

CITY OF DOVER

ZONING BOARD OF ADJUSTMENT - AGENDA

REVISED

Meeting Type: Regular Meeting
Meeting Location: Council Chambers, City Hall, 288 Central Avenue, Dover NH 03820
Meeting Date: **Thursday, June 15, 2023**
Meeting Time: **7:00 pm**

1. ATTENDANCE

2. APPROVAL OF MEETING MINUTES OF MAY 18, 2023

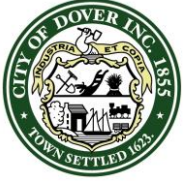
3. HEARINGS

- A. *ZONE-2023-0018 Owner: Ian Joseph Campbell, LLC, 887 Central Avenue (Tax Map 38, Lot 9-A), located in the Commercial (C) Zoning District requests a Variance from **Section 170-21.D.(b.)**(iii.) of the Zoning Ordinance, to allow for the installation of ground mounted solar arrays up to a height maximum of 40', whereas 20' is allowed.
- B. ~~*ZONE 2023-0030 Owners: Edgar R. & Anne S. Crothers, Applicants: Justine Fallon and Karl Kumli, Cote Drive and Dover Point Road. (Tax Map I, Lot 55-B), located in the Low Density Residential (R-20) Zoning District requests Variances from **Section 170-12.B of the Zoning Ordinance**, to allow for a rear setback of 20' whereas 30' is required and a front build-to-line of 10' whereas 20' to 35' is required.~~
- CONTINUED TO JULY 20, 2023 ZONING BOARD OF ADJUSTMENT MEETING**

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

Meeting Type: Regular Meeting
Meeting Location: Council Chambers, City Hall – 288 Central Ave., Dover, NH 03820
Meeting Date: Thursday, May 18, 2023
Meeting Time: 7:00 pm

1. ATTENDANCE

Members Present: Chris Prior (Chair), Otis Perry (Vice Chair), Nick Couturier, Rich Onufry
Members Absent (Excused): Anthony Sillitta, George Reagan (Alternate), Sarah Tatarczuk (Alternate)
Members Absent (Unexcused): None
Staff Present: Natasha Kypfer (Zoning Administrator/Assistant City Planner);
Donna Benton (Director of Planning and Community Development)

The Chair called the meeting to order at 7:07PM.

2. APPROVAL OF MEETING MINUTES OF APRIL 20, 2023

Motion: Perry moved to approve the minutes of April 20, 2023 as amended. Seconded by Couturier. Vote: U/A

3. HEARINGS

- A. *ZONE-2023-0018 Owner: Ian Joseph Campbell, LLC, 887 Central Avenue (Tax Map 38, Lot 9-A), located in the Commercial (C) Zoning District requests a Variance from Section 170-21.D.(b).(iii.) of the Zoning Ordinance, to allow for the installation of a ground mounted solar arrays up to a height maximum of 40', whereas 20' is allowed.

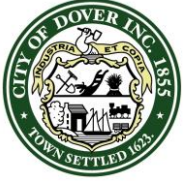
Motion: Perry moved to continue the hearing to the June 15th meeting. Seconded by Onufry. Vote: U/A

Chair Prior stated that for Items B. and C. the applications and neighbors basically mirror each other, therefore he explains that he understands the applicants would like to have them heard at the same time, which is fine. He continued on to note that when the vote takes place to evaluate the Variance criteria, that will be done separately. The Chair continues by explaining the ZBA hearing process; also notes that while there is a quorum present, it is not a full board. Chair Prior clarifies the applicants have been told this but wish to proceed with the board members present and hearing tonight.

- B. *ZONE-2023-0023 Owner: Alexandra Martin & Shawn Kelly, 7 Middlebrook Road (Tax Map K, Lot 43), located in the Medium Density Residential (R-12) Zoning District, requests a Variance from Chapter 170-11.A. of the Zoning Ordinance, to allow for the use of the property as a private dog park.
- C. *ZONE-2023-0024 Owner: Elizabeth Demosthenes Rodgers, 9 Middlebrook Road (Tax Map K, Lot 44), located in the Medium Density Residential (R-12) Zoning District, requests a Variance from Chapter 170-11.A. of the Zoning Ordinance, to allow for the use of the property as a private dog park.

Liz Rodgers and Alix Martin, representing 9 Middlebrook Road and 7 Middlebrook Road respectively, presented their case, and reviewed their need for the Variance request. They gave background of how this idea came to be, how they added the shared fence around their adjoining rear yards, and how they carried out operations over the winter for about seven weeks by utilizing the *SniffSpot* website, prior to learning that approval from the Planning Department was necessary.

