CITY OF DOVER	DOVER PLANNING BOARD – MINUTES
	Meeting Type: Regular Meeting Meeting Location: Council Chambers - City Hall, 288 Central Avenue Meeting Date: **Tuesday, January 24, 2017** Meeting Time: **7:00 pm**

Members Present: Kirt Schuman (Chair), Gina Cruikshank (Vice Chair), Dennis Ciotti (Councilor), Tom Clark, Dave White, Frank Torr, David Landry, Lee Skinner, James Burdin (Alternate), Hayley Harmon (Alternate), Tristan Donovan (Alternate)

Members Not Present: Catherine Plante

Staff Present: Christopher Parker (Assistant City Manager), Dave Carpenter (Community Development Planner), Tracy Smith (Recording Secretary)

The Chair recognized H.Harmon to sit in for C.Plante, and called the meeting to order at 7:00 p.m. He explained the room capacity, overflow in the auditorium, and the need to speak into the microphone.

1. CITIZENS' FORUM

Citizens Forum Open. Nobody Spoke. Citizens Forum Closed.

2. APPROVAL OF THE PRIOR MINUTES

- January 5, 2017 Stewardship of Resources Master Plan Steering Committee Minutes
- January 10, 2017 Workshop Meeting Minutes
- January 10, 2017 Regular Meeting Minutes

F.Torr addressed the Regular Meeting Minutes for January 10, 2017 listed as a Special Meeting, and requested a clerical correction to list it as a Regular Meeting.

Motion: D.Ciotti made a motion to approve the January 5, 2017 Stewardship of Resources Master Plan Steering Committee Minutes, January 10, 2017 Workshop Meeting Minutes, and January 10, 2017 Regular Meeting Minutes with the noted correction by F.Torr. Seconded by D.White. Vote U/A

3. OLD BUSINESS

A. Discussion and possible vote on Community Development Block Grant (CDBG) Funding requests for Fiscal Year 2017/2018.

C.Parker stated D.Carpenter would answer questions regarding the recommendations listed in the distributed document pertaining to the allocations.

D.Carpenter explained the recommended changes regarding the allocations.

Discussion ensued regarding clarification of the recommended funding and how the final figures for each applicant were calculated in comparison to last year.

Motion: F.Torr made a motion to approve and recommend to the City Council. Seconded by L.Skinner. Vote U/A

C.Parker reminded the Board that the amounts are estimates, and addressed the possibility of budget changes due to a new Congress and the process with any changes.

G.Cruikshank thanked D.Carpenter for all his work applied to the project.

4. NEW BUSINESS

A. Consideration and acceptance of a Minor Lot Line Adjustment for Brian Stern, Assessor's Map E, Lots 47 & 47-1, zoned R-40, located at 201 Tolend Road and Tolend Road. (*P17-01)

C.Parker gave an overview of the application and stated the City Council will be reviewing the option to purchase part of this land as a conservation easement at the January 25, 2017 meeting.

Christopher Berry, Berry Surveying & Engineering, represented the applicant, displayed a plan for viewing, and presented the proposed plan. He addressed the need for a condition to have a straight line on the plan with the midpoint taken out.

Motion: F.Torr made a motion to accept the application. Seconded by D.Ciotti. Vote U/A

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 P17-01 to the title block.
5. The applicant shall provide a revised current use plan to the satisfaction of the Assessing Department.
6. The applicant shall revise the plat to eliminate the ¾ rebar with ID cap set at +.4 along the northeast boundary.

Motion: T.Clark made a motion to approve the Minor Lot Line Adjustment to include the conditions set by the Planning Department. Seconded by G.Cruikshank. Vote U/A

D.Ciotti thanked Brian Stern and Ms. Forbes for providing the opportunity for the City to purchase the land and to place it in conservation easement.

The Chair announced a recess at 7:22 p.m.

The meeting resumed at 7:28 p.m.

B. Public hearing and vote on potential Citizen's Petition for a Zoning Amendment for USA Training Centers and Richard & Anna Kay, Assessor's Map G, Lots 19-B, 29, 29-A, 29-B, 29-C, 30-B, located off Littleworth Road, Tolend Road & Columbus Avenue (Rezone 106.45 acres from Assembly and Office (I-4) and Low Density Residential (R-20) to Rural Restricted Industrial District (I-2). (*P16-36)

C.Parker displayed information for viewing as it pertains to the meeting process, decision options for the Board, property owner rights, petitioner rights, public hearing rights, State requirements, and the Zoning Ordinance. He explained the additional materials distributed to the Board (originals in file). He addressed the Rezoning Analysis packet, (original in file) and displayed this information also for viewing. Copies were available for the public.

C.Parker provided a list of the names regarding correspondence received with statements for and against the project. The names were listed for viewing (originals of the correspondence are available in the file).

