

CITY OF DOVER

DOVER PLANNING BOARD – AGENDA

REVISED

Meeting Type: Regular Meeting
Meeting Location: **McConnell Center, 61 Locust St. Dover, NH Room 306**
Meeting Date: **Tuesday, August 23, 2022**
Meeting Time: **7:00 pm**

1. CITIZENS' FORUM

2. APPROVAL OF THE PRIOR MINUTES

- July 26, 2022 Regular Meeting Minutes

3. OLD BUSINESS

4. NEW BUSINESS

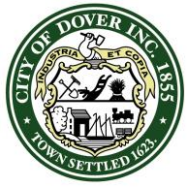
- A. Discussion and possible vote of a Minor Subdivision for Canney Brook Engineering and Consulting, CBF2 LLC., (Owners: Canney Brook Engineering and Consulting, CBF2 LLC. and Helen F. Preston Revocable Trust of 2009), Assessor's Map K, Lot 6, zoned R-40, located at 105 Middle Road and Back Road. (2 new lots) *(P22-09) *This item will be continued to September 13, 2022*
- B. Consideration and acceptance of a Conditional Use Permit for Public Service Company of New Hampshire, d/b/a/Eversource Energy, (Owners: State of NH, Nancy & William Hunt, Eric & Robyn Thompson) Assessor's Map K, Lots 1-A & 2, as well as, Assessors Map M Lots 105, 105-1, & 100-A zoned R-12 and R-40, covering various lots within the utility right of way. (Proposal is to replace five deficient utility structures/poles along the R169 Electric Transmission Line creating 8,778 s.f. of temporary wetland impact an 32,838 s.f. of combined temporary buffer impact to the Conservation and Wetland Protection Districts.) *(P22-54) *This item will be continued to September 13, 2022*
- C. Consideration and acceptance of a Minor Subdivision for First-Rate Real Estate Group, LLC., Assessor's Map H, Lot 32, zoned CM - Commercial Manufacturing, and located at 45 Knox Marsh Road. (1 new lot) *(P22-59) *This item will be continued to September 13, 2022*
- D. Consideration and acceptance of a Conditional Use Permit for Unitil Granite State Gas Transmission, Assessor's Map M, Lot 47-C, zoned R-12, located at Gerrish Road. (Proposal is to construct a pipeline inspection equipment station which will impact 3,500 s.f. of wetlands.) *(P22-36) *This item will be continued to September 13, 2022*
- E. Consideration and acceptance of a Conditional Use Permit Amendment for Heron Bay Partners, LLC., Assessor's Map H, Lot 4, zoned IT and RCM Overlay, located at Cielo Drive. (Proposal is to modify the CUP which was granted for the original development approval.) *(P06-25G) *This item will be continued to September 13, 2022*
- F. Consideration and acceptance of a Site Review using Transfer of Development Rights for Heron Bay Partners, LLC., Assessor's Map H, Lot 4, zoned IT and RCM Overlay, located at Cielo Drive. (Proposal is to construct a total of 56 units with 52 of the units by TDR in seven (7) townhouse style multi-family buildings in place of the two previously approved congregate care buildings.) *(P06-25F) *This item will be continued to September 13, 2022*

5. STAFF COMMENT

6. MEMBER COMMENTS

7. ADJOURNMENT

*Indicates that if the application is accepted for discussion, the public hearing will be held the same evening. Note that some hearings will be continued from one meeting to another and some may be postponed. Since this is only a partial description of the proposal and may change, persons with questions or wishing to see the plans are invited to visit the Planning Office, Monday through Thursday from 8:30 am to 5:30 pm and Friday 8:30 am to 4:00 pm or email Dover-Planning@doover.nh.gov. You may also view materials at www.dover.nh.gov. Follow us on Twitter @DoverNHPlanning and find us on Facebook at <https://www.facebook.com/DoverNHPlanning>. The public is encouraged to leave comments in advance by emailing Dover-Planning@doover.nh.gov, or mailing written comments to Planning Board, Dover City Hall, 288 Central Ave., Dover, NH 03820. Messages must be received no later than 4 p.m. the day of the meeting and should identify the name and Dover address of the person leaving the message or providing the comment.



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DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: City Council Chamber's 288 Central Avenue
Meeting Date: **Tuesday, July 26, 2022**
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Members Present: Gina Cruikshank (Chair), Hayley Harmon (Vice Chair), Ken Mavrogeorge, Frank Torr, Dennis Shanahan (Councilor), and Kyle Pimental

Members Not Present (excused): Mark Speidel, Fergus Cullen (Councilor), Erinn Kaspari, Tom Clark,

Members Not Present (un-excused):

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.

