CITY OF DOVER

# ZONING BOARD OF ADJUSTMENT - AGENDA

Meeting Type: Regular Meeting
Meeting Location: Council Chambers, City Hall, 288 Central Avenue, Dover NH 03820
Meeting Date: **Thursday, April 20, 2023**
Meeting Time: **7:00 pm**

1. **ATTENDANCE**

2. **APPROVAL OF MEETING MINUTES OF FEBRUARY 16, 2023**

3. **HEARINGS**

   **A.** *ZONE-2023-0002 Owner: Littleworth LLC, 16 Storage Drive (Tax Map H, Lot 29-A-3), located in the Commercial Manufacturing (CM) Zoning District requests a Variance from **Chapter 170-12.A. of the Zoning Ordinance**, to allow for an expansion in hours of operation of an existing self-service storage facility.

   **B.** *ZONE-2023-0011 Owner: Elizabeth Demosthenes Rodgers, 9 Middlebrook Road (Tax Map K, Lot 44), located in the Medium-Density Residential (R-12) Zoning District, request an appeal of a February 17, 2023 administrative decision regarding a Customary Home Occupation under **Section 170-18. of the Zoning Ordinance**. The Zoning Administrator determined that a private dog park does not constitute an allowable Customary Home Occupation.

   **C.** *ZONE-2023-0012 Owner: Alexandra Martin & Shawn Kelly, 7 Middlebrook Road (Tax Map K, Lot 43), located in the Medium-Density Residential (R-12) Zoning District, request an appeal of a February 17, 2023 administrative decision regarding a Customary Home Occupation under **Section 170-18 of the Zoning Ordinance**. The Zoning Administrator determined that a private dog park does not constitute an allowable Customary Home Occupation.

   **D.** *ZONE-2023-0014 Owner: Eugene A. & Donna L. Sgrignuoli, 22 Sun Hawk Lane (Tax Map E, Lot 65-A), located in the Low-Density Residential (R-20) Zoning District requests a Variance, from **Chapter 170-12.B. of the Zoning Ordinance,** to allow re-subdivision of the subject parcel (Tax Map E, Lot 65-A) through a lot line adjustment, resulting in the creation of a new lot which lacks the required frontage minimum of 125'.

4. **OTHER BUSINESS**

5. **ADJOURN**

*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@dover.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@dover.nh.gov, or mailing written comments to the Zoning Board of Adjustment, 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.

CITY OF DOVER

# ZONING BOARD OF ADJUSTMENT - MINUTES

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|---|---|
| Meeting Type: | Regular Meeting |
| Meeting Location: | **Council Chambers, City Hall –** 288 Central Ave., Dover, NH 03820 |
| Meeting Date: | **Thursday, February 16, 2023** |
| Meeting Time: | **7:00 pm** |

1. **ATTENDANCE**

**Members Present:** Chris Prior (Chair), Otis Perry (Vice Chair), Anthony Sillitta, Nick Couturier, Rich Onufry (Alternate), Sarah Tatarczuk (Alternate)
**Members Absent (Excused):** George Reagan
**Members Absent (Unexcused):** Casey Conley (Alternate)
**Staff Present:** Natasha Kypfer (Zoning Administrator/Assistant City Planner)

The Chair called the meeting to order at 7 PM and noted Tatarczuk will be the fifth voting member tonight.

2. **APPROVAL OF MEETING MINUTES OF JANUARY 19, 2023**

**Motion:** Couturier moved to approve the minutes of January 19, 2023. Seconded by Onufry. Vote: U/A with Perry abstaining

The Chair explained the hearing process.

3. **HEARINGS**

**A.** Z23-02/ZONE-2023-0003 Owner: Nicole A. S. & James M. White, Trustees of the Nicole and James Revocable Trust, 10 Birchwood Place (Tax Map 17, Lot 65-B), located in the Medium-Density Residential (R-12) Zoning District requests a Variance of the dimensional requirements from Section 170-12.B. of the Zoning Ordinance to allow construction of a new garage 5' from the side property line, where 10' is required

James White, representing 10 Birchwood Place presented the case and reviewed their need for the Variance request. There is about 40' of woods between the proposed garage and the nearest neighbor's landscaped area. A proper survey will be done prior to building.

The Chair noted the applicant's reasons they meet the five criteria are provided within the application and listed them: Waiving the terms of the Variance request would not be contrary to public interest; deviation from the strict requirements of the Ordinance is still consistent with the spirit of the Ordinance; granting the Variance would do substantial justice to allow for the appropriate parking and storing of vehicles on site; the construction of the garage is not likely to diminish the value of abutting properties; and, the literal enforcement of the provisions would result in an unnecessary hardship, as the location selected is the logical placement for the structure on the parcel.

The applicant clarified the driveway and current parking situation for the board members, based on a question from Vice Chair Perry.

Public Hearing opened. Public Comment: None

**PLANNING DEPARTMENT RECOMMENDATION:** The subject property has unique characteristics: it is a long, narrow lot with an existing driveway that leads to the location where the proposed garage is planned to be placed. As part of their application, the property owners supplied a petition signed by four different abutters, all in support of their Variance application.
Zoning Administrator Kypfer noted staff supports the granting of the Variance. If the Board grants the Variance, staff recommends one condition: 1) The encroachment be limited to the proposed area of the side property line, with no further encroachment granted without a new application.

Public Hearing closed.

**Motion:** Onufry moved to GRANT the Variance with the staff recommended condition based upon the representations made by the applicant and the testimony provided. Sillitta seconded. Vote: U/A

**4. OTHER BUSINESS**
None

**5. ADJOURN**
**Motion:** Perry moved to adjourn at 7:11pm. Sillitta seconded. Vote: U/A

DRAFT

CITY OF DOVER

# ZONING BOARD OF ADJUSTMENT – STAFF MEMO

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|---|---|
| Meeting Type: | Regular Meeting |
| Meeting Location: | Council Chambers, City Hall, 288 Central Ave., Dover, NH 03820 |
| Meeting Date: | April 20, 2023 |
| Meeting Time: | 7:00 pm |

**INTENT:** The Owner requests a Variance from **Chapter 170-12.A. of the Zoning Ordinance**, to allow for an expansion in hours of operation of an existing self-service storage facility.

**UNITS PROPOSED:** N/A

**AGENDA ITEM #:** 3-A

**ZONING DISTRICT:** CM

**FILE:** ZONE-2023-0002

**APPLICANT/OWNER:** Littleworth LLC

**LOCATION:** 16 Storage Drive (Tax Map H, Lot 29-A-3)

**ACREAGE:** 3.97± ac. / 172,933 sq. ft.

**EXISTING LAND USE:** Self-service storage facility

**PROPOSED LAND USE:** Self-service storage facility (No change)

**SURROUNDING LAND USE:**
Residential, Agricultural, Commercial

**PREVIOUS ZBA ACTION:**
#Z17-12, Variance granted, with conditions, to permit a front setback of 35' where a build-to line is required (on the parent track).
#Z19-11, Variance granted to permit a self-service storage facility (parcel was previously zoned R-20).

**PLANNING BOARD APPROVAL REQUIRED:** Site Plan amendment to revise the plan note will likely be required.

**ATTACHMENTS:** Application, Narrative

**STAFF RECOMMENDATION:**
Staff does not support the granting of the variance request.

## BACKGROUND INFORMATION

The property subject to this Variance request is located off of Storage Drive, which intersects south off of Littleworth Road and is operated as StorageTek. Three mini-warehouse style storage unit buildings, each 10,000 sq. ft. in area and built in 2021, are situated on the property. In addition, at the end of the driveway is a self-service kiosk with attached code-accessed gate.

At present, the use of a self-service storage facility within the Commercial Manufacturing zoning district is obtainable through the seeking of a Conditional Use Permit, at the discretion of the Planning Board. However, previously, when the lot was zoned R-20, the mechanism to pursue a non-permitted use was via a Variance request to the ZBA; in 2019, the previous owner did so and was granted the use of a self-storage facility (please see the NOD attached, #Z19-11, as Exhibit A). Later, in 2020, at the time a site review application was filed and approved by the Planning Board (#P20-44), a plan note (#17 on SP-1, please see attached as Exhibit B) was added to the site development plan sheet stating: *The hours of operation are 9 AM to 9 PM, Monday through Friday, and 10 AM to 6 PM on Saturday and Sunday.*

On November 3, 2022, a zoning violation letter was issued regarding unpermitted operating hours at the subject property, which is attached as Exhibit C. (Please note: the address was erroneously identified as 16 Littleworth Road, this has since been updated within our mapping details.) Following the letter, the property owner sought to come into compliance by updating their operating hours to reflect the previously approved times as documented in the plan note. Germane to this specific Variance request, the applicant now seeks to formally revise their operating hours, as follows: 6 am to 9pm, Monday through Friday, and 7 am to 6 pm on Saturday and Sunday (see Exhibit D).

## REASON FOR RECOMMENDATION

StorageTek utilizes mini-warehouse style self-service storage units, meaning that each unit is individually accessed from the perimeter of the structure via a garage entry door. This is in contrast to storage units that are enclosed in a single structure and accessed via an internal hallway, and the result is a substantial increase in foot traffic and noise in proximity of the structures and to the abutters to parcels with mini-warehouse style units. For this reason, coupled with the proximity of residential abutters, Staff does not support the Variance request.

## STAFF RECOMMENDATION

Staff recommends that the Board open the public hearing, accept testimony, and make findings on each of the five Variance criteria. Staff does not support the granting of the Variance.

**EXHIBIT A**

CHRISTOPHER G. PARKER, AICP
Assistant City Manager
Planning & Strategic Initiatives
c.parker@dover.nh.gov

288 Central Avenue
Dover, New Hampshire 03820-4169
(603) 516-6008
Fax: (603) 516-6049
www.dover.nh.gov

# *City of Dover, New Hampshire*

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

**Zoning Board of Adjustment**
**NOTICE OF DECISION**

August 19, 2019

Robert J. Stowell
Quantum Real Estate Group, LLC
755 Central Avenue
Dover, NH 03820

**Re:** **Z19-11 Littleworth Road (Tax Map H, Lot 29-A-3)**

Dear Mr. Stowell:

Please be advised that on August 15, 2019, the Zoning Board of Adjustment voted **5-0** to **GRANT** your request for a variance from **Section 170-12.A** of the Zoning Ordinance to permit a self-service storage facility, where self-storage facilities are not a permitted use in the Low Density Residential (R-20) Zoning District.

Please note that per Section 170-52.C.4(d) of the City of Dover Zoning Ordinance, if the variance is not acted upon within four (4) years of the date of approval, it shall be considered null and void.

The findings of fact in this case are enclosed.

If you have any questions, please do not hesitate to contact me by phone at (603) 516-6008 or by email at e.piekut@dover.nh.gov.

Sincerely,

Elena C. Piekut
Assistant City Planner, Zoning Administrator

Enclosure

EC: James Maxfield, Building Official and Michelle Dube, Inspections Secretary
FX Bruton, Bruton & Berube (fx@brutonlaw.com)

**Case # Z19-11**

**ORDER GRANTING OR DENYING A VARIANCE BY THE ZONING BOARD OF ADJUSTMENT CITY OF DOVER, NEW HAMPSHIRE**

The Zoning Board of Adjustment for the City of Dover, New Hampshire, having held a public hearing on **August 15, 2019** to consider an application for a Variance submitted by **Quantum Real Estate Group, LLC** for the property located at **Littleworth Road (Tax Map H, Lot 29-A-3)** and having heard all the arguments presented at the hearing, makes the following **FINDINGS OF FACT,** and draws the following **CONCLUSIONS** to each of the required criteria:

1. Did the Applicant provide proof that demonstrates the variance will not be contrary to the public interest? Yes _X__ No ____

This **CONCLUSION** is based on the following **FINDINGS OF FACT:**

**As presented in the application and presentation. The variance would not constitute a fundamental change in the neighborhood or present an impact on health and safety. The neighborhood has several commercial uses and zoning districts that would allow this type of development.**

2. Did the Applicant provide proof that demonstrates how a variance observes the spirit of the ordinance? Yes __X__ No ____

The **CONCLUSION** is based on the following **FINDINGS OF FACT:**

**As presented in the application and presentation. The parcel is surrounded by many commercial uses and the public rights of others will not be diminished by this use.**

3. Did the Applicant provide proof that demonstrates how a variance will result in substantial Justice? Yes __X__ No ____

This **CONCLUSION** is based on the following **FINDINGS OF FACT:**

**As presented in the application and presentation. Denying the variance would not confer a benefit to the general public that would outweigh the injustice to the applicant.**

4. Did the Applicant provide proof that demonstrates the variance will not diminish the values of surrounding properties? Yes __X__ No ____

This **CONCLUSION** is based on the following **FINDINGS OF FACT:**

**As presented in the application and presentation. The development will be consistent with other commercial uses in the neighborhood.**

5A. The Applicant was to provide proof that literal enforcement of the provisions of the ordinance would result in an unnecessary hardship. Yes __X__ No ____

i. Did the Applicant demonstrate that special conditions of the property exist that distinguish it from other properties in the area? Yes __X__ No ____

This **CONCLUSION** is based on the following **FINDINGS OF FACT:**

**This parcel is surrounded by commercial and industrial uses and the B-4 district.**

ii. Did the Applicant demonstrate that no fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property? Yes __X__ No____

This **CONCLUSION** is based on the following **FINDINGS OF FACT:**

**Granting the variance would allow for orderly development that is similar to surrounding parcels. Requiring residential lots does not seem to be a reasonable use for this odd shaped lot.**

iii. Did the Applicant demonstrate that the proposed use is a reasonable one? Yes __X__No____

This **CONCLUSION** is based on the following **FINDINGS OF FACT:**

**The proposed use is reasonable because it provides for an appropriate low-impact commercial use in an area already surrounded by commercial development.**

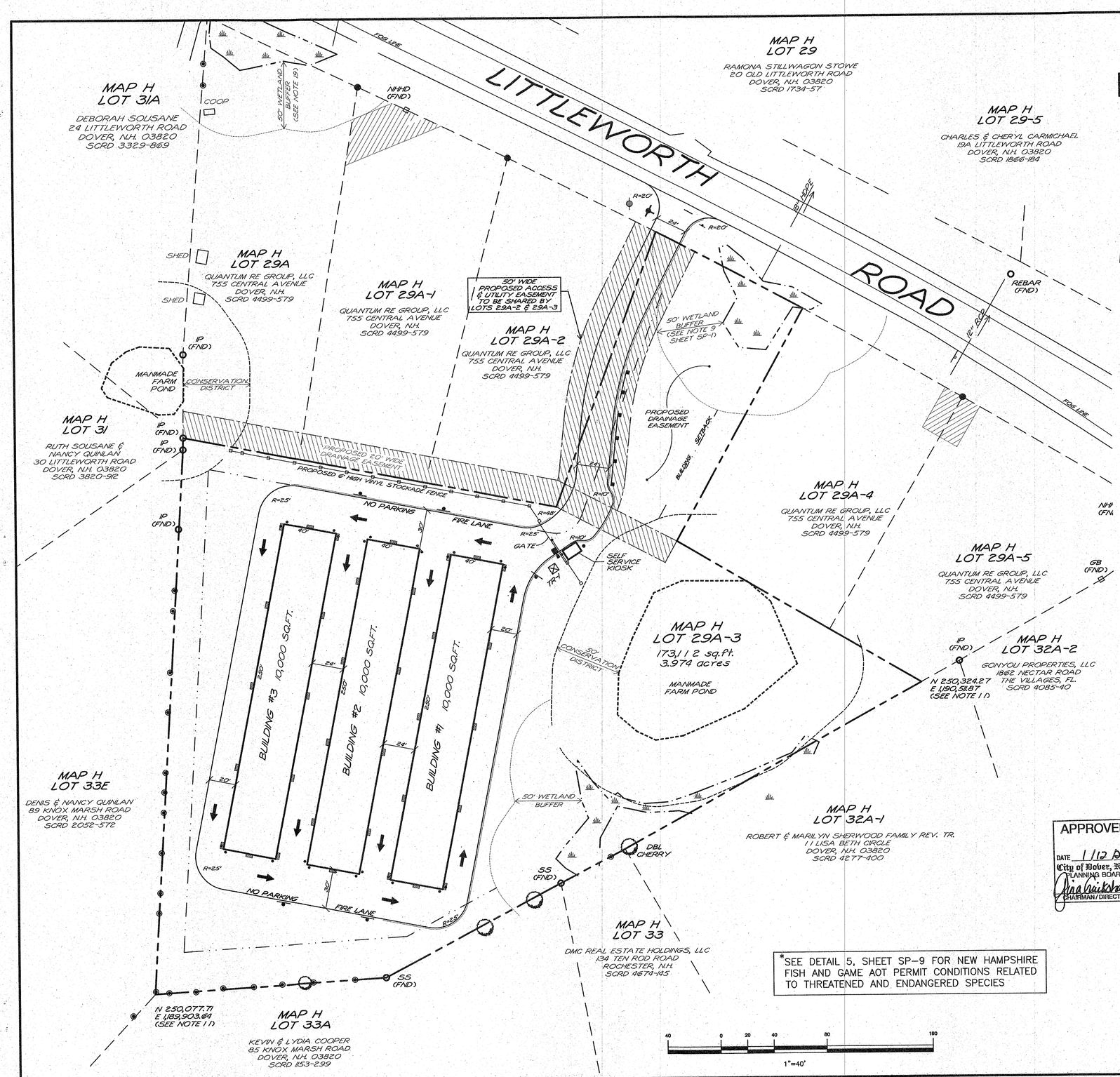
**THEREFORE,** based upon the foregoing, **IT IS ORDERED** that the application for the variance be **(GRANTED / DENIED).** If granted, it is subject to the following conditions:

1. Buildings shall be located perpendicular to the street, with no storage unit doors facing the street.
2. Buildings shall adhere to the architectural design guidelines of Section 149014.L(8)(b) of the Dover Code.
3. The hours of operation are consistent with the conditional use standard of the I-2 zone.

Ordered this ___19th___day of _August____, 2019 _____

Zoning Board of Adjustment
Chairperson

EXHIBIT B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SCRD 3820-912
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DENIS & NANCY QUINLAN
89 KNOX MARSH ROAD
DOVER, N.H. 03820
SCRD 2052-572
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KEVIN & LYDIA COOPER
85 KNOX MARSH ROAD
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SCRD 1153-299
MAP H LOT 33
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134 TEN ROD ROAD
ROCHESTER, N.H.
SCRD 4674-115
MAP H LOT 32A-1
ROBERT & MARILYN SHERWOOD FAMILY REV. TR.
11 LISA BETH CIRCLE
DOVER, N.H. 03820
SCRD 4277-400
MAP H LOT 32A-2
GONYOU PROPERTIES, LLC
1862 NECTAR ROAD
THE VILLAGES, FL.
SCRD 4085-40
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**EXHIBIT C**

DONNA P. BENTON, AICP
Director of Planning and
Community Development
d.benton@dover.nh.gov

288 Central Avenue
Dover, New Hampshire 03820-4169
(603) 516-6008
Fax: (603) 516-6049
www.dover.nh.gov

# *City of Dover, New Hampshire*

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

November 3, 2022

***VIA CERTIFIED MAIL – RETURN RECEIPT and FIRST-CLASS MAIL***
Mr. Ryan Sargent, StorageTek
Littleworth LLC
74 Industrial Park Drive
Dover, NH 03820

**Re:** **Unpermitted Operating Hours at 16 Littleworth Road (Tax Map H, Lot 29-A-3)**

Dear Mr. Sargent:

It has come to my attention that StorageTek is operating outside of its approved hours, as noted on the posted *office hours* and *access hours* advertised on its website (please see Exhibit A attached). These posted hours constitute a violation of the conditional approval granted by the Planning Board on September 8, 2020 for site plan review (P20-44) and for conditional use permit review (P20-45). The subject property is located in the Commercial Manufacturing (CM) Zoning District.

I am writing today to reach out and confirm the previously approved hours, they are:

- 9 am to 9 pm, Monday through Friday, and 10 am to 6 pm on Saturday and Sunday

These hours were established when the Zoning Board of Adjustment (ZBA) granted a Variance from §170-12.A. of the Zoning Ordinance, in order to permit a self-service storage facility where self-storage facilities were not a permitted use in the Low-Density Residential (R-20) Zoning District at the time (the zoning has since changed). For reference: See Sheet SP-1 and Plan Note 14.), Condition 3. from the P20-44 approved plan set signed January 12, 2021 which reads: *The hours of operation are consistent with the conditional use standard of the I-2 Zone. (I-2 Zone became CM Zone.)*

**Please contact me within ten (10) business days to discuss this property and how you plan to remediate this violation.** I can be reached by telephone at: 603-516-6008, or by email at: n.kypfer@dover.nh.gov.

Thank you for your prompt attention to this matter.

Sincerely,

Natasha M. Kypfer

Natasha M. Kypfer
Zoning Administrator, Assistant City Planner

Enclo.: Donna Benton, AICP Director of Planning and Community Development (via email)

**Exhibit A**
Screenshot from: https://www.storagetek.net/16-littleworth-rd-dover-nh-03820

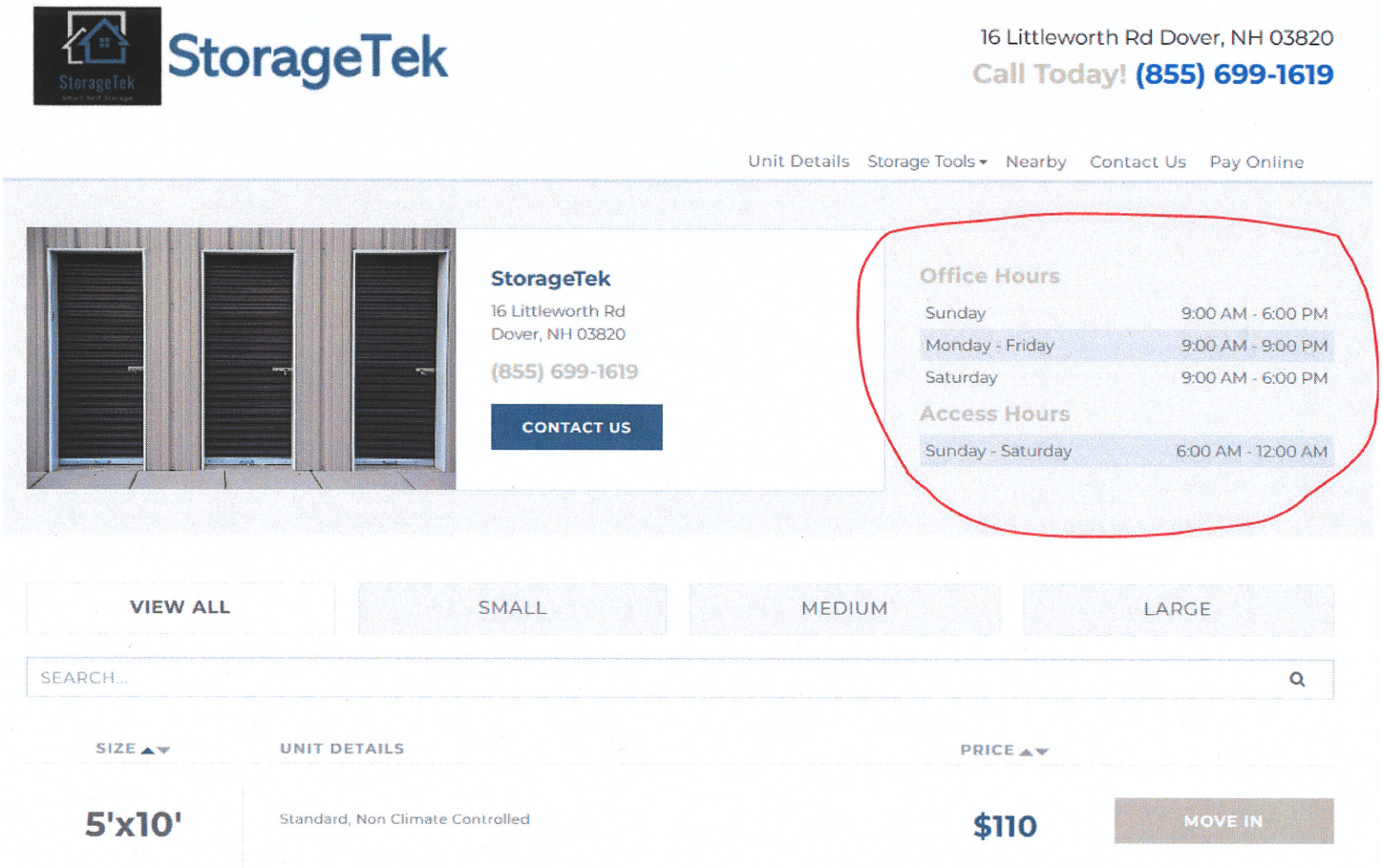

**EXHIBIT D**

**From:** Josh Lanzetta <josh@brutonlaw.com>
**Sent:** Monday, March 6, 2023 4:24 PM
**To:** Kypfer, Natasha
**Subject:** StorageTek - Hours for Variance Application

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

Hi Natasha,

Thanks for taking my call today, and again, I apologize for the delay.

I spoke with Ryan at StorageTek following our call.

The company requests the following hours of operation:

Weekdays (M – F): 6 am to 9 pm; and
Weekends (Sat/ Sun): 7 am to 6 pm.

Best,
-Josh

**JOSHUA P. LANZETTA, *ESQ.***
**BRUTON & BERUBE, PLLC**
601 Central Avenue
Dover, New Hampshire 03820
Cell. (603) 777-0579
Direct. (603) 749-4529
Fax. (603) 343-2986
www.joshlanzettalaw.com
josh@brutonlaw.com

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CHRISTOPHER G. PARKER, AICP
Deputy City Manager
c.parker@dover.nh.gov

288 Central Avenue
Dover, New Hampshire 03820-4169
(603) 516-6024
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www.dover.nh.gov

# *City of Dover, New Hampshire*

OFFICE OF THE CITY MANAGER

Dear Zoning Board,

On behalf of the City of Dover's office of Business Development, I am writing in opposition of the variance requested by StorageTek for relief of hours of operation for the existing self storage site off Littleworth Road.

About 10 years ago, the City started seeing an uptick in interest in constructing and opening self-storage facilities. In general, the use was not complimentary to the land use policy and context at the time. To be responsive, the City created Conditional Use Permit criteria designed to minimize residential impacts. In 2019, this property did not allow self-storage, and a previous applicant received a variance to have self-storage on this site with a condition that the hours of operation be the same as the Conditional Use Permit Criteria in a similar zone. That condition was specifically added (by Otis Perry and Frank Langford) after input from the public **and** the then applicant, in recognition of the residential abutters, which is what the Conditional Use Permit criteria was design to protect.

Subsequent to that, the applicant appeared before the Planning Board in September 2020 for site plan approval. Again, residential abutters spoke to concerns about noise, hours of operation and general impacts. As part of the Site Plan approval, the Planning Board noted that the hours of operation were to be included as plan notes.

On December 16 2020, I advised the current owner, who was considering purchasing the property, of the hours and other limitations, encouraging them to purchase the project if they could adhere to the requirements of the ZBA and Site Plan. In February of 2021 the applicant purchased the project, as approved.

It is not clear to me that there is a hardship, other than a self-created hardship, in that the owner knowing purchased a project with conditions upon it and now wishes to change the conditions.

What follows is a review of the criteria:

**Public Interest**:

Here the public interest is both the development of the lot and the relationship of that development to the context around it. The lot directly abuts 10 lots. Of those, 1 is vacant, 5 are commercial and 4 are residential uses. Looking out further this dramatically changes with 6 more residential uses, and 1 more commercial use.

The proposal before the Zoning Board focuses on the commercial use of the area, and ignores the residential abutters. Both have merit. The applicant speaks to hours of operation for abutting property owners, in vague terms, but does not specify. In fact, this is not relevant, as the owners of those parcels did not choose to open a use that has restricted hours. The parcel's owner made that choice, and could have sought relief when the original variance was granted. Hence the public interest is in maintaining and observing those hours, in respect for the ordinance, the process and the Zoning Board's ruling from 2019, not in disregarding them.

Furthermore, the public interest is served by allowing the use, but not having it be unregulated. The hours of operation and other criteria were envisioned by the Planning Board as a response to considering the use in general, but not wanting it to be considered equal to retail, manufacturing and other businesses that provide a higher and better impact on the community by providing jobs, tax valuation and public good.

**Spirit and Intent**

The spirit and intent of the requirement for limited hours was, and continues to be, to limit the nuisance and impacts this use can have on abutters and the public at large. The hours were codified after staff and the Planning Board researched the use and found it reasonable to place the hours in the regulation. The criteria were envisioned as a tradeoff for the exterior accessed (the customer can access their storage space without entering a building or facility) self-storage, as opposed to internally accessed warehouse style storage. Furthermore, these are not envisioned as contractor storage or office use, which is considered light industry. These hours do not apply just to this project, but all Self-Storage projects in Dover.

Furthermore, the spirit and intent is to limit this type of use, as it is not the highest and best value for the community. It is a low tax payer, low job generator and is generally not in line with the vision the City has for commercial growth and development. The regulations were created, as the Planning Board wanted to allow the use, with caution, recognizing that while there is a need for storage, it is not in the best interest of the public to have it proliferate.

**Substantial Justice**

The use of the property is reasonable and just, it is in line with other self-storage in the City which abide by the same hours of operation limitations. Furthermore, the owner knew the hours ***before*** purchasing and opening the business, and could have easily not purchased the property if they did not feel the hours were reasonable.

**Valuation**

No appraisal data has been provided to review, but based upon abutter opposition in the past, it is fair to presume valuation is subjective in nature.

**Hardship**

The lot is not unique, the layout of the parcel, per the site plan is in conformance with the requirements within the Conditional Use Permit criteria and the applicant has reasonable use of the property. No evidence has been provided that the use is not operating, nor that the request is anything other than convenience. **That is not a hardship.** The owner of the property at the time of the 2019 variance and 2020 site plan approvals agreed with the hours of operation. The current owner was counseled by staff about the limitations prior to purchasing the property, and still purchased it. The owner clearly thought the hours were reasonable at the time of purchase or they should not have purchased the property.

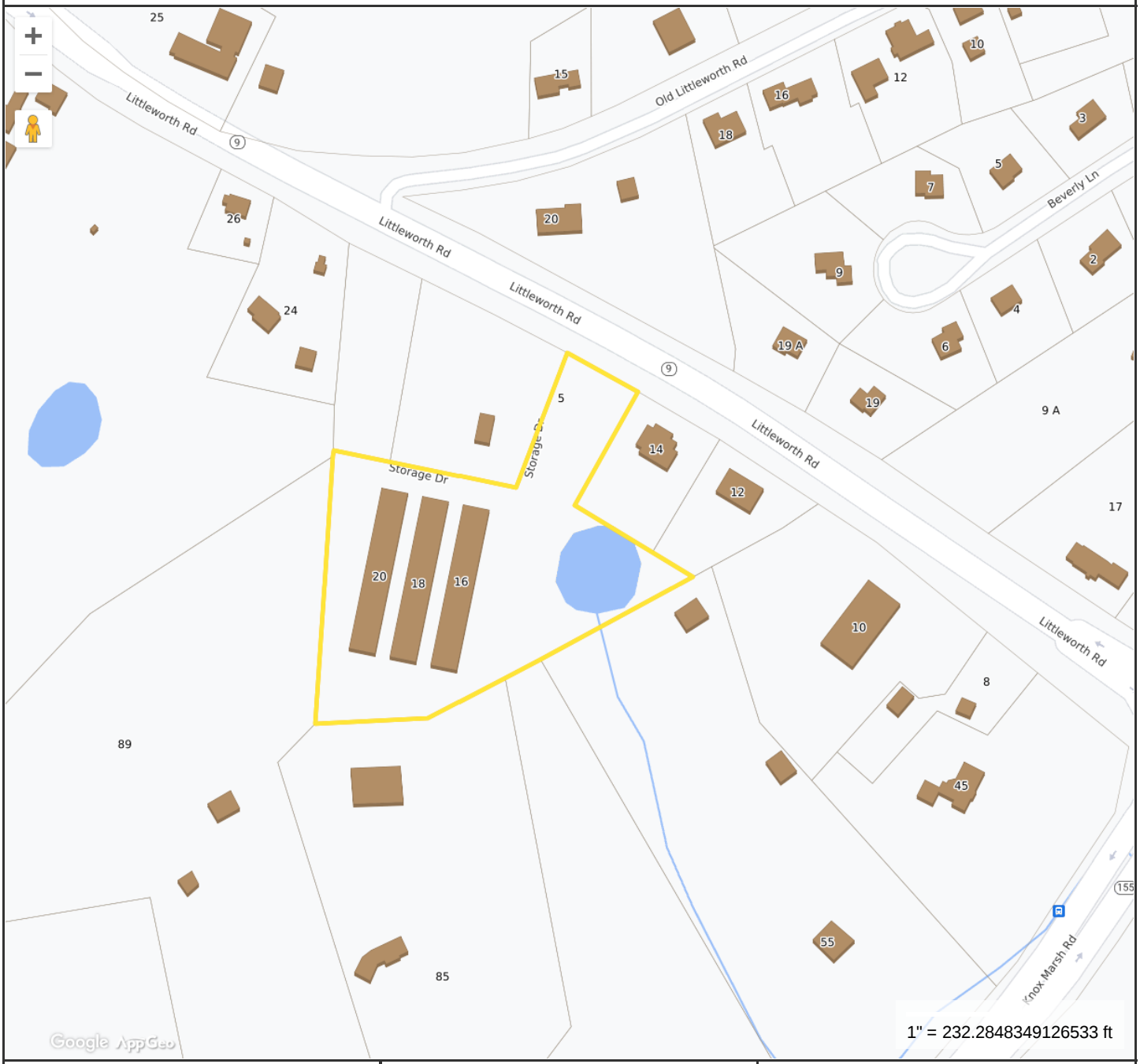
In this case, the request is not reasonable and the ZBA should find that the variance application has not met the threshold for approval.

Sincerely,

Christopher G. Parker, AICP
Deputy City Manager

EC: Donna Benton, Director of Planning and Community Development
Natasha Kypfer, Zoning Administrator.

# ZONE-2023-0002 16 Storage Drive




**Property Information**

| | |
|---|---|
| **Property ID** | H0029-A00003 |
| **Location** | 16 20 STORAGE DR |
| **Owner** | LITTLEWORTH LLC |
| **Land Use** | 317 |
| **Zoning Code** | CM |

MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

City of Dover, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 12/16/2022
Data updated Daily

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

# PERMIT SNAPSHOT REPORT ZONE-2023-0002
# FOR CITY OF DOVER, N.H.

| | | | | | |
|---|---|---|---|---|---|
| **Permit Type** | Zoning | **Project:** | | **App Date:** | 01/25/2023 |
| **Work Class:** | Variance | **District:** | None | **Exp Date:** | NOT AVAILABLE |
| **Status:** | In Review | **Square Feet:** | 0.00 | **Completed:** | NOT COMPLETED |
| **Valuation:** | $0.00 | **Assigned To:** | Blonigen, Rachel | **Approval Expire Date:** | |
| **Description:** | Variance to Expand Hours of Operation | | | | |

| **Parcel:** | H0029-A00003 Main | **Address:** | 16 Storage Dr<br>Dover, NH Main | **Zone:** | CM(Non-Residential - Commercial Manuf |
|---|---|---|---|---|---|

Applicant
Josh Lanzetta
601 Central Avenue
Dover, NH 03820
Home: (603) 777-0579
Business: (603) 777-0579
Mobile: (603) 777-0579

**Permit Custom Fields**

| | | | | | |
|---|---|---|---|---|---|
| Number of Variances Requested: | 1 | ZoneVariPlanDirections | Please see application materials. | ZoneVariPlanSummary | Please see application materials. |
| ZoneVariAppealSect | 170-12 - CM - Fn Self Storage c(ii) | ZoneVariAppealSectDetail | Please see application materials. | What is the parcel zoned? | CM |
| ZoneVariAppeal1PublicInterest | Please see application materials. | ZoneVariAppeal2OrdinanceSpirit | Please see application materials. | ZoneVariAppeal3SubstantialJustice | Please see application materials. |
| ZoneVariAppeal4PropertyValue | Please see application materials. | ZoneVariAppeal5A1UnNecHardship | Please see application materials. | ZoneVariAppeal5A2NoFairRelate | Please see application materials. |
| ZoneVariAppeal5A3ReasonableUse | Please see application materials. | ZoneVariAppeal5BNoReasonableUse | Please see application materials. | | |

| Attachment File Name | Added On | Added By | Attachment Group | Notes |
|---|---|---|---|---|
| Signature_Josh_Lanzetta_1/26/2023.jpg | 01/25/2023 23:59 | Lanzetta, Josh | | Uploaded via CSS |
| Permit Snapshot Report.pdf | 01/25/2023 23:59 | Service, EnerGov | | Attached by IO - ATTACH: Initial Permit Snapshot |
| Lt Planning Board encl. Variance App. & Related Materials 2 .pdf | 02/01/2023 9:45 | Blonigen, Rachel | | |
| ZONE-2023-0002 ABUTTERS LIST.pdf | 03/03/2023 15:48 | Blonigen, Rachel | | |
| ZONE-2023-0002 ABUTTERS LIST.pdf | 04/05/2023 12:37 | Blonigen, Rachel | | ABUTTERS LIST |

| Note | Created By | Date and Time Created |
|---|---|---|
| 1. Materials and App requested to be uploaded or emailed again. Unable to view in current format. 01/26/2023 | Rachel Blonigen | 01/26/2023 11:51 |

| Invoice No. | Fee | Fee Amount | Amount Paid |
|---|---|---|---|
| INV-00002170 | Planning Zoning Variance Application Fee | $200.00 | $200.00 |
| | Total for Invoice INV-00002170 | $200.00 | $200.00 |
| INV-00002571 | Planning Certified Mailing to Application Contacts | $8.00 | $8.00 |
| | Planning Creation / Printing of Abutter Labels | $20.00 | $20.00 |
| | Planning Certified Mailing to Abutters | $128.00 | $128.00 |
| | Planning Public Notice in Newspaper | $100.00 | $100.00 |
| | Total for Invoice INV-00002571 | $256.00 | $256.00 |
| | **Grand Total for Permit** | **$456.00** | **$456.00** |

| Submittal Name | Status | Received Date | Due Date | Complete Date | Resubmit | Completed |
|---|---|---|---|---|---|---|
| Planning Permit Application Review v.1 | Approved | 01/30/2023 | 03/03/2023 | 02/10/2023 | No | Yes |

# PERMIT SNAPSHOT REPORT (ZONE-2023-0002)

| Item Review Name | Department | Assigned User | Status | Assigned Date | Due Date | Completed Date |
|---|---|---|---|---|---|---|
| Zoning Administrator | Planning | Kypfer, Natasha | Approved | 01/30/2023 | 03/03/2023 | 02/10/2023 |

**Comments:** Applicant requested application be moved to March ZBA meeting: 3-16-2023.

| Workflow Step / Action Name | Action Type | Start Date | End Date |
|---|---|---|---|
| **Review v.1** | | 01/30/2023 0:00 | 02/10/2023 16:00 |
| Confirm application complete v.1 | Generic Action | | 01/30/2023 7:39 |
| Planning Permit Application Review v.1 | Receive Submittal | 01/30/2023 0:00 | 02/10/2023 16:00 |
| **Zoning Board v.1** | | 03/03/2023 0:00 | |
| Zoning Board Agenda v.1 | Task | 03/03/2023 0:00 | 03/03/2023 15:45 |
| Invoice for Notices v.1 | Task | 03/03/2023 0:00 | 03/03/2023 15:45 |
| Send Notices v.1 | Task | 03/03/2023 0:00 | 03/03/2023 15:45 |
| Zoning Administrator Creates Staff Recommendations v.1 | Task | | |
| Distribute Zoning Board Materials v.1 | Task | | |
| Zoning Board Hearing v.1 | Hold Hearing | | |
| Zoning Board Decision v.1 | Permit Activity | | |
| NOD Sent to Applicant v.1 | Create Report | | |
| **Final Plan v.1** | | | |
| Plans uploaded to Treeno v.1 | Generic Action | | |
| Property Info Group v.1 | Generic Action | | |
| **Create/Link to Records v.1** | | | |
| Create / Link to Permit - Building Complex v.1 | Create Sub Permit | | |

**ZONE-2023-0002**

| Property ID | Location | Owner 1 | Owner 2 | Owner Address 1 | City | State | Zip |
|---|---|---|---|---|---|---|---|
| H0029-000000 | 20 OLD LITTLEWORTH RD | STILLWAGON BERNARD R LIFE ESTATE & | STOWE STILLWAGON RAMONA L | 20 OLD LITTLEWORTH RD | DOVER | NH | 03820 |
| H0029-005000 | 19 A LITTLEWORTH RD | CARMICHAEL CHARLES E JR & CHERYL TRUSTEE | CARMICHAEL FAMILY REVOCABLE TRUST OF 201 | 19A LITTLEWORTH ROAD | DOVER | NH | 03820 |
| H0029-A00000 | LITTLEWORTH RD | ATLANTIC BROADBAND FINANCE LLC | | 2 BATTERYMARCH PK #205 | QUINCY | MA | 02169 |
| H0029-A00001 | LITTLEWORTH RD | ATLANTIC BROADBAND NH-ME LLC | | 2 BATTERYMARCH PK #205 | QUINCY | MA | 02169 |
| H0029-A00004 | 14 LITTLEWORTH RD | ABOVE ALL THINGS NH LLC | | 279 HIGH ST | SOMERSWORTH | NH | 03878 |
| H0029-A00005 | 12 LITTLEWORTH RD | DUPONT DAVID P & CAROLYN J TRUSTEES | THE DUPONT FAMILY REVOCABLE LIVING TRUST | 24 LISA BETH CR | DOVER | NH | 03820 |
| H0031-000000 | 30 LITTLEWORTH RD | SOUSANE RUTH K & | QUINLAN NANCY K | 30 LITTLEWORTH RD | DOVER | NH | 03820 |
| H0031-A00000 | 24 LITTLEWORTH RD | SOUSANE DEBORAH | | 24 LITTLEWORTH ROAD | DOVER | NH | 03820 |
| H0032-A00001 | 55 KNOX MARSH RD | SHERWOOD ROBERT E & MARILYN A TRUSTEES | SHERWOOD ROBERT & MARILYN FAMILY REVOCAB | 11 LISA BETH CIRCLE | DOVER | NH | 03820 |
| H0032-A00002 | 10 LITTLEWORTH RD | GONYOU PROPERTIES LLC | | 1862 NECTAR RD | THE VILLAGES | FL | 32163-2136 |
| H0033-000000 | 67 KNOX MARSH RD | DMC REAL ESTATE HOLDINGS LLC | | 134 TEN ROD RD | ROCHESTER | NH | 03867 |
| H0033-A00000 | 85 KNOX MARSH RD | COOPER LYDIA | COOPER KEVIN | 3100 NE 49TH ST APT 803 | FT LAUDERDALE | FL | 33308-4946 |
| H0033-E00000 | 89 KNOX MARSH RD | QUINLAN DENIS J | QUINLAN NANCY K | 89 KNOX MARSH RD | DOVER | NH | 03820 |
| H0029-A00003 | 16 LITTLEWORTH RD | LITTLEWORTH LLC | | 74 INDUSTRIAL PARK DRIVE | DOVER | NH | 03820 |
| | | BRUTON & BERUBE, PLLC | JOSH LANZETTA, ESQ | 601 CENTRAL AVENUE | DOVER | NH | 03820 |

# City of Dover, New Hampshire
# ZONING BOARD OF ADJUSTMENT APPLICATION

[Revised June 7, 2022]

| | | | |
|---|---|---|---|
| *Office Use Only* | Case #: _____ | Date Received: | _____ |
| | Amount Paid: $ _____ | Time Received: | _____ |

## APPLICANT/PROPERTY OWNER INFORMATION

APPLICANT: StorageTek, LLC c/o Bruton & Berube, PLLC Phone # 603-749-4529

Address of Applicant: Bruton & Berube, PLLC, Attn: Josh Lanzetta, Esq., 601 Central Avenue, Dover, NH 03820

E-Mail Address: josh@brutonlaw.com

PROPERTY OWNER (*if different from applicant*): Littleworth, LLC

Address: 74 Industrial Park Drive, Dover, NH 03820 Phone # 603-749-4529

E-Mail Address: josh@brutonlaw.com

## PROPERTY/PARCEL INFORMATION

Address: 16 Littleworth Road, Dover, NH 03820

Brief Directions: _____

Zoning District: CM Assessor's Map # H Lot(s) # 29-A-3

## TYPE OF APPEAL: (Please check one)

| | |
|---|---|
| X Variance | from Section 170-12(A) of the Zoning Ordinance |
| _____ Physical Disability Variance (RSA 674:33-V) | from Section _____ of the Zoning Ordinance |
| _____ Special Exception | per Section _____ of the Zoning Ordinance |
| _____ Appeal of Administrative Decision | regarding Section _____ of the Zoning Ordinance |
| _____ Equitable Waiver | per Section _____ of the Zoning Ordinance |

## DESCRIBE BRIEFLY YOUR PLANS FOR THE PROPERTY:

Please see attached.

# VARIANCE REQUIREMENTS

***THIS SECTION TO BE COMPLETED BY VARIANCE APPLICANTS ONLY***

**A. Variance Requested**

A variance is requested from Section(s) _____ of the Zoning Ordinance to permit:
Please see attached.

**B. The Five Variance Criteria (as set forth in NH RSA 674:33, I(b))**

Please demonstrate compliance with the following:

1. Waiving the terms of the Ordinance will not be contrary to the public interest because:
Please see attached.

2. Deviation from the strict requirements of the Ordinance is consistent with the spirit of the Ordinance because:
Please see attached.

3. Granting the variance would do substantial justice because:
Please see attached.

4. The value of surrounding property will not be diminished because:

Please see attached.

***NOTE: please complete EITHER paragraph 5A OR paragraph 5B. Staff recommends that you complete paragraph 5B only if you feel you cannot meet the requirements set forth in paragraph 5A.***

5A. Literal enforcement of the provisions of the ordinance would result in an ***unnecessary hardship***:

(i) The following special conditions of the property distinguish it from other properties in the area:

Please see attached.

**and**

(ii) No fair and substantial relationship exists between the general purposes of the ordinance provision and the specific application of that provision to the property because:

Please see attached.

**and**

(iii) The proposed use is a reasonable one because:

Please see attached.

**OR**

5B. If the criteria in subparagraph 5A above are not established, explain how, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it:

Please see attached.

# SIGNATURE PAGE

***THIS SECTION OF THE APPLICATION MUST BE COMPLETED BY ALL APPLICANTS***

I, the undersigned Applicant, hereby certify that the information contained within this Application is complete and accurate, and I acknowledge that I have read and understand the Application Instructions, which are set forth on the first two pages of this Application form.

| **IMPORTANT** |
| --- |
| PROPERTY IDENTIFICATION SIGN MUST BE POSTED ON THE PROPERTY FOR THE 5 DAYS PRIOR TO HEARING.<br>FAILURE TO POST MAY RESULT IN APPLICATION NOT BEING ACCEPTED. |

Signature of Applicant*

Signature of Owner*

*Both Signatures Required

**AUTHORIZATION TO ENTER SUBJECT PROPERTY**

I, and my successors, hereby authorize members of the Dover Zoning Board, Planning Department and other pertinent City Departments and boards to enter my property for the purpose of evaluating this application, including performing inspections during the application phase, post-approval phase, construction phase and occupancy phase. It is understood that these individuals must use all reasonable care, courtesy, and diligence when on the property.

Signature of Property Owner: _____ Date: 1/25/2023

# BRUTON & BERUBE, PLLC

ATTORNEYS AT LAW

FRANCIS X. BRUTON, III
CATHERINE A. BERUBE
JOSHUA P. LANZETTA

Of Counsel
JAMES H. SCHULTE

601 Central Avenue
Dover, NH 03820
Office - 603.749.4529

Cell - 603.777.0579
josh@brutonlaw.com


January 31, 2023

City of Dover, New Hampshire
Attn: Zoning Board of Adjustment
288 Central Avenue
Dover, NH 03820

**Re:** **Variance Application to Expand Hours of Operation**
**Applicant:** **StorageTek, LLC c/o Bruton & Berube, PLLC**
**Owner:** **Littleworth, LLC**
**MBLU:** **H0029-A00003**
**Zone:** **CM**

Dear Board Members:

The purpose of this letter is to submit a Variance Application to expand hours of operation (the "Application") on behalf of StorageTek, LLC (the "Applicant") at real property owned by the Littleworth, LLC (the "Owner"), located at Map H, Lot 29-A-3 (otherwise identified as 16 Littleworth Road) in Dover, New Hampshire (the "Property").

Pursuant to N.H. R.S.A. 674:33(I)(b)(1) – (5)[1] and the Zoning Ordinance of the City of Dover, New Hampshire[2], the Applicant seeks a variance under Ordinance section 170-12(A)[3] to expand the hours of operation of an existing storage facility (the "Project') and respectfully requests the Zoning Board of Adjustment (the "ZBA") schedule a hearing on March 16, 2023 to review and grant the Application.

---

[1] *RSA* 674:33(I)(b)(1) – (5).
[2] *Zoning Ordinance, Dover, NH* (2022) (the "Ordinance").
[3] *Ordinance*, § 170-12(A), 170-42; *Ordinance*, Commercial Manufacturing (CM) District, Conditional Use Permit Criteria, Self-Storage, C., 2.

## I. ENCLOSED DOCUMENTS

Enclosed please find 1-copy of the following documents:

1. Application dated January 24, 2023;
2. Abutters List dated January 24, 2023; and
3. Zoning Board of Adjustment, Notice of Decision dated August 19, 2019 (the "Notice of Decision").

