

CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: City Council Chamber's 288 Central Avenue
Meeting Date: **Tuesday, February 22, 2022**
Meeting Time: **7:00 pm**

Members Present: Fergus Cullen (Councilor), Tom Clark, Dave White, Kyle Pimental, Frank Torr, Dave Landry, Stephanie George (Alternate),

Members Not Present (excused): Gina Cruikshank (Chair), Mark Speidel, Erinn Reville (Alternate), Hayley Harmon (Vice Chair), Jackie Walker (Alternate)

Members Not Present (un-excused): None

Staff Present: Donna Benton, Director of Planning and Community Development

D. Landry called the meeting to order at 7:02 p.m. and noted he will sit for G. Cruikshank as Chair, K. Pimental will sit for H. Harmon as Vice Chair and S. George will sit for M. Speidel.

1. CITIZENS' FORUM

Citizens Forum Open

None

Citizens Forum Closed

2. APPROVAL OF THE PRIOR MINUTES

February 8, 2022 Regular Meeting Minutes

Motion: F. Torr moved to approve the minutes. Seconded by D. White. Vote: U/A

3. OLD BUSINESS

None

4. NEW BUSINESS

- A. Consideration and acceptance of a Site Review for the City of Dover, Assessor's Map D, Lot 1, zoned R-40, and located at 40-42 Smith Well Road. (Proposal is for an additional water storage tank). *(P22-02)

D. Benton explained that the City is looking to construct a new water tower to go online to allow the Garrison Hill water tower to be refurbished. The new water storage tank will be on the current Smith Well city-owned property. Part of this project is also running utilities to the existing Smith Well House and improving Smith Well Road for Fire Department access. Balloon tests were done and photo simulations are included from different viewpoints. The application appeared before the TRC on January 27, 2022. Per RSA 674:54, relief is not needed for the groundwater protection or building height.

Bill Boulanger, Deputy Community Services Director, represented the application. A major rehaul is scheduled for the existing water tower. In anticipation of that, they would like another tank for redundancy while they take the existing tank off-line.

Motion: F. Torr moved to accept and declared no regional impact. Seconded by D. White. Vote: U/A.

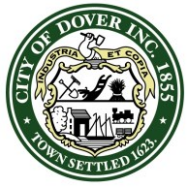
Public hearing opened.

None

Public Hearing closed.

STAFF RECOMMENDATION:

RSA 674:54 provides for Planning Board review of governmental land uses with nonbinding written comments relative to conformity or nonconformity of the proposal with normally applicable land use regulations.



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Chapter 153-4 of the Site Review Regulations of the City Code provides for site review by the Planning Board of new construction of various types. This plan is consistent with those regulations.

The Planning Department recommends the Planning Board vote to approve the Site Plan with the following non-binding conditions:

Conditions to Be Met Prior to the Signing of Plans:

1. The applicant shall provide:
 - a. a digital version of plan set
 - b. a CAD to the satisfaction of the Asset Management Administrator
2. The applicant must revise final plan set to:
 - a. Add the owner's signatures to the final plat.
 - b. Add LLS, PE and Architect signatures/stamps to final plan.
 - c. Add note that "no trespass" related signage for the water tower area will be added to the fence area and access road entrance
 - d. Provide generator distance/booster and site access to the satisfaction of the Building Official.
 - e. Add all applicable common site plan notes to the satisfaction of the Planning Director.

Conditions to Be Met Prior to any Construction Activity:

3. A site construction sign with the contact information for the general contractor must be located and approved by the City Engineer.
4. A pre-construction conference is held with representatives from the site excavation firm, Engineering Office, Planning Department, and Inspection Services.

Conditions to Be Met Prior to Issuance of a Building Permit:

5. Applicant shall pay sewer investment fee at time of request for service.

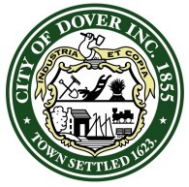
Conditions to Be Met Prior to Occupancy:

6. Issuance of a certificate of occupancy.

Motion D. White moved to approve the site plan application with the recommended conditions. Seconded by F. Cullen. Vote: U/A

- B. Consideration and acceptance of a Conditional Use Permit for American Durafilm Co., Inc. (Owner: AD Dover, LLC.), Assessor's Map D, Lot 11-1, zoned IT, located on Innovation Way and Venture Drive. (Proposal is to increase the amount of fill to improve the foundation support, creating an additional 553 square feet of impact to the wetland buffer increasing the previously approved impact of 7,419 square feet to 7,972 square feet). *(P22-06)

D. Benton noted that the Board conditionally approved a CUP and Site Plan for American Durafilm at their September 28, 2021 meeting. The applicant and their engineer have discovered that an additional 553 square feet of wetland buffer impact is necessary thus increasing the wetland buffer impact from 7,419 s.f. as approved to 7,972 s.f. as requested. The applicant is looking to increase the amount of fill to improve the foundation support. This is part of the site plan for a new manufacturing building and associated parking and drainage facilities. Since it was an increase to the amount of wetland buffer impacted, Conservation



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Commission reviewed and endorsed the new CUP application at their February 14, 2022 meeting (minutes attached).

