



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: McConnell Center – Room 306, 61 Locust Street
Meeting Date: **Tuesday, June 12, 2012**
Meeting Time: **7:00 pm**

Members Present: Marcia Gasses, (Chair); Frank Torr (Vice Chair), Dean Trefethen, Mayor; Thomas Clark, Dave White, Lee Skinner, Gary Green, Dexter Tarbox (Alternate), Jake Forget (Alternate)

Members Not Present: Dennis Ciotti, Kirt Schuman

Staff Present: Christopher Parker (Planning Director), Timothy Corwin (Assistant Planner), Steve Bird (City Planner), Gail Pare (Recording Secretary)

The Chair called the meeting to order at 7:01 pm.

1. CITIZENS' FORUM

Citizen's Forum open.

Mary Hebbard of 97 Spruce Lane, noted she and her husband, attended all of the neighborhood meetings that were part of Dover 2023 visioning plan. She stated that the brainstorming sessions were strategically overpopulated with individuals affiliated with city boards, committees and departments and geared towards sustainability efforts. She spoke about the poor attendance at the meetings and that citizens were not interested in coming out. She believes the results of the brainstorming sessions in no way reflect the needs and wants of the citizens of Dover, and instead reflect the desires of Planning Department staff, boards and subcommittees.

Jack Kimball of 24 Isaac Lucas Circle spoke against the proposed visioning plan. He stated he learned of the plan in the last 90 days. He spoke about liberty and freedom and the property rights of the owners. He warned about a huge class action suit against the City of Dover if they were to pass the plan and asked to carefully pay attention to what is brought up tonight.

Rick Hebbard, 97 Spruce Lane, warned the Board that approving the plan is an act of treason and communism and he warns that those involved would be held accountable.

David Montenegro stated he also participated in the Dover 2023 neighborhood meetings and has read the report. He feels he has been ripped off and he stated it is very clear that certain ideas were chosen over others and many ideas were just excluded. His views and the views of the community were not represented. He feels there should be a minority report.

Citizens Forum closed.

2. Approval of the Prior Minutes

- May 15, 2012 Workshop and the May 22, 2012 Regular Meeting Minutes.

Motion: G.Green motioned to approve both the minutes from the May 15, 2012 Workshop and the May 22, 2012 Regular Meeting Minutes with corrections noted. Seconded by D.Trefethen Vote: U/A.

3. OLD BUSINESS

The Chair announced that Old Business items 3.A and 3.B will not be heard tonight.



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- A. Consideration and possible vote on a Site Review of land for The Housing Partnership (Owner: Sidney Robbins Family Trust), Assessor's Map 27, Lot 20, zoned RM-U, located at 1 Dover Street. (42 multi-family units) **(P12-07)**

Motion: D.Trefethen motioned to table until June 26, 2012. Seconded by F.Torr. Vote: U/A.

- B. Consideration and possible vote on a Conditional Use application for The Housing Partnership (Owner: Sidney Robbins Family Trust), Assessor's Map 27, Lot 20, zoned RM-U, located at 1 Dover Street. (Reduced parking spaces) **(P12-06)**

Motion: D.Trefethen motioned to table until June 26, 2012. Seconded by F.Torr. Vote: U/A.

- C. Consideration and possible posting of Site Review & Subdivision Regulations & Zoning ordinance amendments.

C.Parker gave a brief synopsis of the proposed amendments. There will be a public hearing on July 24, 2012 and another one in late summer, both of which would have public notice.

Steve Bird presented the proposed amendments – 2012.

Zoning Ordinance amendments:

A subcommittee meeting was held on June 4, 2012.

S.Bird discussed the 12 proposed zoning amendments.

