



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers – 288 Central Avenue Dover NH 03820
Meeting Date: **Tuesday, January 11, 2011**
Meeting Time: **7:00 pm**

Members Present: Marcia Gasses (Chair), Frank Torr (Vice Chair), Don Andolina, John Swartzendruber, Linda Merullo, Ron Cole, Tom Clark, Dave White, Lee Skinner (Alternate), Gary Green (Alternate), Jake Forget (Alternate)

Members Not Present: Dean Trefethen

Staff Present: Christopher Parker (Planning Director), Lisa Ertle (Recording Secretary)

The Chair called the meeting to order at 7:00 pm.

1. ELECTION OF OFFICERS

F.Torr motioned to nominate M.Gasses as Planning Board Chair.

R.Cole motioned to nominate F.Torr as Planning Board Vice Chair.

The Board voted by secret ballot. The Secretary tallied the votes and the results were announced by C.Parker. M.Gasses was elected as Chair, and F.Torr remains Vice Chair.

R.Cole gave a statement in regards to his years on the Planning Board, and the great accomplishments achieved with the Planning Board, along with the work from the Planning Department.

2. CITIZENS' FORUM

No one spoke.

3. APPROVAL OF THE PRIOR MINUTES

- December 21, 2010 Regular Meeting Minutes

T.Clark noted corrections to be made on the December 21, 2010 minutes.

Motion: R.Cole motioned to approve the December 21, 2010 Regular Meeting minutes, as corrected, L.Merullo seconded. Vote: Unanimous approval.

4. OLD BUSINESS

C.Parker addressed the revisions to the Planning Board agenda concerning the withdrawal of the Gulf Road application, to allow applicant time to meet with the Technical Review Committee (TRC), and the Cornerstone Crossing application, due to no change in conditional use.

C.Parker noted to the Board that the Planning Department and City Council have been in receipt of two letters from Mark Jones and Suzanne Jones, whom are requesting for a rehearing from the Planning Board and a Protest Petition from the City Council. He addressed his concerns that are in opposition of approving a rehearing.

F.Torr recused himself as an abutter. L.Skinner sat in for F.Torr.

M.Gasses stated after a public session on December 7, 2010, the Dover Planning Board approved the petitioners request to rezone Arch Street from RM-U to R-12 and B-3 as discussed. Following decision, abutters, Mark and Suzanne Jones, have requested that the Planning Board Rehear the Petition.



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers – 288 Central Avenue Dover NH 03820
Meeting Date: **Tuesday, January 11, 2011**
Meeting Time: **7:00 pm**

R.Cole noted his understanding for the request of a rehearing from Mr. and Mrs. Jones, but feels the Planning Board made the right decision.

Motion: T.Clark motioned to deny the reconsideration since the allegations of conflict of interest are outside the purview of the Planning Board, the composition of the membership of the Planning Board is consistent with State statute, and the State law cited by the Jones supporting the motion to reconsider does not apply to the Planning Board. Specifically the Board finds that: 1) Alleged violations of the zoning code are the purview of the Zoning Administrator, not the Planning Board. 2) Alleged attorney conflicts are not the purview of the Planning Board. 3) City staff are permitted to sit on the Planning Board by state statute. 4) The provisions of RSA 677:2 regarding re-hearings are not applicable to the Planning Board. D.White seconded. Vote: Unanimous approval.

L.Skinner stepped down. F.Torr took his seat.

5. NEW BUSINESS

- A. Consideration and acceptance of a Minor Lot Line Adjustment of land for Paula Forbes and MPJ Development, LLC, Assessor's Map E, Lots 50-1, 50-2, 50-3, zoned R-40, located at Pacific Drive. (P10-53)

Christopher Berry, of Berry Surveying, represented both of the applicants. The applicants are looking to modify three lot lines. Both the applicants would like to adjust the lot line for 50-2 and 50-3, in respect of proper planning and lot lines they will be borrowing from 50-1.

Motion: L.Merullo motioned to accept the application. J.Swartzendruber seconded Vote: Unanimous approval.

