



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Tuesday, April 9, 2013**
Meeting Time: **7:00 pm**

Members Present: Kirt Schuman (Vice Chair), Tom Clark, Frank Torr, Lee Skinner, Gary Green, Dave White, Dean Trefethen, Mayor; Dexter Tarbox (Alternate), Deborah Thibodeaux (Alternate)

Members Not Present: Dennis Ciotti (Chair), John Leggett, Catherine Plante (Alternate).

Staff Present: Christopher Parker (Planning Director); Gail Pare (Recording Secretary)

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

1. *CITIZENS' FORUM*

Citizens Forum Open.

Rick Hebbard, 97 Spruce Lane, spoke on behalf of Wally Stevens who was unable to attend. He spoke about the ongoing issues with the Maple Suites lighting and that Mr. Stevens remains unhappy. It appears the lighting contractor came and lowered one of the lights, but they are not sure they lowered the wattage of the lights. Mr. Hebbard is asking for Mr. Parker to direct Maple Suites to shut off the lights until the situation is fixed.

Mary Hebbard, 97 Spruce Lane, also spoke on behalf of Wally Stevens. She questioned if a photometric test should be done. The lights have been impacting his property since July 2012 and Mr. Stevens has been more than patient. She feels that Maple Suites is getting special treatment. She would also like the 5 lights shut off until the situation is corrected.

The Vice Chair introduced Deborah Thibodeaux as a new Planning Board alternate and welcomed her to the Board.

Citizens Forum Closed.

2. APPROVAL OF THE PRIOR MINUTES

- March 26, 2013 Regular Meeting Minutes

Motion: F.Torr motioned to approve the March 26, 2013 meeting minutes. Seconded by L.Skinner. Vote: U/A.

T.Clark mentioned an omission in the minutes. The minutes have been corrected.

Motion: F.Torr motioned to approve the minutes with corrections. All Board members were in favor. Vote: U/A.

3. OLD BUSINESS

- A. Consideration and possible vote on an amendment to a previously approved Open Space Subdivision (10/23/12) for River Valley Development Corp., Assessor's Map N, Lots 8-A, 8-A-A, 8-A-TM1, and 8-A-TM2, zoned R-40, located off of Kings Highway/Gulf Road (20 new lots) *(P12-20A).



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Atty. James Schulte represented the applicants River Valley Development. He gave an overview of the subdivision previously approved in October 2012. The residents of Wisteria Drive had requested a locked gate at the entrance. The City reviewed that as a public safety and connectivity issue, and felt the entrance should not be restricted. The Board approved the subdivision without a locked gate. After ongoing discussions with the residents of Wisteria Drive, an arrangement has been agreed upon that recommended an automatic swing open gate. This gate would provide full access to the public. In situations where there is no power, the two halves of the gate are held together with magnets and would be able to be pushed open without power. There would also be a 6 foot wide bypass around one end of the gate for pedestrians and bicyclists. What the applicant is asking for is the removal of the condition of approval which prohibits a gate subject to the details negotiated. He referred to the drawings presented to the Board describing the details of the gate and location. The Board had also asked for landscaping which would be set back 15 feet from the four corners of the connecting road. The applicants believe that they have complied with all the Boards concerns, and asked that the plan be modified by removing the condition that there is no gate.

T.Clark asked Atty. Schulte to address the waiver request.

Atty. Schulte stated he doesn't feel they need it because there is full connectivity through the road; there is a 15 second delay in opening, they feel they comply with the Board's requirements.

C.Parker commented that the Planning Dept. respects Atty. Schulte's knowledge, but the Planning Dept. feels it is better to grant that waiver and has included it as a condition of approval.

Motion: T.Clark motioned to accept the application. Seconded by F.Torr. Vote: U/A.

Reopen the public hearing. Nobody spoke. Public hearing closed.

STAFF RECOMMENDATION:

The Planning Department recommends the Planning Board approve the amendment with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

1. The previous conditions of approval from October 23, 2012 remain in effect except for condition #5 (see below).
2. The original condition #5 is amended to require a 50-foot right-of-way and 20-foot wide paved roadway for the connector road and requiring the addition of an automatic gate, two speed tables and signage.
3. The applicant shall revise the plat to correct the proposed map and lot numbers after consulting with the Tax Assessor's Office.
4. The approval includes the granting of the requested waiver for the road length for the reasons stated by the applicant and staff. The Board finds that the criteria of Chapter 155-51-A have been met.
5. The applicant shall revise the stipulations on sheet #5 to match the final stipulations agreed upon.

D.Trefethen questioned that the plan would be amended to require and show a 50 foot right of way, and what was the right-of-way on the original plan?

