



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Workshop Session
Meeting Location: Council Chambers, City Hall
Meeting Date: **Wednesday, September 1, 2010**
Meeting Time: **7:00 pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Councilor Weston led the Pledge of Allegiance.

4. ROLL CALL ATTENDANCE

Present: Mayor Myers, Deputy Mayor Trefethen, Councilor Carrier, Councilor Cheney, Councilor Cruikshank, Councilor Garrison, Councilor Hooper, and Councilor Weston.

Absent: Councilor Nedelka.

Also present: City Manager Joyal, General Legal Counselor Krans, and City Clerk Lavertu.

5. ZONING AMENDMENTS

Deputy Mayor Trefethen, as Council representative to the Planning Board, discussed the zoning amendments with the Council. He said the Planning Board has been working on this for over a year, held several public hearings, and made revisions a few times.

Councilor Cheney moved to suspend the rules to add a Citizen's Forum to this time, just for Zoning Amendments, to allow Mr. Huml a chance to speak; seconded by Councilor Carrier. Mayor Myers discussed the opposition to this motion, stating it would set a dangerous precedent.

Vote: 4/4; Failed. Mayor Myers, Deputy Mayor Trefethen, Councilor Cruikshank, and Councilor Garrison were opposed.

Councilor Cheney moved to suspend the rules to add a Citizen's Forum immediately following Item #5, Zoning Amendments; seconded by Deputy Mayor Trefethen.

Vote: 8/0.

City Manager Joyal introduced Steve Bird from the Planning Department, and asked him to give an overview of the amendments to the Council.

Mr. Bird said the zoning amendments involved 10 months of work. He said the Planning Board sent a 1st class mailing to all property owners in Dover explaining the amendments, and held a public hearing on June 22nd. He said the Planning Board voted on June 22nd to adopt the 11 zoning amendments that are on the proposed Ordinance before the Council. He said the City Council will have to discuss if they can waive the 1st class mailing from the Council, prior to the Council's public hearing on these amendments. He gave a PowerPoint Presentation on the amendments to the Council.

Mayor Myers started a discussion on the Council's role at this point.

Mr. Bird said the Council needed to hold a public hearing. He said it would take a 2/3 majority vote for the Council overturn the Planning Board.



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Councilor Hooper started a discussion on customary home occupations, and asked why antique dealer was removed.

Mr. Bird said they felt it was the same as retailer.

Councilor Hooper started a discussion on farm animals in the City, and said she felt they don't belong in the City.

Mr. Bird said it requires 10,000 sq feet of land for each goat or sheep, with a maximum of six. He said it requires 20 sq ft of land for each chicken. He said there were also setback requirements for the fencing. He said it would only be allowed in 7 of the 16 zoning districts, and the property be a single-family or duplex.

Councilor Weston continued the discussion on customary home occupations.

Mr. Bird said new home-based antique businesses would not be allowed, but existing antique businesses would be grandfathered. He said they will be requiring a yearly certification of use to enable the City to keep track of home-based businesses.

Councilor Weston referred to abutters, and asked for clarification on the definition.

Mr. Bird said the definition is from the State RSA, and said they have to use their best judgment as to who is an abutter. He said the City did go further by broadening the condominium requirements.

Councilor Garrison continued the discussion on farm animals, and asked if there would be consensus to have this sent back to the Planning Board for further review.

Councilor Cheney started a discussion on signs and how bright they are.

Mr. Bird said they can now measure intensity of light from the sign.

Councilor Garrison started a discussion on creating a historic district.

Mr. Bird said the City looked into this in the 80's and the people didn't want the rules and lose control over their own homes. He recommended that a Heritage Commission would work better for the City, because it was an advisory board and not a regulatory board.

Mayor Myers asked if there were consensus on items to send back to the Planning Board.

- Put back antique dealer
Vote: 5/3; Passed. Mayor Myers, Councilor Cruikshank and Councilor Garrison were opposed.

- Remove farm animals
Vote: 2/6; Failed. Councilor Garrison and Councilor Hooper were in favor.

Deputy Mayor Trefethen asked about the procedures if this gets sent back to the Planning Board.

General Legal Counselor Krans said putting back antique dealer was not a significant change and would not require another public hearing by the Planning Board.

CITIZEN'S FORUM – ZONING AMENDMENTS

Ronald Huml, 199 Mast Road: He said an antique shop was not a wholesale or retail business. He spoke about farm animals and how they attract rodents.

Jerry Lynch, 26B Lincoln Street: He said the City was interfering with people's lives. He said he felt the Planning Board should be abolished.

Mayor Myers, seeing no one else wishing to speak, closed the Citizen's Forum.



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6. ECONOMIC DEVELOPMENT ISSUES

Mayor Myers acknowledged that Commissioner George Bald from the Department of Resources and Economic Development was present.

City Manager Joyal discussed the need to use the limited tools available to the City to entice businesses to Dover. He said two areas the City will be looking at are creating Business Improvement Districts and Development Districts. He asked Economic Development Director Dan Barufaldi to give a presentation on creating Development Districts.

Mr. Barufaldi gave a presentation on the tools he has been using up to this point, with success, and the need to use other tools to entice businesses to Dover and stimulate growth. He discussed Tax Increment Financing (TIF). He said the City needs this type of incentive to entice large corporations to Dover. He said the Council would approve this incentive tool so he could use it, but it wouldn't bind the City. He said the Council would approve each contract for each company.

Councilor Weston asked if there was a defined area in mind to create this development district. Mr. Barufaldi said most of his early discussions with developers and corporations are kept non-public. He said he would bring the proposals to the Council on a case-by-case basis, with the financing spelled out.

Councilor Cheney asked what would happen if the property taxes don't go up.

City Manager Joyal said it would all be in the contract with the developer. He said if the property isn't developed, the City would be covered by surety bonds and assurances that the developer will pay the difference.

Mr. Barufaldi said there were a number of safeguards that can be put in place.

Councilor Cheney discussed her concerns with TIFs.

City Manager Joyal said Councilor Cheney's concerns were noted, and the City had many different ways to structure the development agreement with financial protections.

Mr. Barufaldi gave an overview of benefits to the City doing these types of property developments. He said Dover has missed opportunities because the City didn't have the incentives to offer in negotiations with developers or corporations.

7. CITIZEN'S FORUM

Citizens are invited to speak on the subject matter of the Workshop. Statements shall be limited to five minutes.

Mayor Myers opened the Citizen's Forum for discussion only on the Economic Development discussion.

Kirt Schuman, Executive Director for the Greater Dover Chamber of Commerce: He said after researching these development tools the Chamber Board has unanimously voted to endorse the adoption of a development district in the City of Dover. He said the City Council has the ultimate authority. He looked forward to the Council making this a reality.



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John Scruton, 99 Sixth Street: He said development has turned into an industry. He said the City needs to decide how much area should be developed. He asked the Council to keep the rural character of Dover.

Mayor Myers, seeing no one else wishing to speak, closed the Citizen's Forum.

8. ADJOURNMENT

Mayor Myers referred to the City Manager's email pressing for a non-public session meeting tonight. He asked for a motion to suspend the rules to adjourn to a non-public session. Councilor Weston moved to suspend the rules to enter into a non-public session; seconded by Deputy Mayor Trefethen.

Roll Call Vote: 8/0.

Councilor Hooper moved to adjourn to a Non-public Session for the purpose of discussion on acquisition, sale or lease of real or personal property; seconded by Deputy Mayor Trefethen.
Vote: 8/0.

Handouts from Mr. Bird and Mr. P. ... have been archived with the Minutes.

DRAFT