- Definition of changes
- Area Rezoning
 - Central Avenue – changing from R12 to Office district per the request of property owners.
 - Rite Aid would like to expand the B3 district and has contacted 4 property owners; C.Parker has received 3 out of 4 property owners positive feedback, these properties could be used for commercial use later.
 - Create a separate Hospital district. It also included reducing building height from 65 to 45 feet. This concern was from neighbors, but in the Office district (transitions between residential and office). The new height is 4-4 ½ stories in height. The hospital will remain at 65 ft, but the rest would be reduced to 45 ft.

C.Parker discussed what hospital administrators wanted in zoning changes.

F.Torr asked how many properties are not owned by the hospital. C.Parker stated the ownership is approximately 50/50 but the hospital owns about 70% of the land.

- The new Little Bay Waterfront district. There are 7 ½ acres of current R20 which has been added to the waterfront district. Changes also included looking at 3 or 4 family dwelling units. There would be proposed limits on square footage, and uses.

C.Parker stated feedback from the neighborhood meetings included that residents wanted to rezone closer to the DMV, and it was suggested to creep north, but not creep south, as the residents want to remain as a residential district.



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- Add Farm as permitted use in R-40 and R-20 with a footnote requiring 100,000 sf per lot.
- Adding standards for freestanding and wall signs in the B-4 district.
- Amend the R20 district, to clarify veterinary offices, and kennels. The typical 100 ft setbacks and lot size of 100,000 – was not in the R20 district. This will implement these standards as they are in other residential zones.
- Amend the residential/commercial mixed use overlay district and to clarify density.
- Add manufactured housing can be used in these types of developments
- Amend fence heights to allow 4 foot fences in front yards.
- Amend non-conforming lots to remove merger requirement due to State Law without property owner consent. The statue gives a 5 year window December, 2016. Posting signage in City Hall, Engineering, and Building Inspection.

D.Trefethen questioned the rezoning (referring to the Rite Aid property) and that impacts on other property owners. In regards to the Dover Point Road area and Little Bay Waterfront area, he felt what he heard from residents was that they wanted latitude to increase density, but he doesn't think it meant that residents want commercial on the first floor and residents on the 2nd floor. What he heard is that residents may want to add a residential unit or two depending on density and depending on what is allowed in the zone. He thinks the residents that want to expand the zone, but are not interested in expanding new business.

M.Gasses discussed that there is a home occupation in the zone; and also that a 2 family dwelling unit is being added as an allowed use.

F.Torr had questions on the Hospital district and the current sign requirements. They currently have a 12 s.f. sign which received a variance. He asked about future requirements for signage as the hospital expands.

C.Parker stated that board can look into other hospital districts in the area have for sign requirements. S.Bird stated that the board can take another look at the sign area.

Site Review Regulations:

S.Bird reviewed the 3 proposed Site Review Regulations.

- Amend final plan certification. The Registry of Deeds is no longer requiring registration of Mylars. An unfolded plan set is all that is necessary.
- Parking requirements for 3+ dwelling units. Change regulations to allow for 2 parking spaces per unit if on-street parking is available in certain districts.
- Electric Vehicle Charging Stations regulation was scaled back, it is not a requirement, but it is an incentive. There would be an incentive in a reduction in paved area application fee for those interested.
- Mobile home to manufactured home to bring in compliance with state RSA's.

Subdivision

S.Bird reviewed the three proposed Subdivision amendments.

- Amend final plat certification requirements. Mylar requirements have changed – The Registry of Deeds is no longer requiring registration of Mylars. Same as Site Review Regulations, an unfolded plan set is all that is necessary.



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- Amend Street light requirements – staff met with city engineers and city attorney’s, and proposing tonight to withdraw the amendment and leave regulations as they currently are.
- Terminology for mobile home/manufactured home.

C.Parker stated there has been much discussion about lighting in regards to liability, and a clarification standpoint. He stated although it is a Master Plan recommendation, it conflicts with city fiscal and operating policies within the community. Furthermore, he recommended that the board remove the amendment.

L.Skinner agrees with C.Parker’s recommendation to remove it.

