



**CITY OF DOVER**

## DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting  
Meeting Location: Council Chambers – 288 Central Avenue Dover NH 03820  
Meeting Date: **Tuesday, December 7, 2010**  
Meeting Time: **7:00 pm**

**MEMBERS PRESENT:** Ron Cole (Chair), Frank Torr (Vice Chair), Dean Trefethen, Don Andolina, Linda Merullo, Marcia Gasses, Tom Clark, Dave White, Lee Skinner (Alternate), Gary Green (Alternate)

**MEMBERS NOT PRESENT:** John Swartzendruber, Jake Forget (Alternate)

**STAFF PRESENT:** Steve Bird (City Planner), Lisa Ertle (Recording Secretary)

Gary Green sat in for John Swartzendruber. The Chair called the meeting to order at 7:00 pm.

### 1. CITIZENS' FORUM

Nobody Spoke.

### 2. APPROVAL OF THE PRIOR MINUTES

- November 10, 2010 Joint Workshop Meeting Minutes
- November 16, 2010 Regular Meeting Minutes

**Motion:** D.Trefethen motioned to approve the November 10, 2010 Joint Workshop Meeting Minutes and the November 16, 2010 Regular Meeting Minutes. D.Andolina seconded. Corrections for typos were noted for the November 16, 2010 meeting minutes. Vote: Unanimous approval.

### 3. OLD BUSINESS

- A. Public Hearing and possible vote on a Citizen Petition for an amendment to the Zoning Ordinance (Chapter 170) to rezone 30 acres adjacent to Arch Street from Urban Density Multi-residential (RM-U) to Medium-Density Residential (R-12) and 3 acres of Map 11, Lot 2 from RM-U to Thoroughfare Business (B-3). The full text of the amendment and a map are available in the Planning Department and at [www.dover.nh.gov](http://www.dover.nh.gov) located under City Documents & View Current City Reports.

*F.Torr recused himself as an abutter to this application. L.Skinner sat in for the Vice Chair.*

Public Hearing Opened

Catherine Vanderweil, of 20 Arch Street, spoke on behalf of residents who support the zoning change. She noted their concerns regarding the aging street, the streets sewer infrastructure and the impact to Woodman Park Elementary School. They would like to see the preservation of this neighborhood kept.

Mike Tierney, Attorney at Law, represented Salmons Fall Holdings. They are the property owners of 46 and 48 Arch Street. He discussed the clients concerns from a letter that was submitted to the Planning Board Members. (Copy on file) T.Clark and M.Tierney confirmed that Salmon Fall Holdings recently closed on this property.

Peter Driscoll, of 41 Arch Street, is in favor of the petition. He discussed his concerns with the impact of the school district that multi-family units may add.

Robert Carroll, of 17 Arch Street, is in favor of the application. He noted his concerns of the impact of traffic in regards to a Traffic Study Report that was conducted in 2010. (Copy in File)



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David Ferguson, of 16 Arch Street, concurs with the statement from Cathy Vanderweil.

Peggy Jalbert, owner of property on 10 Arch Street, in favor of the request. She discussed her concerns.

Patti Driscoll, of 41 Arch Street, concurs with the statements of residents in favor of rezoning.

Janet Perry, of 37 Arch Street, asked the Board to consider the rezoning. She discussed her concerns to the character of the street, the impact of increased traffic and overcrowding of schools.

Nancy Bryant, of 7 Arch Street, spoke on in favor of the request on behalf of her mother and father, Lonnie and Don Bryant. She feels that the unique character of Arch Streets needs to be preserved.

Jane Sherwood, of 43 Arch Street, noted she is in support of this being a single family neighborhood.

Dennis Magliozzi, of 28 West Concord Street, noted he is in favor of the rezoning.

Nancy Carroll, of 17 Arch Street, concurs with the other residents in favor of the rezoning.

Henry Brandt, owner of property on 40 Arch Street, discussed the following: his opinions of the proposals that have been brought forward for Arch Street, the concerns of the residents that have spoken, and the impacts to the conforming and non-conforming lots.

Joseph Jalbert, owner of property on 10 Arch Street, stated he would like to see further development stopped.

Larry Tatro, of 2 Arch Street, is in support of the rezoning. He noted his concern if rezoning is not passed.

Mark Jones, owner of 16 Arch Street, spoke against the petition on behalf of himself and his wife Suzanne Jones. He discussed the documents he submitted to the Planning Board. (Copy in file)

Peter Loughlin, Attorney at Law, represented Jack Buckley and a number of residents on Arch Street. He discussed the documents of representation that was handed out to the Planning Board members. (Copy in file)

Mark Jones noted his contention with the testimony from Peter Loughlin.

Jack Buckley, 36 Arch Street, is in support of the rezoning. He discussed his concerns regarding a property owner on Arch Street, and asked the Board members vote on the petition tonight.

George Sherwood, of 43 Arch Street, is in support the zoning change.

Public Hearing Closed

S.Bird addressed the Board with procedural recommendations in regards to this public hearing. He discussed the supporting factors from the City Planning Director, Christopher Parker. The Planning



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Department suggests the Board deliberate to take into consideration whether time is needed to think about the evidence presented, or whether to vote tonight.