C.Parker stated the 50 foot right-of-way is shown, and the 20 feet of pavement is shown, but the plans don't show the 15 foot landscaping back, and they want details of the speed tables and the gate.



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D.Trefethen questioned if the 50 foot right-of-way continues to the various short portions that are directly adjacent to Wisteria Drive.

C.Parker stated that the right-of-way connects with the easement that was granted in 2005.

G.Green commented that the original plan did not have unanimous approval (5/2). He complimented the Planning Dept. for coming up with an acceptable compromise.

Motion: T.Clark motioned to approve the amendment with conditions. Seconded by L.Skinner. Vote: 8/1. *D.White opposed.*

- B. Discussion and possible vote on Community Development Block Grant (CDBG) funding requests for Fiscal Year 2013/2014.

Public hearing open.

C.Parker gave a Planning Dept. staff update on the recommended allocations with a revised breakdown sheet of how the allocations were allotted. He clarified where the \$39,000 came from; it came from current income vs. estimated income.

He stated that all requests for the CDBG grants are important but with diminished Federal funds, and only the requests rated high priority were funded this year. It is not a determination of the quality of the program but in the allocation of the funds. In public service agency funding - \$39,000 was allocated; in total non-public service requests: Administration, rehabilitation, public facilities and economic development - \$382,956 was allocated. Grand Total of funds allocated is \$421,956.

G.Green asked where does it show the estimated income.

C.Parker stated he did not bring those figures.

D.Trefethen asked if the \$421,956 is the correct number of Federal funds after sequestration.

C.Parker stated that the City of Dover went conservative at 8% when they were told to expect a 5% cut. After the government budget is approved and if it comes back higher, the Planning Dept. would come back and reallocate funds.

L.Skinner commented on two items: He commented that as the years have gone by, wouldn't the number of homes in the community action weatherization program diminish as most homes should already be done, how many are left, and would this program eventually terminate; He also asked about the welfare security deposit program and is it perpetuating. Are any of these programs self-regenerating?

C.Parker commented that the security deposit program is a self-regenerating. There is a 20% return on the deposit per year. The money goes back into the loan pool. There is some return. The CAP program has a lot of value. There is a list of where the funds go, but it is confidential. Statistics are received by CAP. In fact, Rochester receives \$40,000 from CAP. Rick Jones can sit with anyone who has questions.

G.Green commented he cannot come up with the \$260,000 stated in the email.



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C.Parker commented that this year the City is selling the School Street parking lot and would expend all the funds per HUD requirements.

G.Green's made a comment about the \$8,100.

C.Parker confirmed for G.Green that \$8,100 is the amount of money the City gets from permits and meters. He commented that much of the confusion comes from that HUD operates on a Federal fiscal year, and the City operates differently. Money is reallocated moving forward to the next year. He stated that we would do things differently next year.

Reopen the public hearing. Nobody spoke. Public hearing closed.

Motion: T.Clark motioned to recommend what the staff recommended to the City Council for the FY2013-2014. Seconded by L.Skinner. Vote: U/A.

5. STAFF COMMENTS

- The CDBG Block Grant Resolution will be put forward to the City Council. Mayor Dean Trefethen stated he will sponsor the approval to the City Council. It will be presented to the City Council on the April 24, 2013 agenda and have a public hearing scheduled for the May 8, 2013 City Council meeting.
- C.Parker stated that he will meet with Tim Corwin and Tom Clark about the issues at Maple Suites, and will update the Board at the next meeting.
- C.Parker reminded the Board there will be a Land Use Meeting & Greet meeting on Tuesday April 30th from 6-8 p.m. All land use boards from the City are invited. Energy Commission, Transportation Advisory Commission, Zoning Board, Planning Board, Conservation Commission, Open Lands Commission, Trails Advisory Commission and DBIDA. He asked Board members to do the online survey if they haven't already. Dinner will be provided.
- A reminder about the NH OEP (Office of Energy and Planning) which is holding a Spring Planning & Zoning Conference on Saturday, May 11, 2013 at the Radisson Hotel in Manchester, NH. A flyer is attached.
- At tomorrow night's City Council meeting there is the Ordinance change for the rezoning that was approved; the petitions will be forwarded to a public hearing on April 24th.

6. COMMITTEE REPORTS

G.Green commented that the RCM Report (Residential Commercial Mixed Use District) would be given at a later date.

C.Parker commented that C.Kageleiry is still unsure of what he wants to do with his property. Other property owners want a meeting and Tim Corwin will coordinate the meeting.

7. ADJOURNMENT

Motion: L.Skinner motioned to adjourn at 7:33 p.m. Seconded by D.Tarbox. Vote: U/A.