## II. PROPERTY HISTORY & NARRATIVE

The Property consists of 3.974 acres improved with 3-buildings housing self-service storage units (the "Facility").

In 2019, Quantum Real Estate Group, LLC ("QREG") obtained a variance from the ZBA allowing the Facility to be built in the R-20 zone. This variance was contingent on limiting the Facility's hours of operation from 9 AM to 9 PM Monday thru Friday; and 10 AM to 6 PM on Saturday and Sunday (the "Restriction").[4]

In 2020, QREG obtained site plan approval for the Facility, including the Restriction as Note 17 on Page SP-1 of its Site Development Plan, Littleworth Storage dated July 16, 2020.

In 2020, Dover added the CM District to its Zoning Ordinance, allowing self-storage facilities in the CM District by conditional use permit, and limiting the hours of self-storage units abutting residential properties from 9 AM to 9 PM Monday thru Friday; and 10 AM to 6 PM on Saturday and Sunday (i.e., these hours are identical to the Restriction).[5]

QREG then built the Facility and sold the improved Property to the Applicant, who now seeks to reasonably expand its hours of operation by obtaining a variance and amending the Notice of Decision.

## III. LEGAL ANALYSIS

**The project substantially complies with the Ordinance, the Application, and the 5-variance criteria as set forth in NH RSA 674:33.**

The variance criteria are enumerated and *italicized* below with the Applicant's responses following in plain text.

*1. The variance is not contrary to the public interest.*

---

[4] *Notice of Decision* at 2.

[5] *Ordinance*, § 170-12(A), 170-42; *Ordinance*, Commercial Manufacturing (CM) District, Conditional Use Permit Criteria, Self-Storage, C., 2.

Expanding the Facility's hours of operation is not contrary to the public interest. The public interest is served by permitting the orderly development of property in a locus specifically zoned for commercial use. Here the Facility is in a zone comprised of commercial and industrial businesses operating before 9 am. Expanding the Facility's hours of operation will not 1) alter the essential character of the surrounding neighborhood, 2) impact abutters, and/or 3) affect the public.

2. *The spirit of the ordinance is observed.*

The spirit of the ordinance is observed because the Project represents a reasonable use of property when balanced with the location, zone, and permitted use of the Property. Allowing the Applicant to operate its business more effectively by mirroring the operating hours of surrounding businesses encourages the most appropriate use of land in Dover's CM zone when juxtaposed with the zone's intent to allow various commercial uses.

3. *Substantial justice is done.*

Substantial justice is done by granting this variance because it allows the Property to be reasonably used considering abutting property uses (i.e., commercial and industrial), its location in the CM Zone, and the existing storage buildings currently on the Property. This proposal does not burden the public in any way, and substantially benefits the Applicant by allowing it to reasonably use the Property with no detrimental effect to surrounding property.

4. *The values of surrounding properties are not diminished.*

The Applicant respectfully asserts that all surrounding properties have an associated value that is premised upon the existence of structures and features like those located on the Property. Here, expanding business hours will not affect any abutting neighbor and is consistent with other uses in the near vicinity and promoted in the existing zoning.

5. *Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.*

a) *No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property.*

It is completely unnecessary to limit self-storage hours in the CM zone. Self-storage inherently experiences low traffic volume. Expanded operating hours poses no detriment to the public. The operating hours of commercial and industrial businesses operating in the CM zone are not limited. Accordingly, there is no fair and substantial relationship between the hour limitation and its application to the Property.

b) *The proposed use is a reasonable one.*

It is reasonable to allow expanded operating hours considering the multitude of businesses operating without restriction in the CM zone. Equitably unified operating hours in the CM zone promotes the orderly development of property in the City of Dover.

6. *Special Condition of Property.*

The storage buildings located on the Property are sited on the back of the lot and away from the street. As a result, expanded operating hours will pose no impact to residential neighbors.

## IV. RELIEF REQUESTED

Pursuant to NH RSA 674:33, the Applicant respectfully requests the ZBA:

1. Approve the Application;

2. Grant a variance;

3. Amend the Notice of Decision; and

4. Grant all relief necessary to approve the Application.

Please do not hesitate to contact me with questions or concerns at josh@brutonlaw.com or 603-749-4529.

Sincerely,

/s/ Josh Lanzetta

Josh Lanzetta, *Esq.*

ABUTTERS LIST
January 25, 2023

| | |
|---|---|
| **Re:** | **Abutters List for Variance Application to Expand Hours of Operation** |
| **Applicant:** | **StorageTek, LLC c/o Bruton & Berube, PLLC** |
| **Owner:** | **Littleworth, LLC** |
| **MBLU:** | **H0029-A00003** |
| **Zone:** | **CM** |

**Owners**
Littleworth, LLC
74 Industrial Park Drive
Dover, NH 03820

**Applicant**
StorageTek, LLC
16 Littleworth Road
Dover, NH 03820

**Abutters**
H0029-A00001
H0029-A00000
Atlantic Broadband NH-ME, LLC
2 Batterymarch Park, #205
Quincy, MA 02169

H0031-000000
Ruth K. Sousane
Nancy K. Quinlan
30 Littleworth Road
Dover, NH 03820

H0033-E00000
Denis & Nancy Quinlan
89 Knox Marsh Road
Dover, NH 03820

H0033-A00000
Kevin & Lydia Cooper
3100 NE 49th Street, Apt. 803
Ft. Lauderdale, FL 33308-4946

H0033-000000
DMC Real Estate Holdings, LLC
134 Ten Rod Road
Rochester, NH 03867

H0032-A00001
Robert & Marilyn Sherwood
Trustees of the Robert & Marilyn Family Revocable Trust
11 Lisa Beth Circle
Dover, NH 03820

H0029-A00005
David Carolyn Dupont
Trustees of the Dupont Family Revocable Living Trust
24 Lisa Beth Corner
Dover, NH 03820

H0029-A00004
Above All Things NH, LLC
279 High Street
Somersworth, NH 03878

H0029-000000
Bernard & Ramona Stillwagon
20 Old Littleworth Road
Dover, NH 03820

**Professionals**
Bruton & Berube, PLLC
Attn: Josh Lanzetta, *Esq.*
601 Central Avenue
Dover, NH 03820

CITY OF DOVER

# Zoning Board of Adjustment – STAFF MEMO

| | |
|---|---|
| Meeting Type: | Regular Meeting |
| Meeting Location: | Council Chambers, City Hall 288 Central Ave. Dover, NH 03820 |
| Meeting Date: | **Thursday, April 20, 2023** |
| Meeting Time: | **7:00 pm** |

**INTENT:** The Applicants (Alexandra Martin & Shawn Kelly and Elizabeth Demosthenes Rodgers) both request an appeal of a February 17, 2023 administrative decision regarding a Customary Home Occupation under **Section 170-18 of the Zoning Ordinance**. The Zoning Administrator determined that a private dog park does not constitute an allowable Customary Home Occupation.

**UNITS PROPOSED:** N/A

**AGENDA ITEM #:** 3-B, 3-C

**ZONING DISTRICT:** R-12

**FILE:** ZONE-2023-0011, ZONE-2023-0011-12

**APPLICANTS/APPELLANTS:**
Alexandra Martin & Shawn Kelly and Elizabeth Demosthenes Rodgers

**LOCATION OF APPELLANTS:** Rodgers (of 9 Middlebrook Road; Tax Map K, Lot 44) and Martin/Kelly (of 7 Middlebrook Road; Tax Map K, Lot 43)

**ACREAGE:** N/A

**EXISTING LAND USE:** Residential

**PROPOSED LAND USE:** Residential

**SURROUNDING LAND USE:**
Residential

**PREVIOUS ZBA ACTION:** None

**PLANNING BOARD APPROVAL REQUIRED:** No

**ATTACHMENTS:** Applications; Staff Memo with Exhibits, including Zoning Administrator Determination dated 2/17/2023, Public Comment thus far

**STAFF RECCOMENDATION:**
Deny the CHO and affirm staff.

## BACKGROUND INFORMATION

Per state law (*See* RSA 676:5) and **§ 170-52.C(1)(a), Powers and Duties** of the Zoning Ordinance, one of the powers of the Zoning Board of Adjustment is: "To hear and decide appeals where it is alleged there is error in any order, requirements, decision or determination made [by the Zoning Administrator] in the enforcement of this Chapter (interpretation of ordinance)." See also **§170-52.C(2), Interpretation of Chapter**.

Alexandra Martin & Shawn Kelly and Elizabeth Demosthenes Rodgers, respectively, appeal the Zoning Administrator's determination, dated February 17, 2023, germane to their denied Customary Home Occupation ("CHO") application(s), on the basis that their proposed use does not qualify as a CHO. Please see the determination letter attached, as Exhibit A.

The subject properties are located in a residential neighborhood; the parties abut one another, and the property owners have combined their two backyard areas, in essence, by installing a fence around the rear perimeter of their lots (thereby creating one large dog enclosure).

Staff's interpretation was that the proposed use does not qualify as a CHO for two main reasons: First, the definition for CHO states: "**CUSTOMARY HOME OCCUPATION** means an occupation carried on as a secondary use in a DWELLING UNIT or accessory BUILDING by the occupant of such unit." This proposed use is neither in a dwelling unit, nor requested by the occupant of such unit, instead, it is proposed in the "shared" backyard and it is proposed by the occupants, and their direct neighbors, in concert. Second, and separately, the proposed use appears in conflict with the requirements of §170-18, most notably Subsections G. and H.

## STAFF RECOMMENDATION

Staff recommends that the Board open the public hearing, accept testimony, and make findings. Staff recommends that the Board review relevant language within the Dover Code, in particular the CHO regulations (*See* § 170-18.), and applicable definitions (*See* § 170-6.B.).

The sole issue of this case is whether the use proposed, a private dog park generating revenue, is in conformity with the intent of the CHO. While a compliant CHO is a permitted use in all Residential Districts within the City of Dover, the Zoning Ordinance expressly states: "…that such uses are clearly incidental and secondary [to] residential purposes…" and must "…be unobtrusively pursued in a residential area" (*See* § 170-18.A.). At a minimum, this proposed use will consist of a conspicuous increase in traffic along Middlebrook, as dog visits are scheduled for 30-60-minute intervals throughout the day.

The CHO regulations continue in Subsection G., providing further guidance, stating: "The BUILDINGs or premises occupied shall not be rendered objectionable or detrimental to the residential character of the NEIGHBORHOOD because of the exterior appearance, traffic emission of odor, gas, smoke, dust, noise, electrical disturbance, light emissions, or in any other way."

At a minimum, the very presence of a fresh grouping of dogs continually throughout the day, allowed to roam and explore an area spanning two backyards, will produce atypical sounds distinctly different than a pet wandering within an area familiar to them. It is easy to imagine multiple groups of dogs each day, excited and creating commotion during loading/unloading a vehicle in anticipation of playing outside (or having just finished doing so). That is to say nothing of the dog activity during the play. In that sense, the proposed use of a private dog park could be conceived as an intensive, commercialized dog care-taking operation, occurring within the boundaries of an otherwise ordinary low-density residential area. It also bears noting that the appellants observe that they listed their properties with Sniffspot.org. That organization, however, expressly states: "For zoning purposes, Sniffspot is generally not to be considered a home occupation…" *See* attached excerpt from Sniffspot.org, as Exhibit B.

The proposed scope of use by the appellants (i.e., of the majority of their yards) also runs afoul of the spirit, if not also the letter, of the "25% existing net FLOOR AREA" restriction (maximum of 600 feet) within section 170-18, subparagraph H of the zoning ordinance. This proposed use would affect a far larger proportion of each property, as shown in the GIS measurements attached, as Exhibit C. *See Hoppe v. Zoning Hearing Bd of Borough of Portland*, 910 A.2d 756 (Pa. Cmw. October 19, 2006) (holding that dog breeding business not a CHO because, in part, dogs had "run of the house" and "run of the yard" and therefore occupies too much area).

Under Subsection H., the CHO regulations continue, stating: "The following uses, by nature of the investment or operation, have a potential to rapidly increase beyond the limits specified above for home occupations and impair the use, value and quiet enjoyment of adjacent residential properties." Specifically relevant in this case, is the identification of "KENNEL" and the statement that "…and others of a similar nature shall not be considered as home occupations." The Zoning Ordinance defines as: "KENNEL means any BUILDING(s) or land operated as a business for the boarding, breeding, training, or selling of five (5) or more dogs, cats or other household pets." Staff's belief is that the proposed use of a private dog park is intrinsically analogous in its nature to that of a forbidden kennel. *See McFadden v. Town of Westmoreland Zoning Bd.*, 2019 N.Y. Slip Op 06348 (August 22, 2019 N.Y. App. Div.) (holding proposed dog training business use held not a CHO; observing "the proposed dog training business is not the sort of occupation customarily carried on in a dwelling unit, and our conclusion is further justified by the fact that petitioners here are not attempt to carry on a typical home occupation but instead propose to lease a portion of their property, but not the dwelling, for use by others"); *Lowney v. Zoning Bd of Appeals of Black Point Beach Club Assn*, 71 A.3d 670 (Conn. App. July 16, 2013) (discussing comparison of proposed use to uses expressly prohibited). Another similar use could be "commercial recreation" which is not an allowed use in this district and would require a Variance to be permitted.

In their submittals, the appellants supplied a change.org petition listing consisting of 850+ signatures, in support of the "Grant Dover Dog Run an Operating Permit" petition, most of whom have no significance because the signatories by and large reside in neither the City of Dover, New Hampshire nor even this state or country. Those individuals have no standing in this matter. Furthermore, the individual petitions submitted on behalf of neighbors along Middlebrook Road, Applevale Drive, and Newport Road are noted and appreciated, however, current abutters will likely change over time as properties are sold, whereas the decision made tonight – the determination of the proposed use before you of whether a private dog park can or cannot be considered a CHO – is precedent setting and, if granted, could be applied for properties throughout Dover neighborhoods. Also, at least one abutter submission by the applicants noted already-existing traffic concerns (Alex Vacca of 12 Middlebrook Road, attached to appeals).

It also appears from the appeal documents that an entity named "Dover Dog Run LLC" may or will be the operational entity conducting the proposed use. However, the definition of CHO requires that the occupation be "carried on . . . by the occupant." (*See* § 170-6.B; *see also* § 170-18.C). As staff noted in earlier correspondence to the applicants, the plain text of the zoning ordinance indicates that the CHO be carried on by the occupant of such unit, not multiple occupants over multiple units. The proposed use spans the combined yards of two properties, making the use by definition beyond each owner's individual property. *See Ferron v. Concord*, 102 N.H. 32 (1959) (roofing business conducted outside the home is not a customer home occupation). Furthermore, the use of a commercial entity (an LLC) with equity members in a business venture could be considered evidence against a use being a true home occupation. A copy of the LLC's formation filing (with the New Hampshire Secretary of State's Office) is attached as Exhibit D.

Staff would also observe that there are several factual inaccuracies in the appellants' submission concerning interactions between the Planning office and the appellants, though such inaccuracies are immaterial to the substantive issue before the Board. City staff are well-aware of their constitutional obligations to assist the public with navigating the land use process and at all times City staff in fact assisted the applicants with their inquiries. In staff's view, the proposed use (private dog park for commerce) is not allowed in the applicable zoning table. The applicants were advised of the CHO as one option potentially available for allowing the use, should they meet the criteria and it be approved, and also were informed of the potential to apply for a use Variance as another option. Staff did not indicate a CHO would be approved—only that it was one potential option, before realizing the scope of the application. At this time, the appellants have not sought a Variance.

In summary, based upon the above considerations, the essential attributes of a Customary Home Occupation, in staff's determination, are not met in the proposed use as submitted by the appellants in their applications.

Exhibit A

DONNA P. BENTON, AICP
Director of Planning and
Community Development
d.benton@dover.nh.gov

288 Central Avenue
Dover, New Hampshire 03820-4169
(603) 516-6008
Fax: (603) 516-6049
www.dover.nh.gov

# City of Dover, New Hampshire

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

February 17, 2023

Alexandra Martin ***(via email - martin.alix@gmail.com)***
7 Middlebrook Road
Dover, NH 03820

Elizabeth Rodgers ***(via email - doverdogrun@gmail.com)***
9 Middlebrook Road
Dover, NH 03820

**RE: CHO Denial Letter for 7 & 9 Middlebrook Road, Permit # ZONE-2023-0020/21**

Dear Ms. Martin and Ms. Rodgers:

Thank you both for the submission of your Customary Home Occupation ("CHO") application(s) for your properties at 7 Middlebrook Road (Tax Map K, Lot 43) and 9 Middlebrook Road (Tax Map K, Lot 44), for the joint use of a "private dog park". The purpose of this letter is to provide feedback as to the substance of the denial of the CHO application. I will detail below the reasons, two-fold, as to why the CHO cannot be approved due to its lack of conformity with the intent of the Zoning Ordinance §170-18., the Customary Home Occupations regulations.

1. *CHO Definition –*

   **CUSTOMARY HOME OCCUPATION** means an occupation carried on as a secondary use in a DWELLING UNIT or accessory BUILDING by the occupant of such unit.

2. *Standards of subsections G. and H. –*

   G. The BUILDINGs or premises occupied shall not be rendered objectionable or detrimental to the residential character of the NEIGHBORHOOD because of the exterior appearance, traffic emission of odor, gas, smoke, dust, noise, electrical disturbance, light emissions, or in any other way. In a MULTIFAMILY DWELLING, the use shall in no way become objectionable or detrimental to any residential use within the multifamily STRUCTURE.

   H. Any such BUILDING shall include no feature of design not customary in BUILDINGs for residential use. The following uses, by nature of the investment or operation, have a potential to rapidly increase beyond the limits specified above for home occupations and impair the use, value and quiet enjoyment of adjacent residential properties. Therefore, uses such as Retail, Clinic, Landscaping, Freight, Trucking or Shipping, Painting of Vehicles, Trailers and Boats, Restaurants, Caterers or Bakeries, Taxi Service, Tool or Equipment Rental, Veterinary hospital or KENNEL and others of a similar nature shall not be considered as home occupations.

First, the purpose of a CHO certificate of use is to provide an allowable avenue, through zoning, for certain uses to be carried out within residential districts, so long as the occupation is secondary and incidental to a subject property's primary (residential) use and does not change the residential character thereof. The definition of the CHO is clear that the occupation is carried on as a secondary use **in** a unit, while the use you propose is principally if not entirely outside of the dwelling. *See Hancook v. Concord*, 111 N.H. 413, 414 (1971) (holding occupation as real estate agent not a customary home occupation as it "may not readily be carried on within the confines of the home as can all those enumerated in the ordinance"); *Perron v. Concord*, 102 N.H. 32 (1959) (roofing business conducted outside the home not a customary home occupation). The plain text of the zoning ordinance also indicates that the CHO be carried by the occupant of such unit, not multiple occupants over multiple units. Similarly, it is unclear whether renting one's

backyard for dogs to utilize equates to an occupation, rather than a rental of private space. Furthermore, Chapter 170-18. serves to regulate and restrict the CHO use, akin to state statute, and the local land use planning and regulatory powers therein, *See.* RSA 674:16(d), "The location and use of buildings, structures and land used for business, industrial, residential, or other purposes."

Second, I am not persuaded that the use, which is effectively a "private dog park" use, is contemplated by the plain text noted above under subsection G. and H. of Chapter 170-18. First, the number of dogs (four) falls just under the threshold of a regulated "kennel." Against that backdrop, the question becomes whether the use is truly customary and whether it has the potential to change the residential character of the neighborhood. Residential districts within the City of Dover aim to "...provide a wide range of residential units to provide the citizens of Dover with a balance of housing choices, with varying housing types, densities and costs. The goal is to preserve and create City neighborhoods that are safe and promote harmonious development." (*See.* District purpose statement in §170-7.B.(1)). True, dog ownership is typical of a residential home, even the ownership of multiple dogs. But it is one thing to have one or two dogs who live together and are periodically in the yard. It is qualitatively distinct to consistently have four dogs, the identities of which can or will change over time, traversing two-yards as part of a revenue-generating use.

Additionally, there is literature establishing that dogs have conflicts in dog parks and can cause other adverse consequences. *See,e.g.*, Chen et al, Benefits and Conflicts: A Systematic Review of Dog Park Design and Management Strategies, MDPI, at 2 (2022), available at (https://www.mdpi.com/2076-2615/12/17/2251) ("Dogs that suffer from behavioral issues may trigger dog fights and aggregation-based dog conflicts . . . . Most existing issues in dog parks ultimately result from conflicts between different dogs, dog owners and non-dog owners, and impacts of ordinary dog park usage on environmental resources, such as the vegetation, soil, and other park uses."); S. Lowrey, *The Dog Park Is Bad, Actually*, New York Times (February 6, 2020). While you may disagree with these views, or feel you could control for or mitigate them, the point is that the use you are proposing nonetheless seems out of step with a normal residential neighborhood, which in the end weighs against it being "customary." In addition, I have personally received complaints from abutters of a very similar use (private dog park) you propose, at another address in Dover, underscoring and weighing against a finding that a private dog park in a residential neighborhood is a customary home occupation. *See Narbonne v. Rye*, 130 N.H. 70, 74 (1987) (affirming finding that adverse effects on residential neighborhood supported finding an art studio and sales was not customary home occupation).

In closing, this letter serves as my formal administrative determination. I would call your attention to your potential appeal rights. You may have the ability to appeal my determinations concerning the City of Dover's zoning ordinance to the Zoning Board of Adjustment (ZBA) pursuant to the RSA 676:5. Be aware that the ZBA imposes a 30-day filing requirement per its Rules of Procedure, Article V. - Procedures:

> **B. Appeals.** Appeals from an administrative decision taken under New Hampshire RSA 676:5 shall be filed with the Planning Department within thirty (30) days of the date of the decision. Any appeal made after this deadline will not be considered timely.

Alternatively, you may seek a variance from the Zoning Board of Adjustment to allow the use you propose. I am happy to provide more information about the variance process if you would like.

We appreciate the time you both took to file a CHO application with our office, as well as your transparency and attention to detail in outlying your request. While I can appreciate that this may not have been the outcome you were seeking, I do suggest connecting with staff in the City's Business Development office, as to help you find a suitable location for this type of commercial business.

If you have any questions, please feel free to contact me directly, either by telephone at (603) 516-6008, or by email at n.kypfer@dover.nh.gov.

Sincerely,

Natasha M. Kypfer

Natasha M. Kypfer
Zoning Administrator/Assistant City Planner

cc: Donna P. Benton, AICP — Director of Planning & Community Development (via email)
Joshua Wyatt, Esq. — City Attorney (via email)

# Are there local regulations for Sniffspot?

We require our hosts to comply with all local laws, regulations, and zoning ordinances. While we do not provide legal advice, we can provide you with helpful guidelines to consider, such as:

**Business License:** many jurisdictions require a business license for any kind of money-making activity. We recommend checking your local jurisdiction website and getting a business license proactively if needed. If required, in most cases, it is straightforward to get a business license. Every local government varies widely in their allowances and restrictions for property owners, so we recommend researching your local rules and working with a local lawyer if it makes sense to do so. Below are some general guidelines that we have found helpful to ensure that cities don't misunderstand Sniffspot, but make sure to customize this for your specific situation:

- I am renting my yard from time to time to local dog owners by the hour who use this space to safely walk their dog.
- This is an important public service because many dog owners do not have private space to walk their dog and I can provide a good space for this. This helps our city by lowering the density of dogs in public parks, reducing dog waste that is not picked up in public areas and keeping dogs safe.
- This is not a home occupation, I am just renting space on my property from time to time to one dog owner at a time. This is only the rental of part of my property, I am not renting the full property to the dog owners. I will continue to live and be located on the property while renting my yard.
- This is not a kennel. Dog owners renting my yard may not leave their dogs at any time—the owners are required to remain present and maintain custody and control of their dogs at all times while walking their dog in my yard. I am not providing any services to the dog.
- Only one rental is permitted at a time—i.e., I will not have multiple sets of dog owners using my yard simultaneously
- I will comply with all local regulations around noise, number of dogs on the property and number of visitors.

**Remitting Taxes:** Most jurisdictions require that taxes be submitted for earnings collected.

**Zoning Laws:** Some cities have laws that regulate the way you can use your home. You can find such laws in the zoning or planning codes or the city ordinances. For zoning purposes, Sniffspot is generally not to be considered a home occupation and not a public dog park but instead the rental of a private portion of a host's property for one booking at a time. If you have further questions or concerns, you can contact your local municipality.

**Other:** There can be other laws and regulations that could apply to your listing. Be sure to check with your local government if you have specific questions or concerns.Different jurisdictions have different requirements for business licenses and, due to the nature of local requirements, we do not provide guidance on specific local requirements for any hosts. If required, in most cases it is very easy to get a business license. We require our hosts to comply with all local laws, regulations and zoning.

If you are approached by a city, state or other government organization regarding your spot, please email support@sniffspot.com to notify us.

If you have further questions, it may helpful to speak with a tax professional, your local municipality, or a lawyer.

--

Ready to host? You can learn more and get started here (https://www.sniffspot.com/host).

Did this answer your question?

*Last updated on August 9, 2022*

**Property Information**

| | |
|---|---|
| **Property ID** | H0001-000000 |
| **Location** | 301 DURHAM RD |
| **Owner** | JOHNSON CREEK VILLAGE LLC |
| **Land Use** | 304 |
| **Zoning Code** | C |

MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

City of Dover, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 12/16/2022
Data updated Daily

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

# State of New Hampshire
# Department of State

Filed
Date Filed : 01/02/2023 03:53:00 PM
Effective Date : 01/02/2023 03:53:00 PM
Filing # : 5919386 Pages : 2
Business ID : 919787
David M. Scanlan
Secretary of State
State of New Hampshire

Form LLC-1
RSA 304-C:31

CERTIFICATE OF FORMATION
NEW HAMPSHIRE LIMITED LIABILITY COMPANY

THE UNDERSIGNED, under the New Hampshire Limited Liability Company Laws submits the following certificate of formation:

**FIRST**: The name of the limited liability company is:

**DOVER DOG RUN LLC**

**Principal Business Information**:

Principal Office Address:

| **9 Middlebrook Road** | **Dover** | **NH** | **03820** . |
|---|---|---|---|
| (no. & street) | (city/town) | (state) | (zip code) |

Principal Mailing Address (if different):

| **9 Middlebrook Road** | **Dover** | **NH** | **03820** . |
|---|---|---|---|
| (no. & street) | (city/town) | (state) | (zip code) |

Business Phone: **6039696077**

Business Email: **doverdogrun@gmail.com**

Notification Email: **doverdogrun@gmail.com**

_____ Please check if you would prefer to receive the Annual Report Reminder Notice by email.

**SECOND**: Describe the nature of the primary business or purposes (and if known, list the NAICS Code and Sub Code):

**53-Real Estate and Rental and Leasing - 311-Residential Property Managers**

**THIRD**: The name of the limited liability company's initial registered agent is:

**Elizabeth Rodgers** .

The complete address of its registered office (agent's business address) is:

| **9 Middlebrook Road** | **Dover** | **NH** | **03820** . |
|---|---|---|---|
| (no. & street) | (city/town) | (state) | (zip code) |

**FOURTH**: The management of the limited liability company **is not** vested in a manager or managers.

The period of its duration is: **Perpetual** .

Title: **Member**

Signature: **Elizabeth Rodgers**

Name of Signer: **Elizabeth Rodgers**

Date signed: **01/02/2023**

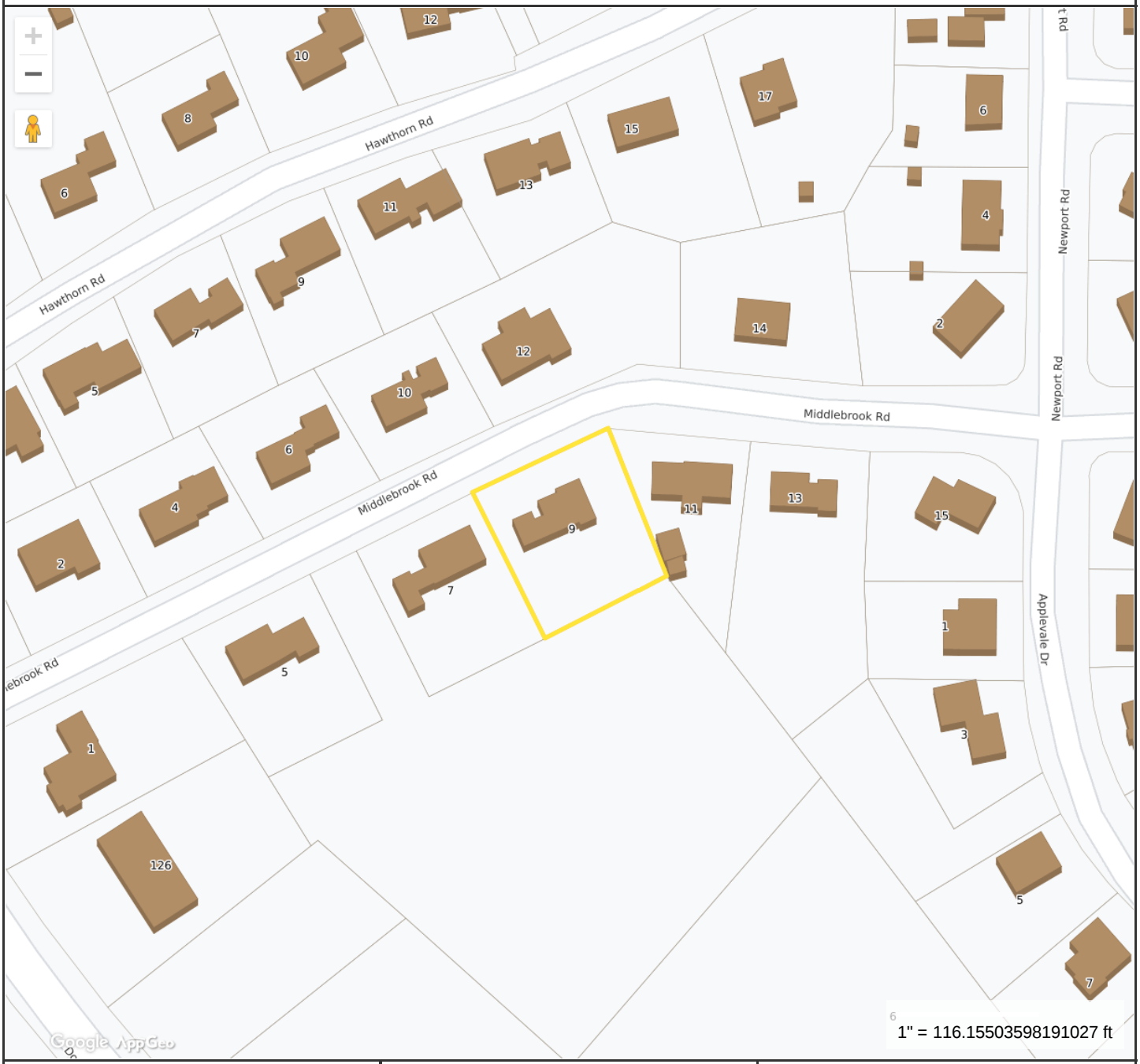
Effective Date: **01/02/2023 03:53:00 PM**

Note: The sale or offer for sale of membership interests of the limited liability company will comply with the requirements of the New Hampshire Uniform Securities Act (RSA 421-B). The membership interests of the limited liability company: 1) have been registered or when offered will be registered under RSA 421-B; 2) are exempted or when offered will be exempted under RSA 421-B; 3) are or will be offered in a transaction exempted from registration under RSA 421-B; 4) are not securities under RSA 421-B; OR 5) are federal covered securities under RSA 421-B. The statement above shall not by itself constitute a registration or a notice of exemption from registration of securities within the meaning of sections 448 and 461(i)(3) of the United States Internal Revenue Code and the regulation promulgated thereunder.

* Must be signed by a **manager**; if no manager, must be signed by a **member**.

DISCLAIMER: All documents filed with the Corporation Division become public records and will be available for public inspection in either tangible or electronic form.

# ZONE-2023-0011 9 Middlebrook Road




**Property Information**

| | |
|---|---|
| **Property ID** | K0044-000000 |
| **Location** | 9 MIDDLEBROOK RD |
| **Owner** | DEMOSTHENES RODGERS ELIZABETH |
| **Land Use** | 101 |
| **Zoning Code** | R-12 |

MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

City of Dover, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 12/16/2022
Data updated Daily

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

# PERMIT SNAPSHOT REPORT ZONE-2023-0011
# FOR CITY OF DOVER, N.H.

| | | | | | |
|---|---|---|---|---|---|
| **Permit Type** | Zoning | **Project:** | | **App Date:** | 03/18/2023 |
| **Work Class:** | Administrative Appeal | **District:** | None | **Exp Date:** | NOT AVAILABLE |
| **Status:** | Fees Paid | **Square Feet:** | 0.00 | **Completed:** | NOT COMPLETED |
| **Valuation:** | $0.00 | **Assigned To:** | Blonigen, Rachel | **Approval Expire Date:** | |

**Description:** To allow private back yards to be rented as a by-appointment-only, dog-play space. With restrictions to number of guests and more.

| | | |
|---|---|---|
| **Parcel:** K0044-000000 Main | **Address:** 9 Middlebrook Road Main<br>Dover, NH 03820<br>9 Middlebrook Rd<br>Dover, 03820 | **Zone:** R-12(Residential - Medium Density) |

Applicant
Elizabeth Rodgers
9 Middlebrook Road
Dover, NH 03820
Business: (603) 969-6077
Mobile: (603) 969-6077

**Permit Custom Fields**

| | | | | | |
|---|---|---|---|---|---|
| ZoneAdmnPlanSummary | Our business is in renting our private land for natural recreation, outdoor walking, bird watching, playing fetch and enjoyment of the natural views across the adjacent undeveloped wetlands property. True, our target audience is dog owners, but our business is not in dogs, per se. | ZoneAdmnAppealSect | See attachment | ZoneAdmnAppealSectDetail | See attachment |
| What is the parcel zoned? | R-12 | | | | |

| Attachment File Name | Added On | Added By | Attachment Group | Notes |
|---|---|---|---|---|
| 852 Petition Signatures - Sheet1.pdf | 03/18/2023 12:25 | Rodgers, Elizabeth | | Uploaded via CSS |
| Amy Stanganelli 3.9.23.pdf | 03/18/2023 12:25 | Rodgers, Elizabeth | | Uploaded via CSS |
| annonymous.pdf | 03/18/2023 12:25 | Rodgers, Elizabeth | | Uploaded via CSS |
| David Chasse 2.25.23.pdf | 03/18/2023 12:25 | Rodgers, Elizabeth | | Uploaded via CSS |
| Debbie Niles, 2 Newport.jpg | 03/18/2023 12:25 | Rodgers, Elizabeth | | Uploaded via CSS |
| DianaCarpinone March 10.pdf | 03/18/2023 12:25 | Rodgers, Elizabeth | | Uploaded via CSS |
| Flo 10 Middlebrook.jpg | 03/18/2023 12:25 | Rodgers, Elizabeth | | Uploaded via CSS |
| Jenni Harris 2.26.23.pdf | 03/18/2023 12:25 | Rodgers, Elizabeth | | Uploaded via CSS |
| JoAnne Miles 2.27.23.pdf | 03/18/2023 12:25 | Rodgers, Elizabeth | | Uploaded via CSS |
| Kaitlyn Palmer 2-27-23.png | 03/18/2023 12:25 | Rodgers, Elizabeth | | Uploaded via CSS |
| Lily Rodgers 2-28-23.png | 03/18/2023 12:25 | Rodgers, Elizabeth | | Uploaded via CSS |
| Liz's Appeal.pdf | 03/18/2023 12:25 | Rodgers, Elizabeth | | Uploaded via CSS |
| markham 5 Middlebrook.jpg | 03/18/2023 12:25 | Rodgers, Elizabeth | | Uploaded via CSS |
| McKenna Newell 3.9.23.pdf | 03/18/2023 12:25 | Rodgers, Elizabeth | | Uploaded via CSS |
| peck 15 Middlebrook.jpeg | 03/18/2023 12:25 | Rodgers, Elizabeth | | Uploaded via CSS |
| Petition Comments - Sheet1.pdf | 03/18/2023 12:25 | Rodgers, Elizabeth | | Uploaded via CSS |

# PERMIT SNAPSHOT REPORT (ZONE-2023-0011)

| | | | |
|---|---|---|---|
| planning dept authorization.jpg | 03/18/2023 12:25 | Rodgers, Elizabeth | Uploaded via CSS |
| vacca 12 middlebrook.jpg | 03/18/2023 12:25 | Rodgers, Elizabeth | Uploaded via CSS |
| Wally & Esther 6 Middlebrook.jpg | 03/18/2023 12:25 | Rodgers, Elizabeth | Uploaded via CSS |
| Permit Snapshot Report.pdf | 03/18/2023 12:25 | Service, EnerGov | Attached by IO - ATTACH: Initial Permit Snapshot |
| Signature_Elizabeth_Rodgers_3/18/2023.jpg | 03/18/2023 12:25 | Rodgers, Elizabeth | Uploaded via CSS |

| Invoice No. | Fee | Fee Amount | Amount Paid |
|---|---|---|---|
| INV-00002677 | Planning Zoning Appeal from Admin Decision Fee | $200.00 | $200.00 |
| | **Total for Invoice INV-00002677** | **$200.00** | **$200.00** |
| INV-00002823 | Planning Certified Mailing to Abutters | $176.00 | $176.00 |
| | Planning Public Notice in Newspaper | $100.00 | $100.00 |
| | Planning Certified Mailing to Application Contacts | $8.00 | $8.00 |
| | **Total for Invoice INV-00002823** | **$284.00** | **$284.00** |
| | **Grand Total for Permit** | **$484.00** | **$484.00** |

| Submittal Name | Status | Received Date | Due Date | Complete Date | Resubmit | Completed |
|---|---|---|---|---|---|---|
| Planning Permit Application Review v.1 | Approved | 03/20/2023 | 04/17/2023 | 04/06/2023 | No | Yes |

| Item Review Name | Department | Assigned User | Status | Assigned Date | Due Date | Completed Date |
|---|---|---|---|---|---|---|
| Zoning Administrator | Planning | Kypfer, Natasha | Approved | 03/20/2023 | 04/17/2023 | 03/30/2023 |

**Comments:** Item scheduled to be heard at April ZBA, on 4/20/2023 at 7PM.

| Workflow Step / Action Name | Action Type | Start Date | End Date |
|---|---|---|---|
| **Review v.1** | | 03/20/2023 0:00 | 04/06/2023 14:19 |
| Confirm application complete v.1 | Generic Action | | 03/20/2023 10:47 |
| Planning Permit Application Review v.1 | Receive Submittal | 03/20/2023 0:00 | 04/06/2023 14:19 |
| **Zoning Board v.1** | | 04/06/2023 14:20 | |
| Zoning Board Agenda v.1 | Task | 04/06/2023 14:20 | 04/06/2023 14:20 |
| Invoice for Notices v.1 | Task | 04/06/2023 14:20 | |
| Send Notices v.1 | Task | | |
| Zoning Administrator Creates Staff Recommendations v.1 | Task | | |
| Distribute Zoning Board Materials v.1 | Task | | |
| Zoning Board Hearing v.1 | Hold Hearing | | |
| Zoning Board Decision v.1 | Permit Activity | | |
| NOD Sent to Applicant v.1 | Create Report | | |
| **Final Plan v.1** | | | |
| Plans uploaded to Treeno v.1 | Generic Action | | |
| Property Info Group v.1 | Generic Action | | |
| **Create/Link to Records v.1** | | | |
| Create / Link to Permit - Building Complex v.1 | Create Sub Permit | | |

**ZONE-2023-0011** **9 MIDDLEBROOK ROAD**

| Property ID | Location | Owner 1 | Owner 2 | Owner Address 1 | City | State | Zip |
|---|---|---|---|---|---|---|---|
| 17129-000000 | 7 HAWTHORN RD | BARRETT JOHANNA | | 7 HAWTHORN RD | DOVER | NH | 03820 |
| 17130-000000 | 9 HAWTHORN RD | KENNEDY KERRY J & | TOBIASSEN KRISTEN M | 9 HAWTHORN RD | DOVER | NH | 03820-4218 |
| 17131-000000 | 11 HAWTHORN RD | SMITH ANDREW R | SMITH HOLLY WELSH | 11 HAWTHORN RD | DOVER | NH | 03820 |
| 17132-000000 | 13 HAWTHORN RD | ANDERSON LAURIE S | | 13 HAWTHORN RD | DOVER | NH | 03820-4218 |
| 17134-000000 | 4 MIDDLEBROOK RD | HEGARTY MATTHEW G | HEGARTY LESLEY J | 4 MIDDLEBROOK RD | DOVER | NH | 03820 |
| 17135-000000 | 6 MIDDLEBROOK RD | GRAY WALLACE S & | EATON ESTHER J | 6 MIDDLEBROOK ROAD | DOVER | NH | 03820 |
| 17139-000000 | 17 HAWTHORN RD | TOUPIN AMANDA L & | TOUPIN CAITLIN B | 17 HAWTHORNE RD | DOVER | NH | 03820 |
| 17139-A00000 | 15 HAWTHORN RD | COFFEY ALISON | | 15 HAWTHORN ROAD | DOVER | NH | 03820 |
| K0015-H00000 | 1 APPLEVALE DR | CARRIER SHIRLEY A | CARRIER PAUL P | 1 APPLEVALE DRIVE | DOVER | NH | 03820 |
| K0015-J00000 | 3 APPLEVALE DR | OLDFIELD BRAD F | | 3 APPLEVALE DR | DOVER | NH | 03820 |
| K0015-K00000 | 15 MIDDLEBROOK RD | PECK DAVID T & | PECK SARAH R | 15 MIDDLEBROOK RD | DOVER | NH | 03820 |
| K0018-D00000 | 2 NEWPORT RD | NILES DEBORAH L | | 2 NEWPORT RD | DOVER | NH | 03820 |
| K0030-M00003 | 6 DOVER POINT RD | PILGRIM PLAZA | | PILGRIM PLAZA | DOVER | NH | 03820 |
| K0042-A00000 | MIDDLEBROOK RD | 6 DPR REALTY LLC | | 818 CENTRAL AVE | DOVER | NH | 03820 |
| K0043-000000 | 7 MIDDLEBROOK RD | MARTIN ALEXANDRA & | KELLY SHAWN | 7 MIDDLEBROOK RD | DOVER | NH | 03820 |
| K0045-000000 | 14 MIDDLEBROOK RD | ASHMAN-KING JILL E & | KING MICHAEL P | 14 MIDDLEBROOK RD | DOVER | NH | 03820 |
| K0046-000000 | 12 MIDDLEBROOK RD | VACCA ALEXANDER M | | 12 MIDDLEBROOK RD | DOVER | NH | 03820 |
| K0047-000000 | 10 MIDDLEBROOK RD | CUEVAS FLORENSIA | | 10 MIDDLEBROOK ROAD | DOVER | NH | 03820 |
| K0048-000000 | 5 MIDDLEBROOK RD | MARKHAM DIANA C | | 5 MIDDLEBROOK RD | DOVER | NH | 03820 |
| K0050-000000 | 13 MIDDLEBROOK RD | NORTON WILLIAM R | NORTON JOYCE | 13 MIDDLEBROOK ROAD | DOVER | NH | 03820 |
| K0050-001000 | 11 MIDDLEBROOK RD | LAWLOR ZACHARY L & | LAWLOR VICTORIA J | 11 MIDDLEBROOK RD | DOVER | NH | 03820-4237 |
| K0051-000000 | APPLEVALE DR | CITY OF DOVER | | 288 CENTRAL AV | DOVER | NH | 03820 |
| K0044-000000 | 9 MIDDLEBROOK RD | DEMOSTHENES RODGERS ELIZABETH | | 9 MIDDLEBROOK RD | DOVER | NH | 03820-4237 |

# CITY OF DOVER, NEW HAMPSHIRE
# PLANNING APPLICATION OWNER AUTHORIZATION (ZONING)

**IMPORTANT**

Property identification sign must be posted on the property for five (5) days prior to the hearing. Failure to post may result in application not being accepted.

## OWNER AUTHORIZATION

I/We hereby submit this application to the City of Dover / City of Dover Zoning Board and attest that to the best of my knowledge all of the information on this application form and in the accompanying application materials and documentation is true and accurate. As applicant or as agent, I attest that I am duly authorized to act in this capacity.

Property Owner Name: Elizabeth Rodgers

Signature(s) of Property Owner(s): Elizabeth Rodgers Date: 03-18-23

Signature of Applicant: Date:
*if different from owner*

## AUTHORIZATION TO ENTER SUBJECT PROPERTY – with scheduled appointment.

I/We hereby submit this application to the City of Dover Zoning Board and attest that to the best of my knowledge all of the information on this application form and in the accompanying application materials and documentation is true and accurate. As applicant or as agent, I attest that I am duly authorized to act in this capacity..

Property Owner Name: Elizabeth Rodgers

Signature(s) of Property Owner(s): Elizabeth Rodgers Date: 03-18-23

Signature of Applicant: Date:
*if different from owner*

WE BELIEVE IN A SAFE SPACE

DOVER DOG RUN

# Dover Dog Run, LLC

Elizabeth Rodgers, & Alexandra Martin

doverdogrun@gmail.com

603-550-9378

7&9 Middlebrook Road, Dover, NH 03820

I, Debbie Miles (your printed name) of 2 Newport rd (your address) am aware of the by-appointment-only business of a private dog play space, named Dover Dog Run.

Dover Dog Run was in full operation from the end of November, through the beginning of January. During this timeframe I or my household:

- [x] did notice the operation of this business and
  - [x] were **not** bothered or disrupted by the operation of Dover Dog Run.
  - [ ] were bothered or disrupted by the operation of Dover Dog Run.
- [ ] did not notice the operation of this business

I want the members of the zoning board to know that I:

- [x] approve of Dover Dog Run operating in our neighborhood
- [ ] have no opinion on it one way or the other
- [ ] do not approve of Dover Dog Run operating in our neighborhood.

Additional comments: As a pet professional re Groomer/trainer I believe having a private run dog yard is a perfect idea. Its most definetly needed as Public dog Parks are dangerous

Signed: [signature] Date: 3/14/23

Signed: _____ Date: _____

Abutter 3 of 6, Florencia Cuevas, 10 Middlebrook

# Dover Dog Run, LLC

Elizabeth Rodgers, & Alexandra Martin

doverdogrun@gmail.com

603-550-9378

7&9 Middlebrook Road, Dover, NH 03820


I, Florencia Cuevas (Florencia Cuevas) of 10 Middlebrook Road am aware of the by-appointment-only business of a private dog play space, named Dover Dog Run.

Dover Dog Run was in full operation from the end of November, through the beginning of January. During this timeframe I or my household:

- ☑ did notice the operation of this business and
  - ☑ were **not** bothered or disrupted by the operation of Dover Dog Run.
  - ☐ were bothered or disrupted by the operation of Dover Dog Run.
- ☐ did not notice the operation of this business

I want the members of the zoning board to know that I:

- ☑ approve of Dover Dog Run operating in our neighborhood
- ☐ have no opinion on it one way or the other
- ☐ do not approve of Dover Dog Run operating in our neighborhood.

Additional comments:

They have been the most wonderful neighbors anyone can ask for. My pup and I have utilized their yard in the past and planning on using it again in the future.

Signed: _____ Date: _____

Florencia Cuevas

3/14/2023

Abutter 1 of 6, Diana Markham, 5 Middlebrook

WE BELIEVE IN A SAFE SPACE

DOVER DOG RUN

## Dover Dog Run, LLC

Elizabeth Rodgers, & Alexandra Martin
doverdogrun@gmail.com
603-550-9378
7&9 Middlebrook Road, Dover, NH 03820

I, Diana Markham (Diana Markham) of 5 Middlebrook Road am aware of the by-appointment-only business of a private dog play space, named Dover Dog Run.

Dover Dog Run was in full operation from the end of November, through the beginning of January. During this timeframe I or my household:

- [x] did notice the operation of this business and
  - [x] were **not** bothered or disrupted by the operation of Dover Dog Run.
  - [ ] were bothered or disrupted by the operation of Dover Dog Run.
- [ ] did not notice the operation of this business

I want the members of the zoning board to know that I:

- [x] approve of Dover Dog Run operating in our neighborhood
- [ ] have no opinion on it one way or the other
- [ ] do not approve of Dover Dog Run operating in our neighborhood.

Additional comments: This is a great idea! We fully support this venture!

Signed: Diana Markham Date: 3/13/23

Diana Markham

Amy Cutrone 3/15/23
Devon Cutrone 3/15/23

WE BELIEVE IN A SAFE SPACE

DOVER DOG RUN

# Dover Dog Run, LLC

Elizabeth Rodgers, & Alexandra Martin
doverdogrun@gmail.com
603-550-9378
7&9 Middlebrook Road, Dover, NH 03820

I, David Peck (your printed name) of 15 Middlebrook Rd (your address) am aware of the by-appointment-only business of a private dog play space, named Dover Dog Run.

Dover Dog Run was in full operation from the end of November, through the beginning of January. During this timeframe I or my household:

- ☐ did notice the operation of this business and
  - ☐ were **not** bothered or disrupted by the operation of Dover Dog Run.
  - ☐ were bothered or disrupted by the operation of Dover Dog Run.
- ☒ did not notice the operation of this business

I want the members of the zoning board to know that I:

- ☒ approve of Dover Dog Run operating in our neighborhood
- ☐ have no opinion on it one way or the other
- ☐ do not approve of Dover Dog Run operating in our neighborhood.

