

CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - City Hall, 288 Central Avenue
Meeting Date: **Tuesday, April 12, 2016**
Meeting Time: **7:00 pm**

Members Present: Frank Torr (Chair), Kirt Schuman (Vice Chair), Dennis Ciotti (Councilor), Tom Clark, Dave White, Lee Skinner, Gina Cruikshank, Maggie Fogarty (Alternate), Curtis J. Pratt (Alternate), David Landry (Alternate)

Members Not Present: Catherine Plante, Christopher Lawrence

Staff Present: Christopher Parker (Assistant City Manager), Steve Bird, (City Planner), Donna Benton (Assistant City Planner), Elena Piekut (Assistant City Planner), Gretchen Young (Assistant City Engineer), Dean Peschel (Environmental Consultant)

The Chair recognized M.Fogarty to sit in for C.Plante, and C.Pratt to sit in for C.Lawrence.

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

1. CITIZENS' FORUM

Citizens Forum Open. Nobody Spoke. Citizens Forum Closed

2. APPROVAL OF THE PRIOR MINUTES

- March 22, 2016 Regular Meeting Minutes

Motion: K.Schuman made a motion to approve the March 22, 2016 Regular Meeting Minutes. Seconded by D.Ciotti. Vote U/A

K.Schuman stated item 3.A would not be heard at the request of the applicant. C.Parker explained the request.

3. OLD BUSINESS

- A. Public hearing and vote on potential amendment on a Citizen's Petition for a Zoning Amendment for Scott Mitchell Real Estate, LLC, Assessor's Map 37, Lots 35, 36, 37, and 38, located on Glenwood Avenue and Central Avenue. (Rezone 5.384 acres from Office (O) and Medium Density Residential (R-12) to Thoroughfare Business District (B-3)*(P16-06)

This item was not heard at the request of the applicant.

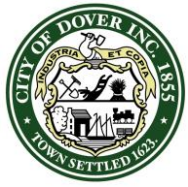
4. NEW BUSINESS

- A. Consideration and acceptance of a Minor Lot Line Adjustment for Pierre and Carolyn Lavoie (Owner: Eleanor Milliken Revocable Trust), Assessor's Map L, Lots 14M & 83G, zoned R-20, located at 175A Dover Point Road and 8 Evans Drive. *(P16-07)

C.Parker gave an overview of the application and the plans were displayed for viewing.

Kevin McEneaney, McEneaney Surveying Associates, represented the applicants and explained the proposed project. Pierre Lavoie was also present.

Motion: K.Schuman made a motion to accept the application. Seconded by D.White. Vote U/A



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - City Hall, 288 Central Avenue
Meeting Date: **Tuesday, April 12, 2016**
Meeting Time: **7:00 pm**

Public Hearing Opened. Nobody Spoke. Public Hearing Closed.

STAFF RECOMMENDATION:

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. The owners' signatures shall be added to the final plat submitted for signature.
2. The applicant shall provide the Planning Department with a digital version of the final plat.
3. The applicant shall add the surveyor's stamp and signature to the final plat.
4. The applicant shall revise the plat to include the Planning File number P16-07 to the title block.
5. The applicant shall revise the plat to show the correct amount of sq. ft. in existing lot L/14M.

Motion: T.Clark made a motion to approve subject to the staff recommended conditions. Seconded by G. Cruikshank. Vote U/A

- B. Impact Fee Waiver Request for Stabile Homes at Pointe Place, LLC, Assessor's Map K, Lot 19-3, located at Sierra Drive. (Waiver of School Impact Fee per 170.23-F-1-a to be reduced to 20% for 29 out of 31 units of housing for older persons (55+))

C.Parker gave an overview of the waiver request.

F.X. Bruton, Attorney from Bruton & Berube, PLLC, represented the applicant and explained the request. Mark Fougere of Fougere Planning & Development, Inc. was also present. Attorney Bruton explained that the properties will be permanently deed restricted to require that at least one owner be age 55 or older.

Attorney Bruton clarified for C.Pratt and T.Clark the concept of rational nexus, in response to a question about the connection between 55+ homeowners and school facilities.

Attorney Bruton clarified for T.Clark the restrictive deed requirements.

Attorney Bruton and M.Fougere clarified for K.Schuman the report, included with the application, noting demographic and construction information about 55+ aged homes in the region.

