



# DOVER PLANNING REVIEW

AN UPDATE FROM THE OFFICE OF PLANNING AND COMMUNITY DEVELOPMENT



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**February 26, 2021**

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## Welcome from the Planning Director

This week's newsletter continues the subject I began last week on the idea of what planners do, by laying out what we "don't" do, or maybe better phrased, what we "can't/shouldn't/don't" do. I hope that this has been useful for people to read and learn from.

It was pointed out to me that while I write the newsletter (or so you think), this is not a one-person shop. Soon I will begin doing profiles of the Planning and Community Development staff so you can learn more about the dedicated, experienced and community-minded team Dover is lucky to have on board.

Finally, as the temperatures reach the mid-40s this week and I'm wearing shorts like a true New Englander, it makes me think of spring. That brings hope that with the weather improvements, we'll start to see finishing work on the Community Trail extensions and other outdoor projects. This means the special topics will recede a bit, and we'll see more general project updates.

Next week, the Planning staff will present an update to the City Council on Master Planning activities, the waterfront development project, and our strategies to address affordable housing. It seemed to make sense to have a special topic look at Master Plans.

Happy Reading,

**Christopher G. Parker AICP**

Assistant City Manager: Director of Planning and Strategic Initiatives

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P.S. Thank you to everyone who has commented on these newsletters. I am glad that people are enjoying them. I also am enjoying how many people seem to care about my wife and question those who want proof she exists.

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# Upcoming Meetings

## City Council, 3/3/2021

The City Council will meet next on Wednesday, March 3, at 7 p.m. for a workshop session to discuss various planning initiatives, including the City's Master Plan, an update on waterfront development, and affordable housing.

First on the workshop agenda, Planning staff and representatives of the Cochecho Waterfront Development Advisory Committee will update the City Council on the project's progress. In January, the waterfront committee approved a revised Concept Site Plan submitted by the project developer, Cathartes, and site design work is now underway. In the coming months, the committee is expected to review the site and architectural designs, before their submission to the Dover Planning Board.

I will then review the City's Master Plan and ongoing work to update the plan's chapters. The Master Plan is a comprehensive plan which guides the City's long-term development. Dover began a cycle of updating all Master Plan chapters in 2012.

Then I will make a presentation to the City Council on the City's planning initiatives to foster affordable housing.

The workshop begins at 7 p.m. in the Council Conference Room at City Hall and is open to the public. The workshop will also be televised live on Channel 22 and streamed live from the City's website here: <https://dovernh.viebit.com/>.

The workshop agenda can be [viewed here](#).

## Planning Technical Review Committee, 3/4/2021

The Technical Review Committee meets Thursday, March 4 at 10:30 a.m. to:

- Review a request for site plan approval Portsmouth Christian Academy to improve drainage and construct a 12-foot wide gravel access driveway behind the existing building.

The agenda and materials can be [viewed here](#).

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## Results of Last Meetings

### Planning Board, 2/23/2021

The Planning Board met Tuesday, Feb. 23 and:

- Approved a request for a Minor Subdivision to create one new lot for Townsquare Media Portsmouth, LLC., located at 292 Middle Road.
- Reviewed and tabled a request for site plan approval for 44 cottage-sized units at 54 Back River Road. The project requires a Conditional Use Permit to allow road and utility construction, stormwater treatment, and structures, including units and retaining walls, with steep slope impacts of 18,799 square feet.
- Adopted a Street Tree Policy.

[Click here](#) to watch the meeting and access the agenda and materials.

# Transportation Advisory Commission, 2/22/2021

The Transportation Advisory Commission met Monday, Feb 22 and:

- Re-elected Maurice Oliver as chair, appointed Dennis Munson as the vice-chair, and Elizabeth Goldman as clerk.
- Received an update on a request to create an all-way or three-way stop on Leather's Lane.
- Selected locations for rapid response flashing beacons at crosswalks.
- Discussed traffic concerns on Horne Street.
- Discussed updating the Complete Streets/Traffic Calming policy.
- Endorsed parking restrictions around Garrison and Horne Street Elementary schools.