Additional comments:

Signed: _____ Date: 3/13/23

Signed: _____ Date: _____

Abutter 5 of 6, Alexander Vacca, 12 Middlebrook

WE BELIEVE IN A SAFE SPACE

DOVER DOG RUN

# Dover Dog Run, LLC

Elizabeth Rodgers, & Alexandra Martin
doverdogrun@gmail.com
603-550-9378
7&9 Middlebrook Road, Dover, NH 03820

I, Alex Vacca (Alexander Vacca) of 12 Middlebrook Road am aware of the by-appointment-only business of a private dog play space, named Dover Dog Run.

Dover Dog Run was in full operation from the end of November, through the beginning of January. During this timeframe I or my household:

- ☐ did notice the operation of this business and
  - ☐ were **not** bothered or disrupted by the operation of Dover Dog Run.
  - ☐ were bothered or disrupted by the operation of Dover Dog Run.
- ☑ did not notice the operation of this business

I want the members of the zoning board to know that I:

- ☑ approve of Dover Dog Run operating in our neighborhood
- ☐ have no opinion on it one way or the other
- ☐ do not approve of Dover Dog Run operating in our neighborhood.

Additional comments: I am okay with a dog park as long as cars do not need to be parked on the street. Cars come speeding by my house and the additional traffic makes it dangerous for kids / pets.

Signed: _____ Date: 3/14/2023

Alexander Vacca

Abutter 2 of 6, Gray Wallace S & Eaton Esther J, 6 Middlebrook

WE BELIEVE IN A SAFE SPACE

DOVER DOG RUN

# Dover Dog Run, LLC

Elizabeth Rodgers, & Alexandra Martin
doverdogrun@gmail.com
603-550-9378
7&9 Middlebrook Road, Dover, NH 03820

I, Esther Gray / Wallace Gray (Wallace Gray / Esther Eaton) of 6 Middlebrook Road am aware of the by-appointment-only business of a private dog play space, named Dover Dog Run.

Dover Dog Run was in full operation from the end of November, through the beginning of January. During this timeframe I or my household:

- [x] did notice the operation of this business and
  - [x] were **not** bothered or disrupted by the operation of Dover Dog Run.
  - [ ] were bothered or disrupted by the operation of Dover Dog Run.
- [ ] did not notice the operation of this business

I want the members of the zoning board to know that I:

- [x] approve of Dover Dog Run operating in our neighborhood
- [ ] have no opinion on it one way or the other
- [ ] do not approve of Dover Dog Run operating in our neighborhood.

*Additional comments:*

Signed: Wallace S Gray Date: 3-13-23
Wallace Gray

Signed: Esther Gray (FKA Esther Eaton) Date: 3/13/23
Esther Eaton

**Kaitlyn Elizabeth Palmer-Silva**
Favorites · 13h ·

I almost never have anything to do with signing and sharing petitions, but this one is wholly different.

My friends Liz Rodgers and Matty Vigeant as well as their neighbors Alix Martin and Shawn Kelly had an amazing private dog park going with one guest at a time (maximum 4 dogs) in their shared fenced-in backyard. They were requiring all the pups had proof of updated vaccinations and all the guests had to clean up after their pets. Time slots were scheduled in such a way to avoid any dogs who didn't know one another from crossing paths.

Their private dog park was going beautifully. Anyone who knows any of them could see that it gave these four Dover residents a new sense of purpose and unadulterated joy.

However, they learned that an operating permit is technically required. They paused their private dog park and applied for one straight away.

Very unfortunately, the City of Dover denied their permit citing that their private dog park has the potential to change the residential character of the neighborhood, that dogs might fight, and it could affect the environment.

Now we have had three horrible experiences in PUBLIC dog parks. First, our 30-lbs dog Jackson was attacked and bit by another much larger dog who we later learned had a history of reactive aggression but was not muzzled or leashed. Second, our dog Lucy got Giardia (parasites) after drinking water at the dog park that was contaminated. The last straw, both of our dogs were hospitalized after consuming something toxic that was left behind by someone (we still have no idea what it was.)

Jackson and Lucy nearly died from the third ordeal. The veterinary interventions that saved them cost us literally thousands of dollars. Even though we absolutely loved seeing how happy our dogs were to run and play off-leash in such spaces - and how desperately they needed the exercise - we vowed to never go back to a public dog park again.

Absolutely NONE of the above would happen in a well-maintained PRIVATE dog park. I am especially certain that one managed and maintained by Liz, Matty, Shawn and Alix would NEVER result in anyone's dogs being hurt or made sick. As for the environment being affected, many residential homes have 2+ dogs (mine included). They would have the same exact impact, but with no requirement or accountability to be cleaned up after.

Never have I met individuals who care so deeply for their pets. I cannot imagine that the person who denied this permit would have done so if they witnessed first hand how beneficial this private dog park would be for the City of Dover and its residents - including Liz, Matty, Shawn, and Alix - who were genuinely elated to provide such a space.

Please sign and share this petition. I am hoping so much that their appeal goes through and they are able to receive their operating permit.

If you'd like to help fund their appeal, visit their merchandise shop www.doverdogrun.etsy.com. Please note that donations made to charge.org do not go towards helping fund their appeal. Please check their merch, or donate to their Paypal to financially assist with that.

CHANGE.ORG
**Grant Dover Dog Run An Operating Permit!**
Can you spare a minute to help this campaign?

**Lily Rodgers**
Just now ·

https://www.change.org/.../grant-dover-dog-run-an...

Guys, I never ask for anything on my Facebook. I don't even like Facebook anymore lol but if you're a dog lover, dog owner, dog admirer and you want nothing but happiness for your canine friends then please sign this petition. I don't think I've ever asked anyone to sign any petition lol but this is a really good cause, it helps animals and the community at large.

Even if you don't live in the area I think places like this are a great idea and a wonderful way to build a happier, friendlier community. It also doesn't help I've known Liz Rodgers personally over the years (cough we have the same last name) and I know what an amazing, hard working, kind and selfless person she is. Her pooch Eli and partner Matty are pretty lovely souls. So please, sign the petition. I did, it took me a few seconds. It's a good cause run by terrific, salt of the earth people.

Thank you! LLAP

Gmail Dover Dog Run Private Fenced Dog Park <doverdogrun@gmail.com>

**Letter for your appeal**
2 messages

**McKenna Newell** <mckennasmutts@gmail.com> Thu, Mar 9, 2023 at 3:40 PM
To: "doverdogrun@gmail.com" <doverdogrun@gmail.com>

**Hello. My name is McKenna Newell and I am a resident of Dover. I have lived here for over 20 years and am incredibly happy to call this town my home. I am a small business owner of a pet sitting company called McKenna's Mutts and wanted to write this letter in regards to Dover Dog Run LLC. I am aware there had been some concerns with permitting this type of business and I wanted to come to you as a resident of your town and explain why I believe this is a huge asset to Dover. I am aware that it was cited for being "dangerous and a disturbance." I am just confused on what the difference is with Dover Dog Run and the public dog park on Longhill Rd. That dog park is not regulated in the slightest and anyone can bring their dog there, friendly or not. That is a lot more dangerous than a regulated, one-family-at-a-time dog park seeing that families must book their time and is never double booked. This reduces the chances of dog fights and dog owners being unpleasant to each other by 100%. Meaning it would be way less disruptive and less dangerous, diminishing the concerns. The owners of Dover Dog Run work extremely hard to make sure that the yard is completely safe for the dogs, meanwhile the dog park on Longhill has 0 maintenance and no sanitization to prevent diseases from spreading. These amazing people have made**

**a new opportunity for dogs of all kinds and temperaments to have a place where they can run freely. Not everyone has the privilege of a yard or a dog friendly dog, so something like this is extremely beneficial for our town. I really hope you can change your decision and allow this amazing amenity for dog owners. Thanks, McKenna Newell**

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**Dover Dog Run Private Fenced Dog Park** <doverdogrun@gmail.com> Thu, Mar 9, 2023 at 4:20 PM
To: McKenna Newell <mckennasmutts@gmail.com>

Dear McKenna,
Thank you very much for taking the time to add your thoughts to our appeal. We especially appreciate you taking the time to point out our efforts to keep visitors separate, and have sanitized amenities. We will be sure to include your thoughts!
Thank you again for your time and consideration,
The Dover Dog Run Team
[Quoted text hidden]

Gmail

Dover Dog Run Private Fenced Dog Park <doverdogrun@gmail.com>

# Support For Private Dog Park

2 messages

**Diana Carpinone** <d.carpinone@gmail.com> Fri, Mar 10, 2023 at 2:17 PM
To: doverdogrun@gmail.com

To Whom It May Concern:

I am a lifelong lover of animals and a former dog groomer, trainer and shelter worker. I hope that the City will consider granting a permit to Dover Dog Run, LLC. There is a need for a private dog park for the following reasons:

First, for many pets, a public dog park situation can be difficult if not impossible due to dogs that may not have been properly socialized due to circumstances that have occurred prior to adoption. Some dogs are not dog friendly, or are reactive to a lot of stimuli which a crowded public dog park most assuredly is, and need other less public options for outings.

A private dog park allows people who live in areas with small or no yards to access a fenced yard area for unleashed exercise or training without the not insignificant risk of exposing their pet(s) to an environment where they may contract fleas, giardia or other diseases.

Not everyone is "into" the public dog park experience. I have had run-ins with atrociously managed animals and their irresponsible owners while dog-sitting. Once both the pup and myself were attacked. Luckily I have professional experience and was able to get us out unscathed. Not everyone wants to or has the ability to safely manage in situations like this.

Some people are disabled and unable to chase after their dog but want them to be able to run free in a safe situation. The Dog Run business could offer this by appointment.

Noise has been mentioned as reason to deny a permit to Dover Dog Run, LLC. Being that I am in the same general neighborhood, and a working from home disabled housebound individual, allow me to inform you of the *real* noise issues that exist here.

I am surrounded by multiple homes with dogs. Some bork, some borkborkbork and some HOWL. This noise is tolerable, pleasant even, and incomparable to the CACOPHONY of mow and blow crews that assail the peace, quiet and clean air of my neighborhood every spring, summer, fall and now even the winter season. I cannot hear a dog barking in the Middlebrook Rd. neighborhood, but *I sure can hear the power tools*!

If the city is truly concerned about noise, perhaps they would like to regulate the heavily polluting leaf blowers that are being abused by landscape companies and homeowners alike, or finally pass a comprehensive noise ordinance. Denying permits to responsible small business owners is not going to have much of an effect on this issue, I fear.

Allowing such a business to exist can provide a valuable (and cute!) service that is lacking in our community.

Thank you for your consideration.

Diana Carpinone
16 Governor Sawyer Lane

--

Diana Carpinone
Accredited Organic Land Care Professional
President **Non Toxic Communities**
Director **Non Toxic Dover NH**
d.carpinone@gmail.com
617 816-8290

**Dover Dog Run Private Fenced Dog Park** <doverdogrun@gmail.com> Sat, Mar 11, 2023 at 7:57 PM
To: Diana Carpinone <d.carpinone@gmail.com>

Dear Diana-
Thank you so much for taking the time to write this thoughtful, and funny letter. I'm pleased you haven't been disturbed by dogs here and appreciate your sentiments about supporting our small business.
We will be certain to include your thoughts with our reply to the City.
Thank you again,
The Dover Dog Run Team
[Quoted text hidden]

Gmail Dover Dog Run Private Fenced Dog Park <doverdogrun@gmail.com>

# (no subject)

2 messages

**Jennifer Harris** <jennibharris@gmail.com> Sun, Feb 26, 2023 at 10:13 AM
To: "doverdogrun@gmail.com" <doverdogrun@gmail.com>

As a dog sitter who uses SniffSpot, I was so excited to find Dover Dog Run! I took one of my daycare dogs over and she was delighted to run and chase the ball. The area was secure, clean and was clearly set up for success. There was hand sanitizer available, which I thought was an important touch in these times. I was able to park safely in front of the houses, and since SniffSpot is set up for one client at a time, I don't see how parking would cause any issues for the neighbors. It would be just like they had a friend over to visit. With the policy of checking vaccines in place, there should be no issues with spreading canine illness, unlike a normal dog park where there is no one to check vaccines. I only see many positives for the Dover Dog Run being available to dog owners. People can exercise their dogs safely which will lead to less problems in the local apartments and areas where these dogs live. A dog that gets plenty of exercise is less destructive and generally more quiet. The Dover Dog Run is a win for dogs and their owners. It can also be a win for the residents of Dover who will appreciate the calmness of the dogs that have visited the park.
-Jennifer Harris

**Dover Dog Run Private Fenced Dog Park** <doverdogrun@gmail.com> Sun, Feb 26, 2023 at 1:31 PM
To: Jennifer Harris <jennibharris@gmail.com>

Jenni,
This is so eloquently stated! Thank you for your emphasis on the community enjoying the benefits of well exercised dogs. We agree that apartment complex dogs certainly would bark less if they had plenty of exercise and preferred naps instead. That's certainly a win, especially for all the more densely populated residential areas of Dover! We'll be sure to print your message and include it with our appeal. Thank you very much for your time and thoughtful letter.
-The Dover Dog Run Team
[Quoted text hidden]

To: the City of Dover

RE: Permit for the Dover Dog Run LLC, Private Dog Park

February 27, 2023

To Whom it May Concern:

The Dover Dog Run LLC has set up a way for people to enjoy exercising their dogs in a safe, clean, open, fenced yard without interference from other animals. They set up the schedule so only one family is there at a time with a break in between so no two families ever see each other, so no strange dogs ever cross paths. All the dogs who attend are required to have proof of vaccination, and the owner are required to clean up their pet's waste. This way the next dog will not encounter the previous dog's waste. Clean, fresh water is provided for each visitor. All these steps help prevent the spread of disease, and the danger of dogfights that might occur in a public dog park.

The park is only open during reasonable business hours and only allow one family coming at a time with a break in between. The guests can safely park in the home's driveway without causing any undo parking or traffic concerns.

The videos I have seen of the dogs at play do not have any loud barking at all. Just running and panting dogs having a lot of fun. The people are quiet too.

I work in the injury prevention field, and I think this private park is an excellent concept to provide people with a safe place to exercise and work on training their dogs before bringing them to areas that are more public. I urge you to approve the permit for the Dover Dog Run.

Sincerely,

JoAnne Miles-Holmes

JoAnne Miles-Holmes
15 Wyman St, Unit 41
Concord, NH 03301
603-724-9183

# Appeal

2 messages

**Amy Stanganelli** <amy.stanganelli@gmail.com> Thu, Mar 9, 2023 at 3:59 PM
To: "doverdogrun@gmail.com" <doverdogrun@gmail.com>

To whom it may concern,

As a local dog owner I am always looking for ways to exercise and enrich my dog's life. The Dover Dog Run is a fantastic idea and the need is definitely critical in the Dover area.
Public dog parks can be dangerous places with uncontrolled and unsuitable other dogs. There's no enforcement of the rules (lots of dogs without vaccinations, unfixed dogs etc.) The Dover dog park even had an incident in the past year where the police were called because someone was threatening another dog owner with a gun. A public dog park is clearly not just unsafe for the dogs.

This is why the Dover Dog Run is such a fantastic solution! To be able to book a private space for my dog and I would be invaluable for myself and so many others.

As it is a booked space, overcrowding and excessive noise is not an issue and the owners would have the right to refuse service to those who weren't suitable.

I implore the city of Dover to reconsider their stance on this very important and necessary solution to the issue that so many of us local dog owners face.

Sincerely,

Amy Stanganelli

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**Dover Dog Run Private Fenced Dog Park** <doverdogrun@gmail.com> Thu, Mar 9, 2023 at 4:46 PM
To: Amy Stanganelli <amy.stanganelli@gmail.com>

Amy-
Thank you very much for taking the time to write this letter with your thoughtful sentiments. While the dog park is a fun place for some, it's entirely too risky for others. We hope to provide a safe alternative. Thank you again, we'll be sure to include this with our next actions.
With Gratitude,
The Dover Dog Run Team
[Quoted text hidden]

To Whom It May Concern:

My name is Lauren. I am a New Hampshire resident, dog owner, and supporter of Dover Dog Run LLC.

I am the proud owner of three rescue dogs, two of whom can be dog reactive. Many years ago, I used to take my dog to a dog park, as she was a puppy and very dog social. After only about a year, I decide to no longer take her to dog parks after one experience where there were 30 + dogs in one dog park and absolutely no regulation of the behaviors of the dogs. Because I stopped visiting public dog parks, my dog's socialization with other dogs became less frequent, casing her to become a bit dog reactive as she got older.

A few months ago, I attempted to take another one of my dogs to a dog park in Somersworth. I noticed there was only one dog inside the park and thought it could be a good opportunity to try out a local public dog park. As I walked up to the dog park fence, the dog inside the park came running up the fence growling and barking nonstop. The dog's owner did not come over to his dog and continued to talk on his phone, oblivious to the fact that his dog was barking and growling. I had to leave for my safety and the safety of my dog. My dog was robbed of the experience to socialize or explore because of a public dog park's non-existent regulation. Thus is the conundrum of dog ownership- wanting to socialize my dog, but having nowhere safe to do it.

Two years ago, I began fostering rescue dogs, one being the dog Elizabeth Rodgers adopted. The amount of research, effort, and time I put in to introducing my dogs to my foster dog is something I have never seen done at a public dog park. Most people enter a public dog park and unclip their dog from the lead and let them loose. Most dog do not prefer to meet this way. Therefore, most dogs are not "dog park dogs". Does this mean they should be deprived of the experience of having a safe, fenced in, new place to explore? And while I do have a large, fenced-in yard of my own, it would be so much easier to introduce my foster dogs to my own three dogs in a neutral setting, such as Dover Dog Run. More important than that, I'd love to be able to have adoption meet and greets in a neutral setting to encourage success between my foster dog and their potential family. So often my foster dogs begin to see my house as theirs and so meeting new people or new dogs in my yard proves anxiety-provoking for the foster dog. Unfortunately for me, Dover Dog Run shut down and applied for their permit before I had the chance to take a foster dog to their privately run dog park.

I have continued to keep contact with a few of my previous foster dogs (including Elizabeth's dog Eli) and have them over for a playdate in my yard often as they already have established relationships. This meaning I often have four dogs in my yard. Having four dogs in a yard is not against residential zoning laws, but I would agree it is a rare occurrence, especially for a place like Dover Dog Run. Whenever I tell people that I have three dogs, I am met with surprised reactions. Most people have one, maybe two dogs. Three is a bit unexpected. That being said, I believe the amount of times Dover Dog Run would host more than one or two dogs would be few and far between. That cannot be said for public dog parks. There is no limit on how many dogs are allowed in public dog parks, how well-trained or social those dogs are, if those dogs are up to date on vaccines, and if the dog park is cleaned up after.

I did consider, for a moment, trying to open a Sniff Spot at my own residence. I quickly decided against it after seeing how much work and effort Elizabeth put into to Dover Dog Run. She has multiple security cameras, a dog waste station, a bench for human to rest which is filled with so many amenities including dog toys, treats or humans and dog alike, water, and much more. She checks to make sure each dog visitor is vaccinated. Elizabeth schedules private dog run times so that there is time to maintain the yard between visits and there is not only no overlap in visits, but there is a cushion of time between visits to ensure that no unfamiliar dogs will meet when leaving or entering the private dog park. None of this is true for public dog parks. Dover Dog Run is not a ploy to generate revenue, it is truly a job to keep the area as well maintained as Ms. Martin and Ms. Rodgers do. That being said, I believe it is imperative to make Dover Dog Run the first permitted private dog park in Dover, so that it can be the standard for private dog parks going forward.

Whether or not you grant the permit for Dover Dog Run, Sniff Spots will continue to open in Dover and the surrounding areas. The public will continue to use private dog parks that are not permitted. Make Dover Dog Run LLC. your precedent for all private dog runs going forward. Private dog parks benefit rescue dogs, small dogs, big dogs, reactive dogs, shy dogs, old dogs, puppies, dogs with no yards, dogs who want safe places to explore AND their owners; your public. Your tax payers. Elizabeth has expressed to me her desire to work alongside the city of Dover to work on the logistics and expectations of private dog parks and the process of getting private dog parks their permits. This is your opportunity to create a model for a safe, clean, regulated space with residents Ms. Martin and Ms. Rodgers who are happy and willing to work with you.

Thank you for your time,

Lauren

Gmail Dover Dog Run Private Fenced Dog Park <doverdogrun@gmail.com>

# Testimonial

2 messages

**davidchasse@comcast.net** <davidchasse@comcast.net> Sat, Feb 25, 2023 at 6:44 PM
To: doverdogrun@gmail.com

Dear Powers that be,

This idea for a dog run is not only a great idea but also need for the community. We recently lost our dog Seamus in October. Seamus was not able to be with other dogs because of his size and aggressive behavior towards other dogs and animals. Having a space we could rent and allow him to run free would have been a god send during his 10 plus years of life. I implore the city to allow a permit for spaces like this to exist for those dogs and owners that need a private space.

Sincerely,
David M Chasse 603-953-7399

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**Dover Dog Run Private Fenced Dog Park** <doverdogrun@gmail.com> Sat, Feb 25, 2023 at 7:14 PM
To: davidchasse@comcast.net

Thank you David,
Not going to lie, this brought us to tears. Thank you for taking the time to express the sentiment. We'll be sure to add it to our appeal case.
With Gratitude,
The Dover Dog Run Team
[Quoted text hidden]

Petition may be viewed at change.org/doverdogrun
"Grant Dover Dog Run an operating Permit"

850+ signatures

| Name | City | State | Postal Code | Country | Signed On |
|---|---|---|---|---|---|
| Dover Dog Run Private Fenced Dog Park | | | | US | 2023-02-25 |
| Elizabeth Rodgers | Dover | NH | 3820 | US | 2023-02-25 |
| Matthew Vigeant | Dover | NH | 3820 | US | 2023-02-25 |
| Sara Paola | Dover | NH | 3820 | US | 2023-02-25 |
| David Chasse | Barrington | NH | 3825 | US | 2023-02-25 |
| Erin Portine | Owasso | OK | 74055 | US | 2023-02-26 |
| Alona Lova | Auburn | | 98092 | US | 2023-02-26 |
| shawn pierce | Rochester | NH | 3867 | US | 2023-02-26 |
| Joshua Curphey | Peterborough | | PE7 | US | 2023-02-26 |
| Yasmine Horton | Bessemer | | 35020 | US | 2023-02-26 |
| Jake Bernstein | Brooklyn | NY | 11225 | US | 2023-02-26 |
| Lillie Cyrway | Meridian | | 83646 | US | 2023-02-26 |
| Dakota Morgan | Evington | | 24550 | US | 2023-02-26 |
| Stephanie Tingley | Dover | NH | 3820 | US | 2023-02-26 |
| Kokichi Ouma | Tullahoma | | 37388 | US | 2023-02-26 |
| Kayla Cowman | Coral Springs | | 33063 | US | 2023-02-26 |
| George Claxton | | | | US | 2023-02-26 |
| Mohamed Yahya | Washington | | 20002 | US | 2023-02-26 |
| G. Diane Matthews-Marcelin | Carson | | 90746 | US | 2023-02-26 |
| Joshua Evans | Roseville | | 95661 | US | 2023-02-26 |
| jacob vangah | Ashburn | | 20148 | US | 2023-02-26 |
| Ann Butler | Quincy | | 2169 | US | 2023-02-26 |
| Herb Covey | Nashua | NH | 3063 | US | 2023-02-26 |
| Anna Laidler | East Stroudsburg | | 18301 | US | 2023-02-26 |
| Carlos Hernández | Miami | | 33132 | US | 2023-02-26 |
| Mikaela Reisman | Portsmouth | NH | 3801 | US | 2023-02-26 |
| Julia Rizzo | Absecon | | 8201 | US | 2023-02-26 |
| Sankavi Sampath | Syracuse | | 13210 | US | 2023-02-26 |
| Lauren Feige | Durham | NH | 3824 | US | 2023-02-26 |
| Wendy Nichols | South Ogden | | 84405 | US | 2023-02-26 |
| Richard Joseph Robles | Springfield | | 37172 | US | 2023-02-26 |
| Alexander White | Kansas City | | 64121 | US | 2023-02-26 |
| Tony Del Bosque | Austin | | 78748 | US | 2023-02-26 |
| Rich Johnson | Clarksville | | 37043 | US | 2023-02-26 |
| Ava Deming | Springfield | | 19064 | US | 2023-02-26 |
| Zachary Balthis | San Antonio | | 78207 | US | 2023-02-26 |
| MarkAnthony Mclean | Freeport | NY | 11520 | US | 2023-02-26 |
| Roman Bidak | Los Angeles | | 90026 | US | 2023-02-26 |
| Christine Campbell | Somersworth | NH | 3878 | US | 2023-02-26 |
| Roman Sydorenko | Seattle | | 98101 | US | 2023-02-26 |
| Hector Amaya | Houston | | 77014 | US | 2023-02-26 |
| David Birch | Muphy | | 28906 | US | 2023-02-26 |
| Amy Stanganelli | Madbury | NH | 3823 | US | 2023-02-26 |

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|---|---|---|---|---|---|
| Tracy Dearborn | Rochester | NH | 3867 | US | 2023-02-26 |
| DENNIS MURRAY | Kingston | | | Jamaica | 2023-02-26 |
| Anthony Stanganelli | Somersworth | NH | 3878 | US | 2023-02-26 |
| Amy Evans | Barrington | NH | 3825 | US | 2023-02-26 |
| Patrick Stanganelli | Fitchburg | MA | 1420 | US | 2023-02-26 |
| Spencer Fournier | Manchester | NH | 3103 | US | 2023-02-26 |
| Bella Kopel | Concord | | 94520 | US | 2023-02-26 |
| Madeleine Casillas | Chula Vista | | 91910 | US | 2023-02-26 |
| Lillian Bernier | Rochester | NH | 3839 | US | 2023-02-26 |
| pablo ruiz | burleson | | 76028 | US | 2023-02-26 |
| Monica Gonzalez | Fort Wayne | | 46803 | US | 2023-02-26 |
| Julie Cannon | Roswell | | 88203 | US | 2023-02-26 |
| Noah McAllister | | | | US | 2023-02-26 |
| Orva M Gullett | Marion | | 43302-8435 | US | 2023-02-26 |
| Laura Reiger | Minneapolis | | 55433 | US | 2023-02-26 |
| Ashlyn Milender | Meridian | | 83646 | US | 2023-02-26 |
| Adam wells Wells | Bettendorf | | 52722 | US | 2023-02-26 |
| Melissa Carter | Falls Church | | 22042 | US | 2023-02-26 |
| Trisha Gaulin | Milton | NH | 3851 | US | 2023-02-26 |
| Bob Less | Van Nuys | | 91405 | US | 2023-02-26 |
| Alicia Roberts | Bailey | | 80421 | US | 2023-02-26 |
| Diana Carpinone | Dover | NH | 3820 | US | 2023-02-26 |
| Natasha Galloway | Lee | NH | 3861 | US | 2023-02-26 |
| Michelle Schultz | Nottingham | NH | 3290 | US | 2023-02-26 |
| Lauren Dugan | Dover | NH | 3820 | US | 2023-02-26 |
| Edward Dugan | Dover | NH | 3820 | US | 2023-02-26 |
| Erica hatch | Rochester | NH | 3867 | US | 2023-02-26 |
| Sarah Williams | Rochester | NH | 3867 | US | 2023-02-26 |
| Kathleen Landry | Rochester | NH | 3867 | US | 2023-02-26 |
| Matt Bernier | Newfields | NH | 3856 | US | 2023-02-26 |
| Austin OReilly | West Newfield | ME | 4095 | US | 2023-02-26 |
| Kayla Brown | Newmarket | NH | 3857 | US | 2023-02-26 |
| Corinne Primm | North Haverhill | NH | 3774 | US | 2023-02-26 |
| Heather DuQuette | Rochester | NH | 3867 | US | 2023-02-26 |
| Taylor Wilusz | Dover | NH | 3820 | US | 2023-02-26 |
| yolanda schultes | Wittenbach | CA | 9300 | US | 2023-02-26 |
| Annette Hof | Crooks | SD | 57020 | US | 2023-02-26 |
| Graham Duncan | Dublin | | D02 | Ireland | 2023-02-26 |
| Jacqueline Lavanchy | Martigny | | 1920 | Switzerland | 2023-02-26 |
| Rosa Cabrerizo | Hospitalet de Llobregat | | 8906 | Spain | 2023-02-26 |
| Claudia Neuhalfen | Bonn | | 53117 | Germany | 2023-02-26 |
| danielle Farquharson | Gilford | NH | 3249 | US | 2023-02-26 |
| Falcon Knight | Brooklyn | NY | 11226 | US | 2023-02-26 |
| Zed Trick | Brooklyn | NY | | US | 2023-02-26 |

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|---|---|---|---|---|---|
| Darlene Stowell | Allenstown | NH | 3275 | US | 2023-02-26 |
| Sylvia Breuer | Hamburg | | 20144 | Germany | 2023-02-26 |
| Djamila Grouci | Nanteuil les meaux | | 77100 | France | 2023-02-26 |
| Sabine Möhler | esselbach | | 97839 | Germany | 2023-02-26 |
| Consuelo Serena Velasco | Strambino Fr Cerone | | 10019 | Italy | 2023-02-26 |
| Ana Gruber | Wolfratshausen | | 82515 | Germany | 2023-02-26 |
| A. Otto | Auerbach | | 8209 | Germany | 2023-02-26 |
| Anne Montarou | Ahrensburg | | 22926 | Germany | 2023-02-26 |
| Uwe Vietzke | | | | Germany | 2023-02-26 |
| Amber Shaw | Derry | NH | 3038 | US | 2023-02-26 |
| Josie Perez | Pasig | | | Philippines | 2023-02-26 |
| Graham edward Ingledow | San Roque cadiz | | 11360 | Spain | 2023-02-26 |
| Anneke Andries | Raamsdonksveer | | 4941JT | Netherlands | 2023-02-26 |
| Kurt Amsler | Bandol | | 83150 | France | 2023-02-26 |
| Roxana Moya | Santiago | | | Chile | 2023-02-26 |
| Niina Anttinen | Espoo | | | Finland | 2023-02-26 |
| Louise Belmont | Farmington | NH | 3835 | US | 2023-02-26 |
| Pat Watts | Milton | NH | 3851 | US | 2023-02-26 |
| Bambi Mayr | | | | Austria | 2023-02-26 |
| Kathy Kropac | North Conway | NH | 3860 | US | 2023-02-26 |
| Sarah Beauregard | Dover | NH | 3820 | US | 2023-02-26 |
| Nestor Berazategui | Maipú | | 5515 | Argentina | 2023-02-26 |
| Linda Mullally | Brookline | MA | 2445 | US | 2023-02-26 |
| Consentine Lisa | Newmarket | NH | 3857 | US | 2023-02-26 |
| Kristen McClelland | North Hampton | NH | 3862 | US | 2023-02-26 |
| Heather Buttiglieri | Lebanon | ME | 4027 | US | 2023-02-26 |
| Carolyn Cusick | Enfield | NH | 3748 | US | 2023-02-26 |
| KErry Shallis | Coatesville | PA | 19320 | US | 2023-02-26 |
| Patricia Bittner | Lebanon | ME | 4027 | US | 2023-02-26 |
| Meghan Roche | Barrington | NH | 3825 | US | 2023-02-26 |
| Christeen Anderson | Crestview | FL | 32539 | US | 2023-02-26 |
| Evette Brown | Harwich | MA | 2645 | US | 2023-02-26 |
| pilar blas | san sebastian | | 20009 | Spain | 2023-02-26 |
| hortencia mendoza | | | 44260 | Mexico | 2023-02-26 |
| Jennifer Harris | Lebanon | ME | 4027 | US | 2023-02-26 |
| Kerryn Dobbin | Hooksett | NH | 3106 | US | 2023-02-26 |
| Sarah Juhlin | Sanbornville | NH | 3872 | US | 2023-02-26 |
| Melissa Tsouhnikas | East Stroudsbur | PA | 18301 | US | 2023-02-26 |
| Ashley Pierce | Rochester | NH | 3867 | US | 2023-02-26 |
| Michelle Mason | Laie | HI | 96762 | US | 2023-02-26 |
| Audelle Harvey | Yonkers | NY | 10701 | US | 2023-02-26 |
| Mirjam Talma | Buitenpost | | 9285VZ | Netherlands | 2023-02-26 |
| Nelly PRESTAT | Mouroux | | 77120 | France | 2023-02-26 |
| Jennifer Joyce | Newburyport | MA | 1950 | US | 2023-02-26 |

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|---|---|---|---|---|---|
| Susana Muñoz | Madrid | | 28019 | Spain | 2023-02-26 |
| Lisa Cadieux | Rochester | NH | 3867 | US | 2023-02-26 |
| Michele Alexander | Somersworth | NH | 3878 | US | 2023-02-26 |
| Dena Cutrone | Somersworth | NH | 3878 | US | 2023-02-26 |
| Beth Jenkins | Derry | NH | 3038 | US | 2023-02-26 |
| Amber Potter | Meredith | NH | 3253 | US | 2023-02-26 |
| Maria Martinez | Muscle Shoals | | 35661 | US | 2023-02-26 |
| Keila Leon | Bronx | | 10473 | US | 2023-02-26 |
| Josh Standiford | Lake Zurich | | 60047 | US | 2023-02-26 |
| Jada Guillouette | Brooklyn | | 11234 | US | 2023-02-26 |
| Marga Gili | Palma | | 7003 | Spain | 2023-02-26 |
| Victoria Petersen | Windsor | CA | 95492 | US | 2023-02-26 |
| Dave Ostrander | Dover | NH | 3103 | US | 2023-02-26 |
| Camryn Dembiec | Meredith | NH | 3253 | US | 2023-02-26 |
| william Potter | Portsmouth | NH | 3801 | US | 2023-02-26 |
| Zed Trick | Brooklyn | NY | | US | 2023-02-26 |
| Jane Kelley | Center Ossipee | NH | 3814 | US | 2023-02-26 |
| Yvette Haddock | Middleton | NH | 3872 | US | 2023-02-26 |
| Cari Bourn | Hampton | NH | 3842 | US | 2023-02-26 |
| Amy Belaire | New London | NH | 3257 | US | 2023-02-26 |
| Shannon Emmons | Lebanon | ME | 4027 | US | 2023-02-26 |
| Liana Luciano | Munich | | 80933 | Germany | 2023-02-26 |
| jocelyne lapointe | terrebonne | | j6w0b5 | Canada | 2023-02-26 |
| Maria Franceschini | Dover | NH | | US | 2023-02-26 |
| Ali Deneault | Portsmouth | NH | 3801 | US | 2023-02-26 |
| Annmarie Davis | Rochester | NH | 3867 | US | 2023-02-26 |
| Analía Caiazza | Rosario | | 2000 | Argentina | 2023-02-26 |
| Jesse C | Windham | NH | 3087 | US | 2023-02-26 |
| Brenda Smith | Dover | NH | 3820 | US | 2023-02-26 |
| Mark Joseph | Dover | NH | 3820 | US | 2023-02-26 |
| Courtney Murphy | Dover | NH | 3820 | US | 2023-02-26 |
| Tom Martine | Cape Neddick | ME | 3902 | US | 2023-02-26 |
| R S | Koln | | 51069 | Germany | 2023-02-26 |
| Karen Pierce | Fremont | NH | 3044 | US | 2023-02-26 |
| Adam Kaluba | Burleson | TX | 76028 | US | 2023-02-26 |
| Mike Fairbanks | Lee | NH | 3861 | US | 2023-02-26 |
| marinella bigoni | modena | | 41126 | Italy | 2023-02-26 |
| Betheny Gregg | Temperance | | 48182 | US | 2023-02-26 |
| Melissa Fredericks | Dover | NH | 3820 | US | 2023-02-26 |
| Crystal Norton | Dillon | | 29536 | US | 2023-02-26 |
| Alohilani Stine | League City | | 77573 | US | 2023-02-26 |
| Kenyetta Connett | Houston | | 77003 | US | 2023-02-26 |
| Jackie S | Alexandria | | 22309 | US | 2023-02-26 |
| Kristin Rodriguez | Bronx | | 10457 | US | 2023-02-26 |

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|---|---|---|---|---|---|
| Jaime Hajjar | Tewksbury | | 1876 | US | 2023-02-26 |
| Gordon Poston | Kingstree | | 29556 | US | 2023-02-26 |
| Lisa Salazar | Shasta Lake | CA | 96089 | US | 2023-02-26 |
| Pam Miller | Tolar | TX | 76046 | US | 2023-02-26 |
| Andrea Huff | Dover | NH | 3820 | US | 2023-02-26 |
| Danielle Ely | Portsmouth | NH | 3801 | US | 2023-02-26 |
| Julie Port | Slough | | SL1 | UK | 2023-02-26 |
| Diane Skipper | Rochester | NH | 3867 | US | 2023-02-26 |
| Aaron Copple | Dover | NH | 3820 | US | 2023-02-26 |
| Wendy Moreau | Dover | NH | 3820 | US | 2023-02-26 |
| Andrea Gendron | Rochester | NH | 3867 | US | 2023-02-26 |
| Elizabeth Van Gelder | Rochester | NH | 3839 | US | 2023-02-26 |
| Kayli Miles | Philadelphia | PA | 19126 | US | 2023-02-26 |
| Cyndi LaPlante | Rochester | NH | 3867 | US | 2023-02-26 |
| Sue Ellen Cuff | Fremont | NH | 3044 | US | 2023-02-26 |
| Cathy Ballou | Dover | NH | 3821 | US | 2023-02-26 |
| Chris Paolino | Las Vegas | NV | 89103 | US | 2023-02-26 |
| McKenna Newell | Providence | RI | 2909 | US | 2023-02-26 |
| Dominique LANG | Vaison-la-Romaine | | 84110 | France | 2023-02-26 |
| Didi Dangas | Rollinsford | NH | 3869 | US | 2023-02-26 |
| Beth Livingstone | Durham | NC | 27701 | US | 2023-02-26 |
| Jaiya Baillou | Lancaster | | 93534 | US | 2023-02-26 |
| Kristina Sherman | Rochester | NH | 3867 | US | 2023-02-26 |
| Arisdne Wright | Merrimac | MA | 1860 | US | 2023-02-26 |
| Astrid V.d. Geest | Stadskanaal | | 9502 | Netherlands | 2023-02-26 |
| Sharon Lemelin | Boston | MA | 2115 | US | 2023-02-26 |
| Susan McLean | Rochester | NH | 3867 | US | 2023-02-27 |
| Mirjana Neskovich | Perth | | 6021 | Australia | 2023-02-27 |
| Monique Cucinotta | Dorchester | MA | 2125 | US | 2023-02-27 |
| Terry Vaccaro | Plainfield | NJ | 7060 | US | 2023-02-27 |
| Karen Krieg | Clarksburg | MD | 20871 | US | 2023-02-27 |
| Lindsey Spada | Barrington | NH | 3825 | US | 2023-02-27 |
| Kathryn Filanoski | Madbury | NH | 3823 | US | 2023-02-27 |
| holger meyer | Weyhe | | 28844 | Germany | 2023-02-27 |
| Virginia Hazboun | Maywood | CA | 90270 | US | 2023-02-27 |
| Deana Faucher | Dover | NH | 3820 | US | 2023-02-27 |
| Kelly Stanford | Rockwell | NC | 28138 | US | 2023-02-27 |
| Alicia Zakupowsky | Dover | NH | 33993 | US | 2023-02-27 |
| corine cathala | Pierrelatte | | 26700 | France | 2023-02-27 |
| Kaitlyn Palmer-Silva | Somersworth | NH | 3878 | US | 2023-02-27 |
| Laurisa Flannery-Heapes | Spofford | NH | 3462 | US | 2023-02-27 |
| Karen Martin-Brown | Dover | NH | 3820 | US | 2023-02-27 |
| Huges Lybarger | New York | NY | 10013 | US | 2023-02-27 |
| Emily McGrath | Laconia | NH | 3246 | US | 2023-02-27 |

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|---|---|---|---|---|---|
| Cassandra DiMeo | Dover | NH | 3820 | US | 2023-02-27 |
| Laura Eschmann | Barrington | NH | 3825 | US | 2023-02-27 |
| Dawn Kittredge | Dover | NH | 3820 | US | 2023-02-27 |
| Andrew Vallender | Ventnor | ENG | PO38 1BH | UK | 2023-02-27 |
| Daniel Silva | Somersworth | NH | 3878 | US | 2023-02-27 |
| L M | Nampa | | 83651 | US | 2023-02-27 |
| Kathryne Day | Somersworth | NH | 3878 | US | 2023-02-27 |
| Lia Dense | Miami | | 6516 | US | 2023-02-27 |
| Jon Henry | South Berwick | ME | 3908 | US | 2023-02-27 |
| Abby Hugo | Dover | NH | 3820 | US | 2023-02-27 |
| Grace Briskman | Raleigh | | 27610 | US | 2023-02-27 |
| Jimena Dolores | Queens | | 11377 | US | 2023-02-27 |
| Gynoludine Masolahy | Salt Lake City | | 84106 | US | 2023-02-27 |
| Kelly Hammond | Seattle | WA | 98116 | US | 2023-02-27 |
| Megan Perkins | Springfield | OR | 97478 | US | 2023-02-27 |
| Nikki Luciano-Bourgeois | Rochester | NH | 3867 | US | 2023-02-27 |
| Stanley Pope | Newmarket | NH | 3857 | US | 2023-02-27 |
| Katalin Kónya-Jakus | Szatymaz | | | Hungary | 2023-02-27 |
| catherine cheneval | LYON | | 73000 | Spain | 2023-02-27 |
| Lucy Ripper | Portsmouth | NH | 3801 | US | 2023-02-27 |
| Wendy Forster | | | | UK | 2023-02-27 |
| Robert Nowak | | | | Poland | 2023-02-27 |
| Joyce Alexander | Edinburgh | SCT | EH11 | UK | 2023-02-27 |
| Hannah Thistle | Dover | NH | 3820 | US | 2023-02-27 |
| Skye Mcpherson | Somersworth | NH | 3878 | US | 2023-02-27 |
| Maria Miles | Strafford | NH | 3884 | US | 2023-02-27 |
| Andrea Shaw | Dover | NH | 3820 | US | 2023-02-27 |
| Melissa Cressey | Portsmouth | NH | 3801 | US | 2023-02-27 |
| Taylor Bolduc | Amesbury | MA | 1913 | US | 2023-02-27 |
| Harriet Beaulieu | Dover | NH | 3820 | US | 2023-02-27 |
| Sydney Silk | Dover | NH | 3820 | US | 2023-02-27 |
| Rae Enslin | Manchester | NH | 3103 | US | 2023-02-27 |
| Heather Weed | Dover | NH | 3820 | US | 2023-02-27 |
| Lily Rodgers | Boston | MA | 2110 | US | 2023-02-27 |
| Elizabeth Sargent | Franklin | NH | 3235 | US | 2023-02-27 |
| Kimberly Harvey | Center Conway | NH | 3813 | US | 2023-02-27 |
| Andrew Clark | Winthrop | MA | 2152 | US | 2023-02-27 |
| Carol Robinson | Portsmouth | NH | 3801 | US | 2023-02-27 |
| Russell Miles | Durham | NH | 3824 | US | 2023-02-27 |
| Kimberly Massett | Hampton | NH | 3842 | US | 2023-02-27 |
| shi chastain | Greenville | | 29609 | US | 2023-02-27 |
| Alicia Lawson | Burlington | | 27215 | US | 2023-02-27 |
| Jeanette Bartholomew | Hillsborough | | 8844 | US | 2023-02-27 |
| Hi Varney | Durham | NH | 3824 | US | 2023-02-27 |

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|---|---|---|---|---|---|
| stephen ofili | cairo | | | US | 2023-02-27 |
| Jacob Myers | New York | | 10004 | US | 2023-02-27 |
| Valerie Brock | Portsmouth | NH | 3801 | US | 2023-02-27 |
| nicole casey | Boston | MA | 3820 | US | 2023-02-27 |
| Taliyah Brown | Shreveport | | 71106 | US | 2023-02-27 |
| Jennifer Smith | Portsmouth | NH | 3801 | US | 2023-02-27 |
| Anna Luneau | Visé | | 4600 | Belgium | 2023-02-27 |
| Evelyn Schultz | Wilmette | | 60091 | US | 2023-02-27 |
| Ethan Turgeon | Dover | NH | 3820 | US | 2023-02-27 |
| chidimma chukwu | Jamaica Plain | | 2130 | US | 2023-02-27 |
| Lindsey Stengele | Rochester | NH | 3867 | US | 2023-02-27 |
| Lisa Soucie | Somersworth | NH | 3878 | US | 2023-02-27 |
| Christine McCarville | Rochester | NH | 3839 | US | 2023-02-27 |
| Sean Evans | Barrington | NH | 3825 | US | 2023-02-27 |
| Taylor Montgomery | Cloverdale | | 46120 | US | 2023-02-27 |
| Emma Byrd | Texarkana | | 75501 | US | 2023-02-27 |
| jiang lin | Tamaroa | | 62888 | US | 2023-02-27 |
| Joseph Corona | Los Angeles | | 90040 | US | 2023-02-27 |
| Kate Kenner | Guilford | VT | 5301 | US | 2023-02-27 |
| Alexa Pedroza | | | | US | 2023-02-27 |
| Okeu Ekea | Philadelphia | PA | 19125 | US | 2023-02-27 |
| Alison Brown | Brookfield | | 6804 | US | 2023-02-27 |
| Ahmed Abdul-hameed | Dallas | | 75270 | US | 2023-02-27 |
| Chinwe Iloabanafo | Plano | | 75093 | US | 2023-02-27 |
| Karen Mccarty | Granbury | | 76048 | US | 2023-02-27 |
| Chioma Akunna | Newark | | 7111 | US | 2023-02-27 |
| Ayomide SOWEMIMO | Roswell | | 30075 | US | 2023-02-27 |
| Julianna Koyunoglu | Annandale | | 22003 | US | 2023-02-27 |
| Sunkanmi Olajide | Detroit | | 48272 | US | 2023-02-27 |
| Alyssa Schleifer | Prescott Valley | | 86314 | US | 2023-02-27 |
| Lai Zhang | Los Angeles | | 90017 | US | 2023-02-27 |
| alexxia compo | Prescott Valley | | 86314 | US | 2023-02-27 |
| Rami Akin | Pennsburg | | 18073 | US | 2023-02-27 |
| amaechi okwor | COCKEYSVILLE | | 21030 | US | 2023-02-27 |
| Brandon Ledbetter | Thornville | | 43076 | US | 2023-02-27 |
| Cris Hayes | Chicago | | 60666 | US | 2023-02-27 |
| Allie Newman | Wappingers Falls | | 12590 | US | 2023-02-27 |
| Enumah David | New York | | 10013 | US | 2023-02-27 |
| Blessing Isibor | Phoenix | | 85041 | US | 2023-02-27 |
| jiaqi song | Los Angeles | | 90060 | US | 2023-02-27 |
| Maria Sánchez | Griffith | | 46319 | US | 2023-02-27 |
| Jesiah Matlock | | | | US | 2023-02-27 |
| Raylin Wiggin | Lisbon Falls | ME | 4252 | US | 2023-02-27 |
| Sara Lang | Portsmouth | NH | 3801 | US | 2023-02-27 |

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|---|---|---|---|---|---|
| Jonathan Moscone | Somersworth | NH | 3878 | US | 2023-02-27 |
| Christine McCarville | | | | US | 2023-02-27 |
| Laura Gendron | Northwood | NH | 3261 | US | 2023-02-27 |
| Erica DesRoches | Dover | NH | 3820 | US | 2023-02-27 |
| Amy Spencer | Dover | NH | 3820 | US | 2023-02-27 |
| Kristine McCarthy | Dover | NH | 3820 | US | 2023-02-27 |
| Susan Hills | Exeter | NH | 3833 | US | 2023-02-27 |
| Jamie Cross | Dover | NH | 380 | US | 2023-02-27 |
| Regyn Rothney | Berwick | ME | 3901 | US | 2023-02-27 |
| Jessica Johnson | Huntington | VT | 5462 | US | 2023-02-27 |
| Kenny Mazige | Rochester | NH | 3867 | US | 2023-02-27 |
| Sonya Heikkinen | Auburn | ME | 4210 | US | 2023-02-27 |
| Stephanie Paine | Dover | NH | 3820 | US | 2023-02-27 |
| Brooke Wilson | North Berwick | ME | 3906 | US | 2023-02-27 |
| Kyle Green | Rochester | NH | 3867 | US | 2023-02-27 |
| Olivia Boudreau | Somersworth | NH | 3878 | US | 2023-02-27 |
| Kenneth Sharpe | La Marque | | 77568 | US | 2023-02-27 |
| Vincent Dong | Mebane | | 27302 | US | 2023-02-27 |
| jin jiayi | San Jose | | 95119 | US | 2023-02-27 |
| Jordan Lynes | Merrimack | NH | 3054 | US | 2023-02-27 |
| Brandon Ward | North Grosvenor Dale | | 6255 | US | 2023-02-27 |
| Katherine Siddall | Baldwinsville | NY | 13027 | US | 2023-02-27 |
| Brittany Bergquist | Manchester | NH | 3104 | US | 2023-02-27 |
| jemma Prather | Heber | | 84032 | US | 2023-02-27 |
| Alex Glenn | Ridgefield | | 6877 | US | 2023-02-27 |
| Chidinma Okoli | Houston | | 77066 | US | 2023-02-27 |
| Emily Ketchum | Big Rapids | | 49307 | US | 2023-02-27 |
| Caitlyn Lang | Hazlet | | 7730 | US | 2023-02-27 |
| Jenna Perkins | Boston | MA | 2111 | US | 2023-02-27 |
| Stella Eggleston | Pittsburgh | | 15207 | US | 2023-02-27 |
| brooke haner | Chandler | | 85224 | US | 2023-02-27 |
| Pamela Boston | Somersworth | NH | 3878 | US | 2023-02-27 |
| Shari Piper | Dover | NH | 3820 | US | 2023-02-27 |
| Aloysius Agbonye | Houston | | 77203 | US | 2023-02-27 |
| Brittney Hill | Derry | NH | 3038 | US | 2023-02-27 |
| Taylor Raperto | Blairstown | | 7825 | US | 2023-02-27 |
| Adam McGee | Sanford | ME | 4073 | US | 2023-02-27 |
| yw Z | Birmingham | | 35249 | US | 2023-02-27 |
| Jacob Blanchette | Dover | NH | 3820 | US | 2023-02-27 |
| Rebecca Pearce | Boston | MA | 2114 | US | 2023-02-27 |
| Ada Ezike | Dallas | | 75270 | US | 2023-02-27 |
| Emma Hakas | | | | US | 2023-02-27 |
| Solomon Charles | Concord | | 3301 | US | 2023-02-27 |
| Raiken Strong | Chicago | | 60643 | US | 2023-02-27 |

