

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: City Council Chamber's 288 Central Avenue
Meeting Date: **Tuesday, June 14, 2022**
Meeting Time: **7:00 pm**

Members Present: Gina Cruikshank (Chair), Hayley Harmon (Vice Chair), Mark Speidel, Ken Mavrogeorge, Frank Torr, Tom Clark, Fergus Cullen (Councilor),

Members Not Present (excused): Stephanie George (Alternate), Kyle Pimental, Erinn Kaspari

Members Not Present (un-excused): None

Staff Present: Donna Benton, Director of Planning and Development; Mike Asciola, City Planner

G. Cruikshank called the meeting to order at 7:00 p.m., noted items B and C will be continued to another meeting and item J has been withdrawn from the agenda.

1. CITIZENS' FORUM

Citizens Forum Open

None

Citizens Forum Closed

2. APPROVAL OF THE PRIOR MINUTES

May 24, 2022 Regular Meeting Minutes

Motion: F. Torr moved to approve the minutes as submitted. Seconded by M. Speidel. Vote: U/A

3. OLD BUSINESS

None

4. NEW BUSINESS

A. Public hearing to consider amendments to Chapter 170 entitled "Zoning Ordinance" of the code of the City of Dover. Amendments include changes to vehicle refueling and recharging stations and auto service stations, self-storage facilities criteria, rezoning of lots on Fisher St and Rutland St to HR, amending Gateway District Table of Use, replacing sub-grade with "fully below-grade", adding solar/green roof requirements to the C, CM, and IT Districts, and fixing an errant reference in the sign ordinance.

D. Benton noted the board has been looking at these amendments since February and this is the first of three public hearings for public input.

F. Torr expressed some concerns about solar materials.

M. Speidel asked a clarifying question about timeline for new amendments to take effect.

Public hearing opened.

Liz Goldman, 44 Rutland St addressed 68 Rutland st and asked whether it is in the Gateway zone. She prefers the parcel remain preserved as a park.

Jack Mettee, 56 Rutland St spoke in favor of the two proposed zoning proposals. He read his reasons for supporting these proposals.

Bill Baber, 5 Gerry Ln, Chair of Energy Commission thanked the board for supporting energy efficiency. The Energy Committee is in favor of the amendments.

Public hearing tabled.



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- B.** Consideration and acceptance of a Minor Subdivision for Canney Brook Engineering and Consulting, CBF2 LLC., (Owners: Canney Brook Engineering and Consulting, CBF2 LLC. and Helen F. Preston Revocable Trust of 2009), Assessor's Map K, Lot 6, zoned R-40, located at 105 Middle Road and Back Road. (2 new lots) (P22-09)

Motion: M. Speidel moved to continue this item to June 28, 2022. Seconded by: H. Harmon. Vote: U/A

- C.** Consideration and acceptance of a Transfer of Development Rights for Garrett Paolini, Assessor's Map 39, Lot 53, zoned Gateway and R-12, and located on Sherman Street. (Proposal is to increase the unit count by 1 and reduce the TDR buffer from 30' to a 20' side building setback with a 10' side buffer and a 30' rear building setback and a 10' rear buffer.) (P22-34)

Motion: M. Speidel moved to continue this item to June 28, 2022. Seconded by: T. Clark. Vote: U/A

Motion: F. Cullen moved to suspend the rules to reorganize the agenda and move item K above items D, E, and F. Seconded by: T. Clark. Vote: U/A

- K.** Discussion and possible vote of a Subdivision for Garrett Paolini, Assessor's Map 39, Lot 53, zoned Gateway and R-12, and located on Sherman Street. (1 new lot)*(P22-35)

D. Benton explained the applicant is proposing to subdivide lot 39/53 into two lots, resulting in the creation of one new lots. The parent lot is bisected by a zoning boundary between the Gateway District and the R-12 District. The proposed property boundary is located near the zoning boundary and allows the two subdivided lots to meet the zoning dimensional requirements in each.

Both lots would be accessed from Sherman Street and are proposed to be serviced by municipal water and sewer. As a minor subdivision, this application did not appear before the TRC.

Originally proposed, was a three-lot subdivision using TDR but the applicant has withdrawn the TDR request and revised the plans to be a two lot subdivision by right following the zoning.

