

CITY OF DOVER

DOVER PLANNING BOARD – AGENDA

Meeting Type: Regular Meeting
Meeting Location: Council Chambers, City Hall, 288 Central Ave, Dover NH 03820
Meeting Date: **Tuesday, April 25, 2023**
Meeting Time: **7:00 pm**

1. CITIZENS' FORUM

2. APPROVAL OF THE PRIOR MINUTES

- March 28, 2023 Regular Meeting Minutes

3. OLD BUSINESS

4. NEW BUSINESS

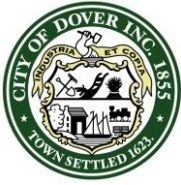
- A. Consideration and acceptance of a Lot Line Adjustment for Stonearch Development Corp., (Owners: 59 Tolend Road, LLC and Eugene A & Donna L Sgrignuoli), Assessor's Map E, Lots 65-1 & 65-A, zoned R-20, located between 53 & 65 Tolend Road & 22 Sun Hawk Lane. *(P22-11/LOTA-2022-0004)
- B. Consideration and acceptance of a Lot Line Adjustment for Eric B. & Elizabeth S. Hagman and NH DOT, Assessors Map 13 Lot 12, Spaulding Turnpike, zoned R-12, located at 203 Silver Street and the Spaulding Turnpike. *(LOTA-2023-0002)

5. STAFF COMMENT

6. MEMBER COMMENTS

7. ADJOURNMENT

*Indicates that if the application is accepted for discussion, the public hearing will be held the same evening. Note that some hearings will be continued from one meeting to another and some may be postponed. Since this is only a partial description of the proposal and may change, persons with questions or wishing to see the plans are invited to visit the Planning Office, Monday through Thursday from 8:30 am to 5:30 pm and Friday 8:30 am to 4:00 pm or email Dover-Planning@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 Planning Board, Dover City Hall, 288 Central Ave., Dover, NH 03820. Messages must be received no later than 4 p.m. the day of the meeting and should identify the name and Dover address of the person leaving the message or providing the comment.



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DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: City Council Chamber's 288 Central Avenue
Meeting Date: **Tuesday, March 28, 2023**
Meeting Time: **7:00 pm**

Members Present: Gina Cruikshank (Chair), Hayley Harmon (Vice Chair), Mark Speidel, Ken Mavrogeorge, Fergus Cullen (Councilor), Tom Clark, and George DeBoer (Alternate)

Members Not Present (excused): Erinn Kaspari, Frank Torr, and Jon Elliard (Alternate), Kyle Pimental, Melina Gambino (Alternate)

Members Not Present (un-excused):

Staff Present: Donna Benton, Director of Planning and Development

G. Cruikshank called the meeting to order at 7p.m. and noted that George DeBoer would sit for Frank Torr.

1. CITIZENS' FORUM

Citizens Forum Open

No one spoke

Citizens Forum Closed

2. APPROVAL OF THE PRIOR MINUTES

- February 14, 2023 Regular Meeting Minutes

Motion: M. Speidel moved to approve February 14, 2023 Regular Meeting Minutes. Seconded by: T. Clark.

Vote: U/A

3. OLD BUSINESS

- A. Consideration and possible vote on posting the proposed Amendments to Chapter 170 (Zoning). The full text of the amendments is available in Planning Department & at www.dover.nh.gov located under meeting materials and on the Planning Department page. *

F. Cullen recused himself from the item.

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

D. Benton mentioned the Board last reviewed these at their February meeting. Staff made some adjustments based off feedback from Mr. Packy Campbell and the Board with the intention of providing a compromise to providing mechanisms and more flexibility for solar trackers but still maintaining the charm, look, and feel to Dover. She reviewed the changes for the board.

Public Hearing opened

Packy Campbell, Bright Spot Solar appreciates the changes to the language and requested some additional changes:

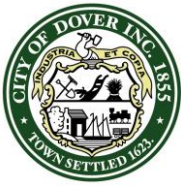
- Amendment 2 language change relating to location of the solar in relation to the primary structure rather than setback distances
- Change/remove language: 'clearly visible'

He expounded on how he uses solar arrays on a couple of car washes he owns and the savings in cost and propane consumption.

Public hearing closed

D. Benton noted that this amendment will be valid for every property in the City. There are options for property owners to receive exceptions or relief on location of the panels through the Planning Board processes.

D. Benton addressed for board members some of the concerns brought up in public hearing comments.



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Motion: T. Clark moved to post the amendments as submitted by staff. Seconded by: K. Mavrogeorge. Vote: U/A

4. NEW BUSINESS

- A. Consideration and acceptance of a Lot Line Adjustment for Laurie S. Anderson and Andrew R. and Holly Welsh Smith, Assessor's Map 17, Lots 132 and 131, zoned R-12, located at 13 & 11 Hawthorn Road. *(LOTA-2023-0001)

Chair Cruikshank announced the applicant has withdrawn this application.

- B. Consideration and acceptance of an Amendment of Site Review for American Durafilm Co., Inc. (Owner: AD Dover, LLC), Assessor's Map D, Lot 11-10, zoned (IT), located at 9 Innovation Way. (Proposal is to relocate a transformer pad and site landscaping, including a request for a waiver to not screen the transformer). *(WAIV-2023-0002)

D. Benton explained that certain site plan amendments that are made out in the field are large enough to need Planning Board approval. This application is for two parts, one is the request for the waiver to not screen a transformer and the second to approve the amendment to the approved site plan.

Jase Gregoire, CivilWorks, NE presented the application and explained the move of the transformer to a different location.

Motion: T. Clark voted to accept and declared no regional impact. H. Harmon seconded. Vote: U/A

Public hearing opened

None

Public hearing closed

STAFF RECOMMENDATION-Waiver:

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

- (1) Strict conformity would pose an unnecessary hardship to the applicant and the waiver would not be contrary to the spirit and intent of the regulations; or
- (2) Specific circumstances relative to the subdivision, or conditions of the land in such site plan, indicate that the waiver will properly carry out the spirit and intent of the regulations."

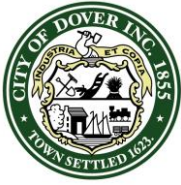
Staff was informed by the applicant that Eversource placed the transformer at that location and that due to sight distance concerns at the driveway, vegetation or other screening cannot be used as required.

Staff typically would not support transformers or generators not being screened but in this case understands the applicant was not provided an option that would meet the regulations and that criterion 1 would be met.

The Planning Department recommends the Planning Board to vote to grant the waiver with the following subsequent condition:

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

1. Add a note that the Planning Board approved waiver to Section 153-15.B(5) utility screening and have



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found the criteria of Chapter 153-21.A. have been met.

Motion: M. Speidel moved to grant the waiver as it met the criteria of Section 153-21. Seconded by T. Clark. Vote: U/A

STAFF RECOMMENDATION-Amendment:

The Planning Department recommends the Planning Board vote to grant the amendment with the following subsequent conditions:

Subsequent Conditions to be Met Prior to the Plans Being Signed:

1. The applicant shall provide the Planning Department with:
 - a. Electronic copy of the revised site plan including in PDF and DWG formats
 - b. A note be added to the amended site plan sheet that all previous conditions of approval still apply.
 - c. Two full size copies of the plan are submitted to the Planning Department and submitted on the online portal.

Motion: T. Clark moved to approve the amendment as it met the criteria of Section 153-21. Seconded by H. Harmon. Vote: U/A

- C.** Consideration and acceptance of an Amendment of Site Review for Macs Convenience Stores, LLC, Assessor's Map K, Lot 19-C, zoned R-12, C & IT, located at 30 Dover Point Road. (Proposal is to relocate landscaping and an additional transformer for EV charging). *(WAIV-2023-0003)

D. Benton explained that this is a similar amendment request that Eversource informed the applicant that a second transformer would be needed for the EV charging which is added to the as-built and that the applicant has bonded for the shrubs shown on the landscaping plan but is requesting to relocate one of the street trees so that it doesn't block the sign that was installed.

Steve Haight, CivilWorks, NE presented the application and explained the need for the changes.

Motion: T. Clark voted to accept and declared no regional impact. G. DeBoer seconded. Vote: U/A

Public hearing opened

None

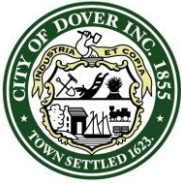
Public hearing closed

STAFF RECOMMENDATION-Amendment:

The Planning Department recommends the Planning Board vote to grant the amendment with the following subsequent conditions:

Subsequent Conditions to be Met Prior to the Plans Being Signed:

1. The applicant shall provide the Planning Department with:
 - a. Electronic copy of the revised site plan including in PDF and DWG formats
 - b. A note be added to the amended site plan sheet that all previous conditions of approval still apply.
 - c. Provide shrubs around existing and proposed sign bases.