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| Madison Stanley | Dallas | | 75204 | US | 2023-02-27 |
| Theresa Lin | Queens | | 11368 | US | 2023-02-27 |
| Anulika Ezeokafor | Saint Cloud | MN | 56301 | US | 2023-02-27 |
| Melissa Yost | NY | | 11111 | US | 2023-02-27 |
| Jonathan Rendon Rubio | Mesa | | 85210 | US | 2023-02-27 |
| Ella Rohr | Clifton | | 20124 | US | 2023-02-27 |
| Tamarapreye Ekadi | Brockton | | 2301 | US | 2023-02-27 |
| Rochella Jackson | Concord | | 90875 | US | 2023-02-27 |
| Caira V | Odessa | | 7 | US | 2023-02-27 |
| Noah burkett | Hickory | | 28601 | US | 2023-02-27 |
| Hollie Matusiak | Cedar Park | | 78613 | US | 2023-02-27 |
| Xinyi Zhu | Los Angeles | | 90017 | US | 2023-02-27 |
| Deborah Spencer | Billerica | | 1821 | US | 2023-02-27 |
| Krystian Kucharzyk | Willowbrook | | 60527 | US | 2023-02-27 |
| Kristie Silva | San Jose | | 95123 | US | 2023-02-27 |
| Nick Gurganus | Atlanta | | 30345 | US | 2023-02-27 |
| Sam Janami | Carlsbad | | 92011 | US | 2023-02-27 |
| Yii Ju sen | Pullman | | 99163 | US | 2023-02-27 |
| Bobby Johnson | Providence | RI | 2909 | US | 2023-02-27 |
| Raleigh koritz | Saint Paul | MN | 55114 | US | 2023-02-27 |
| Hanneke Mol | Poortvliet | NE | 4693EG | US | 2023-02-27 |
| Shelby Macpherson | Dover | NH | 3820 | US | 2023-02-27 |
| Crystal Paradis | Somersworth | NH | 3878 | US | 2023-02-27 |
| Jamila Noblet | Worcester | MA | 1615 | US | 2023-02-27 |
| Kerry Hansen | Dover | NH | 3820 | US | 2023-02-27 |
| Soleil Gagne | Portsmouth | NH | 3801 | US | 2023-02-27 |
| Dante Medori | Jenkintown | PA | 19046 | US | 2023-02-27 |
| Caroline Sévilla | Paris | | 75001 | France | 2023-02-27 |
| marielaure vignaud | | | 16200 | France | 2023-02-27 |
| Corey Collins | Roswell | GA | 30075 | US | 2023-02-27 |
| Michelle Gould | Charlestown | MA | 2129 | US | 2023-02-27 |
| Anthony Dow | Dover | NH | 3820 | US | 2023-02-27 |
| Randi Pickering | Dover | NH | 3820 | US | 2023-02-27 |
| Jake Whitehouse | Durham | NH | 3824 | US | 2023-02-27 |
| Joe Thibodeau | Somersworth | NH | 3878 | US | 2023-02-27 |
| Jay Johnson | Dover | NH | 3820 | US | 2023-02-27 |
| Kalee Willard | Dover | NH | 3820 | US | 2023-02-27 |
| Angelina Calibro | Fernley | | 89408 | US | 2023-02-27 |
| Robert W | Hicksville | | 11801 | US | 2023-02-27 |
| Iris Sinai | New York | NY | 10036 | US | 2023-02-27 |
| Donna Brownley | Rochester | NH | 3867 | US | 2023-02-27 |
| viktor ifechi | New York | | 10118 | US | 2023-02-27 |
| Selina Martinez | Fort Smith | | 72904 | US | 2023-02-27 |
| Mary Le | el monte | | 91731 | US | 2023-02-27 |

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|---|---|---|---|---|---|
| John Kurtlander | | | | US | 2023-02-27 |
| Andrea Lema | | | | US | 2023-02-27 |
| Crystal Lozada | Ocala | | 34471 | US | 2023-02-27 |
| Lauretta Padgett | Sullivan | | 47882 | US | 2023-02-27 |
| Angela Higgenbottom | Huntsville | | 35810 | US | 2023-02-27 |
| Makai Price | Denver | | 80111 | US | 2023-02-27 |
| Tina Hall | Rex | | 30273 | US | 2023-02-27 |
| Friday Igbinoba | Chicago | IL | 60623 | US | 2023-02-27 |
| Alexa Langer | Chicago | | 60638 | US | 2023-02-27 |
| Gohartaj Goudarzian | Diamond Bar | | 91765 | US | 2023-02-27 |
| Adam Ginsburg | Salt Lake City | | 84121 | US | 2023-02-27 |
| Lauren Chesley | Norwood | | 13668 | US | 2023-02-27 |
| Asher Sleeth | Anderson | | 29621 | US | 2023-02-27 |
| Mark Lyon | Danielsville | | 30633 | US | 2023-02-27 |
| julieann kimbell | Prosper | | 75078 | US | 2023-02-27 |
| Anthonia aniunoh-osuji | Miami | | 33130 | US | 2023-02-27 |
| Michelle Stutzman | Grain Valley | | 64029 | US | 2023-02-27 |
| Sunday Olatunji | New York | NY | 10118 | US | 2023-02-27 |
| Israel Loveday | London | | 39901 | US | 2023-02-27 |
| Kyan Lewis | Little Rock | | | US | 2023-02-27 |
| Jordyn Hurowitz | Scottsdale | | 85255 | US | 2023-02-27 |
| Daria Melnikova | Aliso Viejo | | 92656 | US | 2023-02-27 |
| Stephanie Heal | Windham Cente | ME | 4062 | US | 2023-02-27 |
| Irma Gomez | Miami | FL | 33186 | US | 2023-02-27 |
| Avery Huddle | Panhandle | | 79068 | US | 2023-02-27 |
| bruno da Silva Fonseca | Denton | | 76208 | US | 2023-02-27 |
| kimberly Sanchez | Bradley Beach | | 7720 | US | 2023-02-27 |
| Kaylee Leach | Amarillo | | 79108 | US | 2023-02-27 |
| Bill Nye | Burlington | KY | 41005 | US | 2023-02-27 |
| Ugomma Epoh | Compton | | 90221 | US | 2023-02-27 |
| Iyke Justin | Philadelphia | | 19151 | US | 2023-02-27 |
| Damien Hegarty | Bronx | | 10452 | US | 2023-02-27 |
| Karen Doman | Ridgefield | CT | 6877 | US | 2023-02-27 |
| Corgan Ross | Peoria | | 61615 | US | 2023-02-27 |
| Lindsey Buxbaum | Southbury | | 6488 | US | 2023-02-27 |
| Kerri Shea | Wantagh | | 11793 | US | 2023-02-27 |
| Potter Out | Park Ridge | | 60068 | US | 2023-02-27 |
| John Henley | Nashville | | 37217 | US | 2023-02-27 |
| Charlie Morris | Marietta | | 30067 | US | 2023-02-27 |
| Kaitlyn Pahl | Twin Lakes | | 53181 | US | 2023-02-27 |
| Divya Nagendran | Aurora | | 60505 | US | 2023-02-27 |
| Kenneth Clark | Kennebunk | | 4043 | US | 2023-02-27 |
| Alex Ceballos | Stockton | | 95202 | US | 2023-02-27 |
| Brenda Avalos | Naugatuck | | 6770 | US | 2023-02-27 |

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| Sabon Ototoh | Las Vegas | | 89169 | US | 2023-02-27 |
| Dfire butt | Williamsburg | | 23188 | US | 2023-02-27 |
| David Garofano | Derry | NH | 3038 | US | 2023-02-27 |
| Maria G Maugeri | Freeport | FL | 32439 | US | 2023-02-27 |
| Dane Shaw | Kennebunkport | ME | 4046 | US | 2023-02-27 |
| Oleg Kobets | Kemerovo | | 650001 | Russia | 2023-02-27 |
| Aaron Buell | Dover | NH | 3820 | US | 2023-02-27 |
| Frédéric Jaubert | Pont de Chéruy | | 38230 | France | 2023-02-27 |
| Deb Leonard | Rochester | NH | 3867 | US | 2023-02-27 |
| Traci Bisson | Barrington | NH | 3826 | US | 2023-02-27 |
| simone maes | | | 9000 | Belgium | 2023-02-27 |
| christie nevius | Dover | NH | 3820 | US | 2023-02-27 |
| Elisabeth Bechmann | Polten | | 3100 | Austria | 2023-02-27 |
| Patrick Collins | Portsmouth | NH | 3801 | US | 2023-02-27 |
| Maryann Staron | Hometown | IL | 60456-1035 | US | 2023-02-27 |
| Jessica Sawyer | Rochester | NH | 3867 | US | 2023-02-27 |
| Josh Gavina | Hereford | | 79045 | US | 2023-02-27 |
| Ava Jones | Chicago | | 60609 | US | 2023-02-27 |
| Burke Sampson | Kansas City | | 64121 | US | 2023-02-27 |
| Halle Garrison | Robbinsville | | 8691 | US | 2023-02-27 |
| Shari Werve | Kenosha | | 53143 | US | 2023-02-27 |
| Yamile Guzman | Silver Spring | | 20903 | US | 2023-02-27 |
| bryana johnson | Chicago | | 60642 | US | 2023-02-27 |
| Samantha Rindell | San Angelo | | 76904 | US | 2023-02-27 |
| Christna Frutuoso | Esch | | 4069 | Luxembourg | 2023-02-27 |
| Cecilia Macabeo | Lihue | | 96766 | US | 2023-02-27 |
| Success Chikwere | The Bronx | | 10467 | US | 2023-02-27 |
| adelynn hinman | Mullica Hill | | 8062 | US | 2023-02-27 |
| Cody Ouimet | York Village | ME | 3909 | US | 2023-02-27 |
| La' Keisha Allen | | | | US | 2023-02-27 |
| Delaney Brunner | Wake Forest | | 27587 | US | 2023-02-27 |
| Eli Hassani | Woodbury | | 55125 | US | 2023-02-27 |
| kiyah franc | Momence | | 60954 | US | 2023-02-27 |
| TMB Lion | Phoenix | | 85034 | US | 2023-02-27 |
| Katerina Sanchez | Greenville | | 29605 | US | 2023-02-27 |
| IMan Story | Richmond | | 23235 | US | 2023-02-27 |
| Audrey Harper | Salt Lake City | | 84111 | US | 2023-02-27 |
| William Likens | Hartford City | | 47348 | US | 2023-02-27 |
| Varda Khan | Albany | | 12208 | US | 2023-02-27 |
| Alaba Adejuwon | Boston | | 2110 | US | 2023-02-27 |
| Amber Houde | Lebanon | ME | 4027 | US | 2023-02-27 |
| Tia Stevens | Hyde Park | | 2136 | US | 2023-02-27 |
| Carolyn Moscone | Somersworth | NH | 3878 | US | 2023-02-27 |
| Marc Huysmans | Edegem | | | Belgium | 2023-02-27 |

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|---|---|---|---|---|---|
| Jaclyn Scott Kay | Dover | NH | 3820 | US | 2023-02-27 |
| Danielle Payeur | Springvale | ME | 4083 | US | 2023-02-28 |
| Jen Doherty | Dover | NH | 3820 | US | 2023-02-28 |
| Claire Davis | Boston | MA | 2116 | US | 2023-02-28 |
| Arleen Harty | Dover | NH | 3820 | US | 2023-02-28 |
| L Saunders | Masterton | | | New Zealand | 2023-02-28 |
| Alonso Ramirez | Sterling Heights | | 48312 | US | 2023-02-28 |
| Vanessa Barboza | El Paso | | 79930 | US | 2023-02-28 |
| Arsen Tyrchyk | Arlington Heights | | 60004 | US | 2023-02-28 |
| Jennifer Henning | Folsom | | 95630 | US | 2023-02-28 |
| Tom Doherty | Dover | NH | 3820 | US | 2023-02-28 |
| Danielle Alley | Dover | NH | 3820 | US | 2023-02-28 |
| Garnett Persinger | Meadville | PA | 16335 | US | 2023-02-28 |
| Jody Curran | Providence | RI | 2907 | US | 2023-02-28 |
| Michael Doherty | Oak Harbor | WA | 98277 | US | 2023-02-28 |
| Renata Cheferrino | Rio de Janeiro | | | Brazil | 2023-02-28 |
| Wendy Kettlewood | Dover | NH | 3820 | US | 2023-02-28 |
| Berfin Aloglu | | | | US | 2023-02-28 |
| Shannon Carlson | Dover | NH | 3820 | US | 2023-02-28 |
| Lynn Campbell | Wareham | MA | 2571 | US | 2023-02-28 |
| Polly Dale | Portsmouth | NH | 3801 | US | 2023-02-28 |
| Erick Graham | Dover | NH | 3820 | US | 2023-02-28 |
| Amanda Alexis | Rochester | NH | 3867 | US | 2023-02-28 |
| Janine Vinton | Hastings | | 3915 | Australia | 2023-02-28 |
| lauren h | Hampton | NH | 3842 | US | 2023-02-28 |
| Shannin Duchano | Somersworth | NH | 3878 | US | 2023-02-28 |
| Marcel Alexandrovich | DKI Jakarta | | 12240 | Indonesia | 2023-02-28 |
| sadie al | South Jakarta | | 12514 | Indonesia | 2023-02-28 |
| Heather Lorenzo | Berwick | ME | 3901 | US | 2023-02-28 |
| Sylvia DRIOULE | Li&#65533;ge | | | Belgium | 2023-02-28 |
| Margit Ristimäki | Helsinki | | | Finland | 2023-02-28 |
| Zachary Ferris | Mount Sterling | KY | 40353 | US | 2023-02-28 |
| Robin Lafrenier | Portsmouth | NH | 3801 | US | 2023-02-28 |
| rolf wiesler | Johannesburg | | 2041 | South Africa | 2023-02-28 |
| Annick Rumpel | Metz | | 57000 | France | 2023-02-28 |
| Wolfgang Boehm | Homer City | PA | 15748 | US | 2023-02-28 |
| Sophie Counsil | Rollinsford | NH | 3869 | US | 2023-02-28 |
| maddie hartnett | Durham | NH | 3824 | US | 2023-02-28 |
| Catherine Emmons | South Berwick | ME | 3908 | US | 2023-02-28 |
| Jay Doherty | Portsmouth | NH | 3801 | US | 2023-02-28 |
| Danielle Servas | Thionville | | 57100 | France | 2023-02-28 |
| Jessica Barger | New Ipswich | NH | 3071 | US | 2023-02-28 |
| Tracy Spinney | South Berwick | ME | 3908 | US | 2023-02-28 |
| Henry Lindell | Pittsfield | NH | 3263 | US | 2023-02-28 |

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| Alison Ballentyne | South Berwick | ME | 3908 | US | 2023-02-28 |
| Julia Gurney | Eliot | ME | 3903 | US | 2023-02-28 |
| Katrina Caouette | Sanford | ME | 4073 | US | 2023-02-28 |
| Denise Dwyer | Rochester | NH | 3867 | US | 2023-02-28 |
| Mandy Schulkind | Rochester | NH | 3867 | US | 2023-02-28 |
| Destiny Vargas | Cimarron | | 67835 | US | 2023-02-28 |
| Abiodun Johnson | Baton Rouge | | 70814 | US | 2023-02-28 |
| Kara Hayes | Lookout | | 25868 | US | 2023-02-28 |
| Antonio Arambula | Chicago | | 60616 | US | 2023-02-28 |
| teagan k | Paw Paw | | 49079 | US | 2023-02-28 |
| Tabor Vogt | Phoenix | | 85016 | US | 2023-02-28 |
| shannon garza | Houston | | 77007 | US | 2023-02-28 |
| Tom Michaels | Wayne | | 7470 | US | 2023-02-28 |
| jenise robles | Springfield | | 37172 | US | 2023-02-28 |
| Lily Tatz | | | | US | 2023-02-28 |
| riddle hidd | Allen | | 75013 | US | 2023-02-28 |
| Yadir Martinez | Kernersville | | 27107 | US | 2023-02-28 |
| Heather Peacock | Portsmouth | NH | 3801 | US | 2023-02-28 |
| Debra Green | Newbury Old To | MA | 1951 | US | 2023-02-28 |
| BillieJo Goslin | Farmington | NH | 3835 | US | 2023-02-28 |
| Tonia Calhoon | Merrimack | NH | 3054 | US | 2023-02-28 |
| Jerusha Fish | Newbury | NH | 3255 | US | 2023-02-28 |
| Thomas Pearce | Franklin | NH | 3235 | US | 2023-02-28 |
| Kaitlin Deyo | Somersworth | NH | 3878 | US | 2023-02-28 |
| Shawn St.Pierre | Boston | MA | 2128 | US | 2023-02-28 |
| Daniel Leavitt | Portsmouth | NH | 3801 | US | 2023-02-28 |
| Evie Laurash | Nashua | NH | 3062 | US | 2023-02-28 |
| Kimberly Major | Portsmouth | NH | 3801 | US | 2023-02-28 |
| Amanda Fisher | Durham | NH | 3824 | US | 2023-02-28 |
| Vanda Moore | Greenland | NH | 3840 | US | 2023-02-28 |
| Allison Mahan | Dover | NH | 3820 | US | 2023-02-28 |
| Jordyn Cook | Dorchester | MA | 2125 | US | 2023-02-28 |
| Jillian Ricci | Portsmouth | NH | 3801 | US | 2023-02-28 |
| Amber Neal | Carrollton | TX | 75010 | US | 2023-02-28 |
| Joe ricci | Portsmouth | NH | 3801 | US | 2023-02-28 |
| Michelle Marland | Chelsea | MA | 2150 | US | 2023-02-28 |
| Allyson Britton | Rollinsford | NH | 3869 | US | 2023-02-28 |
| Echo Kent | Rochester | NH | 3867 | US | 2023-02-28 |
| Victoria Mason | Berwick | ME | 3901 | US | 2023-02-28 |
| Andrew Dettmer | Indianapolis | IN | 46204 | US | 2023-02-28 |
| Regan Gentner | Bedford | NH | 3110 | US | 2023-02-28 |
| Anu Gopala | Orlando | FL | 32822 | US | 2023-02-28 |
| Jason Harris | Sanford | ME | 4073 | US | 2023-02-28 |
| Elizabeth Theriault | South Berwick | ME | 3908 | US | 2023-02-28 |

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|---|---|---|---|---|---|
| Bailey Houghton | Dover | NH | 3820 | US | 2023-02-28 |
| Katie Kelley | Woolwich | ME | 4579 | US | 2023-02-28 |
| PAMELA LARDNER | MILTON | NH | 3851 | US | 2023-02-28 |
| Jane Eldridge | Wentworth | NH | 3282 | US | 2023-02-28 |
| Catie Keenan | York Village | ME | 3909 | US | 2023-02-28 |
| Hannah Emmons | South Berwick | ME | 3908 | US | 2023-02-28 |
| Sherri Woodward | 18w 51st Street | ME | 3906 | US | 2023-02-28 |
| Donna Gardner | New York | NY | 10118 | US | 2023-02-28 |
| Alexis Zerbinopoulos | Rochester | | 3867 | US | 2023-02-28 |
| Miranda Anderson | Lee | NH | 3861 | US | 2023-02-28 |
| Monica Zani | South Portland | ME | 4116 | US | 2023-02-28 |
| Brittney Blouin | Rochester | NH | 3867 | US | 2023-02-28 |
| Melanie Giehl | Barrington | NH | 3825 | US | 2023-02-28 |
| Amanda Cloutier | Salisbury | MA | 1952 | US | 2023-02-28 |
| Kate Wiggin | Farmington | NH | 3835 | US | 2023-02-28 |
| Sarah West | South Berwick | ME | 3908 | US | 2023-02-28 |
| Maya Miatkowski | Berwick | ME | 3901 | US | 2023-02-28 |
| Kelsey Roy | Dover | NH | 3820 | US | 2023-02-28 |
| Christain Main | Boston | MA | 2210 | US | 2023-02-28 |
| Laminda Puckett | Portsmouth | NH | 3801 | US | 2023-02-28 |
| Maura Oakes | Biddeford | ME | 4005 | US | 2023-02-28 |
| Matt Fisher | Somersworth | NH | 3878 | US | 2023-02-28 |
| Michelle Rennie | Berwick | ME | 3901 | US | 2023-02-28 |
| Claudia Negalha | New Bedford | | 2745 | US | 2023-02-28 |
| Sarah Krzyzanowski | Portsmouth | NH | 3801 | US | 2023-02-28 |
| Laura Costello | Berwick | ME | 3901 | US | 2023-02-28 |
| Faith Loewy | Dover | NH | 3820 | US | 2023-02-28 |
| Mary Everett | Durham | NH | 3824 | US | 2023-02-28 |
| Mike Daigle | Rye | NH | 3870 | US | 2023-02-28 |
| Vulture Bones | Brooklyn | NY | 11226 | US | 2023-02-28 |
| Diana Tobey | Berwick | ME | 3901 | US | 2023-02-28 |
| Jennifer Fowler | New York | NY | 10033 | US | 2023-02-28 |
| Veronica Bodge | Berwick | ME | 3901 | US | 2023-02-28 |
| Eileen Maroney | Rochester | NH | 3867 | US | 2023-02-28 |
| Eleanor Langthorne | Somersworth | NH | 3878 | US | 2023-02-28 |
| Kristine Cartier | Somersworth | NH | 3878 | US | 2023-02-28 |
| Margaret Buckley | Rochester | NH | 3867 | US | 2023-02-28 |
| Ben Van der Voet | Framingham | MA | 1702 | US | 2023-02-28 |
| Mariele Chambers | Waterville | ME | 4901 | US | 2023-02-28 |
| Emily Gallagher | Kittery | ME | 3904 | US | 2023-02-28 |
| Paul Leblanc | Salem | NH | 3079 | US | 2023-02-28 |
| Josh Everett | South Berwick | ME | 3908 | US | 2023-02-28 |
| Devon Belanger | South Berwick | ME | 3908 | US | 2023-02-28 |
| Eleanor Melanson | Lebanon | ME | 4027 | US | 2023-02-28 |

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| Valérie Paillard | Savigny-le-Temple | | 77176 | France | 2023-02-28 |
| Meagan Paige | Somersworth | NH | 3878 | US | 2023-02-28 |
| Amanda Gautreaux | Rochester | NH | 3867 | US | 2023-02-28 |
| Jenifer LaPanne | Hampton | NH | 3842 | US | 2023-02-28 |
| Jennifer McQueen | Rochester | NH | 3867 | US | 2023-02-28 |
| Esmeralda Perez Cruz | Lexington | | 40509 | US | 2023-02-28 |
| Jordan Gregory | Athens | | 30605 | US | 2023-02-28 |
| Loading Chicken | New Braunfels | | 78130 | US | 2023-02-28 |
| Bonnie Bremner | Exeter | NH | 3833 | US | 2023-02-28 |
| Isaiah Terrazas | San Bernardino | | 92404 | US | 2023-02-28 |
| Amy Ledford | Jacksonville | | 32255 | US | 2023-02-28 |
| kate martin | North Conway | | 3860 | US | 2023-02-28 |
| Patrick Collins | Dover | NH | 3820 | US | 2023-02-28 |
| A J | Little Rock | | 72202 | US | 2023-02-28 |
| Shamus McBride | Clarksville | | 37040 | US | 2023-02-28 |
| keke j | Columbia | | 39429 | US | 2023-02-28 |
| Clay Shires | Washington | | 20068 | US | 2023-02-28 |
| Marlene Meek | Columbus | | 47203 | US | 2023-02-28 |
| Jessie Cobb | Ocala | | 34471 | US | 2023-02-28 |
| Arline Lohli | Las Vegas | | 89129 | US | 2023-02-28 |
| Sue Schümmer | Ulm | | 89077 | Germany | 2023-02-28 |
| Lawrence Malsi | Dover | NH | 3820 | US | 2023-02-28 |
| keri capdevila | Staten Island | | 10312 | US | 2023-02-28 |
| lorraine fish | Elkhart | | 46514 | US | 2023-02-28 |
| Seagram Montgomery | Jackson | | 39272 | US | 2023-02-28 |
| Anaiah Dancy | San Antonio | | 78260 | US | 2023-02-28 |
| Aaron Earthworm | Pikesville | | 21208 | US | 2023-02-28 |
| Mara Perry | Newmarket | NH | 3857 | US | 2023-02-28 |
| Maddy Shuldman | Portsmouth | NH | 3801 | US | 2023-02-28 |
| Tracy Voisine | Naugatuck | CT | 6770 | US | 2023-02-28 |
| Cayli Armstrong | Somerville | MA | 2143 | US | 2023-02-28 |
| Jamie Cooper | Denver | CO | 80238 | US | 2023-02-28 |
| Alli Gnirk | Somersworth | NH | 3878 | US | 2023-03-01 |
| Dan Haugland | Sedgwick | ME | 4676 | US | 2023-03-01 |
| Florensia Cuevas | Dover | NH | 3820 | US | 2023-03-01 |
| Samantha Printy | Portsmouth | NH | 3801 | US | 2023-03-01 |
| Michelle Small | Wells | ME | 4090 | US | 2023-03-01 |
| Kris Myres | Stockbridge | GA | 30281 | US | 2023-03-01 |
| Jenna Loubier | Barrington | NH | 3825 | US | 2023-03-01 |
| Linda Loewy | Rochester | NH | 3867 | US | 2023-03-01 |
| Lori Stevens | Acton | ME | 4001 | US | 2023-03-01 |
| Melissa Gustafson | Rochester | NH | 3867 | US | 2023-03-01 |
| Brian Spinney | Boston | MA | 2128 | US | 2023-03-01 |
| Virginia Raplaus | Kittery | ME | 3904 | US | 2023-03-01 |

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| Francine Poitras Jones | Edenton | NC | 27932 | US | 2023-03-01 |
| Heather Boyer | Somersworth | NH | 3878 | US | 2023-03-01 |
| Cindy Ehlers | Barrington | NH | 3825 | US | 2023-03-01 |
| Karen Chambers | Miami | FL | 33176 | US | 2023-03-01 |
| Stephen Rezack | Dover | NH | 3820 | US | 2023-03-01 |
| Zoe Rice | Portsmouth | NH | 3801 | US | 2023-03-01 |
| teryn poole | Somersworth | NH | 3878 | US | 2023-03-01 |
| Emily Bingham | Rochester | NH | 3867 | US | 2023-03-01 |
| Beverly Heath | Lewiston | ME | 4240 | US | 2023-03-01 |
| Trevor Bartlett | Portsmouth | NH | 3801 | US | 2023-03-01 |
| Rachel Petty | Silver Spring | MD | 20904 | US | 2023-03-01 |
| Kathryn Auger-Campbell | Portsmouth | NH | 3801 | US | 2023-03-01 |
| Shelley Turner | Rochester | NH | 3867 | US | 2023-03-01 |
| Patricia Barrows | Philadelphia | PA | 19120 | US | 2023-03-01 |
| April Mcleod | Dover | NH | 3820 | US | 2023-03-01 |
| Barbara Krekorian | Rochester | NH | 3867 | US | 2023-03-01 |
| Michelina Palmer | Rochester | NH | 3867 | US | 2023-03-01 |
| Jackson Theriault | Elmwood Park | IL | 60707 | US | 2023-03-01 |
| Sophia Pearce | Dover | NH | 3820 | US | 2023-03-01 |
| Paula Boulanger | Rollinsford | NH | 3869 | US | 2023-03-01 |
| Albedio Felicio | Nottingham | NH | 3290 | US | 2023-03-01 |
| Brendan Cuff | Fremont | NH | 3044 | US | 2023-03-01 |
| Allison Whitaker | Berwick | ME | 3901 | US | 2023-03-01 |
| Greg Dye | Somersworth | NH | 3878 | US | 2023-03-01 |
| Janet Cerilli | Dover | NH | 3908 | US | 2023-03-01 |
| Nicole Cailler | Somersworth | NH | 3878 | US | 2023-03-01 |
| DiAnna Bearden | Toledo | OH | 43610 | US | 2023-03-01 |
| Samantha Bachman | Lebanon | ME | 4027 | US | 2023-03-01 |
| Jill King | Dover | NH | 3820 | US | 2023-03-01 |
| Beth LaPointe | Jacksonville | FL | 32211 | US | 2023-03-02 |
| Matthew Schultz | Nottingham | NH | 3290 | US | 2023-03-02 |
| Mona LaPierre | Barrington | NH | 3825 | US | 2023-03-02 |
| Jeremiah Bunmi | Dallas | TX | 75247 | US | 2023-03-02 |
| James Gurney | Eliot | ME | 3903 | US | 2023-03-02 |
| marie-jeanne choquet | Marck | | 62730 | France | 2023-03-02 |
| Steven Malo | Portsmouth | NH | 3801 | US | 2023-03-02 |
| Ken Thornton | Dover | NH | 3820 | US | 2023-03-02 |
| Alia Lysiuk | Salt Lake City | UT | 84106 | US | 2023-03-02 |
| Sherry Maddigan | St.John's | | A1E 5Z2 | Canada | 2023-03-03 |
| Sailor Cartwright | Bath | ME | 4530 | US | 2023-03-03 |
| claudia winden | Manchester | NH | 3103 | US | 2023-03-03 |
| Alex Landrum | Berwick | ME | 3901 | US | 2023-03-03 |
| Herbert Staniek | Vienna | | 1200 | Austria | 2023-03-03 |
| Claude Carr | Dover | NH | 3802 | US | 2023-03-03 |

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| Danica Boston | Berwick | ME | 3901 | US | 2023-03-03 |
| Samantha DeFlitch | Portsmouth | NH | 3801 | US | 2023-03-04 |
| Sofia Pedroso | Grand Rapids | | 49507 | US | 2023-03-04 |
| Katherine Hernandez | Huntington Station | | 11746 | US | 2023-03-04 |
| Jay Soot | San Luis Obispo | | 93405 | US | 2023-03-04 |
| Elijah Sinkula | Seattle | | 98104 | US | 2023-03-04 |
| Madison stahl | burlington city | | 8014 | US | 2023-03-04 |
| Naomi Levin | Bethesda | | 20814 | US | 2023-03-04 |
| Breanna Crawford | Titusville | | 32780 | US | 2023-03-04 |
| Isabella Hernandez | Wake Forest | | 27587 | US | 2023-03-04 |
| Adriana Chinchilla | Culmorw | | 22041 | US | 2023-03-04 |
| Diana S | Tucson | | 85745 | US | 2023-03-04 |
| Sabrina Belvoir | Redmond | | 97756 | US | 2023-03-04 |
| Dee Morris | Rochester | NH | 3867 | US | 2023-03-04 |
| Mariela Madrilejos | Westlake | OH | 44145 | US | 2023-03-04 |
| Krystle McLean | South Berwick | ME | 3908 | US | 2023-03-04 |
| Erica Layman | York Village | ME | 3909 | US | 2023-03-04 |
| Heidi Siebens | Muizen | | 2800 | Belgium | 2023-03-04 |
| Gerald Hallead | Traverse City | MI | 49686 | US | 2023-03-04 |
| Marc Smith | Keene | NH | 3431 | US | 2023-03-06 |
| Frances Mackiewicz | Beachwood | NJ | 8722 | US | 2023-03-06 |
| Sally Martin | Portsmouth | NH | 3801 | US | 2023-03-06 |
| Michelle Austin | Athens | | 10433 | Greece | 2023-03-06 |
| Kristina Sedic | Zagreb | | 10000 | Croatia | 2023-03-06 |
| Mary foley | Cork | | d15 | Ireland | 2023-03-06 |
| Kelly Nevins | Dover | NH | 3820 | US | 2023-03-06 |
| Deb Andrews | Australia QLD | CA | 90241 | US | 2023-03-07 |
| Natalia Stojanova | Karlovo | | | Bulgaria | 2023-03-07 |
| Jayme Littlefield | Rochester | NH | 3839 | US | 2023-03-07 |
| Freya Harris | Atlanta | GA | 30342 | US | 2023-03-07 |
| Rachel Neubauer | Dover | NH | 3820 | US | 2023-03-08 |
| Aimee Vinciguerra | Somersworth | NH | 3878 | US | 2023-03-08 |
| Петър Точев | Сопот | | | Bulgaria | 2023-03-08 |
| Martha Tamborra | Rochester | NH | 3867 | US | 2023-03-08 |
| Kristen Randall | Rollinsford | NH | 3869 | US | 2023-03-09 |
| Alena Chupas | King of Prussia | PA | 19406 | US | 2023-03-09 |
| Tim Peters | Milton | NH | 3851 | US | 2023-03-09 |
| Kim Rosmus | Somersworth | NH | 3878 | US | 2023-03-09 |
| Patricia Saddler | Dover | NH | 3820 | US | 2023-03-09 |
| Kim Bissonnette | Opelika | AL | 36804 | US | 2023-03-09 |
| Ken Dunnington | Dover | NH | 3820 | US | 2023-03-09 |
| Stephanie Skinner | Saint Augustine | FL | 32084 | US | 2023-03-09 |
| Bethany Ott | Durham | NH | 3824 | US | 2023-03-09 |
| Nikita Gagain | Oakland | ME | 4963 | US | 2023-03-09 |

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|---|---|---|---|---|---|
| Cody Veno | Philadelphia | PA | 19132 | US | 2023-03-09 |
| Cat VanVliet | Elkton | VA | 22801 | US | 2023-03-09 |
| Hayden Boyd | Boston | | 2108 | US | 2023-03-09 |
| emma collins | Columbus | | 31999 | US | 2023-03-09 |
| Fio Pampena | Delray Beach | | 33445 | US | 2023-03-09 |
| Nia Stevens | Milton | NH | 3851 | US | 2023-03-09 |
| Kaley Johnson | Durham | NH | 3824 | US | 2023-03-09 |
| Brandy Maas | Boston | MA | 2111 | US | 2023-03-09 |
| Melissa Thomas | Hudson | NH | 3051 | US | 2023-03-09 |
| Melissa Connolly | DOVER | NH | 2127 | US | 2023-03-09 |
| Osvaldo Longoria | Aurora | | 80013 | US | 2023-03-09 |
| Azali Harris-Bess | | | | US | 2023-03-09 |
| Carina Martin | Ashburn | | 20148 | US | 2023-03-09 |
| Safia Aboulaila | Dearborn | | 48124 | US | 2023-03-09 |
| Alan Kirschenbaum | Richmond | | 23235 | US | 2023-03-09 |
| Abby Bennett | Norfolk | | 23510 | US | 2023-03-09 |
| yasaman khodadadi | Los Angeles | | 90027 | US | 2023-03-09 |
| Amanda Lin | Albany | | 12208 | US | 2023-03-09 |
| Deborah Rogers | Barrington | NH | 3825 | US | 2023-03-09 |
| Jay Andersen | Richfield | | 84701 | US | 2023-03-09 |
| Van Harper | Montpelier | | 5676 | US | 2023-03-09 |
| Luci Estep | St. Louis | | 63130 | US | 2023-03-09 |
| Summer Longua | Long Valley | | 7853 | US | 2023-03-09 |
| Amanda Arel | Rochester | NH | 3867 | US | 2023-03-09 |
| Karra Johnson | | | | US | 2023-03-09 |
| Joel Homan | Richmond | | 23235 | US | 2023-03-09 |
| Lauren Perry | Manhattan | | 66502 | US | 2023-03-09 |
| Sadie Enriquez | El Paso | | 79930 | US | 2023-03-09 |
| Chuck Norris | Salt Lake City | | 84108 | US | 2023-03-09 |
| Ian Howard | | | | US | 2023-03-09 |
| Moll Smith | Marquette | | 49855 | US | 2023-03-09 |
| Darlyn Mckleroy | DEXTER | ME | 4930 | US | 2023-03-09 |
| Lori Hawkins | Newmarket | NH | 3857 | US | 2023-03-09 |
| diana Jones | Boston | MA | 2127 | US | 2023-03-09 |
| Holly Buchanan | Fontana | CA | 92336 | US | 2023-03-09 |
| Penny Thorne | Rochester | NH | 3868 | US | 2023-03-09 |
| Zachary Brown | Mooresville | | 46158 | US | 2023-03-09 |
| Laura Henderson | Liverpool | | 13088 | US | 2023-03-09 |
| Sophie Fu | Skokie | | 60077 | US | 2023-03-09 |
| Stephen Rogers | Bartlesville | | 74006 | US | 2023-03-09 |
| Maria Beury | Chicago | | 60605 | US | 2023-03-09 |
| Char Crowell | Austin | | 78746 | US | 2023-03-09 |
| Heather Isaac | Vista | | 92084 | US | 2023-03-09 |
| Aixa Fielder | Los Angeles | | 90028 | US | 2023-03-09 |

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|---|---|---|---|---|---|
| Nicole Capp | San Diego | | 92128 | US | 2023-03-09 |
| juliana ashby | Seattle | | 98160 | US | 2023-03-09 |
| The Glee Club | | | | US | 2023-03-09 |
| Alyssa Anderson | New Lenox | | 60451 | US | 2023-03-09 |
| cassandra torres | Pompano Beach | | 33063 | US | 2023-03-09 |
| Cesar Castro | Lamont | | 93241 | US | 2023-03-09 |
| henry towne | Aurora | | 80013 | US | 2023-03-09 |
| Janice Rosa | Newmarket | NH | 3857 | US | 2023-03-09 |
| Anna Silva | Dover | NH | 3820 | US | 2023-03-09 |
| Trish Henry | Sanbornville | NH | 3872 | US | 2023-03-09 |
| Lyena Carroll | Strafford | NH | 3884 | US | 2023-03-09 |
| James Soskin | Dover | NH | 3820 | US | 2023-03-09 |
| Bellanira Tiguila | Pasadena | | 91104 | US | 2023-03-10 |
| Teagan Mulbury | Calhoun | | 30701 | US | 2023-03-10 |
| Eileen Daniel | Louisville | | 40220 | US | 2023-03-10 |
| James Rice | Acworth | | 30102 | US | 2023-03-10 |
| Jamie Dufault | Los Angeles | | 90006 | US | 2023-03-10 |
| JR Hecklinski | San Diego | | 92127 | US | 2023-03-10 |
| Donovan Howard | Suwanee | | 30024 | US | 2023-03-10 |
| shelby white | | | | US | 2023-03-10 |
| Yamilet Ontiveros | Corona | | 92882 | US | 2023-03-10 |
| Matthew Li | Seattle | | 98160 | US | 2023-03-10 |
| Emily Sellars | Sparks | | 31647 | US | 2023-03-10 |
| Kristine Andarmani | | CA | | US | 2023-03-10 |
| Erik Melear | Orlando | FL | 32806-1750 | US | 2023-03-10 |
| Melody MacIntosh | Gainesville | GA | 30501 | US | 2023-03-10 |
| Laura chapman | Newmarket | NH | 3857 | US | 2023-03-10 |
| Manya Lisse | Milford | CT | 6461 | US | 2023-03-10 |
| Shannon Sullivan | Dover | NH | 3820 | US | 2023-03-10 |
| Karen Giannattasio | Rochester | NH | 3867 | US | 2023-03-10 |
| Debbie Niles | Dover | NH | 3820 | US | 2023-03-11 |
| Maggie Pentasuglia | Dover | NH | 3820 | US | 2023-03-11 |
| Sean Pothier | Franklin | TN | 37067 | US | 2023-03-12 |
| Angela Clarke-LaVallee | Rochester | NH | 3867 | US | 2023-03-12 |
| Susan Irene | Durham | NH | 3824 | US | 2023-03-12 |
| Mekeel Cragin | Dover | NH | 3820 | US | 2023-03-13 |
| Elizabeth Theofrastou | Orland Park | IL | 60462 | US | 2023-03-13 |
| Pam Thompson | Dover | NH | 3820 | US | 2023-03-14 |
| Heidi White | Rochester | NH | 3867 | US | 2023-03-14 |
| Rocio Nealis | Fort Benning | GA | 31905 | US | 2023-03-14 |
| Emily Rieder | Dover | NH | 3820 | US | 2023-03-14 |
| Patricia Vincent | Dover | NH | 3820 | US | 2023-03-14 |
| Susan O'Donnell - Feige | Grantham | NH | 3753 | US | 2023-03-14 |
| Lucinda White | Berwick | ME | 3901 | US | 2023-03-15 |

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|---|---|---|---|---|---|
| Patricia Buxton | Barrington | NH | 3825 | US | 2023-03-16 |
| Marsha M Beedy | Dover | NH | 3820 | US | 2023-03-16 |
| Christine Olsson | Barrington | NH | 3825 | US | 2023-03-16 |
| Tina Stoddard | Dover | NH | 3820 | US | 2023-03-16 |
| Patricia Buxton | Barrington | NH | 3825 | US | 2023-03-16 |
| Marsha M Beedy | Dover | NH | 3820 | US | 2023-03-16 |
| Christine Olsson | Barrington | NH | 3825 | US | 2023-03-16 |
| Tina Stoddard | Dover | NH | 3820 | US | 2023-03-16 |
| Alix Martin | Dover | NH | 3820 | US | 2023-03-17 |
| Nina martin | Dover | NH | 3820 | US | 2023-03-17 |
| Elizabeth Farish | Portsmouth | NH | 3801 | US | 2023-03-17 |
| Kaitlyn Bernier | Merrimack | NH | 3054 | US | 2023-03-17 |
| Elaine Nollet | | | | US | 2023-03-17 |
| Matthew Stewart | Barrington | NH | 3825 | US | 2023-03-17 |
| Sue Fisher | Lisbon | NH | 3585 | US | 2023-03-17 |
| Molly Van Meter | Farmington | NH | 3835 | US | 2023-03-18 |
| Lucie Vinciguerra | Williamsburg | VA | 23185 | US | 2023-03-18 |
| Sarah Hulen | Dover | NH | 3820 | US | 2023-03-18 |
| Jennifer Tousignant | Barrington | NH | 3825 | US | 2023-03-18 |
| Heidi Crowell | Rochester | NH | 3867 | US | 2023-03-18 |
| Stephen Perkins | Dublin | NH | 3444 | US | 2023-03-18 |
| Zari Bazarian | Dover | NH | 3820 | US | 2023-03-18 |
| Marsha Kelly | Merrimack | NH | 3054 | US | 2023-03-18 |
| Colleen Kelly | Merrimack | NH | 3054 | US | 2023-03-18 |
| Chris Johnson | Antrim | NH | 3440 | US | 2023-03-19 |
| Ann Marie Kelly | Portsmouth | NH | 3801 | US | 2023-03-19 |
| Lynne Steer | Center Conway | NH | 3813 | US | 2023-03-19 |
| Joan How | Luton | ENG | LU3 2PU | UK | 2023-03-19 |
| Sarah Chesney | Katy | TX | 77494 | US | 2023-03-19 |
| (86[illegible] signatues) | | | | | |
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# Petition Comments

| Name | City | State | Postal Cc | Country | Commented Dat | Comment |
|---|---|---|---|---|---|---|
| Dover Dog Run I | Dover | NH | | US | 2023-02-26 | exercised dogs are happier, better bonded to their humans, more relaxed when left alone and healthier! We want to operate with the City of Dover's blessing. Hopefully this petition can help spread awareness. Please share it with your friends! Thank you everyone!!! |
| Darlene Stowell | Allenstown | NH | 3275 | US | 2023-02-26 | I have been using Sniffspot for over a year now. The hosts that provide a fenced in yard are allowing dog owners like me to be able yo exercise their dogs safely while allowing to be able to run freely. This spots are usually more maintained tgat most people's yards. No one is allowed at the spot except the guest so there isn't any more noise than would be at any dog owners house. Most dogs are too busy sniffing and playing to be barking. As for traffic? Again one or two human guests so it wouldn't be any different than if some had a backyard barbecue and invited guests. It would be a shame to not allow this in Dover when there is nothing that should be bothering anyone. |
| Amber Shaw | Salem | NH | 3079 | US | 2023-02-26 | As a vet tech I think this is a great idea. Having new places for dogs to be able to go to and sniff helps mental stimulation. When dogs have mental stimulation is helps them a ton. Makes them less destructive, decreases unwanted behavior, etc. I love this idea. |
| Kristen McClella | North Hampton | NH | 3862 | US | 2023-02-26 | This facility provides a much needed service for dogs and their parents. Pure fun for both! |
| Heather Buttiglie | Lebanon | ME | 4027 | US | 2023-02-26 | We (dogs and humans) need spots like these, and more of them in our area. Not all dogs are dog park material and having options for fun, safe places to exercise, train and bond without the risk of uncontrolled dogs running up to you are so valuable to the community! |
| KErry Shallis | Coatesville | PA | 19320 | US | 2023-02-26 | These types of dog parks keep the reactive, unusual, quirky, old, young, shy (I could go on) dogs in a safe controlled environment where they can have gun. |
| A Harvey | North Brunswick | NJ | 8902 | US | 2023-02-26 | As a fellow Sniffspot host, I wholeheartedly support opening more options for people with no yards, whose dogs don't do well in public dog parks, and for so many reasons. As the petition states, there's no more noise than if the family that lived there let their dog out to play. In fact most of my dog guests don't bark at all! They're too busy running, enjoying new smells, or playing fetch with their person. It really is such an amazing thing for your community to offer & support. It supports dog owners, dogs, and small business owners. |
| Beth Jenkins | Derry | NH | 3038 | US | 2023-02-26 | I love the idea of these safe places for dogs and their humans to safely play. I expect I will be looking to use these spots in the future. I see wonderful comments about the Dover snif spot on several FB pages I follow. It seems they are a model for other property owners to be able to follow. |
| Maria Francesch | Dover | NH | | US | 2023-02-26 | I don't have a dog, but I've been following Matty and Liz for years now and trust that they are doing things legally, wholeheartedly, and with lots of love. |
| Kathryn Filanosk | Madbury | NH | 3823 | US | 2023-02-27 | Sniff spots are awesome and there should be more of them! It's a safe way to get your dog our and exercised or work on training that you might not have the space for normally. I hope more and more become available as someone who needed this at our last house. Our dog had back surgery and couldn't visit the regular dog park any more since she's not allowed to rough house with other dogs. A sniff spot would have been perfect for her to get out and be able to run around and exercise. We're lucky enough that our new home has a fenced in yard, but not everyone has that option. |
| Elizabeth Rodge | Dover | NH | 3820 | US | 2023-02-27 | This is also for the NON dog owner, who is sick of the dog in the next apartment who won't stop barking. If only the owner would take the dog out to exercise, it could have a hearty nap instead of being a ball of nerves. A sniff spot provides a place for that, and the owner doesn't even have to walk far. |
| Kathryne Day | Somersworth | NH | 3878 | US | 2023-02-27 | Doggos deserve a safe place to run and play! |
| Lisa Soucie | Somersworth | NH | 3878 | US | 2023-02-27 | This is a great resource for so many dog owners who are looking for a secluded and safe space for their dogs to play. Very responsibly done! |

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| Kate Kenner | Guilford | VT | 5301 | US | 2023-02-27 | With all the noise people make they are worried about dogs barking happily? I have been to dog parks and they were never noisy. Dogs who can not be off least need to run, play, and socialize. To deny them that is cruel and entitled as it is not just people who deserve these activities. |
| Christine Oh | Portsmouth | NH | 3801 | US | 2023-02-27 | Dover Dog Run was such a tremendous blessing in our lives, and it is such a shame that the city of Dover has decided to close what was such a safe haven for us on the grounds that they thought that it could change the dynamics of the neighborhood. With Dover Dog Run's clear parking guidelines and the use of the park by one dog owner at a time, it does not make sense how the city could view this as a disturbance. It seems that if this were actually the case, that it should then be illegal for all Dover residents to have any visitors to their home then or to ever foster dogs or own multiple dogs. The owners of Dover Dog Run ran this park in such a safe and professional manner, putting the dog's and owner's health and safety at the forefront above all else, whilst still being respectful of their beautiful neighborhood. I cried tears of joy when I first brought my dogs to Dover Dog Run because I always dreamed that such a place would exist in Dover, and because I was so happy to see my two dogs running and having |
| Stacie Cocola | Dover | NH | 3820 | US | 2023-02-27 | I think this is a great idea! |
| Kerry Hansen | Dover | NH | 3820 | US | 2023-02-27 | I support the Dover Dog Run |
| Jillian Ricci | South Berwick | ME | 3908 | US | 2023-02-28 | This would be AMAZING for our pup!! We don't love dog parks and this is great for exercise and mental stimulation for our girl. We don't have a fenced in yard and we'd love to let her run around and be a dog |
| Laminda Puckett | Portsmouth | NH | 3801 | US | 2023-02-28 | This is a safe, appropriate space for dogs and their owners to alleviate pent up energy. Tired dogs are better behaved, sleep better, and happier. Who doesn't want that...we are all trying to do the best for our fur babies and this gives us a spot to make it happen! |
| Emily Gallagher | Kittery | ME | 3904 | US | 2023-02-28 | I love 'em! |
| Karen Chambers | Miami | FL | 33176 | US | 2023-03-01 | I am passionate about dogs and their rights…Dog parks are scary! ..and Dangerous because people don't train their dogs |
| Sherry Maddigar | St.John's | | A1E 5Z2 | Canada | 2023-03-03 | Dogs deserve it! |
| Aimee Vinciguer | Somersworth | NH | 3878 | US | 2023-03-08 | A private place to let your dogs run is so important and should be a priority. Such a great service they are willing to offer! |
| Nikita Gagain | Oakland | ME | 4963 | US | 2023-03-09 | A facility like this helps alleviate the dog overpopulation crisis by opening up the door to adoption for those who could not otherwise do so, due to space constraints or immune challenges going to public dog parks. Dogs who otherwise would be difficult to adopt due to needing to not be around other dogs or strange people would be able to have a reliable outlet for play, increasing their likelihood of success in new homes by providing a place to get energy out without misbehaving. This is a critically needed service. The owners of this facility are outstanding citizens, and deserve a chance to provide this service. Please grant them the proper permits (and tell them what permits those are) to help save lives and improve the quality of life for pets and their owners. |
| Holly Buchanan | Fontana | CA | 92336 | US | 2023-03-09 | Such a reputable, safe, caring and enriching environment for our loving (and loved) companions to enjoy, exercise, socialize and be themselves MUST BE ALLOWED the permit they deserve!! |
| Elizabeth Theofr | Orland Park | IL | 60462 | US | 2023-03-13 | We really enjoyed visiting this park during our New England road trip vacation. It was very easy to get to, clean, had fun little goodies for us to enjoy and encouraged us to explore the area! We had pizza at La Fiesta and visited the cider tasting room nearby. Having this type of park is an absolute asset to the city of Dover. We hope to visit again when we come back to New Hampshire |

WE BELIEVE IN A SAFE SPACE

# Dover Dog Run, LLC

Ms. Elizabeth Rodgers & Dr. Alexandra Martin
doverdogrun@gmail.com
7 & 9 Middlebrook Road, Dover, NH 03820


March 20, 2023

Dover Zoning Board Members,

I, Elizabeth Rodgers, and my business partner-neighbor Alexandra Martin, are writing in regards to appeal an administrative decision, on permit #ZONE=2023-0020/21. We thank you very much for hearing our case and hope to capture your understanding in this description of our efforts to improve our community with a service. I will attach copies of our reviews and letters from the community at the end of this response, along with our petition showing over 850 supportive signatures.