Jase Gregoire, CivilWorks NE represented the application.

Motion: F. Torr moved to accept the application and noted that this is not a development of regional impact. Seconded by D. White. Vote: U/A

Public Hearing Opened.

None

Public Hearing Closed.

STAFF RECOMMENDATION:

The Wetlands Protection District ordinance provides for Conditional Use Permits to allow impacts to wetlands and wetland buffers if standards related to demonstration that no practicable alternative exists, impact avoidance was considered, impacts were minimized, and mitigation has been sought.

Staff feels that the applicant considered the criteria when designing the plan by placing the building as close to Innovation Way as possible, that wetland impacts have been avoided and that the wetland buffer with the primary impacts is an isolated wetland that is not connected to the larger wetlands to the northwest. The building placement is the only practicable alternative and the impacts were minimized such that no building or parking is in the buffer. Staff believes this proposal is consistent with the standards.

The Planning Department recommends the Planning Board vote to approve the application with the following conditions:

Condition to be Met Prior to the Issuance of the Conditional Use Permit:

1. The applicant shall provide the Planning Department with:
 - a. Electronic copy of the revised impact plan including in PDF and DWG formats
 - b. Four full size copies of the plan.

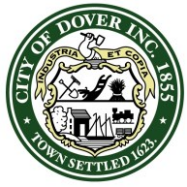
Motion: D. White moved to approve the Conditional Use Permit with conditions, as the request is consistent with the regulations. Seconded by F. Torr. Vote: U/A

- C. Consideration and possible vote on posting the proposed Amendments to Chapter 153 (Site Review Regulations). The full text of the amendments is available in Planning Department & at www.dover.nh.gov located under meeting materials and on the Planning Department page.

D. Benton reviewed all of the potential amendment language with the Board. The board members asked clarifying questions throughout and gave opinions on the topic of wildlife and habitats and whether the board has the authority to deny applications if information on wildlife habitats is presented.

D. Landry asked procedural questions and gave opinions about the process for abutter lists for Planning Board applications.

K. Pimental agreed it could be beneficial to have abutter input earlier in the process, but the public should be educated as to what their role is as an abutter in those earlier stages. For example, it may be beneficial for abutters to listen and become educated about applications at TRC, but that is not a forum for back-and-forth discussion or testimonies like it is at the Planning Board stage.



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D. White agreed and clarified that TRC is for staff members to review technical plans. Though the public is welcome to attend, there is no forum for public speaking.

Motion: D. White moved to table the posting until the March 8th, 2022 regular meeting. Seconded by F. Cullen. Vote: U/A

D. Consideration and possible vote on posting the proposed Amendments to Chapter 157 (Land Subdivision Regulations). The full text of the amendments is available in Planning Department & at www.dover.nh.gov located under meeting materials and on the Planning Department page.

D. Benton reviewed all of the potential amendment language with the Board.

Motion: D. White moved to table the posting until the March 8th, 2022 regular meeting. Seconded by T. Clark. Vote: U/A

5. STAFF COMMENTS

- No TRC since your last meeting but coming up there is 239 Knox Marsh Road, Unitil at 55 Applevale, a subdivision at 53 & 65 Tolend Road and 22 Sun Hawk Lane, and then the waterfront on March 10th.
- Fee schedule-annually staff reviews fees. Last year we increased them based on similar community fees, this year we are only proposing to increase the TDR fee from \$13,402 to \$15,000 based on an analysis after the Arch Street appraisal for acres conserved. Unless the Board objects, that is what the Department will present as part of the fee schedule in FY23.
- Congratulations to Jackson in the Planning Office and E.Reville who were married today.
- Wished Dave White well in his retirement.

11. MEMBER COMMENTS

- The Chair signed plans for the McIntosh Commons project.
- D. Landry thanked D. White for all of his years of service.

12. ADJOURNMENT

Motion: D. White moved to adjourn at 8:09pm. Seconded by T. Clark. Vote: U/A