

Lavertu, Karen

From: Larry Pilla <larrypilla@yahoo.com>
Sent: Wednesday, February 08, 2017 7:26 PM
To: City Council - All
Subject: USA Training Development

Dear Mayor and Councilors,

I'm writing today regarding the proposed USA Training Baseball development and its zoning changes.

Although generally in favor of development, I went myself to a meeting of abutting residents, also attended by Councilor Shanahan, to try and understand their opposition. And while I listened to and understand their concerns, I don't think this development will adversely affect them as much as they fear. Furthermore, in this instance, I believe the needs of the city outweigh whatever merit those concerns might have.

The main contention is the rezoning of the portion of the site currently designated R-20. The rest of the land is already industrial (I-4). Most of the land surrounding the nearby residential developments, both on and off this parcel, is already zoned industrial. Only a portion of the development must be rezoned from R-20. This leaves far less claim to the notion that the change will harm the residents. Most of the surrounding land will remain industrial as it has always been since long before these homes were built.

From a neighbor's perspective, I would guess there are far less desirable potential uses of this land than baseball.

The proposed Maverick's ballfield is next to, and pointed toward, the Spaulding Tpk, as far from existing residential homes as possible. There is also parking and a wooded buffer along the edge abutted by those homes. The buffer is up to 200' wide at one point - the width of my city block.

I certainly think the city should work with the developer to further mitigate any sound and light intrusions but to allow the project to proceed. Dover needs the tax base and this is otherwise a positive development for our city. It has the potential to draw people and money from surrounding towns, possibly New England as a whole. But it meanwhile will not be a burden on city services.

I would say this is a win-win for Dover and I urge you to allow the project to proceed.

Kind Regards,
Larry Pilla
21 Baker St Dover, NH
603-969-3362

Lavertu, Karen

From: Lori Nollet <lnollet@comcast.net>
Sent: Friday, February 10, 2017 2:36 PM
To: City Council - All
Subject: Fwd: Rezoning Issue for USA Training Parks

In hindsight, I should have cc'd the Board. My apologies. I am forwarding now.
Thank you,
Lori Nollet

From: "Lori Nollet" <lnollet@comcast.net>
To: "d shanahan" <d.shanahan@dover.nh.gov>
Sent: Friday, February 10, 2017 2:29:30 PM
Subject: Rezoning Issue for USA Training Parks

Hi Mr. Shanahan,
My name is Lori Nollet, and I live at 48 Wallace Drive. I wanted to reach out to you in regards to the proposed rezoning for the USAA Training Centers project. I am against the rezoning project as it stands, as I don't understand what is being done to protect the interests of the existing residents short of a wooded buffer, which for all intents and purposes, is not adequate based upon the proposal. It feels as though this entire project is being rushed, when there are plenty of other industrial zoned options in Dover right now. There seems to be a hidden agenda with this and little thought given to the initial intent and long range planning that previously allowed residential building in the surrounding area. Common sense is that there will be a dramatic impact on quality of life (increased noise, traffic, lights) for the surrounding residents if this goes through. I'm all for bringing this type of project to Dover- but let's place it in an area that is better suited for it, not adjacent to residential neighborhoods.

Thank you for listening to me.

-LN

Lavertu, Karen

From: Ted Anglace <tanglace@yahoo.com>
Sent: Wednesday, February 15, 2017 6:41 PM
To: City Council - All
Subject: Financial analysis of rezoning Kay property (USA Training)
Attachments: Financial analysis of Kay rezoning.docx

Dear City Council members,

Please review the attached financial analysis that may help you evaluate the costs, risks, pros & cons of the citizen petition to rezone to be discussed at the upcoming workshop on 3/1. The results may be surprising to those of you who subscribe to conventional wisdom about the costs of residential development. Given the demographics, home values, neighborhood design, and other factors, you will see that the right type of residential development can actually be more financially beneficial to the city and its taxpayers than other non-residential projects, and at a much lower level of risk.

This was a group effort by the people listed on the first page but I am happy to answer any questions about the methodology, data, assumptions, and results.

Thank you,
Ted Anglace

Development Scenarios and Financial Impact of Citizen Petition to Rezone from Kay/USA Training Centers

February 14, 2017

Ted & Stacy Anglace, Erin MacIntire, Ann & Kevin Wilson, Kat & Ryan Antonioli

Executive Summary

The City of Dover Department of Planning and Community Development published *Rezoning Analysis: Proposed Rezoning of Assessor's Map G, Lots 19-B, 29, 29-A, 29-B, 29-C, 30-B* on January 19, 2017. Further information is provided in council materials, including a Feb 1, 2017 memo from Chris Parker and a Feb 2, 2017 letter from Kirt Schuman.

We believe that the analysis provided by the Planning Department regarding the projected tax revenue for the Sports Complex should not be used as a rationale for approving rezoning the land from residential to industrial because it is based on flawed assumptions. The analysis over estimates both the number of students per home and the cost of educating those students.

This paper provides an alternative analysis of the same data using the actual ratios and suggests that keeping it residential or a mix of residential/commercial use would result in more net tax revenue and less risk for the city and all taxpayers.

<u>Scenario</u>	<u>Tax revenue/year</u>
Sports Complex, Hotels, Restaurants, etc.	\$525,800
100 Homes	\$576,751 *
100 Homes + Commercial	\$681,911 *

* *plus school impact fees*

Key Assumptions

1. **The City's Analysis of Revenues from Residential Development** – Planning Department staff used the following data and assumptions for the Development Concept Scenario for Existing Residential/Industrial analysis presented in the *Rezoning Analysis* report (p. 3).

Dover's estimated tax rate is \$26.29. This provides tax revenue of approximately \$8,171 per house. This revenue is applied to the City, School, State School and County taxes. A typical single family home in Dover provides 0.5 students into the public school system. The cost to educate a child is approximately \$15,000.

A residential development, similar in style, and layout to that of the Wynbrook [sic] subdivision, would be realistic (both are within the R-20 district). Wynbrook encompasses 57 acres, the R-20

land is 63.72 new homes is realistic. A residential developer would seek a variance to allow the 24 remaining Kay acres to be used for residential development. This could bring the unit count to 100 new single family homes, with public roads, off Littleworth Road and Columbus Ave. Similar to Wymbrook homes, the average assessed value of the homes is estimated at \$310,825*. (** Lucy Ln/Ct avg is \$343,952 / Wallace is \$347,330)

2. **The City's Analysis of Revenues from Proposed Rezoning – Planning Department staff used the following data and assumptions for the Development Concept Scenario for Proposed Rezoning analysis presented in the Rezoning Analysis report (p. 3).**

A commercial recreation complex is proposed. This would consist of four practice facilities, a 1,500 seat ball park, two hotels, a 60,000 sf indoor facility, a restaurant, and an additional commercial pad. Researching similar complexes and uses, within the City of Dover (Hotels and Restaurants) and similar sized communities, at full build out, the site could have an assessed value of \$20,000,000.

Dover's estimated tax rate is \$26.29. This provides tax revenue of approximately \$525,800.

3. **Cost per Pupil Data Reported by Dover to the New Hampshire Department of Education (NHDOE) for School Year 2015-2016 – NHDOE recently provided updated data regarding the average cost per pupil by district for school year 2015-2016. These data are available in the report entitled Cost Per Pupil by District 2015-2106 which was updated on 1/3/2017 and can be accessed at <http://education.nh.gov/data/financial.htm>.**

Per the New Hampshire Department of Education, "Cost per Pupil is based on current expenditures as reported on each school district's Annual Financial Report (DOE-25)." The average cost per pupil reported by Dover to the state is \$11,448.28.

4. **Number of Public School Students from Homes Surrounding the Area of Proposed Rezoning – In response to a citizen request, the Dover School District provided the count of total students from Wymbrook (Sandra's Run, Stockian Circle, and Melody Terrace), Wallace Drive, Lucy Lane, Lucy Court, and Columbus Avenue who currently attend Dover public schools.**

From: Libby Simmons <l.simmons@dover.k12.nh.us>
To: Ted Anglace <tanglace@yahoo.com>
Sent: Tuesday, January 10, 2017 1:14 PM
Subject: RE: Guidance regarding a query of student counts

Good Afternoon Mr. Anglace,

I can provide a total approximate student count for the streets noted below which would be thirty (30).

Regards,
Libby

Libby Simmons
Business Administrator
Dover School District

5. **Valuation and Total Count of Homes Surrounding the Area of Proposed Rezoning** – The following count of homes is available from the City of Dover website (<https://dovernh.mapgeo.io>) and the valuation data from a report entitled *Tax Year 2016 (FY 2017) Report of Assessed Values*.

Actual count of homes	Units
Wyndbrook (Sandra's, Stocklan, Melody)	72
Columbus Avenue	31
Wallace Drive	20
Lucy (Lane & Court)	19
Total	142

6. **Actual Ratio of Student per Home in the Neighborhoods Surrounding the Area of Proposed Rezoning** – Based on the data cited in items 4 and 5 above, the actual ratio of students per home in this area is 0.21 based on the following calculation.

$$30 \text{ students} / 142 \text{ homes} = 0.21 \text{ students/home}$$

This conflicts with the 0.5 students per home metric used by the Planning Department, which is based on an overall average across the entire city. The demographics of the above streets differs greatly from the city wide average, just as the assessed values of the homes in that specific area vary greatly from the city wide average. Actual data is more accurate.

7. **Report of Assessed Values and Tax Process for Tax Year 2016**

Breakdown of the tax rate and how the revenue is divided.

Source: Report of Assessed Values TY2016.pdf

	FY16	%
City	\$ 10.40	39.56%
City School	\$ 10.59	40.28%
State School	\$ 2.39	9.09%
County	\$ 2.91	11.07%
Total	\$ 26.29	100%

Analysis

Tax Impact Analysis

Using actual home counts (item 5), student counts (item 4), and costs per student (item 3), we can calculate the annual net education cost impact on the School portion (item 7) and overall City budget for Wyndbrook (Sandra's Run, Stockian Circle, Melody Terrace), Wallace Drive, Lucy Lane, Lucy Court, and Columbus Avenue.

Total valuation	Rate/1000	Tax revenue
\$ 44,317,620	\$ 26.29	\$ 1,165,110
Total students	Cost / student	Total cost (School)
30	\$ 11,448	\$ 343,440

While the total tax revenue from this area is \$1,165,110, the tax money allocated to the local schools from this total (per above breakout of city, county, state and local schools) is \$469,324. Subtracting school costs from the school revenue, the result is positive school revenue of \$125,884.

City School revenue	\$	469,324
City School cost	\$	343,440
City School net	\$	125,884

Wyndbrook-Specific Tax Impact Analysis

In order to perform a more specific analysis for Wyndbrook, we need to assume the student count since the number was not requested by individual streets in order to avoid safety and privacy concerns. Given that 30 students in total originate from the whole area, if we assume that 1/3 of them are from Wyndbrook (conservative) then we can still conclude positive tax contribution to the city budget.