D.Trefethen agrees in general, except for “the use of most energy efficient lighting” which is part of the existing language.

C.Parker will email board members with current language and have ordinance sheets updated prior to the next meeting. A vote will be taken at the next meeting and post those that are recommended and start the public hearing process. He recommends two public hearings one in July, one in August and then forward the final amendments to City Council in August or September.

4. NEW BUSINESS

- A. Presentation of Master Plan Visioning chapter. The Visioning Process, presented by Roger Hawk & Gerry Coogan were present to give an overview.

C.Parker stated that the State requires the City have a visioning chapter. The Steering Committee was asked to dream into what they want this community to be in 20 years.

- Outreach Strategy (email blasts, news articles, flyers, twitter & facebook, WTSN Open Mike and on-line survey.
- Meeting Sequence – started on March 10 and included introductions, (3) March neighborhood meetings defining community values, breakout groups, and what concerns moving forward. In April, neighborhood meetings – setting priorities. May 1 which was an opportunity for business community to review, and May 5 for the entire community to do a vision reality check.
- Vision Structure including: Vision Themes: 8 Functional Categories, and 49 Vision Elements.

Roger Hawk of Hawk Planning Resources, LLC read “Our Vision” and unveiled the results of the neighborhood brainstorming sessions to the Planning Board, which will be used to design the city’s newest Master Plan chapter. He described the Dover 2023 process, noting that it was advertised to residents throughout the community through newspaper articles, postings, social networking, and advertised through several open mic sessions on the radio. He went on to say that residents indicated they wanted Dover to be a dynamic community that offers an outstanding quality of life, one that is safe and family-friendly, has excellent school systems, and a community whose historic downtown is vibrant with a wide variety of retail, dining, and entertainment options. He also stated that residents want to see a mix of housing choices, a well maintained infrastructure, keep public transportation, and that conservation and sustainability initiatives are actively pursued by city officials. He reported residents want to see the city’s historic character and small-town community feel preserved, have the opportunity to participate in volunteerism efforts, attend a growing number of arts and culture activities, and see the Dover Community Trail expanded.



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Chair Gasses asked the Board for any general comments and address it at another meeting.

G.Green commented aside of the facilitators, although they are citizens, he was disappointed with the general turnout even though there was a lot of effort in publicizing. He asked about online surveys and online participation.

C.Parker stated that online participation was similar and consistent with the physical turnout. Feedback results were consistent, people supported similar things in the challenges and what people liked.

M.Gasses stated that views are consistent in comparison to the Community Survey in 2006, but more specific.

C.Parker stated there is a need for more community feedback. A full report is available online under Current City reports.

D.Tarbox asked R.Hawk to elaborate on certain comments about property rights, the nature of the free market and communism.

R.Hawk stated that a lot of effort has been put into the meetings and getting city-wide input was important. They tried to think as creatively as possible to get people to the meetings. Getting input from the community is democracy in action. The reports were conveyed as accurately as possible. The original flip charts are available and will be turned over to the Planning Dept.

C.Parker responded to the board that the document is more visually and user friendly. He thanks D.Montenegro for the typo list, and has worked with the feedback. The report handed out tonight is a draft and visuals will be enhanced in the next round as well as typo errors.

Roger Hawk mentioned the implementation matrix which shows both the priority and difficulty columns. He stated that these were the actual votes received at the April neighborhood meetings. Those results were from the public who attended the meetings and the scores were consolidated into the report.

B. Presentation of concept update for Thornwood Commons.

Chad Kageliery stated that he is co-developer for Thornwood Commons for the commercial portion and John O'Neil from Changing Places is for the residential portion. The master plan was approved 6 years ago, and the development was put on hold. It has been updated to meet the needs of today's market.

The Conditional Use permit was approved under the mixed use plan 6 years ago. This is an updated plan. The new plan has more green space, incorporates less traffic and more residential. C.Kageliery is here to introduce the plan and get feedback from the board.