Christopher Berry, Berry Survey and Engineering presented the application and explained the details.

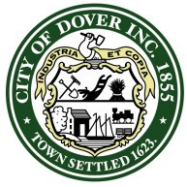
Motion: F. Torr moved to accept and declared no regional impact. Seconded by T. Clark. Vote: U/A.

Public hearing opened.

Eileen Tomczyk, 1 Sherman St considered what might be coming in the future. She expressed concerns about the new pavement being ripped up/ needing repair; the pond area becoming overrun with housing; density and traffic.

Martha Wilson, 8 Auburn St was heartbroken to see another lot in the neighborhood clearcut of all of the few remaining old trees. She understands the need for housing, but not in that neighborhood.

Kevin Drew, 1 Lake St is not in favor of the new homes going up right next to him and is concerned about losing his shade, where the water flow will go, construction is going up all around him and construction starts at 6 and 7am.



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D. Benton noted emails received from Marybeth Perrelli, 35 New Rochester Rd with concerns about environmental issues.

Public hearing closed.

D. Benton addressed public comments:

- Paved roads- if they need to be cut, the applicant will pay an excavation fee and/or repair
- Zoning letters sent previously were when the area was rezoned. The current proposal meets zoning regulations
- Cutting the lot is allowed by the owners of the property. If they cut over a certain amount, a Intent to Cut needs to be filed
- Construction hours are not in place for construction (hammering), only for excavation or site work

C. Berry clarified the applicant is not currently seeking any variance or abatement or waivers from setbacks. The original proposal for three homes has been reduced to two due to the concerns from the neighbors. Two houses are allowed by right.

Consistency with Land Use Regulations

The plan is consistent with §157-14 of the City's Land Subdivision Regulations, which provides for subdivision of existing lots. The plan is consistent with the regulations.

STAFF RECOMMENDATION:

The Planning Department recommends that the Planning Board vote to approve the minor subdivision with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

1. Provide physical and digital copies (including CAD) of complete plan set which additionally shall include:
 - 1.1. The owners' signatures for recording at Strafford County Registry of Deeds
 - 1.2. The LLS and CWS signatures and stamps
 - 1.3. Add a note to plan that should another use other than residential on lot 53 be proposed that proper buffer and screening be provided per the Gateway District Guidelines.

Motion: F. Torr moved to approve the subdivision with the recommended conditions. Seconded by T. Clark. Vote: U/A

The Vice Chair noted Items 4D, E, and F will be heard together.

- D.** Consideration and acceptance of a Subdivision for the City of Dover, Assessor's Map 22, Lot 1-4, zoned CWD, located on Washington Street & River Street. (3 new lots and ROW) RSA 674:54 Governmental Land Use applies. *(P21-81)
- E.** Consideration and acceptance of a Conditional Use Permit for the City of Dover, Assessor's Map 22, Lot 1-1, zoned CWD, located on Washington Street at River Street. (Proposal is to redevelop a City-owned parcel adjacent to Cochecho River, with regrading to raise the site elevation, shoreland stabilization and construction of a public riverfront park and docks and install a road and infrastructure network, with a



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permanent wetland impact of 20,196 s.f. and a temporary wetlands impact of 2,658 s.f.). RSA 674:54 Governmental Land Use applies. *(P20-01)

- F. Consideration and acceptance of a Site Review for the City of Dover, Assessor's Map 22, Lot 1-4 and 1-1, zoned CWD, located on Washington Street & River Street. (Proposal is to build a recreational park, public road improvements, and utilities associated with the waterfront development.) RSA 674:54 Governmental Land Use applies. *(P21-80)

D. Benton explained these three agenda items represented the City's efforts in the public side of the private/public partnership in the Cochecho Waterfront Redevelopment project and that the private development applications from CPI Management, LLC will follow these items tonight. She explained the purpose for the development was to create a large mixed use development with a waterfront park on the Cochecho River.

She stated agenda item D was intended to subdivide a City owned parcel into four (4) lots and a right of way. The largest of the lots, identified as 1-4, would be 3.61 acres and be developed by the City as a waterfront park for public use and that item E was for the Conditional Use Permit (CUP) related to wetlands impacts from the development of the park site, related infrastructure and shoreline stabilization.