The agenda and an audio recording of the meeting are [available here](#), which is also where the minutes will be posted when completed.

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## In-depth: What isn't the role of a city planner?

[Last week](#), I hope that you learned about the activities Planning staff undertake to work with property owners to use their land within their property rights. We also touched upon how we work with community volunteers and staff to lay out a long-range plan for our community as it continues to evolve. This week, we're going to pretend we're talking about toddlers and the desire to say, "NO!"

I get asked a lot, "Why can't you say no?" or "Why can't you do anything?" about a particular project. Now certainly, I can say "no." It's simple to say, but I find that it doesn't help people get to where they want to go, nor is it productive for the community. From time to time, we work with applicants to understand a development they want to do on a particular property might not be the best location or proceeding in the proper course. We work with them to change that course or identify a better parcel of land. That's the alternative we take. "No" isn't the right answer, but a derivative of it may be.

Besides the fact that state law does not grant me the authority, I don't think anyone would really want me to say "no." As much as people might think they do, usually when I point out that if I say "no" to their neighbor's proposed project, that means that I can say "no" to their future project as well. Put yourself in that spot. If I can tell your neighbor that they can't have the garage where they want it or can't develop their land, doesn't that mean I can tell you that you can't do something you want to do? Where does the line get crossed between "Phew, we dodged that bullet" and "What? Why can't I do 'x'? I pay taxes, and it's my property!"

In that context, people seem to understand that having one person with the power to say "no" is not a good idea. Even thinking about it from a Planning Board standpoint, the Board is set up to protect property rights, not deny people their property rights. The Board is not in place to be a gatekeeper of nothingness. It is set up to:

- objectively look at an application,
- determine if the application meets the rules and regulations the community is created,
- listen to abutter concerns,
- see if there's a way to mitigate those concerns, and
- where possible, support the property owner in their right to develop their property.

That also follows the logic of the Planning Board, which is appointed to understand the community's desire to regulate land use and facilitate growth. That is the Board's role. Planning Board members are appointed to remove the politics from land use. The Board does not take the pulse of the room before approving projects; it does not consider who provided the most

signatures on a petition and decide the outcome based upon that alone. Instead, it listens to testimony and weighs it against a variety of factors. It is not a role Planning Board members take lightly.

The idea of saying “no” also takes the form of, “How dare you let that building be built. It’s ugly!” Now, this is a pretty common idea. Everyone thinks their building or their home or their structure is beautiful, architecturally significant and just perfect. They always want to know why I don’t agree with them or why I don’t agree that their neighbor’s property or that building down the street is neither pretty nor desirable. Beyond my understanding that only my wife is perfect, I always stress that there is never a universal building form that people agree upon.

It’s fair to say that no one should want me to be the arbiter of taste for architectural design, nor should they want a color-blind person (this guy) to pick colors. Trained professionals are used by property owners, in most cases, to design their buildings. And there is a reason for that. Everyone has different tastes and desires, and as long as the project meets our code and state regulations, it should be built as the owner chooses. Under state law, the City has very little control over architectural designs for properties not in a historic district. There are plenty of buildings built in Dover and beyond that people didn’t initially like, but over time, become celebrated. Look at the mill buildings. I imagine in the 1800s, someone tore down a one to two-story wood structure on Washington Street and erected a 75-foot tall brick structure, and a neighbor said, “That building’s ugly.” Would most people say that today?

Beyond, “Why don’t you just say ‘no,’?” other questions I frequently get are: “Why do I need a permit for that?” or “Why can’t my sign just go wherever I want it to go?” The answer generally is that we have permits, and requirements for getting permits, in place to protect the community’s general health, safety and welfare. We need to know that rules and regulations are being followed on a project. In the case of a sign, we need to see if it will be near or in the travel way.

We should have permits to meet a specific need and not just on a random and ongoing basis. We shouldn’t be regulating things only to regulate them. We should regulate them because it’s in the community’s best interest to do that. That is the role the City Council and Planning Board have to put those regulations in place. The staff’s role is administering those regulations.