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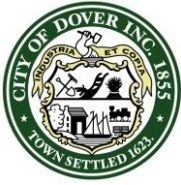
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- d. Two full size copies of the plan are submitted to the Planning Department and submitted on the online portal.

Motion: T. Clark moved to approve the amendment as it met the criteria. Seconded by G. DeBoer.
Vote: U/A

The Vice Chair announced items D-H will be heard together.

- D. Consideration and acceptance of a Conditional Use Permit for Public Service Company of New Hampshire, (d/b/a Eversource Energy, c/o Kurt Nelson), Assessor's Map H, Lot 4, zoned IT, located near Cielo Drive. (Proposal is to perform maintenance work on the 345kV 307 Transmission Line involving a single utility structure replacement and optical ground wire replacement creating 773 sf of temporary impact to wetlands and 624 sf of temporary impact to the wetland buffer). *(COND-2023-0029)
- E. Consideration and acceptance of a Conditional Use Permit for Public Service Company of New Hampshire (d/b/a Eversource Energy, c/o Kurt Nelson), Assessor's Map K, Lots 2 & 4-C, zoned R-12 & CWD, located in an existing M183 utility ROW, between Henry Law Avenue & the Cocheco River. (Proposal is the replacement of 5 wooden utility poles with weathered steel structures creating 3,489 sf of temporary impact to wetlands and 12,100 sf of temporary impact to the wetland buffer). *(COND-2023-0030)
- F. Consideration and acceptance of a Conditional Use Permit for Public Service Company of New Hampshire, (d/b/a Eversource Energy, c/o Kurt Nelson), Assessor's Map K, Lot 6 & Map M, Lot 4-OPN, zoned R-40 & IT, located at existing M183 ROW between Pointe Place and Middle Road. (Proposal is the replacement of 3 wooden utility poles with weathered steel structures creating 2,494 sf of temporary impact to wetlands and 6,915 sf of temporary impact to the wetland buffer). *(COND-2023-0031)
- G. Consideration and acceptance of a Conditional Use Permit for Public Service Company of New Hampshire, (d/b/a Eversource Energy, c/o Kurt Nelson), Assessor's Map M, Lots 47,49, 138, 142, 143 & 163, zoned R-12, G & R-20, located at existing M183 ROW between Polly Ann Trailer Park, Dover Point Road & Toftree Lane. (Proposal is the replacement of 3 wooden utility poles with weathered steel structures creating 9,416 sf of temporary impact to wetlands and 9,835 sf of temporary impact to the wetland buffer). *(COND-2023-0032)
- H. Consideration and acceptance of a Conditional Use Permit for Public Service Company of New Hampshire, (d/b/a Eversource Energy, c/o Kurt Nelson), Assessor's Map M, Lots 83-5, 10, 9, 6, 11,12 & 13, zoned R-40, located at 38, 39, 47 & 48 Overlook Drive, 8 Canney Lane, 34 & 44 Quaker Lane. (Proposal is the maintenance work on the 345KV 307 Transmission Line involving a single utility structure replacement and optical ground wire replacement creating 2,023 sf of temporary impact to wetlands and 12,847 sf of temporary impact to the wetland buffer). *(COND-2023-0033)
- D. Benton explained that PSNH/Eversource requests to do some pole replacements and other improvements to their transmission lines. Staff has separated the items by area which will require separate votes, though the item can be heard together with one public hearing.



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Matthew Carden, Eversource presented the applications. He explained for M. Speidel the use of helicopters. He clarified for G. DeBoer the size and scope of the replacement poles.

Motion: T. Clark voted to accept all applications and declared no regional impact. H. Harmon seconded.
Vote: U/A

Public hearing opened

None

Public hearing closed

STAFF RECOMMENDATION: CUP

The Wetlands Protection District ordinance §170.27.1.F. provides for Conditional Use Permits to allow impacts to wetlands and wetland buffers if standards related to demonstration that no practicable alternative exists, impact avoidance was considered, impacts were minimized, and mitigation has been sought.

Planning Staff feels that the applicant considered the criteria of practical alternative, avoidance, minimization, and mitigation and propose to create minimal wetland/wetland buffer disturbance on the site.

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

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

1. The applicant shall provide the Planning Department with a copy of the NH Department of Environmental Services approved Utility Maintenance Activity Statutory Permit by Notification.

Motion: M. Speidel moved to approve the CUP as it met the criteria. Seconded by T. Clark. Vote: U/A

STAFF RECOMMENDATION: CUP

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

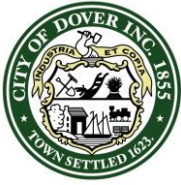
Subsequent Condition to Be Met Prior to the Issuance of the Conditional Use Permit:

1. The applicant shall provide the Planning Department with a copy of the NH Department of Environmental Services approved Utility Maintenance Activity Statutory Permit by Notification.

Motion: T. Clark moved to approve the CUP subject to the condition set by the Planning Department as it met the criteria. Seconded by M. Speidel. Vote: U/A

STAFF RECOMMENDATION: CUP

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



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

1. The applicant shall provide the Planning Department with a copy of the NH Department of Environmental Services approved Utility Maintenance Activity Statutory Permit by Notification.

Motion: T. Clark moved to approve the CUP subject to the condition set by the Planning Department as it met the criteria. Seconded by M. Speidel. Vote: U/A

STAFF RECOMMENDATION: CUP

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

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

1. The applicant shall provide the Planning Department with a copy of the NH Department of Environmental Services approved Utility Maintenance Activity Statutory Permit by Notification.

Motion: T. Clark moved to approve the CUP subject to the condition set by the Planning Department as it met the criteria. Seconded by H. Harmon. Vote: U/A

STAFF RECOMMENDATION: CUP

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

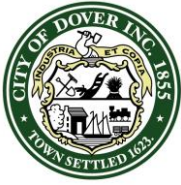
Subsequent Condition to Be Met Prior to the Issuance of the Conditional Use Permit:

1. The applicant shall provide the Planning Department with a copy of the NH Department of Environmental Services approved Utility Maintenance Activity Statutory Permit by Notification.

Motion: T. Clark moved to approve the CUP subject to the condition set by the Planning Department as it met the criteria. Seconded by M. Speidel. Vote: U/A

- I. Consideration and acceptance of Transfer of Development Rights Request for Diamond Capital, LLC, Assessor's Map D, Lot 10, zoned R-12, located at 42 Long Hill Road. (Requesting to purchase (6) six TDR units for a project up to 34 residential lots including the existing single family home). *(TRAN-2023-0001)

D. Benton explained the applicant was using the TDR ordinance to purchase 6 units. She explained that the applicant is changing their request from their original application as the City's ordinance does not have a provision for for-sale units so the applicant is now requesting 4 units to be the 1,400 s.f. size restricted rate and 2 to be full rate. This is the first step in the process and if approved, the applicant would still need to do full engineering and go through the TRC process and come back to the Planning Board for subdivision review.



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FX Bruton, Bruton and Berube presented the item, explained the proposed development, highlighted the 1,400 s.f. restricted affordable units and addressed the criteria.

He answered for M. Speidel why only four of the six additional units are earmarked for affordable housing.

D. Benton and Mr. Bruton clarified that there is a change in the request from what is in the applicant's paperwork. Rather than requesting to restrict the sale price which does not work with the City's ordinance, the specified units will be size restricted to 1400 sq ft or less.

Motion: M. Speidel voted to accept the application and declared no regional impact. F. Cullen seconded.
Vote: U/A

Public hearing opened

Danielle Ouimette, 21 Strafford Rd asked some questions about when the construction will begin, how long it's expected to take, and if there are any limits to construction hours. There are flags in the wooded area- is that part of this proposal?

Theresa and Robert Daneau, 23 Strafford Rd expressed concerns regarding the 50' wetland buffer, would the construction affect the wetland and therefore the existing homes, will there be a right of way request from Strafford Rd to the proposed site. They would request a buffer zone of trees or fence or wall at the property line and are also curious about the surveying in the area around their home- what is it for?

Lisa Stacy, 75 Long Hill Rd wondered if the units are age restricted or not and is concerned about the density and number of families/kids in schools if not restricted. Could the driveway of the development line up with the other street so it is safer? That is a school bus stop. She has concerns about water and is not in favor of this amount of density in this location.

