



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting, continued
Meeting Location: City Council Chamber's 288 Central Avenue
Meeting Date: **Tuesday, September 22, 2020**
Meeting Time: **7:00 pm**

Members Present: Gina Cruikshank (Chair), Dennis Ciotti (Councilor), Jackson Kaspari, Ellen Ianello (Alternate), Frank Torr, Tom Clark, Hayley Harmon (Vice Chair), Erin Allgood (Alternate), Dave Landry, Lisa McGunnigle (Alternate), Matt Sullivan

Members Not Present (excused): Dave White

Members Not Present (un-excused): None

Staff Present: Christopher Parker, Assistant City Manager, Steve Bird, City Planner

Chair G. Cruikshank called the meeting to order at 7:01 p.m. and noted E. Ianello will sit in for D. White.

1. CITIZENS' FORUM

Citizens Forum Open. No one spoke. *Citizens Forum Closed.*

2. APPROVAL OF THE PRIOR MINUTES

- September 08, 2020 Regular Meeting Minutes

Motion: F. Torr moved to approve the minutes as presented. Seconded by D. Ciotti. Vote: U/A with M. Sullivan abstaining.

3. OLD BUSINESS

None

4. NEW BUSINESS

- A. Consideration and acceptance of a Condition Use Permit for Kelliher Maureen Revocable Trust, Assessor's Map L, Lot 58-Y, zoned R-20, located at 27 Cote Drive. (Proposal is to expand a single family house with a garage addition of 355 s.f. and 179 s.f. of additional driveway, in the Conservation District adjacent to the tidal Piscataqua River, with 764 s.f. of tidal buffer zone impact.) *(P20-49)

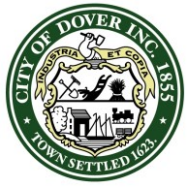
C. Parker explained the applicant is requesting a Conditional Use Permit to add a 355 s.f. addition to the existing garage and additional pavement, resulting in 764 s.f. of impact to the City of Dover's Conservation District. A stone drip edge will be used for stormwater mitigation.

The Conservation Commission reviewed and endorsed the CUP application at its September 14th meeting. During that meeting, the Commission discussed the need to add additional native plantings within the shoreland area, understanding that adding trees should not impact the water views from the property.

Jase Gregoire, Civilworks New England, reviewed the plan and request. Shoreland and wetlands permits have been requested. The impact is 980 sq. ft. with an impact of 764 sq. ft. to Dover's conservation district.

T. Clark asked for clarification whether the gain to the applicant is worth the impact to the conservation district. It looks like there's already a garage for the house.

Mr. Gregoire replied the expansion is from a one-car to a two-car garage. There will be a drip edge for storm water mitigation which will decrease the flows offsite.



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D. Landry asked C. Parker about consistency with the land use regulations and how much need is weighed vs avoidance, minimization and mitigation. Once need is established, (which is subjective) what the applicant is doing to mitigate impacts is weighed against the need to determine balance.

D. Ciotti asked if the board has any say in what type of native plantings go in. He thinks the number, type and size should be spelled out in the plans. C. Parker said there are state guidelines to follow and Civilworks will make decisions and come back with a plan.

D. Ciotti asked the applicant how far the shed is from the side property line. It's 5-10 feet.

D. Ciotti noted because of its size, the shed needs to be at least 10' from the line. It may need to be moved. The board could make it a condition of approval.

M. Sullivan suggested vegetation in the area of the silt sock behind the shed and garage.

Motion: F. Torr moved to accept the application. Seconded by E. Ianello. Vote: U/A

Public hearing opened. No one spoke. No emails or calls were received to the office for this item.

Public Hearing closed.

C. Parker noted the Conservation District ordinance provides for Conditional Use Permits to allow impacts to wetlands and wetland buffers if standards related to demonstration of need, avoidance, minimization, and mitigation are met. This proposal is consistent with those standards. Staff recommends approval of the Conditional Use Permit with the condition that the applicant update the plan to indicate no less than ten native plantings be installed in the 50 foot waterfront buffer, along with the silt sock, consistent with Shoreland regulations.

Motion: F. Torr made a motion that the Board approve the Conditional Use Permit with the staff recommended condition. Seconded by E. Ianello. Vote: U/A

- B. Consideration and acceptance of a Major Subdivision for the City of Dover, Assessor's Map 22, Lot 1, zoned CWD, located at 31 River Street. (5 new lots) *(P20-14)

C. Parker explained that the subdivision is part of a larger development project to create a mixed use community on the Cochecho River. The applicant seeks to subdivide the parcel into 4 development lots, a waterfront park lot and a right of way.