Some Wyndbrook homes were not yet sold at the time of the last assessor's report, but now are All sold. For these cases (10 homes), in order to calculate total valuation of the neighborhood, the average home value of \$310,825 was used, per Planning Department rezoning analysis document instead of actual assessed values not yet available.

Total valuation	Rate/1000	Tax revenue
\$ 21,931,650	\$ 26.29	\$ 576,583
Total students	Cost / student	Total cost (School)
10	\$ 11,448	\$ 114,480

While the total tax revenue from this area is \$576,583, the tax money allocated to the local schools from this total (per above breakout of city, county, state and local schools) is \$232,256. Subtracting school costs from the school revenue, **the result is positive school revenue of \$117,776.**

City School revenue	\$	232,256
City School cost	\$	114,480
City School net	\$	117,776

Residential Development Scenario for Kay Parcels

Development of a 100-home Wyndbrook style neighborhood on the Kay property would have similar demographics for its residents. Most of the homes in the above neighborhoods are occupied by people who are either single, older, retired, empty nesters, and/or send their children to private schools. Wyndbrook homes are on small lots, close together, and architecturally more appealing for adults.

This new development would create \$31,082,500 in assessed residential value vs. \$20,000,000 in commercial value for the proposed sports complex, hotels, restaurants, etc.

Based on the data presented in this paper, we can calculate the **impact of educational costs from a similar neighborhood** built on the Kay property as stated in Planning Department analysis: “A residential development, similar in style, and layout to that of the Wynbrook [sic] subdivision, would be realistic.” (p. 3)

This paper also assumes that the back portion of the Kay lot, which is currently industrial zoned, would be granted a variance as stated in the Planning Department’s analysis to yield a total of 100 homes: “A residential developer would seek a variance to allow the 24 remaining Kay acres to be used for residential development.” (p. 3)

Although the R-20 zone does allow for certain commercial uses, these will not be considered for this analysis, but would further increase the net tax revenue to Dover if a mixed development was done on the Kay parcels instead of just residential development.

Number of homes:	100	
Students/home:	0.21	
Avg home value:	\$310,825	
Total valuation	Rate/1000	Tax revenue
\$ 31,082,500	\$ 26.29	\$ 817,159
Total students	Cost / student	Total cost (School)
21	\$ 11,448	\$ 240,408

** Plus one-time school impact fees of \$365,400 for the 2 scenarios with homes*

Scenario	Tax revenue	Local school costs	Net to Dover
Sports complex, hotels, restaurants, etc	\$ 525,800	\$ -	\$ 525,800
100 homes only	\$ 817,159	\$ 240,408	\$ 576,751
100 homes + commercial on remaining land	\$ 922,319	\$ 240,408	\$ 681,911

Best and Highest Use, Maximum Benefit to Taxpayers

In the scenarios below that include homes, the costs of the local schools per above calculations has been removed from the total tax revenue in order to compare "apples to apples" with commercial scenarios. Since neither a sports complex nor commercial development behind the Kay land would have any educational costs, all tax revenue is counted here for those scenarios. A one-time current use penalty of 10% of the sale price would also apply to ALL of the scenarios but is not included in these calculations.

If we add the commercial development on the remaining land, we would realize an additional \$105,160 in commercial tax revenue based on the following calculation and cited in the Planning Department's analysis $[(\$4,000,000 / 1,000) \times \$26.29 = \$105,160 \text{ commercial tax revenue}]$. (p.3)

As stated in the Planning Department's analysis, the remaining commercial parcels behind the Kay property are ALREADY ZONED FOR I-4 and would remain available for industrial use which adds even more valuation: "The remaining I-4 land would be developed similar to Stonewall Kitchen, an 80,000 square foot facility. An approximate assessed value would be \$4,000,000." (p. 3)

Commercial Development Scenario behind Kay Parcels

In all scenarios above, the local school portion of the taxes paid is greater than the cost of the students from that area. This is contrary to conventional wisdom which states that residential development is either tax revenue neutral, or negative, due to school costs. Moreover, Wynyndbrook has private roads, a private sewer system, and maintains its own catch basins, street lights, etc. so aside from police, fire, etc. there are no extra costs to taxpayers. A similar development is possible on the Kay land.

**Impact fees to construct the new homes are NOT considered in the above analysis. If considering the "school" impact fees only (vs other impact fees), this contributes an additional one-time \$365,400 revenue to the tax base.*

City School revenue	\$ 329,164
City School cost	\$ 240,408
City School net	\$ 88,756

While the total tax revenue from this area is \$817,159, the tax money allocated to the local schools from this total (per above breakout of city, county, state and local schools) is \$329,164. Subtracting school costs from the school revenue, the result is positive school revenue of \$88,756.

Furthermore, the construction of 100 homes would be an economic driver that employs local construction trades for many years, needs local building supplies and materials, and the residents who live in the new neighborhood would hire local landscapers, auto repair shops, and other service industry professionals. These residents would also spend money locally on goods, appliances, furnishings, cars, gas, supermarkets, restaurants, entertainment, etc. stimulating the local economy and supporting local Dover businesses and downtown merchants.

Conclusion

The above scenario of “100 homes + Commercial on remaining land” on the parcels proposed for rezoning is the best and highest use, with maximum benefit and minimum risk to all taxpayers of Dover. Two prior councils decided to keep this land zoned R-20 and I-4, and this was the right decision.

The parcels in question should remain zoned as is, and the **citizen petition to rezone should be rejected by the City Council.**

Lavertu, Karen

From: Ted Anglace <tanglace@yahoo.com>
Sent: Wednesday, February 22, 2017 12:15 PM
To: City Council - All
Subject: Rezoning comments - part II
Attachments: Rezoning Kay Property.pdf; Loughlin.pdf

Dear City Council,

Let's assume that good zoning and planning has been done here in Dover. The master plan, 2015 future land use map I handed out shows clearly that the area in question for USA Training / Kay Citizen Petition to rezone is designated for residential use. This should be familiar to the council, since the developer for Central / Glenwood used the SAME MAP as an argument as to why that land SHOULD be rezoned. I've heard some say the master plan is a "living document" or a "guide". Why even have it, if we are not going to follow it?

Changing zoning for the benefit of one land owner, or a specific project, is just plain wrong, and in some cases illegal. If a "project" comes up that doesn't fit the zoning in the desired area, the mechanism is the ZBA, to ask for a variance. This is what Ann Tucker and Robert Fisher did, for the 'eating and drinking establishment' on one of the Littleworth parcels currently petitioned for rezoning, per my prior handouts, and they were denied twice via ZBA rulings of law. The current project in question for this land would never qualify for a variance as it would not meet the criteria. So now the land owner and developer, with the help of the planning board and planning department, and an army of lawyers and paid "experts", are trying to game the system by changing our zoning laws, bullying other land owners by rezoning their land against their will, and/or buying up surrounding residential parcels?

From "New Hampshire Practice, Vol. 15, Land Use Planning and Zoning, Third Edition" Atty. Peter J. Loughlin, see attached for the whole document.

"The Bosse case is a good example of a legislative body attempting to use the zoning process to accomplish a particular good for a

person or group of persons with out paying proper attention to the fact that land use regulation is designed to affect the land and not necessarily just the persons presently desiring to use it. The small island of land had been rezoned at the request of a popular and useful citizen so that she could construct a new, handicapped workshop and expand to a different area of the community a meritorious use that she had started in another location."

Addressing comments from Mr. Schuman's letter to the Council

As part of this process, the Planning Board has received testimony, written and oral, from residents and property owners in Dover. We take that testimony into account as part of our review, but focus on the land use, private property rights, and long term needs of Dover, from a holistic planning perspective. Through those lenses, the Board felt that this change in zoning, especially the change from residential to industrial zone for a portion, is in the best interest of Dover's long term needs. While we considered the Commercial Recreation user looking at this site, most importantly the Board looked at the need to expand economic opportunity for non-residential growth and the value of creating additional land, which could have various non-residential uses developed upon it.

Please review the color coded and annotated maps (source: <http://dovernh.mapgeo.io>) and comments in the attached PDF file. These show very clearly that I-2 simply does not make sense for the land in question. Ask yourself, in the absence of "the project", what would you do? Would you make the zoning I-2 or I-4? My own view is that despite instructions to the planning board to separate the discussion of "The Project" from "Rezoning", it appears that the Project was really the basis for amending the Zoning Ordinance, for the benefit of USA Training Centers and the Kays. This is not fair to the citizens and may even be illegal. This could result in a major lawsuit against the city.

My personal view on this, consistent with the financial analysis that I sent last week, is that two previous City Councils wisely decided to rezone the back portion (along Rt16) of the land in question today, from I-2 to I-4 because it "maintains rural character" and to leave the front portions R-20. However, given the Council's rabid desire to rezone, if this land were to be changed, in my view, I-4 makes much more sense for the reasons outlined in the attached.

This is not meant in any way to be an endorsement by me to rezone it but if given a Faustian Choice, I'd choose I-4. If the planning board truly used "holistic" methods, they would have completely ignored "the project" and looked at it from the standpoint of the attached maps and come to the same conclusion of I-4.

I am glad to discuss this in more detail. Also, if anyone wants to see the non-existent wooded buffer at the back of my lot, which puts my pool about 600-700 feet from the four proposed baseball fields, I am glad to show you in person.

Thanks,
Ted Anglace

23 Wallace Drive
603-740-0408

§ 2.12 Spot Zoning

New Hampshire Practice, Vol. 15, Land Use Planning and Zoning, Third Edition, Atty. Peter J. Loughlin

The antithesis of zoning by district is spot zoning. [158] This is the term used by the courts to describe a zoning amendment that is invalid because it is not in accordance with a comprehensive plan. [159] It is the singling out of a small parcel of land for a use classification totally different from that of the surrounding area, for the benefit of the owner of such property and to the detriment of other owners. [160]

Zoning ordinances are presumed to be valid. The person challenging a zoning change has the burden of proving that a zoning change is unreasonable or unlawful. [161] Changes in zoning boundaries can be justified only when they are for the purpose of promoting health, safety, morals, or the general welfare of the community. Furthermore, they must be made in accordance with a comprehensive plan. Adjoining property owners are entitled to rely on the rule that a classification, once made, will not be changed unless the change is required for the public good. [162]

A court will find that a change has resulted in "spot zoning" when the area is singled out for a treatment different from that of similar surrounding land which cannot be justified on the basis of health, safety, morals, or the general welfare of the community, and is not in accordance with a comprehensive plan. On the other hand, the mere fact that an area is small, is zoned at the request of a single owner, and is of greater benefit to that owner than to others does not make out a case of spot zoning if there is a public need or a compelling reason for it. [163]

Spot zoning was not found in *Schadlick v. Concord*. [164] In this case, sixty acres were rezoned from agricultural and single residential to multifamily residential. The rezoned area was adjacent to land currently used for multi-family residences. [165] Under the previous zoning, suitable space did not exist for needed apartments. [166] Therefore, the court held that the zoning change was not unreasonable. [167] On the other hand, the court did find spot zoning in *Bosse v. Portsmouth*. [168] Here the legislative body rezoned an area surrounded by single-family residential to light industrial although hundreds of acres of industrial property were vacant. [169] In *Munger v. Exeter*, [170] the court found no public need or compelling reason for the rezoning of a half-acre lot from residential to commercial. The court remanded the case to the Superior Court with instructions to vacate the decision of the town meeting.