1. CITIZENS' FORUM

Citizens Forum Open

No one spoke

Citizens Forum Closed

2. APPROVAL OF THE PRIOR MINUTES

June 28, 2022 Regular Meeting Minutes

D. Benton explained that there was an intended motion and clear vote but no clear motion and second on the lot line adjustment on Glenwood at the last meeting. The Board could make a motion to amend the minutes as outlined that there was an intended motion by F. Torr and seconded by T. Clark.

F. Torr confirmed.

Motion: F. Torr moved to amend the minutes and approve as amended. Seconded by D. Shanahan.

Vote: U/A

3. OLD 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.

Motion: F. Torr moved to remove the item from the table. H. Harmon seconded. Vote: U/A

D. Benton noted the board has been looking at these amendments since February and this is the third of three public hearings for public input. Following public input, staff recommends the board forward these to Council.

Public hearing opened.

Laurie Smith, 36 Fisher St spoke in favor of expanding the Heritage district and to implement the height restrictions in that area. She proposed that parcel 15042 be added to the height restriction as well.

(it was clarified later in the meeting that the parcel in question is actually 15040A)

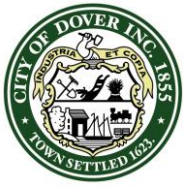
Chad Kageleiry, asked why his property is on the screen. Board and staff explained a citizen is requesting it be added to the Heritage district. He expressed he would not be in favor of that and made comments about the history of the property.

Letters of support were received from the following residents:

Melissa Henerberry 26 Fisher Street

James Henerberry 26 Fisher Street

Katherine Cox & Jason Lucey 101 Belknap St



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Laurie Smith 36 Fisher St
Peter Michaud & Paul Chung 93 Belknap Street
Matthew B. Cox, Esq. 255 Washington Street
Marisa Didio 105 Belknap St.
Sandra Cohen-Holmes 34 Fisher Street
Lauren Serafin 54A Rutland St
Mary and Carly Glovinski and Tyler Conaway 92 Belknap Street
Anthony McManus (provided in packets)
Public hearing closed.

D. Benton noted staff is not proposing any changes to the posted amendments as they would relate to the discussion thus far this evening but that staff is proposing changes to other amendments. D. Benton reviewed these changes to the amendments for the board including clarifying the same language regarding vehicle refueling and recharging stations, adding the IT district to the self-storage amendments and clarifying screening and parking requirements, and a few minor changes to verbiage in the Gateway amendments for further clarification for future interpretation.

Motion: D. Shanahan moved to amend the amendments. Seconded by: F. Torr.

K. Pimental asked if staff has considered forming a sub-committee to look at the property mentioned in public comment this evening. D. Benton noted it has been requested that a sub-committee be formed to look at all gateways and that no Planning Board members had volunteered when she had asked previously. D. Shanahan commented that lot is uniquely shaped and should be looked into from all points of view. Changes should not be made today- but having a sub-committee look into it seems right. K. Pimental and G. Cruikshank volunteered to be on the sub-committee.

Vote: U/A

Motion: K. Mavrogeorge moved to vote to recommend the amendments to City Council. Seconded by: H. Harmon. Vote: U/A

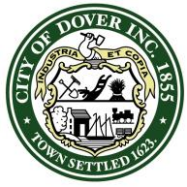
4. NEW BUSINESS

A. 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)

K. Mavrogeorge and F. Torr would have recused themselves from this case. Therefore, there was not a quorum available to hear the case. (No motion could be made without a quorum, but the Chair announced that the case is continued to August 23, 2022.

B. Consideration and acceptance of a Site Review for City of Dover Recreation, Assessor's Map 26, Lot 2, zoned RM-U, located at 150 Portland Avenue. (Proposal is to construct a 17,000 s.f. skate park in two phases.) RSA 674:54 Governmental Land Use applies. *(P22-25)

D. Benton introduced the proposal to develop a skate park at Guppy Park in the field adjacent to Oak St. and the park and ride. The proposal is to develop the 17,000 sq ft concrete structures in two phases to replace the



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current skate park on River St. Additional improvements will include access paths, additional parking spaces, a gazebo, and stormwater management infrastructure.