The park lot, as well as lot 1 with the existing pump station on it will be retained by the applicant, while the remaining lots will be conveyed to the developer per the terms of the approved public private partnership.

Lot 1: 0.37 acres or 16,260 s.f.,
Lot 2: 4.07 acres or 177,105 s.f.
Lot 3: 5.32 acres or 231,541 s.f.
Lot 4: 8.16 acres or 355,658 s.f.
Lot 5: 4.30 acres or 189,130
ROW: 1.7 acres or 74,100 s.f.



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The site is proposed to be serviced by municipal water and sewer and although it is a major subdivision, the plan did not appear before the TRC as all subsequent site plans will.

At its December 17, 2019 meeting CWDAC reviewed the subdivision of the property as part of its continuing review of the public private partnership.

The applicant is seeking a waiver from 157-27G to not show soils on the plan, as they will be part of any future site plan application and review.

Steve Bird, City of Dover City Planner, represented the application and discussed the plat. This is City-owned land which is part of a larger redevelopment plan. There are two goals: one is to create a separate parcel where the park will be located. It will be a waterfront park which will include a dock for boaters to use, a large plaza area and a lawn area to be used for festivals and fairs. There will also be concessions and restrooms and nature walking trails and a parking lot.

The second goal is to create a lot to sell to the developer, Cathartes.

The pump station will be on its own small lot.

Lot 4 will likely be subdivided in the future. It will contain the right of way for the extension of River St and one or two lots to be sold to Cathartes for future development.

They are requesting a soil waiver. These parcels have been used for different City uses over the years and the soil is disturbed. The existing soil information won't be much use to the board at this point.

They don't have any issues with the proposed conditions of approval.

D. Landry asked for clarification about where the walking trails will be. Mr. Bird described the route.

F. Torr asked who is responsible for the plantings at River St. Mr. Bird said the City will do that.

Motion: F. Torr moved to accept the application. Seconded by D. Landry. Vote: U/A

Public hearing opened. No one spoke. No calls or emails were received to the office for this item.

Public Hearing closed.

C. Parker noted the plan is consistent with Chapter 157-51 that a waiver may be granted if the Board finds that

“(1) Strict conformity would pose an unnecessary hardship to the applicant and the waiver would not be contrary to the spirit and intent of the regulations; or

(2) Specific circumstances relative to the subdivision, or conditions of the land in such subdivision, indicate that the waiver will properly carry out the spirit and intent of the regulations.”

Staff believes that the criteria 1 has been met, as the soil will be documented as part of a site plan application.

Staff recommends approval of the waiver request with the condition a note shall be added to the subdivision plan that the waiver were granted for the reasons stated by the applicant and that the Board found the criteria of 157-51 have been met.



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Motion: M. Sullivan made a motion that the Board approve the waiver application with the staff recommended condition. Seconded by H. Harmon. Vote: U/A

The plan is consistent with Chapter 157-15 of the City's Land Subdivision Regulations, which provides for subdivision of existing lots. Staff recommends approval of the subdivision plat with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

1. The applicant shall provide the Planning Department with a digital version of the final plat.
2. Provide a CAD file to the Asset Management Administrator's satisfaction.
3. The applicant shall revise the plat to:
 - a. Add signature and stamp of LLS
 - b. Add owners' signatures for recording at Strafford County Registry of Deeds.
 - c. Ensure all uses of the word Cochecho use 2 "h" spelling
 - d. Update reference to Zoning ordinance to 2019 version
 - e. Update Note 9 to include all the info required of common subdivision note 10
 - f. Add common subdivision notes 23

Motion: H. Harmon made a motion that the Board approve the application with the staff recommended conditions. Seconded by J. Kaspari. Vote: U/A

5. STAFF COMMENTS

- TRC for 35 Chestnut, 71 Glenwood, Leather's Lane, Broadview Animal Hospital, Central Avenue
- Community Trail work continues in the area of Fisher Street.
- The Community Facilities and Utilities Master Plan chapter is underway with an expanded scope.
- CIP joint workshop will be Oct 7, it will be on the Planning Board agenda Oct 13 for public hearing, and the board will make recommendations on Oct 27th.

6. MEMBER COMMENTS

- M. Sullivan has submitted his resignation from the Planning Board. He is starting a new job as Planning Manager for Nashua next week. He regrets not being on this board for very long and looks forward to future involvement.
- E. Ianello wondered if there had been a bidding process for the developer to be chosen for the waterfront redevelopment. C. Parker explained there had been a two-year process.

7. ADJOURNMENT

Motion: M. Sullivan made a motion to adjourn at 7:47 p.m. Seconded by F. Torr. Vote: U/A