



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: City Council Chamber's 288 Central Avenue
Meeting Date: **Tuesday, October 25, 2022**
Meeting Time: **7:00 pm**

Members Present: Gina Cruikshank (Chair), Hayley Harmon (Vice Chair), Ken Mavrogeorge, Frank Torr, Mark Speidel, Kyle Pimental, Fergus Cullen (Councilor), Tom Clark, Erinn Kaspari, George DeBoer (Alternate) and Jon Elliard (Alternate)

Members Not Present (excused):

Members Not Present (un-excused):

Staff Present: Donna Benton, Director of Planning and Development

G. Cruikshank called the meeting to order at 7:00pm and noted the time to speak about Boston Harbor Rd is Citizen's forum.

1. CITIZENS' FORUM

Citizens Forum Open

Mike Lennard, 5 Boston Harbor Rd is concerned about replacing the gutters on the existing house, and when he just spoke to the applicant, they stated they would do that and tie them into the drywell. He is satisfied with that result.

Citizens Forum Closed

2. APPROVAL OF THE PRIOR MINUTES

October 11, 2022-Regular Meeting Minutes

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

(Note: The Vice Chair read an incorrect date into the record but October 11, 2022 minutes were in the packets for the Board's review. The Board will be asked to confirm at their November 8th meeting that the intended motion was for October 11, 2022 minutes.)

3. OLD BUSINESS

A. Discussion and possible vote of a Conditional Use Permit for William C. Fisher and Chaney N. Fisher, Assessor's Map 7, Lot 2, zoned R-20, located at 1 Boston Harbor Rd. Proposal is to install a 960 sf addition, new deck stairs, an outdoor shower, replace the existing driveway with pervious pavers, install a pervious paver walkway and concrete pad for utility equipment creating 534 sf of temporary wetland impact (419 sf within the Conservation District) and 2,890 sf of permanent wetland impact (1,306 sf within the Conservation District). (P22-58/COND-2022-0011)

Motion: F. Torr moved to remove this item from the table. Seconded by: K. Mavrogeorge. Vote: U/A

D. Benton explained the Board heard this item at their previous meeting. After hearing questions from the Board members and not having the applicant's engineer present, the Board voted to table. The applicant then submitted revised plans and drainage intentions to staff and are in the Board's packets.

Alex Ross, engineer for the proposal represented the application. He met with Ken after the last meeting to outline the drainage design. To address the abutter's concern, the applicant will add gutter and downspout and tie it into the infiltration trenches on the plan.

STAFF RECOMMENDATION:

The Wetlands Protection District ordinance §170.27.1.F. 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.



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Planning staff feels that the applicant considered the criteria and attempted to create minimal wetlands disturbance and decrease the impermeable surfaces on the site. The applicant's detailed CUP application demonstrates the understanding of the requirements and compliance to the criteria of §170-27.F.(1)(a)-(e) as well as, §170.27.C.

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

Subsequent Conditions to be Met Prior to Issuance of Conditional Use Permit:

1. Copies of the NHDES Permit be submitted to the Planning Department and added to the plan set coversheet;
2. Provide a copy of the referenced plan dated November 25, 2019 by Ambit Engineering, Inc;
3. Add the following notes and items to the final plan set:
 - 3.1. Owners signatures
 - 3.2. Add note that the limits of construction disturbance that are located in or within the 50 ft. of Conservation and Wetland Districts shall be staked, flagged and clearly identified prior any earth disturbing activity occurs; and
 - 3.3. File # (P22-58) to all sheets.

M. Speidel confirmed with Ken that his concerns have been addressed.

Motion: M. Speidel moved to approve the Conditional Use Permit with subsequent recommended conditions and to further find in support that all applicable regulations and legal standards have been met. Consistency with land use regulations §170-27.F and §170.27.C have been met. Seconded by E. Kaspari.
Vote: U/A

4. NEW BUSINESS

- A. Consideration and acceptance of a Lot Line Adjustment for Susan E. Norman, Trustee, Susan Elizabeth Norman Living Trust, (Owners: Susan E. Norman, Trustee, Susan Elizabeth Norman Living Trust and Julie L. and Thomas R. Hitchcock), Assessor's Map J, Lots 22-A and 22-C, zoned R-40, located at 71 & 63 Bay View Road. *(P22-69/LOTA-2022-0003)

D. Benton introduced the proposal for a lot line for an equal land swap between 71 & 63 Bay View Road. Neither the frontages nor the lot area totals would be changing. As a lot line adjustment, this did not appear before the TRC.

Christopher Berry, Berry Surveying and Engineering, represented the application. The purpose of the lot line adjustment is to include all established fencing, gardens and foliage on the appropriate parcels to whom they belong.

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

Public hearing opened.

No one spoke

Public hearing closed.



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STAFF RECOMMENDATION-LLA:

Chapter §157-17 of the Land Subdivision Regulations of the City Code provides for the adjustment of existing lot lines between two or more lots. This plan is consistent with those regulations.

The Planning Department recommends the Planning Board vote to approve the application 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 for recording at Strafford County Registry of Deeds which additionally shall include:
 - a. Planning File Number P22-69
 - b. The owner's signatures
 - c. The LLS stamp and signature

Motion M. Speidel moved to approve the Lot Line Adjustment Plan with subsequent recommended conditions and to further find the application meets the requirements of Chapter 157-17. Seconded by T. Clark. Vote: U/A

- B. Consideration 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)

Motion: T. Clark moved to continue this item to November 8, 2022. Seconded by H. Harmon. Vote: all in favor with F. Torr abstaining.

5. STAFF COMMENTS

- Nov. 8th is next meeting. Please vote or use absentee.
- TRCs since last meeting: second for:
 - Second TRC for Wooden Ruler Realty, LLC located at 42-44 Third Street. (Proposal is to construct a 103,000 sf mixed-use building with commercial uses on the first floor, a below grade parking area, and 58 residential units). A CUP for the street tree and bench requirements of the CBD-G District adjacent to Third Street will also appear before the Planning Board. *[This item was previously heard on August 25, 2022]*
 - Second TRC for Summit Land Development, (Owner: 7 West, LLC), located at Durham Road, 250' north of Daley Drive. (Proposal is for construction of a 14,160 s.f. 3 story medical office building.) (Three CUP's will also appear before the Planning Board.) *[This item was previously heard on June 2, 2022]* (P22-39)
- TRCs coming up: Thursday: Site Review for JSR, LLC., located at Quality Way and Venture Drive. (Proposal is for construction of a 10,080 s.f. Contractor Storage Bay/Office facility consisting of four (4) separate bays with office space.) A CUP and LLA will also appear before the Planning Board. (P22-55/SITE-2022-0011) *[Previously heard on August 11, 2022]*
- Thoughts are with Chris Parker and his family as they just experienced two family deaths.

6. MEMBER COMMENTS

None

7. ADJOURNMENT

Motion: M. Speidel moved to adjourn at 7:17pm. Seconded by T. Clark. Vote: U/A