D. Benton summarized emails that were received to the office:

- Jordan Plante, 92 Long Hill
- James Simard and Kathleen Kroll-Simard

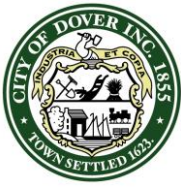
Public hearing closed

Mr. Bruton addressed public comment and noted he spoke with his client about making all six additional units affordable housing and they are amenable to that.

- This proposal will be restricted to 55 and older.
- Some of the comments are more appropriate for the next level of approvals where they will address them.
- The wetlands will be a restricted area and will be discussed more in-depth at the site review level.

D. Benton clarified:

- Adding a condition that the 30' buffer is shown on the plans
- Traffic study will be addressed at future hearings
- Conditions of approval will include the changes mentioned today
- There is no project proposed that the City is aware of in the park
- The water question will be addressed as part of the City's review of the project.
- There is no right of way from Strafford being proposed.



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- The term affordable keeps getting used but the applicant is looking at size restricting not the rental rate as other projects have proposed.

Kevin McEneaney, McEneaney Surveying represented the applicant and explained the flags are part of the work that is being researched for this project. It is common to need to go beyond the property line for some of the research that is done and to mark which areas are complete.

Regarding wetlands, the City has a requirement that signs are posted every 50' along the wetland buffer and that will be done. There will be no request for right of way from Strafford.

Steve Haight, CivilWorks Engineering responded regarding whether they've looked at doing a T intersection with Phillips St. They did look at it, but due to site distance and driveway access they didn't choose that option.

STAFF RECOMMENDATION: TDR

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

The proposed TDR request in an impact sense creates six additional units after following the calculation provision in the TDR ordinance. The applicant is currently requesting 4 of those TDR units/lots would be size restricted to 1,400s.f. in perpetuity, and two of the TDR units/lots would pay the full TDR fee.

The Planning Department recommends the Planning Board make findings, and vote to grant the TDR request with the following subsequent conditions:

Subsequent Conditions to Be Met Prior to Granting of Transfer of Developments Right:

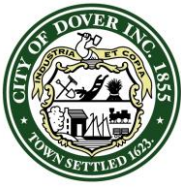
1. Recognition by the applicant in writing that the applicant understands the Board voted to allow up to a maximum amount but that they have the ability to reduce that unit count after seeing more fully-engineered plans, waiver requests, or any other relief requested.
2. Payment of the TDR fees.
3. Revise the application narrative to meet the most recent request.
4. Future subdivision plat shall show the 30' visual buffer.

Motion: M. Speidel moved to approve the request subject to the conditions set by the Planning Department. Seconded by G. DeBoer. Vote: U/A

Motion: K. Mavrogeorge moved to recess the meeting. Seconded by H. Harmon. Vote: U/A

Motion: F. Cullens moved to return to the meeting. Seconded by G. DeBoer. Vote: U/A

- J. Public hearing to consider amendments to Chapter 170, entitled "Zoning" of the code of the City of Dover. Amendments include re-titling, formatting, construction signs, ground mounted solar, rooftop solar, window sign definitions, CWD green roof requirements, clarifying Gateway lot coverage and screening requirements, dark sky compliance for general site lighting, moving and amending non-environmental conditional use permit criteria, wetland protection district purpose and intent, wetland CUP criteria, TDR waiver criteria, TDR criteria, window and development signs, amendment notice requirements, removing Educational Institution from CM table of uses, and reducing RCM threshold area to 20 acres*.



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D. Benton walked through the posted zoning amendments and explained another public hearing would be scheduled and notified using the City wide mailing process.

Public hearing opened

Laurie Smith, 36 Fisher commented that last year when the board added height restrictions to the extended Heritage district that was great. She has been part of the committee to look at these issues in the City and expressed thanks to the board and staff for the time given.

She asked about screening requirements. She prefers the height restrictions include the rest of Fisher St as was suggested by the neighborhood. She would also like to increase setbacks. When large multi-level structures go in next to single story homes it will have quite an affect.

Jack Mettee, 56 Rutland agreed with Ms. Smith with regard to the height restriction for Fisher St. He referenced the design standards for site plan for Gateway district.

Matt Cox, 33 Fisher agreed with Mrs. Smith and Mr. Mettee noting this is some of the oldest part of town, but seems to have some of the least amount of restrictions. He would like to expand the provisions that are in the other gateway districts to the Fisher st area and protect the look of the area and the old homes.

Sandra Cohen-Holmes, 34 Fisher wondered why a four-story structure is allowed next door to these old homes.

Finola Cox, 33 Fisher agreed with Ms. Cohen-Holmes' question and wondered who benefits from it. Only the people coming to live in the units and the builders and workers- not the people who already live there.

Chad Kageleiry, 100 Dover Neck is the owner of the lot most people are speaking about. After years of study the City elected to change the zone to gateway which is much more benign than what it was: Industrial. He noted that all of the residential owners who have spoken tonight purchased their homes while the zone was industrial. There is also no project planned yet- so the concerns are without merit. The planning process will vet the projects that want to come in.

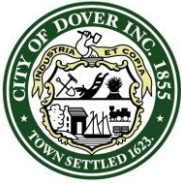
D. Benton summarized emails that were received to the office:

- JK C Holmes, 34 Fisher St.
- Martha Wilson 8 Auburn St
- Liane Smith, 13 Fisher St.
- Sandra Cohen Holmes, 34 Fisher St.
- Marisa Didio, 105 Belknap
- Laurie Smith, 36 Fisher St.
- Carmel Casey 36A Fisher St.

Public hearing tabled

Motion: H. Harmon moved to table the public hearing. Seconded by M. Speidel. Vote: U/A

K. Public hearing to consider amendments to Chapter 153-A, entitled "Site Review Regulations" of the code of the City of Dover. Amendments include amount of copies include site plan applicability, application requirements, and removing the 90 day extension for Planning Board action.*



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D. Benton walked through the Site Plan amendments which were posted on February 14th and are mostly housekeeping in nature.

Public Hearing Opened

None

Public Hearing Closed

Motion: T. Clark moved to adopt the amendments as submitted. Seconded by H. Harmon. Vote: U/A

5. STAFF COMMENTS

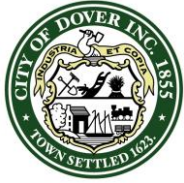
- Vision Chapter Sessions will continue and wrap up with a full day on April 18th so save the date and locations are being finalized.
- Unless anything is continued tonight, it is likely we won't meet on April 11.
- TRCs that have occurred:
 - Site Review for VC Dover Investment, LLC, Assessor's Map H, Lot 4-3-1, zoned Commercial, located at 30 Grapevine Drive. (Proposal is to build a new 15,040 sf (footprint), 4 story mixed use building next to the Hannaford's Grocery Store on Grapevine Drive.) (P22-72/SITE-2022-0017). *[This item was previously heard on November 17, 2022, January 5, 2023 & February 16, 2023]*
 - Open Space Subdivision for Chinburg Development, LLC, Assessor's Map N, Lot 13-1, zoned R-40, located at Oak Street & Gulf Road. (11 new lots.) (SUBD-2023-0001).
- TRCs coming up:
 - Site Review for Cooperative Alliance for Seacoast Transportation, (Assessor's Map H, Lot 35-C-4, located at 42 Sumner Drive. (Proposal is to build a 28,700 s.f vehicle storage building and 17,000 s.f. administration, operations and maintenance building.) (SITE-2023-0002).
 - Site Review for Crosshill Housing Associates, Limited Partnership, (Assessor's Map H, Lot 41-M, located at 1 Martha's Way. (Proposal is to add a 4,600 s.f. building with outdoor patio, walkways, and parking restriping to add ADA spaces.) (SITE-2023-0001).

6. MEMBER COMMENTS

- The Chair signed plans for 7 West LLC the Medical Office Building at Exit 7.

7. ADJOURNMENT

Motion: M. Speidel moved to adjourn at 9:03pm. Seconded by G. DeBoer. Vote: U/A



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #LOTA-2023-0004

Application Type: Lot Line Adjustment
Applicant(s): 59 Tolend Road, LLC and Eugene A. & Donna L. Sgrignuoli
Owner(s): 59 Tolend Road, LLC and Eugene A. & Donna L. Sgrignuoli
Location: Between 53 & 65 Tolend 22 Sun Hawk (Assessor's Map E, Lots # & 65-1 and 65-A)
Meeting Date: April 25, 2023

INTENT: To revise the lot lines between two parcels, adding 9.63± ac. from Lot 65-A to Lot 65-1, leaving Lot 65-A with 2.92± ac. and Lot 65-1 with 41.51± ac.

