

CITY OF DOVER

ZONING BOARD OF ADJUSTMENT - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers, 288 Central Avenue, Dover, NH 03820
Meeting Date: **Thursday, July 17, 2014**
Meeting Time: **7:00 pm**

1. ATTENDANCE

Members Present: Sam Reid (Chair), Otis Perry (Vice Chair), Frank Landford, Bob Hall (Alternate), George Reagan (Alternate)

Members Not Present: Jennifer Stone, Chris Prior, Joshua Cote (Alternate)

Staff Present: Timothy Corwin (Assistant City Planner), Diane Britt (Recording Secretary)

The Chair called the meeting to order at 7:01 p.m. He opened the meeting, introduced the Board and staff members to the audience, and described the process used to hear cases.

2. APPROVAL OF REGULAR MEETING MINUTES OF JUNE 19, 2014

Motion: O.Perry made a motion to approve the June 19, 2014 minutes. Seconded by F.Landford.

B.Hall stated he thought the minutes were not complete enough and needed more details inserted. He gave specifics in an email to T.Corwin and S.Reid.

B.Hall stated there were some numbering issues in the minutes, for item 3A he would like more details regarding discussion on the location and orientation of the sign and he thought the final motion included that the sign must conform to the design presented, and for item 3C he would like more information about why this item was tabled. He feels more details should be included.

Lengthy discussion continued regarding what should be included in the minutes of a meeting.

S.Reid stated he thought the minutes should be tabled and the Board will look at them again at the next meeting.

F.Landford withdrew his second.

O.Perry withdrew his motion to approve the minutes.

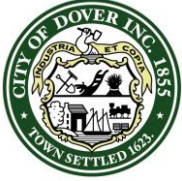
Motion: O.Perry made a motion to refer the minutes back to the staff and review at the next meeting. F.Landford seconded. Vote: U/A

The Chair stated this will be discussed further later in the meeting.

3. HEARINGS

- A. *Z 14-17 Calvin & Marta Cole (Property Owner: Cole Family Revocable Trust), 36 Hillcrest Drive (Tax Map 35, Lot 56-L), located in the Medium Density Residential (R-12) District, requests a variance from **Section 170-12.A** of the Zoning Ordinance and the R-12 District Table of Use and Dimensional Requirements to permit the construction of a bulkhead within 17 feet of the front lot line where a minimum setback of 25 feet is required.

Public Hearing Opened



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Calvin Cole, the applicant, spoke, stating he wants to put in a bulkhead. The house is on a corner lot and the location where the bulkhead will be is at the end of the house around the corner but it qualifies as the front yard because of the street being there. This is the most practical and logical place to put a bulkhead. Putting it at the back of the lot would require a variance also. The house is a ranch style home and it pretty much covers the allowable building area. At the other end of the house equipment could not be brought in there because it is on the side of a hill and trees are in the way. The only way to the cellar now is through the kitchen. He would like to upgrade the heating system and would like to have the bulkhead to facilitate this. Storage space in the cellar is also hard to access at this point. He mentioned that he spoke with the neighbor across the street who has no objection to this but he was not able to get a note from him stating this.

G.Reagan asked if Mr. Cole had looked at different styles of entryways to the basement other than that style of bulkhead.

Mr. Cole stated it needs a roof over it and he did not see any other way of accomplishing the task.

STAFF RECOMMENDATION

T.Corwin stated that staff supports the variance request for the reasons explained by the applicant and as set forth in the Staff Memo.

Public Hearing Closed

F.Landford stated he looked at the site and he agrees that the place where the applicant wants to put the bulkhead is the most common sense place.

Motion: O.Perry made a motion to grant the variance. Seconded by F.Landford.

S.Reid stated that the City Planner has asked that the Board state that they believe the applicant meets all the conditions for a variance when making a motion to grant a variance.

Motion: O.Perry amended the motion that the variance be granted because the applicant has met all the conditions for the variance. Seconded by F.Landford . Vote: U/A

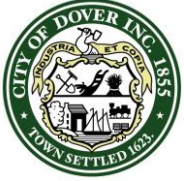
4. REVIEW OF ZONING BOARD OF ADJUSTMENT RULES OF PROCEDURE

S.Reid suggested continued discussion on the minutes.

T.Corwin stated it is incumbent upon the Board to review the minutes and let the staff know if an important point is missing. The Board needs to be comfortable with the minutes but the minutes have to be as concise as possible while covering the important points. He read an abbreviated section of the Right To Know Law, NH RSA 91.A.2.II. O.Perry stated that it is not necessary for discussions that precede the motions to be in the minutes, but the motions need to be accurate.

T.Corwin stated that if an application is denied or is contested special care may need to be taken to have a more complete record in the minutes.

Discussion continued regarding minutes.



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Discussion regarding the Rules of Procedure.

Regarding email accounts, S.Reid suggested the rules should read, "Board members may obtain a City of Dover email address or use their own account only to facilitate communications regarding meetings, agendas and the dissemination of information". He stated, in order to make it clear when the Public Hearing is opened, he would like the language to read, "The Chair shall open the Public Hearing by reading the public notice". He suggested making the Amendment of Rules (currently Article 6) the last Article, and have Joint Meetings and Hearings be Article 6.

There was discussion regarding Non-Public meetings (which require minutes) and will be #4, and meetings for advice with attorneys (which do not require minutes) which will be #5. T.Corwin will get clarification from the City Attorney on this.

The language, "Meetings shall be held in the municipal building", will be changed to "...in a municipal building".

There was discussion regarding public notice for meetings being posted in two public places and naming those two places, the City website and the City Hall bulletin board.

B.Hall wants added to the Rules of Procedure that the Board has the ability to have an appraisal done at the expense of the applicant.

There was discussion regarding the seating of alternates on a rotating basis and on a case by case basis.

O.Perry wanted to add to the section Changes to Agenda and Special Announcements (Section 5, 3D) that the seating of alternates is announced prior to the opening of the public hearing. He also wanted the language, "appointed by the Chair" to be changed to "designated by the Chair".

T.Corwin will make the requested changes to the Rules of Procedure and there will be further discussion at the next meeting.

5. ADJOURN

Motion: O.Perry made a motion to adjourn at 7:56 p.m. Seconded by B.Hall. Vote: U/A