D. Benton then described agenda item F, which is the site plan review of the park. The public riverfront park includes a park building, public docks, multimodal transportation network, green spaces and related amenities.

Dana Lynch, chair of the CWDAC, 36 Cardinal Dr, introduced members of the committee and introduced the project to the board giving historical background and steps and guidelines that have been developed and followed over the past several years to bring the proposed project to fruition.

Steve Bird, Project Manager, City of Dover, NH, represented the applications. He introduced members of the design staff who will also speak to the application. He reviewed the overall details of each of the three applications and explained the permit statuses with DES.

Mike Laham, Horsley Witten reviewed the proposed street scape plan.

Jeff Hyland, Ironwood Design Group reviewed the proposed landscape plan.

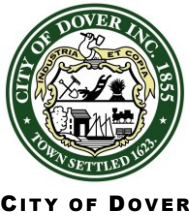
M. Speidel asked for clarifying info on access to and from the park area.

Motion: F. Torr moved to accept and declared no regional impact for all three applications. Seconded by T. Clark. Vote: U/A

Public hearing opened.

Bill Baber, 5 Gerrys Ln, on behalf of the Energy Commission noted they worked with the developers and they are in favor of the project. He suggested that fast EV charging be added within the public portion of the project. These are important to attract people who are travelling to the City so they can "fill up" and get back where they need to go.

Liz Goldman, 44 Rutland St encouraged the board to approve the proposed landscape plan. She asked for native vegetation on the project.



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Public hearing closed.

Consistency with Land Use Regulations - Subdivision

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.

§157-11 of the Land Subdivision Regulations of the City Code provides for subdivisions of existing lots. This subdivision is consistent with those regulations.

Consistency with Land Use Regulations - Subdivision Waiver

§157-51 states 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 criterion (1) has been met, as the soils and topography will be documented as part of a subsequent site plan for the various lots. Furthermore, the plan is consistent with §157-15 of the City's Land Subdivision Regulations, which provides for subdivision of existing lots.

STAFF RECOMMENDATION – Subdivision Waiver:

The Planning Department recommends that the Planning Board vote to approve the waivers with the following non-binding condition:

Condition to Be Met Prior to the Signing of the Plan - Subdivision:

1. A note shall be added to the subdivision plan that the waivers were granted for the reasons stated by the applicant and that the Board found the criteria of §157-51 have been met.

Motion: T. Clark moved to approve the waiver with the recommended conditions. Seconded by H. Harmon. Vote: U/A

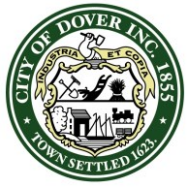
STAFF RECOMMENDATION – Subdivision:

The Planning Department recommends that the Planning Board approve the application with the following non-binding conditions:

Conditions to Be Met Prior to Signing of Plans - Subdivision:

1. The applicant shall provide the Planning Department with a digital version of the final plat.
2. Provide a CAD file to the satisfaction of 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. Update permit numbers
 - d. Add street names (if known)
4. Conditional Use Permit (P20-01) and Site Plan (P21-80) be approved.

Motion: T. Clark moved to approve the subdivision with the recommended conditions. Seconded by F. Torr. Vote: U/A



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Consistency with Land Use Regulations - CUP

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 reviewed options and due to the shoreline and existing site conditions there were no additional design alternatives for the impacts, which have been minimized. Staff believes this proposal is consistent with the cited standards.

STAFF RECOMMENDATION - CUP:

The Planning Department recommends the Planning Board to vote to approve the Conditional Use Permit with the following non-binding condition, as the plans meet the standards outlined:

Condition to Be Met Prior to Issuance of Conditional Use Permit:

1. Copies of the NHDES Wetlands and Alteration of Terrain permits, US Army Corps of Engineering are provided to the Planning Department.
2. Subdivision (P21-81) and Site Plan (P21-80) be approved.

Motion: F. Torr moved to approve the CUP with the recommended conditions. Seconded by T. Clark.
Vote: U/A

Consistency with Land Use Regulations – Site Plan

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.

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.