LOTS/UNITS PROPOSED: No additional

AGENDA ITEM #: 4-A

FILE: P22-11 / LOTA-2022-0004

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

ZONING DISTRICT: R-20

EXISTING USE: Residential

PROPOSED USE: Residential

SURROUNDING: Residential

ZBA ACTION: ZONE-2023-00014;
Variance for relief from lot frontage requirement, to be heard before the ZBA on 4/20/2023.

ATTACHMENTS: Application, Narrative letter, Lot Line Adjustment Plan

APPLICATION IS COMPLETE:
Yes, provided Variance sought and granted

REGIONAL IMPACT: No

NOTICES SENT: Abutter notices were sent by certified mail for this meeting

PERMITS / WAIVERS REQUIRED:
None

Summary of Request and Background

The applicants are requesting to complete a lot line adjustment between two lots with 9.63± ac. from Lot 65-A to Lot 65-1, leaving Lot 65-A with 2.92± ac. and Lot 65-1 with 41.51± ac.

As a Lot Line Adjustment, this application did not appear before the TRC.

Lot 65-1 will continue to meet the minimum frontage (which is 125 feet in the R-20) post-adjustment with the frontage along Tolend Road. Lot 65-A currently does not have the minimum frontage and will continue to not have the minimum frontage post adjustment which requires zoning relief. Therefore, should the Board decide to approve the LLA, staff is recommending the condition of approval 1d below regarding the need for zoning relief. The applicant's Variance application is on the April 20th Zoning Board meeting.

Consistency with Land Use Regulations

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

STAFF RECOMMENDATION:

The Planning Department recommends the Planning Board accept the application, open the public hearing, make findings, and vote to approve the application with the following subsequent conditions:

Subsequent Conditions to Be Met Prior to Signing of Plans:

1. Provide physical and digital copies (including CAD) of complete plan set for recording at Strafford County Registry of Deeds which additionally shall include:
 - a. Planning File Number #LOTA-2023-0004
 - b. The owner's signatures
 - c. The LLS stamp and signature
 - d. Add common notes to recorded plan
 - e. Variance from the Zoning Board of Adjustment be sought and granted, for relief from the minimum frontage.

P22-11/LOTA-2022-0004 53 & 65 TOLEND ROAD & 22 SUN HAWK LANE

**Property Information**

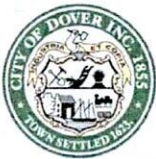
Property ID E0065-001000
Location TOLEND RD
Owner 59 TOLEND RD LLC
Land Use 130
Zoning Code R-20

**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.



City of Dover, New Hampshire

MINOR LOT LINE ADJUSTMENT APPLICATION

[Revision Date: June 4, 2019]

RECEIVED
Planning Office

Office Use Only	Project #:	LOTA-2022-0004	Date Received:	APR 19 2023
	Amount Paid:		Time Received:	Dover, New Hampshire

APPLICANT INFORMATION

Name of Applicant: Stonearch Development Corp. Telephone # 1-978-375-3153

Address of Applicant: 42J Dover Point Road, Dover, NH 03820

FIRST PROPERTY OWNER AND PARCEL INFORMATION

Name of 1st Property Owner (if different from applicant): 59 Tolend Rd LLC Telephone # _____

Address of 1st Property Owner: Same

Address of Property: Between 53 & 65 Tolend Road

Assessor's Map # E Lot(s) # 65-1

Property Deed: Book 5044 Page: 744

Zoning District(s) R20 Overlay District(s) Wetlands and Conservation

Size of Existing Parcel (sq. ft.): 1,338,309 Size of Proposed Parcel (sq. ft.): 1,809,066

SECOND PROPERTY OWNER AND PARCEL INFORMATION

Scrignuoli, Eugene A. & Donna L., 22 Sun Hawk Lane, Dover, NH
Name of 2nd Property Owner (if different from applicant): _____ Telephone # _____

Address of 2nd Property Owner: 22 Sun Hawk Lane, Dover, NH 03820

Address of Property: 22 Sun Hawk Lane

Assessor's Map # E Lot(s) # 65-A

Property Deed: Book 1571 Page: 86

Zoning District(s) R20 Overlay District(s) Wetlands & Conservation

Size of Existing Parcel (sq. ft.): 546,643 Size of Proposed Parcel (sq. ft.): 125,556

THIRD PROPERTY OWNER AND PARCEL INFORMATION

Name of 3rd Property Owner (if different from applicant): _____ Telephone # _____

Address of 3rd Property Owner: _____

Address of Property: _____

Assessor's Map # _____ Lot(s) # _____

Property Deed: Book _____ Page: _____

Zoning District(s) _____ Overlay District(s) _____

Size of Existing Parcel (sq. ft.): _____ Size of Proposed Parcel (sq. ft.): _____

[Use additional application form if more than two lots are being adjusted]**SURVEYOR INFORMATION**Name of Surveyor and Company (Licensed in N.H.) Berry Surveying & Engineering Kenneth A. BerryAddress 335 Second Crown Point Road Telephone #: 603-332-2863
Barrington, NH 03820Professional License #: 805 E-mail address: crberry@metrocaster.net**CONSERVATION EASEMENT HOLDER (s)**

Name of Easement Holder: _____ Telephone # _____

Address Easement Holder: _____

Name of 2nd Easement Holder: _____ Telephone # _____Address 2nd Easement Holder: _____**SIGNATURES**

I/We hereby submit this application to the City of Dover Planning 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.

Signature of First Property Owner: _____ Date: _____

Signature of Second Property Owner: _____ Date: _____

Signature of Applicant (if different from owner):  _____ Date: _____Signature of Agent: _____ Date: 4-19-23**AUTHORIZATION TO ENTER SUBJECT PROPERTY**

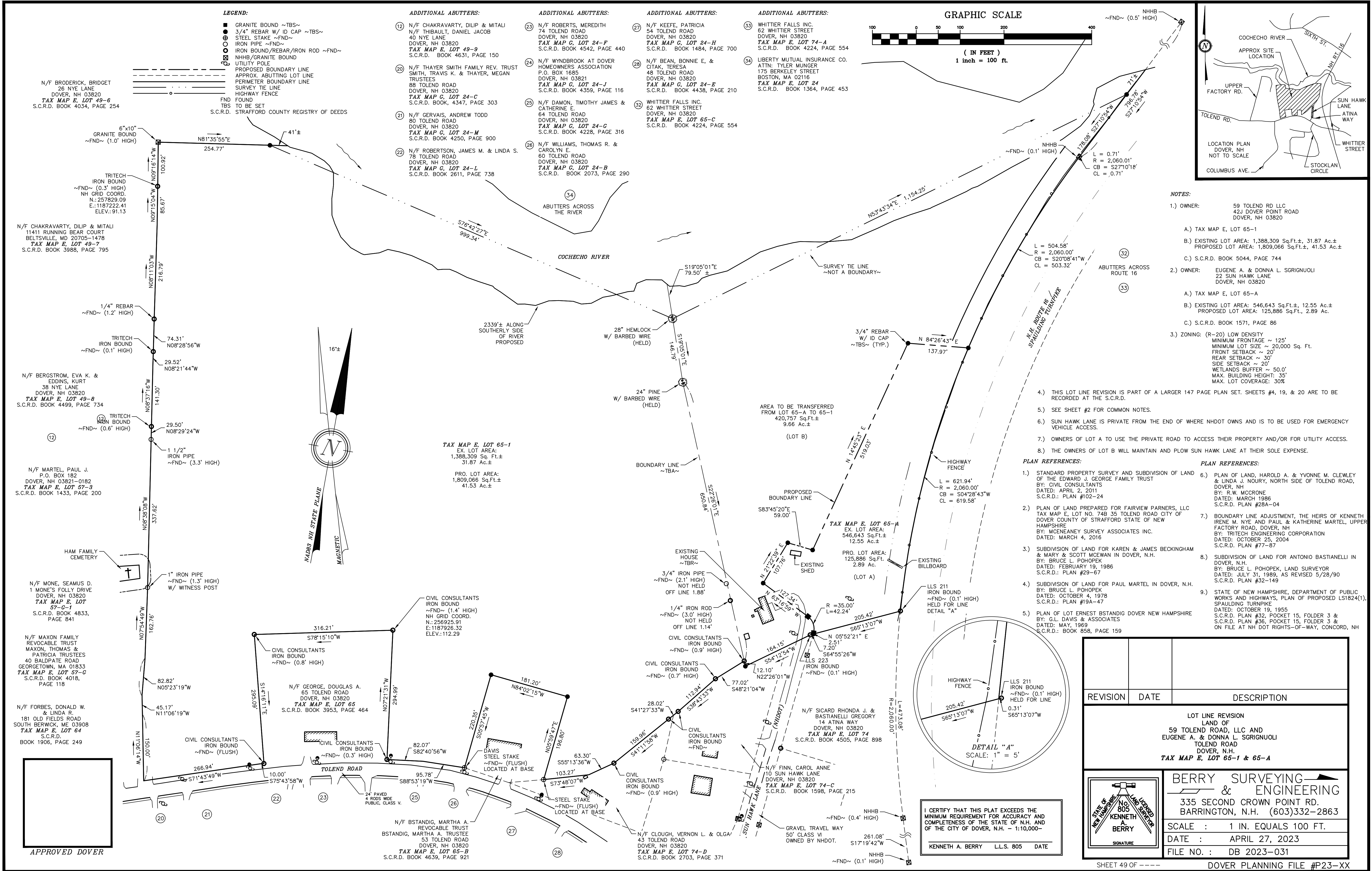
I hereby authorize members of the Dover Planning Board, Planning Department and other pertinent City Departments and boards to enter my property for the purpose of evaluating this application, including performing inspections during the application phase, post-approval phase, construction phase and occupancy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