In *Portsmouth Advocates, Inc. v. City of Portsmouth*, [171] the New Hampshire Supreme Court found that spot zoning had not occurred when the city council amended the historic district to remove a two-block area containing seven buildings. [172] Even though the rezoning was instigated solely at the request of one landowner who wanted to avoid the restrictions in the historic district, the court found that the seven buildings which were removed from the district were not of historical value and that the rezoning was not inconsistent with the city's comprehensive plan. [173]

In *Miller v. Town of Tilton* [174] the expansion of an agricultural buffer zone to include plaintiffs' land which had previously been zoned industrial was not spot zoning. Plaintiffs' land was on the border between the industrial and agricultural zones. Although the property was zoned for industrial use when plaintiffs purchased it and when an abutting property owner submitted a petitioned zoning article to enlarge the agricultural zone to its original border, including the plaintiffs' land, the zoning of that particular parcel had changed several times over the years. [175] The Court seemed to be swayed by the fact that the zoning amendment did not create a new, incongruous district, but merely extended a pre-existing district. It also seemed influenced by the fact that the amendment had been supported by a majority of the public and that it could be found to protect the health and welfare of area residents. [176]

158 1 K. Young, *Anderson's American Law of Zoning*, § 5.12 (1996).

159 Id.

160 Id.

161 RSA 677:6; *Rochester v. Barcomb*, 103 NH 247, 169 A.2d 281 (1961).

162 *Bosse v. Portsmouth*, 107 NH 523, 226 A.2d 99 (1967) (rezoning of a 42-acre parcel to light industrial when it was surrounded by hundreds of acres of residentially zoned property was invalid; testimony showed no compelling need for more limited industrial land, since the city had over 800 acres zoned for this purpose and almost 700 of those acres were vacant).

163 *Shadlick v. Concord*, 108 NH 319, 234 A.2d 523 (1967).

164 *Id.*

165 *Id.*, at 323, 234 A.2d at 526.

166 *Id.*

167 *Id.*

168 107 NH 523, 226 A.2d 99 (1967).

169 The *Bosse* case is a good example of a legislative body attempting to use the zoning process to accomplish a particular good for a person or group of persons without paying proper attention to the fact that land use regulation is designed to affect the land and not necessarily just the persons presently desiring to use it. The small island of land had been rezoned at the request of a popular and useful citizen so that she could construct a new, handicapped workshop and expand to a different area of the community a meritorious use that she had started in another location.

170 128 NH 196, 512 A.2d 418 (1986).

171 133 NH 876, 587 A.2d 600 (1991).

172 *Portsmouth Advocates, Inc. v. City of Portsmouth*, 133 NH 876, 880, 587 A.2d 600, 603 (1991).

173 *Id.*

174 139 NH 429, 655 A.2d 409 (1995)

175 *Id.*

176 *Id.* At 432, 655 A.2d at 410

Lavertu, Karen

From: Ted Anglace <tanglace@yahoo.com>
Sent: Friday, February 24, 2017 8:43 AM
To: City Council - All
Subject: Proposed changes to I-2 Zone at next planning board meeting
Attachments: Changes to Ordinance for I-2 zone.pdf

Dear City Council members,

The attached file is an excerpt from the agenda materials for the upcoming Planning Board meeting on Feb 28 which were posted last night around 6pm. Major changes are being proposed to the allowable uses in the I-2 zone. Oddly, the objectionable uses that were mentioned by me and others during planning board and council meetings related to the rezoning and USA Training project are now proposed to be eliminated from the ordinance.

Here's some key excerpts:

"INTENT: Annually the Planning Board develops a list of regulation changes it wishes to review."

"In February, the Planning Board requested that staff evaluate the I-2 for possible obsolete or inappropriate permitted uses and propose amendments"

Judge for yourselves, but in my view, the "optics" of this are not good and the timing is very suspicious. The city is walking a very fine line here. These changes appear to be designed specifically to advance the cause of rezoning the Kay property, City owned land, Mourgenous, Tucker, and Riggs parcels for the benefit of a specific project (USA Training) and one land owner (Kay). This is unfair to the people who invested their life savings to buy homes in this area and will have their property values and their quality of life impacted by this.

Regards,
Ted



CITY OF DOVER

PLANNING BOARD - STAFF MEMO AMENDMENTS

Application Type: Zoning Ordinance Amendments
Applicant(s): Planning Board
Owner(s): City
Location: I-2 Zoning District
Meeting Date: February 28, 2017

INTENT: Annually the Planning Board develops a list of regulation changes it wishes to review.

AGENDA ITEM #: 4-E

ACREAGE: I-2: about 550 acres if City Council ratifies rezoning of R-20 and I-4

ZONING DISTRICT: I-2

EXISTING LAND USE:
Commercial, Industrial, Residential, Vacant

PROPOSED LAND USE: N/A

SURROUNDING LAND USE:
Residential, commercial, and vacant land

ZBA ACTION: None

ATTACHMENT: Draft ordinance, map

APPLICATION IS COMPLETE:
Yes

NOTICES SENT: Abutter notices will be sent prior to public hearing

PERMITS REQUIRED: N/A

WAIVER REQUESTED: N/A

Summary of Request and Background

The Planning Board voted to rezone 106 acres in the Low Density Residential (R-20) and Assembly and Office (I-4) Zoning Districts to the Rural Restricted (I-2) Zoning District on January 24, 2017. In February, the Planning Board requested that staff evaluate the I-2 for possible obsolete or inappropriate permitted uses and propose amendments. There is only one I-2 Zoning District in the City, which will encompass approximately 550 contiguous acres if the rezoning approval is ratified by the City Council.

STAFF RECOMMENDATION:

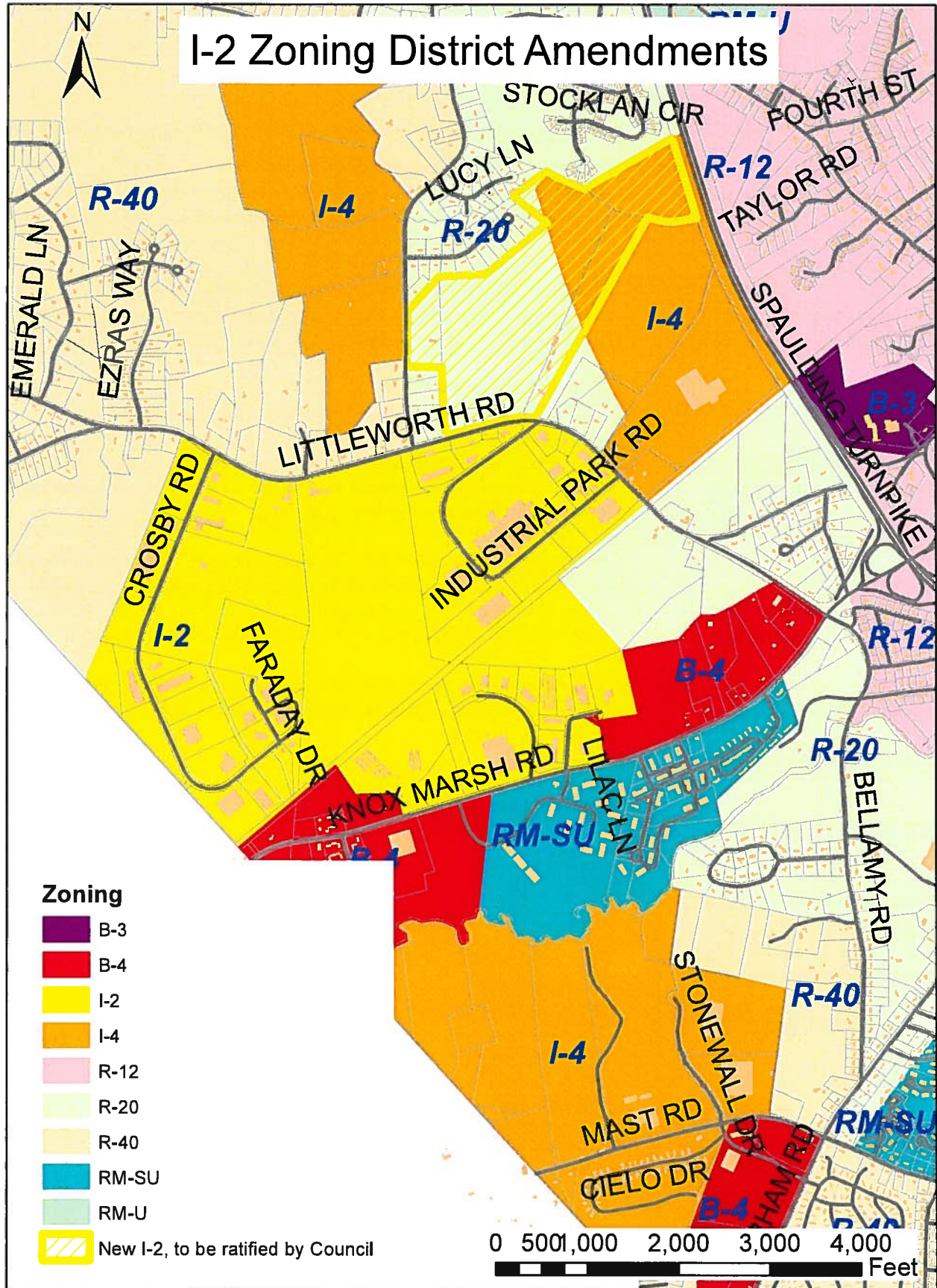
Staff recommends removing "Industry" from permitted uses as it is undefined, while "LIGHT INDUSTRY" is permitted and defined in a way that permits industry while protecting abutters from noxious uses. Staff also recommends removing several uses which are rarely encountered and may be considered obsolete or unnecessary.

Staff recommends that "Fuel, Oil, or Gas Storage" be a Special Exception use rather than a use permitted by right and has amended the special exception criteria that also apply to AUTO SERVICE STATIONS and VEHICLE REGUELING AND RECHARGING STATIONS.

The amendments also include an increase in side and rear setbacks from 10 feet to 30 feet, and a 75-foot front setback particular to parcels fronting on Columbus Avenue.

The Planning Board should post the proposed amendments for a public hearing March 28th, 2017.

I-2 Zoning District Amendments





CITY OF DOVER

CITY OF DOVER – ORDINANCE

Forwarded to City Council XXX 2017

Ordinance Number: **O – yyyy.mm.dd -**
Ordinance Title: **Updating the Dover Zoning Ordinance**
Chapter: **170**

The City of Dover Ordains:

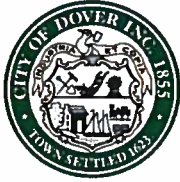
1. PURPOSE

The purpose of this ordinance is to amend Chapter 170 of the Code of the City of Dover, entitled Zoning, by revising the uses allowed in the Rural Restricted Industrial (I-2) zone to remove archaic uses, and to create additional setbacks along Columbus Avenue.

2. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12 “Applicability of Tables of Use and Dimensional Regulations By District”, by revising the permitted uses table and the Uses Permitted By Special Exception and set of criteria in the Rural Restricted Industrial (I-2) District Table that reads as follows:

- CHILD CARE FACILITY
- Clinic
- ~~COMMERCIAL PARKING FACILITY~~
- COMMERCIAL RECREATION
- Eating and Drinking Establishment [5]
- EDUCATIONAL INSTITUTION, POST-SECONDARY
- Establishments for the manufacture assembly, services and repair of the products listed below and other uses of a similar nature:
 - ◊ Drugs
 - ◊ Office, computing and accounting machines
 - ◊ Radio and television receiving equipment
Communication equipment
 - ◊ Electronic components and Engineering, laboratory, scientific and research instruments and associated equipment
 - ◊ Measuring and controlling instruments
 - ◊ Optical instruments and lenses
 - ◊ Surgical, medical and dental instruments and supplies
 - ◊ Photographic equipment and supplies
 - ◊ Electrotherapeutic, electro-medical and X-ray apparatus
- FARM [6]
- ~~Fuel, Oil, or Gas Storage~~



CITY OF DOVER

CITY OF DOVER – ORDINANCE

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Chapter: **170**

- ~~Helicopter Take Offs & Landings [7]~~
- HOTEL/MOTEL
- ~~Industry~~
- LIGHT INDUSTRY
- ~~Liquor Store~~
- ~~New Car Sales~~
- OFFICE
- Open Storage [8]
- PERSONAL SERVICE ESTABLISHMENT
- Public Utility
- PUBLISHING FACILITY
- Retail Sale of Agricultural or Farm Products Raised on Site
- ~~Trucking Terminal~~
- WAREHOUSING
- WHOLESALING

Uses Permitted by Special Exception

- AUTO SERVICE
- Fuel, Oil or Gas Storage
- VEHICLE REFUELING AND RECHARGING STATION

AND

“VEHICLE REFUELING AND RECHARGING, Fuel Oil, and Gas Storage, and AUTO SERVICE STATIONS:

- A. The use of land for a ~~VEHICLE REFUELING AND RECHARGING and AUTO SERVICE STATION~~ may only be permitted upon the determination that the property values of adjacent land will not be compromised. ~~Any VEHICLE REFUELING AND~~



CITY OF DOVER

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~~RECHARGING and AUTO SERVICE STATION~~ Said use which discontinues operations for a period in excess of ninety (90) days shall be required to file a new application for a special exception with the Zoning Board of Adjustment. ~~Such conditions may include but need not be limited to the provision of adequate and properly maintained screening around land so used.~~

- B. Adequate and properly maintained screening shall be provided between the use and existing residential abutters.
- C. The minimum lot size shall be sixty thousand (60,000) square feet, the minimum lot width shall be one hundred fifty (150) feet. Twenty-five percent (25%) of the subject parcel shall be open/green space. The total permitted sign area shall not exceed one hundred (100) square feet.

3. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12 “Applicability of Tables of Use and Dimensional Regulations By District”, by revising the setbacks table in the Rural Restricted Industrial (I-2) District Table that reads as follows:

LOT	
Minimum LOT Size	20,000 sf
Maximum LOT COVERAGE	50%
Minimum FRONTAGE	100 ft
PRINCIPAL BUILDING	
Front SETBACK [3]	35 ft
Abut a Street SETBACK	35 ft
Side SETBACK	10 30 ft
Rear SETBACK	10 30 ft
OUTBUILDING/ACCESSORY USE	



CITY OF DOVER

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Front SETBACK	35 ft
Abut a Street SETBACK	35 ft
Side SETBACK	40 30 ft
Rear SETBACK	40 30 ft
BUILDING HEIGHT	
PRINCIPAL BUILDING [4]	50 ft max
OUTBUILDING/ACCESSORY USE	40 ft max

AND

- [3] ~~Except where~~ For parcels fronting on Littleworth and Knox Marsh Roads, the front setback shall be 50 feet. For parcels fronting on Columbus Avenue, the front setback shall be 75 feet.”

TAKES EFFECT

This ordinance shall take effect upon passage and publication of notice as required by RSA 47:18.

AUTHORIZATION

Approved as to
Funding: Daniel R. Lynch
Finance Director

Sponsored by: Councilor Dennis Ciotti
City Council Planning Board
Representative

Approved as to Legal
Form
and Compliance: Anthony Blenkinsop
City Attorney

Recorded by: Karen Lavertu
City Clerk

DOCUMENT HISTORY:

Document Created by: Planning Department
Document Posted on:

Zoning Ordinance I2
Page 4 of 5



CITY OF DOVER

CITY OF DOVER – ORDINANCE

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Ordinance Number: **O – yyyy.mm.dd -**
Ordinance Title: Updating the Dover Zoning Ordinance
Chapter: 170

First Reading Date:	Public Hearing Date:
Approved Date:	Effective Date:

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor, Karen Weston		
Deputy Mayor, Robert Carrier		
Councilor John O'Connor, Ward 1		
Councilor Dennis Ciotti, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Joseph Nicolella, Jr, Ward 4		
Councilor Dennis Shanahan, Ward 5		
Councilor Jason Gagnon, Ward 6		
Councilor Sarah Greenshields, At Large		
Total Votes:		
Resolution does does not pass.		

ORDINANCE BACKGROUND MATERIAL:

Attached is the application provided by the Property Owners and Applicant.

Lavertu, Karen

From: rantonioli@rogers.com
Sent: Saturday, February 25, 2017 7:07 PM
To: City Council - All
Subject: Do not rezone land off Littleworth Road and Columbus Ave
Attachments: P16-36_conceptual plan.pdf; Speech_1.24.17_Ryan.pdf; Kay Analysis Report (1).pdf; Speech_1.24.17_Kat.pdf

Dear Council Members

I am writing to you today in regards to the rezoning of land off Littleworth Road and Columbus Ave.

I met with Mayor Karen Weston today along with many other Dover residents to discuss the rezoning of the land. I have included the map we were using today as the Mayor informed me that she did not have this map and wanted to make sure that all of you have this map prior to the workshop and upcoming vote.

I am strongly opposed to the rezoning of land from R-20 and I-4 to I-2. While I understand the Council's intention for needing to rezone land in Dover, this is not the right area for rezoning. This is a quiet and peaceful residential neighborhood. Rezoning to I-2 development does not fit in with the rural characteristics of this area and it should not be rezoned.

I specifically checked with the City of Dover and the zoning maps before I purchased my home to make sure of what could be built behind me and it was R-20. I don't think it is ok to just change the rezoning of land after major financial decisions have been made. The land in question has been brought to the City of Dover multiple times to be rezoned and has been rejected multiple times. Major residential neighborhoods have been built since then in this area. This has been in the City's plan to have residential built here as well as with some I-4 development.

I have also included the zoning analysis done by the City of Dover and both mine and my wife's speech we read to the planning board about how this does not fit in with the master plan and how this land should not be rezoned.

I hope over the course of the next couple of weeks you do your research and listen to the neighborhood on how this rezoning of land just does not make sense with the surrounding area. I hope when it is time to vote you find it in your mind and heart that this should remain as is and find other areas of the city to rezone to commercial land to help with the ongoing battle of residential/commercial zoned land.

Thank you

Ryan Antonioli
174 Columbus Ave.
Dover, NH

Master Plan and Future Plans of Dover: Analysis - January 24, 2017

My name is Ryan Antonioli, I'm at 174 Columbus Avenue and want it on the record that I'm opposed to the rezoning and project. This rezoning and proposed development does not meet the criteria for the city of Dover, as outlined in multiple areas of the master plan and the Dover 2023 vision for the future.

Traffic & Transportation:

The vision states "vehicular traffic volumes and speeds are well-managed" and "the community is fully service by public transportation is very accessible for walking bicycling and persons with disabilities".

In the proposed rezoning area there is currently data provided in the Master Plan, Transportation Chapter for Columbus Avenue and Toland Road. The study shows an average of 3,150 and 4,750 residential and commercial travelers, per day. These travelers are going an average of 5-8 mph over the posted speed limits are in the 85th percentile¹. The proposed areas for rezoning are already in highly congested areas, without the additional traffic that would be added with the rezoning of the proposal. The City of Dover Department of Planning and Community Development's Rezoning Analysis traffic impact statistics provided to us dated January 2017², states:

EXISTING R-20/I-4

R-20 1 PM PEAK HOUR VEHICLE TRIP PER UNIT IS GENERATED FOR SINGLE A FAMILY HOME

THEREFORE – 100 NEW TRIPS, IN EVENING

I-4 MANUFACTURING DEVELOPMENT (SIMILAR TO STONEWALL KITCHEN) 80,000 SQUARE FOOT BUILDING @ 0.73 PM PEAK HOUR VEHICLE TRIPS PER 1,000 SQUARE FOOT OF SPACE

THEREFORE – RESULTS IN 58 VEHICLE TRIPS IN THE EVENING

TOTAL EXISTING R-20/I-4 TRAFFIC 158 NEW TRIPS IN THE EVENING

PROPOSED I-2 DEVELOPMENT

I-2 HOTELS GENERATE 0.6 PM PEAK HOUR VEHICLE TRIPS PER UNIT (200 ROOM HOTEL)

MULTIPURPOSE FACILITY GENERATES 5.77 ACRE (11 ACRES OF RECREATIONAL AREA)

SIT DOWN RESTAURANT GENERATES 11.15 TRIPS PER 1000 SQUARE FOOT (4,500 SQUARE FOOT RESTAURANT)

THEREFORE 120 VEHICLE TRIPS FOR THE HOTELS IN THE EVENING

50 TRIPS FOR THE RESTAURANT IN THE EVENING

63 TRIPS FOR THE RECREATIONAL USES IN THE EVENING

TOTAL PROPOSED I-2 TRAFFIC IS 233 NEW TRIPS IN THE EVENINGS

¹ City of Dover, New Hampshire Master Plan, 2016 Transportation Chapter – Page 16,17

² City of Dover Department of Planning and Community Development, Rezoning Analysis, January 2017, Page 3

In the analysis that the City of Dover provided, it doesn't show the impact of traffic in the proposed I-2 development by not taking into account the 60,000 Square Foot Indoor Facility, the additional commercial pad nor the concert venue/baseball stadium at its full capacity into its numbers. As you can see from the report, the existing zoning of R-20 to I-4 will create less traffic than the proposed I-2 development. Therefore, this land should not be approved for rezoning.

The increase in car travel and traffic with the proposed I-2 zoning, also violates the Master Plan transportation policies, by not "Respecting the limit of existing neighborhood street capacities based on safety, character, noise, and any other factors that affect the livability of the community³".