STAFF RECOMMENDATION – Site Plan:

The Planning Department recommends the Planning Board vote to approve the Site Plan with the following non-binding conditions, as the plans meet the standards outlined:

Conditions to Be Met Prior to Signing of Plans:

1. Conditional Use Permit P20-01 and Site Plan P21-80 be approved.
2. The applicant shall provide the Planning Department with a digital version of the final plat.
3. Provide a CAD file to the satisfaction of the Asset Management Administrator's satisfaction.
4. Confirm all applicable common site notes are present on plan set.
5. The applicant shall revise the plan set to:
 - a. Add owners' signatures
 - b. Add street names (if known);
 - c. Consecutively number plan sheets;
 - d. Add all professional signatures and stamps;
 - e. Add permit numbers when received;
 - f. Add planning file number P21-80 on all sheets;
 - g. Add all bench and bike rack details;



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- h. Add pedestrian path light fixture detail
- i. Add snow storage details;
- j. Update note 5 on C-2 - Water System Installation. Gate valves to turn to the left (counter clockwise);
- k. Update roadside bioswale details to include the PreTX pretreatment as indicated in plan;
- l. Provide bollards detail;
- m. Label sewer to remain and abandoned;
- n. Provide listing of abbreviations used on the drawings;
- o. Add a flag pole at overlook park;
- p. Add public electric vehicle charging stations in consultation with Energy Commission and Parking Commission.
- q. Include a note indicating the site shall remain accessible in all weather conditions year-round;
- r. Add note about pest management assessment;
- s. Add note addressing Building F separation requirements;
- t. Include a note referencing the design standards used to comply with all applicable accessibility regulations and NH RSA 155-A:5; and
- u. Indicate hours for site construction within plan set.

Conditions to Be Met Prior to any Construction:

- 6. Coordinate with Parking Commission and Energy Commission on locations of electric vehicle charging stations.
- 7. Finalize all sewer, roadway and ADA required improvements in coordination with the Engineering Department.
- 8. A site construction sign with the contact information for the general contractor must be located and approved by the City Engineer or Planning Director. Site Construction sign shall indicate level of visibility/noise/vibration disturbance anticipated each day.

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

- 9. CWDAC approval of building design.
- 10. Selection of public art installation in collaboration with the Arts Commission.

Conditions to Be Met Prior to Occupancy:

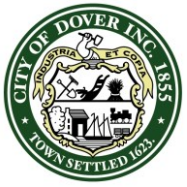
- 11. Coordination with COAST on new bus stop.
- 12. Public/private partnership on wayfinding to indicate public/private parking.

Motion: F. Torr moved to approve the site plan with the recommended conditions. Seconded by T. Clark.
Vote: U/A

The Vice Chair noted Items 4G, H, and I will be heard together.

G. Consideration and acceptance of a Conditional Use Permit for CPI Management, LLC, Assessor's Map 22, Lots 1-2 & 1-4, zoned CWD, located at River Street. (Proposal is to allow increased building heights of 57.17' for building A, 65' for building C, 64.25' for building D, and 56.58' for building F whereas the maximum allowed height for buildings of 55 feet.) *(P21-71)

H. Consideration and acceptance of a Conditional Use Permit for CPI Management, LLC, Assessor's Map 22, Lot 1-4, zoned CWD, located at River Street. (Proposal is to allow for increased building density of 54



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units per acre whereas 43 dwelling units per acre is allowed in the Cochecho Waterfront District (CWD))
*(P21-70)

- I. Consideration and acceptance of a Site Review for CPI Management, LLC, Assessor's Map 22, Lots 1-2 & 1-4, zoned CWD, located at River Street. (Proposal is for construction of three mixed use buildings, two multi-family buildings and three clusters of townhouses. The buildings are identified as A through F and include 418 residential units & approximately 26,000 s.f. commercial space.) *(P21-69)

D. Benton introduced the proposed project as a multi-family, mixed-use development located on multiple parcels of land along River Street. The proposed project is part of a larger development by the City of Dover along the Cochecho River waterfront. This private development portion of the project includes the construction of three (3) mixed use buildings, two (2) multi-family buildings, and three (3) clusters of townhouses. She outlined the buildings are identified as Buildings A through F on the enclosed site plans. The buildings include a total of 418 residential units and approximately 26,000 SF of non-residential space. The project will include associated site improvements such as paving, stormwater management, utilities, lighting, and landscaping

D. Benton explained that item G is for a CUP for Zoning Ordinance requirements related to building height, item H is a CUP for Zoning Ordinance requirements related to density and that item I is the site plan review for the development. She added that at its May 17, 2022 meeting the Cochecho Waterfront Development Advisory Committee reviewed and endorsed the two (2) CUP and Site Plan applications for the properties as part of its continuing review of the public private partnership development.

