

CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers – City Hall, 288 Central Avenue
Meeting Date: **Tuesday, September 13, 2016**
Meeting Time: **7:00 pm**

Members Present: Frank Torr (Chair), Kirt Schuman (Vice Chair), Dennis Ciotti (Councilor), Tom Clark, Dave White, Gina Cruikshank, Catherine Plante, David Landry

Members Not Present: Lee Skinner

Staff Present: Christopher Parker (Assistant City Manager), Elena Piekut (Assistant City Planner), Tracy Smith (Recording Secretary), Dan Barufaldi (Economic Development Director of Dover Business and Industrial Development Authority (DBIDA))

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

- August 23, 2016 Regular Meeting Minutes

Motion: K.Schuman made a motion to approve the August 23, 2016 Regular Meeting Minutes. Seconded by G.Cruikshank. Vote U/A

3. OLD BUSINESS

- A. Public hearing and possible vote on a proposed amendment to rezone a 16 acre parcel, known as Assessor's Map D, Lot 12, located at 447 Sixth Street and Production Drive from Rural Residential (R-40) to Assembly and Office (I-4) at the request of Dover Business and Industrial Development Authority.

Motion: K.Schuman made a motion to remove item 3.A from the table. Seconded by D.Ciotti. Vote U/A

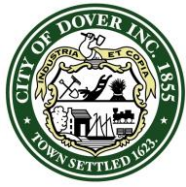
C.Parker gave an overview of the previous meetings involving the project, and provided information regarding the updates and changes made to the Rezoning Analysis report (original located in file) created in response to those meetings. Copies of the report were provided for the public, and distributed to the Board in their packets. He recommended the Board reopen the public hearing to obtain additional feedback from the public.

C.Parker explained the roles of the Planning Board and City Council as it pertains to the rezoning process for K.Schuman.

Public Hearing Reopened.

Chris Triconi, 28 Quail Drive, thanked the Board for the previous meeting, spoke against the proposal and stated his concerns regarding the intention to convert the land, and the additional research needed on the parcels.

Jake Banaian, 11 Quail Drive, spoke against the proposal and stated his concern regarding the property DBIDA has acquired on Venture Drive. He distributed a map (original in file) to the Board members to address the property owned by DBIDA and D.Ciotti showing commercial expansion. He stated further concern regarding the intention that residential development will not be built, only a commercial plan, and requested information to access DBIDA records from previous meetings.



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Nevin Brown, 7 Quail Drive, spoke against the proposal and his agreement with his neighbors. He stated further concern regarding sustainability of the project and the impact to the surrounding properties.

Brian Frankenfield, 18 Quail Drive, spoke against the proposal and stated his concern regarding woodland and wildlife impact.

D.Barufaldi spoke in favor of the proposal, addressed the abutter concerns, and provided information for the public to access DBIDA records from previous meetings. He thanked the Planning and DBIDA Board members for their work to stabilize the tax rate, and recognized the work and research provided by the Planning Department. He further thanked the neighbors for their participation and input, and addressed the residential or commercial development options.

Emily Rose, 7 Quail Drive, spoke against the proposal and requested the formula used regarding the school rate. She stated the owner of the property expressed her preference to have residential rather than commercial development. She questioned the ownership of surrounding land by D.Ciotti. She stated her agreement with her neighbors and requested residential rather than commercial development and that the trees should remain.

Barbara Civiello, 3 Quail Drive, spoke against the proposal and stated her agreement with her neighbors. She stated further concerns regarding wetland, traffic, neighborhood, and property value impacts, and the need for the residents of Quail Drive to be heard.

Kerry Ellen McLeod, 24 Quail Drive, spoke against the proposal and stated her agreement with her neighbors.

Scott Johnson, DBIDA member, spoke in favor of the proposal and stated the directive of the City Council and the DBIDA objective.

Public Hearing Closed.

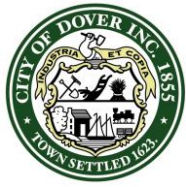
F.Torr addressed the abutter concerns and stated no conclusion has been made by the Board members.

C.Parker addressed the abutter concerns regarding land owned by DBIDA, the SAU numbers, the rezoning issue as it pertains to the Master Plan, and clarification regarding how the Board decides on the information presented to them.