It goes against the connectivity vision and Chapter goals and objectives, C1, to "build and maintain attractive infrastructure that accommodates pedestrians and connects neighborhoods⁴". It also goes against Traffic Calming Goal, action TC 1.3⁵.

The increase in overall traffic to this area, the proposed sidewalks and pedestrian paths; bus stops; and bike lanes needed to fulfill the City's connectivity visions, will not be safe for community use and therefore will not fulfill the Master Plan vision.

Land Use/Zoning

The vision also states as a goal, "Residents celebrate safe, family-friendly neighborhoods, a strong sense of community, and an excellent school system". By allowing this rezoning from R-20 to I-2, the existing houses won't be connected. Six (6) houses on the corner Columbus and Littleworth & Five (5) houses on Littleworth Road causing multiple spot zones. This would cause negative social impacts and never truly connect these neighborhoods to the City of Dover. This creates multiple islands of misfit homes which will be surrounded by the proposed I-2 zoning and existing I-4 zone. As well the 2 houses on Littleworth Road which would be part of the new proposed I-2 zone and will be non-conforming.

The Master Plans 2016 Steward of Resources states "Dispersing Human Populations: Projects that destroy neighborhoods or disperse communities offer the clearest cases of negative social capital impacts. They uproot individuals and shred networks by ending the geographic proximity that enabled social support.⁶"

This land has been reserved for R-20 (low density residential) as per the Master Plan. The 2023 vision states "Dover should preserve its rural heritage, which is rooted in its open spaces, roads spawned by cow paths, and small-scale agricultural establishments. It should preserve the distinctive qualities of landscape and heritage. New development should be compatible with the natural landscape, and with the context that surrounds it.⁷"

³ City of Dover, New Hampshire Master Plan, 2016 Update on Recommendations, Executive Summary; Transportation Recommendations, page 8

⁴ City of Dover, New Hampshire Master Plan, 2016 Transportation Chapter – Page 40

⁵ City of Dover, New Hampshire Master Plan, 2016 Transportation Chapter – Page 33, 42

⁶ City of Dover, New Hampshire Master Plan, 2016 Stewardship of Resources, Page 47

⁷ City of Dover, New Hampshire Master Plan, 2015 Land Use Analysis Chapter, Page 1

Agricultural and Farming are already approved for use in the current R-20 zone and would be better suited for this area; such as adding a small residential area along with a community garden and park. This would satisfy the vision for sustainably⁸ and keeping the rural characteristics of the area, thus possibly achieving the City's approved Land Use Goals Objectives (LU 2)⁹. The City of Dover Prime Agricultural Soils Map¹⁰, already shows the area being marked as "Prime Agricultural Soils".

"As identified in the Natural and Historical Resources chapter, the encroachment of development on agricultural soils, or lands that are currently an issue of concern for the long-term use of land in Dover. Once converted to more intensive uses, these lands are usually irretrievably lost for agricultural purposes¹¹".

As I have outlined in my presentation, the proposed I-2 re-zoning and project as submitted by USA Training Centers does not meet the City of Dover's 2023 goals and visions in the Master Plan, and therefore should be rejected.

I realize that this proposal is not a variance request, but in my view that is really what should have been applied here. If it had been one, however, this rezoning and project would never have been considered as it would not have passed all 4 of the criteria that is required; and we wouldn't be here today.

The Zoning Board of Adjustment¹² states that rezoning should be allowed only when due regard has been taken in regards to the nature and condition of all adjacent structures and uses and the district within which the same is located, shall find all of the following general conditions to be fulfilled:

(a) The requested use is essential or desirable to the public convenience or welfare.

(b) The requested use will not create undue traffic congestion, or unduly impair pedestrian safety.

(c) The requested use will not overload any public water, drainage or sewerage system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the city will be unduly subjected to hazards affecting health, safety or the general welfare. Refer to Article VI of this Chapter for additional provisions regarding special exceptions.

(d) Any special exception which has not been acted upon in accordance with the approval of the ZONING BOARD OF ADJUSTMENT within four (4) years of the date of said approval shall be considered null and void.

⁸City of Dover, New Hampshire Master Plan, 2016 Stewardship of Resources, Page 30

⁹City of Dover, New Hampshire Master Plan, 2015 Land Use Analysis Chapter, Page 33

¹⁰City of Dover, Prime Agricultural Soils Page, Prime Ag Soils.pdf

¹¹City of Dover, New Hampshire Master Plan, 2015 Land Use Analysis Chapter, Page 26-27

¹²City of Dover, Dover Code – Zoning: Chapter 170, Zoning Board of Adjustment, Page 170-150-152



- ▶ PROPOSED CHANGE .. 1
- ▶ AT A GLANCE..... 1
- ▶ PURPOSE STATEMENT 2
- ▶ STORM WATER 2
- ▶ CONCEPTS..... 3
- ▶ DIMENSIONAL REGS.... 4
- ▶ ALLOWED USES 5
- ▶ ENVIRONMENTAL 7
- ▶ INFRASTRUCTURE..... 7
- ▶ BIG PICTURE..... 8



City of Dover Department of Planning and Community Development

Rezoning Analysis

PROPOSED REZONING OF ASSESSORS MAP G
LOTS 19-B, 29, 29-A, 29-B, 29-C, 30-B.

Proposed

Background

In November of 2016, Planning staff received a citizen petition from USA Training and Richard and Anna Kay requesting that the City rezone 63.5 Acres from R-20 (low density residential) to I-2 (Rural Restricted Industrial), and 38.1 Acres from I-4 (Office and Assembly) to I-2 (Rural Restricted Industrial).

Area Description

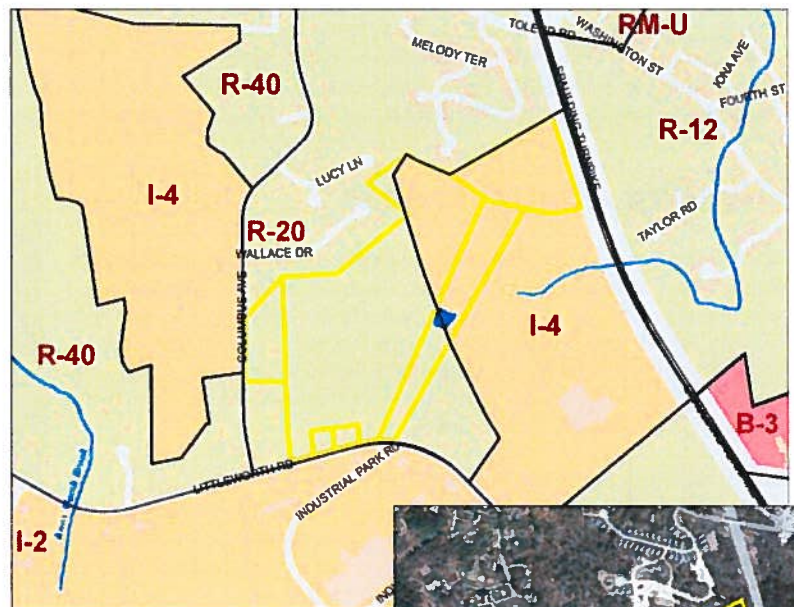
Map G, Lots 19-B, 29, 29-A, 29-B, 29-C, 30-B, contain 101.6 acres of land located between Tolend Road and the Spaulding Turnpike. The area abuts residential neighborhoods off Columbus Avenue and Tolend Road. The surrounding area is a mixture of zoning, with Industrial (I-2 and I-4) along Littleworth Road, and the westerly side of Columbus Avenue. The easterly side of Columbus Avenue is zoned R-20. The area is adjacent to the Crosby Road, Industrial Park Drive industrial land as well as Cambridge Tool and other land within the Office and Assembly (I-4) zone. The area is a mixture of fields and woods. There are topographic changes as one goes northeast towards the Spaulding Turnpike. The property has wetlands along the northerly

portion abutting Wallace Drive and the Wynbrook subdivision.

Amendment

Currently, the boundary between the R-20 and I-2 districts runs along the centerline of Littleworth Road. Furthermore, the boundary between the R-20 and I-4 runs 1,500 feet off the Spaulding Turnpike, shown above.

The proposed change relocates this boundary to include the 101 acres within the I-2 district. This new boundary would be at the northerly property boundaries. It would exchange 63.5 acres between residential and non-residentially zoned land.



AT A GLANCE:

Total Acreage (Land Use): ^{1,2}	
Citywide:	15,557
Residential:	8,000
Non-Residential:	3,636
Rezoning Area:	101
Current Unit in area #:	2

Potential Unit # (No zone change):	102
Commercial Development potential	400,000 sf
Public Road Potential? (Y/N):	Y
Open Space Subdivision? (Y/N):	Y
Water (Y/N):	Y
Sewer (Y/N):	Y

Purpose Statements

Purpose statements for each zoning district assist planners and property owners in understanding the spirit and intent of the specific zone. This ensures more efficient and clear use of property.

Low Density Residential (R-20):

The purpose of this residential district is to provide for conventional single-family neighborhoods on lots not less than twenty thousand (20,000) square feet. The homes in this district are likely served by municipal sewer and water, but there are some areas that still have on-site septic systems and wells. These districts are located near major roadways. The development of parcels with at least fifteen (15) acres can be done as open space subdivisions. Agriculture and farming are promoted in this district. Some non-residential uses that are compatible with single-family homes are permitted, including churches, elementary schools, high schools and Child Care Facilities.

Assembly and Office (I-4):

The purpose of this industrial district is to provide appropriate locations for manufacturing, assembly, fabrication, packaging, distribution, laboratory, testing facility, warehousing, wholesaling, publishing and shipping activities that expand the economic base of the city and provide employment opportunities. These areas are located along major collector roads away from the downtown area. The newest industrial park developed by the city is located in this district. The minimum lot size in this district is five acres, which encourages larger industrial users.

Rural Restricted Industrial (I-2):

The purpose of this industrial district is to provide appropriate locations for manufacturing, assembly, fabrication, packaging, distribution, storage, warehousing, wholesaling and shipping activities that expand the economic base of the city and provide employment opportunities. This area is the location of one of the first industrial parks in the city, located off Littleworth Road and Knox Marsh Road in a more rural area. The smaller minimum LOT size of twenty thousand (20,000) square feet also encourages business uses such as publishing, hotels, vehicle refueling/recharging stations, restaurants, car sales, offices, and personal services.

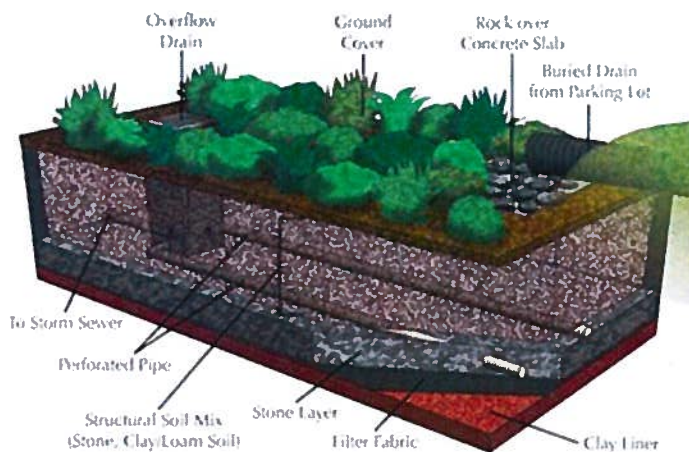
Mitigating Abutter Impact

Dover's zoning and site regulations are sensitive to impacts on residential abutters from commercial development. Examples of protections include, retention of existing trees as a landscape buffer between projects, extensive landscaping and lighting requirements, and requirements that loading facilities, parking and accessory elements be screened and away from abutters. These protections are only regulated for non-residentially zoned property, and not residential, per site plan approval.