C.Parker asked about changes in the market, which has driven changes in the plan.



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C.Kageliery responded that the original plan included larger scale congregate care facilities, and large box retail outlets which are both gone from the market. The new plan incorporates more residential plans for income both in single family and rental housing and is making a strong comeback. The previous plan was a mix of uses, but the new plan incorporates a better mix of use, with is more of a village theme with multi-level residential/commercial spaces, which fits in better in the balance of what the City has now.

D.Trefethen, looking at the proposed plan, asked about buildings 1-9 asked if they are office or residential.

C.Kageliery stated there are mixed use buildings with commercial enterprise on the first floor, or commercial or rental units on the upper floors. He referred to the Woodman block as an example.

D.Trefethen noted that there appears to be considerably more residential then in the previous plan and the focus of the development appears to be more residential.

C.Kageliery stated it is more residential than the previous plan, but it does fit the guidelines and meets the zoning regulations. The yield plan compares to the Route 108 and creates more than a mixed use project.

D.Trefethen commented on going from the 40,000 s.f. building to the proposed residential plan. He feels there should be a direct pedestrian access to the houses.

C.Kageliery pointed out he is still in the midst of negotiating the Public Service ROA with PSNH for utility easements, and the original plan was putting the power lines underground. PSNH is not cooperating.

C.Parker stated as a comment that PSNH doesn't care that the City subdivision regulations requires it.

C.Kageliery stated there has been significant effort and financial resources into readying the property for development. He will continue to work on the development with feedback from the city and the planning board.

G.Green asked about the vision of buildings 1-9 for commercial use. There will be smaller merchants, shops, light professional office, and subsidized by residential going into the rest of the property.

D.Trefethen questioned the new proposed single family housing, adjacent to the 40,000 sq.ft. building. He asked if it's a different price point.

C.Kageliery stated it's more dense, and the price point is different. There are age restrictions, and a varied price point. The plan shown here is a townhouse concept, but it may not be that. It may be smaller single family residential. The level of pricing and marketing is not in place yet. The idea is to provide a varying product and it's possible that the pricing for the units closer to the commercial will be at a lower price point than those at the other end.

5. STAFF COMMENTS:

- No workshops in July or August. The board agrees.



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- M.Gasses would like to revisit the master plan chapter on the next agenda. At the June 26, 2012, give immediate feedback to R.Hawk.
- The final hearing on the Master Plan in July or August.
- L.Skinner spoke of the Master Plan Chapter and feels there is a risk, and recommends the board take plenty of time to review the master plan recommendations.
- C.Parker spoke about the hospital zone regarding Mt. Vernon and Abbott Street and that on-street parking has not been an issue. Since September the hospital garage has been open, and there appears to be plenty of parking.
- Community Planning Grant a grant from NH Housing & Finance Authority. The application is due this Friday, June 15, 2012. We will continue the form base code leading in/out of Dover. The grant is a \$50,000 2-year grant with a local match of \$5,000 City money. C.Parker would like to include in the application, that the Planning Board is in approval of the project and have the Chair sign it. The board voted U/A to endorse.
- Strafford Regional Planning Commission had approached staff a few years ago for a scenic by-ways project to allow the City to apply for federal money, lane striping, signage, and marketing materials. The Council has tabled the item pending a workshop. The administrator from the State will be there. The State statute specifically states no private property rights can be inuned by the designation of a byway. The Strafford Regional Planning spoke to the Transportation Advisory Committee and C.Parker commented it is his opinion that it is valuable for the City and would be a disservice if the City didn't review all state, local, national, and global ideas and processes. The Scenic By-ways workshop will be held late in the summer, and the City Manager will schedule for late July or August.
- C.Parker spoke about the Public participation process.

6. COMMITTEE REPORTS: N/A

7. ADJOURNMENT:

Motion: D.Trefethen motioned to adjourn at 9:11 pm. Seconded by L.Skinner. Vote: U/A.