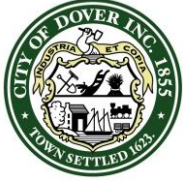
Signature of Property Owner: _____ Date: _____

P22-11/LOTA-2022-0004

Between 53 & 65 Tolend Road & 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
E0049-005000	22 NYE LN	RICHBURG NORMAN R &	RICHBURG BETSY J	22 NYE LANE	DOVER	NH	03820
E0049-006000	26 NYE LN	BRODERICK BRIDGET		26 NYE LANE	DOVER	NH	03820
E0049-007000	34 NYE LN	CHAKRAVARTY DILIP & MITALI TRUSTEES	DILIP CHAKRAVARTY REVOCABLE TRUST &	6906 SPINNING SEED	COLUMBIA	MD	21045
E0049-008000	38 NYE LN	BERGSTROM EVA K &	EDDINS KURT	38 NYE LANE	DOVER	NH	03820
E0049-009000	40 NYE LN	THIBAUT DANIEL JACOB		40 NYE LANE	DOVER	NH	03820
E0057-000000	69 UPPER FACTORY RD	CHAGNON MICHAEL C &	CHAGNON KRISTINE E	69 UPPER FACTORY RD	DOVER	NH	03820
E0057-003000	3 MONES FOLLY DR	DUYON MARY JAYNE		PO BOX 342	DOVER	NH	03821
E0057-G00000	95 TOLEND RD	MAXON THOMAS & PATRICIA TRUSTEES	MAXON FAMILY REVOCABLE TRUST	40 BALDPATE RD	GEORGETOWN	MA	01833
E0057-G00001	1 MONES FOLLY DR	MONE SEAMUS D		1 MONE'S FOLLY	DOVER	NH	03820
E0057-I00000	71 UPPER FACTORY RD	ROBIDAS ZACKERY		71 UPPER FACTORY RD	DOVER	NH	03820
E0064-000000	89 TOLEND RD	FORBES DONALD W &	FORBES LINDA R	181 OLD FIELDS ROAD	SOUTH BERWICK	ME	03908
E0065-000000	65 TOLEND RD	GEORGE DOUGLAS A		65 TOLEND RD	DOVER	NH	03820
E0065-B00000	53 TOLEND RD	BSTANDIG MARTHA A TRUSTEE	BSTANDIG MARTHA A REVOCABLE TRUST	53 TOLEND RD	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-A00000	94 TOLEND RD	MILLER JASON S &	MILLER CHRISTINE S	94 TOLEND RD	DOVER	NH	03820-5501
G0024-B00000	60 TOLEND RD	WILLIAMS THOMAS R &	WILLIAMS CAROLYN E	60 TOLEND ROAD	DOVER	NH	03820
G0024-C00000	88 TOLEND RD	HARTMANN MITCHELL JOHN &	WALSH BROOKE BETHANY	88 TOLEND RD	DOVER	NH	03820
G0024-E00000	48 TOLEND RD	BEAN BONNIE E &	CITAK TERESA	48 TOLEND RD	DOVER	NH	03820
G0024-F00000	74 TOLEND RD	ROBERTS MEREDITH		74 TOLEND RD	DOVER	NH	03820
G0024-G00000	64 TOLEND RD	DAMON TIMOTHY JAMES &	DAMON CATHERINE E	64 TOLEND RD	DOVER	NH	03820
G0024-H00000	54 TOLEND RD	KEEFE PATRICIA		54 TOLEND ROAD	DOVER	NH	03820
G0024-I00000	15 TOLEND RD	HERSTAD CAROL	HERSTAD WAYNE	15 TOLEND RD	DOVER	NH	03820-4916
G0024-J00000	TOLEND RD	WYNDBROOK AT DOVER HOMEOWNERS ASSOCIATIO	C/O GREAT NORTH PROPERTY MANAGEMENT	3 HOLLAND WAY SUITE 201	EXETER	NH	03833
G0024-L00000	78 TOLEND RD	ROBERTSON JAMES M &	ROBERTSON LINDA S	78 TOLEND RD	DOVER	NH	03820
G0024-M00000	80 TOLEND RD	GERVAIS ANDREW TODD		80 TOLEND RD	DOVER	NH	03820
E0065-001000	TOLEND RD	59 TOLEND RD LLC		42 DOVER POINT RD UNIT J	DOVER	NH	03820
E0065-A00000	22 SUN HAWK LN	SGRIGNUOLI EUGENE A	SGRIGNUOLI DONNA L	22 SUN HAWK LN	DOVER	NH	03820
		STONEARCH DEVELOPMENT		42J DOVER POINT ROAD	DOVER	NH	03820
		KENNETH A. BERRY	BERRY SURVEYING & ENGINEERING	335 SECOND CROWN POINT BARRINGTON	NH		03820





CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #LOTA-2023-0002

Application Type: Lot Line Adjustment
Applicant(s): Eric B. & Elizabeth S. Hagman and NH DOT
Owner(s): Eric B. & Elizabeth S. Hagman and NH DOT
Location: 203 Silver Street & the Spaulding Turnpike (Assessor's Map 13, Lots 12 & Route 16)
Meeting Date: April 25, 2023

INTENT: To revise the lot lines between a parcel and the NHDOT Spaulding Turnpike, adding 9,706± sq. ft. / 0.22± ac. from the NHDOT roadway to Lot 13-12, leaving (the lot) with 38,398± sf, 0.88± ac.

LOTS/UNITS PROPOSED: No additional

AGENDA ITEM #: 4-B

FILE: LOTA-2023-0002

LOT 13/12 AREA:
Existing: 28,692± sf, 0.66± ac.
Proposed: 38,398± sf, 0.88± ac.

ZONING DISTRICT: R-12

EXISTING USE: Residential

PROPOSED USE: Residential

SURROUNDING: Residential, Spaulding Turnpike

ZBA ACTION: #Z13-04, February 2013 relief from §170-41D (nonconforming structure setback)

ATTACHMENTS: Application, Narrative letter, Lot Line Adjustment Plan

APPLICATION IS COMPLETE: Yes

REGIONAL IMPACT: No

NOTICES SENT: Abutter notices were sent by certified mail for this meeting

PERMITS / WAIVERS REQUIRED:
None

Summary of Request and Background

The applicants are requesting to complete a lot line adjustment between a single lot and the NHDOT Spaulding Turnpike, adding 9,706± sq. ft. or 0.22± ac. from the NHDOT roadway to Lot 13-12, leaving Lot 13-12 with 38,398± sf or 0.88± ac.

This Lot Line Adjustment will solve some of the encroachment and setback issues currently existing. Tax Map 13, Lot 12 meets the zoning dimensional requirements before and after the adjustment.

As a Lot Line Adjustment, this application did not appear before the TRC.