Ms. Rodgers and Ms. Martin together addressed the five criteria noting the primary use of their property's remains residential, i.e. their homes. They explained they have received overwhelming support from their neighbors making it clear it is not contrary to the public interest.



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Ms. Martin states the Variance will not change the character of the neighborhood. There will be no changes to the property and minimal to no impact on the traffic, and substantially lower traffic or impact when compared to other permitted uses, like a park for humans or daycare for humans. There is no proposal for a kennel or boarding.

Next, Ms. Martin shares that the granting of the Variance would do substantial justice, largely because it meets an unmet for Dover and other local dog owners. Per the City Clerk's office, there are over 4,500 registered dogs in Dover but there is only the one dedicated public dog park. The applicants share that traditional dog parks can be unsafe for some dogs who are nervous, or smaller, or have physical challenges. Overall, there is no threat of harm to the general public that they can see that would outweighs the benefit to them as the property owners.

Ms. Martin speaks to the value of surrounding properties will not be diminished. It is their home, and they will keep it maintained. There is a provided trash bin available for dog waste, and the property owner monitors the area for dog waste post visits.

Finally, Ms. Martin shares that this is a unique situation as the properties are abutting, which allows for the yards to be fenced together. There is no fair and substantial relationship between the general purpose of the ordinance and the application, mainly because there is no permit that exists that covers the use of their proposal. Ultimately, prohibiting them from renting their yards only because it is not explicitly listed as a permitted use, they believe has no fair and substantial relationship to the purpose of regulating the use in the zone.

Last not least, Ms. Martin shares that the proposed use is a reasonable because it provides a resource for the community in keeping with the character of the medium-density neighborhood. Everything from the street will look as it does today and the activity of the visitors is indistinguishable from the use of their yards as homeowners.

The applicants are happy to accept the conditions set forth by the Planning Department.

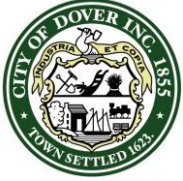
Ms. Rodgers shared some statistics about the petition and the reviews they have received through the *SniffSpot* website.

Chair Prior reads aloud each of the four staff suggested conditions and clarifies whether the applicants are in support of them.

Chair Prior asks if there is any signage currently existing or whether any is planned. Ms. Rodgers states she has made one (one square foot in area), that they would like to post it on the fence to let know people where to enter. Chair Prior noted they may need a permit for the sign, and may add an additional condition that would put a sign restriction in place, consistent with the Customary Home Occupation (CHO) threshold on signage. The Chair also asks whether they would be okay with a condition limiting the maximum number of dogs allowed at one time (the four listed below); the applicants agreed.

1. *The use be approved jointly for Lots 43 and 44 and is scheduled for one booking user at a time, with a gap of time between users.*
2. *In the event one of the property owners sell, or no longer want to participate in the use, a new proposal will be required to come before the Technical Review Committee (TRC).*
3. *The hours of operation would be no earlier than 8am and no later than 6pm and no site lighting will be added.*
4. *Waste is collected and disposed of properly.*

Onufry asks the applicants about *SniffSpot* and their connection to it.



CITY OF DOVER

ZONING BOARD OF ADJUSTMENT - MINUTES

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Meeting Date:	Thursday, May 18, 2023
Meeting Time:	7:00 pm

Public Hearing opened.

Katie Nelson, 214 Dover Point Rd, who owns *Pet Suds*, which is a mobile dog grooming business. Ms. Nelson states she is not actually in opposition, but just has some questions. She asks if the Variance requires signatures of the abutters and if denied, would the City consider adding another dog park or dog play area. She would not be in favor of this Variance (if it were in her neighborhood), but as she is not a direct abutter she is not opposed. She is glad to know she would be notified as an abutter if any of her neighbors wanted to do the same thing.

In response to Ms. Nelson's questions, Chair Prior confirmed that abutters are notified of a public meeting, so they can come to the meeting and speak if they wish, but that their signatures are not required. Also noted that it is not under this Board's purview to make decisions about adding additional dog parks in the City, but suggested to bring concerns to the Planning Department.