She explained the Planning Board will review the entire proposal and may approve it as a whole, however, an additional plan review will be required prior to the construction of phase 2.

Bob Stowell, Tritech Engineering represented the application. The parking is in place. This proposal takes lawn area and converts it into the skate park. Mr. Stowell addressed drainage, walkways, lighting. There are a couple of waiver requests for EV charging and landscaping as those are intended to be looked at as part of the full park and park and ride area rather than just the skate park portion. There is also a drainage waiver which deals with storm water runoff.

The Recreation Director commented that this project is 20 years in the making. He gave a few details about how the process has come to be.

F. Torr asked about parking details which Gary addressed.

K. Pimental had comments regarding pedestrian safety and arts commission mural/ graffiti art. Gary addressed the comments in response.

Motion: F. Torr moved to accept and declared no regional impact for the application. Seconded by K. Pimental. Vote: U/A.

Public hearing opened.

Andy Cochran, Salmon Falls Stoneware spoke to the railroad, and they are concerned about kids walking the tracks. This is unsafe. His building gets vandalized by graffiti. He requested a property value impact report. Money should be set aside to compensate for abutters needing to clean the vandalism.

Matt Johnson, 26 Sunset Dr spoke in favor of the new skate park. He has been trying to get this going for 17 years.

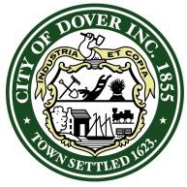
Nelson Wormstead, 17 Sunset Dr commented having a world class facility in the City is important. It will attract world-class level competitors. It could be a site where qualifying events are held for Olympic level competition.

Public hearing closed.

Summary of Waiver Requests:

The applicant is requesting the Board grant a waiver from §153-14.A.(3)(b)[3] "Measures shall be taken to control the post-development surface water runoff volume so that it does not exceed predevelopment runoff for the two-, ten-, twenty-five- and fifty year, twenty-four-hour storm events...", §153-14.D.(3) "Electric Vehicle Supply Equipment (EVSE) and dedicated charging spaces and from §153-14.G. "Landscaping".

The applicant is requesting these waivers due to the complex nature of the multi-use park and believes that such improvements should be part of the Guppy Park Master Plan with input from all park stakeholders. They believe that they should look to make these drainage, EVSE and landscaping improvements as part of a larger parking redesign that could be funded through possible outside grant sources in the near future and that the existing landscaping is adequate and meets the intent of the regulations.



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STAFF RECOMMENDATION-Waivers:

§153-21 of the Site Plan Review Regulations the "Planning Board may waive specific provisions of these regulations. The Planning Board may only grant a waiver if the Planning Board finds, by majority vote, 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 site plan, indicate that the waiver will properly carry out the spirit and intent of the regulations."

The Planning Department recommends the Planning Board vote to grant the waivers with the following non-binding conditions, as the plans meet the standards outlined.

Condition to be Met Prior to the Signing of the Plans:

1. Add a note to plan that the Planning Board approved waivers for §153-14.A.(3)(b)[3] "Measures shall be taken to control the post-development surface water runoff volume so that it does not exceed predevelopment runoff...", §153-14.D.(3) "Electric Vehicle Supply Equipment (EVSE) and dedicated charging spaces and from §153-14.G. "Landscaping" that the criteria for Chapter 153-21 have been met.

K. Pimental stressed that if we are putting EV requirements on private developments, the City also needs to adhere to them. D. Benton clarified the plan is to have them on site in a later phase, just not at this time.

Motion: F. Torr moved to grant the waiver and that §153-21 criteria has been met. Seconded by: K. Mavrogeorge. Vote: U/A.

STAFF RECOMMENDATION-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.

§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.

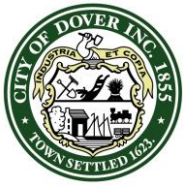
The Planning Department recommends the Planning Board vote to approve the Site Plan with the following non-binding conditions, as the plans meet the standards outlined:

Conditions to Be Met Prior to Signing of Plans:

1. The applicant shall provide the Planning Department with a digital version of the final plan set.
2. Provide a CAD file to the satisfaction of the Asset Management Administrator's satisfaction.
3. Provide copies of permits once received;
4. The applicant shall revise the plan set to:
 - 4.1. Add owner's signatures;
 - 4.2. Combine plan sets into one set;
 - 4.3. Add all professional signatures and stamps to final plans;
 - 4.4. Add note stating construction is permitted for phase 1 only;
 - 4.5. Add snow storage details.

