zoning Board of Adjustment, asked what the joint meeting of the Housing Needs Committee and the Planning Board had considered at the previous night's meeting.

Mr. Chick stated that it was discussed that this would be desirable and the question was posed as to where such should be located.

Mr. Walter W. Fisher stated that he would like to make an amendment to this Ordinance under special exceptions. He stated that as he understood it, these units may be allowed in R-1 districts. In the Ordinance there were no ground rules for what a special exception is. He thought the Ordinance should spell out for the Zoning Board of Adjustment what the rules are. He passed copies of the amendment to the Board and then read two court cases regarding similar problems in other cities.

Mr. Fischer then spoke at length regarding the need for low rent housing in Dover and the capability of townhouses covering this need.

Mr. White stated that he felt more study on townhouses is needed, as did Mr. McDonald.

Mrs. Irene York spoke in favor of townhouses, stating the desperate need of low rent housing in Dover.

Mr. Jean Angers spoke in favor.

The Board decided to request of the City Council a thirty day extension period in which to study the townhouse concept further.

ITEM NO. 5: CHANGE OF ZONING OF LOTS 39-114 and 39-115:

Mr. Chandler recommended that the Planning Board change the zoning of the land around the Garrison Plaza entrance near Emerson Rug to Thoroughfare Business.

Mr. Chandler stated that a very small piece had been left in another zone when the rezoning went through and that this would make it consistent with the remainder of land. There was no opposition to this recommendation.

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The Board then held a meeting on an amendment which would change the off-street parking requirements so that access to public streets shall be limited to not more than two ways in all districts and for all uses other than single family residential uses. Neither of these ways shall exceed 40 feet in width and for single family residential uses in all districts access to public streets shall be limited to one driveway not to exceed 24 feet in width. There was no opposition.

The Board then held a hearing on an amendment which has to do with amending the section on signs so that directional signs which identify the location of specific buildings, areas, people or things but do not describe them or any goods or services by brand name or trademark will be allowed in all districts but the Central Business District subject to certain conditions.

At the Conclusion of the public meeting on the proposed changes to the Zoning Ordinance, the Board listened to comments regarding a proposed amendment to the Housing Code. This amendment would change the section on administration so that the Housing Standards Board would be enlarged to five members, two of whom would be lay citizens appointed by the Chief Executive Officer of the City. Several other proposals are outlined in the amendment having to do with technical changes or wording of housing conditions. These were discussed in detail at the meeting. There was no opposition.

Moved by Adams, seconded by Bernard, to adjourn.
Unanimously adopted.

Respectfully submitted,

Armand J. Dimambro
Clerk

AJD:c