At the end of November, 2022, we listed our properties on Sniffspot.com. Sniffspot is an app/website which allows homeowners to list their properties for dog owners who don't have access to private yard space to book play space for their dogs. This article "Dog Park Alternatives" was just published in the "Whole Dog Journal" (Linked here) which explains the benefits of options like Sniffspot. I felt like it really resonated with our mission when I read "I have enough fenced space to throw balls (even with a Chuckit!) and run a dog enough to get them tired. Buying a property like this, and spending thousands to have its perimeter fencing completed, was a long-time goal for me and I'm *so* happy to have it." This article goes on to well explain the need for private dog parks, specifically citing the benefits of "Sniffspot" affiliates. "An app makes it possible for people to reserve and rent the space in half-hour increments. The software ensures that the rental is private – no other users will be present at the same time. Sniffspot collects payments from the users (from $5 to $15 per hour, per dog) and distributes the payments to the hosts at the end of each month. The company also requires that users submit vaccination records and attest that the dogs have flea/parasite prevention on board, *and* provides $2 million of liability insurance and $5,000 of damage protection to the hosts." There is even a mandatory buffer placed between appointments to prevent guest interactions.

There are so many good reasons for Sniffspots to be in the community. It is a controlled neutral space to meet your dog's new or already known friends. For instance my dog likes to meet up with his old foster family's dogs for playdates. This is a great way to socialize without the risky part of meeting new dogs unpredictably. When my friend's fence was damaged in the recent storm, she would have loved an established, trusted Sniffspot to bring her dogs until she could get it repaired. How many lost dogs occur while getting their zoomies out off-leash? Visiting a fenced Sniffspot allows a safe space for dogs to "let loose" a little bit and run full speed in a safe and fenced-in environment. Having multiple types of yards to visit would provide even easier access to dog enrichment activities which don't even require other dogs, just a new place to sniff around.

No complaint has been filed about Dover Dog Run LLC. We were in operation between the end of November through mid-January. We had an overwhelmingly positive response from the community and quickly gained supporters of our small business. In January I was worried that our business may be out of step with the City Of Dover's requirements, so I called Town Hall and asked. I spoke to Ms. Kypfer, who said that we should not host business guests until we have a Customary Home Occupation permit approved. I voluntarily canceled appointments and listed us as having "no availability" online. My partners

and I applied for the permit right away. Our goal was to be transparent with the town and work with them to operate a business that would be agreeable for everyone.

In our six weeks of business, we earned over $500 in passive income. We were quickly gaining supporters. It is impossible to predict how much growth we could have had in the following months. Assuming things would have just remained steady, as of mid March we have lost at least $500 in revenue that could have gone into our business, or back into the economy (after taxes, of course). Continued denial of our business is costing us earned income. Yet it is not just about us making a little extra income and seeing happy dogs playing. It is about you watching your dog run off leash for the first time ever! It is about a family with a toddler who didn't have time to walk their dog, who now has pent up energy around a toddler. It is about all the mill building, apartment, condo, and home-owning community residents with no fenced in yard. It is about people traveling here who just need to let their dog cut loose for a bit after their many hour holiday drive. It is about not worrying about dog fights, strangers… Or diseases, because we check dog vaccination records too! It is for everyone who is sick of seeing off-leash dogs on public property where they shouldn't be. I've seen complaints on many public Dover Facebook groups of unleashed dogs running up to them on public walking and hiking trails. (This is a very frightening experience, even for a seasoned dog owner.) This is providing a safe, quiet alternative for reactive dogs who can't be around noisy traffic and other creatures. This space is monitored, unlike public parks. Private play spaces provide a place where people can train their dogs to become ready for a public dog park experience.

We are in agreement that in general "Sniffspot" is not an ideal thing to invite into your community, UNLESS your permittees abide by regulations to keep the traffic to their property within scope of the zoning charter, as we proposed. Since we closed, another Dover Sniffspot opened- listing availability 24/7, allowing 20 dogs at a time. This is the perfect example of a permit that should be denied until reasonable restrictions are in their business practice. According to google, on 3/2/23 "Sniffspot" has **31 fully fenced dog parks** in or near Dover." As of 3-17-23, that number increased to 33 parks. We cannot emphasize enough that this is happening, with or without the city's approval, so we implore you to accept and regulate it.

The City of Dover, NH offers one public dog park. We are thankful that Dover offers a nice dog park, and are aware it gets a lot of traffic. We are in full support of it and wish to explain an additional, unfulfilled need of many local dog owners. There are a number of reasons that public dog parks are not suitable for a lot of dogs. Public parks are not safe for puppies, disabled, immunocompromised/frail, old dogs. Many dogs are anxious or reactive, making the unpredictability of a public park totally out of the question. Transportation to and from a dog park with a dog can be tricky for a disabled person like myself. A significant population of people who are less mobile or cannot afford private transport that allows pets would benefit if there were more private places, possibly within walking distance, to bring their dogs.

Allowing people with fenced yards to privately rent out their land as a by-appointment-only dog play space eases the burden of the public dog park (and other private dog play spaces in residential areas), increasing accessibility across town, and providing numerous legal alternatives to letting dogs off leash in regular public parks and trails. This also eases the burdens of traffic, trash and dog waste at public trails and parks, as the land owner we would be there to keep it clean. Since it is scheduled, it by definition regulates traffic. In our case- I am home at appointment times and monitor the yard via video monitoring to intervene if any undesirable or disruptive behavior occurs. Likewise, since I am home all the time, I am especially sensitive to changes in my environment. Being bothered by loud activities in our own backyard is the last thing we want. We would never want to risk disturbing my neighbors and are very aware of how our choices may affect them.

Cost of living is high and much of the community is struggling to make ends meet. This would lead me to two assumptive conclusions:

1. Citizens may have fenced yards available that they would like to make into a similarly regulated dog play space. This passive income would ease the burdens of the landowner and boost the

economy. The more play spaces we have like this, the less the burden is on any one residential playspace.
*Similarly, it is a good way for a disabled person like myself to make an income and to reduce my dependency on State and Federal assistance.*

2. Taxpayers with full time employment may be gone and not have time to give their dogs full walks everyday. A private play appointment could be just what everyone in the household needs to burn energy fast and have a peaceful home.

*On a personal note, I have four friends who want to open Sniffspots, and are waiting to see what happens with this case before they "bother" to apply for a permit. I assume the town would prefer knowing about these operations and set guidelines to keep them agreeable with our neighborhoods. Collect the permit application fees, collect the taxes!*

1. *CHO Definition –*

   **CUSTOMARY HOME OCCUPATION** means an occupation carried on as a secondary use in a DWELLING UNIT or accessory BUILDING by the occupant of such unit.

2. *Standards of subsections G. and H. –*

   G. The BUILDINGs or premises occupied shall not be rendered objectionable or detrimental to the residential character of the NEIGHBORHOOD because of the exterior appearance, traffic emission of odor, gas, smoke, dust, noise, electrical disturbance, light emissions, or in any other way. In a MULTIFAMILY DWELLING, the use shall in no way become objectionable or detrimental to any residential use within the multifamily STRUCTURE.

   H. Any such BUILDING shall include no feature of design not customary in BUILDINGs for residential use. The following uses, by nature of the investment or operation, have a potential to rapidly increase beyond the limits specified above for home occupations and impair the use, value and quiet enjoyment of adjacent residential properties. Therefore, uses such as Retail, Clinic, Landscaping, Freight, Trucking or Shipping, Painting of Vehicles, Trailers and Boats, Restaurants, Caterers or Bakeries, Taxi Service, Tool or Equipment Rental, Veterinary hospital or KENNEL and others of a similar nature shall not be considered as home occupations.

In the denial for our Customary Home Occupation permit, Ms. Kypfer said "***The definition of the CHO is clear that the occupation is carried on as a secondary use <u>in</u> a unit, while the use you propose is principally if not entirely outside of the dwelling.***" My partner noticed that Subsection G of the CHO charter opens with a reference to "buildings or premises" (not "buildings *and* premises"), with "premises" including the *land* we own. Note that guests would be well within the confines of our property, away from the road and behind a backyard fence.

Ms. Kypfer continued, "***See Hancook v. Concord, 111 N.H. 413, 414 (1971) (holding occupation as real estate agent not a customary home occupation as it "may not readily be carried on within the confines of the home as can all those enumerated in the ordinance"); Ferron v. Concord, 102 N.H. 32 (1959) (roofing business conducted outside the home is not a customary home occupation).***" This is referencing businesses that are conducted on another person's property. Of course one cannot show new homes for sale, and re roof the homes of others from their own property. Ms. Kypfer continued to point out "***The plain text of the zoning ordinance also indicates that the CHO be carried by <u>the</u> occupant of <u>such unit</u>, not multiple occupants over multiple units.***" We realize our business structure is unique, which is why we gladly submitted two applications, one for each property. From the Zoning Office's standpoint, we fail to see the issue of two properties sharing one business, if both properties are permitted for such business.

Ms. Kypfer guided us to the CHO, and then said this in her denial: "***Similarly, it is unclear whether renting one's backyard for dogs to utilize equates to an occupation, rather than a rental of private space.***" We've asked about a rental permit instead of a CHO during multiple conversations, but were assured that a CHO was what we needed. Nearly a month after our denial and after multiple calls each to

the planning department, library, building inspectors office and the City Manager's office: It remains unclear if not qualifying for a CHO means: we do not need a permit, we need a different permit, or this is expressly forbidden. I asked the planning department, "Who is responsible for guiding the public to proper permits?" and I was told that I am on my own. So, I have asked the local library attendant who said that the person in charge of that is the building inspector. One person in the building inspector's office under their breath mentioned I don't need a permit for this, while the other passed me back to the planning office. Unfortunately the actual building inspector is on vacation, and I was unable to gain a read on their opinion.

I asked the Library for help finding materials for the public regarding the City of Dover's Permits: their appropriate uses, fees, and processes. The person I spoke to at the library was unable to locate the documents I requested. To the best of our research, The City of Dover does not provide this information in the Zoning Charter or on the public website. The planning department guided us to the portal, but that does not describe the appropriate permit uses, processes & fees. It's been especially trying to be left "on my own" when we are trying very hard to work *with* the City on this. Placing the burden on the citizen would be more reasonable if there were documents for citizens to cite and learn from. This is a space where a little more transparency from the City would probably ease everyone's job.

> **KENNEL** means any BUILDING(s) or land operated as a business for the boarding, breeding, training, or selling of five (5) or more dogs, cats or other household pets.

Ms. Kypfer said, "***First, the number of dogs (four) falls just under the threshold of a regulated "kennel." Against that backdrop, the question becomes whether the use is truly customary and whether it has the potential to change the residential character of the neighborhood.***"

Hypothetically, if myself and 5 or 6 of my dog owning friends met up at the Applevale Park in our neighborhood to walk our dogs, do a group training, or play session, that would not make the Applevale Park a "kennel," even if we paid for entrance to the park. The Applevale Park has no restrictions on the number of dogs or people that can be there at once. Applevale Park is zoned R-12, as are our properties. If it would be legal, allowed and customary to use Applevale Park in that way, I do not believe it would be out of step with the spirit of the zoning ordinance, for us to operate similarly, but with our numerous additional restrictions. Our yards would be vastly more regulated than possible in an unmonitored public park setting.

Our building or land is not in business to board, breed, train, or sell *any* number of dogs. We do not meet, care for, or train any of our guests. Our business is in renting our private land for natural recreation, outdoor walking, bird watching, playing fetch and enjoyment of the natural views across the undeveloped adjacent wetlands property. True, our target audience is dog owners, but our business is not in dogs, per se.

If the "four dog threshold" applies, Dover Dog Run spans two properties, thus the aforementioned threshold should be considered eight dogs. When we suggested a limit of four dogs, we presumed we were being generous with both the city ordinance, and our guests. After being open for a number of weeks, we realize a four dog visit would be considered the exception, not the norm. If the City of Dover prefers, we will gladly limit our dog guest number to three. Considering this is neither commercially, nor personally a collection of five or more dogs, we feel it's time to dismiss the use of the word "kennel" from any Dover Dog Run description and discussion.

Ms. Kypfer continued, "***Additionally, there is literature establishing that dogs have conflicts in dog parks and can cause other adverse consequences. See, e.g., Chen et al, Benefits and Conflicts: A Systematic Review of Dog Park Design and Management Strategies, MDPI, at 2 (2022), available at (https://www.mdpi.com/2076-2615/12/17/2251)***" We enjoyed this article, thank you for

calling it to our attention. We believe the referenced area from the article fully reads "Dogs that suffer from behavioral issues may trigger dog fights and aggregation-based dog conflicts, but also impact incompatibility between dog walkers and other park users. It is important for a well-designed and managed dog park to mitigate these issues. " We believe our scheduling system is *precisely* "well designed and managed to mitigate these issues." The linked article summarizes how there are many benefits and drawbacks to public dog parks, while exploring strategies for effective park design and management. "The objective of this study is to synthesize and analyze various aspects of dog park design and management and to assess identified strategies for enhancing their benefits while mitigating their drawbacks." Part 1.2 states "While many countries and cities retain strict regulations for dogs in public spaces, the prevalence of dog ownership and both its positive and negative impacts amidst increasing urban densities, highlight the need for safe and controllable environments for dogs and their owners." The article goes on to express the need for more dog parks.

Later in the article stating "In **Figure 7**, most research has suggested that strengthening public engagement in the decision-making process for dog park construction/management can address the conflicts between canines and humans, as well as between dog owners and non-dog owning park users." We started this whole permitting procedure offering ourselves as a lead-by-example host. We are the public attempting to strengthen engagement. We have asked the town planning department multiple times what they would like to see in an application to make it agreeable and have gotten vague responses, if any, as they are not able to collaborate with us on this.

"***Most existing issues in dog parks ultimately result from conflicts between different dogs, dog owners and non-dog owners, and impacts of ordinary dog park usage on environmental resources, such as the vegetation, soil, and other park uses."*** This quote ends with "To relieve these conflicts, regular communication and cooperation between constituents, the local government, and stakeholders, including those who advocate for and oppose dog parks, are important in the public involvement process. The selection of dog park sites, design process, and daily management can all be enhanced through representation of different constituents. For example, the involvement of dog park activists and other residents in the process of determining a dog park's location can resolve issues by taking into consideration the concerns of hygienic problem, noise and odors caused by the placement of a dog park from the beginning.") Conflicts between dogs, dog owners, and non-dog owners are resolved through the gaps in our scheduling. The article suggested video monitoring in order to assess damage, unruly behavior and "offenders" that need banning. It also suggests encouraging correspondence with the community to monitor hazards, soil and vegetation damage. All that is done daily by us, the land owners. We also have front and rear video surveillance and a public facebook page that encourages transparency.

On 3-2-23 Susan, in the city clerk's office, verbally reported approximately 4,500 registered dogs reside in Dover NH, *about a 500 dog uptick since Covid.* Ms. Kypfer cited an article "***S. Lowrey, The Dog Park Is Bad, Actually, New York Times (February 6, 2020)***" as further reference material against [public] dog parks. The article does not address privately scheduled play spaces. This article can be read here: Link to article. This article is especially critical of *public dog parks* and pulls no punches. Ms. Kypfer essentially stated in our denial that public dog parks are bad, yet also declined to allow private landowners like myself to provide this simple alternative. In Ms. Kypfer's opinion, where exactly are the 4,500 dogs supposed to go?

To quote from the article she mentioned: "Especially for urban dogs that don't have backyards to exercise in, dog parks can sound like a great idea. There is nothing natural, however, about dogs that aren't familiar with one another to be put in large groups and expected to play together. Many of us just accept the assumption that dog parks are good places to socialize a dog, but that may not be the case." The article goes on to discuss playground bullies, the trust you have to put into strangers and their dogs, risk of injuries from fights, body language interpretation struggles, and disease transmission. All of which are mitigated in our plan.

"Even clean and well maintained dog parks can pose health risks, in particular the spread of easily communicable diseases. One challenge of dog parks being unregulated public spaces is that while most post signs saying dogs should be vaccinated, no proof of vaccinations is actually required." We personally check vaccination records for each guest before they can visit. We also provide sanitized toys for dogs to use, and fresh water with clean bowls for each guest. Since we check the vaccinations of every dog, we establish a relationship with the client to know their identity and contact information. There would not be unidentified people and dogs traversing our properties. Probably the best part of the article is the finishing sentiment: "Make the time you have with your dog meaningful and enriching; after all, your dog wants to spend time with you, too" Again, we agree. Walking, exploring, sniffing and playing with new toys/trying a sport can all be done in a private back yard. We are offering two.

Ms. Kypfer continued "**While you may disagree with these views, or feel you could control for or mitigate them, the point is that the use you are proposing nonetheless seems out of step with a normal residential neighborhood, which in the end weighs against it being 'customary.'"**

We hope that upon another review, our mitigating actions will be considered as ways we *are* able to ensure the customary use of our property. We also hope that the consideration includes our communities rapidly changing needs. For instance, the 500 dog population increase since Covid.. Since the noise levels and traffic are indiscernible from our own customary use of the property, we counter that it is in step with being a normal use of R-12 zoned land. Dover Dog Run and Sniffspots are a newer business niche that may not fall in existing categories, but we feel it's incredibly important to know about and regulate, because it's happening already

Ms. Kypfer continued "***In addition, I have personally received complaints from abutters of a very similar use (private dog park) you propose, at another address in Dover, underscoring and weighing against a finding that a private dog park in a residential neighborhood is a customary home occupation.***" Before we address those complaints, we'd like to remind you that Dover Dog run is operated during daylight hours, with one appointment at a time. Dog parents are there monitoring their dog at all times and do not find their dogs to bark in any disruptive way, as they are busy playing and sniffing around. No dogs are left unattended to bark, mingle or fight with stranger dogs.

**Cited complaints are from a self described "Dog Daycare, open 24 hours a day, 7 days a week." These complaints are dated March of 2022:**

1- " [owner] opened a dog daycare…For roughly 8-9 months we are constantly awakened early in the morning 6-7am, and late at night (after 10) by excessive barking. There are dogs fighting almost every day….My dogs as well as the other dogs in the neighborhood as well as their owners are stressed out daily. Please make this stop."

2- "[owner] began boarding and keeping dogs (up to 4 additional on top of the two they own) The business has negatively impacted my daily life. We also have 2 dogs who have been impacted by this because when they go out in our yard, they are afraid of the dogs next door who constantly jump at the fence and bark at them."

3- "The last 3 days have been absolutely insane The barking has been non-stop. I was told this morning by my employer if I cant find a resolution to this situation in the next two weeks, I can no longer work from home. I got a flexible work from home job because my son is actively involved in sports at school so if I can no longer work from home my on can no longer do sports. Our lives shouldn't have to change because of [owner's] inconsideration for the entire neighborhood. As I'm writing this to you, I'm listening to the barking right now and I am in tears and I can't do this much longer. Something needs to be done about this sooner than later."

We would consider these complaints describing a business that is objectionable, or detrimental to the residential character of the neighborhood. Ms. Kypfer concluded her investigation, with the recommendations being "CHO be sought by property owner." The following month, April 2022 Ms. Kypfer approved his CHO, under the condition that he is aware of the "perceptible noise" requirement.

After citing those complaints in the Dover Dog Run denial dated 2/17/23, Ms. Kypfer may have had second thoughts about approving the daycare in April 2022. The daycare's renewal was denied 2/27/23. However, no changes in charter, or additional / current complaints from his neighbors were cited in his denial. This feels like a dangerous circular game to play without clear reasoning behind one's actions.

We haven't had a single complaint about dogs barking in our yard. Dogs in our yard are busy sniffing "pee-mails," running around, admiring the scenery, and fetching toys. Dogs in our yard certainly aren't fighting, or lunging at the fence. We haven't had any issues with noise and were home to monitor every single visit. On the other hand, I'm betting there have been MANY complaints (official or otherwise) about barking dogs in complexes, apartments and condos. Much of that pent up barky energy could be easily spent at a private dog play space, reducing EVERYONE's anxiety. Dover Dog Run is designed so even the most reactive pup can go get some enrichment and burn some energy safely.

Ms. Kypfer concludes her denial with a reference to "***See Narbonne v. Rye, 130 N.H. 70, 74 (1987) (affirming finding that adverse effects on residential neighborhoods supported finding an art studio and sales was not customary home occupation).***" The "art studio" in this case was a stained glass window making business with signs on a highway, and ads in the yellow pages. To quote the case notes "There was evidence presented before the zoning board of increased traffic, parking problems, large truck deliveries, signs, and advertising, all relating to the operation of the plaintiffs' business. The master upheld the zoning board's finding of detrimental effect, stating that "[f]rom the overall evidence before it, the board could have properly concluded that the commercial or business use of their property . . . had a deteriorating [effect] on other residential properties in the vicinity." While Dover Dog Run does have a public facebook page, we do not pay for public advertising and do not have a public storefront or signs visible from the street. We do not hold classes, offer parties, or invite any public to stop by without prior authorization. We are not changing the appearance of our property in any way. Our visitors are scheduled one at a time, controlling traffic, which would be no greater than that of us having a friend over. Again, we have had no complaints against us, and we could use ongoing video surveillance to prove lack of public nuisance or traffic disruption.

None of Ms. Kypfer's references mention privately scheduled dog play spaces like ours for comparison. A similar case was noted in a 2019 article: "**East Hampton Zoning Board Rules that Doggy Day Care is a Legal Home Occupation" (**link to article here) (Detailed Case notes here). This person operated a dog daycare that the building inspector said did not qualify as a Customary Home Occupation. However, during appeal, the Zoning Board reviewed evidence and "After noting that Marsden has two dogs of her own, the Board concluded that there was "no evidence that the activities by dogs from the pet sitting business can be distinguished from the use of the residence by [Marsden's] own dogs." classifying this as a customary use of her property and non-disruptive to her neighborhood. "The Board finds that the use of the property, as described in the record, *is a Home Occupation as defined by the Town Code in §255-1-20."*

While "dog sitting" is different from the business we propose, the way we limit traffic and yard usage to emulate that of our own yard usage is a point that stands similarly. We find this referenced small business far more relevant than a comparison to a public dog park, real estate agency, stained glass window maker offering a storefront and classes, or a roofing company.

I've asked some professionals at a local veterinary clinic what the "biggest problem" they see is for the dogs coming in. The answer was simply, "undersocialized." Defined by google: "Socialization is all about gaining experiences. Understanding the world around them helps your dog live a happier, more relaxed life." Socialization can look like dog puzzles, training, games like fetch, exploring someplace new or playing - with or without friends. Dover Dog Run LLC offers a convenient, quiet and safe space where dogs can sniff, run full speed, feel grass in their toes and wind in their fur. The dog owners simply need to bring the dog, walk from the car to our backyard, and play. Or enjoy a seat while their dog runs/sniffs around getting easy enrichment and worry-free socialization.

Undersocialized dogs have a lot of pent up feelings. Dogs tend to communicate their frustration with "undesirable behavior" like excessive barking, marking, and sometimes becoming aggressive or destroying things. At best this can lead to expensive vet and behaviorist visits. At worst, a family that doesn't have the time or dog psychology knowledge to address those issues often turns to "giving the dog up" at a shelter. We would love to be a part of the prevention of "giving dogs up." The burdens on our animal rescues are already large. It's especially important to exercise dogs properly to reduce aggression and frustration and possible bites at home. I'm talking about kid's safety especially here! But besides helping with prevention of these tragedies, we would love to help the community by becoming part of the solutions. We have worked with one local rescue already to offer an unadopted pup free play sessions. That little dog just needed to run around for a bit. We can help enrich the lives of those in need, and maybe even provide a place for potential adopters to go on a doggie-date. The fulfillment we get from this is far beyond financial and we hope you agree that it is in step with the spirit of the zoning ordinance and helping our community. We want to *maintain* the calm and peaceful nature of our neighborhood, AND passively capitalize on it by offering others to enjoy it in the same way we do.
We thank you for taking the time to read these extensive thoughts on the matter. We would be absolutely delighted to discuss any questions, or modifications that you may wish for us to elaborate upon for this to gain approval from The City Of Dover.
Please also see the appeal from Dr. Alexandra Martin at 7 Middlebrook road for her supporting letter, as this is a unified venture.

Sincerely,
Elizabeth Rodgers

We have received written consent to operate, with no negative feedback from our neighbors at #5, # 6, #10, #12, #15 Middlebrook. (Also 2 Newport) & #1 Applevale
MIddlebrook house #14 mailed their letter of approval directly to The City Of Dover's Planning department and signed our public petition. Houses #1, #2, #4 and #13 did not express an opinion, from lack of availability. House #11 provided consent via text message. All supporting documentation will be presented as attachments to this appeal.

LINKS FROM DOCUMENT:

"Dog Park Alternatives" By Nancy Kerns -Published: March 15, 2023 in the "Whole Dog Journal"

Article:
https://www.whole-dog-journal.com/blog/dog-park-alternatives/?MailingID=2288&sc=BL20230316-&st=email&utm_source=ActiveCampaign&utm_medium=email&utm_content=Dog+Park+Alternatives&utm_campaign=BL20230316-

"East Hampton Zoning Board Rules that Doggy Day Care is a Legal Home Occupation" By Anthony S. Guardino. Published on April 8, 2019 by: Farrel and Fritz Attorneys
Article:
https://www.lilanduseandzoning.com/2019/04/08/east-hampton-zoning-board-rules-that-doggy-day-care-is-a-legal-home-occupation/
Detailed Case notes here:
https://www.lilanduseandzoning.com/wp-content/uploads/sites/128/2019/04/8285578_1.pdf

# PUBLIC COMMENTS

**From:** Kerryn Schneider <kerryn.schneider@gmail.com>
**Sent:** Monday, April 10, 2023 10:06 PM
**To:** City of Dover - Planning
**Cc:** doverdogrun@gmail.com
**Subject:** In support of Dover Dog Run on Middlebrook Road

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

Good Afternoon Dover Planning,

I just wanted to voice my support for the Dover Dog Run at 7 and 9 Middlebrook Road.

I, Kerryn Hotaling, and my husband, Dustin Hotaling, own and live at 1 Middlebrook Road. I am writing to you because we were made aware of the Dover Dog Run by our Neighbor Ms. Elizabeth Rogers who lives at 9 Middlebrook Rd. We live within 200 yards of their property and because of our proximity, the City of Dover requires them to send out 3 certified letters to us.

We have lived here for 11 years. We have seen a lot of changes along Dover Point Road and in and around Middlebrook Road. Some of the changes have been great, such as Patty B's moving their restaurant from downtown to Dover Point Road and the re-branding, and improvements of Cow Licks Ice cream. Some changes have not been desirable, like Dover Honda expanding their building and parking lot to be directly in sight from my living room window. I understand that change and local businesses growing, expanding, and moving locations are all part of being in a thriving town. But, that also means allowing people to start new businesses, especially ones that will not disrupt the community.

The business plan outlined by Ms. Elizabeth Rogers and Dr. Alexandra Martin ensures that no disruption to the community and surrounding homes will occur. When Dover Honda expanded their business, they had to blast to be able to build. They literally had an inspector come into my house and inspect my foundation before and after the blasting to ensure their work did not damage my house. When the car wash next door let their fence rot and it fell into my yard, the City of Dover could not even give me contact information for the owner. Yet they asked me when and if I figured it out, if I could pass on that info to the city. It ended up taking me 3 years to finally get the car wash to fix their fence.

The business plan outlined by Dover Dog Run makes it abundantly clear they will not be disrupting the neighborhood. They are not absentee owners from out of state. They are my neighbors that actually live here and are invested in the neighborhood. It seems to me, they just want to create an option for local people to exercise their dogs in a safe space. Please reconsider and allow them to obtain a Home Occupation Permit for Dover Dog Run.

Please feel free to contact me regarding this letter. Email is the best form of contact. Kerryn.Schneider@gmail.com.

Thank you,
Kerryn Hotaling

**From:** Danielle Alley <dca03820@yahoo.com>
**Sent:** Wednesday, April 12, 2023 8:07 AM
**To:** Planning Board - All
**Cc:** City of Dover - Planning; doverdogrun@gmail.com
**Subject:** Support Dover Dog Run

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

Dear Dover Planning Board,

I'm writing to you to encourage your support of the Dover Dog Run, a private, fenced dog park.

You may wonder why are parks like this needed in the City of Dover, when a public dog park is available for use at no charge, and many public parks allow dogs in our area, leashed or unleashed. My dog is an example of why private dog parks are needed in our community. I adopted my dog last year during Covid, a time when puppies were not able to be well socialized and learn about their world filled with people, noises, surprises and distractions.
My dog was originally adopted by a family who used punitive training methods. As a result, my dog suffers from PTSD and takes prescribed anti-anxiety medications. Over the last year, he has greatly improved under his veterinary care and private training with a dog behaviorist. I have learned that trust is gained in drips and lost in buckets. One of the key things that helps him be a happy dog is predictability. The other is distance or space between him and a trigger. Surprises, especially those involving men, are terrifying for him. Taking him to a place such as a public dog park, or places where dogs or humans can approach him, and dog owners do not have solid recall of their dogs, risks my dog's health and well-being. Buckets of trust are lost with these experiences.
Having sniff spots available that are fenced, private, and local to me are very important for my dog's recovery and further training. The ultimate goal, of course, is for a happy dog. Without spaces liked Dover Dog Run, I cannot control the environment to allow my dog to feel safe in new spaces (trust in drips) I'm sure there are many people in the dog world, trainers, behaviorists, and veterinarians, who can attest to the dramatic increase in reactive dogs in our communities. Having areas like Dover Dog Run are absolutely necessary in our community to create happy, resilient dogs.

I thank you for your attention and understanding of the importance of spaces like this and appreciate all of your efforts to ensure Dover Dog Run remains a part of our community.
Please support the issuance of this permit and any other steps needed to keep this space available.

Kind regards,
Danielle Alley
21 Fords Landing Drive
Dover

Sent from my iPhone

Zoning Board of Adjustment

City of Dover

Re: "Dover Dog Run" Appeal

To Whom it May Concern,

I am writing formally to restate my opinion on the appeal of an entity known as "Dover Dog Run LLC". I am urging the Board to stand by their February 17, 2023 denial of this permit which is scheduled for an appellate hearing on April 20, 2023. In addition to the original grounds of this denial, the founders of this entity have made some extremely concerning comments since this decision and have continued to incur profits from this business through several Venmo and PayPal accounts under the same name, as well as mock the Boards decision of the initial permit through social media.

In the wake of the extremely disturbing incident at another public dog park in Dover where a resident and his pet were attacked by another dog, the owner of "Dover Dog Run" seeks to use this event as an opportunity to further obtain profits and put others at risk. The following was posted on the Facebook page of this entity by a user by the name of Liz Rodgers: "Aggressive, reactive and unpredictable dogs deserve a place to go where they won't be able to hurt anyone." I find this comment extremely disturbing as the creator of this entity minimizes the dangerous incident and further moves to invite these so called "aggressive, reactive and unpredictable dogs" to be released unleashed in a residential neighborhood, in a backyard with unregulated and flimsy fencing (with no guaranty they will not be able to hurt anyone, or easily jump over the low fencing and be lose in the neighborhood), in the name of profits and putting an animal's interest above those of the residents.

I believe permitting the operation of a business such as Dover Dog Run LLC will open up a floodgate of unregulated "dog parks" where homeowners will be renting out their own backyards for minutes at a time to dangerous animals at the expense of the safety of their neighbors. It is my belief that the founders of Dover Dog Run LLC believe the simple formation of a limited liability company absolves them of any personal liability for any incidents such as the one the public dog park just experienced, leaving them only to profit at the expense of the safety of the residents of Dover. The residents are owed a reasonable expectation of safety and enjoyment of their properties, and putting the interest of having a dog run free is putting the residents of Dover second in their own home.

I have attached herewith the above-mentioned comments of the founders of Dover Dog Run LLC, and recent statistics of violent dog attacks across the country.

Thank you for your consideration.

**From:** jay farsili <jfarsili@outlook.com>
**Sent:** Thursday, April 13, 2023 3:11 PM
**To:** Kypfer, Natasha
**Cc:** Blonigen, Rachel
**Subject:** Re: Zoning Board of Adjustment
**Attachments:** opposition.pdf; 539703CB-16AC-444F-8790-2C52C828340F.png; B82A3456-F11A-4C87-9E7D-548D1A717887.png; AB47EAD4-6275-430C-97D6-5A0EC537FADF.png

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Natasha,

Thank you for all your help. I have attached below my letter of opposition, as well as relevant posts made by the individuals appealing this decision and statistics I have mentioned.

https://www.dogsbite.org/dog-bite-statistics-fatalities.php

---

**From:** Kypfer, Natasha <N.Kypfer@dover.nh.gov>
**Sent:** Monday, April 10, 2023 3:32 PM
**To:** jay farsili <jfarsili@outlook.com>
**Cc:** Blonigen, Rachel <R.Blonigen@dover.nh.gov>
**Subject:** RE: Zoning Board of Adjustment

Dear Mr. Farsili,

You are welcome to submit an updated letter or comments, as well as speak at the meeting next Thursday.

Please let me know if you have any questions at all, or would like to discuss the meeting process by telephone, I am happy to ring you.

Thank you,
Natasha

**Natasha M. Kypfer**
*Zoning Administrator/Assistant City Planner*
City of Dover, New Hampshire
288 Central Avenue
Dover, NH 03820-4169
e: n.kypfer@dover.nh.gov
p: 603.516.6008

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http://www.dover.nh.gov

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**From:** jay farsili <jfarsili@outlook.com>
**Sent:** Monday, April 10, 2023 1:22 PM
**To:** Blonigen, Rachel <R.Blonigen@dover.nh.gov>
**Cc:** Kypfer, Natasha <N.Kypfer@dover.nh.gov>
**Subject:** Re: Zoning Board of Adjustment

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Thank you Rachel.

After looking over both appeals I still stand by my original comments in opposition. Is there a letter I should submit for the meeting or will we be able to speak?

Thanks again

---

**From:** Blonigen, Rachel <R.Blonigen@dover.nh.gov>
**Sent:** Friday, April 7, 2023 2:18 PM
**To:** jfarsili@outlook.com <jfarsili@outlook.com>
**Cc:** Kypfer, Natasha <N.Kypfer@dover.nh.gov>
**Subject:** Zoning Board of Adjustment

Good afternoon,

Attached is a link to the materials for the Zoning Board of Adjustment meeting on Thursday, April 20, 2023.

Treeno - Docs (nh.gov)

Have a nice day,

Rachel

**Rachel Blonigen**
**Planning Office Assistant**
**Planning & Zoning**
**288 Central Avenue**
**Dover, NH 03820**
E: r.blonigen@dover.nh.gov
P: (603) 516-6008

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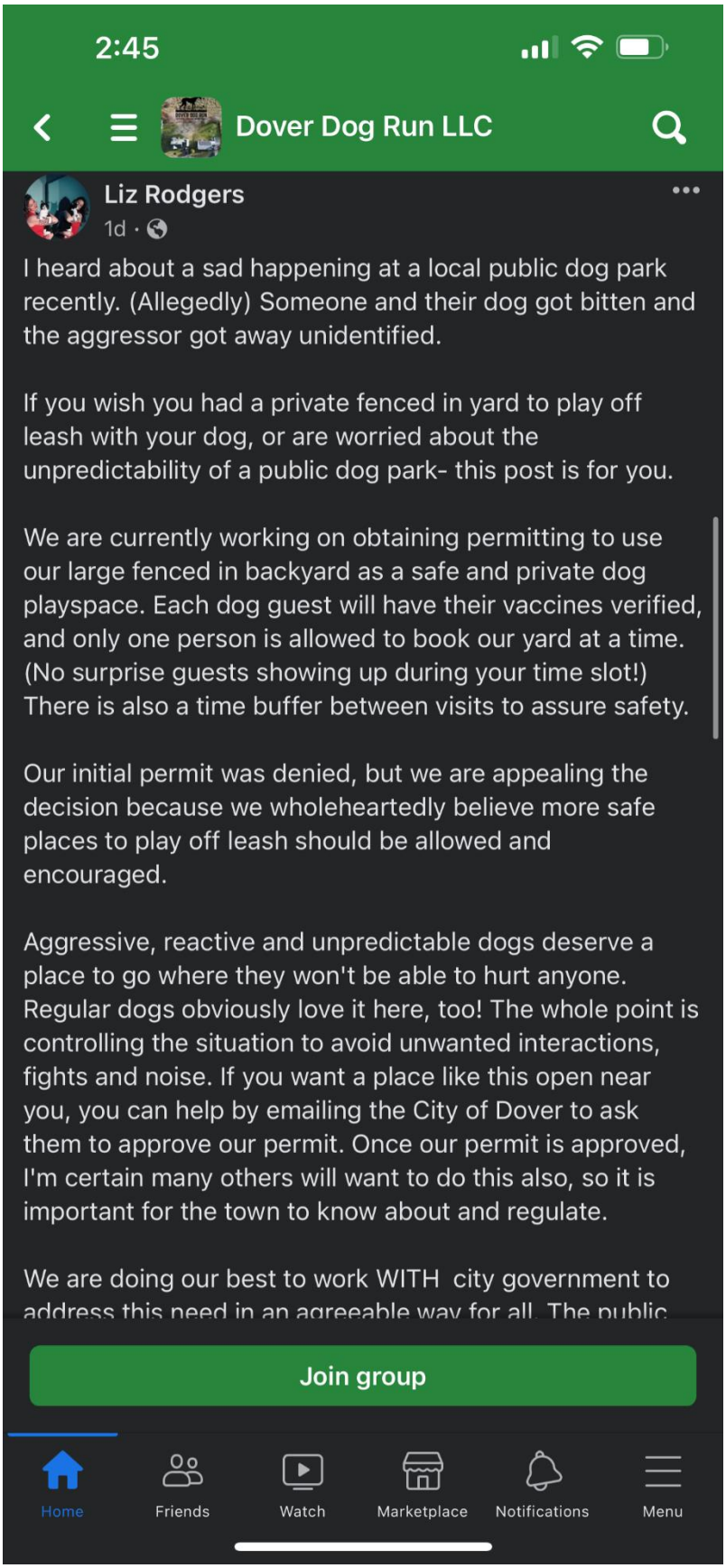
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Dover Dog Run LLC
Liz Rodgers
1d ·
I heard about a sad happening at a local public dog park recently. (Allegedly) Someone and their dog got bitten and the aggressor got away unidentified.
If you wish you had a private fenced in yard to play off leash with your dog, or are worried about the unpredictability of a public dog park- this post is for you.
We are currently working on obtaining permitting to use our large fenced in backyard as a safe and private dog playspace. Each dog guest will have their vaccines verified, and only one person is allowed to book our yard at a time. (No surprise guests showing up during your time slot!) There is also a time buffer between visits to assure safety.
Our initial permit was denied, but we are appealing the decision because we wholeheartedly believe more safe places to play off leash should be allowed and encouraged.
Aggressive, reactive and unpredictable dogs deserve a place to go where they won't be able to hurt anyone. Regular dogs obviously love it here, too! The whole point is controlling the situation to avoid unwanted interactions, fights and noise. If you want a place like this open near you, you can help by emailing the City of Dover to ask them to approve our permit. Once our permit is approved, I'm certain many others will want to do this also, so it is important for the town to know about and regulate.
We are doing our best to work WITH city government to address this need in an agreeable way for all. The public
Join group
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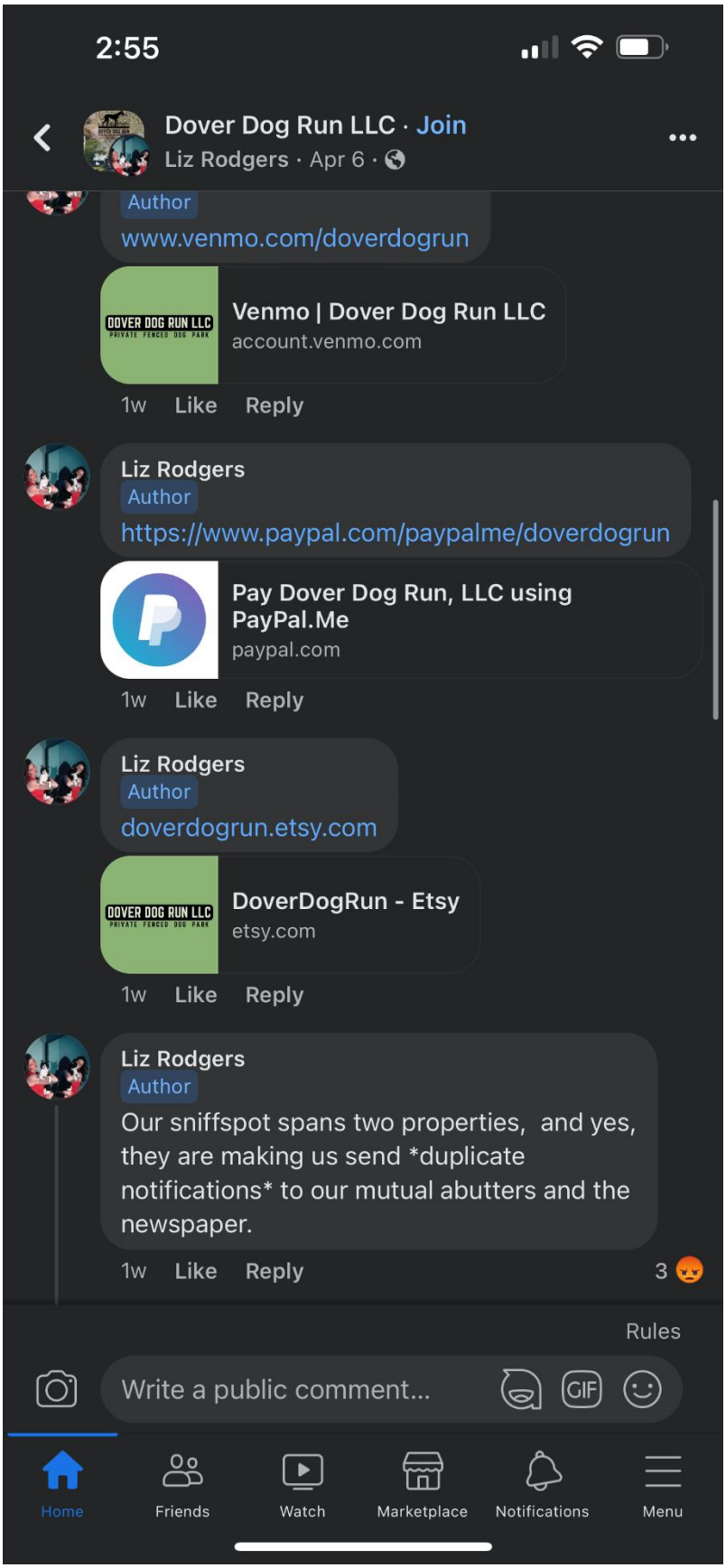
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Dover Dog Run LLC · Join
Liz Rodgers · Apr 6 ·
Author
www.venmo.com/doverdogrun
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PRIVATE FENCED DOG PARK
Venmo | Dover Dog Run LLC
account.venmo.com
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Author
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Liz Rodgers
Author
doverdogrun.etsy.com
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Liz Rodgers
Author
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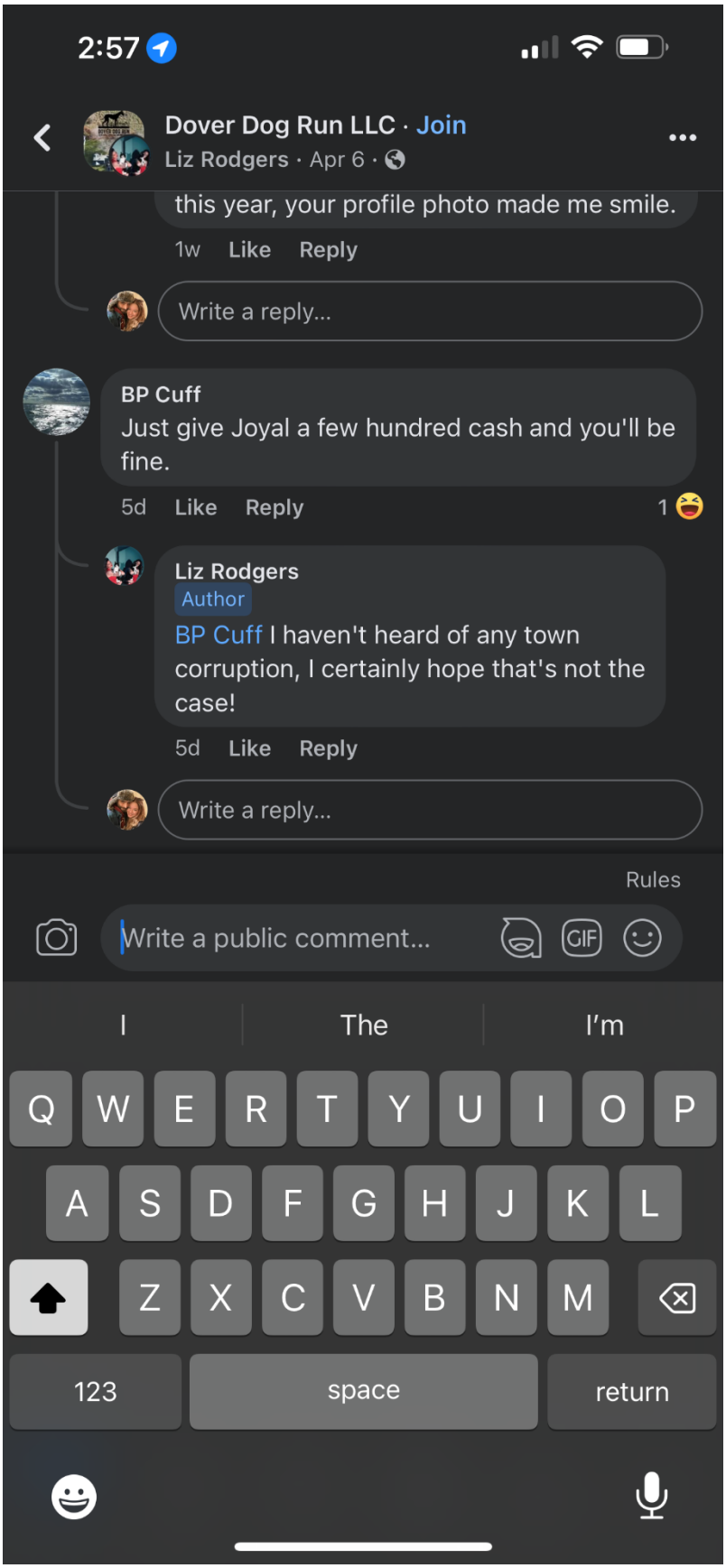
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Dover Dog Run LLC · Join
Liz Rodgers · Apr 6 ·
this year, your profile photo made me smile.
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Author
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space
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**From:** James Soskin <jblue4878@gmail.com>
**Sent:** Saturday, April 15, 2023 4:16 PM
**To:** City of Dover - Planning
**Cc:** Doverdogrun@gmail.com
**Subject:** Support for Dover Dog Run
**Attachments:** Ravi.JPG

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

Write your reasoning for why you want Dover Dog Run approved here. Don't forget to add your name and address so you are taken seriously. Thank you very much for your support!! James Soskin 8C Stark Ave Dover NH. Local mailman and dog owner. Our dog is a rescue. We don't know why, but he doesn't like other dogs. Something happened before we adopted him. We can't bring Ravioli to a normal dog park. So for us, Dover Dog Run is the ONLY option to allow Ravioli to get the exercise he desperately needs. Both my gf and I work 50+ hours and we walk him on a regular schedule as anyone would but he gets a level of freedom that he just can't get on the street. We were so happy when we first learned of the dover dog run! It was as of our prayers were answered. Please allow this to continue! Don't take Ravioli's play space away!!!