Consistency with Land Use Regulations

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

STAFF RECOMMENDATION:

The Planning Department recommends the Planning Board accept the application, open the public hearing, make findings, and vote to approve the application with the following subsequent conditions:

Subsequent Conditions to Be Met Prior to Signing of Plans:

1. Provide physical and digital copies (including CAD) of complete plan set for recording at Strafford County Registry of Deeds which additionally shall include:
 - a. Planning File Number #LOTA-2023-0002
 - b. The owners' signatures
 - c. The LLS stamp and signature

LOTA-2023-0002 203 SILVER STREET

**Property Information**

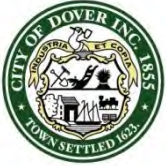
Property ID 13012-000000
Location 203 205 SILVER ST
Owner HAGMAN ERIC B &
Land Use 101
Zoning Code R-12

**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 using
this resource.



City of Dover, New Hampshire
MINOR LOT LINE ADJUSTMENT APPLICATION

[Revision Date: June 4, 2019]

Office Use Only

Project #: _____

Date Received: _____

Amount Paid: _____

Time Received: _____

APPLICANT INFORMATION

1-603-743-6884

Name of Applicant: Eric B. Hagman & Elizabeth S. Hagman Telephone # 1-603-978-6213

Address of Applicant: 203 Silver Street, Dover, NH 03820 ERIC.HAGMAN@COMCAST.NET

FIRST PROPERTY OWNER AND PARCEL INFORMATION

Name of 1st Property Owner (if different from applicant): _____ Telephone # _____

Address of 1st Property Owner: _____

Address of Property: _____

Assessor's Map # 13 Lot(s) # 12

Property Deed: Book 2618 Page: 539

Zoning District(s) R-12 Medium Density Res. Overlay District(s) None Known

Size of Existing Parcel (sq. ft.): 28,692 (0.66 ac) Size of Proposed Parcel (sq. ft.): 38,398 (0.88 ac)

SECOND PROPERTY OWNER AND PARCEL INFORMATION

Name of 2nd Property Owner (if different from applicant): NH DOT Telephone # 603-271-4267

Address of 2nd Property Owner: PO Box 483, 7 Hazen Drive, Concord, NH 03302-0483

Address of Property: Same as above

Assessor's Map # _____ Lot(s) # _____
Spaulding Turnpike
BOOK 653, PAGE 363
COMMISSIONER'S RETURN
Property Deed: Book 655 Page: 177-179 BOOK 638, PAGE 456

Zoning District(s) R-12 Medium Density Res. Overlay District(s) None Known

Size of Existing Parcel (sq. ft.): _____ Size of Proposed Parcel (sq. ft.): _____

THIRD PROPERTY OWNER AND PARCEL INFORMATION

Name of 3rd Property Owner (if different from applicant): _____ Telephone # _____

Address of 3rd Property Owner: _____

Address of Property: _____

Assessor's Map # _____ Lot(s) # _____

Property Deed: Book _____ Page: _____

Zoning District(s) _____ Overlay District(s) _____

Size of Existing Parcel (sq. ft.): _____ Size of Proposed Parcel (sq. ft.): _____

[Use additional application form if more than two lots are being adjusted]

SURVEYOR INFORMATION

Name of Surveyor and Company (Licensed in N.H.) Kenneth A. Berry, PE, LLSAddress 335 Second Crown Point Road, Barrington, NH 03825 Telephone #: 603-332-2863Professional License #: 805 E-mail address: k.berry@berrysurveying.com

CONSERVATION EASEMENT HOLDER (s)

Name of Easement Holder: N/A Telephone # _____

Address Easement Holder: _____

Name of 2nd Easement Holder: _____ Telephone # _____Address 2nd Easement Holder: _____

SIGNATURES

I/We hereby submit this application to the City of Dover Planning 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.

Signature of First Property Owner: See Letter of Authorization Date: _____Signature of Second Property Owner: See Letter of Authorization Date: _____Signature of Applicant (*if different from owner*): _____ Date: _____

Signature of Agent: _____ Date: _____

AUTHORIZATION TO ENTER SUBJECT PROPERTY

I hereby authorize members of the Dover Planning 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: _____

**CITY OF DOVER MINOR LOT LINE ADJUSTMENT
LIST OF ABUTTERS**

Pursuant to RSA 676:4, the State Law of New Hampshire, the City of Dover is required to notify the applicant, abutters (including holders of conservation easements), and any professional whose seal is on the plan, of the public hearing by certified mail, return receipt requested. Staff will provide the abutter information, while the applicant must provide accurate contact information for the owner, applicant and professional agents representing the project.

Owner:

TAX MAP	LOT #	PROPERTY OWNER	MAILING ADDRESS
13	12	Eric B. & Elizabeth S. Hagman	203 Silver Street, Dover, NH 03820

Applicant (if different from owner):

APPLICANT NAME	APPLICANT COMPANY	MAILING ADDRESS

Surveyor and/or Engineer/Professional Agent:

NAME	COMPANY	MAILING ADDRESS
Kenneth A Berry, LLS	Berry Surveying & Engineering	335 Second Crown Point Road
		Barrington, NH 03825

Conservation Easement Holder:

TAX MAP	LOT #	NAME OF EASEMENT HOLDER	MAILING ADDRESS
N/A			



City of Dover, New Hampshire

LOT LINE ADJUSTMENT SUBMISSION CHECKLIST

[Revision Date: June 4, 2019]

This review checklist is intended to assist the applicant in the planning process of preparing a Subdivision application for Planning Board action. The size of the project will determine the types of information required for review, therefore, a **pre-application conference** with the Planning Department to determine the list of items that must be completed is strongly encouraged.

Plan Review Fees are due along with three (3) full size and twelve (12) half size (11x17), folded, copies of the plan set and materials, 3 weeks prior to the Planning Board meeting. Abutter/Notice Fees will be invoiced and are due 28 hours prior to Planning Board.

The applicant is cautioned that this checklist is only a guide and is not intended to be a complete list of all subdivision requirements. Please refer to the Subdivision Regulations for full details.

APPLICANT: Eric B. & Elizabeth S. Hagman File Number: _____

PROPERTY LOCATION: 203 Silver Street, Dover, NH Tax Map: 13 Lot: 12 and Lot: NHDOT

	Where/How Provided	Reviewed
1. Completed and signed Application form	X - SEE LETTERS OR AUTHORIZATION	
2. Plan Review Fees are provided		
3. Electronic copy of the surveyed plat layout	X	
4. Electronic copy of supplementary materials and application	X	
5. Fifteen copies of LLA plan w/scale of not less than 1"=50' or 1"=100' for larger adjustments. Plans shall contain the following items as appropriate:	X	
Location map at appropriate scale	X	
Planning File #	X - NUMBER PENDING	
Date, north arrow and scale	X	
Names of all abutting property owners	X	
Name and address of owners	X	
Signature & stamp of NH licensed land surveyor	X	
Zoning District boundaries, including any special or overlay districts	X	
Location of Conservation District areas	N/A	
Location, names and widths of existing and streets, including pavement widths, grades, curbs and crosswalks	X	
Location and widths of existing & proposed easements & right of ways	X	
Existing and proposed property lines with dimensions and bearings tied into Dover's Geographic Information System coordinate system	X	
Existing and proposed lot areas in square feet	X	
Existing and proposed buildings and structure locations	X	
Minimum building setbacks or build to lines on all lots	X	
Map and lot numbers for existing and proposed lots as assigned by Tax Assessor	X	
Location, material and size of existing and proposed permanent monuments	X	
All applicable Dover Common Subdivision notes Lot Line Revision Notes	X	

REVIEWED BY: _____ DATE _____

Letter of Authorization

3/23/2023

Date

Name: Eric Hagman

Name: Elizabeth Hagman

Address: 205 Silver St

Municipality: Dover

State / Zip: NH 03820

To Whom it may Concern:

The above-named individual(s), as land-owner or land-owner duly authorized agent, hereby grant Berry Construction Co., Inc., DBA, Berry Surveying & Engineering to sign and submit an application to the City of Dover for a Lot Line Revision and to represent said Lot Line Revision to the Planning Board on our behalf.

Specifically, "Lot Line Revision Plan" and "Right of Way Adjustment and Discontinuance Plan, Showing Land to be Conveyed to Eric B. & Elizabeth S. Hagman, Silver Street Ext., Dover, NH 03820, Tax Map 13, Lot 12" by Berry Surveying & Engineering, dated February 2, 2023 with 2 subsequent revision dated March 21, 2023.