He provided information regarding the guiding principle, project process, zoning review, landscaping, parking/access, lighting, transportation/traffic studies, architectural review, and stormwater management. He displayed this information for public viewing, and reminded the Board to consider the requirements for the districts proposed.

C.Parker confirmed for T.Clark that the site review process was not under consideration at this meeting.

K.Schuman thanked C.Parker for the review.

C.Parker recommended the applicant present any changes or updates regarding the project before opening the public hearing.

Attorney F.X. Bruton, Bruton & Berube, represented the applicants, and presented the updated information to the proposed project. He addressed the Master Plan and City Council strategic goal to increase the non-residential tax base and explained how this project would adhere to that goal, provide employment opportunities, and provide commercial recreation. David Hoyt, USA Training Center, Robert Stowell, Tritech Engineering, and Andy Tobin, North & South were also present.

R.Stowell displayed the conceptual plan for viewing, and explained the updated information regarding the site plan issues. He addressed the commercial recreation as it pertains to the current use permitted in the R-20 zone, in comparison to other commercial developments that could be placed on the site if the project were not approved. He stated the applicants, Richard and Anna Kay, intend to live near the project development.

Discussion ensued regarding an estimate of the distance between the Wallace homes, Wyndbrook properties, and Lucy Court from the proposed facility/fields, as well as clarification regarding in-season months, hours of use, timing of games, and off-season use for other events.

Discussion continued regarding clarification of the use of Lot 30B on Columbus Avenue as part of the rezoning project, that the owner agrees with the rezoning project, and that the applicant did not include the property in concept plan.

The Chair explained the procedure of the public hearing and requested the public use the sign in sheet located at the podium. He explained the capacity in the room and the overflow and the procedure due to the capacity.

Public Hearing Opened.

Mark Moeller, 20 Melody Terrace, spoke against the project.

Bernie Toomey, 30 Tolend Road, spoke against the project.

Jane Perry, 13 Willow Street, spoke against the project.

David Smith, 40 Columbus Avenue, spoke in favor of the project.

Tom Williams, 60 Tolend Road, spoke in favor of the project.

April Kruspki, 39 Littleworth Road, spoke against the project.

Hari Hara Sundraram, 37 Sandra's Run, spoke against the project.

Jim Robertson, 78 Tolend Road, spoke against the project.

Jeramy Robertson, 42 Sullivan Drive, spoke against the project.

Kevin Wilson, 15 Sandra's Run, spoke against the project. He addressed the feasibility of the project due to 14 acres still owned by the City, and the technical issue regarding the applicant is not a Dover resident. He submitted a document to the Board (original in the file).

Joy Dunphy, 37 Littleworth Road, spoke against the project.

Michael Dunphy, 37 Littleworth Road, spoke against the project.

Susan Golder, 11 Sandra's Run, spoke against the project.

Sherry Flewelling, 24 Wallace Drive, spoke against the project.

Charles Golder, 11 Sandra's Run, spoke against the project.

Lauren McMullen, 17 Stocklan Circle, spoke against the project.

Richard Weik, 12 Old Littleworth Road, spoke against the project.

Denise Mollomo Terry, 19 Dovetail Lane, spoke against the project.

Eric Schlapak, 15 Ezras Way, spoke in favor of the project.

Patty Nicholl, 30 Sandra's Run, spoke against the project.

Valerie Woisin, 17 Melody Terrace, spoke against the project.

Rob Hills, 149 Varney Road, spoke in favor of the project.

Wayne Sheehan, 155 Columbus Avenue, spoke against the project.

Tim Russell, 20 Cranbrook Lane, spoke in favor of the project.

Tim McCoy, Washington Street, spoke in favor of the project.

Kathy Russell, 303 Washington Street, spoke against the project.

Jay Miller, 94 Tolend Road, spoke in favor of the project.

Michael Child, 15 Lucy Court, spoke against the project.

Brian Spargo, 7 Westwood Circle, spoke against the project.

Melinda Mozzoni, 80 Ezras Way, spoke against the project.

Ann Wilson, 15 Sandra's Run, spoke against the project. She addressed the information in the document she distributed to the Board (original in file).

Ryan Parker, 18 Birch Drive, spoke against the project.

Erin MacIntire, 43 Sandra's Run, spoke against the project. She distributed a document to the Board and addressed the information in the document (original in file). She stated her concern that the City does not have a noise ordinance.

Peter Frank, 12 Wallace Drive, spoke against the project.

Bob Riga, 46 Stocklan Circle, spoke against the project.

Ryan Coppinger, 14 Ash Street, spoke in favor of the project.

Mark Woolley, 24 Evergreen Valley Drive, spoke in favor of the project.

Kevin Coppinger, 39 Gerrish Road, spoke in favor of the project.