Public Hearing Opened-Nobody Spoke-Public Hearing Closed

C.Parker noted the applicant is requesting waivers to allow septic systems in the 50-foot perimeter buffer for lot 50-2 and in the 100-foot front perimeter buffer for lot 50-1. Additionally the proposed house on lot 50-1 is only 83 feet from an existing residential structure when 100 feet is required.

When this development was approved as an open space subdivision without lot lines, the houses were shown in approximately the same locations and the proposed septic system suitable leaching areas were located in the 50 and 100 foot perimeter buffers. When the plan with lot lines was approved, no septic systems were shown. The Planning Department supports the granting of the requested waivers because the house and septic system locations are consistent with the previously approved subdivision plan and without the waivers the lots would be virtually unbuildable.

The Planning Department recommends that the Planning Board approve the lot line adjustment plat with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

1. Add the owner's signature to the plat.
2. Provide a digital version of the plat to the Planning Office.



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers – 288 Central Avenue Dover NH 03820
Meeting Date: **Tuesday, January 11, 2011**
Meeting Time: **7:00 pm**

3. The approval includes the granting of the three waivers requested for the reasons stated by the applicant and as outlined above. The Board finds that the criteria of Chapter 155-51-A have been met.
4. The applicant shall revise the plat to add the Planning File #P10-52 to the title block.
5. The applicant shall revise the plat to amend the setback from the existing residential structure to be 83 feet per the waiver.
6. The applicant shall revise the plat to add a note requiring the planting five eight foot tall red maple trees each on lots 50-1 and 50-2 prior to the issuance of a building permit.
7. The applicant shall verify that the driveway easement shown on lot 50-3 is accurately depicted per the recorded easement.
8. The applicant shall provide proof the Alteration of Terrain is still valid, or not necessary.

Motion: F.Torr motioned to approve with staff recommendations. D.Andolina seconded. Vote: Unanimous approval.

B. Discussion Regarding Prioritization of suggested Land Use Regulation changes.

C.Parker discussed the process of requesting each board and commission associated with land use to submit any suggestions on changes it would like to see the Planning Board review in 2011. The submissions were reviewed and staff added some of its own. The list of areas include:

- Adding Transit Oriented Development guidelines to the Subdivision and Site Review chapters.
- Adding allowances for alternative transportation infrastructure in lieu of installing sidewalks to the Subdivision and Site Review chapters.
- Reviewing the Definitions for various elderly housing styles, office types and separating the definition of gas and auto service station.
- Consider rezoning areas along Hall Street, Spruce Lane, Map 15-105, and Westwood Circle.
- Allowing gas stations as a permitted use in the B-3, where it is by special exception now.
- Altering the required build to line, and calculation of the dimension of the line in the R-12 and R-20 districts.
- Clarifying the fence height required for farm animals for family use.
- Consider allowing closely conditioned LED lighting for certain signs.

M.Gasses reminded the board that if an item is reviewed, it does not mean it will be adopted or recommended for adoption. After listing the areas proposed, general discussion ensued regarding elements. The Board chose to remove the rezoning of the area around Westwood Circle from the list, and to have staff move forward drafting recommendations for each.

C.Parker reviewed a proposed timeline for completion of the amendments, beginning on February 23, 2011.

6. STAFF COMMENTS

C.Parker noted that the Planning Board members have received a copy of the Planning Board By-Laws and Rules. The members have also received a copy of the 2011 Economic Development Addendum to the Land Use Analysis Chapter. D.Barufaldi, Economic Director, will be attending the January 25, 2011 meeting to answer any questions from the Board members.



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers – 288 Central Avenue Dover NH 03820
Meeting Date: **Tuesday, January 11, 2011**
Meeting Time: **7:00 pm**

C.Parker noted a media presence of T.Clark on the Do It Yourself Network, on the Renovation Realities show.

C.Parker congratulated M.Gasses on her position as Planning Board Chair.

7. COMMITTEE REPORTS

None

8. ADJOURNMENT

Motion: R.Cole motioned to adjourn the meeting at 8:00 pm. J.Swartzendruber seconded. Vote: Unanimous approval.