**From:** Mark Joseph <mfjrollin@gmail.com>
**Sent:** Saturday, April 15, 2023 5:32 PM
**To:** City of Dover - Planning
**Cc:** Doverdogrun@gmail.com
**Subject:** Support for Dover Dog Run

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



Dear Dover Zoning Board,

I am writing to express my enthusiastic support for the proposed Dover Dog Run and to encourage the board to approve their application for a private dog park in our community.

As a dog owner and resident of Dover, I can attest to the need for a safe and secure space where dogs can run and play off-leash. The would also provide a quiet open location to allow people to train their dogs while they remain contained. The proposed Dover Dog Run would provide just that, and I believe it would be a valuable asset to our community.

The owners of Dover Dog Run LLC have demonstrated a clear commitment to providing a high-quality location that meets the needs of dogs and their owners. Their plans for the park include a fenced-in area for dogs to have a safe area, as well as amenities such as water stations, benches, and waste disposal areas. These features will ensure that the park is clean, safe, and enjoyable for everyone who uses it.

In addition to providing a fun and safe space for dogs to exercise and socialize, the Dover Dog Run will also be a positive asset to our community as a whole. It will foster a sense of community among dog owners.

I urge the Dover Zoning Board to approve the application for the Dover Dog Run and to support the development of this much-needed facility in our community. Thank you for your consideration of this matter.

Sincerely,

Mark Joseph

18 MIDDLEBROOK RD

Dover

**From:** Amanda <aaf005@gmail.com>
**Sent:** Sunday, April 16, 2023 9:28 AM
**To:** City of Dover - Planning
**Cc:** doverdogrun@gmail.com
**Subject:** Support for Dover Dog Run

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

Good morning,

This is Amanda Fleischmann of 57 Back River Road. I am in favor of allowing this homeowner to use their property. My 15 years of being a pet dog owner, and instructor for dog sports and competitor, has shown me that public dog parks are not the solution for all dogs.

Our community is missing support for dogs that are in need of safe space free from other dogs and people to be off leash whether it be short-term solution or lifelong for a dog. Too many times I hear and have experienced people and or dogs approaching unfamiliar dogs (on and off leash) without permission first and the interaction causes more harm than good.

If Dover Dog Run can promise a safe clean environment that doesn't disturb the neighborhood, then I support their operation. It would be an incredible resource for dog owners!

Thank you,
Amanda Fleischmann

**From:** Danielle Alley <dca03820@yahoo.com>
**Sent:** Sunday, April 16, 2023 10:33 AM
**To:** City of Dover - Planning
**Cc:** doverdogrun@gmail.com
**Subject:** Support for Dover Dog Run

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

To whom it may concern,
I recently read the Staff recommendation below regarding Dover Dog Run. I feel compelled to write again to correct the misperceptions reflected in the Staff recommendation. Please see my original correspondence below from April 12th on this same matter.

The recommendation seems to indicate that there would be large groupings of dogs cycling through a fenced area, much like a dog park. Areas like Dover Dog Run are actually nothing like that. In my situation, for example, my dog would be the only dog roaming the fenced area. His main activity, when he's in a new enclosed space, is to sniff everything. He will sniff for an hour, without barking or making any disruptive noise. Sniffing is meditative and relaxing for him. The atypical sounds described by Staff are likely the sounds of sniffing, hardly disturbing to the neighborhood.
Many sniff spots are limited to one or two dogs and usually those dogs are from the same family, not multiple cars and crowds of people. The thought that this would be similar to a doggie day care, with a typical 20-50 dogs at play, is ill-conceived at best.
I think the imaginings of Staff regarding loading and unloading of dogs to and from the car is just that…imagination. I prefer to work in reality. The reality is, when I take my dog out of the car, he's ready to get out and start sniffing. There is rarely vocalization from him. I can cite as an example dogs getting in and out of cars at a place like Wagon Hill Farm. Over many years of walking at Wagon Hill without a dog, I've never heard the ruckus commotion as described by Staff in their recommendation.

At the end, after all the sniffing and training, practicing verbal cues and many hand signals, in an area such as Dover Dog Run, my dog is tired. The most commotion getting into the car is me saying "hop in". Did you know 20 minutes of sniffing is like an hour long walk? Tired dogs are not noisy dogs.

Quite frankly, my dog could not handle a large commercialized daycare operation. This is why Dover needs more places like Dover Dog Run. For dogs like mine, who need that freedom and agency to be off leash, need a safe enclosed space with predictable outcomes. This space is my opportunity to teach things like recall and waiting/impulse control that are so important for him to learn in an environment that is well controlled yet not totally familiar. If you have dogs, you may know that they may always listen at home, but when the environment or context changes they seem to "forget"the cues the know so well. They don't really forget, it's just harder for them in a new context and so practicing in unfamiliar areas is important.
Places like Dover Dog Run allow time in between families to ensure dogs are loaded and unloaded without strangers there. The quiet is actually the point. It's the objective of these private parks, that they are private, predictable, with minimal stranger danger, no surprises of new people popping in at any given time. Because we live in a condo and do not have a fenced yard opportunity, places like Dover Dog Run are very necessary for me, my dog and so many other families with dogs who struggle with unpredictability.

I hope you will consider the reality of how places like Dover Dog Run truly operate and the benefits they provide to the community, contributing to responsible doggie citizens and responsible dog ownership over imaginings and misconceptions.

Thank you for your consideration and attention to this important matter. I hope this helps to better understand how places like this really operate and alleviates concerns about traffic and noise. Please support Dover Dog Run's permit so my family and many others can have a safe place to play with our dogs.

Kind regards,
Danielle Alley
21 Fords Landing Dr
Dover

Dear Dover Planning Board,

I'm writing to you to encourage your support of the Dover Dog Run, a private, fenced dog park.

You may wonder why are parks like this needed in the City of Dover, when a public dog park is available for use at no charge, and many public parks allow dogs in our area, leashed or unleashed. My dog is an example of why private dog parks are needed in our community. I adopted my dog last year during Covid, a time when puppies were not able to be well socialized and learn about their world filled with people, noises, surprises and distractions.
My dog was originally adopted by a family who used punitive training methods. As a result, my dog suffers from PTSD and takes prescribed anti-anxiety medications. Over the last year, he has greatly improved under his veterinary care and private training with a dog behaviorist. I have learned that trust is gained in drips and lost in buckets. One of the key things that helps him be a happy dog is predictability. The other is distance or space between him and a trigger. Surprises, especially those involving men, are terrifying for him. Taking him to a place such as a public dog park, or places where dogs or humans can approach him, and dog owners do not have solid recall of their dogs, risks my dog's health and well-being. Buckets of trust are lost with these experiences.
Having sniff spots available that are fenced, private, and local to me are very important for my dog's recovery and further training. The ultimate goal, of course, is for a happy dog. Without spaces liked Dover Dog Run, I cannot control the environment to allow my dog to feel safe in new spaces (trust in drips)
I'm sure there are many people in the dog world, trainers, behaviorists, and veterinarians, who can attest to the dramatic increase in reactive dogs in our communities. Having areas like Dover Dog Run are absolutely necessary in our community to create happy, resilient dogs.

I thank you for your attention and understanding of the importance of spaces like this and appreciate all of your efforts to ensure Dover Dog Run remains a part of our community.
Please support the issuance of this permit and any other steps needed to keep this space available.

Kind regards,

Danielle Alley
21 Fords Landing Drive
Dover

Sent from my iPhone

**From:** jillannbrooks@gmail.com
**Sent:** Sunday, April 16, 2023 12:27 PM
**To:** City of Dover - Planning
**Cc:** doverdogrun@gmail.com
**Subject:** Support for Dover Dog Run

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

I am writing in support of approval for the requested permit to operate the Dover Dog Run. As the owner of a reactive dog who needs to be leashed at all times in public spaces, I have first-hand appreciation of the benefits of a private space like this, both for my dog and for myself. Liz and Matt have been conscientious in setting strict rules for their property that ensure the comfort and safety of all stakeholders, including their neighbors.

While I understand that I am not an abutter, I feel confident that I would be in agreement with issuing them a permit if I were. I do find it perplexing that the Board is not honoring the testimony of the abutters, but rather concerns itself with the opinions of potential future abutters who do not live here at this time. What sense does that make? If the current abutters do not fear a decrease in their property values due to their proximity to this property, why do you?

The recent recommendation to the Board that the Dover Dog Run would be a doggie daycare demonstrates a misunderstanding of the nature and intent of the property use as explained by the property owners. At no time are dogs permitted to be left unattended or are to be dropped off in the care of the property owners, as is the case for a daycare.

As an 18 year resident of this city, and one who lives in a highly dog-populated neighborhood, I feel that the Dover Dog Run will fill a void that the public dog parks (which are highly unsafe, unsanitary, and unhealthy for both dogs and humans) do not address.

Liz and Matt have jumped through every hoop, and shouldered a significant financial burden, in order to offer their property for the enjoyment of other residents of this city. If the people whose interests you are concerned with protecting are in support of permitting this property use, I believe you should be as well.

Regards,
Jill Brooks
60 Cushing Street, Dover

**From:** Tracy Dearborn <tracystarr1976@gmail.com>
**Sent:** Sunday, April 16, 2023 3:06 PM
**To:** City of Dover - Planning
**Cc:** Doverdogrun@gmail.com
**Subject:** Support for Dover Dog Run

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To Whom it May Concern,

As a dog trainer, in class one, I always speak about being your dogs advocate. That consists of keeping your dog, yourself and the public safe. Unfortunately, not everyone listens when you ask to keep distance. This happens while walking your dog, going out into public and even during a training class. Not everyone can afford to fence in their yards or are unable to. Public dog parks are not a safe place for any dog. Everyone is so distracted these days and do not understand dog body language. It's not fair to the dogs that have high stress levels, being reactive and nervous to not have the outlet for their energy that can be so beneficial to their wellbeing. Having a safe spot for these type of dogs and even ones that are an all around good natured dog is so needed. I can hear you now stating that if your dog isn't good with other dogs or people, then maybe you shouldn't have said dog. Well, would putting this do into a shelter be the best for it? Having it on a euthanasia list be better? When all it would take is to have one hour to run and be a dog without the worry of which dog is going to interrupt such a positive experience and quickly turn it negative. And of course, if the dog is reactive and something happens, it's always said dogs fault or the owners. Sniffspots like Dover Dog Run eliminates all issues above.
If this was an appeal for children to have a private park, would everyone be in such an uproar over it? Screaming kids make just as much if not more noise then dogs. What if your child didn't do good in large play groups? Would you just keep said child home? Or would somewhere safe and positive to help the child's confidence and a place for their energy outlet be best? We all want what's best for human and animal and what Matt & Liz are doing is exactly that!
I could go on and on but in the end my standing is, Dover Dog Run should be given the permit they require to make dogs (and their humans) happy.

Thank you,
Tracy Dearborn
Rochester, NH

Sent from my iPhone

**From:** abby hugo <arh81400@gmail.com>
**Sent:** Sunday, April 16, 2023 3:16 PM
**To:** City of Dover - Planning
**Cc:** doverdogrun@gmail.com
**Subject:** Support for Dover Dog Run

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

My name is Abby Hugo, I live on stark avenue in Dover. My boyfriend and I have lived in Dover for roughly 5/6 years now. Last year we decided to get a dog, which looking back might not have been fair to him because we don't have a huge yard and are right next to the road. But that's besides the point. When I got Ravioli his foster mom said that he was friendly with other dogs but acts differently towards dogs that are leashed. We found out pretty quickly that he actually went NUTS whenever we walked past a dog, and it caused us to realize we will never be able to let him off leash at our house, or at any dog park for that matter. It broke my heart because despite ravioli missing a leg, he LOVES to run around, and I don't always have the stamina that he has to run with him all the time. When my boyfriend sent me the Dover dog run Facebook page, I swear I had to hold back tears at work. I was immediately intrigued and read all about it, even emailed them to make sure that there wouldn't be any other dogs because I couldn't believe there was such a thing. The first time we went I was hooked. Ravioli got to run around off leash and chase balls and tire himself out so much that when we got home he was exhausted. From there I knew this was going to be our spot. And for as long as we could we went there and we both always had a great time. Liz and Matty and all of them are so sweet. They have trash, sanitizer, bags, treats, snacks, toys, etc. EVERYTHING that most parks don't even provide. On top of that, that's all coming out of their pockets. I think the second time we went we played a little too rough and Ravi's paw was bleeding a little, they had a first aid kit and stuff to stop the bleeding. Later Liz messaged me saying she noticed one of the blood stop packets was missing and asking if there was anything in the yard that needed to be attended to. It was the sweetest message. She really cared and wanted to make sure things were safe for him even though it was a result of our own rough playing. They are lovely people and all they want to do is help the hundreds of dogs in Dover that are living in small apartments with absolutely no yards of their own to run around in. And ESPECIALLY helping our fur babies like mine who for whatever reasons they may have, aren't friendly with other dogs. They are helping keep things safe. I worry all the time about If my dog ever attacks someone's else's and how heart broken I'd be. Dover dog run is a safe haven and greatly helps decrease the chances of that happening. I cannot say enough about how much good these people have done. If I could be there for the hearing I would, but I wish them the best of luck in getting a permit.

-Abby

**From:** Randi Pickering <piercer.randi@icloud.com>
**Sent:** Monday, April 17, 2023 1:11 PM
**To:** City of Dover - Planning
**Cc:** doverdogrun@gmail.com
**Subject:** Support for Dover Dog Run

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

To Whom it may concern,

Hello, my name is Randi Pickering; I am a long time Dover resident, owner of a small business here on Central Ave, as well as a dedicated Dog lover and owner. I am writing in support of the efforts of the Dover Dog Run group as a fantastic opportunity for our community. In the past I have worked with fostering reactive dogs, and large mastiff breeds. As a renter of a modest apartment without much yard to support exercise and play, and located on a heavily populated downtown street.. socializing and meeting the needs of an anxious dog can be quite an undertaking! Large playgroups of strangers can lead to more stress, with a dog easily over a 100+ lbs it's important that everyone feel safe in their presence and that they can be a calm well-mannered example of positive breed traits. Providing time off-leash to play and stretch their long legs is a great way to calm anxiousness for better interactions in general. Fostering a large, potentially reactive dog in a new setting, on unfamiliar territory, trying to build trust bonds, while adding stress or hyperactivity from other possibly unpredictable dogs can be a recipe for disaster. I see the 'Dover Dog Run' yard as a perfect, safe, middle ground for this type of dog to play, stretch and build confidence; and possibly a tool leading up to a noisier busier atmosphere of a dog park. Being able to control the flow of visitors in and out of a smaller setting, means there is no risk of aggression towards other or smaller dogs, or their owners. Enjoying off leash run, getting paws in grass vs concrete, and acclimating to smells from other dogs in the playspace are valuable tools for any breed! Even now with my well-socialized pup, who gets easily over-stimulated wanting to run and play endlessly with other dogs... having a place where he can learn how to be calm; how to lay, roll, and relax in a yard... that I'm not yet able to provide him at our home could be so helpful in helping him transition into a calmer less energetic adult-dog member of our Dover community. As well as helping us greet and have better interactions when we are on the streets of town, so that he can serve as an ambassador for his beautiful and loyal breed.

I hope the acceptance of those in the nearby neighborhood, these petitions and voices of support can sway the town officials to see what a kind gesture this private park is, and how beneficial it can be to dogs of this type, and all others as well! I truly hope it is approved for scheduling soon!

Sincere regards,

Randi Pickering; resident, renter, business owner, dog parent.

**From:** Matt Bernier <mpb6990@gmail.com>
**Sent:** Monday, April 17, 2023 3:50 PM
**To:** City of Dover - Planning
**Cc:** doverdogrun@gmail.com
**Subject:** Support for Dover Dog Run

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

Matt and Liz are the most loving, caring pet owners and community members that I've ever met. Their plan for a private, by appointment only, dog park is something that Dover desperately needs. Public dog parks are simply not safe for many dogs, and it is no more of a disruption than any time they play with their own dog. Please consider the benefits and approve their business plan.

Thank you,
Matthew Bernier
360 Piscassic Rd
Newfields, NH

**From:** Craig Kephart <craig.kephart@icloud.com>
**Sent:** Monday, April 17, 2023 5:16 PM
**To:** City of Dover - Planning
**Cc:** doverdogrun@gmail.com
**Subject:** Support for Dover Dog Run

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

Dear Planning Board - Please do approve the permitting necessary for Dover Dog Run. We are homeowners and business owners in the city and are in full support of this sorely needed resource in our community. The existing dog park, while appreciated, is a truly muddy mess most of the year. My dogs have been bullyed by other dogs on most the occasions that we have tried to utilize the dog park. On one occasion my female dog was injured to the point of bleeding and is now too nervous to use the park. If there were a resource like Dover Dog Run it would be such an huge net positive for the large community of dog owners in the city unable to utilize the dog park for similar reasons. Please do find a way to approve this excellent opportunity for these lovely and generous people to make use of their land in the way they would like to use it. It is after all the New Hampshire way.

Thank you kindly for your time and attention,

Craig and Kristen Kephart
26 Fourth Street
Dover, NH 03820

Craig Kephart

Lic. NH & ME Master Electrician

Seapoint Electrical Services LLC Office_603.742.2021

Sent from my iPhone

**From:** kdgreen360@gmail.com
**Sent:** Monday, April 17, 2023 9:02 PM
**To:** City of Dover - Planning
**Cc:** doverdogrun@gmail.com
**Subject:** Support for Dover Dog Run

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

My name is Kyle Green and I live at 4 Dora dr, Rochester, NH.

As someone who has had a rescue who who was reactive to other dogs, I wish this park had been around when I had her. I lived in an apartment and didn't have a large fenced in yard I could let my dog Myra run around. Large dog parks were incredibly stressful for both of us, so in the end I was left with walking her late at night, down a busy road.

I think the addition of a private dog park close by would be incredibly helpful. A quiet place where someone can bring their dog, and throw a ball in peace. Every dog deserves a place to play, and a busy dog park is not a great place for a lot of dogs. I think Liz, Matty, and their neighbors are incredibly generous and kind to go through all this effort to make sure all dogs have a place to play.

CITY OF DOVER

# Zoning Board of Adjustment – STAFF MEMO

| | |
|---|---|
| Meeting Type: | Regular Meeting |
| Meeting Location: | Council Chambers, City Hall 288 Central Ave. Dover, NH 03820 |
| Meeting Date: | **Thursday, April 20, 2023** |
| Meeting Time: | **7:00 pm** |

**INTENT:** The Applicants (Alexandra Martin & Shawn Kelly and Elizabeth Demosthenes Rodgers) both request an appeal of a February 17, 2023 administrative decision regarding a Customary Home Occupation under **Section 170-18 of the Zoning Ordinance**. The Zoning Administrator determined that a private dog park does not constitute an allowable Customary Home Occupation.

**UNITS PROPOSED:** N/A

**AGENDA ITEM #:** 3-B, 3-C

**ZONING DISTRICT:** R-12

**FILE:** ZONE-2023-0011, ZONE-2023-0011-12

**APPLICANTS/APPELLANTS:**
Alexandra Martin & Shawn Kelly and Elizabeth Demosthenes Rodgers

**LOCATION OF APPELLANTS:** Rodgers (of 9 Middlebrook Road; Tax Map K, Lot 44) and Martin/Kelly (of 7 Middlebrook Road; Tax Map K, Lot 43)

**ACREAGE:** N/A

**EXISTING LAND USE:** Residential

**PROPOSED LAND USE:** Residential

**SURROUNDING LAND USE:**
Residential

**PREVIOUS ZBA ACTION:** None

**PLANNING BOARD APPROVAL REQUIRED:** No

**ATTACHMENTS:** Applications; Staff Memo with Exhibits, including Zoning Administrator Determination dated 2/17/2023, Public Comment thus far

**STAFF RECCOMENDATION:**
Deny the CHO and affirm staff.

## BACKGROUND INFORMATION

Per state law (*See* RSA 676:5) and **§ 170-52.C(1)(a), Powers and Duties** of the Zoning Ordinance, one of the powers of the Zoning Board of Adjustment is: "To hear and decide appeals where it is alleged there is error in any order, requirements, decision or determination made [by the Zoning Administrator] in the enforcement of this Chapter (interpretation of ordinance)." See also **§170-52.C(2), Interpretation of Chapter**.

Alexandra Martin & Shawn Kelly and Elizabeth Demosthenes Rodgers, respectively, appeal the Zoning Administrator's determination, dated February 17, 2023, germane to their denied Customary Home Occupation ("CHO") application(s), on the basis that their proposed use does not qualify as a CHO. Please see the determination letter attached, as Exhibit A.

The subject properties are located in a residential neighborhood; the parties abut one another, and the property owners have combined their two backyard areas, in essence, by installing a fence around the rear perimeter of their lots (thereby creating one large dog enclosure).

Staff's interpretation was that the proposed use does not qualify as a CHO for two main reasons: First, the definition for CHO states: "**CUSTOMARY HOME OCCUPATION** means an occupation carried on as a secondary use in a DWELLING UNIT or accessory BUILDING by the occupant of such unit." This proposed use is neither in a dwelling unit, nor requested by the occupant of such unit, instead, it is proposed in the "shared" backyard and it is proposed by the occupants, and their direct neighbors, in concert. Second, and separately, the proposed use appears in conflict with the requirements of §170-18, most notably Subsections G. and H.

## STAFF RECOMMENDATION

Staff recommends that the Board open the public hearing, accept testimony, and make findings. Staff recommends that the Board review relevant language within the Dover Code, in particular the CHO regulations (*See* § 170-18.), and applicable definitions (*See* § 170-6.B.).

The sole issue of this case is whether the use proposed, a private dog park generating revenue, is in conformity with the intent of the CHO. While a compliant CHO is a permitted use in all Residential Districts within the City of Dover, the Zoning Ordinance expressly states: "…that such uses are clearly incidental and secondary [to] residential purposes…" and must "…be unobtrusively pursued in a residential area" (*See* § 170-18.A.). At a minimum, this proposed use will consist of a conspicuous increase in traffic along Middlebrook, as dog visits are scheduled for 30-60-minute intervals throughout the day.

The CHO regulations continue in Subsection G., providing further guidance, stating: "The BUILDINGs or premises occupied shall not be rendered objectionable or detrimental to the residential character of the NEIGHBORHOOD because of the exterior appearance, traffic emission of odor, gas, smoke, dust, noise, electrical disturbance, light emissions, or in any other way."

At a minimum, the very presence of a fresh grouping of dogs continually throughout the day, allowed to roam and explore an area spanning two backyards, will produce atypical sounds distinctly different than a pet wandering within an area familiar to them. It is easy to imagine multiple groups of dogs each day, excited and creating commotion during loading/unloading a vehicle in anticipation of playing outside (or having just finished doing so). That is to say nothing of the dog activity during the play. In that sense, the proposed use of a private dog park could be conceived as an intensive, commercialized dog care-taking operation, occurring within the boundaries of an otherwise ordinary low-density residential area. It also bears noting that the appellants observe that they listed their properties with Sniffspot.org. That organization, however, expressly states: "For zoning purposes, Sniffspot is generally not to be considered a home occupation…" *See* attached excerpt from Sniffspot.org, as Exhibit B.

The proposed scope of use by the appellants (i.e., of the majority of their yards) also runs afoul of the spirit, if not also the letter, of the "25% existing net FLOOR AREA" restriction (maximum of 600 feet) within section 170-18, subparagraph H of the zoning ordinance. This proposed use would affect a far larger proportion of each property, as shown in the GIS measurements attached, as Exhibit C. *See Hoppe v. Zoning Hearing Bd of Borough of Portland*, 910 A.2d 756 (Pa. Cmw. October 19, 2006) (holding that dog breeding business not a CHO because, in part, dogs had "run of the house" and "run of the yard" and therefore occupies too much area).

Under Subsection H., the CHO regulations continue, stating: "The following uses, by nature of the investment or operation, have a potential to rapidly increase beyond the limits specified above for home occupations and impair the use, value and quiet enjoyment of adjacent residential properties." Specifically relevant in this case, is the identification of "KENNEL" and the statement that "…and others of a similar nature shall not be considered as home occupations." The Zoning Ordinance defines as: "KENNEL means any BUILDING(s) or land operated as a business for the boarding, breeding, training, or selling of five (5) or more dogs, cats or other household pets." Staff's belief is that the proposed use of a private dog park is intrinsically analogous in its nature to that of a forbidden kennel. *See McFadden v. Town of Westmoreland Zoning Bd.*, 2019 N.Y. Slip Op 06348 (August 22, 2019 N.Y. App. Div.) (holding proposed dog training business use held not a CHO; observing "the proposed dog training business is not the sort of occupation customarily carried on in a dwelling unit, and our conclusion is further justified by the fact that petitioners here are not attempt to carry on a typical home occupation but instead propose to lease a portion of their property, but not the dwelling, for use by others"); *Lowney v. Zoning Bd of Appeals of Black Point Beach Club Assn*, 71 A.3d 670 (Conn. App. July 16, 2013) (discussing comparison of proposed use to uses expressly prohibited). Another similar use could be "commercial recreation" which is not an allowed use in this district and would require a Variance to be permitted.

In their submittals, the appellants supplied a change.org petition listing consisting of 850+ signatures, in support of the "Grant Dover Dog Run an Operating Permit" petition, most of whom have no significance because the signatories by and large reside in neither the City of Dover, New Hampshire nor even this state or country. Those individuals have no standing in this matter. Furthermore, the individual petitions submitted on behalf of neighbors along Middlebrook Road, Applevale Drive, and Newport Road are noted and appreciated, however, current abutters will likely change over time as properties are sold, whereas the decision made tonight – the determination of the proposed use before you of whether a private dog park can or cannot be considered a CHO – is precedent setting and, if granted, could be applied for properties throughout Dover neighborhoods. Also, at least one abutter submission by the applicants noted already-existing traffic concerns (Alex Vacca of 12 Middlebrook Road, attached to appeals).

It also appears from the appeal documents that an entity named "Dover Dog Run LLC" may or will be the operational entity conducting the proposed use. However, the definition of CHO requires that the occupation be "carried on . . . by the occupant." (*See* § 170-6.B; *see also* § 170-18.C). As staff noted in earlier correspondence to the applicants, the plain text of the zoning ordinance indicates that the CHO be carried on by the occupant of such unit, not multiple occupants over multiple units. The proposed use spans the combined yards of two properties, making the use by definition beyond each owner's individual property. *See Ferron v. Concord*, 102 N.H. 32 (1959) (roofing business conducted outside the home is not a customer home occupation). Furthermore, the use of a commercial entity (an LLC) with equity members in a business venture could be considered evidence against a use being a true home occupation. A copy of the LLC's formation filing (with the New Hampshire Secretary of State's Office) is attached as Exhibit D.

Staff would also observe that there are several factual inaccuracies in the appellants' submission concerning interactions between the Planning office and the appellants, though such inaccuracies are immaterial to the substantive issue before the Board. City staff are well-aware of their constitutional obligations to assist the public with navigating the land use process and at all times City staff in fact assisted the applicants with their inquiries. In staff's view, the proposed use (private dog park for commerce) is not allowed in the applicable zoning table. The applicants were advised of the CHO as one option potentially available for allowing the use, should they meet the criteria and it be approved, and also were informed of the potential to apply for a use Variance as another option. Staff did not indicate a CHO would be approved—only that it was one potential option, before realizing the scope of the application. At this time, the appellants have not sought a Variance.

In summary, based upon the above considerations, the essential attributes of a Customary Home Occupation, in staff's determination, are not met in the proposed use as submitted by the appellants in their applications.

Exhibit A

DONNA P. BENTON, AICP
Director of Planning and
Community Development
d.benton@dover.nh.gov

288 Central Avenue
Dover, New Hampshire 03820-4169
(603) 516-6008
Fax: (603) 516-6049
www.dover.nh.gov

# City of Dover, New Hampshire

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

February 17, 2023

Alexandra Martin ***(via email - martin.alix@gmail.com)***
7 Middlebrook Road
Dover, NH 03820

Elizabeth Rodgers ***(via email - doverdogrun@gmail.com)***
9 Middlebrook Road
Dover, NH 03820

**RE: CHO Denial Letter for 7 & 9 Middlebrook Road, Permit # ZONE-2023-0020/21**

Dear Ms. Martin and Ms. Rodgers:

Thank you both for the submission of your Customary Home Occupation ("CHO") application(s) for your properties at 7 Middlebrook Road (Tax Map K, Lot 43) and 9 Middlebrook Road (Tax Map K, Lot 44), for the joint use of a "private dog park". The purpose of this letter is to provide feedback as to the substance of the denial of the CHO application. I will detail below the reasons, two-fold, as to why the CHO cannot be approved due to its lack of conformity with the intent of the Zoning Ordinance §170-18., the Customary Home Occupations regulations.

1. *CHO Definition –*

   **CUSTOMARY HOME OCCUPATION** means an occupation carried on as a secondary use in a DWELLING UNIT or accessory BUILDING by the occupant of such unit.

2. *Standards of subsections G. and H. –*

   G. The BUILDINGs or premises occupied shall not be rendered objectionable or detrimental to the residential character of the NEIGHBORHOOD because of the exterior appearance, traffic emission of odor, gas, smoke, dust, noise, electrical disturbance, light emissions, or in any other way. In a MULTIFAMILY DWELLING, the use shall in no way become objectionable or detrimental to any residential use within the multifamily STRUCTURE.

   H. Any such BUILDING shall include no feature of design not customary in BUILDINGs for residential use. The following uses, by nature of the investment or operation, have a potential to rapidly increase beyond the limits specified above for home occupations and impair the use, value and quiet enjoyment of adjacent residential properties. Therefore, uses such as Retail, Clinic, Landscaping, Freight, Trucking or Shipping, Painting of Vehicles, Trailers and Boats, Restaurants, Caterers or Bakeries, Taxi Service, Tool or Equipment Rental, Veterinary hospital or KENNEL and others of a similar nature shall not be considered as home occupations.

First, the purpose of a CHO certificate of use is to provide an allowable avenue, through zoning, for certain uses to be carried out within residential districts, so long as the occupation is secondary and incidental to a subject property's primary (residential) use and does not change the residential character thereof. The definition of the CHO is clear that the occupation is carried on as a secondary use **in** a unit, while the use you propose is principally if not entirely outside of the dwelling. *See Hancook v. Concord*, 111 N.H. 413, 414 (1971) (holding occupation as real estate agent not a customary home occupation as it "may not readily be carried on within the confines of the home as can all those enumerated in the ordinance"); *Perron v. Concord*, 102 N.H. 32 (1959) (roofing business conducted outside the home not a customary home occupation). The plain text of the zoning ordinance also indicates that the CHO be carried by the occupant of such unit, not multiple occupants over multiple units. Similarly, it is unclear whether renting one's

backyard for dogs to utilize equates to an occupation, rather than a rental of private space. Furthermore, Chapter 170-18. serves to regulate and restrict the CHO use, akin to state statute, and the local land use planning and regulatory powers therein, *See.* RSA 674:16(d), "The location and use of buildings, structures and land used for business, industrial, residential, or other purposes."

Second, I am not persuaded that the use, which is effectively a "private dog park" use, is contemplated by the plain text noted above under subsection G. and H. of Chapter 170-18. First, the number of dogs (four) falls just under the threshold of a regulated "kennel." Against that backdrop, the question becomes whether the use is truly customary and whether it has the potential to change the residential character of the neighborhood. Residential districts within the City of Dover aim to "...provide a wide range of residential units to provide the citizens of Dover with a balance of housing choices, with varying housing types, densities and costs. The goal is to preserve and create City neighborhoods that are safe and promote harmonious development." (*See.* District purpose statement in §170-7.B.(1)). True, dog ownership is typical of a residential home, even the ownership of multiple dogs. But it is one thing to have one or two dogs who live together and are periodically in the yard. It is qualitatively distinct to consistently have four dogs, the identities of which can or will change over time, traversing two-yards as part of a revenue-generating use.

Additionally, there is literature establishing that dogs have conflicts in dog parks and can cause other adverse consequences. *See,e.g.*, Chen et al, Benefits and Conflicts: A Systematic Review of Dog Park Design and Management Strategies, MDPI, at 2 (2022), available at (https://www.mdpi.com/2076-2615/12/17/2251) ("Dogs that suffer from behavioral issues may trigger dog fights and aggregation-based dog conflicts . . . . Most existing issues in dog parks ultimately result from conflicts between different dogs, dog owners and non-dog owners, and impacts of ordinary dog park usage on environmental resources, such as the vegetation, soil, and other park uses."); S. Lowrey, *The Dog Park Is Bad, Actually*, New York Times (February 6, 2020). While you may disagree with these views, or feel you could control for or mitigate them, the point is that the use you are proposing nonetheless seems out of step with a normal residential neighborhood, which in the end weighs against it being "customary." In addition, I have personally received complaints from abutters of a very similar use (private dog park) you propose, at another address in Dover, underscoring and weighing against a finding that a private dog park in a residential neighborhood is a customary home occupation. *See Narbonne v. Rye*, 130 N.H. 70, 74 (1987) (affirming finding that adverse effects on residential neighborhood supported finding an art studio and sales was not customary home occupation).

In closing, this letter serves as my formal administrative determination. I would call your attention to your potential appeal rights. You may have the ability to appeal my determinations concerning the City of Dover's zoning ordinance to the Zoning Board of Adjustment (ZBA) pursuant to the RSA 676:5. Be aware that the ZBA imposes a 30-day filing requirement per its Rules of Procedure, Article V. - Procedures:

> **B. Appeals.** Appeals from an administrative decision taken under New Hampshire RSA 676:5 shall be filed with the Planning Department within thirty (30) days of the date of the decision. Any appeal made after this deadline will not be considered timely.

Alternatively, you may seek a variance from the Zoning Board of Adjustment to allow the use you propose. I am happy to provide more information about the variance process if you would like.

We appreciate the time you both took to file a CHO application with our office, as well as your transparency and attention to detail in outlying your request. While I can appreciate that this may not have been the outcome you were seeking, I do suggest connecting with staff in the City's Business Development office, as to help you find a suitable location for this type of commercial business.

If you have any questions, please feel free to contact me directly, either by telephone at (603) 516-6008, or by email at n.kypfer@dover.nh.gov.

Sincerely,

Natasha M. Kypfer

Natasha M. Kypfer
Zoning Administrator/Assistant City Planner

cc: Donna P. Benton, AICP — Director of Planning & Community Development (via email)
Joshua Wyatt, Esq. — City Attorney (via email)

# Are there local regulations for Sniffspot?

We require our hosts to comply with all local laws, regulations, and zoning ordinances. While we do not provide legal advice, we can provide you with helpful guidelines to consider, such as:

**Business License:** many jurisdictions require a business license for any kind of money-making activity. We recommend checking your local jurisdiction website and getting a business license proactively if needed. If required, in most cases, it is straightforward to get a business license. Every local government varies widely in their allowances and restrictions for property owners, so we recommend researching your local rules and working with a local lawyer if it makes sense to do so. Below are some general guidelines that we have found helpful to ensure that cities don't misunderstand Sniffspot, but make sure to customize this for your specific situation:

- I am renting my yard from time to time to local dog owners by the hour who use this space to safely walk their dog.
- This is an important public service because many dog owners do not have private space to walk their dog and I can provide a good space for this. This helps our city by lowering the density of dogs in public parks, reducing dog waste that is not picked up in public areas and keeping dogs safe.
- This is not a home occupation, I am just renting space on my property from time to time to one dog owner at a time. This is only the rental of part of my property, I am not renting the full property to the dog owners. I will continue to live and be located on the property while renting my yard.
- This is not a kennel. Dog owners renting my yard may not leave their dogs at any time—the owners are required to remain present and maintain custody and control of their dogs at all times while walking their dog in my yard. I am not providing any services to the dog.
- Only one rental is permitted at a time—i.e., I will not have multiple sets of dog owners using my yard simultaneously
- I will comply with all local regulations around noise, number of dogs on the property and number of visitors.

**Remitting Taxes:** Most jurisdictions require that taxes be submitted for earnings collected.

**Zoning Laws:** Some cities have laws that regulate the way you can use your home. You can find such laws in the zoning or planning codes or the city ordinances. For zoning purposes, Sniffspot is generally not to be considered a home occupation and not a public dog park but instead the rental of a private portion of a host's property for one booking at a time. If you have further questions or concerns, you can contact your local municipality.

**Other:** There can be other laws and regulations that could apply to your listing. Be sure to check with your local government if you have specific questions or concerns.Different jurisdictions have different requirements for business licenses and, due to the nature of local requirements, we do not provide guidance on specific local requirements for any hosts. If required, in most cases it is very easy to get a business license. We require our hosts to comply with all local laws, regulations and zoning.

If you are approached by a city, state or other government organization regarding your spot, please email support@sniffspot.com to notify us.

If you have further questions, it may helpful to speak with a tax professional, your local municipality, or a lawyer.

--

Ready to host? You can learn more and get started here (https://www.sniffspot.com/host).

Did this answer your question?

*Last updated on August 9, 2022*

**Property Information**

| | |
|---|---|
| **Property ID** | H0001-000000 |
| **Location** | 301 DURHAM RD |
| **Owner** | JOHNSON CREEK VILLAGE LLC |
| **Land Use** | 304 |
| **Zoning Code** | C |

MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

City of Dover, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 12/16/2022
Data updated Daily

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

# State of New Hampshire
# Department of State

Filed
Date Filed : 01/02/2023 03:53:00 PM
Effective Date : 01/02/2023 03:53:00 PM
Filing # : 5919386 Pages : 2
Business ID : 919787
David M. Scanlan
Secretary of State
State of New Hampshire

Form LLC-1
RSA 304-C:31

CERTIFICATE OF FORMATION
NEW HAMPSHIRE LIMITED LIABILITY COMPANY

THE UNDERSIGNED, under the New Hampshire Limited Liability Company Laws submits the following certificate of formation:

**FIRST**: The name of the limited liability company is:

**DOVER DOG RUN LLC**

**Principal Business Information**:

Principal Office Address:

| **9 Middlebrook Road** | **Dover** | **NH** | **03820** . |
|---|---|---|---|
| (no. & street) | (city/town) | (state) | (zip code) |

Principal Mailing Address (if different):

| **9 Middlebrook Road** | **Dover** | **NH** | **03820** . |
|---|---|---|---|
| (no. & street) | (city/town) | (state) | (zip code) |

Business Phone: **6039696077**

Business Email: **doverdogrun@gmail.com**

Notification Email: **doverdogrun@gmail.com**

_____ Please check if you would prefer to receive the Annual Report Reminder Notice by email.

**SECOND**: Describe the nature of the primary business or purposes (and if known, list the NAICS Code and Sub Code):

**53-Real Estate and Rental and Leasing - 311-Residential Property Managers**

**THIRD**: The name of the limited liability company's initial registered agent is:

**Elizabeth Rodgers** .

The complete address of its registered office (agent's business address) is:

| **9 Middlebrook Road** | **Dover** | **NH** | **03820** . |
|---|---|---|---|
| (no. & street) | (city/town) | (state) | (zip code) |

**FOURTH**: The management of the limited liability company **is not** vested in a manager or managers.

The period of its duration is: **Perpetual** .

Title: **Member**

Signature: **Elizabeth Rodgers**

Name of Signer: **Elizabeth Rodgers**

Date signed: **01/02/2023**

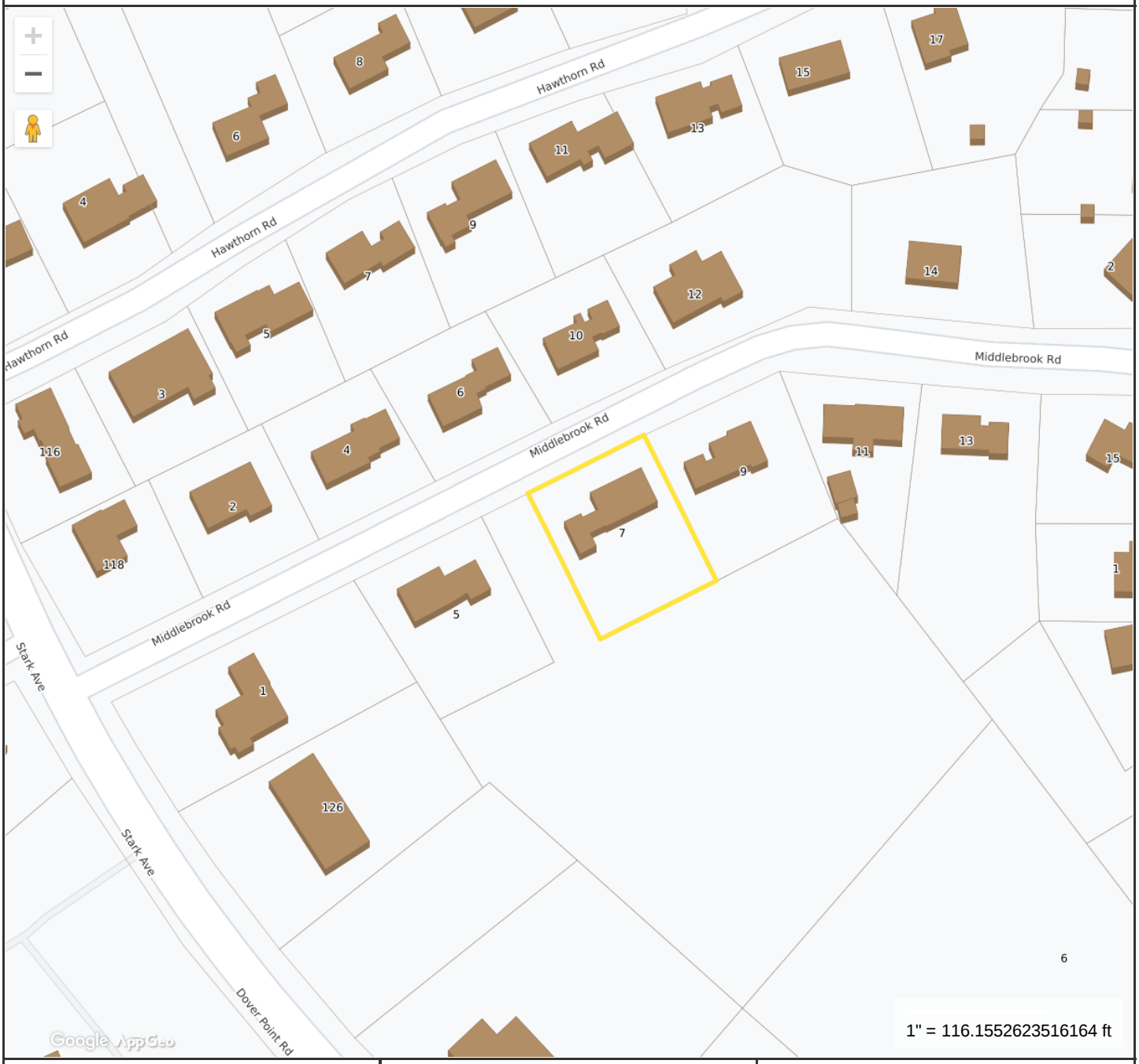
Effective Date: **01/02/2023 03:53:00 PM**

Note: The sale or offer for sale of membership interests of the limited liability company will comply with the requirements of the New Hampshire Uniform Securities Act (RSA 421-B). The membership interests of the limited liability company: 1) have been registered or when offered will be registered under RSA 421-B; 2) are exempted or when offered will be exempted under RSA 421-B; 3) are or will be offered in a transaction exempted from registration under RSA 421-B; 4) are not securities under RSA 421-B; OR 5) are federal covered securities under RSA 421-B. The statement above shall not by itself constitute a registration or a notice of exemption from registration of securities within the meaning of sections 448 and 461(i)(3) of the United States Internal Revenue Code and the regulation promulgated thereunder.

* Must be signed by a **manager**; if no manager, must be signed by a **member**.

DISCLAIMER: All documents filed with the Corporation Division become public records and will be available for public inspection in either tangible or electronic form.

# ZONE-2023-0012 7 Middlebrook Road




**Property Information**

| | |
|---|---|
| **Property ID** | K0043-000000 |
| **Location** | 7 MIDDLEBROOK RD |
| **Owner** | MARTIN ALEXANDRA & |
| **Land Use** | 101 |
| **Zoning Code** | R-12 |

MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

City of Dover, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 12/16/2022
Data updated Daily

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

# PERMIT SNAPSHOT REPORT ZONE-2023-0012
# FOR CITY OF DOVER, N.H.

| | | | | | |
|---|---|---|---|---|---|
| **Permit Type** | Zoning | **Project:** | | **App Date:** | 03/19/2023 |
| **Work Class:** | Administrative Appeal | **District:** | None | **Exp Date:** | NOT AVAILABLE |
| **Status:** | In Review | **Square Feet:** | 0.00 | **Completed:** | NOT COMPLETED |
| **Valuation:** | $0.00 | **Assigned To:** | Blonigen, Rachel | **Approval Expire Date:** | |
| **Description:** | Appeal of permit denial # ZONE-2023-0020/21 | | | | |

| | | | | | |
|---|---|---|---|---|---|
| **Parcel:** | K0043-000000 Main | **Address:** | 7 Middlebrook Rd<br>Dover, 03820 | **Zone:** | R-12(Residential - Medium Density) |
| | | | 7 Middlebrook Road Main<br>Dover, NH 03820 | | |

Applicant
Alexandra Martin
7 Middlebrook Road
Dover, NH 03820
Business: (603) 440-8959
Mobile: (603) 440-8959

**Permit Custom Fields**

| | | | | | |
|---|---|---|---|---|---|
| ZoneAdmnPlanSummary | As a secondary and incidental use of the property, we propose allowing dog owners to reserve 30-60 minute blocks of time during which they can visit our fenced in yards to exercise their dogs. | ZoneAdmnAppealSect | Please see attachments | ZoneAdmnAppealSectDetail | Please see attachments |
| What is the parcel zoned? | R-12 | | | | |

| Attachment File Name | Added On | Added By | Attachment Group | Notes |
|---|---|---|---|---|
| Alexandra Martin to Dover ZBA letter.pdf | 03/19/2023 11:03 | Martin, Alexandra | | Uploaded via CSS |
| Support from 1 Applevale.pdf | 03/19/2023 11:03 | Martin, Alexandra | | Uploaded via CSS |
| Support from 3 Applevale.jpg | 03/19/2023 11:03 | Martin, Alexandra | | Uploaded via CSS |
| zoning owner authorization.pdf | 03/19/2023 11:03 | Martin, Alexandra | | Uploaded via CSS |
| Permit Snapshot Report.pdf | 03/19/2023 11:03 | Service, EnerGov | | Attached by IO - ATTACH: Initial Permit Snapshot |
| Signature_Alexandra_Martin_3/19/2023.jpg | 03/19/2023 11:03 | Martin, Alexandra | | Uploaded via CSS |

| Invoice No. | Fee | Fee Amount | Amount Paid |
|---|---|---|---|
| INV-00002678 | Planning Zoning Appeal from Admin Decision Fee | $200.00 | $200.00 |
| | Total for Invoice INV-00002678 | $200.00 | $200.00 |
| INV-00002824 | Planning Public Notice in Newspaper | $100.00 | $100.00 |
| | Planning Certified Mailing to Abutters | $160.00 | $160.00 |
| | Planning Certified Mailing to Application Contacts | $8.00 | $8.00 |
| | Total for Invoice INV-00002824 | $268.00 | $268.00 |
| | **Grand Total for Permit** | **$468.00** | **$468.00** |

| Submittal Name | Status | Received Date | Due Date | Complete Date | Resubmit | Completed |
|---|---|---|---|---|---|---|
| Planning Permit Application Review v.1 | Approved | 03/28/2023 | 04/04/2023 | 04/06/2023 | No | Yes |

| Item Review Name | Department | Assigned User | Status | Assigned Date | Due Date | Completed Date |
|---|---|---|---|---|---|---|

# PERMIT SNAPSHOT REPORT (ZONE-2023-0012)

| | | | | | | |
|---|---|---|---|---|---|---|
| Zoning Administrator | Planning | Kypfer, Natasha | Approved | 03/28/2023 | 04/04/2023 | 03/30/2023 |

**Comments:** Item scheduled to be heard at April ZBA, on 4/20/2023 at 7PM.

| Workflow Step / Action Name | Action Type | Start Date | End Date |
|---|---|---|---|
| **Review v.1** | | 03/28/2023 0:00 | 04/06/2023 10:41 |
| Confirm application complete v.1 | Generic Action | | 03/28/2023 12:05 |
| Planning Permit Application Review v.1 | Receive Submittal | 03/28/2023 0:00 | 04/06/2023 10:41 |
| **Zoning Board v.1** | | 04/06/2023 10:42 | |
| Zoning Board Agenda v.1 | Task | 04/06/2023 10:42 | 04/06/2023 10:42 |
| Invoice for Notices v.1 | Task | 04/06/2023 10:42 | 04/06/2023 10:42 |
| Send Notices v.1 | Task | | |
| Zoning Administrator Creates Staff Recommendations v.1 | Task | | |
| Distribute Zoning Board Materials v.1 | Task | | |
| Zoning Board Hearing v.1 | Hold Hearing | | |
| Zoning Board Decision v.1 | Permit Activity | | |
| NOD Sent to Applicant v.1 | Create Report | | |
| **Final Plan v.1** | | | |
| Plans uploaded to Treeno v.1 | Generic Action | | |
| Property Info Group v.1 | Generic Action | | |
| **Create/Link to Records v.1** | | | |
| Create / Link to Permit - Building Complex v.1 | Create Sub Permit | | |

**ZONE-2023-0012** **7 MIDDLEBROOK ROAD**

| Property ID | Location | Owner 1 | Owner 2 | Owner Address 1 | City | State | Zip |
|---|---|---|---|---|---|---|---|
| 17129-000000 | 7 HAWTHORN RD | BARRETT JOHANNA | | 7 HAWTHORN RD | DOVER | NH | 03820 |
| 17130-000000 | 9 HAWTHORN RD | KENNEDY KERRY J & | TOBIASSEN KRISTEN M | 9 HAWTHORN RD | DOVER | NH | 03820-4218 |
| 17131-000000 | 11 HAWTHORN RD | SMITH ANDREW R | SMITH HOLLY WELSH | 11 HAWTHORN RD | DOVER | NH | 03820 |
| 17132-000000 | 13 HAWTHORN RD | ANDERSON LAURIE S | | 13 HAWTHORN RD | DOVER | NH | 03820-4218 |
| 17133-000000 | 2 MIDDLEBROOK RD | SCHULTZ ELLIOT & | SCHULTZ KALLI | 2 MIDDLEBROOK RD | DOVER | NH | 03820 |
| 17134-000000 | 4 MIDDLEBROOK RD | HEGARTY MATTHEW G | HEGARTY LESLEY J | 4 MIDDLEBROOK RD | DOVER | NH | 03820 |
| 17135-000000 | 6 MIDDLEBROOK RD | GRAY WALLACE S & | EATON ESTHER J | 6 MIDDLEBROOK ROAD | DOVER | NH | 03820 |
| 17137-000000 | 5 HAWTHORN RD | GLEASON ELEANOR | GLEASON BRETT | 5 HAWTHORN RD | DOVER | NH | 03820 |
| K0030-C00000 | 2 DOVER POINT RD | WEATHERVANE SEAFOODS | | 306 US ROUTE 1 | KITTERY | ME | 03904 |
| K0030-N00000 | DOVER POINT RD | WENTWORTH DOUGLASS HOSPITAL | C/O MASS GENERAL BRIGHAM | 399 REVOLUTION DR | SOMERVILLE | MA | 02145 |
| K0042-000000 | 1 MIDDLEBROOK RD | HOTALING DUSTIN L & | HOTALING KERRYN K | 1 MIDDLEBROOK RD | DOVER | NH | 03820 |
| K0042-001000 | 126 STARK AV | VASCO FOUR TWENTY-SEVEN RIVER LLC | | PO BOX 372 | BRISTOL | NH | 03222-0372 |
| K0042-A00000 | MIDDLEBROOK RD | 6 DPR REALTY LLC | | 818 CENTRAL AVE | DOVER | NH | 03820 |
| K0044-000000 | 9 MIDDLEBROOK RD | DEMOSTHENES RODGERS ELIZABETH | | 9 MIDDLEBROOK RD | DOVER | NH | 03820-4237 |
| K0045-000000 | 14 MIDDLEBROOK RD | ASHMAN-KING JILL E & | KING MICHAEL P | 14 MIDDLEBROOK RD | DOVER | NH | 03820 |
| K0046-000000 | 12 MIDDLEBROOK RD | VACCA ALEXANDER M | | 12 MIDDLEBROOK RD | DOVER | NH | 03820 |
| K0047-000000 | 10 MIDDLEBROOK RD | CUEVAS FLORENSIA | | 10 MIDDLEBROOK ROAD | DOVER | NH | 03820 |
| K0048-000000 | 5 MIDDLEBROOK RD | MARKHAM DIANA C | | 5 MIDDLEBROOK RD | DOVER | NH | 03820 |
| K0050-000000 | 13 MIDDLEBROOK RD | NORTON WILLIAM R | NORTON JOYCE | 13 MIDDLEBROOK ROAD | DOVER | NH | 03820 |
| K0050-001000 | 11 MIDDLEBROOK RD | LAWLOR ZACHARY L & | LAWLOR VICTORIA J | 11 MIDDLEBROOK RD | DOVER | NH | 03820-4237 |
| K0043-000000 | 7 MIDDLEBROOK RD | MARTIN ALEXANDRA & | KELLY SHAWN | 7 MIDDLEBROOK RD | DOVER | NH | 03820 |

# CITY OF DOVER, NEW HAMPSHIRE
# PLANNING APPLICATION OWNER AUTHORIZATION (ZONING)

**IMPORTANT**

Property identification sign must be posted on the property for five (5) days prior to the hearing. Failure to post may result in application not being accepted.