Kelly Burke, 14 Stocklan Circle, spoke against the project.

David Burke, 14 Stocklan Circle, spoke against the project.

The Chair announced a recess at 10:50 p.m.

The meeting resumed at 10:57 p.m.

Ash Raajendraa, 68 Stocklan Circle, spoke against the project.

Pavan Govindarajula, 62 Stocklan Circle, spoke against the project.

Lynette Aucoin, 5 Cranbrook Lane, spoke in favor of the project.

Paul Culley, 5 Ezras Way, spoke against the project.

Vincent Kasabian, 76 Columbus Avenue, spoke against the project.

Ruth Clark, 21 Melody Terrace, spoke against the project.

Stephanie Estrada, 23 Melody Terrace, spoke against the project.

Chris Faro, 6 South Watson Lane, spoke in favor of the project.

Peter Eshenour, 28 Sandra's Run, spoke against the project.

Pat Derboen, 38 Melody Terrace, spoke against the project.

Mike Brimmer, 23 Stocklan Circle, spoke against the project.

Katherine Antonioli, 174 Columbus Avenue, spoke against the project. She distributed copies of a signed petition to the Board members (original in the file).

Ryan Antonioli, 174 Columbus Avenue, spoke against the project. He distributed a document to the Board members and addressed the information in the document (original in the file).

Kevin Calhoun, 36 Lucy Lane, spoke against the project.

Scott Berube, 28 Lucy Lane, spoke against the project.

Michael Graves, 17 Wallace Drive, spoke against the rezoning project.

Stacy Anglace, 23 Wallace Drive, spoke against the project.

Ted Anglace, 23 Wallace Drive, spoke against the project.

Scott Johnson, 110 Venture Drive, spoke in favor of the project.

Dan Barufaldi, Director of Economic Development, spoke in favor of the project.

Public Hearing Closed.

C.Parker addressed the abutter comments and provided clarification with the following issues:

- the land surrounding the Wyndbrook property is zoned I-4, which encompasses the City property and 24 acres of the Kay property
- the traffic analysis
- the utilization of City owned property process
- confirmation that the Kay's are the petitioner
- the 55+ communities "use" and clarification of these communities
- the lighting issues as it pertains to the regulations
- the feasibility of the project
- event issues pertaining to the ballfield
- the kennel on Columbus Avenue
- regulations pertaining to a cemetery
- buffer and easement issues along Wallace Drive
- the location issue as it pertains to the Land Use Chapter and lack of availability of developable land
- confirmation that this application is not spot zoning.

The Chair requested a consensus of the Board.

Discussion ensued regarding the recommendation to table the item in order to sort through the facts and address the references made to the Master Plan, and clarification that the Board is not voting on the project, but voting on rezoning as it pertains to use as requested by the City Council.

Discussion continued regarding the need for further discussion of the remaining issues, statements from Board members ready to vote on the issue, and clarification that if approved for rezoning, it does not mean approval of the project.

The Chair announced a recess at 12:25 a.m.

The meeting resumed at 12:30 a.m.

The Chair requested a Board decision.

Motion: T.Clark made a motion to approve the Citizens petition as it meets the criteria of 170-53.F, and recommend it move forward to the City Council for ratification. Seconded by G.Cruikshank. Vote U/A

Discussion ensued regarding confirmation that USA Training Centers is a non-profit organization with a non-profit team, and clarification of how the property would be taxed.

Discussion continued regarding industrial zones employment promotion as it pertains to the Master Plan, and clarification of how the area to be rezoned will be identified particularly as it pertains to the parcels included in the project but not included in the concept plan.

Discussion ensued regarding the application consistency with the criteria of 170-53.F.

Discussion further continued regarding the tax rate, and previous concerns regarding the need to address the tax rate in earlier Master Plans, Board agreement that the rezoning fits with the Master Plan, and that approval of the rezoning does not mean approval of the project, constraints regarding the available land for rezoning, and obvious objections made by abutters regarding the rezoning projects.

5. STAFF COMMENTS

C.Parker provided the City Council meeting information regarding the rezoning project, and stated the Planning Board would hold a workshop meeting with the City Council to provide the updates for the project.

The Board was asked to approve a lot merger form submitted for The Storage Barn, LLC, Map D, Lots 15 &16.

The Chair read the lot merger to the Board, confirmed there were no objections, and signed the lot merger.

6. MEMBER COMMENTS

Discussion ensued regarding consideration of rezoning projects in a global view rather than the segmented approach, obtaining a list of properties from the City Council to review the properties, and further consideration to limit the time of speeches made at the public hearings by amending the bylaws.

7. ADJOURNMENT

Motion: F.Torr made a motion to adjourn at 1:10 a.m. Seconded by G.Cruikshank. Vote U/A