M.Gasses noted her concerns with making the lots more non-conforming if the rezoning is passed. She would like to know if there will be any wetland delineation. S.Bird noted the Planning Department has not received any plans in regards to wetland delineation, and further discussed the wetland area that is located on vacant property on Arch Street.

D.Trefethen stated he feels this is the best time to consider rezoning because there is no proposal before the Planning Department.

L.Merullo noted her concern with prolonging the application. She is favor of the citizen's request to rezone.

G.Green and S.Bird discussed the dwelling units that are permitted in the RM-U and R-12 district.

M.Gasses discussed her concerns with the zoning lines on this street. She suggests looking into redrawing the lines.

D.Trefethen and S.Bird discussed the Planning Boards purview to redraw the lines, and the various actions that need to take place before the consideration of redrawing the lines can happen.

D.Trefethen discussed the criteria needed for a Special Exception application to be granted from the Zoning Board of Adjustment.

M.Gasses noted her concern of future homeowners if the rezoning gets passed.

The Chair gave recommendations to the Planning Board members in regards to proceeding with this application. Discussion ensued on the redrawing of the zoning lines.

**Motion:** L.Merullo motioned to table until the December 21, 2010 meeting. D.White seconded. Vote: 4-5. Motion to table failed. L.Skinner, M.Gasses, D.Trefethen, D.Andolina, R.Cole (Chair) voted against the motion. The Chair rescinded his vote; he is not ready to take action. Discussion ensued on the motion and the suggestion of redrawing the lines. The Chair suggested referring to the Planning Department and the petitioners. **Motion:** M.Gasses motioned to refer the matter to the Planning Department and the petitioners, and will appoint a sub committee to work on this. D.Trefethen seconded. Vote: Unanimous approval.

The Chair asked the petitioners to contact the Planning Department for coordination on this plan.

The Chair called for a recess at 8:15 pm, resumed at 8:20 pm.

*The Vice Chair took his seat.*

- B. Consideration and vote on proposed Capital Improvements Program (CIP) FY 2012 – FY 2017. The CIP can be found on the City Web Site at [www.dover.nh.gov/planspec\\_out.htm?id=Capital](http://www.dover.nh.gov/planspec_out.htm?id=Capital).



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The Chair noted the Director of Recreation and representatives of the school department are present, and advised the Board that changes have been made.

Public Hearing Opened

S.Bird noted the Planning Department suggests that the Board not make any final determinations tonight, and to take time to compare the changes. He discussed the changes that reflected the Recreation and School departments.

The Chair discussed his concerns with the CIP.

Gary Bannon, Director of the Recreation Department, noted the changes to the Recreation Department reflect revisions recommended from the City Council. These changes come from recent discussions from the City Council and City Manager. The Chair noted these changes fall in to the purview of the Master Plan and is what the Planning Board is here to consider.

The Chair, G.Bannon and Laurie Verville (Business Manager for the Dover Schools) discussed the Dunaway Field Turf Replacement.

L.Merullo noted her concern with the proposed projects for the Jenny Thompson Pool. L.Merullo and G.Bannon discussed these concerns.

D.Trefethen and G.Bannon discussed the Capital Reserve-Park/Playground Improvements, under Culture and Recreation.

Jean Briggs Badger, Superintendent of the Dover Schools, along with Laurie Verville and Dr. Carol Mebert (Chair of the School Board) represented the Dover School Department. J.Briggs Badger discussed the changes that were made to the education projects for the Garrison Elementary School and the Dover High School.

D.Trefethen and J.Briggs Badger discussed the Dover High School funding timeline. She feels they need to proceed with the timeline and discussed their plans for moving forward.

L.Merullo and L.Verville discussed the Garrison Elementary School. L.Merullo noted her concern with the school projects.

The Chair and J.Briggs Badger clarified the total funding needed for the proposed Education project.

F.Torr and J.Briggs Badger discussed the Education projects. She noted the total project funding that is proposed should be sufficient for renovations.

Public Hearing Closed

#### 4. NEW BUSINESS

- A. Public Hearing, per Chapter 155-24, for consideration of a request for a 2nd one-year time extension for completion of required improvements and a request to amend conditions of approval for the Cornerstone Crossing Subdivision (Cornerstone Dr. & Meeting House Way), off of County Farm



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Cross Road, by Tay Tav Partnership, LLC, Assessor's Map B, Lots 18, 26-34, 39-47, zoned R-40. (P05-13) (18 lots)

This item will not be heard this evening, and is rescheduled to be heard at the December 21, 2010 Planning Board Meeting.

### 5. STAFF COMMENTS

S.Bird discussed the By Laws and Rules handout that was given to the Board Members. He noted that this will be discussed and hopefully voted on at the December 21, 2010 Planning Board Meeting.

He also noted the 2011 Meeting Schedule is available.

### 6. COMMITTEE REPORTS

The Chair appointed M.Gasses and D.Trefethen to sit on an Advisory Committee for the Arch Street petition.

The Chair will not be standing for reelection of Chair for 2011. The position for Chair and Vice Chair will be elected upon at the first Planning Board Meeting in January.

### 7. ADJOURNMENT

**Motion:** M.Gasses motioned to adjourn the meeting at 9:09 pm. L.Merullo seconded. Vote: Unanimous approval.