Eric Hagman (Eric Hagman)

Signature

Elizabeth Hagman (Elizabeth Hagman)

Signature

Property Owner of 203-205 Silver St AKA-205 Silver St

Position

Letter of Authorization

March 22, 2023

Date

Name: State of New Hampshire

Name: Department of Transportation

Address: 7 Hazen Drive

Municipality: Concord

State / Zip: NH 03302

To Whom it may Concern:

The above-named individual(s), as land-owner or land-owner duly authorized agent, hereby grant Berry Construction Co., Inc., DBA, Berry Surveying & Engineering to sign and submit an application to the City of Dover for a Lot Line Revision and to represent said Lot Line Revision to the Planning Board on our behalf.

Specifically, "Lot Line Revision Plan" and "Right of Way Adjustment and Discontinuance Plan, Showing Land to be Conveyed to Eric B. & Elizabeth S. Hagman, Silver Street Ext., Dover, NH 03820, Tax Map 13, Lot 12" by Berry Surveying & Engineering, dated February 2, 2023 with 2 subsequent revision dated March 21, 2023.

Signature



Signature

Stephen G. LaBonte - Bureau Administrator

Position

LOTA-2023-0002

203 SILVER STREET

Property ID	Location	Owner 1	Owner 2	Owner Address 1	City	State	Zip
13006-000000	200 SILVER ST	HARDY MARIE		200 SILVER ST	DOVER	NH	03820
13007-000000	192 SILVER ST	PICARD TERESA E TRUSTEE	WAYNE A & TERESA E PICARD LIVING TRUST	192 SILVER ST	DOVER	NH	03820
13009-000000	202 SILVER ST	MONE PAULA	MONE PATRICK	202 SILVER STREET	DOVER	NH	03820
13010-000000	206 SILVER ST	SMITH TIMOTHEA A		206 SILVER ST	DOVER	NH	03820
13010-A00000	204 SILVER ST	LAMB SHANNON	EDKINS KENDALL	204 SILVER ST	DOVER	NH	03820
13011-000000	195 SILVER ST	BERNSTEIN JEFFREY		195 SILVER ST	DOVER	NH	03820
13012-000000	203 205 SILVER ST	HAGMAN ERIC B & KENNETH A. BERRY, LLS NH DOT	HAGMAN ELIZABETH S BERRYING SURVEYING & ENGINEERING	205 SILVER ST 335 SECOND CROWI P.O. BOX 483	DOVER BARRIN CONCOI	NH NH	03820 03825 03302-0483

R = 572.96'
D = 78°25'29"
PCC = 12+33.64L
PT = 20+17.89L
PT = 417.95.85 M.S. LT. 40'

N/F WAYNE A. & TERESA E.
PICARD LIVING TRUST
192 SILVER STREET
DOVER, NH 03820
TAX MAP 13, LOT 7
S.C.R.D. BOOK 5060, PAGE 662

N/F HARDY, MARIE
200 SILVER STREET
DOVER, NH 03820
TAX MAP 13, LOT 6
S.C.R.D. BOOK 3975, PAGE 264

N/F MONE, PAULA & PATRICK
202 SILVER STREET
DOVER, NH 03820
TAX MAP 13, LOT 9
S.C.R.D. BOOK 1085, PAGE 780

N/F STATE OF NEW HAMPSHIRE
NHDOT - PO BOX 483
ZEN DRIVE, CONCORD NH 03302-0483
COMMISSIONERS' RETURN
S.C.R.D. BOOK 655, PAGE 177

N/F HAGMAN, ERIC B. & ELIZABETH S.
205 SILVER STREET (EXT.)
DOVER, NH 03820
TAX MAP 13, LOT 12
S.C.R.D. BOOK 2618, PAGE 539

N/F LAMB, SHANNON &
EDKINS, KENDALL
204 SILVER STREET
DOVER, NH 03820
TAX MAP 13, LOT 10A
S.C.R.D. BOOK 5039, PAGE 762

N/F SMITH, TIMOTHEA A.
206 SILVER STREET
DOVER, NH 03820
TAX MAP 13, LOT 10
S.C.R.D. BOOK 3245, PAGE 756

- 1.) LAND OF CRE III EARTH ESTATE CORP., SILVER STREET, DOVER, NH"
BY: BERRY SURVEYING & ENGINEERING, FILE NO DB1994-031
DATED: AUGUST 10, 1994 S.C.R.D. PLAN # 44-61
- 2.) STANDARD BOUNDARY SURVEY AND PLAN OF LAND, LOTS NO. 6 & 7 TAX
ASSESSORS MAP 13, 200 & 192 SILVER STREET, DOVER, NEW HAMPSHIRE,
COUNTY OF STRAFFORD."
BY: CIVILWORKS, DATED: JULY 9, 2004, S.C.R.D. PLAN # 76-72

3.) BOUNDARY PLAN FOR LOIS & LLOYD PICOTT, KNOX MARSH ROAD, DOVER, NH
BY: WILLIAM T. WORMELL LAND SURVEYOR, DATED: NOVEMBER 10, 1981
S.C.R.D. PLAN # 22A-121

4.) PLAN OF LAND BELONGING TO MELVIN F. & MARY S. MORRISON, E. KNOX
MARSH ROAD, DOVER, NH"
BY: K.E. MOORE, DATED: AUGUST 4, 1969, S.C.R.D. BOOK 865, PAGE 39

5.) PLAN OF LAND ESTATE OF BERTHA M. DAVIS, DOVER, NEW HAMPSHIRE"
BY: G.L. DAVIS & ASSOCIATES, DATED: DECEMBER 21, 1962
S.C.R.D. BOOK 757, PAGE 233

6.) STATE OF NH HIGHWAY PLAN"
PROJECT # L.S. 1823-(1), SHEET # 62 OF 260

SPAULDING TURNPIKE
404+89.83 L&R 100 (USED TO CREATE ALIGNMENT OF TURNPIKE)
407+40 L 150

OFF RAMP
28+80G L 300
29+90G L 85
30+92G L 86
31+89G L 125

ON RAMP
8+63-L R 70
8+63-L R 33
10+44-L R 57 (FOUND IN 2012, NOT FOUND IN 2023)

ADDITIONAL ABUTTERS:
(SOUTH WEST OF SPAULDING TURNPIKE)

N/F BOYLE NANCY REYNOLDS LIVING TRUST
BOYLE NANCY REYNOLDS TRUSTEE
4 CHANDLER WAY
DOVER, NH 03820
TAX MAP 13, LOT 17
S.C.R.D. BOOK 2533, PAGE 693

N/F AHRENS WILLIAM C
7 W. KNOX MARSH ROAD
DOVER, NH 03820
TAX MAP 13, LOT 18-A
S.C.R.D. BOOK 3124, PAGE 6714


 IRON PIPE (FND)
 IRON BOUND (SET OR TO BE SET)
 GRANITE OR CONCRETE BOUND (FND)
 UTILITY POLE

 PROPOSED BOUNDARY LINE (L.A.R.O.W.)

 BOUNDARY LINE TO BE ABANDONED

 EXISTING METAL FENCE

 EXISTING STOCKADE FENCE

 APPROX. EXISTING ABUTTING PROPERTY LINE

 BUILDING SETBACK / BUILD-TO-LINES

 FOUND

 TYPICAL

 S.C.R.D. STRAFFORD COUNTY REGISTRY OF DEEDS

 L.A.R.O.W. LIMITED ACCESS RIGHT OF WAY

1.) PLAN INTENT: THE INTENT OF THIS PLAN IS TO SHOW LAND TO BE TRANSFERRED FROM THE STATE OF NEW HAMPSHIRE TO OWNERS OF TAX MAP 13, LOT 12 TO ENLARGE LOT, WHEN APPROVED BY DOVER PLANNING BOARD AS WELL AS GOVERNOR AND EXECUTIVE COUNCIL.

2.) OWNER / APPLICANT: ERIC B. & ELIZABETH S. HAGMAN
205 SLIVER STREET
DOVER, NH 03820

AUTHORIZED SIGNATURE – ERIC B. HAGMAN

AUTHORIZED SIGNATURE – ELIZABETH S. HAGMAN

3.) DOVER TAX MAP 13, LOT 12

4.) EXISTING AREA: 28,692 SQ. FT., 0.66 AC
PROPOSED AREA: 38,398 SQ. FT., 0.88 AC

5.) S.C.R.D. : BOOK 2618, PAGE 539 (HAGMAN)
S.C.R.D. : BOOK 655, PAGE 177-179 (NHDOT) (SPAULDING TURNPIKE)

6.) SEE REFERENCE PLANS BELOW.

7.) THERE ARE NO KNOWN RIGHTS-OF-WAY.