Conditions 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.



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Conditions to Be Met Prior to Occupancy:

6. Issuance of the Certificate of Occupancy.

Motion: K. Pimental moved to approve the Site Plan application with the non-binding conditions. Seconded by K. Mavrogeorge. Vote: U/A

C. Consideration and acceptance of an amendment to a previously approved Site Review for Katz Development Corporation, Assessor's Map K, Lot 19-10, zoned IT and RCM overlay, and located at Pointe Place. (Proposal is to amend to one of the previously approved buildings to 24 residential units instead of 40 units and a building footprint of 14,575 sq. ft. instead of 16,770 sq. ft. from the original approved Site Plan.) *(P18-37A)

D. Benton introduced the proposal to amend to one of the previously approved buildings to 24 residential units instead of 40 units and a building footprint of 14,575 sq. ft. instead of 16,770 sq. ft. from the original approved Site Plan.

She explained the original project was approved by the Planning Board on September 25, 2018 (P18-37), as part of the Pointe Place Master Plan development and consisted of three buildings located on the south side of Pointe Place roadway. The buildings have access from the parking and sidewalks along Pointe Place, as well as from the parking lot and access drive that loops around the south side of the buildings. The three buildings are identified as buildings #3, #4, and #5 on the site approved plans. The westerly most Building #3 is completed and construction is continuing with the remaining portions of the site. This proposed amendment is for the westerly Building #5 only.

The site plan amendment is brought before the Board to allow an opportunity for a public hearing and the Board to review and vote on the amendment to the previous plan with slight alterations to the access and parking and architecture. The remaining conditions of approval for P18-37 would still apply. The Board should review the proposed materials with the applicant at the meeting.

FX Bruton, Bruton & Berube represented the application.

The proposal is a minor alteration to the plan. He handed out a document which explains the changes.

K. Pimental asked what is the reason for reducing the number of units with the need for housing so great. Mr. Bruton explained this developer is more familiar and interested in building the newly proposed style of structure which he has built before.

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

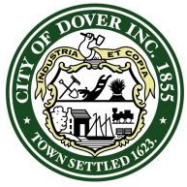
Public hearing opened.

No one spoke

Public hearing closed.

Chair Cruikshank asked if the photo shown tonight is an exact rendering of the proposal.

Eric Katz, developer explained the new proposal is for condo ownership where the previous approval was for apartments. These units are a little bigger. This will be the 20th building of this style they have built and will be built as shown in the updated photo presented tonight.



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STAFF RECOMMENDATION:

§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 amendment with the following conditions, as the plans meet the standards outlined:

Conditions to Be Met Prior to Signing of Plans:

1. The applicant shall provide the Planning Department with a digital version of the final plan set.
2. Provide a CAD file to the satisfaction of the Asset Management Administrator's satisfaction.
3. The applicant shall revise the plan set to:
 - 3.1. Add owner's signatures;
 - 3.2. Add 2" x 2" Planning Board approval block;
 - 3.3. Add all professional signatures and stamps for each submission;
 - 3.4. Add materials to building elevations.
 - 3.5. Replace architectural rendering with one less pixelated.
 - 3.6. Update landscape plan and building floor plans to match amended site plan including egresses, bike rack location, sidewalk connections, and lighting changes.
 - 3.7. Update grading plan to provide ADA compliant grades in accessible parking spaces and accessible routes
 - 3.8. Update utility plan to show connections to previously installed utilities.
 - 3.9. Note all previous conditions of approval for P18-37 are still in place.

Motion: F. Torr moved to approve the Site Plan Amendment with the recommended conditions. Seconded by H. Harmon. Vote: U/A

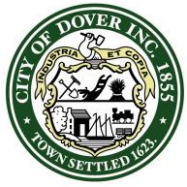
- D.** Consideration and acceptance of an amendment to a previously approved Site Review for Little Bay Development, LLC., Assessor's Map 8, Lot 9, zoned LBW, and located at 5 Little Bay Dr. (Proposal is to revise the building elevation of the marina building to increase the living area of the existing dwelling unit by increasing the building height from two (2) to three (3) stories.) *(P19-04B)

D. Benton explained the proposed amendment is to add an additional story to the mixed use building identified as 5 Little Bay Drive containing the retail use and accessory apartment unit. She further informed the board of the previously approved site plan (P19-04A) as a condominium development containing 25 units plus marina/marina office with one (1) accessory apartment and 27 parking spaces. This project was previously approved by the Planning Board for TDR (P18-41), then received site plan approval (P19-04), then amended to add 2 units (P18-41A), and then received approval relocate 2 units (P19-04A), and is now seeking to have the marina building with accessory apartment be 3 stories instead of 2 as previously presented to the Planning Board.