## OWNER AUTHORIZATION

I/We hereby submit this application to the City of Dover / City of Dover Zoning Board and attest that to the best of my knowledge all of the information on this application form and in the accompanying application materials and documentation is true and accurate. As applicant or as agent, I attest that I am duly authorized to act in this capacity.

Property Owner Name: Alexandra Martin

Signature(s) of Property Owner(s): agmartin Date: 3/18/23

Date:

Signature of Applicant: _____ Date: _____

*if different from owner*

## AUTHORIZATION TO ENTER SUBJECT PROPERTY

I/We hereby submit this application to the City of Dover Zoning Board and attest that to the best of my knowledge all of the information on this application form and in the accompanying application materials and documentation is true and accurate. As applicant or as agent, I attest that I am duly authorized to act in this capacity..

Property Owner Name: Alexandra Martin

Signature(s) of Property Owner(s): agmartin Date: 3/18/23

Date:

Signature of Applicant: _____ Date: _____

*if different from owner*

March 18, 2023

Dear Chairperson Prior and Zoning Board members,

My neighbor Elizabeth Rodgers and I are each writing to you about the decision issued by Assistant City Planner Natasha Kypfer in regards to the permits for which she told us to apply (#ZONE=2023-0020/21). In our applications, we each requested a CHO certificate as instructed by Ms. Kypfer, in order to run our business of allowing individual dog owners to book our yards (which are fenced together) through Sniffspot, for their dogs to play safely. We believe that our proposal is in accordance with the intent of the Zoning Ordinance for R-12 to maintain the character of the neighborhood and to allow only occupations that are secondary to the residential use of the property. Alongside the primary permitted use of our properties in R-12 as dwellings, the proposed use for dogs and dog owners to access is secondary and incidental, and does not change the character of the property.

In her denial of our applications on February 17, 2023, Ms. Kypfer sent a letter addressing two main sets of issues: the first being that our proposal does not conform with the intent of the Zoning Ordinance CHO, and the second being her concerns with public dog parks like Longhill Dog Park in Dover. We would like to respond to the issues she raised.

Ms. Kypfer explained that one of the issues with issuing a CHO certificate for our venture is that our proposal does not involve the use of a building, structure, or dwelling unit (i.e. the indoor spaces of one or both of our houses). However, subsection G of the CHO definition which she cites opens with a reference to "buildings or premises" (not "buildings *and* premises"), with "premises" including the land we own. The additional mentions of structures and buildings in subsections G and H are there to specify that no building use shall be "objectionable or detrimental" and that any building "shall include no feature of design not customary." Our proposal does not threaten or alter the buildings on our properties (i.e. our homes).

Ms. Kypfer cited two statutes, denying CHO certificates to a real estate agent and to a roofing business, explaining that those businesses involve "work outside the home" at "the properties of others." Yet our proposal does not involve work at the properties of others. Work that we would undertake from our homes as part of this proposal includes scheduling and managing appointments, monitoring visitors and responding to their needs onsite, and keeping our yards clean.

Ms. Kypfer also said it was unclear whether this proposal equates to an occupation rather than a rental of private space. Yet the Zoning Ordinance R-12 does allow for Bed and Breakfasts, which refers to properties "rented on a temporary short term basis" and with "onsite management" and allows managers to rent up to nine bedrooms. The number of visitors and amount of traffic to our properties for individuals bringing their dogs to play is insignificant compared to a primary use allowed in our zone like a Bed and Breakfast.

Ms. Kypfer also mentioned that a CHO should be carried out by "the" occupant of "such unit." This is why we applied for two CHO certificates, so that we would each have a permit that applied to our respective property. We don't believe it should be an issue from a Zoning Office perspective that any dogs (including our own registered dogs) would have access to both our properties.

In the latter half of her letter, Ms. Kypfer raised concerns with the number of dogs we propose to allow to visit our space at any given time, and cited literature about issues with dog parks. As Ms. Kypfer pointed out, the number of dogs we propose allowing to access our properties at any given time is four (which would be atypical; most dog owners booking our yards have only one or two dogs). In regards to Dover Licensing, owners of five or more dogs are required to get a group license, but not to obtain a commercial kennel license. Ms. Kypfer seemed concerned that by allowing up to four dogs to visit our properties, we would become a kennel, which we recognize is not allowed in R-12. However, our proposed use is not at all like the use of a person's property as a kennel. We would not own additional dogs, and dogs' and their owners' use of our properties would be temporary and brief. There would be no boarding, breeding, sale, or transfer of dogs.

Ms. Kypfer cited two articles about issues with public dog parks, and we agree with her and those authors that traditional dog parks can cause issues. Negative aspects of public dog parks described by Chen et al. include: Injury due to inability to segregate dogs of sizes, noise from fights, and disease. With our proposal, all of these issues are addressed. With one guest at a time, we do not need to worry about segregating dogs of different sizes, nor noise or injury from fights. The visitors have no other dog owners to interact with, and spend the time watching, training, and playing with their own dog(s). As for disease, every guest would be required to pre-register so we can verify that their dog(s) are up to date on vaccinations and an annual fecal exam. None of these issues are addressed in public dog parks, which is why they can be such dangerous places to visit.

However, as Chen et al. pointed out, there is indeed a demand for places where people can take their dogs. This is why we believe our proposed use fills an important need for dog owners who reside in apartments or condos here in Dover. We would like to reiterate that the intent of offering our yards as a *private* space is for a single user to access a safe space for their dog(s) *only*, for 30-60 minutes at a time, during specific workday hours, set by us. There would not be issues with conflicts among dog owners, non-dog owners, or dogs themselves, because the system is designed for people to make appointments for their own private use. There would be no possibility of interaction or socialization among strangers (dogs or humans). It would not be like the use of public dog parks, or public recreation spaces like Applevale Park in our own neighborhood, where any number of adults, children, dog owners, non-dog owners, or dogs could visit the space at any time from dawn to dusk. If there are potential issues with dogs or dog owners gathering, why is our proposal unacceptable but public recreation spaces where dogs are allowed are permitted in the R-12 districts?

Further, Dover Code related to dog licensing does not specify that dog(s) must be indoors for a specific period of time each day; they may be "lodged within" a "yard or premises." There is no rule related to the length of time of the customary use of outdoor space for dogs. So, we would have more oversight on the length of time dogs would be outdoors than is specified by code. It is permitted for Dover residents to leave their dogs outside in their yard, to bark, or to escape onto the street, at any time of day or night. None of this would be allowed on our property. Because Liz is at home during the hours we would offer for use, she is available for onsite management, e.g. to monitor visitors, respond to anything that might come up, and to ensure the cleanliness of our yards. She can also correct and monitor any "undesirable" behavior, such as inappropriate parking, partying, or any other disruptive action. All this being explained, we would also be happy to limit the overall number of visitors per day to a mutually agreeable number in an attempt to assuage the concerns of the City.

Please see Liz's appeal for additional information and attachments, including notes indicating the support of our neighbors. We appreciate your time and attention to our appeal.
All the best,
Alix

WE BELIEVE IN A SAFE SPACE

DOVER DOG RUN

# Dover Dog Run, LLC

Elizabeth Rodgers, & Alexandra Martin
doverdogrun@gmail.com
603-550-9378
7&9 Middlebrook Road, Dover, NH 03820

I, BEN GONZALEZ (your printed name) of 1 APPLEVALE DRIVE (your address) am aware of the by-appointment-only business of a private dog play space, named Dover Dog Run.

Dover Dog Run was in full operation from the end of November, through the beginning of January. During this timeframe I or my household:

- ☐ did notice the operation of this business and
  - ☐ were **not** bothered or disrupted by the operation of Dover Dog Run.
  - ☐ were bothered or disrupted by the operation of Dover Dog Run.
- ☐ did not notice the operation of this business

I want the members of the zoning board to know that I:

- ☒ approve of Dover Dog Run operating in our neighborhood
- ☐ have no opinion on it one way or the other
- ☐ do not approve of Dover Dog Run operating in our neighborhood.

Additional comments:

Signed: Ben Gonzalez Date: 3/17/23

Signed: _____ Date: _____

WE BELIEVE IN A SAFE SPACE

DOVER DOG RUN

# Dover Dog Run, LLC

Elizabeth Rodgers, & Alexandra Martin
doverdogrun@gmail.com
603-550-9378
7&9 Middlebrook Road, Dover, NH 03820

I, Sarah Oldfield (your printed name) of 3 Applevale Dr Dover, NH (your address) *am aware of the by-appointment-only business of a private dog play space, named Dover Dog Run.*

Dover Dog Run was in full operation from the end of November, through the beginning of January. During this timeframe I or my household:

- ☐ did notice the operation of this business and
  - ☐ were **not** bothered or disrupted by the operation of Dover Dog Run.
  - ☐ were bothered or disrupted by the operation of Dover Dog Run.
- ☑ did not notice the operation of this business

I want the members of the zoning board to know that I:

- ☐ approve of Dover Dog Run operating in our neighborhood
- ☑ have no opinion on it one way or the other
- ☐ do not approve of Dover Dog Run operating in our neighborhood.

Additional comments:

Signed: Sarah Oldfield Date: 3/18/23

Signed: _____ Date: _____

# PUBLIC COMMENTS

**From:** Kerryn Schneider <kerryn.schneider@gmail.com>
**Sent:** Monday, April 10, 2023 10:06 PM
**To:** City of Dover - Planning
**Cc:** doverdogrun@gmail.com
**Subject:** In support of Dover Dog Run on Middlebrook Road

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

Good Afternoon Dover Planning,

I just wanted to voice my support for the Dover Dog Run at 7 and 9 Middlebrook Road.

I, Kerryn Hotaling, and my husband, Dustin Hotaling, own and live at 1 Middlebrook Road. I am writing to you because we were made aware of the Dover Dog Run by our Neighbor Ms. Elizabeth Rogers who lives at 9 Middlebrook Rd. We live within 200 yards of their property and because of our proximity, the City of Dover requires them to send out 3 certified letters to us.

We have lived here for 11 years. We have seen a lot of changes along Dover Point Road and in and around Middlebrook Road. Some of the changes have been great, such as Patty B's moving their restaurant from downtown to Dover Point Road and the re-branding, and improvements of Cow Licks Ice cream. Some changes have not been desirable, like Dover Honda expanding their building and parking lot to be directly in sight from my living room window. I understand that change and local businesses growing, expanding, and moving locations are all part of being in a thriving town. But, that also means allowing people to start new businesses, especially ones that will not disrupt the community.

The business plan outlined by Ms. Elizabeth Rogers and Dr. Alexandra Martin ensures that no disruption to the community and surrounding homes will occur. When Dover Honda expanded their business, they had to blast to be able to build. They literally had an inspector come into my house and inspect my foundation before and after the blasting to ensure their work did not damage my house. When the car wash next door let their fence rot and it fell into my yard, the City of Dover could not even give me contact information for the owner. Yet they asked me when and if I figured it out, if I could pass on that info to the city. It ended up taking me 3 years to finally get the car wash to fix their fence.

The business plan outlined by Dover Dog Run makes it abundantly clear they will not be disrupting the neighborhood. They are not absentee owners from out of state. They are my neighbors that actually live here and are invested in the neighborhood. It seems to me, they just want to create an option for local people to exercise their dogs in a safe space. Please reconsider and allow them to obtain a Home Occupation Permit for Dover Dog Run.

Please feel free to contact me regarding this letter. Email is the best form of contact. Kerryn.Schneider@gmail.com.

Thank you,
Kerryn Hotaling

**From:** Danielle Alley <dca03820@yahoo.com>
**Sent:** Wednesday, April 12, 2023 8:07 AM
**To:** Planning Board - All
**Cc:** City of Dover - Planning; doverdogrun@gmail.com
**Subject:** Support Dover Dog Run

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

Dear Dover Planning Board,

I'm writing to you to encourage your support of the Dover Dog Run, a private, fenced dog park.

You may wonder why are parks like this needed in the City of Dover, when a public dog park is available for use at no charge, and many public parks allow dogs in our area, leashed or unleashed. My dog is an example of why private dog parks are needed in our community. I adopted my dog last year during Covid, a time when puppies were not able to be well socialized and learn about their world filled with people, noises, surprises and distractions.
My dog was originally adopted by a family who used punitive training methods. As a result, my dog suffers from PTSD and takes prescribed anti-anxiety medications. Over the last year, he has greatly improved under his veterinary care and private training with a dog behaviorist. I have learned that trust is gained in drips and lost in buckets. One of the key things that helps him be a happy dog is predictability. The other is distance or space between him and a trigger. Surprises, especially those involving men, are terrifying for him. Taking him to a place such as a public dog park, or places where dogs or humans can approach him, and dog owners do not have solid recall of their dogs, risks my dog's health and well-being. Buckets of trust are lost with these experiences.
Having sniff spots available that are fenced, private, and local to me are very important for my dog's recovery and further training. The ultimate goal, of course, is for a happy dog. Without spaces liked Dover Dog Run, I cannot control the environment to allow my dog to feel safe in new spaces (trust in drips) I'm sure there are many people in the dog world, trainers, behaviorists, and veterinarians, who can attest to the dramatic increase in reactive dogs in our communities. Having areas like Dover Dog Run are absolutely necessary in our community to create happy, resilient dogs.

I thank you for your attention and understanding of the importance of spaces like this and appreciate all of your efforts to ensure Dover Dog Run remains a part of our community.
Please support the issuance of this permit and any other steps needed to keep this space available.

Kind regards,
Danielle Alley
21 Fords Landing Drive
Dover

Sent from my iPhone

Zoning Board of Adjustment

City of Dover

Re: "Dover Dog Run" Appeal

To Whom it May Concern,

I am writing formally to restate my opinion on the appeal of an entity known as "Dover Dog Run LLC". I am urging the Board to stand by their February 17, 2023 denial of this permit which is scheduled for an appellate hearing on April 20, 2023. In addition to the original grounds of this denial, the founders of this entity have made some extremely concerning comments since this decision and have continued to incur profits from this business through several Venmo and PayPal accounts under the same name, as well as mock the Boards decision of the initial permit through social media.

In the wake of the extremely disturbing incident at another public dog park in Dover where a resident and his pet were attacked by another dog, the owner of "Dover Dog Run" seeks to use this event as an opportunity to further obtain profits and put others at risk. The following was posted on the Facebook page of this entity by a user by the name of Liz Rodgers: "Aggressive, reactive and unpredictable dogs deserve a place to go where they won't be able to hurt anyone." I find this comment extremely disturbing as the creator of this entity minimizes the dangerous incident and further moves to invite these so called "aggressive, reactive and unpredictable dogs" to be released unleashed in a residential neighborhood, in a backyard with unregulated and flimsy fencing (with no guaranty they will not be able to hurt anyone, or easily jump over the low fencing and be lose in the neighborhood), in the name of profits and putting an animal's interest above those of the residents.

I believe permitting the operation of a business such as Dover Dog Run LLC will open up a floodgate of unregulated "dog parks" where homeowners will be renting out their own backyards for minutes at a time to dangerous animals at the expense of the safety of their neighbors. It is my belief that the founders of Dover Dog Run LLC believe the simple formation of a limited liability company absolves them of any personal liability for any incidents such as the one the public dog park just experienced, leaving them only to profit at the expense of the safety of the residents of Dover. The residents are owed a reasonable expectation of safety and enjoyment of their properties, and putting the interest of having a dog run free is putting the residents of Dover second in their own home.

I have attached herewith the above-mentioned comments of the founders of Dover Dog Run LLC, and recent statistics of violent dog attacks across the country.

Thank you for your consideration.

**From:** jay farsili <jfarsili@outlook.com>
**Sent:** Thursday, April 13, 2023 3:11 PM
**To:** Kypfer, Natasha
**Cc:** Blonigen, Rachel
**Subject:** Re: Zoning Board of Adjustment
**Attachments:** opposition.pdf; 539703CB-16AC-444F-8790-2C52C828340F.png; B82A3456-F11A-4C87-9E7D-548D1A717887.png; AB47EAD4-6275-430C-97D6-5A0EC537FADF.png

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

Natasha,

Thank you for all your help. I have attached below my letter of opposition, as well as relevant posts made by the individuals appealing this decision and statistics I have mentioned.

https://www.dogsbite.org/dog-bite-statistics-fatalities.php

---

**From:** Kypfer, Natasha <N.Kypfer@dover.nh.gov>
**Sent:** Monday, April 10, 2023 3:32 PM
**To:** jay farsili <jfarsili@outlook.com>
**Cc:** Blonigen, Rachel <R.Blonigen@dover.nh.gov>
**Subject:** RE: Zoning Board of Adjustment

Dear Mr. Farsili,

You are welcome to submit an updated letter or comments, as well as speak at the meeting next Thursday.

Please let me know if you have any questions at all, or would like to discuss the meeting process by telephone, I am happy to ring you.

Thank you,
Natasha

**Natasha M. Kypfer**
*Zoning Administrator/Assistant City Planner*
City of Dover, New Hampshire
288 Central Avenue
Dover, NH 03820-4169
e: n.kypfer@dover.nh.gov
p: 603.516.6008

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http://www.dover.nh.gov

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**From:** jay farsili <jfarsili@outlook.com>
**Sent:** Monday, April 10, 2023 1:22 PM
**To:** Blonigen, Rachel <R.Blonigen@dover.nh.gov>
**Cc:** Kypfer, Natasha <N.Kypfer@dover.nh.gov>
**Subject:** Re: Zoning Board of Adjustment

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

Thank you Rachel.

After looking over both appeals I still stand by my original comments in opposition. Is there a letter I should submit for the meeting or will we be able to speak?

Thanks again

---

**From:** Blonigen, Rachel <R.Blonigen@dover.nh.gov>
**Sent:** Friday, April 7, 2023 2:18 PM
**To:** jfarsili@outlook.com <jfarsili@outlook.com>
**Cc:** Kypfer, Natasha <N.Kypfer@dover.nh.gov>
**Subject:** Zoning Board of Adjustment

Good afternoon,

Attached is a link to the materials for the Zoning Board of Adjustment meeting on Thursday, April 20, 2023.

Treeno - Docs (nh.gov)

Have a nice day,

Rachel

**Rachel Blonigen**
**Planning Office Assistant**
**Planning & Zoning**
**288 Central Avenue**
**Dover, NH 03820**
E: r.blonigen@dover.nh.gov
P: (603) 516-6008

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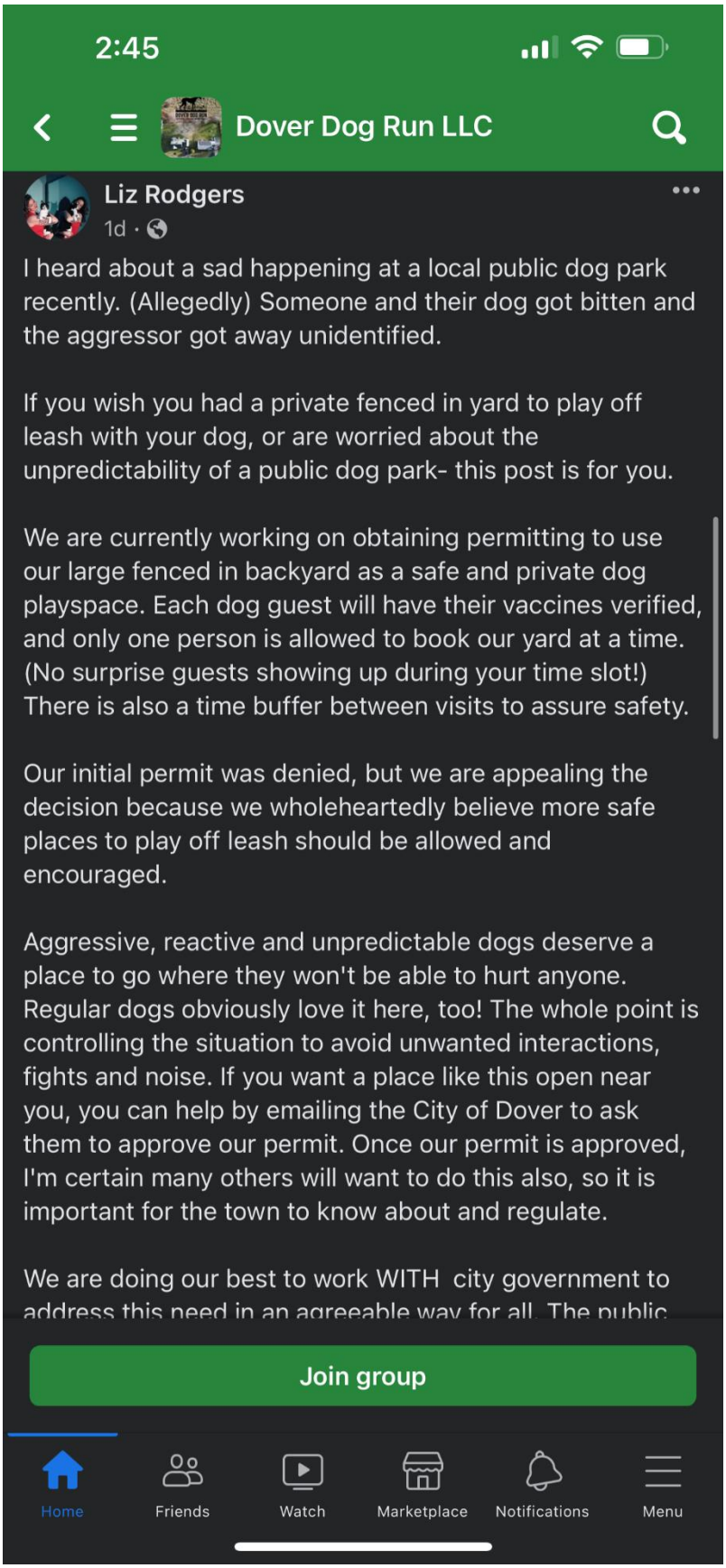
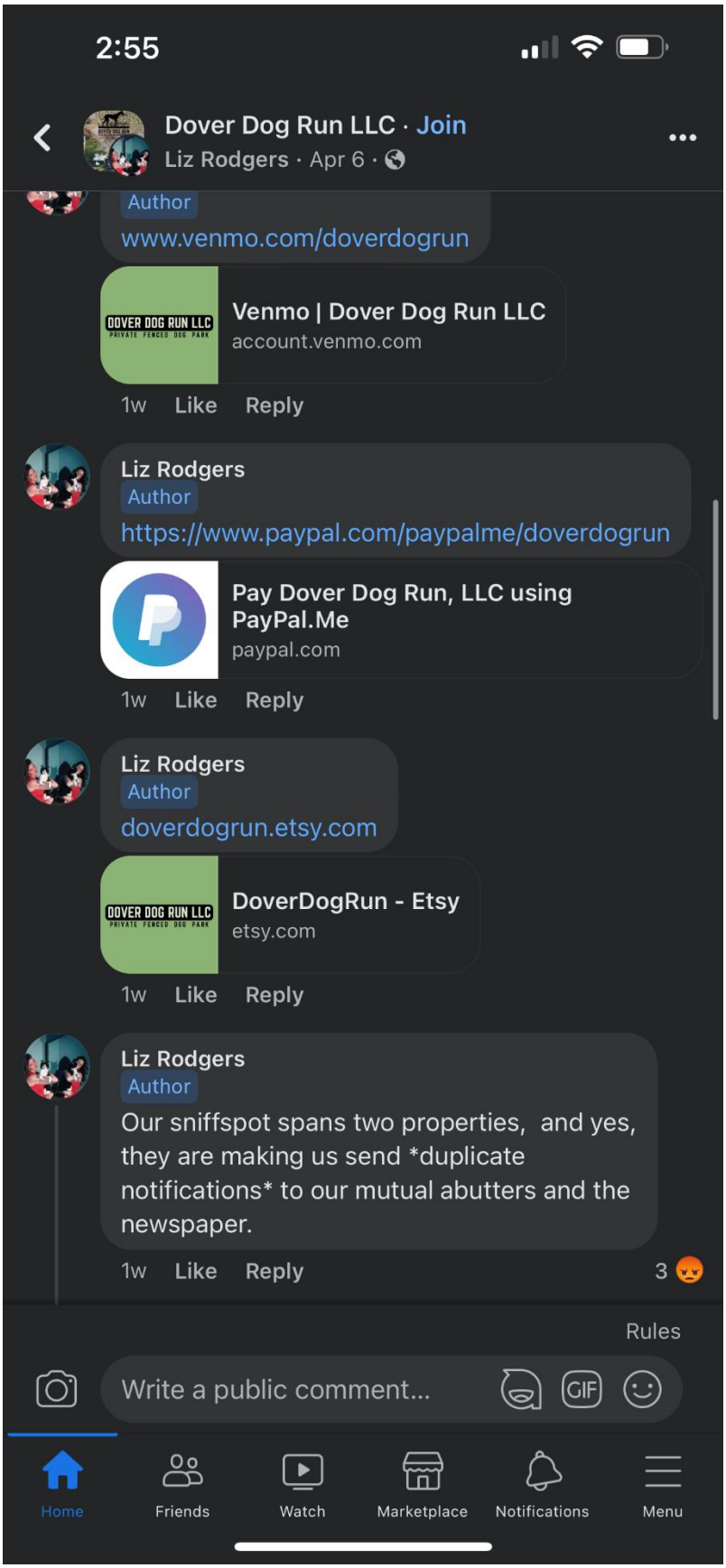

2:45
Dover Dog Run LLC
Liz Rodgers
1d ·
I heard about a sad happening at a local public dog park recently. (Allegedly) Someone and their dog got bitten and the aggressor got away unidentified.
If you wish you had a private fenced in yard to play off leash with your dog, or are worried about the unpredictability of a public dog park- this post is for you.
We are currently working on obtaining permitting to use our large fenced in backyard as a safe and private dog playspace. Each dog guest will have their vaccines verified, and only one person is allowed to book our yard at a time. (No surprise guests showing up during your time slot!) There is also a time buffer between visits to assure safety.
Our initial permit was denied, but we are appealing the decision because we wholeheartedly believe more safe places to play off leash should be allowed and encouraged.
Aggressive, reactive and unpredictable dogs deserve a place to go where they won't be able to hurt anyone. Regular dogs obviously love it here, too! The whole point is controlling the situation to avoid unwanted interactions, fights and noise. If you want a place like this open near you, you can help by emailing the City of Dover to ask them to approve our permit. Once our permit is approved, I'm certain many others will want to do this also, so it is important for the town to know about and regulate.
We are doing our best to work WITH city government to address this need in an agreeable way for all. The public
Join group
Home
Friends
Watch
Marketplace
Notifications
Menu


2:55
Dover Dog Run LLC · Join
Liz Rodgers · Apr 6 ·
Author
www.venmo.com/doverdogrun
DOVER DOG RUN LLC
PRIVATE FENCED DOG PARK
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account.venmo.com
1w Like Reply
Liz Rodgers
Author
https://www.paypal.com/paypalme/doverdogrun
Pay Dover Dog Run, LLC using PayPal.Me
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Liz Rodgers
Author
doverdogrun.etsy.com
DOVER DOG RUN LLC
PRIVATE FENCED DOG PARK
DoverDogRun - Etsy
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Liz Rodgers
Author
Our sniffspot spans two properties, and yes, they are making us send *duplicate notifications* to our mutual abutters and the newspaper.
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Write a public comment...
GIF
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Notifications
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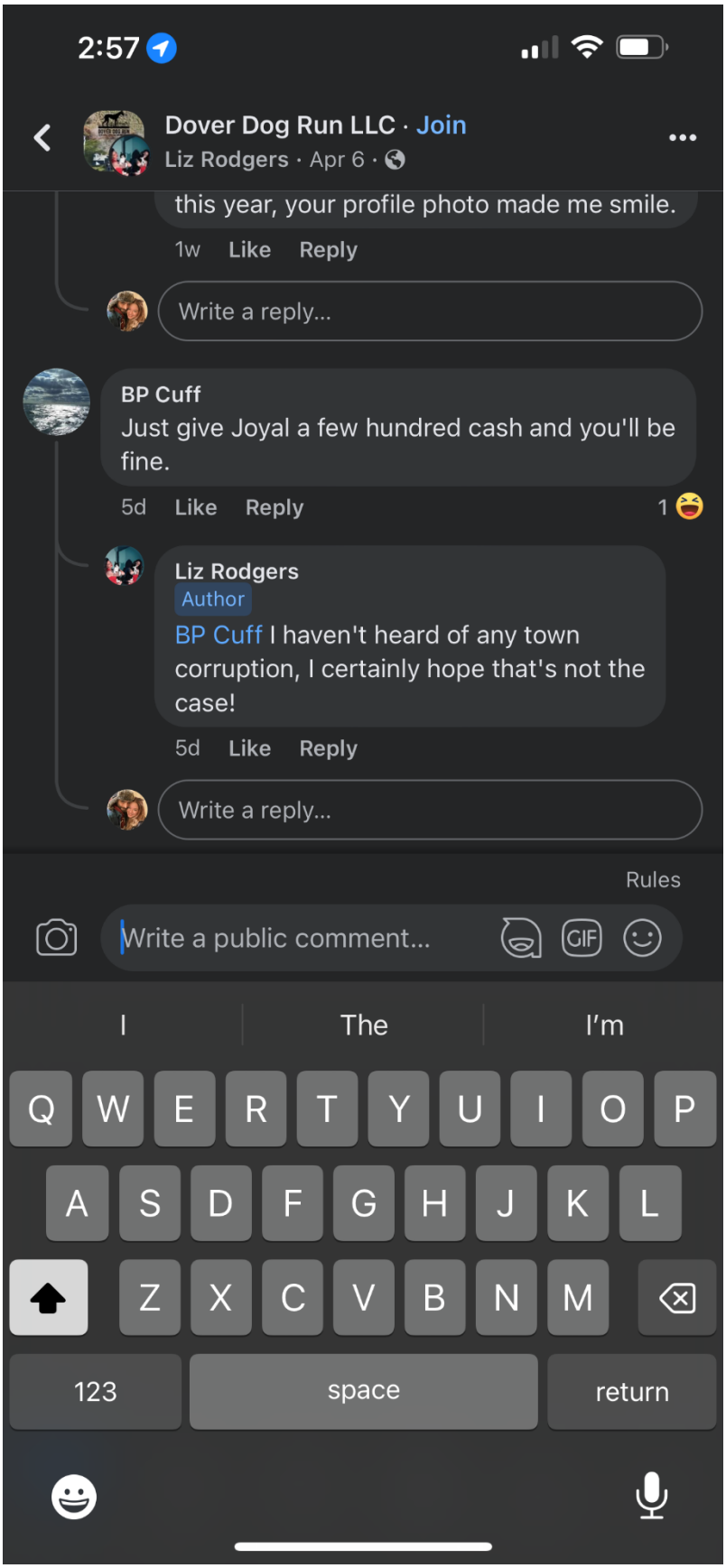
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Dover Dog Run LLC · Join
Liz Rodgers · Apr 6 ·
this year, your profile photo made me smile.
1w Like Reply
Write a reply...
BP Cuff
Just give Joyal a few hundred cash and you'll be fine.
5d Like Reply 1
Liz Rodgers
Author
BP Cuff I haven't heard of any town corruption, I certainly hope that's not the case!
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Write a public comment...
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The
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Q W E R T Y U I O P
A S D F G H J K L
Z X C V B N M
123
space
return

**From:** James Soskin <jblue4878@gmail.com>
**Sent:** Saturday, April 15, 2023 4:16 PM
**To:** City of Dover - Planning
**Cc:** Doverdogrun@gmail.com
**Subject:** Support for Dover Dog Run
**Attachments:** Ravi.JPG

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

Write your reasoning for why you want Dover Dog Run approved here. Don't forget to add your name and address so you are taken seriously. Thank you very much for your support!! James Soskin 8C Stark Ave Dover NH. Local mailman and dog owner. Our dog is a rescue. We don't know why, but he doesn't like other dogs. Something happened before we adopted him. We can't bring Ravioli to a normal dog park. So for us, Dover Dog Run is the ONLY option to allow Ravioli to get the exercise he desperately needs. Both my gf and I work 50+ hours and we walk him on a regular schedule as anyone would but he gets a level of freedom that he just can't get on the street. We were so happy when we first learned of the dover dog run! It was as of our prayers were answered. Please allow this to continue! Don't take Ravioli's play space away!!!

**From:** Mark Joseph <mfjrollin@gmail.com>
**Sent:** Saturday, April 15, 2023 5:32 PM
**To:** City of Dover - Planning
**Cc:** Doverdogrun@gmail.com
**Subject:** Support for Dover Dog Run

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



Dear Dover Zoning Board,

I am writing to express my enthusiastic support for the proposed Dover Dog Run and to encourage the board to approve their application for a private dog park in our community.

As a dog owner and resident of Dover, I can attest to the need for a safe and secure space where dogs can run and play off-leash. The would also provide a quiet open location to allow people to train their dogs while they remain contained. The proposed Dover Dog Run would provide just that, and I believe it would be a valuable asset to our community.

The owners of Dover Dog Run LLC have demonstrated a clear commitment to providing a high-quality location that meets the needs of dogs and their owners. Their plans for the park include a fenced-in area for dogs to have a safe area, as well as amenities such as water stations, benches, and waste disposal areas. These features will ensure that the park is clean, safe, and enjoyable for everyone who uses it.

In addition to providing a fun and safe space for dogs to exercise and socialize, the Dover Dog Run will also be a positive asset to our community as a whole. It will foster a sense of community among dog owners.

I urge the Dover Zoning Board to approve the application for the Dover Dog Run and to support the development of this much-needed facility in our community. Thank you for your consideration of this matter.

Sincerely,

Mark Joseph

18 MIDDLEBROOK RD

Dover

**From:** Amanda <aaf005@gmail.com>
**Sent:** Sunday, April 16, 2023 9:28 AM
**To:** City of Dover - Planning
**Cc:** doverdogrun@gmail.com
**Subject:** Support for Dover Dog Run

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

Good morning,

This is Amanda Fleischmann of 57 Back River Road. I am in favor of allowing this homeowner to use their property. My 15 years of being a pet dog owner, and instructor for dog sports and competitor, has shown me that public dog parks are not the solution for all dogs.

Our community is missing support for dogs that are in need of safe space free from other dogs and people to be off leash whether it be short-term solution or lifelong for a dog. Too many times I hear and have experienced people and or dogs approaching unfamiliar dogs (on and off leash) without permission first and the interaction causes more harm than good.

If Dover Dog Run can promise a safe clean environment that doesn't disturb the neighborhood, then I support their operation. It would be an incredible resource for dog owners!

Thank you,
Amanda Fleischmann

**From:** Danielle Alley <dca03820@yahoo.com>
**Sent:** Sunday, April 16, 2023 10:33 AM
**To:** City of Dover - Planning
**Cc:** doverdogrun@gmail.com
**Subject:** Support for Dover Dog Run

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

To whom it may concern,
I recently read the Staff recommendation below regarding Dover Dog Run. I feel compelled to write again to correct the misperceptions reflected in the Staff recommendation. Please see my original correspondence below from April 12th on this same matter.

The recommendation seems to indicate that there would be large groupings of dogs cycling through a fenced area, much like a dog park. Areas like Dover Dog Run are actually nothing like that. In my situation, for example, my dog would be the only dog roaming the fenced area. His main activity, when he's in a new enclosed space, is to sniff everything. He will sniff for an hour, without barking or making any disruptive noise. Sniffing is meditative and relaxing for him. The atypical sounds described by Staff are likely the sounds of sniffing, hardly disturbing to the neighborhood.
Many sniff spots are limited to one or two dogs and usually those dogs are from the same family, not multiple cars and crowds of people. The thought that this would be similar to a doggie day care, with a typical 20-50 dogs at play, is ill-conceived at best.
I think the imaginings of Staff regarding loading and unloading of dogs to and from the car is just that…imagination. I prefer to work in reality. The reality is, when I take my dog out of the car, he's ready to get out and start sniffing. There is rarely vocalization from him. I can cite as an example dogs getting in and out of cars at a place like Wagon Hill Farm. Over many years of walking at Wagon Hill without a dog, I've never heard the ruckus commotion as described by Staff in their recommendation.

At the end, after all the sniffing and training, practicing verbal cues and many hand signals, in an area such as Dover Dog Run, my dog is tired. The most commotion getting into the car is me saying "hop in". Did you know 20 minutes of sniffing is like an hour long walk? Tired dogs are not noisy dogs.

Quite frankly, my dog could not handle a large commercialized daycare operation. This is why Dover needs more places like Dover Dog Run. For dogs like mine, who need that freedom and agency to be off leash, need a safe enclosed space with predictable outcomes. This space is my opportunity to teach things like recall and waiting/impulse control that are so important for him to learn in an environment that is well controlled yet not totally familiar. If you have dogs, you may know that they may always listen at home, but when the environment or context changes they seem to "forget"the cues the know so well. They don't really forget, it's just harder for them in a new context and so practicing in unfamiliar areas is important.
Places like Dover Dog Run allow time in between families to ensure dogs are loaded and unloaded without strangers there. The quiet is actually the point. It's the objective of these private parks, that they are private, predictable, with minimal stranger danger, no surprises of new people popping in at any given time. Because we live in a condo and do not have a fenced yard opportunity, places like Dover Dog Run are very necessary for me, my dog and so many other families with dogs who struggle with unpredictability.

I hope you will consider the reality of how places like Dover Dog Run truly operate and the benefits they provide to the community, contributing to responsible doggie citizens and responsible dog ownership over imaginings and misconceptions.

Thank you for your consideration and attention to this important matter. I hope this helps to better understand how places like this really operate and alleviates concerns about traffic and noise. Please support Dover Dog Run's permit so my family and many others can have a safe place to play with our dogs.

Kind regards,
Danielle Alley
21 Fords Landing Dr
Dover

Dear Dover Planning Board,

I'm writing to you to encourage your support of the Dover Dog Run, a private, fenced dog park.

You may wonder why are parks like this needed in the City of Dover, when a public dog park is available for use at no charge, and many public parks allow dogs in our area, leashed or unleashed. My dog is an example of why private dog parks are needed in our community. I adopted my dog last year during Covid, a time when puppies were not able to be well socialized and learn about their world filled with people, noises, surprises and distractions.
My dog was originally adopted by a family who used punitive training methods. As a result, my dog suffers from PTSD and takes prescribed anti-anxiety medications. Over the last year, he has greatly improved under his veterinary care and private training with a dog behaviorist. I have learned that trust is gained in drips and lost in buckets. One of the key things that helps him be a happy dog is predictability. The other is distance or space between him and a trigger. Surprises, especially those involving men, are terrifying for him. Taking him to a place such as a public dog park, or places where dogs or humans can approach him, and dog owners do not have solid recall of their dogs, risks my dog's health and well-being. Buckets of trust are lost with these experiences.
Having sniff spots available that are fenced, private, and local to me are very important for my dog's recovery and further training. The ultimate goal, of course, is for a happy dog. Without spaces liked Dover Dog Run, I cannot control the environment to allow my dog to feel safe in new spaces (trust in drips)
I'm sure there are many people in the dog world, trainers, behaviorists, and veterinarians, who can attest to the dramatic increase in reactive dogs in our communities. Having areas like Dover Dog Run are absolutely necessary in our community to create happy, resilient dogs.

I thank you for your attention and understanding of the importance of spaces like this and appreciate all of your efforts to ensure Dover Dog Run remains a part of our community.
Please support the issuance of this permit and any other steps needed to keep this space available.

Kind regards,

Danielle Alley
21 Fords Landing Drive
Dover

Sent from my iPhone

**From:** jillannbrooks@gmail.com
**Sent:** Sunday, April 16, 2023 12:27 PM
**To:** City of Dover - Planning
**Cc:** doverdogrun@gmail.com
**Subject:** Support for Dover Dog Run

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

I am writing in support of approval for the requested permit to operate the Dover Dog Run. As the owner of a reactive dog who needs to be leashed at all times in public spaces, I have first-hand appreciation of the benefits of a private space like this, both for my dog and for myself. Liz and Matt have been conscientious in setting strict rules for their property that ensure the comfort and safety of all stakeholders, including their neighbors.

While I understand that I am not an abutter, I feel confident that I would be in agreement with issuing them a permit if I were. I do find it perplexing that the Board is not honoring the testimony of the abutters, but rather concerns itself with the opinions of potential future abutters who do not live here at this time. What sense does that make? If the current abutters do not fear a decrease in their property values due to their proximity to this property, why do you?

The recent recommendation to the Board that the Dover Dog Run would be a doggie daycare demonstrates a misunderstanding of the nature and intent of the property use as explained by the property owners. At no time are dogs permitted to be left unattended or are to be dropped off in the care of the property owners, as is the case for a daycare.

As an 18 year resident of this city, and one who lives in a highly dog-populated neighborhood, I feel that the Dover Dog Run will fill a void that the public dog parks (which are highly unsafe, unsanitary, and unhealthy for both dogs and humans) do not address.

Liz and Matt have jumped through every hoop, and shouldered a significant financial burden, in order to offer their property for the enjoyment of other residents of this city. If the people whose interests you are concerned with protecting are in support of permitting this property use, I believe you should be as well.

Regards,
Jill Brooks
60 Cushing Street, Dover

**From:** Tracy Dearborn <tracystarr1976@gmail.com>
**Sent:** Sunday, April 16, 2023 3:06 PM
**To:** City of Dover - Planning
**Cc:** Doverdogrun@gmail.com
**Subject:** Support for Dover Dog Run

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

To Whom it May Concern,

As a dog trainer, in class one, I always speak about being your dogs advocate. That consists of keeping your dog, yourself and the public safe. Unfortunately, not everyone listens when you ask to keep distance. This happens while walking your dog, going out into public and even during a training class. Not everyone can afford to fence in their yards or are unable to. Public dog parks are not a safe place for any dog. Everyone is so distracted these days and do not understand dog body language. It's not fair to the dogs that have high stress levels, being reactive and nervous to not have the outlet for their energy that can be so beneficial to their wellbeing. Having a safe spot for these type of dogs and even ones that are an all around good natured dog is so needed. I can hear you now stating that if your dog isn't good with other dogs or people, then maybe you shouldn't have said dog. Well, would putting this do into a shelter be the best for it? Having it on a euthanasia list be better? When all it would take is to have one hour to run and be a dog without the worry of which dog is going to interrupt such a positive experience and quickly turn it negative. And of course, if the dog is reactive and something happens, it's always said dogs fault or the owners. Sniffspots like Dover Dog Run eliminates all issues above.
If this was an appeal for children to have a private park, would everyone be in such an uproar over it? Screaming kids make just as much if not more noise then dogs. What if your child didn't do good in large play groups? Would you just keep said child home? Or would somewhere safe and positive to help the child's confidence and a place for their energy outlet be best? We all want what's best for human and animal and what Matt & Liz are doing is exactly that!
I could go on and on but in the end my standing is, Dover Dog Run should be given the permit they require to make dogs (and their humans) happy.

Thank you,
Tracy Dearborn
Rochester, NH

Sent from my iPhone

**From:** abby hugo <arh81400@gmail.com>
**Sent:** Sunday, April 16, 2023 3:16 PM
**To:** City of Dover - Planning
**Cc:** doverdogrun@gmail.com
**Subject:** Support for Dover Dog Run

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

My name is Abby Hugo, I live on stark avenue in Dover. My boyfriend and I have lived in Dover for roughly 5/6 years now. Last year we decided to get a dog, which looking back might not have been fair to him because we don't have a huge yard and are right next to the road. But that's besides the point. When I got Ravioli his foster mom said that he was friendly with other dogs but acts differently towards dogs that are leashed. We found out pretty quickly that he actually went NUTS whenever we walked past a dog, and it caused us to realize we will never be able to let him off leash at our house, or at any dog park for that matter. It broke my heart because despite ravioli missing a leg, he LOVES to run around, and I don't always have the stamina that he has to run with him all the time. When my boyfriend sent me the Dover dog run Facebook page, I swear I had to hold back tears at work. I was immediately intrigued and read all about it, even emailed them to make sure that there wouldn't be any other dogs because I couldn't believe there was such a thing. The first time we went I was hooked. Ravioli got to run around off leash and chase balls and tire himself out so much that when we got home he was exhausted. From there I knew this was going to be our spot. And for as long as we could we went there and we both always had a great time. Liz and Matty and all of them are so sweet. They have trash, sanitizer, bags, treats, snacks, toys, etc. EVERYTHING that most parks don't even provide. On top of that, that's all coming out of their pockets. I think the second time we went we played a little too rough and Ravi's paw was bleeding a little, they had a first aid kit and stuff to stop the bleeding. Later Liz messaged me saying she noticed one of the blood stop packets was missing and asking if there was anything in the yard that needed to be attended to. It was the sweetest message. She really cared and wanted to make sure things were safe for him even though it was a result of our own rough playing. They are lovely people and all they want to do is help the hundreds of dogs in Dover that are living in small apartments with absolutely no yards of their own to run around in. And ESPECIALLY helping our fur babies like mine who for whatever reasons they may have, aren't friendly with other dogs. They are helping keep things safe. I worry all the time about If my dog ever attacks someone's else's and how heart broken I'd be. Dover dog run is a safe haven and greatly helps decrease the chances of that happening. I cannot say enough about how much good these people have done. If I could be there for the hearing I would, but I wish them the best of luck in getting a permit.