Jeff Johnston, CPI Management, represented the applications and commented he is proud to be part of the project. The process has been collaborative among committee, consultants, and staff. They are requesting two CUPs tonight for density and building height. The CUPs were approved by CWDAC. He explained the necessity for the relief.

Dan Riggs, Embark reviewed the architectural features of the project and how they followed the design guidelines set forth by CWDAC.

John Ouellette, Halvorson Tighe & Bond presented key elements of the landscape design.

Neil Hansen, Tighe & Bond reviewed the technical components of the site design.

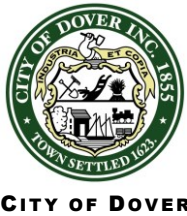
Motion: F. Torr moved to accept and declared no regional impact for all three applications. Seconded by T. Clark. Vote: U/A.

Public hearing opened.

Jack Mettee, 63 Rutland St and member of CWDAC commented this project is an historic project for the city of Dover. It's a testimony to the city that this project has come this far after so many starts and stops.

D. Benton noted emails received from:

- Bob and Nancy Pettirossi, 104 Washington St in support of the project
- Matthew LaBarre, in support of the project
- Mary Dennis, 1 River St, no objections to the project



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- Stan Robbins, in support of the project

Public hearing closed.

Consistency with Land Use Regulations – CUP Building Height

§170-20.B(1) Zoning Ordinance allows for Conditional use approval for relief from the standards herein may be granted by the PLANNING BOARD (RSA 674:21 II) after proper public notice and public hearing provided that the proposed project complies with standards.

D.Benton noted the heights proposed.

STAFF RECOMMENDATION – CUP Building Height:

The Planning Department recommends the Planning Board vote to grant the Conditional Use Permit with the following conditions, as the plans meet the standards outlined:

Conditions to Be Met Prior to Issuance of Conditional Use Permit – Building Height:

1. A Development Agreement per Chapter 170-27.B(3) be signed and recorded at the Strafford County Registry of Deeds.
2. Subdivision (P21-81), CUP (P21-70) and Site Plan (P21-80) be approved.

Motion: F. Torr moved to grant the CUP with the recommended conditions. Seconded by T. Clark.

Vote: U/A

Consistency with Land Use Regulations – CUP Density

§170-20.B(1) Zoning Ordinance allows for Conditional use approval for relief from the standards herein may be granted by the PLANNING BOARD (RSA 674:21 II) after proper public notice and public hearing provided that the proposed project complies with the standards.

Proposed Tax Map 22, Lot 1-4 is a total of 3.61 acres and would include a total of 195 dwelling units between Building C and Building D. That makes the unit density of proposed Tax Map 22, Lot 1-4 54 units per acre where 43 units per acre is the maximum allowed in the Cochecho Waterfront District (CWD). The total development area includes 10.45 acres and 418 units between Buildings A through F. This equates to 40 units per acre for the development as a whole.

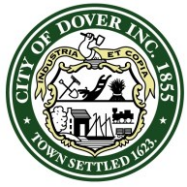
This plan is consistent with the §170-20.B(1)(a)-(i) criteria as described in the applicant's narrative. The applicant's design supports the intent and goals of the Cochecho Waterfront District, to be a mixed use urban neighborhood with a pedestrian oriented streetscape. While the density of proposed lot 1-4 exceeds the density requirement of the CWD, the overall density of the proposed Cochecho Waterfront Development site plan development is approximately 40 units per acre.

STAFF RECOMMENDATION – CUP Density:

The Planning Department recommends the Planning Board vote to grant the Conditional Use Permit with the following conditions, as the plans meet the standards outlined:

Conditions to Be Met Prior to Issuance of a Conditional Use Permit - Density:

1. A Development Agreement per Chapter 170-27.B(3) be signed and recorded at the Strafford County Registry of Deeds.
2. Subdivision (P21-81), CUP (P21-71), and Site Plan (P21-80) be approved.