Next week, I want to circle back to the idea of long-range planning and what it means in Dover. Our mission is to think strategically in Dover, and we look towards the future and look towards how we can continue to improve the City for ourselves and those who are yet to live here.

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## **Book review: "Right of Way"**

This week I read “Right of Way: Race, Class, and the Silent Epidemic of Pedestrian Deaths in America” by Angie Schmitt.

If you drive, you should read this book.

If you are a pedestrian, you should read this book.

If you do neither but have a curiosity about traffic deaths and want to affirm that they are not “just accidents bound to happen” in certain situations, you should read this book.

The author provides story after heartbreaking story about the conflicts between cars and pedestrians and how the vehicles never lose, no matter what U.S. region they occur. The takeaway is that we need to do more to ensure that these conflicts are prevented, but that doesn’t mean isolating all modes of traffic into their own worlds.

Just this past week, the Transportation Advisory Commission looked at ways to strengthen the City’s policy for creating safer streets. We discussed the need to prioritize safety over speed and convenience. That message resonates throughout this book, with the intention of getting the reader to learn about reframing away from the common thought that cars are the most important mode of transportation and all others should stay out of the way.

Interestingly, the book also looks at the role of class, race and other non-transportation variables play in the perception of road safety. The end goals are options for updating our

## Survey seeks feedback from motorists

Over the next 12 months, staff from the City of Dover and Sebago Technics will monitor traffic data and implement new traffic signal coordination programming throughout 17 signalized intersections along the Central Avenue corridor. As part of the ongoing implementation, drivers who use the corridor are asked to provide feedback about how these efforts are improving traffic flow. This feedback includes a simple, five-question poll, which can be accessed online at <https://conta.cc/3pFYtQI>. The last day to provide information to this poll is Sunday, Feb. 28. Other such surveys will be published as changes to the signal timings are made to gauge public reaction.

The program is the result of a partnership with the Federal Highway Administration (FHWA) and the New Hampshire Department of Transportation (DOT), which provided grant funding to install the innovative technologies at 17 of Dover's intersections within the Central Avenue corridor.

The \$811,875 project is made possible from \$649,500 in grants from the FHWA's Accelerated Innovation Deployment (AID) Demonstration Grants Program administered by the DOT and a 20 percent match from the City of Dover, totaling \$162,375. The FHWA grants were approved by Governor and Executive Council, DOT and Dover City Council. FHWA's AID Demonstration Program provides funding to accelerate the implementation and adoption of innovation in highway transportation.

For more information, contact Community Services at 516-6450. To view a video detailing the project, visit <https://dovernh.viebit.com/player.php?hash=WPwgOuxNGoqm>.

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## New Hampshire Community Development Finance Authority Consolidated Plan Survey

The New Hampshire Community Development Finance Authority (CMDA) is conducting a survey to collect updated information on community development needs in New Hampshire to inform its new five-year consolidated plan.

The Consolidated Plan is a U.S. Department of Housing and Urban Development (HUD) requirement that sets the strategic vision for the allocation of New Hampshire's Community Development Block Grant (CDBG) funds for 2021 through 2026. The CMDA receives funds from HUD.

We recognize you have many competing priorities during this time as you, your families and your communities navigate the impacts of COVID-19. CDFFA greatly values your input and appreciates you taking the time to complete the survey.

The survey is not specifically related to the COVID-19 pandemic but does include some questions related to its impact. It is designed for people who work in the fields of community development, housing, lending, social services, economic development, as well as town/city/county managers and mayors, community and economic development staff, and planning staff. Please invite others in your field to participate in the survey by sharing the link above; we want to receive participation from a diverse group of stakeholders.

The survey can be accessed online at <https://www.research.net/r/NHCDFFA2021>. If you have any questions about this planning process, need a translation of the survey into a language other than English, or need other accommodations to take the survey, please contact [hello@rootpolicy.com](mailto:hello@rootpolicy.com) or 970-880-1415.

Thank you for your participation and interest.