Discussion ensued regarding the rezoning project for Production Drive in comparison to the rezoning project on Glenwood Avenue, consideration of the opinion of the property owner of 447 Sixth Street (Beulah Eldridge) as stated by Scott Johnson, and why 447 Sixth Street had not been previously included in the surrounding commercial development.

Discussion continued regarding the surrounding areas in conservation easement and surrounding developable land, property owned by D.Ciotti, consideration to the abutter concerns, surrounding cities that have not addressed the taxes in their area, and the attempt to provide the least impact to the abutters through commercial development.

D.Landry addressed traffic, safety, and conservation concerns regarding the project, and stated he believed there are better opportunities elsewhere to bolster commercial development.



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Motion: D.Ciotti made a motion to forward the recommendation to the City Council to rezone the property from R-40 to I-4. Seconded by G.Cruikshank. K.Schuman stated his view to adhere to the Master Plan and urged the abutters to stay involved. He stated their concerns are valid issues and will be addressed during a site review to protect abutter interest. Vote 7/1 Passed

The Chair announced a recess at 8:22 p.m.

The meeting reconvened at 8:32 p.m.

F.Torr clarified why S.Johnson was allowed to speak after the public hearing was closed and the abutter was not.

C.Parker stated if a site plan were to come forward for industrial use, there would be a neighborhood meeting with an informal look at the plan.

4. NEW BUSINESS

K.Schuman stated items 4.A and 4.B would be heard together.

- A. Consideration and acceptance of a Conditional Use Permit for Quantum Real Estate Group, LLC (Owner: Michael Rosholt), Assessor's Map C, Lot 50-A, zoned R-40, located at 84 Watson Road (Proposal is to install a 12" HDPE culvert and a 20 ft. common driveway with a 1,505 sq. ft. Forested Wetland impact, and a 4,630 sq. ft. Wetland Buffer impact). *(P16-22)
- B. Consideration and acceptance of an Open Space Subdivision for Quantum Real Estate Group, LLC (Owner: Michael Rosholt), Assessor's Map C, Lot 50-A, zoned R-40, located at 84 Watson Road (4 lots). *(P16-23)

C.Parker gave an overview of the applications and recommended items 4.A and 4.B and the public hearing be tabled for a site walk.

Bob Stowell, TriTech Engineering, represented the applicants, displayed an aerial plan for viewing, and presented the proposed plan. Michael Rosholt was also present.

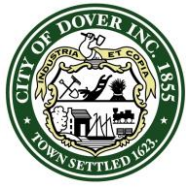
Public Hearing Opened.

George Lavoie, 96 Watson Road, stated his concerns regarding impacts to wildlife, traffic, as well as, the impact to his well with the proposed additional wells being built with the development.

Apryl Cowper, 94 Watson Road, stated her concerns regarding tree removal, and her agreement with her neighbor. She requested the locations of the proposed houses and the meeting process. F.Torr explained the items would be heard again on September 27, 2016.

Paula Lavoie, 96 Watson Road, stated her concerns regarding the impact of the development of three additional wells to her well and the aquifer, and requested City water be used in the development. She stated further concerns regarding water/drainage issues resulting with the development, and wildlife impact.

Sherrie Towle, 379 Tolend Road, stated her agreement with her neighbors. She stated her concern with the proximity of the development to her property in conservation easement, and requested the location of the



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proposed homes, a better buffer between the properties on the back lots touching her boundaries, and fencing to protect the open lands for wildlife.

Dalton Jagh, 78 Watson Road, spoke against the project, stated his agreement with his neighbors.

Michael Rosholt, 84 Watson Road, spoke in favor of the project.

B.Stowell displayed plans for viewing, and addressed the abutter concerns regarding the location of the houses and buffers abutting the properties. He explained the Open Space Subdivision concept on this property, and addressed the concerns regarding the wells, wetlands, traffic, wildlife, and tree cutting.

C.Parker clarified the information regarding the land to be placed in conservation easement for S.Towle.

P.Lavoie, requested a visual map of the back left house in conjunction to her property to know what which trees would be cut and the effect to her property.

C.Parker stated he could meet with the abutters to explain the plan privately so they could be informed for the next meeting.

A.Cowper stated her traffic concerns and requested a visual map regarding the development.

B.Stowell stated his office worked with the Planning Staff regarding the development and have addressed the concerns brought up by the Planning Technical Review Committee.