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Motion: F. Torr moved to grant the CUP with the recommended conditions. Seconded by T. Clark.
Vote: U/A

Consistency with Land Use Regulations – Site Plan

§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.

STAFF RECOMMENDATION – Site Plan:

The Planning Department recommends the Planning Board vote to approve the Site Plan with the following conditions, as the plans meet the standards outlined:

Conditions to Be Met Prior to Signing of Plans – Site Plan:

1. Subdivision (P21-81), CUP (P21-71), and CUP (P21-70) be approved.
2. Provide physical and digital copies (including CAD) of complete plan set which additionally shall include:
 - 2.1. Provide 2"x2" space for Dover's approval stamp;
 - 2.2. Provide owners signatures;
 - 2.3. Provide the signature and stamp of all PE, LLA, LA and LLS;
 - 2.4. Add street names to plans;
 - 2.5. Public art proposed location be presented to Dover Arts Commission and Planning Staff and added to the site plan;
 - 2.6. Add permit numbers when received;
 - 2.7. Pest management plan note added to the plan set;
 - 2.8. Add note addressing Building F separation requirements.

Condition to Be Met Prior to any Construction:

3. A site construction sign with the contact information for the general contractor must be located and approved by the City Engineer or Planning Director. Site Construction sign shall indicate level of visibility/noise/vibration disturbance anticipated each day.

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

4. Water and sewer investment fees shall be paid at the time of request of service.

Conditions to Be Met Prior to Occupancy:

5. Issuance of a certificate of occupancy.
6. Impact fees shall be paid per the invoice included with the Notice of Decision.
7. The applicant shall provide a letter of credit or other form of security acceptable to the City for any unfinished work.
8. Access road behind buildings A and B shall be completed to the property line prior to occupancy of either structure.
9. All transformers to be screened with landscaping.
10. Public art is installed to the satisfaction of the Planning Director and Arts Commission.

Motion: F. Torr moved to approve the site plan with the recommended conditions. Seconded by T. Clark.
Vote: U/A

Chair Cruikshank noted this is very exciting and thanked everyone for all of the hard work and thoughtfulness that has gone into every detail of the plan.



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- J.** Discussion and possible vote of Transfer of Development Rights for Garrett Paolini, Assessor's Map 39, Lot 53, zoned Gateway and R-12, and located on Sherman Street. (Proposal is to increase density through TDR and reduce the TDR buffer from 30' to a 20' side building setback with a 10' side buffer and a 30' rear building setback and a 10' rear buffer.) *(P22-34)

This item was withdrawn from the agenda and not heard tonight.

The Vice Chair noted Items 4L, and M will be heard together.

- L.** Consideration and acceptance of a Conditional Use Permit for Bluebird Self-Storage, (Owner: Westfield, LLC), Assessor's Map G, Lot 2-2, zoned CM, located at 64 Littleworth Road. (Proposal is to construct a self-storage building with associated parking spaces, stormwater treatment and access driveway, creating 2,988 s.f. of permanent wetlands impact and 225 s.f. of temporary wetlands impact.) *(P22-19)

- M.** Consideration and acceptance of a Site Review for Bluebird Self-Storage, (Owner: Westfield, LLC.), Assessor's Map G, Lot 2-2, zoned CM, located at 64 Littleworth Road. (Proposal is to construct a self-storage facility in two phases. Phase 1 is three stories with a building footprint of 46,100 s.f. and gross floor area of 138,300 s.f., then Phase 2 building will also be three stories with building footprint of 31,000 s.f. and a gross floor area of 93,000 s.f.). *(P22-18)

D. Benton explained the development to construct a self-storage facility in two phases. Phase 1 is 3-stories with a building footprint of 46,100 sq. ft and a gross floor area of 138,300 sf the Phase 2 building will also be 3-stories with a building footprint of 31,000 sf and a gross floor area of 93,000 sf. The development impacts two wetland and buffer areas on the eastern side of the property which were connected to drainage ditches formerly used for agricultural use.