[illegible]

9.) LIST OF VARIANCES:
13-23-14 ORC AND ELIZABETH HAGMAN, 205 SILVER STREET (TAX MAP 13, LOT 12), FEBRUARY 21, 2013 VARIANCE FROM SECTION 170-41D.0 OF THE ZONING ORDINANCE TO PERMIT AN ADDITION TO THE EXISTING SINGLE-FAMILY WELLING, TO BE LOCATED APPROXIMATELY 7.9 FEET FROM THE LOT LINE, WHERE ADDITIONS TO NONCONFORMING STRUCTURES MAY BE LOCATED NO CLOSER THAN 10 FT. FROM THE LOT LINE.

10.) PROPERTY LINE INFORMATION HAD BEEN OBTAINED FROM A SURVEY PERFORMED BY KENNETH A. BERRY, LLS, BERRY SURVEYING & ENGINEERING, DATED NOVEMBER 12, 2012 WITH AN ERROR OF CLOSURE BETTER THAN 1 IN 10,000. HORIZONTAL COORDINATES BASED ON GPS DATA COLLECTED BY CARLSON BRX7 RECEIVERS AND ON NAD83 DATUM. VERTICAL COORDINATES BASED ON THEFT COORDINATES LEADER. A DIFFERENT, PLAN ORIENTATION THAN PREVIOUS ITERATION OF THIS PLAN, BY THIS OFFICE, WHICH WERE BASED ON MAGNETIC NORTH AND RANDOM DATUM.

11.) SUBJECT PARCEL IS NOT LOCATED WITHIN A FEDERALLY DESIGNATED FLOOD HAZARD AREA (COMMUNITY PANEL NUMBER 330145 PANEL NUMBER 33017C0320E DATED SEPTEMBER 30, 2015).

12.) THE SUBJECT PARCEL IS SERVED BY MUNICIPAL WATER AND SEWER

13.) SEE NORTH ARROW FOR BASIS OF BEARING. COORDINATES DETERMINED BY CARLSON BRX7 GPS RECEIVERS

14.) UTILITY EASEMENT: UPON ACQUIRING THE PARCEL FROM THE STATE OF NEW HAMPSHIRE TO ENLARGE THEIR PARCEL, THE APPLICANT WILL GRANT AN EASEMENT ON, UNDER, ACROSS, AND WITHIN THE SAME PARCEL TO THE CITY OF DOVER FOR EXISTING INFRASTRUCTURE AND APPURTENANCES.

15.) THE PURPOSE OF THIS PLAN IS TO DISCONTINUE A PORTION OF OLD LITTLEWORTH ROAD. THIS AREA IS AS SHOWN ON THE PLAN VIEW AND WILL BE DISCONTINUED PURSUANT TO RSA 230:55 OR APPROPRIATE STATUTORY PROCESS.

LOT LINE REVISION PLAN

#2 #1	3-21-23 2-22-23	REVISE PER MUNICIPAL APPLICATION REVISE PER NHDOT COMMENT
REVISION	DATE	DESCRIPTION

RIGHT OF WAY ADJUSTMENT AND DISCONTINUANCE PLAN
SHOWING LAND TO BE CONVEYED TO
ERIC B. & ELIZABETH S. HAGMAN
SILVER ST. EXT.
DOVER, NH 03820
TAX MAP 13, LOT 12

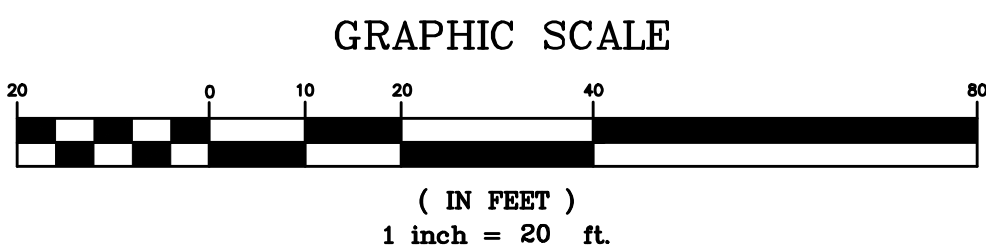
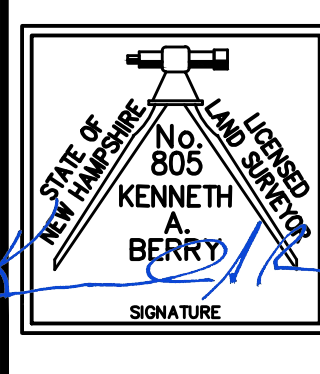
BERRY SURVEYING & ENGINEERING
335 SECOND CROWN POINT RD.
BARRINGTON, N.H. 332-2863

SCALE : 1 IN. EQUALS 20 FT.

DATE : FEBRUARY 2, 2023

FILE NO. : DB 2023 – 018

DOVER PLANNING FILE #23—



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 - 1:10,000
4-17-2


KENNETH A. BERRY LLS 805 DATE

APPROVED DOVER

From: Elliot Schultz <elliotschultz@gmail.com>
Sent: Tuesday, April 11, 2023 8:20 AM
To: Planning Board - All <PlanningBoard-All@dover.nh.gov>
Cc: Joyal, Michael <M.Joyal@dover.nh.gov>
Subject: Noise Issues - Chickens

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

Dear Members of the Planning Board,

My name is Elliot Schultz and I live at 2 Middlebrook Road, for the past 13 years, with my family.

I come to the Board seeking help due to an issue that began last June when the property at 3 Hawthorne was sold. The new residents of 3 Hawthorne came to Dover with their chickens (hens). We had no idea how noisy the chickens were going to be – but we soon found out. Typically, the chickens will begin to squawk and carry on around 6am and can continue in this manner until 1pm. The squawking/chirping/growling/etc (we had no idea how many sounds they can make) will last anywhere from 1 minute to up to 2 hours on an occasion. We do regularly reach out to the neighbors via text, phone calls, in person conversations, but it's rather clear that they no longer care what we think as they are slow to respond, if at all.

According to the zoning laws for the different types of residential properties, as amended in 2010;

Use is allowed on the portion of the lot that is behind the principal structure, provided the following standards are met: Chickens: No more than six (6) chickens and no roosters, with three (3) square feet of chicken coop and twenty (20) square feet of a fenced enclosure yard per chicken; all coops and enclosures shall be twenty (20) feet from any property line.

As 2 Middlebrook Road and 3 Hawthorne Road are designated as R-12, we understand that it is fully acceptable to have chickens, assuming that all criteria from above are met. The issue though is, both homes are on rather small lots where there is not much space in the backyards. The close quarters becomes problematic in situations like this as the noise easily travels. We find it hard during the spring, summer, and fall to leave our windows open as we are awoken to the chickens. In addition, as both my wife and I work from home due to changes from the pandemic, the sounds of the chickens are quite distracting.

With there not being a noise ordinance for chickens (only for dogs), we really have no recourse to ensure that the some level of peace is maintained. As we have spoken with both the ACO at the Police Department and the City Manager, protections to the peace as defined in Code 69-11 (Barking Dogs) or 105-3 (Public peace.) do not extend to chickens.

If possible, would the Planning Board please review this issue and possibly make an update to the Residential Zones? Some suggested remedies might be, require abutter consent if new chickens are going to be introduced to a property, include a new provision that would allow for the ACO officer to become involved in on-going noise disputes, or restrict chickens on lots under .25 of an acre.

Please feel free to contact me at 518-755-4478 to discuss further.

I appreciate your time and attention to this issue.

Thank you.
Elliot A Schultz



Registration for the NH OPD Spring 2023 Planning & Zoning Conference Closes Soon!

[Registration](#) for the NH OPD Spring 2023 Planning & Zoning Conference **will close at 4:00 PM on April 26, 2023.**

The NH OPD Spring 2023 Planning & Zoning Conference will be held as a free online conference on Saturday, April 29th from 8:45 AM ??? 3:30 PM, and will have five tracks: a Planning Board track, Zoning Board of Adjustment track, Historic Preservation track, Housing track, and Planning Processes and Data track.

For additional conference materials including the agenda, which includes details for each session by track, please see the [2023 Planning and Zoning Conference webpage](#).

If you have not registered yet, please complete the [conference registration form](#). Registration is for the conference only. You don't need to register for individual tracks or sessions. A session chart which includes the Microsoft Teams webinar links for each track/session will be sent via email to all those who complete the conference registration form.

For assistance registering, please email: planning@livefree.nh.gov.