During development review, the context of all projects is reviewed, to ensure that impacts are analyzed and mitigated on a site by site basis, understanding that each project and parcel is unique.



Stormwater Management



Dover leads the state with recently amended regulations related to Stormwater Management, within our Site Plan Regulations. The effects of development whether residential, parking lots, or commercial all impact stormwater management. The regulations manage stormwater runoff, protect water quality and quantity, minimize the contribution of a pollutant for which a water body is impaired to the maximum extent practicable, cause no discharge of runoff to an adjacent property in excess of runoff discharge in the existing developed or undeveloped condition, and encourage the use of low impact development strategies.

For new development, runoff of impervious surfaces, total suspended solids, pollutants, infiltration, water table, and plantings are all considered and regulated. The minimum protections and management standards require that all development comply with EPA Phase II stormwater rules and the City's MS4 permit. Existing waters are to be protected by buffers, with best management practices in place, such as low impact development strategies, reduced use of salt and other winter maintenance items, so that no discharge of pollutants to receiving waters is possible. To prevent issues such as pollutants entering the water system, flooding, and more, new developments must go through the City's stormwater regulations.

Development Concept Scenarios^{1,2,4}

Existing Residential/Industrial:

Description

A residential development, similar in style, and layout to that of the Wynbrook subdivision, would be realistic (both are within the R-20 district). Wynbrook encompasses 57 acres, the R-20 land is 63.72 new homes is realistic. A residential developer would seek a variance to allow the 24 remaining Kay acres to be used for residential development. This could bring the unit count to 100 new single family homes, with public roads, off Littleworth Road and Columbus Ave. Similar to Wynbrook homes, the average assessed value of the homes is estimated at \$310,825^{**}.

The remaining 1-4 land would be developed similar to Stonewall Kitchen, an 80,000 square foot facility. An approximate assessed value would be \$4,000,000.

Tax Impact

Dover's estimated tax rate is \$26.29. This provides tax revenue of approximately \$8,171 per house. This revenue is applied to the City, School, State School and County taxes. A typical single family home in Dover provides 0.5 students into the public school system. The cost to educate a child is approximately \$15,000.

4 new 1,000 foot public roads would be constructed. There would be cost for maintaining and plowing this roadway and providing other

services.

The manufacturing use would provide tax revenue of approximately \$105,160. In addition the buildings provide approximately 16 jobs to the local economy.

Traffic Impact

The Institute of Transportation Engineers identifies that 1 PM Peak hour vehicle trip per unit is generated for a single family home, resulting in 100 new trips, in the evening.

The manufacturing facility would generate 0.73 PM Peak hour vehicle trips per 1,000 sf of space. This results in 58 vehicle trips per building, in the evening. Trip generation would be more isolated due to shifts and variables such as flextime.

Abutter Impact

As this would be a major subdivision, it would be required to set aside open space, and have a 50 foot no cut buffer along the perimeter. Street trees would be required.

There is no restriction on lighting or placement of sheds/garages, other than 10 feet off a property line.

The manufacturing facility would provide 33% of the parcel as landscaped and open. A 75' setback is required from property lines.



^{**} Lucy Ln/Ct avg is \$343,952 | Wallace is \$347,330

Proposed Rezoning:

Description

A commercial recreation complex is proposed. This would consist of four practice facilities, a 1,500 seat ball park, two hotels, a 60,000 sf indoor facility, a restaurant, and an additional commercial pad. Researching similar complexes and uses, within the City of Dover (Hotels and Restaurants) and similar sized communities, at full build out, the site could have an assessed value of \$20,000,000.

Tax Impact

Dover's estimated tax rate is \$26.29. This provides tax revenue of approximately \$525,800. The complex would provide 100 jobs to the local economy. In addition, the tourism draw this project would have could replicate the tourism draw of the Dover Arena and Outdoor pool, which bring in \$300,000 in tourism dollars each event.

Traffic Impact

The Institute of Transportation Engineers identifies that the hotels generate 0.6 PM Peak hour vehicle trips per unit. The multi-purpose facility generates 5.77 per acre. A sit

down restaurant generates 11.15 trips per 1,000 sf. The concept shows 200 hotel rooms, 4,500 sf of restaurant and there is approximately 11 acres of recreational area. This results in 120 vehicle trips for the hotel, at full occupancy, 50 trips for the restaurant and 63 vehicle trips for the recreational uses, in the evening. Trip generation would be more isolated for the tournaments and other activities where an attendee stayed at a hotel, ate at the restaurant and attended a baseball event.

Abutter Impact

Through the site plan review process, the facility would be required to contain light to the project area, conduct a sound analysis, and mitigate noise through hours of operation or methods. Regulations require that non-residential uses protect against negative impact on residential abutters.



The businesses would have typical hours of operation. Loading facilities, parking and accessory elements would be screened and located away from abutters.

Dimensional Review³

	Rural Residential (R-20)	Open Space Subdivision	Rural Restricted Industrial (I-2)	Notes
LOT				
Minimum LOT Size	20,000 sf	12,000 sf	20,000 sf	R-20 excludes wetlands
Maximum Lot Coverage	30%	10%	50%	R-20 excludes driveway
Minimum Frontage	125 ft	30 ft	100 ft	
PRINCIPAL BUILDING				
Front Setback	20 –35 ft	15 ft	50 ft	R-20 is Build to Line
Abut a Street Setback	20 –35 ft	15 ft	35 ft	R-20 is Build to Line
Side Setback	20 ft	15 ft	10 ft	
Rear Setback	30 ft	15 ft	10 ft	
Distance to existing structures	N/A	75 ft	N/A	
OUTBUILDING/ACCESSORY USE				
Front Setback	35 ft max	35 ft max	35 ft	
Abut a Street Setback	35 ft max	35 ft max	35 ft	
Side Setback	10 ft	10 ft	10 ft	
Rear Setback	10 ft	10 ft	10 ft	
HEIGHT OF BUILDING				
Principal Building	35 ft max	35 ft max	50 ft max	
Outbuilding	35 ft max	35 ft max	40 ft max	

	Office/Assembly (1-4)		Rural Restricted Industrial (I-2)	Notes
LOT				
Minimum LOT Size	5 Acres		20,000 sf	
Maximum Lot Coverage	33%		50%	
Minimum Frontage	400 ft		100 ft	
PRINCIPAL BUILDING				
Front Setback	75 ft		50 ft	
Abut a Street Setback	75 ft		35 ft	
Side Setback	75 ft		10 ft	
Rear Setback	75 ft		10 ft	
Distance to existing structures	N/A		N/A	I-4 buffer does not apply here.
OUTBUILDING/ACCESSORY USE				
Front Setback	75 ft		35 ft	In I-4, parking setback is 25 ft
Abut a Street Setback	75 ft		35 ft	
Side Setback	10 ft		10 ft	
Rear Setback	10 ft		10 ft	
HEIGHT OF BUILDING				
Principal Building	40 ft max		50 ft max	
Outbuilding	55 ft max		40 ft max	

Allowed Uses³

Rural Residential (R-20)

- ACCESSORY DWELLING UNIT
- ADULT DAY CARE[^]
- ASSEMBLY HALL
- Bank[^]
- Beauty and Barber Shop [^]
- BED and BREAKFAST
- CHILD CARE HOME
- CONSERVATION LOT
- Dwelling, 2 Family [^]
- Dwelling, 3 To 4 family [^]
- DWELLING, SINGLE FAMILY
- EDUCATIONAL INSTITUTION, K-12
- FARM ANIMALS FOR FAMILY USE, for non-commercial purposes, on lots containing a one or two family dwelling*
- PUBLIC RECREATION
- ROADSIDE FARM STAND*
- Theater [^]
- Veterinary Office, Animal Hospital or KENNEL*
- CHILD CARE FACILITY
- FARM *
- OFFICE [^]
- PERSONAL SVC ESTAB [^]
- Public Utility*
- Retail Sale of Agricultural or Farm Products Raised on Site

- Clinic
- COMMERCIAL PARKING FACILITY
- COMMERCIAL RECREATION
- Eating and Drinking Establishment*
- EDUCATIONAL INSTITUTION, POST-SECONDARY
- Establishments for the manufacture assembly*
- Fuel, Oil, or Gas Storage
- Helicopter Take Offs & Landings*
- HOTEL/MOTEL
- Industry
- LIGHT INDUSTRY
- Liquor Store
- New Car Sales
- Open Storage*
- PUBLISHING FACILITY
- Trucking Terminal
- WAREHOUSING
- WHOLESALING

Rural Restricted Industrial (I-2)

Common

Rural Residential (R-20)

Uses Permitted by Special Exception*

- ASSISTED LIVING FACILITY
- CONGREGATE CARE FACILITY
- CONTINUING CARE COMMUNITY FACILITY
- EDUCATIONAL INSTITUTION, POST SECONDARY
- ELDERLY ASSISTED CARE HOME
- Helicopter Take Offs & Landings
- NURSING HOME

Rural Restricted Industrial (I-2)

Uses Permitted by Special Exception

- AUTO SERVICE
- VEHICLE REFUELING AND RECHARGING STATION

Rural Restricted Industrial (I-2)

Uses Permitted by Conditional Use

- Alternative Treatment Center
- SELF-SERVICE STORAGE FACILITY*

[^] Allowed if Subdivision is greater than 50 acres

* see zoning tables for footnotes.