The site plan amendment was below the threshold for TRC review but was a significant enough of a change that staff wanted the Planning Board to hold a public hearing and vote.

Tim Noonan, managing partner for Little Bay Development LLC represented the application and was available for questions. The rest of the proposed and approved project includes 3-story buildings so this would mirror those designs. The footprint would not change- only the height. There is no opposition from the neighbors- in fact a letter of support was sent in by the neighbors.

Board members asked some clarifying questions which Mr. Noonan answered.



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Motion: F. Torr moved to accept and declared no regional impact for the application. Seconded by K. Mavrogeorge. Vote: U/A.

Public hearing opened.

D. Benton noted two emails which came into the office:

- Ann Shine and Kevin Callaghan in opposition to the added floor.
- The abutters (Blackwells) sent in a letter of support included in the packet

Public hearing closed.

STAFF RECOMMENDATION:

§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. The proposed amendment does not add additional uses or units and is consistent with the regulations and prior Planning Board approvals.

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

Conditions to Be Met Prior to Signing of Plans:

1. The applicant shall provide the Planning Department with a digital version of the final plan set.
2. The applicant shall revise the plan set to:
 - 2.1. Add owner's signatures;
 - 2.2. Add 2" x 2" Planning Board approval block to lower corner
 - 2.3. Add all applicable professional signatures and stamps;
 - 2.4. Add note that all previous conditions of approval still apply.

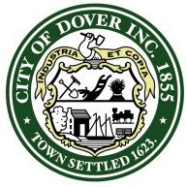
Motion: F. Torr moved to approve the Site Plan Amendment with the recommended conditions. Seconded by H. Harmon. Vote: U/A

F. Torr suggested newer board members go to the property to take a look if they weren't at the original site walk. There has been major improvement to the site.

The Vice Chair noted Items 4E & F will be heard together.

- E.** Consideration and acceptance of a Conditional Use Permit for Knox Marsh Development LLC., Assessor's Map 28, Lot 7, zoned G, located at 757 Central Avenue. (Proposal is to allow a frontage build-out of 57.5% where 60% is required.) *(P22-17)
- F.** Consideration and acceptance of a Site Review using Transfer of Development Rights for Knox Marsh Development LLC., Assessor's Map 28, Lot 7, zoned G, and located at 757 Central Avenue. (Proposal is to construct two (a 4-unit & a 2-unit) multi-family buildings on a site with an existing single-family home. Three (3) of the seven (7) proposed units are to be purchased through TDR.)*(P22-15)

D. Benton introduced the proposal seeking to further develop a 0.45 acre under developed lot containing a single family residence in the Gateway District by constructing a duplex and four unit townhouse building. The proposed development requires three (3) of the proposed units through the Transfer Development Rights (TDR) process for density purposes.



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Vehicular site access will be off of Abbey Sawyer Memorial Drive. Streetscape and sidewalk improvements are proposed adjacent to Central Ave. A CUP (P22-17) is requested for frontage buildout along Central Ave and Abbey Sawyer Memorial Drive. The property is to be serviced by City Water and Sewer.

She also described the Conditional Use Permit sought by the applicant for frontage buildout in the Gateway District. She also stated the applicant is seeking two waivers for site specific soils and lighting uniformity ratio.

Christopher Berry, Berry Surveying and Engineering represented the applications. He explained the project including layout, stormwater and amenities ironed out through TRC process.

The buffer reduction request was explained and discussed with staff as to whether it's even needed for this project.

Motion: F. Torr moved to accept and declared no regional impact for the applications. Seconded by K. Pimental. Vote: U/A.

Public hearing opened.

No one spoke

Public hearing closed.

Summary of Waiver Requests:

The applicant seeks the following waivers:

§153:14.A.(3)(f)[2][c] Site Specific Soils Map (SSSM) due to the existing development on the parcel and the relatively small site the applicant believes using a Natural Resources Conservation Services (NRCS) soil mapping dataset as a substitute to a SSSM will not adversely affect stormwater calculation accuracy.