The project received a variance earlier this year for two of the CUP criteria needed for self-storage facility. The proposed site plan application was before the TRC on March 24, 2022 and May 12, 2022. Concerns related to emergency access, stormwater management, utility services, snow storage, vehicular access, proposed use, and wetland impact were addressed to the satisfaction of the committee. Outstanding issues will be proposed as conditions of approval.

The Conservation Commission endorsed this application on April 11, 2022 (minutes attached). NHDES approved Wetlands and Non-Site Specific Permit on June 7, 2022 to permit the filling of 3,438 s.f. of meadow wetland.

Amy Sanders, Fuss & O'Neill represented the applications and gave the status of the permits with DES. The project will be constructed in phases.

Phase I includes: Phase I building, parking, walkways, landscaping, fire truck turn-around, storm water management.

Phase II includes: phase II building, pavement walkways adjacent and landscaping along the building.

- F.** Torr commented about drainage maintenance plans for projects and the timeline for the sewer installation.

Stuart Mitchell, contractor management for Bluebird noted the sewer should be in place by the time the applicant needs it. (April 2023)



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: City Council Chamber's 288 Central Avenue
Meeting Date: **Tuesday, June 14, 2022**
Meeting Time: **7:00 pm**

Motion: F. Torr moved to accept and declared no regional impact for all three applications. Seconded by T. Clark. Vote: U/A.

Public hearing opened.

David Harvey, 73 Littleworth Rd asked about traffic and turning lanes.

D. Benton noted emails received from:

- Carol and Dave Bovee, 75 Littleworth, expressed concerns about loss of the farm, wildlife, traffic turning, amount of construction in Dover

Public hearing closed.

A. Sanders addressed the public comment noting a self-storage facility does not add much traffic and the traffic study shows that. Lighting will comply with the regulations, and it will not cross the property line. There is a double setback in place since the building is abutting a residential zone.

Consistency with Land Use Regulations – Wetlands CUP

§170-27.1. Wetlands Protection District 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 reviewed options and due to existing site conditions there were no practicable design alternatives for the impacts, which have been minimized. Staff believes this proposal is consistent with the intent of the CUP criteria.

STAFF RECOMMENDATION-Environmental CUP:

The Planning Department recommends the Planning Board to vote to grant the Conditional Use Permit with the following conditions, as the plans meet the standards outlined:

Conditions to Be Met Prior to Issuance of Conditional Use Permit:

1. Copies of the signed NHDES Wetlands and Alteration of Terrain permits are provided to the Planning Department.
2. Site Plan (P22-18) be approved.

Motion: T. Clark moved to approve the CUP with the recommended conditions. Seconded by M. Speidel. Vote: U/A

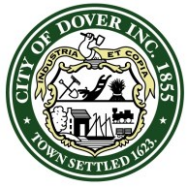
Consistency with Land Use Regulations – Use CUP

§170-20.B(2) Zoning Ordinance allows for Conditional use approval for relief from the use standards herein may be granted by the Planning Board (RSA 674:21 II) after proper public notice and public hearing provided that the proposed project complies with the following standards:

- (a) The requested use shall be compatible with abutting uses and the surrounding NEIGHBORHOOD.
- (b) The requested use will not create undue traffic congestion, or unduly impair pedestrian safety.
- (c) The requested use will not result in objectionable noise or odor which would constitute a NUISANCE.

Additionally, self-storage facilities in the CM District, need to meet the following criteria:

- A. The minimum front SETBACK shall be double the SETBACKs required in the district.



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- B. Any storage unit BUILDING visible from the STREET shall be located to be perpendicular to the STREET, with no storage unit doors facing the STREET.
- C. If adjacent to a residential district or a LOT containing a residential use, the facility shall:
- Be limited to a one-story STRUCTURE with a height no more than twenty (20) feet.
 - Restrict the hours of operation to 9 am to 9 pm, Monday through Friday, and 10 am to 6 pm on Saturday and Sunday.
 - Not hold auctions or sales of contents of storage containers.
 - Have screening sufficient to block the view of the BUILDINGS from abutting parcels and shall prohibit lighting from shedding onto abutting parcels.
 - All setbacks shall be double the setbacks required in the district, not just the front setback.
- D. The architectural design standards of Chapter 153-14L(8)(b) shall be adhered to.