WORDS IN ALL CAPS are defined in ordinance

Allowed Uses³

Office and Assembly (I-4)

- Computer and data processing
- EXCAVATION
- Laboratories and testing facilities
- Veterinary Office, Animal Hospital or Kennel*

- CHILD CARE FACILITY
- Establishments for the manufacture assembly*
- FARM *
- Helicopter Take Offs/Landing *
- OFFICE
- Public Utility*
- PUBLISHING FACILITY
- Retail Sale of Agricultural or Farm Products Raised on Site
- WAREHOUSING
- WHOLESALING

- Clinic
- COMMERCIAL PARKING FACILITY
- COMMERCIAL RECREATION
- Eating and Drinking Establishment*
- EDUCATIONAL INSTITUTION, POST-SECONDARY
- Fuel, Oil, or Gas Storage
- HOTEL/MOTEL
- Industry
- LIGHT INDUSTRY
- Liquor Store
- New Car Sales
- Open Storage*
- Trucking Terminal

Rural Restricted Industrial (I-2)

Common

Office and Assembly (I-4) Uses Permitted by Conditional Use

- SELF-SERVICE STORAGE FACILITY*

Rural Restricted Industrial (I-2) Uses Permitted by Special Exception

- AUTO SERVICE
- VEHICLE REFUELING AND RECHARGING STATION

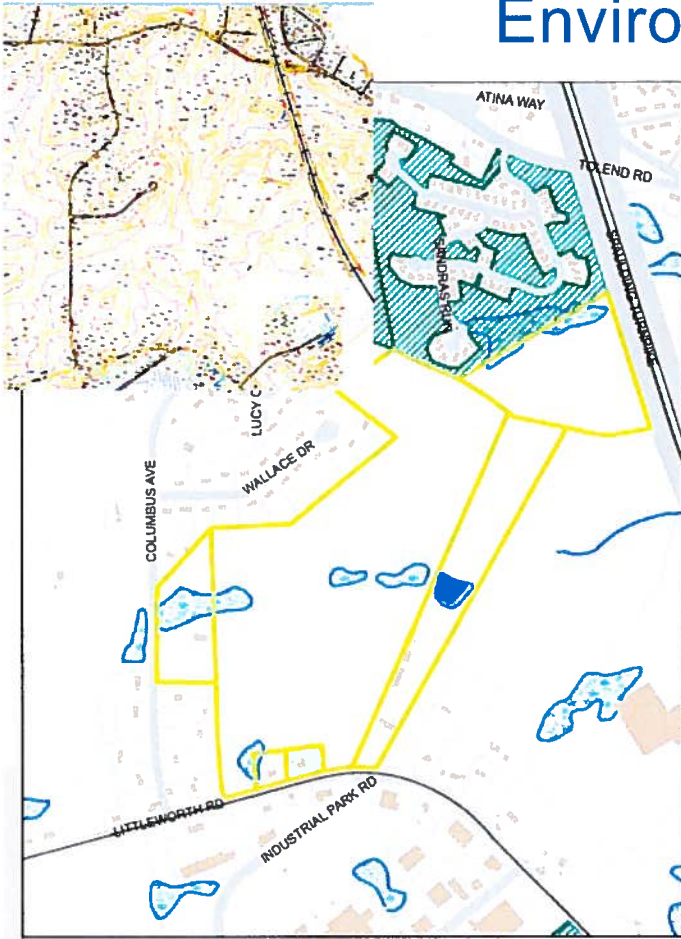
Rural Restricted Industrial (I-2) Uses Permitted by Conditional Use

- Alternative Treatment Center
- SELF-SERVICE STORAGE FACILITY*

* see zoning tables for footnotes.

WORDS IN ALL CAPS are defined in ordinance

Environmental Review²



Introduction

Prior to any development of a site, the developer would be required to review and document environmental and topographic constraints that exist on the parcel. This concept review was completed using the City's Geographic Information System Data.

Property Description

The main portion of the 101 acre area is roughly arranged in a rectangular shape. As the crow flies from Littleworth Rd to the City parcel, it is 3,600'. From Columbus Ave to the farm pond is 1,200'. The area is wooded with fields, used by cows today with two homes along Littleworth Road. It has access from both Littleworth Road and Columbus Avenue.

Wetlands/Soils

The area appears to have a few

swaths of wetlands contained within it. The primary area is south of the Wallace Drive subdivision, with another area south of the Wynbrook subdivision. This is consistent with soils found on adjacent parcels. Staff believes that the area of wetlands is under represented on the adjacent image.

Floodplain Development

There appear to be no major flooding concerns for the area. A review of the FEMA mapping for the area, indicates that the property is 3,000' from the Cochecho River.

Topography

The area is 140' above sea level at Littleworth Road. Wallace Drive is at elevation of 150'. There are hills and valleys within the area. Along the Spaulding Turnpike the elevation is 100', level with the turnpike.

Transportation and Infrastructure²



parcel lies along NH Route 9, and is within approximately a mile of NH Route 16, accessible by Exit 8. The State of NH replaced the bridge over the rail line. It and other infrastructure along Littleworth Road can accommodate multiple modes of transit, including truck traffic and mass transit.

Access is also possible from Columbus Avenue and would be reviewed for proper traffic impacts and mitigation.

any improvements necessary to the road network, especially any intersections with Littleworth Road.

Utilities—Public

A 8" municipal water line, in need of upgrade, is located in Littleworth Road with an additional 12" line in Columbus Avenue. Sanitary sewer is located within the subject parcel in the City's property and runs along the Spaulding Turnpike. The land is vacant, so no tie ins are present.

Utilities—Private

Eversource provides electric power to the parcel via service off Littleworth Road and Columbus Avenue. Natural Gas and Telecommunications lines are located within the ROW of Littleworth Road.

Introduction

When reviewing the appropriateness of developing a parcel, transportation and utility infrastructure are reviewed to under-

stand development costs.

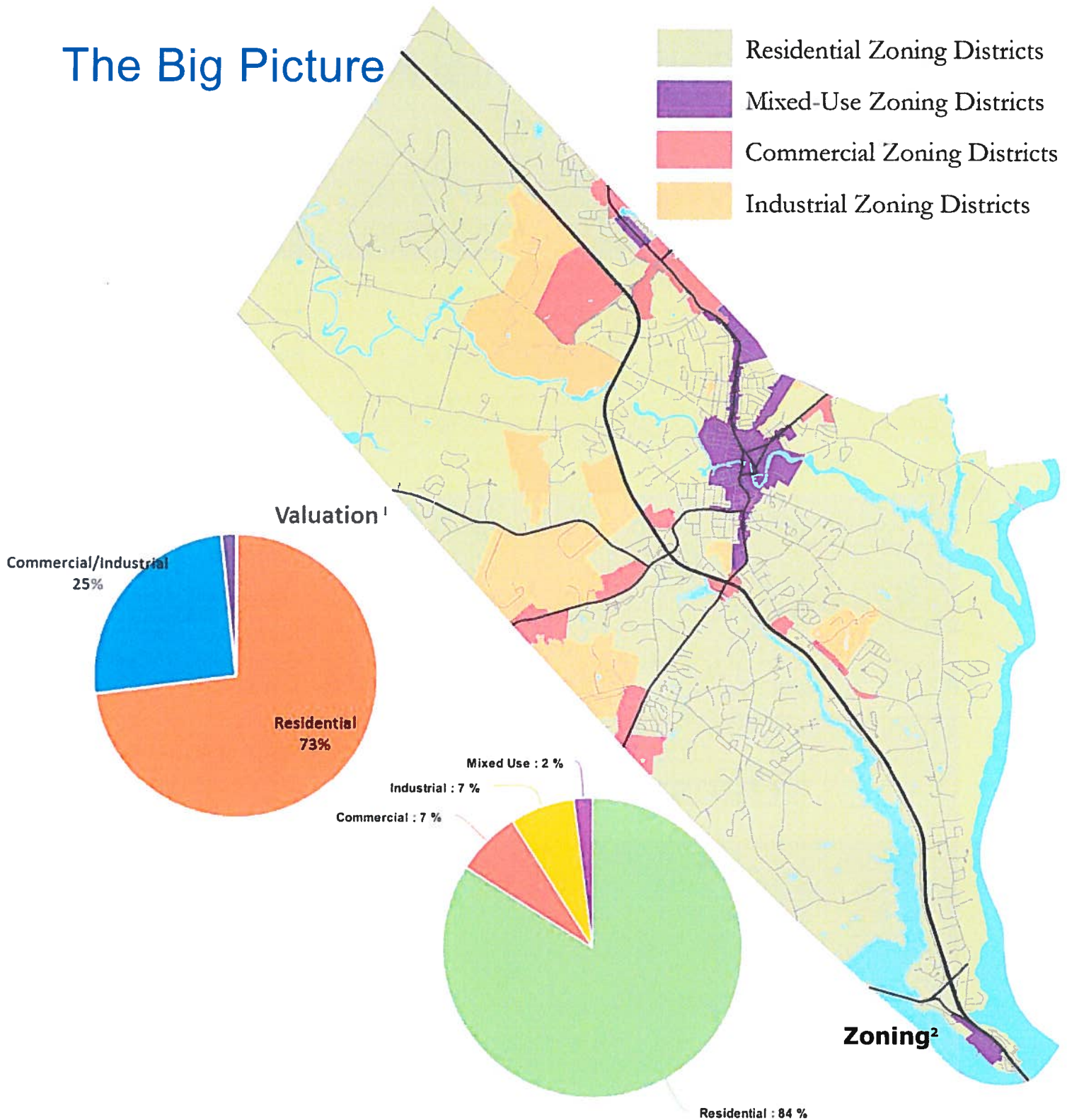
Transportation Network

As seen above, the subject

tion.

Any development of the proposed area would include a traffic analysis, which would look, amongst other things, at

The Big Picture



City Council Goal and Objective:

In Dover, a new City Council will meet and create goals for its term.

The 2016—2017 Council goals include the following:

"Goal: Implement Long-Term Economic Development

Strategic Objective 3: Identify and rezone appropriate property parcels to spur/enhance commercial development to further balance the commercial-to-residential ratio by five percent in 10 years (measured annually)"

Sources

1 = Tax Assessment Data

2 = Planning Department Land Use Data/Analysis

3 = Chapter 170, Zoning, of the City Code

4 = School District Enrollment Data and FY17 Budget

Master Plan and Future Plans of Dover: Analysis - January 24, 2017

My name is Katherine Antonioli, I live at 174 Columbus Avenue. I am a resident of Dover and an owner of a Technology Firm in Portsmouth. I want it on the record that I'm opposed to the rezoning and project. This rezoning consideration does not meet the criteria for the city of Dover, as outlined in multiple areas of the City's master plan and vision.

Economic Development

A vision of the Master Plan is "to grow the leading edge and innovative economic in science, high tech and "green industry" fields.¹". The creation of these jobs with the newly developed warehouses and future mixed use areas in Dover, as outlined in the Master Plan, will require more housing when housing is already sparse. Most higher-paid employees that the City is looking to retain would want single-family units. The 2015 Land Use Analysis Chapter states "Dover has a smaller percentage of single-family units in the County...²".

With the demand for office and high-tech already strong, it will continue to result in more and more people looking to Dover for their expansion. In order for businesses to consider Dover, and to attract the talent Dover desires, we need more appropriate choices for housing to meet the demand and also satisfy the Housing goals³ outlined in the master plan.

By keeping the existing I-4 zone off Wynbrook and creating a office park, it would attract a larger diversity of businesses by giving them better options for more modern and tech friendly office buildings with easy access to the to Rt. 16 corridor. With the addition of more homes in the current R-20 zone, it will provide the additional housing needed to support this type of growth.

However, the vision clearly states, "Dover attracts and retains stable, well-paying employers because it is business friendly and has a high quality of life⁴." If this I-2 rezoning is approved, there will be no quality of life left in the surrounding neighborhoods due to all of the disturbances of light, noise and traffic that the proposed USA Training Center's Mega-Complex will bring with it.