§153:14.E.(2)(b) Lighting uniformity ratio (5:1) due to the size and the shape of the site the applicant believes in order to achieve this ratio, additional light fixtures would have to be added which they believe would adversely affect abutting residences and contrary to the intent of the lighting requirements.

STAFF RECOMMENDATION-Waivers:

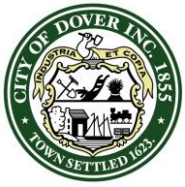
Section 153-21 of the Site Plan Review Regulations state the "Planning Board may waive specific provisions of these regulations. The Planning Board may only grant a waiver if the Planning Board finds, by majority vote, that:

- (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 site plan, indicate that the waiver will properly carry out the spirit and intent of the regulations."

The Planning Department recommends the Planning vote to grant the waivers with the following condition:

Condition to be Met Prior to the Signing of the Plans:

1. Add a note to plan that the Planning Board approved waivers for §153:14.E.(2)(b) Lighting uniformity ratio (5:1) and §153:14.A.(3)(f)[2][c] Site Specific Soils Map and that the criteria for Chapter 153-21 have been met.



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Motion: F. Torr moved to grant the waivers and that §153-21 requirements have been met. Seconded by: D. Shanahan. Vote: U/A.

STAFF RECOMMENDATION-TDR:

§170-27.2 provides for additional density to be purchased through Transfer of Development Rights.

The Planning Department recommends the Planning Board vote to grant the TDR request of purchasing 3 units by finding the criteria of the TDR ordinance has been met with the following conditions:

Condition to be Met Prior to Granting of TDR:

1. Payment of the TDR Fees

Motion: F. Torr moved to approve the Transfer Development Rights application with the recommended condition. Seconded by D. Shanahan. Vote: U/A

STAFF RECOMMENDATION – Conditional Use Permit:

§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 certain standards.

Planning staff finds that the Conditional Use Permit request is reasonable due to the following:

- The existing development is non-conforming to many standards of the Gateway District and is not in the intended spirit of the district. The proposed development significantly improves zoning conformity.
- The proposed development supports the intent of the Gateway District and meets criteria set forth in §170-20.B(1).
- The proposed development significantly improves the streetscape along Central Ave.

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:

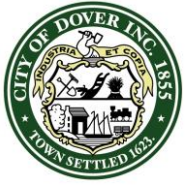
1. A Development Agreement per Chapter 170-27.B(3) be signed and recorded at the Strafford County Registry of Deeds.
2. The Site Plan (P22-15) shall be approved.

Motion: D. Shanahan moved to approve the CUP application with the recommended conditions. Seconded by K. Mavrogeorge. Vote: U/A

STAFF RECOMMENDATION-Site Plan:

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

1. Conditional Use Permit (P22-17) be approved;
2. The applicant shall provide the Planning Department with a digital version of the final plan set;
3. Provide a CAD file to the satisfaction of the Asset Management Administrator;
4. The applicant shall revise the plan set to:



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: City Council Chamber's 288 Central Avenue
Meeting Date: **Tuesday, July 26, 2022**
Meeting Time: **7:00 pm**

- 4.1. Add owners' signatures;
- 4.2. Revise indicated black chain link fence with slats to the satisfaction of the Planning Director;
- 4.3. Add note to plan regarding TDR fence utilized and if any size restrictions are to be used;
- 4.4. Add CUP (P22-17) approval note.
5. Provide draft deeds, lease, or COA documents to the satisfaction of the Planning Director to be reviewed in consultation with the City Attorney. Said documents should discuss long term operation and maintenance, common areas, reserve amount, and TDR restrictions;
6. Provide letters to serve from utility providers;

Condition to Be Met Prior to any Construction:

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

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

8. Payment of Water & Sewer Investment Fees at the time of request for service;
9. The applicant shall provide payment for active and passive recreation.

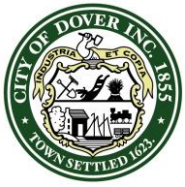
Conditions to Be Met Prior to Occupancy:

10. Issuance of the Certificate of Occupancy.
11. The applicant shall pay impact fees according to the invoice attached to the Notice of Decision.
12. The Engineer of Record go over any operation and maintenance needs with owner at the time.