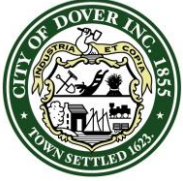
Planning Department recommendation: Zoning Administrator Kypfer noted the subject properties are along Middlebrook Road, within a residential neighborhood, near the intersection of where Stark Avenue and Dover Point Road meet. At such point that Stark and Dover Point bisect, is a small sphere of Commercial zoning, as well as another small strip further along Dover Point Road. This information provides context as to the proximity of the residential area to other zoning districts and the existing Commercial zoning corridor. As the use of a private dog park has not been contemplated by the Zoning Ordinance, it is up to the Board to consider if the Variance standards have been met to necessitate the requested relief. As noted by the applicants, the vast majority of abutters on their street, along Middlebrook Road and adjoining Applevale Drive, have provided support and documentation of it via petitions. The Planning Department has only received one letter in opposition to the Variance request, which was included in the packets. Staff does support the Variance request. If the Board grants the Variance, staff recommends the four subsequent conditions previously read aloud.

In closing, Zoning Administrator Kypfer clarified the earlier question about CHO-allowed signage, reading from §170-18.F. which states: "No advertising on the premises other than a small no-illuminated SIGN not to exceed two (2) square feet in area and carrying only the occupant's name and his occupation." She continued by underscoring that this application is not for a CHO, and noted that there are sign restrictions within residential areas; ultimately the request would have to be reviewed through the sign application process.

Chair Prior commented that the opposition letter in the packet lacked a signature and corresponding resident address. In reply, Zoning Administrator Kypfer explained that it was sent via an email to the Planning Department, and that while the author is known, it is unclear where in Dover they reside.

Perry inquired with the Planning Department as to whether this approval would also grant approval for the proposal as a CHO, and Zoning Administrator Kypfer clarified it does not. She explained that while the applicants did originally apply for a CHO, the permits were denied. Following this, the applicants each submitted an Appeal of an Administrative Determination, which were then later withdrawn, explaining that this brings us to the Variance case before the Board now. Perry states, if the applications are approved, that the decision should say: We are not establishing a precedent for a CHO.

Based on a question from Chair Prior, Zoning Administrator Kypfer clarified for the Board the distinction between appearing before the ZBA with this request of a private dog park, versus a short-term rental, like an Airbnb. She stated that in Dover the Zoning Ordinance is silent on short-term rentals, in terms of residential



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use, but this use is pertaining to the dogs utilizing the applicant's rear property yard as a "private dog park" through the *SniffSpot*, however, the primary use (as the applicants attested) of their residence is them being occupied and being lived in by the property owners.

Perry asked why the applicants would need to come to TRC rather than ZBA if they decide to split the partnership. Donna Benton, Director of Planning and Community Development addressed the question at the podium, noting the Zoning Administrator sits on the TRC and could provide feedback as to whether the proposed change would necessitate coming back to the ZBA for additional approvals. Some discussion on this topic continued as to whether coming to TRC would be necessary, which Vice Chair Perry stated he did not understand.

Perry asked an additional question of Director Benton; he asked whether the intent or implication of the City's suggested recommendations (conditions) is that if one of the applicant's decides to stop participation, sell, and move away, that the Variance will still exist, in other words, meaning that a new land owner could move in and carry out the use, so long as it was in collaboration with their neighbor and that there is no way the ZBA can separate the Variance from the land; Director Benton stated this was correct.

Public Hearing was closed.

7 Middlebrook Road Motion: Perry moved to GRANT the Variance based upon the representations made by the applicant and the testimony provided and subject to the conditions below. Prior seconded the motion and discussed the proposed subsequent conditions which were confirmed as follows:

1. Dog owners will make a reservation in advance, during the hours that have been established, for the private use of the space; only one dog owner with their dog(s) will access the yard at a time; and, a thirty-minute buffer on either side of the appointment will be maintained so that dog owners and their dogs will not encounter other clients.
2. In the event one of the property owners sells, or no longer wants to participate in the use, a written explanation will be provided to the Planning Department.
3. The hours of operation will be no earlier than 8am and no later than 6pm, and no site lighting will be added.
4. Waste will be collected and disposed of properly.
5. A limit of four dogs be accommodated at one time.
6. No reservation will be longer than one hour in duration.
7. If the applicant wishes to have a sign, they will go through the approval process for a sign permit.

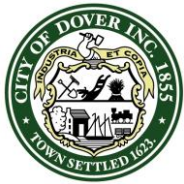
This Variance does not create a customary home occupation for private dog parks. Vote: U/A

9 Middlebrook Road Motion: Perry moved to GRANT the Variance based upon the representations made by the applicant and the testimony provided with the same subsequent conditions, as itemized for the previous case of 7 Middlebrook Road. Onufry seconded. Vote: U/A

4. OTHER BUSINESS
None

5. ADJOURN

Motion: Perry moved to adjourn at 8:01 pm. Couturier seconded. Vote: U/A



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:	June 15, 2023
Meeting Time:	7:00 pm

INTENT: The Owner requests a Variance from **Section 170-21.D.(b).(iii.) of the Zoning Ordinance**, to allow for the installation of ground mounted solar arrays up to a height maximum of 40', whereas 20' is allowed.