The applicant received a variance from criteria C.i & C.ii above. The applicant provided a narrative outlining how the project meets the CUP criteria (or received a variance).

The Planning Department believes the self-storage use as proposed, is a compatible use to the surrounding neighborhood, will not generate vehicular traffic as to cause congestion and will not be a nuisance to the City.

STAFF RECOMMENDATION-Use portion of the CUP:

The Planning Department recommends the Planning Board vote to grant the Conditional Use Permit with the following conditions, as the plans meet the standards outlined:

Conditions to Be Met Prior to Issuance of Conditional Use Permit:

- Site Plan (P22-18) be approved.
- Conditional use approval shall be subject to a formal agreement between the Planning Board and the Applicant. Said agreement shall be recorded at the Strafford County Registry of Deeds.

Motion: T. Clark moved to approve the Use portion of the CUP with the recommended conditions.

Seconded by M. Speidel. Vote: U/A

Consistency with Land Use Regulations – Site Plan

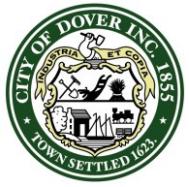
§153-4 of the Site Review Regulations of the City Code provides for site review by the Planning Board of new construction of various types. This plan is consistent with those regulations.

STAFF RECOMMENDATION – Site Plan:

The Planning Department recommends the Planning Board vote to grant the Site Plan with the following conditions, as the plans meet the standards outlined:

Conditions to Be Met Prior to the Signing of Plans:

- Copies of the NHDES Wetlands and Alteration of Terrain permits, are provided to the Planning Department.
- CUP (P22-19) be approved.
- Copy of NHDOT driveway permit is provided to the Planning Department.
- Provide physical and digital copies (including CAD) of complete plan set which additionally shall include:
 - Plan sheets labeled consecutively;
 - Add owner's signature on final plans;
 - Remove signage on building elevation sheet;



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- d. Add permit numbers to cover sheet;
- e. Provide the signature and stamp of all PE, LLA, LA and LLS; and
- f. Add city wetland buffer placards every 30 feet.

Condition to Be Met Prior to any Construction:

5. A site construction sign with the contact information for the general contractor must be located and approved by the City Engineer or Planning Director.

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

6. Water and sewer investment fees shall be paid at the time of request of service.
7. Emergency access, water, and sewer easements recorded at SCRD.
8. The wetland buffer placards be installed every 30 feet.

Conditions to Be Met Prior to Occupancy:

9. Issuance of a certificate of occupancy.
10. Impact fees shall be paid per the invoice included with the Notice of Decision.
11. The applicant shall provide a letter of credit or other form of security acceptable to the City for any unfinished work.
12. Confirmation, by staff, that the wetlands buffer signs are in place, or replaced if damaged during construction.

Motion: F. Torr moved to approve the site plan with the recommended conditions. Seconded by T. Clark.
Vote: U/A

5. STAFF COMMENTS

- TRCs since last meeting; Medical office building off of Exit 7
- Upcoming TRCs: 757 Central Ave for 2 4-unit buildings plus the existing single-family building, Dover Skatepark, 32 Saddle Trail Drive for a 2,735 s.f. barn, and a second TRC for the project off of Cielo.
- RFP for Vision Chapter of the Master Plan is out, then we will be looking for a PB representative.
- Still looking for members to serve on a subcommittee regarding the Gateway District.
- Zoning amendments and Community Infrastructure Master Plan Chapter will be at the second June meeting.
- We have received applications for the alternate vacancies and is expected to be filled soon. The Appointments Committee meeting on June 1st was cancelled and yet to be rescheduled.
- New permitting software will have a soft launch July 1st. Plans will be filed electronically

6. MEMBER COMMENTS

- F. Cullen commented that the waterfront project that has just been presented is far superior to the last one that didn't go through so although the wait has been long, it seems the benefit will be great.
- F. Torr stated we need to be on the lookout for needs so that during capital improvement time, we can give input. The impact of traffic / access in and out of the new waterfront area could need more attention soon, along with other areas.

7. ADJOURNMENT

Motion: F. Torr moved to adjourn at 9:23 pm. Seconded by K. Mavrogeorge. **Vote:** U/A