Public Hearing Tabled.

Motion: K.Schuman made a motion to accept the applications for items 4.A and 4.B. Seconded by D.White.
Vote U/A

C.Parker clarified the excavation process for K.Schman and confirmed Staff is not in favor of the waiver regarding the wells.

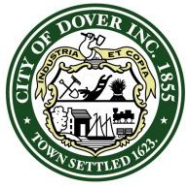
Discussion ensued regarding the waiver, tearing up the road to connect to the City water line, the required depth for operating wells, and the impact of the wells in comparison to the road repair.

C.Parker addressed the need to connect projects to the City water and sewer lines in comparison to the minimal impact of tearing up the road. He further addressed the Fire Department concerns regarding the hammerhead driveway layouts, consideration regarding adding trees to the buffer for additional privacy and shield for the driveway, and the need for the waiver for the driveway to access the property. He recommended the Board members schedule a site walk.

B.Stowell stated he had no objections to T.Clark's suggestion regarding the road name and common drive recommendation.

STAFF RECOMMENDATION: (P16-22) (P16-23)

The Planning Department recommends that the Planning Board table the items so that a site walk can take place, and Conservation Commission produce minutes for the Board's review.



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Motion: D.White made a motion to table items 4.A and 4.B. Seconded by D.Ciotti. Vote U/A

The site walk was scheduled for Monday, September 19th, 2016 at 5:30 p.m.

The Chair announced a recess at 9:40 p.m.

The meeting reconvened at 9:47 p.m.

C. Discussion of possible amendments to Chapter 170-32 (Signs), to be in compliance with Reed V. Town of Gilbert.

K.Schuman stated the information regarding the amendment is available on the website.

Motion: K.Schuman made a motion to remove the item from the table. Seconded by C.Plante. Vote U/A

C.Parker gave an overview regarding the information provided at the previous meeting and recommended the Board members have a public hearing, and E.Piekut would provide the suggested changes to be forwarded to City Council.

Public Hearing Reopened.

Paul Gibbons, 7 Nicholas Circle, advocated for the community signs and stated his concern regarding the effect the sign regulation could have on the fundraising efforts of the music department at the Dover High School.

Public Hearing Closed.

C.Parker stated the need to address enforcement issues, and Staff would educate the community regarding the process for both for and non-profit entities.

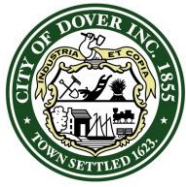
E.Piekut provided the update regarding the changes to the amendment pertaining to the schedule of the display periods.

C.Parker clarified information regarding the display periods for the locations and the sticker system to be used for the process.

Discussion ensued regarding trying the proposed process, viability and flexibility, changing the ordinances, the current procedure regarding displays in locations for signs, the need to avoid applicants monopolizing all the locations, consideration to accommodate those who want to display signs once a year for their annual fund raisers, and enforcement issues.

D.Ciotti recommended tabling the issue to further consider the procedure regarding those applicants who need a permit for their annual fund raisers.

Discussion continued regarding the five locations, the current regulation process and enforcement of illegal signs and the proposed process, the original proposal by Staff and changes made in response to the Board recommendations, regulating the signs, the need to be in compliance with the Supreme Court decision, consideration for those applicants and their annual fund raisers, and time limitations for openings for other applicants.



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C.Parker stated all signs should be limited to one week window and explained the process.

Motion: D.White made a motion to amend the amendments as proposed by Staff for no more than 12 signs in a 12 month period for how you choose to use them. Seconded by T.Clark. Vote U/A

5. STAFF COMMENTS

C.Parker provided updates regarding the Stewardship Chapter of the Master Plan, thanked L.Skinner for working the voting polls that evening to explain his absence, and upcoming meetings for October 5, 2016 and October 11, 2016 regarding the CIP.

6. MEMBER COMMENTS

D.White provided the work update on the new roundabout at Silver Street. D.Landry commented on all the work completed.

F.Torr addressed the process for podium speakers, and announced open positions on the Planning Board and that applications are being accepted. D.Landry suggested the making the announcement at the beginning of the meeting when the room is full of people.

7. ADJOURNMENT

Motion: K.Schuman made a motion to adjourn at 10:26 p.m. Seconded by C.Plante. Vote U/A