UNITS PROPOSED: N/A

AGENDA ITEM #: 3-A

ZONING DISTRICT: C

FILE: ZONE-2023-0018

APPLICANT/OWNER: Ian Joseph Campbell, LLC

LOCATION: 887 Central Avenue (Tax Map 38, Lot 9-A)

ACREAGE: 1.31± ac / 57,064 sq. ft.

EXISTING LAND USE: Commercial, Car Wash

PROPOSED LAND USE: Commercial, Car Wash, Add solar arrays

SURROUNDING LAND USE: Commercial, Residential

PREVIOUS ZBA ACTION: None

PLANNING BOARD APPROVAL REQUIRED: No, but site plan and regional impact by the Building Inspector (*per* §170-21.B.(4)).

ATTACHMENTS: Application, Narrative, Model Illustration

STAFF RECOMMENDATION: Staff does not support or oppose the Variance request.

BACKGROUND INFORMATION

This item was originally to be heard at the May 18, 2023 meeting, but was continued to this meeting.

The property subject to this Variance request is located on the northeast side of Central Avenue. A car wash business built in 2010, presently known as Lilac Car Wash, and with an adjoining Aroma Joe's Coffee, is situated on the property. As described in the applicant's submittal: the dual-axis and ground mounted solar arrays are on concrete pedestals with tracking technology to permit the arrays to track the optimal solar emissions, in order to generate electricity.

The request is relative to an area variance only, meaning to allow the property owner relief from the dimensional requirement of the height limit in the district. The relief requests the height maximum match the existing maximum building height of the building in the Commercial district, which is 40 feet for both the principal building and outbuildings.

Zoning amendments relevant to Chapter 170-21., Alternative Energy System, have been drafted and disseminated, and are presently under consideration for the 2023 amendment cycle. The proposed language related to §170-21.D.(b).(iii.), would allow for relief via a Conditional Use Permit (CUP), subject to site conditions, and to be approved by the Planning Board.

REASON FOR RECOMMENDATION

The solar arrays are approximately 30-35 feet in height, as documented on the provided model illustration, a height which (per the applicant) allows for the capture of optimal solar emissions, as well as to permit travel and/or parking under the units. The request of 40 feet is to provide parity with the existing building height maximum. While site review is not in the purview of this Board, but the jurisdiction of the Planning Board, the applicant has provided a proposed site plan, which includes the locations and quantity of trackers (6), as well as their setbacks, in order to assist in making a decision.

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 or oppose the Variance request.



City of Dover, New Hampshire
ZONING BOARD OF ADJUSTMENT APPLICATION

[Adopted: August 16, 2012]

<i>Office Use Only</i>	Case #: _____	Date Received: _____
	Amount Paid: \$ _____	Time Received: _____

APPLICANT/PROPERTY OWNER INFORMATION

APPLICANT: Ian Joseph Campbell, LLC Phone # 603-765-9101

Address of Applicant: PO Box 77, Farmington, NH 03835-0077

E-Mail Address: packyc@rsarealty.com

PROPERTY OWNER (if different from applicant): Same

Address: _____ Phone # _____

E-Mail Address: _____

PROPERTY/PARCEL INFORMATION

Address: 887 Central Avenue

Brief Directions: Variance from the height restrictions in the zone to permit installation of solar tracker arrays to meet the electricity needs of the property.

Zoning District: C Assessor's Map # 38 Lot(s) # 009-A-0

TYPE OF APPEAL: (Please check one)

☒ Variance	from Section <u>170.21(d)</u> 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:

To erect dual-axis ground mounted solar arrays on concrete pedestals with tracking technology to permit the arrays to track the optimal solar emissions to generate electricity. These tracker arrays are approximately 30-35' in height in order to capture maximal solar emissions, and to permit travel or parking under the arrays.

Relief is sought from the height limitations of 170.219d)(b)(iii) of 20', which height is not feasible for dual-axis trackers.