Motion: K. Mavrogeorge moved to approve the Site Plan application with the recommended conditions.
Seconded by D. Shanahan. Vote: U/A

5. STAFF COMMENTS

- *TRCs since last meeting:*
 - Site Review for Storage Barn, LLC, located at Production Drive. (Proposal is to construct five (5) storage buildings totaling 12,000 sf). A CUP for wetland impact will also appear before the Planning Board. (P22-50);
 - Site Review for Michael Robinson, located at 6 Trask Drive. (Proposal is to pave 5,400 sf of private driveway)(P22-49); and
 - Site Review for Weave Filtration, LLC., (located at Quality Way. (Proposal is to construct a 23,125 sf building for manufacturing with office space). A CUP for wetland impact will also appear before the Planning Board. (P22-47).
- *Upcoming TRCs:*
 - Site Review for Knox Marsh Development LLC., zoned Gateway & R-12, located at 36 & 38 New Rochester Road. (Proposal is for construction of six single family homes behind the existing single-family homes for a total of 8 units);
 - Site Review for Tolwood Realty Group LLC, zoned CBD- Mixed Use, located at 53 Silver Street. (Proposal is for the construction of a residential building containing three (3) townhouse style units partially developed within a portion of the existing parking lot to the rear of the commercial office building.); and
 - Site Review for Storage Barn, LLC, (Owner: TSB Properties, LLC.) zoned IT, located at Production Drive. (Proposal is to construct five (5) storage buildings totaling 12,000 sf). CUPs for use and wetland impact will also appear before the Planning Board. (P22-50)
 - Site Review for Pope Memorial Humane Society on County Farm to add a pavilion.



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- Staff are finalizing the Steering Committee for the Vision Chapter of the Master Plan and hope to have those appointed in August by the Planning Board Chair.
- Staff have received applications for the alternate vacancies and they are expected to be filled soon.
- New permitting software launched July 1st. Plans will be filed electronically.
- The Planning Department Staff would also like to congratulate Erinn Reville Kaspari on her dissertation defense.
- The Planning Department Staff would also like to congratulate Mike Asciola on getting his AICP officially today.

6. MEMBER COMMENTS

- K. Pimental
 - Relay to DPW: trees hanging over are blocking the light at Oak St and Rt 4
 - NHMA has a webinar tomorrow on grants program as part of INVESTNH
- Chair read lot merger for Littleworth Road and signed it with consensus of the board
- Chair Cruikshank noted that S. George resigned from the Planning Board.

7. ADJOURNMENT

Motion: K. Pimental moved to adjourn at 8:29 pm. Seconded by M. K. Mavrogeorge. Vote: U/A

Bassegio, Erin

Subject: RE: Varney Brook Conditional Use Permit Application meeting postponment

From: Sweeney, Tracey <sweeneyt@unitil.com>

Sent: Tuesday, August 16, 2022 11:17:38 AM

To: Benton, Donna

Cc: Schumrick, Robert; Herzog, Stephen; Sprague, Kevin; Bickford, Timothy; Barham, Roger; Matt Pelletier; Mark Wood; Sprague, Kevin; Biron L. Bedard; Paul MacDonald

Subject: RE: Varney Brook Conditional Use Permit Application meeting postponment

Security Notice: External sender. Use caution with hyperlinks or attachments.

Hi Donna

We would like to postpone our Conditional Use Permit Application meeting until next month, September meeting.

Thank you

Tracey

Tracey Sweeney LLS/PLS

Sr Land Agent



30 Energy Way

Exeter, NH 03833

T/F (603) 773-6508 **M** 603.568-9067

www.unitil.com

sweeneyt@unitil.com

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Bassegio, Erin

To: Benton, Donna
Subject: RE: Middle Road

From: Joseph M. Wichert, L.L.S. <joewichert@jmwlls.com>
Sent: Wednesday, August 17, 2022 4:20:46 PM
To: Benton, Donna; 'Kevin McEneaney'
Cc: Wyatt, Joshua; Craig Williams
Subject: RE: Middle Road

Security Notice: External sender. Use caution with hyperlinks or attachments.

Hi Donna

Spoke with Craig this afternoon and we would like to request the application be tabled until the 9/13 meeting. This will allow staff and Kevin some time to review my responses from earlier today and then depending on what is decided, possibly a meeting the last week of August or first week of September after I am back in Town.

Would still be looking to review the updated staff report once that is available.

Please confirm receipt of this email and advise if this is sufficient notice or if you need an actual memo.

Thank you

Joe Wichert
Joseph M. Wichert, L.L.S., Inc.
Phone: 603.647.4282 x-101
Fax: 603. 623.1910
<http://www.jmwlls.com/>