C.Parker clarified for D.Ciotti the impact fee methodology.

Attorney Bruton clarified for M.Fogarty that the deed restriction is permanent.

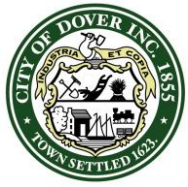
Motion: C.Pratt motioned to deny the waiver request, as it negatively impacts the future high school, and is opposite the intent of the impact fee ordinance. D.Ciotti seconded.

C.Parker clarified for L.Skinner how impact fees are collected and apportioned for use in paying for projects.

M.Fogarty and C.Cruikshank noted concerns.

Discussion ensued.

Motion: D.Ciotti motioned to move the question. C.Pratt seconded. Vote U/A



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - City Hall, 288 Central Avenue
Meeting Date: **Tuesday, April 12, 2016**
Meeting Time: **7:00 pm**

Motion to deny. Vote 4/5. Motion Fails.

Motion: M.Fogarty made a motion to approve the waiver. Seconded by T.Clark. Vote passed 5/4

C. Discussion and possible posting of the Storm Water Regulations.

C.Parker gave an overview of the work that staff has completed since the January workshop.

D.Peschel presented the need to update stormwater regulations, and the background work that went into the creation of the regulations to be presented.

G.Young presented the regulations, comparing existing to proposed, and noting the intended impact of the change.

D.Peschel explained that many of the regulation changes are mandatory, by EPA permitting and that the goal is to ensure that developers and property owners are held accountable for their stormwater impacts and not the City as a whole.

Motion: K.Schuman made a motion to Post the regulations. Seconded by G.Cruikshank. Vote U/A

F.Torr and K.Schuman requested that item E be heard prior to D.

D. Discussion and possible posting of Subdivision Amendments.

D.Benton reviewed amendments, including genesis and intended outcome of proposed changes. Amendments include housekeeping items, such as definition updating, clarifying thresholds for vesting, and removing stormwater regulations.

Motion: K.Schuman made a motion to Post the regulations. Seconded by M.Fogarty. Vote U/A

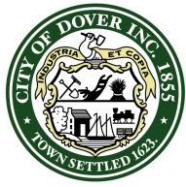
E. Discussion and possible posting of Site Review Amendments.

D.Benton reviewed amendments, including genesis and intended outcome of proposed changes. Amendments include housekeeping items, such as definition updating, clarifying thresholds for vesting, and revising blasting lighting, and loading zone regulations.

Motion: K.Schuman made a motion to Post the regulations. Seconded by G.Cruikshank. Vote U/A

F. Discussion and possible posting of Zoning Amendments.

S.Bird reviewed amendments addressing housekeeping items, such as definition updating, bringing Dover's Accessory Dwelling Unit requirements into compliance with State Statute, adding requirements for self-service storage facilities, clarifying impact fee waivers and changes to fence height.



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - City Hall, 288 Central Avenue
Meeting Date: **Tuesday, April 12, 2016**
Meeting Time: **7:00 pm**

S.Bird clarified for M.Fogarty changes to the ADU regulations. Discussion ensued on unit size and the history of the regulations.

E.Piekut reviewed amendments to the sign ordinance. The amendments add definitions and remove content based regulations, so the City is in compliance with Reed V Gilbert, a US Supreme Court case. The main impact of the changes is that temporary signs may only be placed in front of the property represented in the sign, and no longer can be placed on islands or medians throughout the City.

Motion: K.Schuman made a motion to Post the regulations. Seconded by M.Fogarty. Vote U/A

C.Parker explained the process going forward for Site, Subdivision and Zoning amendments.

C.Parker thanked Steve, Elena, Gretchen and Donna for all the time, effort and thought that went into developing the regulations presented tonight.

5. STAFF COMMENTS

C.Parker addressed:

- The OEP Annual Spring Planning & Zoning Conference
- Rescheduling the driving tour
- Planning Board members attending other committees
- The recently completed National Planning conference in Phoenix

6. MEMBER COMMENTS

K.Schuman asked for a justification for the Impact Fee amendment for 55+ housing to be 20% of the total.

7. ADJOURNMENT

Motion: K.Schuman made a motion to adjourn at 9:29pm. Seconded by L.Skinner. Vote U/A