People & Community

The Master Plan and 2023 vision also states that, "The historic downtown is alive with a wide variety of retail, dining, entertainment, cultural opportunities and a mix of housing choices that make it the vibrant focal point of the community⁵".

"The Central Business District zoning regulations were revised in 2009 to recognize that the downtown can and should serve as a regional retail and entertainment destination⁶". Rezoning this land to I-2 to support a "destination" outside of the urban core will detract from

¹ City of Dover, New Hampshire Master Plan, 2015 Land Use Analysis Chapter, Page 5

² City of Dover, New Hampshire Master Plan, 2015 Land Use Analysis Chapter, Page 17

³ City of Dover, New Hampshire Master Plan, 2015 Land Use Analysis Chapter, Page 36

⁴ City of Dover, New Hampshire Master Plan, 2015 Land Use Analysis Chapter, Page 35

⁵ City of Dover, New Hampshire Master Plan, 2016 Update on Recommendations, Executive Summary, Page 2

⁶ City of Dover, New Hampshire Master Plan, 2015 Land Use Analysis Chapter, Page 23-24

the Master Plan's goal to retain Dover as a "Main Street Community"⁷, and as the main destination for tourism.

As recently stated in the latest City Manager's report⁸, the City is already experiencing tight labor supplies for retail and wait staff, requiring the already existing small business and restaurants to restrict hours or open days due to the unavailability of qualified workers.

The Rezoning Analysis⁹ states the proposed USA Training Centers mega-complex will create "100" jobs for our area, but it's not the high-paying jobs that the City's Master Plan and 2023 vision outlines as their goals¹⁰. Instead, the mega-complex will detract employees from already strained areas of employment available in our area. This could also force out small local businesses such as hotels and restaurants that are currently showing increases in sales.

Another vision goal in our area is to add sidewalks, pedestrian paths, and bike paths such as the one proposed off of Tolend Road, Columbus Avenue and Littleworth Road¹¹ to reduce the City's overall global footprint. However, adding the amount of traffic and daily car travel being proposed with the USA Training Centers project attached rezoning would negate that by dramatically increasing various pollution issues in the area.

If the I-2 rezoning is approved and the USA Training Centers proposal considered for this rezoning is approved, it will be also add an additional strain on the residents public health and safety, the City's budget and resources¹² for equipment; as well as for the police, fireman, and EMTs needed to man all events and respond to the inevitable increase in speeding, traffic/accident reports and driving under the influence charges.

The Master Plan states, that the Planning Board is responsible for "preserving the city's small town and historic character, atmosphere and amenities"¹³ and this rezoning to from R-20 to I-2 will not support this initiative. It's the City's responsibility as outlined the Master Plan and 2023 vision to "maintain this atmosphere in any and all considerations for land use".

In closing, I'd like to reiterate that the proposed I-2 rezoning does not meet the criteria given in the City's Master Plan and 2023 vision. To allow this rezoning and the proposed USA Training Centers mega-complex to move forward, it will eliminate the quality of life for too many people in the surrounding neighborhoods and therefore should be denied.

⁷ Website, Dover Main Street, <http://dovermainstreet.org/>

⁸ City of Dover City Council Meeting Agenda Minutes, January 11, 2017; City Manager's Report, Page 2

⁹ City of Dover Department of planning and Community Development, Rezoning Analysis, Page 3

¹⁰ City of Dover, New Hampshire Master Plan, 2015 Land Use Analysis Chapter, Page 15

¹¹ City of Dover, New Hampshire Master Plan, 2016 Transportation Chapter, Page 24, 25

¹² City of Dover City Council Meeting Agenda Minutes, January 11, 2017; City Manager's Report, City of Dover Expenditures of Major Funds, December 31, 2016, Page 12

¹³ City of Dover, New Hampshire Master Plan, 2012 Visioning Chapter, Page 45

Lavertu, Karen

From: Lynda McAdam <lamaca13@gmail.com>
Sent: Tuesday, February 28, 2017 5:07 PM
To: City Council - All
Subject: Littleworth Road

Dear Mayor and Council Members,

I am writing to you about the Littleworth Road rezoning issue. Unfortunately, I cannot be at the meeting Wednesday evening.

I am concerned about the negative impact it would have for those in the area and the City. There seems to be many questions that have not been answered....traffic, noise and value of homes.

I encourage you not to rezone this area of Dover.

Thank you for your time.

Lynda McAdam
76 Columbus Ave
Dover NH 03820

Lavertu, Karen

From: bobcarroll4@comcast.net
Sent: Tuesday, March 07, 2017 12:22 PM
To: City Council - All; Planning Board - All
Cc: Joyal, Michael; Parker, Christopher G.
Subject: Littleworth Rd and Columbus Ave rezoning - Public Hearing March 8

TO: Mayor Weston, Members of the City Council, and Members of the Planning Board
CC: City Manager Joyal, Assistant City Manager Parker

We are unable to attend the public hearing on March 8, however we would like to again voice our concern regarding the proposed amendment to the Dover Zoning Ordinance to rezone parcels on Littleworth Road and Columbus Avenue from their current zones R-20 and I-4 to I-2.

1. Our concerns are **not** about a proposed use of this land for USA Training Centers specifically, but are a global concern for the future of these parcels.
2. We believe that rezoning this land to I-2 would be detrimental to the abutting and adjacent property owners. Hundreds of residents and taxpayers purchased homes in the last 10 plus years in the vicinity of the parcels, attracted to the area because of its rural nature, and the desirability to live near the city center yet in a country setting. Not only are the Columbus and Littleworth immediate abutters affected, but also the Tolend Road abutters and adjacent area homeowners on the roads leading to and from the parcels under consideration. The general well-being of the area neighbors would be negatively impacted. Property values would suffer.
3. We are concerned that this rezoning would bring about noise and light pollution, would have negative effects on the area's natural resources, and the existing wildlife habitat would be disturbed.
4. There were 2 previous proposals to rezone this land and both failed.
5. We believe that changing the zoning on these parcels contradicts several components of the Vision Statement in the City's Master Plan:
 - a) *Dover's residential character is preserved and that well designed development is encouraged in and around the downtown core and waterfront.*
 - b) *Vehicular traffic volumes and speeds are well managed*
 - c) *Enhanced environmental quality and sustainability are actively pursued and inherent in all the City's activities*
 - d) *Residents celebrate safe, family friendly neighborhoods, a strong sense of community and excellent school system*
 - e) *Preserve natural resources: water, watershed, air, farmland and a working waterfront*

f) *Facilitate a balanced supply of safe and attractive housing for individuals and families of all incomes*

6. We are concerned about increased traffic at Exit 8, Route 9/Littleworth Road and the now very busy ancillary roads that lead to these parcels, including Arch Street where we live. We have seen area traffic volumes increase, speeds increase and the safety of our residents put at risk due to the higher volume of usage in this residential area. The Arch Street area is on the walking route to the Woodman Park School and the safety of the children and residents should be of great concern to the City.
7. We understand that USA Training Center is interested in having their baseball and related sports complex components on the Littleworth and Columbus parcels. We feel however, that if it is believed that this is a viable and beneficial use for the City, it is more appropriate for the City Planning and DBIDA to assist USA Training Centers to develop their proposed project in a more appropriate neighborhood. There are tracts of land in Dover where this project could locate its sports complex without negatively affecting area residents. There may not be contiguous 100 acres or so, but the question then becomes, is the total buildout of the proposed USA Training Centers project actually viable. Would a smaller parcel suffice?
8. It has been promoted in the USA Training Center materials presented to the public that their development would bring hotels and restaurant users to the sports complex. However, If indeed there are any such hospitality businesses interested in locating in this area of Dover, City Planning and DBIDA should direct them to parcels which are now currently zoned and permitted for this use.
9. We also believe that it is important to support the existing and new businesses now located in and around the downtown core of the City, and to encourage further redevelopment of underutilized parcels, as well as to use existing resources. We have a downtown parking garage, we have an energetic city center, and we have new developers willing to invest in the downtown area – all of which deserve the full support of the City and its residents.

In closing, we do understand and support the need to increase the amount of available commercial and industrial tax base in the City and to continue to attract meaningful and well-paying jobs and careers for residents. However, we do not believe this should be accomplished to the detriment of current residents and abutters, which is what we believe would be the result of rezoning these parcels.

Thank you for your careful consideration of this proposal and for your service to our City.
Respectfully,

Nancy Coady-Carroll
Robert J. Carroll
17 Arch Street
Dover NH

Lavertu, Karen

From: Amanda Russell <alr72@comcast.net>
Sent: Tuesday, March 07, 2017 5:34 PM
To: City Council - All
Subject: Re-zoning proposal

Good Afternoon,

I write today in support of re-zoning the highly debated proposal before you. I am not only in support of re-zoning this parcel, but I am also in support of the proposal by USA Training and Mavericks Baseball. Honestly, if there were adequate land available near my home, I would be thrilled to have this project come to my neighborhood. Please find below just two of the reasons I feel so strongly about this re-zoning and the proposed project.

I am not in favor of this parcel being developed residentially. As you know, our schools are full. We do not have the space to accommodate more students at the elementary or middle school level. With the DHS CTC project and the anticipated Garrison Elementary renovations, the school/city budget cannot support the building of a new school or additions to Garrison. Were this parcel developed as residential, our elementary schools would not just need more classrooms but they would need to be redistricted. Furthermore, homes would not generate enough tax revenue to pay for their school or city services.

Dover is a baseball town. Hundreds of Dover's boys and girls participate in the Dover Baseball recreation program. Dover Baseball has hosted the New England Regional Cal Ripken tournament for 4 consecutive years. Last summer, a family told me that they had booked extra nights in Dover because they enjoyed their time in the area during a previous tournament and wanted to explore more of the area. Baseball brings visitors and their spending dollars to Dover and Dover businesses. This project would bring additional visitors and additional revenue to our city.

There are many reasons to support this project and hope you will do so with your vote.

Amanda L. Russell
20 Cranbrook Lane

Lavertu, Karen

From: srberubenh@comcast.net
Sent: Tuesday, March 07, 2017 8:38 PM
To: City Council - All
Subject: Please Vote No For Zoning Amendment

Dear City Council Members:

My name is Scott Berube and I am a resident of 28 Lucy Lane in Dover, NH. I am writing to urge you to vote against the zoning amendment that would allow USA Training Centers to rezone 106.45 acres of land from R-20 to I-2 for the construction of a mega-sports complex. This is not the right decision for Dover and its residents. If you have not yet watched the following videos explaining the reasons why so many of us in these neighborhoods are strongly against this amendment, I urge you to do so before voting. I hope after reviewing these videos, you will make the only just decision and deny this amendment request.

Link to video showing neighborhoods affected:

<https://www.youtube.com/watch?v=t2ceYDNYyJE>

Link to video explaining why the zoning amendment is the wrong decision for Dover:

<https://www.youtube.com/watch?v=uF1BVieDT9Q&t=638s>

Respectfully,

Scott Berube
603-759-9351
srberubenh@comcast.net