-Abby

**From:** Randi Pickering <piercer.randi@icloud.com>
**Sent:** Monday, April 17, 2023 1:11 PM
**To:** City of Dover - Planning
**Cc:** doverdogrun@gmail.com
**Subject:** Support for Dover Dog Run

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

To Whom it may concern,

Hello, my name is Randi Pickering; I am a long time Dover resident, owner of a small business here on Central Ave, as well as a dedicated Dog lover and owner. I am writing in support of the efforts of the Dover Dog Run group as a fantastic opportunity for our community. In the past I have worked with fostering reactive dogs, and large mastiff breeds. As a renter of a modest apartment without much yard to support exercise and play, and located on a heavily populated downtown street.. socializing and meeting the needs of an anxious dog can be quite an undertaking! Large playgroups of strangers can lead to more stress, with a dog easily over a 100+ lbs it's important that everyone feel safe in their presence and that they can be a calm well-mannered example of positive breed traits. Providing time off-leash to play and stretch their long legs is a great way to calm anxiousness for better interactions in general. Fostering a large, potentially reactive dog in a new setting, on unfamiliar territory, trying to build trust bonds, while adding stress or hyperactivity from other possibly unpredictable dogs can be a recipe for disaster. I see the 'Dover Dog Run' yard as a perfect, safe, middle ground for this type of dog to play, stretch and build confidence; and possibly a tool leading up to a noisier busier atmosphere of a dog park. Being able to control the flow of visitors in and out of a smaller setting, means there is no risk of aggression towards other or smaller dogs, or their owners. Enjoying off leash run, getting paws in grass vs concrete, and acclimating to smells from other dogs in the playspace are valuable tools for any breed! Even now with my well-socialized pup, who gets easily over-stimulated wanting to run and play endlessly with other dogs... having a place where he can learn how to be calm; how to lay, roll, and relax in a yard... that I'm not yet able to provide him at our home could be so helpful in helping him transition into a calmer less energetic adult-dog member of our Dover community. As well as helping us greet and have better interactions when we are on the streets of town, so that he can serve as an ambassador for his beautiful and loyal breed.

I hope the acceptance of those in the nearby neighborhood, these petitions and voices of support can sway the town officials to see what a kind gesture this private park is, and how beneficial it can be to dogs of this type, and all others as well! I truly hope it is approved for scheduling soon!

Sincere regards,

Randi Pickering; resident, renter, business owner, dog parent.

**From:** Matt Bernier <mpb6990@gmail.com>
**Sent:** Monday, April 17, 2023 3:50 PM
**To:** City of Dover - Planning
**Cc:** doverdogrun@gmail.com
**Subject:** Support for Dover Dog Run

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Matt and Liz are the most loving, caring pet owners and community members that I've ever met. Their plan for a private, by appointment only, dog park is something that Dover desperately needs. Public dog parks are simply not safe for many dogs, and it is no more of a disruption than any time they play with their own dog. Please consider the benefits and approve their business plan.

Thank you,
Matthew Bernier
360 Piscassic Rd
Newfields, NH

**From:** Craig Kephart <craig.kephart@icloud.com>
**Sent:** Monday, April 17, 2023 5:16 PM
**To:** City of Dover - Planning
**Cc:** doverdogrun@gmail.com
**Subject:** Support for Dover Dog Run

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

Dear Planning Board - Please do approve the permitting necessary for Dover Dog Run. We are homeowners and business owners in the city and are in full support of this sorely needed resource in our community. The existing dog park, while appreciated, is a truly muddy mess most of the year. My dogs have been bullyed by other dogs on most the occasions that we have tried to utilize the dog park. On one occasion my female dog was injured to the point of bleeding and is now too nervous to use the park. If there were a resource like Dover Dog Run it would be such an huge net positive for the large community of dog owners in the city unable to utilize the dog park for similar reasons. Please do find a way to approve this excellent opportunity for these lovely and generous people to make use of their land in the way they would like to use it. It is after all the New Hampshire way.

Thank you kindly for your time and attention,

Craig and Kristen Kephart
26 Fourth Street
Dover, NH 03820

Craig Kephart

Lic. NH & ME Master Electrician

Seapoint Electrical Services LLC Office_603.742.2021

Sent from my iPhone

**From:** kdgreen360@gmail.com
**Sent:** Monday, April 17, 2023 9:02 PM
**To:** City of Dover - Planning
**Cc:** doverdogrun@gmail.com
**Subject:** Support for Dover Dog Run

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

My name is Kyle Green and I live at 4 Dora dr, Rochester, NH.

As someone who has had a rescue who who was reactive to other dogs, I wish this park had been around when I had her. I lived in an apartment and didn't have a large fenced in yard I could let my dog Myra run around. Large dog parks were incredibly stressful for both of us, so in the end I was left with walking her late at night, down a busy road.

I think the addition of a private dog park close by would be incredibly helpful. A quiet place where someone can bring their dog, and throw a ball in peace. Every dog deserves a place to play, and a busy dog park is not a great place for a lot of dogs. I think Liz, Matty, and their neighbors are incredibly generous and kind to go through all this effort to make sure all dogs have a place to play.

CITY OF DOVER

# ZONING BOARD OF ADJUSTMENT – STAFF MEMO

| | |
|---|---|
| Meeting Type: | Regular Meeting |
| Meeting Location: | Council Chambers, City Hall, 288 Central Ave., Dover, NH 03820 |
| Meeting Date: | April 20, 2023 |
| Meeting Time: | 7:00 pm |

**INTENT:** The Owners request a Variance, from **Chapter 170-12.B. of the Zoning Ordinance,** to allow re-subdivision of the subject parcel (Tax Map E, Lot 65-A) through a lot line adjustment, resulting in the creation of a new lot which lacks the required frontage minimum of 125'.

**UNITS PROPOSED:** N/A

**AGENDA ITEM #:** 3-D

**ZONING DISTRICT:** R-20

**FILE:** ZONE-2023-0014

**APPLICANT/OWNER:** Eugene A. & Donna L. Sgrignuoli

**LOCATION:** 22 Sun Hawk Lane (Tax Map E, Lot 65-A)

**ACREAGE:** Existing / Proposed
E-65-1: 31.87± ac. / 41.51± ac.
E-65-A: 12.54± ac. / 2.92± ac.

**EXISTING LAND USE:** Residential

**PROPOSED LAND USE:** Residential

**SURROUNDING LAND USE:**
Residential

**PREVIOUS ZBA ACTION:**
None

**PLANNING BOARD APPROVAL REQUIRED:** Yes, a Lot Line Adjustment

**ATTACHMENTS:** Application, Narratives, LLA Plan

**STAFF RECOMMENDATION:**
Staff supports the granting of the variance request.

## BACKGROUND INFORMATION

The property subject to this Variance request is located off of Sun Hawk Lane, a private road, which is accessed off of Atina Way, a public road that runs north from Tolend Road. A single-family house built in 1890 is presently on the property, but is proposed to be demolished and a new structure built on the revised parcel.

The owners of Lot 65-A, the Sgrignuoli's, have filed an application to the Planning Board (# LOTA-2022-0004) to propose a Lot Line Adjustment, in order to modify their lots lines with abutting Lot 65-1, owned by 59 Tolend Road LLC. The result of which is adding 9.63± acres from Lot 65-A to Lot 65-1, leaving Lot 65-A 2.92± acres in total area and Lot 65-1 41.51± acres in total area.

Per Plan Note #6: Sun Hawk Lane is private from the end of where NHDOT owns and is to be used for emergency vehicle access. The subject property was likely granted access over the road, through NHDOT at the time the Spaulding Turnpike was constructed.

## REASON FOR RECOMMENDATION

While this request asks for relief from the frontage requirements of the R-20 district, the existing lot currently does not contain frontage (only the access over Sun Hawk Lane, a private and Class VI road), thereby, the proposed Lot Line Adjustment does not materially change the features of the lot.

## STAFF RECOMMENDATION

Staff recommends that the Board open the public hearing, accept testimony, and make findings on each of the five Variance criteria. Staff supports the granting of the Variance.

# ZONE-2023-0014 22 Sun Hawk Lane

**Property Information**

| | |
|---|---|
| **Property ID** | E0065-A00000 |
| **Location** | 22 SUN HAWK LN |
| **Owner** | SGRIGNUOLI EUGENE A |
| **Land Use** | 101 |
| **Zoning Code** | R-20 |

MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

City of Dover, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 12/16/2022
Data updated Daily

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

# PERMIT SNAPSHOT REPORT ZONE-2023-0014
# FOR CITY OF DOVER, N.H.

| | | | | | |
|---|---|---|---|---|---|
| **Permit Type** | Zoning | **Project:** | | **App Date:** | 04/03/2023 |
| **Work Class:** | Variance | **District:** | None | **Exp Date:** | NOT AVAILABLE |
| **Status:** | Fees Paid | **Square Feet:** | 0.00 | **Completed:** | NOT COMPLETED |
| **Valuation:** | $0.00 | **Assigned To:** | Blonigen, Rachel | **Approval Expire Date:** | |

**Description:** A Variance to 170-12 to permit an existing lot without frontage to continue the non-conformance after a proposed lot line revision.

| | | |
|---|---|---|
| **Parcel:** E0065-A00000 Main | **Address:** 22 Sun Hawk Lane Main<br>Dover, NH 03820<br>22 Sun Hawk Ln<br>Dover, 03820 | **Zone:** R-20(Residential - Low Density) |

| Applicant | Surveyor | Owner |
|---|---|---|
| Berry Surveying & Engineering | Berry Surveying & Engineering | Eugene & Donna Sgrignuoli |
| 335 Second Crown Point Road | 335 Second Crown Point Road | Home: (603) 777-0579 |
| Barrington, NH 03825 | Barrington, NH 03825 | |
| Business: (603) 332-2863 | Business: (603) 332-2863 | |
| Mobile: (603) 781-3403 | Mobile: (603) 781-3403 | |

**Permit Custom Fields**

| | | | | | |
|---|---|---|---|---|---|
| Number of Variances Requested: | 1 | ZoneVariPlanDirections | Tolend to Atina Way, Left onto Sun Hawk | ZoneVariPlanSummary | Lot Line Revision between Tax Map E, Lot 65-A and Tax Map E, Lot 65-1. The revision requires a variance to frontage for Lot 65-A whereas it changes the status of the underlying lot, removing it from qualification to the Non-conforming lot status. |
| ZoneVariAppealSect | 170-12 Frontage in Table | ZoneVariAppealSectDetail | See Above | What is the parcel zoned? | R-20 |
| ZoneVariAppeal1PublicInterest | See Narrative | ZoneVariAppeal2OrdinanceSpirit | See Narrative | ZoneVariAppeal3SubstantialJustice | See Narrative |
| ZoneVariAppeal4PropertyValue | See Narrative | ZoneVariAppeal5A1UnNecHardship | See Narrative | ZoneVariAppeal5A2NoFairRelate | |
| ZoneVariAppeal5A3ReasonableUse | | ZoneVariAppeal5BNoReasonableUse | | | |

| Attachment File Name | Added On | Added By | Attachment Group | Notes |
|---|---|---|---|---|
| 23-031 Lot Line Revision Sun Hawk Lane.pdf | 04/03/2023 11:50 | Berry, Chris | | Uploaded via Civic Access |
| 23-031 ZBA Application Sun Hawk Lane.pdf | 04/03/2023 11:50 | Berry, Chris | | Uploaded via Civic Access |
| Signature_Chris_Berry_4/3/2023.jpg | 04/03/2023 11:50 | Berry, Chris | | Uploaded via CSS |
| Permit Snapshot Report.pdf | 04/03/2023 11:50 | Service, EnerGov | | Attached by IO - ATTACH: Initial Permit Snapshot |
| ZONE-2023-0014 ABUTTERS LIST.pdf | 04/05/2023 12:38 | Blonigen, Rachel | | ABUTTERS LIST |

| Invoice No. | Fee | | Fee Amount | Amount Paid |
|---|---|---|---|---|
| INV-00002796 | Planning Zoning Variance Application Fee | | $200.00 | $200.00 |
| | | **Total for Invoice INV-00002796** | **$200.00** | **$200.00** |
| INV-00002797 | Planning Public Notice in Newspaper | | $100.00 | $100.00 |
| | | **Total for Invoice INV-00002797** | **$100.00** | **$100.00** |
| INV-00002825 | Planning Creation / Printing of Abutter Labels | | $10.00 | $10.00 |

# PERMIT SNAPSHOT REPORT (ZONE-2023-0014)

| | | |
|---|---|---|
| Planning Certified Mailing to Abutters | $72.00 | $72.00 |
| Planning Certified Mailing to Application Contacts | $16.00 | $16.00 |
| **Total for Invoice INV-00002825** | **$98.00** | **$98.00** |
| **Grand Total for Permit** | **$398.00** | **$398.00** |

| Submittal Name | Status | Received Date | Due Date | Complete Date | Resubmit | Completed |
|---|---|---|---|---|---|---|
| Planning Permit Application Review v.1 | Approved | 04/03/2023 | 04/07/2023 | | No | No |

| Item Review Name | Department | Assigned User | Status | Assigned Date | Due Date | Completed Date |
|---|---|---|---|---|---|---|
| Zoning Administrator | Planning | Kypfer, Natasha | Approved | 04/03/2023 | 04/07/2023 | 04/07/2023 |

**Comments:** ZBA April item on 4/20/2023, per Planning Director.

| Workflow Step / Action Name | Action Type | Start Date | End Date |
|---|---|---|---|
| **Review v.1** | | 04/03/2023 13:24 | |
| Confirm application complete v.1 | Generic Action | | 04/03/2023 13:24 |
| Planning Permit Application Review v.1 | Receive Submittal | 04/03/2023 0:00 | |
| **Zoning Board v.1** | | | |
| Zoning Board Agenda v.1 | Task | | |
| Invoice for Notices v.1 | Task | | |
| Send Notices v.1 | Task | | |
| Zoning Administrator Creates Staff Recommendations v.1 | Task | | |
| Distribute Zoning Board Materials v.1 | Task | | |
| Zoning Board Hearing v.1 | Hold Hearing | | |
| Zoning Board Decision v.1 | Permit Activity | | |
| NOD Sent to Applicant v.1 | Create Report | | |
| **Final Plan v.1** | | | |
| Plans uploaded to Treeno v.1 | Generic Action | | |
| Property Info Group v.1 | Generic Action | | |
| **Create/Link to Records v.1** | | | |
| Create / Link to Permit - Building Complex v.1 | Create Sub Permit | | |

**ZONE-2023-0014** **22 SUN HAWK LANE**

| Property ID | Location | Owner 1 | Owner 2 | Owner Address 1 | City | State | Zip |
|---|---|---|---|---|---|---|---|
| E0024-000000 | 100 LIBERTY WY | LIBERTY MUTUAL INSURANCE CO | ATTN: TYLER MUNGER | 175 BERKELEY ST | BOSTON | MA | 02116 |
| E0065-001000 | TOLEND RD | 59 TOLEND RD LLC | | 42 DOVER POINT RD UNIT J | DOVER | NH | 03820 |
| E0074-000000 | 14 ATINA WY | SICARD RHONDA J & | BASTIANELLI GREGORY | 14 ATINA WAY | DOVER | NH | 03820-5824 |
| E0074-001000 | 8 ATINA WY | SUNDSTROM SCOTT A & | SUNDSTROM AIMEE E | 8 ATINA WAY | DOVER | NH | 03820-5809 |
| E0074-B00000 | 6 SUN HAWK LN | POMEROY CAROLINE S | | 6 SUN HAWK LN | DOVER | NH | 03820-5812 |
| E0074-C00000 | 10 SUN HAWK LN | FINN CAROL ANNE | | 10 SUN HAWK LN | DOVER | NH | 03820 |
| E0074-D00000 | 43 TOLEND RD | CLOUGH VERNON L & | CLOUGH OLGA | 43 TOLEND RD | DOVER | NH | 03820 |
| G0024-000000 | 3 ATINA WY | KEEFE VERNA S | KEEFE RICHARD E | 3 ATINA WAY | DOVER | NH | 03820 |
| G0024-I00000 | 15 TOLEND RD | HERSTAD CAROL | HERSTAD WAYNE | 15 TOLEND RD | DOVER | NH | 03820-4916 |
| E0065-A00000 | 22 SUN HAWK LN | SGRIGNUOLI EUGENE A | SGRIGNUOLI DONNA L | 22 SUN HAWK LN | DOVER | NH | 03820 |
| | | BERRY SURVEYING & ENGINEERING | | 335 SECOND CROWN POIN | BARRING | NH | 03825 |

# *City of Dover, New Hampshire*
# *ZONING BOARD OF ADJUSTMENT APPLICATION*

[Revised June 7, 2022]

| | | | | |
|---|---|---|---|---|
| *Office Use Only* | Case #: | _____ | Date Received: | _____ |
| | Amount Paid: | $ _____ | Time Received: | _____ |

## APPLICANT/PROPERTY OWNER INFORMATION

APPLICANT: Berry Surveying & Engineering Phone # 603-332-2863
Christopher R. Berry, Project Manager, Agent
Address of Applicant: 335 Second Crown Point Road, Barrington, NH 03825

E-Mail Address: crberry@metrocast.net

PROPERTY OWNER (*if different from applicant*): Eugene A. & Donna L. Sgrignuoli

Address: 22 Sun Hawk Lane, Dover, NH 03820 Phone # 603-777-0579

E-Mail Address: _____

## PROPERTY/PARCEL INFORMATION

Address: 22 Sun Hawk Lane

Brief Directions: Tolend Road to Atina Way. Atina Way (Left) onto Sun Hawk Lane

Zoning District: R-20 Assessor's Map # E Lot(s) # 65-A

## TYPE OF APPEAL: (Please check one)

| | |
|---|---|
| x Variance | from Section 170-12 of the Zoning Ordinance |
| _____ Physical Disability Variance (RSA 674:33-V) | from Section _____ of the Zoning Ordinance |
| _____ Special Exception | per Section _____ of the Zoning Ordinance |
| _____ Appeal of Administrative Decision | regarding Section _____ of the Zoning Ordinance |
| _____ Equitable Waiver | per Section _____ of the Zoning Ordinance |

## DESCRIBE BRIEFLY YOUR PLANS FOR THE PROPERTY:

Conduct a lot line revision between the subject parcel, Lot 65-A, and abutting Lot 65-1. This revision changes the non-conforming status of 65-A and therefore requires the lot to conform. In this case the parcel does not have any frontage which is required within the R-20 zone and will continue not to have frontage after the proposed revision.

# APPLICATION CHECKLIST (Please check off)

A. **Application signed** by Applicant and Property Owner (if different from Applicant) x
*Note:* In order for the application to be accepted by Planning Department staff and placed on the ZBA agenda YOU MUST COMPLETE (1) ALL SECTIONS ON PAGE 1 as well as (2) ALL QUESTIONS FOR THE SPECIFIC APPEAL YOU ARE SEEKING.

B. **10 Copies of Completed Zoning Board of Adjustment Application** x
*Note:* Only include those pages of the application that are relevant to your request. Please do not include the abutters list with the 10 copies (include only as part of original signed application (Part A above)).

C. **10 copies of a plot plan** drawn in accordance with a boundary line to scale not less than 1" = 40'. They need to include the lot dimensions including area in square feet, and also the size and location of existing and proposed buildings if applicable, including setbacks. x

D. Submit at least one (1) copy of the plot plan at a size of **8 ½ x 11** (this is in addition to the 10 copies required in 'C' above). x

E. **10 copies of photos** (suggested but optional) and any **other materials** applicant would like to submit in support of the application. N/A

F. **Abutter Notification/Mailing Labels -** this office will create and print the abutter list and provide labels in triplicate for each abutter. The applicant/owner will need to provide to this office the engineer, architect, land surveyor or soil scientist whose professional seal appears on the plan with names and addresses for notices. You will be notified with the amount due, once this has been completed.

1. Applicant & Owner, engineer, architect, land surveyor or soil scientist Certified letters fee # _____ of x $8.00 =
2. Certified letters fee: # of abutters _____ X $8.00 = $ _____
3. First Class Mail fee (for individual owner of units within a condominium or other collective form of ownership): # of abutters _____ X $1.00 = $ _____
4. Creating/Printing Abutter Labels in triplicate per sheet _____ x $10.00 = $ _____

G. **TOTAL FEE** paid by cash or check made payable to "City of Dover"

1. Application fee of:
   - $200.00 VARIANCE (per Section requested) $ _____
   - $200.00 SPECIAL EXCEPTION $ _____
   - $200.00 APPEAL FROM ADMINISTRATIVE DECISION $ _____
   - $200.00 EQUITABLE WAIVER $ _____
2. Foster's newspaper public notice $ **100.00**

**TOTAL FEE** $ _____

# VARIANCE REQUIREMENTS

***THIS SECTION TO BE COMPLETED BY VARIANCE APPLICANTS ONLY***

**A. Variance Requested**

A variance is requested from Section(s) 170-12 of the Zoning Ordinance to permit: Tables / Frontage

**B. The Five Variance Criteria (as set forth in NH RSA 674:33, I(b))**

Please demonstrate compliance with the following:

1. Waiving the terms of the Ordinance will not be contrary to the public interest because:

See Narrative by Berry Surveying & Engineering

2. Deviation from the strict requirements of the Ordinance is consistent with the spirit of the Ordinance because:

See Narrative by Berry Surveying & Engineering

3. Granting the variance would do substantial justice because:

See Narrative by Berry Surveying & Engineering

4. The value of surrounding property will not be diminished because:

See Narrative by Berry Surveying & Engineering

***NOTE: please complete EITHER paragraph 5A OR paragraph 5B. Staff recommends that you complete paragraph 5B only if you feel you cannot meet the requirements set forth in paragraph 5A.***

5A. Literal enforcement of the provisions of the ordinance would result in an *unnecessary hardship*:

(i) The following special conditions of the property distinguish it from other properties in the area:

**and**

(ii) No fair and substantial relationship exists between the general purposes of the ordinance provision and the specific application of that provision to the property because:

**and**

(iii) The proposed use is a reasonable one because:

**OR**

5B. If the criteria in subparagraph 5A above are not established, explain how, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it:

See Narrative by Berry Surveying & Engineering

# SIGNATURE PAGE

***THIS SECTION OF THE APPLICATION MUST BE COMPLETED BY ALL APPLICANTS***

I, the undersigned Applicant, hereby certify that the information contained within this Application is complete and accurate, and I acknowledge that I have read and understand the Application Instructions, which are set forth on the first two pages of this Application form.

| **IMPORTANT** |
| --- |
| PROPERTY IDENTIFICATION SIGN MUST BE POSTED ON THE PROPERTY FOR THE 5 DAYS PRIOR TO HEARING.<br>FAILURE TO POST MAY RESULT IN APPLICATION NOT BEING ACCEPTED. |

Signature of Applicant*

Signature of Owner*

*Both Signatures Required

**AUTHORIZATION TO ENTER SUBJECT PROPERTY**

I, and my successors, hereby authorize members of the Dover Zoning Board, Planning Department and other pertinent City Departments and boards to enter my property for the purpose of evaluating this application, including performing inspections during the application phase, post-approval phase, construction phase and occupancy phase. It is understood that these individuals must use all reasonable care, courtesy, and diligence when on the property.

Signature of Property Owner: _____ Date: _____

**BERRY SURVEYING & ENGINEERING**
335 Second Crown Point Road
Barrington, NH 03825
Phone: (603) 332-2863
Fax: (603) 335-4623
www.BerrySurveying.Com
March 30, 2023

City of Dover Zoning Board of Adjustments
Attention: Natasha Kypfer, Zoning Administrator
288 Central Ave.
Dover, NH 03820

Re: Variance Application ~ Frontage~
59 Tolend Road LLC & Sgrignuoli
Tax Map E, Lots 65-1 & 65-A
Lot Line Revision on Sun Hawk Lane and Tolend Road

Chairperson and Members of the Dover Zoning Board,

On behalf of the owners of the two parcels, Berry Surveying and Engineering is submitting variance requests to allow a lot line revision between the two parcels to allow Lot 65-A to continue with its non-conformance in lack of frontage.

**Background and Narrative:**

59 Tolend Road LLC owns lot 65-1 and is proposing a lot line revision with Lot 65-A, owned by the Sgrignuoli family. Both parcels are within the R-20 Low Density zone. Lot 65-1 is 31.87 acres in size while Lot 65-A is 12.54 acres. Lot 65-1 contains 1093' of frontage along the Cochecho River with Lot 65-A containing 1246' along the same. The river frontage is proposed to be integrated into a larger community recreation effort. The existing Sgrignuoli home site will be abandoned and demolished and replaced on the revised lot as proposed. The existing Sgrignuoli lot does not contain frontage on a Class V roadway. Though the tax maps / GIS maps show the ownership of this parcel out to Atina Way, upon review of the title, it was found that this is not actually the case. Sun Hawk Lane is a roadway that was created by NHDOT when the highway came through and cut access off to the parcel. This road is currently owned by NHDOT and is in a Class VI status.

The Lot Line adjustment proposes to increase the size of Lot 65-1 to 41.51 acres, and reduce the size of Lot 65-A to 2.91 acres. Both lots remain in conformance with the required lot sizes and will remain in conformance with respect to setback dimensions. The existing Sgrignuoli parcel does not contain frontage on a Class V highway, which is required in the R-20 Zone. Though the revision does not change this non-conformity, whereas the parcel will still be without frontage, the revision changes the lots status with respect to Article V 170-14 Nonconforming Lots (timing) and is no longer afforded the privileges found within the same.

The parcel will still maintain the rights afforded to it over Sun Hawk Lane, and will be provided with the required easement rights over Lot 65-1 for access, grading, drainage and utility uses. The easement will be provided on the Lot Line revision plan that will appear before the Planning Board for approval.

Article IV Uses; Tables, 170-12 Applicability of Tables of Use and Dimensional Regulations by District, B. Minimum regulations: The variance would permit an existing lot without frontage in the R-20 Zone to remain without frontage after the proposed lot line revision.

1. Special conditions exist such that literal enforcement of the Ordnance will result in unnecessary hardship to the applicants as defined under applicable law.
   **The lot is special compared to others within the area in that it does not contain the required frontage on a Class V road. There is only one other non-conforming lot (6 Sun Hawk Lane) that takes access from Sun Hawk Lane. The lot is well over sized compared to others in the area and is valuable for many varying reasons. These value potentials cannot be recognized without some revision to the parcel's boundaries and therefore its non-conforming status. The parcel is one of only two in the area with frontage on the river of such meaningful length that connect to a larger community recreation effort. The special conditions of non-conformance will not permit the land to be transferred as intended and a new home to be built for the Sgrignuoli Family. The denial of the variance, which does not change the non-conformance, would create a unnecessary hardship to the applicant in that it would not permit revisions to such a large parcel of land in any way which is unreasonable given the special conditions.**

2. Granting the variance would be consistent with the spirit of the Ordnance.
   **The spirit of the ordinance is to require frontage for parcels to create a uniformity in the space and bulk standards also provided in the zone. In this case that frontage does not exist in the existing condition and will remain the same in the proposed condition. The uniformity of the zone does not change as a result of the request. Access to the lot is maintained in the proposed condition in a similar format as it is in the existing condition.**

3. Granting the variance will not result in diminution of surrounding property values.
   **Granting the variance does not change the underlying values in the area whereas the modification does not functionally change anything about the parcel. It is still located in the R-20 Zone with the underlying uses remaining. The lot has existed without frontage and without detriment to abutting values since the establishment of the Spaulding Turnpike. This request does not modify any visible trait to the parcel which will modify the underlying value to abutting land owners.**

4. Granting the variance would do substantial justice.
   **Granting the variance will do substantial justice in that it allows the land owner to modify the lot, in a productive and otherwise acceptable manner but for the change in non-conforming status and therefore the requirement for frontage. The gain to the applicant far outweighs any potential loss to the community and the underlying zoning document. As noted above, since the frontage non-conformance is not being modified, there is no potential erosion or loss to the purpose and intent of the frontage requirement. The gain to the applicant is a reasonable use of valuable property.**

5. Granting of the variance would not be contrary to the public interest.
   **Granting the variance would not be contrary to the public interest whereas the proposal does not practically or functionally change anything about the parcel. The public interest is ensuring compliance with the underlying zoning document to the extent practical and reasonable while allowing people the reasonable opportunity to improve their land. The perpetuation of the lack of frontage does not impact the health, safety or general welfare of the immediate abutters or the remaining residents of Dover.**

Please let us know if you have further questions.

BERRY SURVEYING & ENGINEERING

Christopher R. Berry – Project Manager
Principal, President

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335 Second Crown Pt. Rd., Barrington, NH 03825
(603) 332-2863 / (603) 335-4623 FAX
www.BerrySurveying.Com

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335 Second Crown Point Road
Barrington, NH 03825
Phone: (603) 332-2863
Fax: (603) 335-4623
www.BerrySurveying.Com
April 10, 2023

City of Dover Zoning Board of Adjustments
Attention: Natasha Kypfer, Zoning Administrator
288 Central Ave.
Dover, NH 03820
Re: Variance Application ~ Frontage~
59 Tolend Road LLC & Sgrignuoli
Tax Map E, Lots 65-1 & 65-A
Additional Narrative

Ms. Kypfer,

On behalf of the applicant, Berry Surveying & Engineering (BS&E) offers the below narrative and description of the proposed project per your request.

The Sgrignuoli family, the owners of Lot 65-A are proposing to modify their lot lines with Lot 65-1 owned by 59 Tolend Road LLC. In so doing Lot 65-A is becoming smaller and 65-1 is becoming larger in size. The existing structure on 65-A is proposed to be demolished and a new structure built on the revised 65-A.

Lot 65-A was granted access over the new Sun Hawk Lane, by NHDOT when the Spaulding Turnpike was constructed. Presumably the Spaulding Turnpike cut the former access off and in exchange Sun Hawk Lane was built and access was provided by NHDOT. This was a very common practice. The design plans for the Spaulding and adjusted access roads are dated 1955. Due to the fact that this parcel did not have frontage at the passing of the City of Dover Zoning Ordinance, the lot is considered an existing non-conforming lot. For most purposes of development or re-development Article V, Section 170-4 would apply to this parcel. However, in this case, the proposal includes modifying the underlying parcel lines and boundaries, which has been interpreted to change the effective date of the lot. When the effective date of the lot is changed the existing non-conformance protected by Section 170-4 no longer applies necessitating the need for the lot to provide frontage in conformance with the underlying zone. Frontage cannot be provided and therefore the applicant is requesting a variance.

In this case the existing lot does not contain any frontage, only access over a Class VI Road known as Sun Hawk Lane. The proposed lot line revision does not change this feature of the parcel. The lot will continue to not have frontage and access will still be provided over Sun Hawk Lane.

Please let us know if you have further questions.

BERRY SURVEYING & ENGINEERING
Christopher R. Berry – Project Manager
Principal, President

**LEGEND:**

- ■ GRANITE BOUND ~TBS~
- ● 3/4" REBAR W/ ID CAP ~TBS~
- ⊕ STEEL STAKE ~FND~
- ○ IRON PIPE ~FND~
- ○ IRON BOUND/REBAR/IRON ROD ~FND~
- ⊠ NHHB/GRANITE BOUND
- UTILITY POLE
- PROPOSED BOUNDARY LINE
- APPROX. ABUTTING LOT LINE
- PERIMETER BOUNDARY LINE
- SURVEY TIE LINE
- HIGHWAY FENCE
- FND FOUND
- TBS TO BE SET
- S.C.R.D. STRAFFORD COUNTY REGISTRY OF DEEDS

N/F BRODERICK, BRIDGET
26 NYE LANE
DOVER, NH 03820
*TAX MAP E, LOT 49-6*
S.C.R.D. BOOK 4034, PAGE 254

6"x10" GRANITE BOUND ~FND~ (1.0' HIGH)

N81°35'55"E 254.77'

41'±

N09°16'14"W 100.92'

TRITECH IRON BOUND ~FND~ (0.3' HIGH) NH GRID COORD. N.: 257829.09 E.:1187222.41 ELEV.: 91.13

N09°15'04"W 85.67'

N/F CHAKRAVARTY, DILIP & MITALI
11411 RUNNING BEAR COURT
BELTSVILLE, MD 20705-1478
*TAX MAP E, LOT 49-7*
S.C.R.D. BOOK 3988, PAGE 795

N08°11'03"W 216.79'

1/4" REBAR ~FND~ (1.2' HIGH)

74.31' N08°28'56"W

TRITECH IRON BOUND ~FND~ (0.1' HIGH)

29.52' N08°21'44"W

N/F BERGSTROM, EVA K. & EDDINS, KURT
38 NYE LANE
DOVER, NH 03820
*TAX MAP E, LOT 49-8*
S.C.R.D. BOOK 4499, PAGE 734

N08°37'16"W 141.30'

(22) TRITECH IRON BOUND ~FND~ (0.6' HIGH)

29.50' N08°29'24"W

1 1/2" IRON PIPE ~FND~ (3.3' HIGH)

(12)

N/F MARTEL, PAUL J.
P.O. BOX 182
DOVER, NH 03821-0182
*TAX MAP E, LOT 57-3*
S.C.R.D. BOOK 1433, PAGE 200

N08°38'08"W 337.62'

HAM FAMILY CEMETERY

1" IRON PIPE ~FND~ (1.3' HIGH) W/ WITNESS POST

N/F MONE, SEAMUS D.
1 MONE'S FOLLY DRIVE
DOVER, NH 03820
*TAX MAP E, LOT 57-G-1*
S.C.R.D. BOOK 4833, PAGE 841

N07°54'49"W 162.76'

N/F MAXON FAMILY REVOCABLE TRUST
MAXON, THOMAS & PATRICIA TRUSTEES
40 BALDPATE ROAD
GEORGETOWN, MA 01833
*TAX MAP E, LOT 57-G*
S.C.R.D. BOOK 4018, PAGE 118

82.82' N05°23'19"W

45.17' N11°06'19"W

N/F FORBES, DONALD W. & LINDA R.
181 OLD FIELDS ROAD
SOUTH BERWICK, ME 03908
*TAX MAP E, LOT 64*
S.C.R.D. BOOK 1906, PAGE 249

N.H. RTE. 16 150.00'

APPROVED DOVER

16'±

NAD83 NH STATE PLANE MAGNETIC

**ADDITIONAL ABUTTERS:**

(12) N/F CHAKRAVARTY, DILIP & MITALI
N/F THIBAULT, DANIEL JACOB
40 NYE LANE
DOVER, NH 03820
*TAX MAP E, LOT 49-9*
S.C.R.D. BOOK 4631, PAGE 150

(20) N/F THAYER SMITH FAMILY REV. TRUST
SMITH, TRAVIS K. & THAYER, MEGAN TRUSTEES
88 TOLEND ROAD
DOVER, NH 03820
*TAX MAP C, LOT 24-C*
S.C.R.D. BOOK, 4347, PAGE 303

(21) N/F GERVAIS, ANDREW TODD
80 TOLEND ROAD
DOVER, NH 03820
*TAX MAP C, LOT 24-M*
S.C.R.D. BOOK 4250, PAGE 900

(22) N/F ROBERTSON, JAMES M. & LINDA S.
78 TOLEND ROAD
DOVER, NH 03820
*TAX MAP C, LOT 24-L*
S.C.R.D. BOOK 2611, PAGE 738

**ADDITIONAL ABUTTERS:**

(23) N/F ROBERTS, MEREDITH
74 TOLEND ROAD
DOVER, NH 03820
*TAX MAP C, LOT 24-F*
S.C.R.D. BOOK 4542, PAGE 440

(24) N/F WYNDBROOK AT DOVER HOMEOWNERS ASSOCIATION
P.O. BOX 1685
DOVER, NH 03821
*TAX MAP C, LOT 24-I*
S.C.R.D. BOOK 4359, PAGE 116

(25) N/F DAMON, TIMOTHY JAMES & CATHERINE E.
64 TOLEND ROAD
DOVER, NH 03820
*TAX MAP C, LOT 24-C*
S.C.R.D. BOOK 4228, PAGE 316

(26) N/F WILLIAMS, THOMAS R. & CAROLYN E.
60 TOLEND ROAD
DOVER, NH 03820
*TAX MAP C, LOT 24-B*
S.C.R.D. BOOK 2073, PAGE 290

(34) ABUTTERS ACROSS THE RIVER

**ADDITIONAL ABUTTERS:**

(27) N/F KEEFE, PATRICIA
54 TOLEND ROAD
DOVER, NH 03820
*TAX MAP C, LOT 24-H*
S.C.R.D. BOOK 1484, PAGE 700

(28) N/F BEAN, BONNIE E, & CITAK, TERESA
48 TOLEND ROAD
DOVER, NH 03820
*TAX MAP C, LOT 24-E*
S.C.R.D. BOOK 4438, PAGE 210

(32) WHITTIER FALLS INC.
62 WHITTIER STREET
DOVER, NH 03820
*TAX MAP E, LOT 65-C*
S.C.R.D. BOOK 4224, PAGE 554

**ADDITIONAL ABUTTERS:**

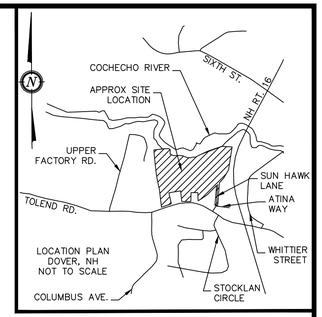
(33) WHITTIER FALLS INC.
62 WHITTIER STREET
DOVER, NH 03820
*TAX MAP E, LOT 74-A*
S.C.R.D. BOOK 4224, PAGE 554

(34) LIBERTY MUTUAL INSURANCE CO.
ATTN: TYLER MUNGER
175 BERKELEY STREET
BOSTON, MA 02116
*TAX MAP E, LOT 24*
S.C.R.D. BOOK 1364, PAGE 453

GRAPHIC SCALE

100 0 50 100 200 400

( IN FEET )
1 inch = 100 ft.




LOCATION PLAN
DOVER, NH
NOT TO SCALE

COCHECHO RIVER

S76°42'27"E 999.34'

2339'± ALONG SOUTHERLY SIDE OF RIVER PROPOSED

S19°05'01"E 79.50' ±

28" HEMLOCK W/ BARBED WIRE (HELD)

S19°05'01"E 146.79'

24" PINE W/ BARBED WIRE (HELD)

SURVEY TIE LINE ~NOT A BOUNDARY~

N63°43'34"E 1,154.25'

NHHB ~FND~ (0.5' HIGH)

71'±

S27°10'54"W 796.78'

NHHB ~FND~ (0.1' HIGH)

178.08' S27°10'54"W

L = 0.71'
R = 2,060.01'
CB = S27°10'18"
CL = 0.71'

L = 504.58'
R = 2,060.00'
CB = S20°08'41"W
CL = 503.32'

(32) ABUTTERS ACROSS ROUTE 16

(33)

N.H. ROUTE 16 SPAULDING TURNPIKE

AREA TO BE TRANSFERRED FROM LOT 65-A TO 65-1
419,583 Sq.Ft.±
9.63 Ac.±

(LOT B)

3/4" REBAR W/ ID CAP ~TBS~ (TYP.)

N 84°26'43" E 137.97'

N 14°45'33" E 519.03'

HIGHWAY FENCE

L = 621.94'
R = 2,060.00'
CB = S04°28'43"W
CL = 619.58'

*TAX MAP E, LOT 65-1*
EX. LOT AREA:
1,388,402 Sq. Ft.± 31.87 Ac.±

PRO. LOT AREA:
1,807,985 Sq.Ft.± 41.51 Ac.±

BOUNDARY LINE ~TBA~

S22°28'10"E 650.84'

PROPOSED BOUNDARY LINE

S83°45'20"E 59.00'

*TAX MAP E, LOT 65-A*
EX. LOT AREA:
546,549 Sq.Ft.± 12.54 Ac.±

PRO. LOT AREA:
126,967 Sq.Ft. 2.91 Ac.

(LOT A)

N21°22'39"E 110.77'

N 63°16'59" W 94.33'

EXISTING SHED

EXISTING BILLBOARD

EXISTING HOUSE ~TBR~

3/4" IRON PIPE ~FND~ (2.1' HIGH) NOT HELD OFF LINE 1.88'

1/4" IRON ROD ~FND~ (3.0' HIGH) NOT HELD OFF LINE 1.14'

LLS 211 IRON BOUND ~FND~ (0.1' HIGH) HELD FOR LINE DETAIL "A"

L 71.29'
R 65.00'

205.42' S65°13'07"W

LLS 223 IRON BOUND ~FND~ (0.1' HIGH)

7.20' S64°55'26"W

8.77' S54°12'54"W

155.38' S54°12'54"W

12.10' N22°26'01"W

77.02' S48°21'04"W

CIVIL CONSULTANTS IRON BOUND ~FND~ (0.9' HIGH)

CIVIL CONSULTANTS IRON BOUND ~FND~ (0.7' HIGH)

112.94' S36°43'33"W

28.02' S41°27'33"W

159.96' S41°11'58"W

CIVIL CONSULTANTS IRON BOUND ~FND~

N/F SICARD RHONDA J. & BASTIANELLI GREGORY
14 ATINA WAY
DOVER, NH 03820
*TAX MAP E, LOT 74*
S.C.R.D. BOOK 4505, PAGE 898

N/F FINN, CAROL ANNE
10 SUN HAWK LANE
DOVER, NH 03820
*TAX MAP E, LOT 74-C*
S.C.R.D. BOOK 1598, PAGE 215

SUN HAWK LANE

GRAVEL TRAVEL WAY
50' CLASS VI
OWNED by NHDOT.

NHHB ~FND~ (0.4' HIGH)

261.08' S17°19'42"W

NHHB ~FND~ (0.1' HIGH)

L=473.08'
R=2,060.00'

HIGHWAY FENCE

LLS 211 IRON BOUND ~FND~ (0.1' HIGH) HELD FOR LINE

0.31' S65°13'07"W

205.42' S65°13'07"W

*DETAIL "A"*
SCALE: 1" = 5'

CIVIL CONSULTANTS IRON BOUND ~FND~ (1.4' HIGH) NH GRID COORD. N.: 256925.91 E:1187926.32 ELEV.: 112.29

316.21' S78°15'10"W

CIVIL CONSULTANTS IRON BOUND ~FND~ (0.8' HIGH)

N/F GEORGE, DOUGLAS A.
65 TOLEND ROAD
DOVER, NH 03820
*TAX MAP E, LOT 65*
S.C.R.D. BOOK 3953, PAGE 464

S13°16'15"E 295.09'

N07°23'15"W 294.99'

181.20' N84°02'15"W

220.35' S05°57'45"W

N05°59'47"E 196.80'

63.30' S55°13'36"W

103.27' S73°48'07"W

CIVIL CONSULTANTS IRON BOUND ~FND~ (0.3' HIGH)

CIVIL CONSULTANTS IRON BOUND ~FND~ (FLUSH)

82.07' S82°40'56"W

DAVIS STEEL STAKE ~FND~ (FLUSH) LOCATED AT BASE

95.78' S88°53'19"W

STEEL STAKE ~FND~ (FLUSH) LOCATED AT BASE

266.94' S71°43'49"W

10.00' S75°43'58"W

TOLEND ROAD

24' PAVED 4 RODS WIDE PUBLIC, CLASS V.

(20) (21) (22) (23) (25) (26) (27) (28)

N/F BSTANDIG, MARTHA A. REVOCABLE TRUST
BSTANDIG, MARTHA A. TRUSTEE
53 TOLEND ROAD
DOVER, NH 03820
*TAX MAP E, LOT 65-B*
S.C.R.D. BOOK 4639, PAGE 921

N/F CLOUGH, VERNON L. & OLGA
43 TOLEND ROAD
DOVER, NH 03820
*TAX MAP E, LOT 74-D*
S.C.R.D. BOOK 2703, PAGE 371

I CERTIFY THAT THIS PLAT EXCEEDS THE MINIMUM REQUIREMENT FOR ACCURACY AND COMPLETENESS OF THE STATE OF N.H. AND OF THE CITY OF DOVER, N.H. - 1:10,000-

3-30-23

KENNETH A. BERRY L.L.S. 805 DATE

**NOTES:**

1.) OWNER: 59 TOLEND RD LLC
42J DOVER POINT ROAD
DOVER, NH 03820

A.) TAX MAP E, LOT 65-1

B.) EXISTING LOT AREA: 1,388,401 Sq.Ft.±, 31.87 Ac.±
PROPOSED LOT AREA: 1,807,985, 41.51 Ac.±

C.) S.C.R.D. BOOK 5044, PAGE 744

2.) OWNER: EUGENE A. & DONNA L. SGRIGNUOLI
22 SUN HAWK LANE
DOVER, NH 03820

A.) TAX MAP E, LOT 65-A

B.) EXISTING LOT AREA: 546,549 Sq.Ft.±, 12.54 Ac.±
PROPOSED LOT AREA: 126,967 Sq.Ft., 2.92 Ac.

C.) S.C.R.D. BOOK 1571, PAGE 86

3.) ZONING: (R-20) LOW DENSITY
MINIMUM FRONTAGE ~ 125'
MINIMUM LOT SIZE ~ 20,000 Sq. Ft.
FRONT SETBACK ~ 20'
REAR SETBACK ~ 30'
SIDE SETBACK ~ 20'
WETLANDS BUFFER ~ 50.0'
MAX. BUILDING HEIGHT: 35'
MAX. LOT COVERAGE: 30%

4.) THIS LOT LINE REVISION IS PART OF A LARGER 147 PAGE PLAN SET. SHEETS #4, 19, & 20 ARE TO BE RECORDED AT THE S.C.R.D.

5.) SEE SHEET #2 FOR COMMON NOTES.

6.) SUN HAWK LANE IS PRIVATE FROM THE END OF WHERE NHDOT OWNS AND IS TO BE USED FOR EMERGENCY VEHICLE ACCESS.

7.) OWNERS OF LOT A TO USE THE PRIVATE ROAD TO ACCESS THEIR PROPERTY AND/OR FOR UTILITY ACCESS.

8.) THE OWNERS OF LOT B WILL MAINTAIN AND PLOW SUN HAWK LANE AT THEIR SOLE EXPENSE.

***PLAN REFERENCES:***

1.) STANDARD PROPERTY SURVEY AND SUBDIVISION OF LAND OF THE EDWARD J. GEORGE FAMILY TRUST
BY: CIVIL CONSULTANTS
DATED: APRIL 2, 2011
S.C.R.D.: PLAN #102-24

2.) PLAN OF LAND PREPARED FOR FAIRVIEW PARNERS, LLC TAX MAP E, LOT NO. 74B 35 TOLEND ROAD CITY OF DOVER COUNTY OF STRAFFORD STATE OF NEW HAMPSHIRE
BY: MCENEANEY SURVEY ASSOCIATES INC.
DATED: MARCH 4, 2016

3.) SUBDIVISION OF LAND FOR KAREN & JAMES BECKINGHAM & MARY & SCOTT MCEWAN IN DOVER, N.H.
BY: BRUCE L. POHOPEK
DATED: FEBRUARY 19, 1986
S.C.R.D.: PLAN #29-67

4.) SUBDIVISION OF LAND FOR PAUL MARTEL IN DOVER, N.H.
BY: BRUCE L. POHOPEK
DATED: OCTOBER 4, 1978
S.C.R.D.: PLAN #19A-47

5.) PLAN OF LOT ERNEST BSTANDIG DOVER NEW HAMPSHIRE
BY: G.L. DAVIS & ASSOCIATES
DATED: MAY, 1969
S.C.R.D.: BOOK 858, PAGE 159

***PLAN REFERENCES:***

6.) PLAN OF LAND, HAROLD A. & YVONNE M. CLEWLEY & LINDA J. NOURY, NORTH SIDE OF TOLEND ROAD, DOVER, NH
BY: R.W. MCCRONE
DATED: MARCH 1986
S.C.R.D. PLAN #28A-04

7.) BOUNDARY LINE ADJUSTMENT, THE HEIRS OF KENNETH IRENE M. NYE AND PAUL & KATHERINE MARTEL, UPPER FACTORY ROAD, DOVER, NH
BY: TRITECH ENGINEERING CORPORATION
DATED: OCTOBER 25, 2004
S.C.R.D. PLAN #77-87

8.) SUBDIVISION OF LAND FOR ANTONIO BASTIANELLI IN DOVER, N.H.
BY: BRUCE L. POHOPEK, LAND SURVEYOR
DATED: JULY 31, 1989, AS REVISED 5/28/90
S.C.R.D. PLAN #32-149

9.) STATE OF NEW HAMPSHIRE, DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS, PLAN OF PROPOSED LS1824(1), SPAULDING TURNPIKE
DATED: OCTOBER 19, 1955
S.C.R.D. PLAN #32, POCKET 15, FOLDER 3 &
S.C.R.D. PLAN #36, POCKET 15, FOLDER 3 &
ON FILE AT NH DOT RIGHTS-OF-WAY, CONCORD, NH

| REVISION | DATE | DESCRIPTION |
|---|---|---|
| | | |

LOT LINE REVISION
LAND OF
59 TOLEND ROAD, LLC AND
EUGENE A. & DONNA L. SGRIGNUOLI
TOLEND ROAD
DOVER, N.H.
*TAX MAP E, LOT 65-1 & 65-A*

STATE OF NEW HAMPSHIRE — No. 805 KENNETH A. BERRY — LICENSED LAND SURVEYOR — SIGNATURE

BERRY SURVEYING & ENGINEERING
335 SECOND CROWN POINT RD.
BARRINGTON, N.H. (603)332-2863

SCALE : 1 IN. EQUALS 100 FT.
DATE : APRIL 15, 2023
FILE NO. : DB 2023-031

SHEET 49 OF ----

DOVER PLANNING FILE #P22-10