VARIANCE REQUIREMENTS

THIS SECTION TO BE COMPLETED BY VARIANCE APPLICANTS ONLY

A. Variance Requested

A variance is requested from Section(s) 170.21(d)(b) of the Zoning Ordinance to permit:

Construction of dual-axis ground mounted solar panel arrays with tracking technology to track optimal solar emissions for production of solar powered energy. These trackers are pedestal mounted, with arrays that at optimal elevations reach approximately 35' above the ground. This recent technology greatly exceeds the production of traditional fixed ground mounted solar panels by a factor of 1.8:1, producing far more electricity than fixed ground mounted panels. This request is to raise the height standard from 20' to the same 40' height limit in the zone for outbuildings/accessory structures.

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:

Dover has stated a public policy to promote alternative energy in all zones, and this proposal is completely in conformance with that policy. The present ordinance apparently did not factor in this relatively new technology for Sun Action all earth dual axis solar trackers that move to track optimal solar emissions for optimal electricity production.

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

In the Commercial zone the general height restrictions for accessory structures (outbuildings) is 40'. The present height limit of 20' significantly reduces that general standard in a manner that impedes implementation of the City's stated policy to promote the growth of alternative energy. To promote the relatively new tracker technology waiving the height standard of 20' to the general height regulation of 40' is consistent with the intent to promote advanced alternative energy sources in the City.

We believe that dual action trackers should be treated the same as every other structure in the zone.

3. Granting the variance would do substantial justice because:

It permits the applicant, a mixed use car wash and drive-through coffee shop, with an extremely high electricity consumption to reduce grid-supplied electricity use by on-site distributed energy production to meet the electric demands of the property in a green manner. This helps reduce our national dependence on imported oils or use of fossil fuels to meet electric needs. This significantly benefits clean air by reducing fossil fuels use for electricity consumed at this property. Further, this variance does substantial justice by permitting an accessory outbuilding to match the general height limits in the Commercial zone, as the arbitrary limit of 20' for solar panels disparately treats this particular building/structure differently than the 40' height for other buildings/structures in the zone, which unequal treatment is not just.

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

The proposed trackers are in a commercial zone with intensive commercial usage, and the proposed trackers will not diminish the value of commercial properties.

Solar power has no impact on surrounding property values. Surrounding properties have the same 40' height allowance for all structures. Granting the variance does not change that 40' structures are allowed in the zone.

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:

The hardship would be unnecessary for this property and proposed trackers as leaving the 20' standard in place creates a hardship for this property that is not needed to maintain the intent of the ordinance and 40' height standards in the zone. This property consumes a large amount of electricity for its business on site, and is unique in that the lot area and roof area are not adequate to allow traditional fixed solar or roof mount solar panels to meet the electricity needs of the property.

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:

The general purpose of the ordinance when enacted was to promote alternative energy, including solar. The adoption of a 20' height standard may have matched the common fixed-mounted solar arrays but did not consider the advances in technology that allow for dual action tracker technology with bi-facial solar production. More importantly this height restriction is one-half of the general height provisions for accessory structures/outbuildings in the zone in a manner that deviates from the general height standard and impedes the public policy of promoting alternative energy.

and

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

The City agrees with the applicant that the promotion of alternative distributed energy production to meet the electricity needs of city businesses is reasonable and appropriate. It is reasonable to allow this use to have a height restriction of 40' that is no different than any other outbuilding/accessory structure in the Commercial zone. Instead, not waiving the 20' height standard is unreasonable as it impedes use of the advanced alternative source in a manner that treats this use unfairly and unequally to any other outbuilding/accessory structure in the zone.

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:

Due to the present structures and lot size the property owner is unable to meet its electricity consumption demands by use of fixed mounted solar panels. The roof is presently improved with panels so that is not an option either. The variance is therefore necessary to permit the property owner to utilize green alternative energy to meet its electricity needs while contributing to the city and society's goals of reducing use of fossil fuels and emitting CO2 into the atmosphere.

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.
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:

3/29/2023



PERMIT SNAPSHOT REPORT ZONE-2023-0018 FOR CITY OF DOVER, N.H.

Permit Type: Zoning
Work Class: Variance
Status: In Review
Valuation: \$0.00
Description: Variance from the height restrictions in the zone to permit installation of solar tracker arrays to meet the electricity needs of the property. Section 170-21.D.(b.)(iii)

Project:
District: None
Square Feet: 0.00
Assigned To: Blonigen, Rachel

App Date: 04/13/2023
Exp Date: NOT AVAILABLE
Completed: NOT COMPLETED
Approval Expire Date:

Parcel: 38009-A00000	Main	Address: 887 Central Av Dover, NH	Main	Zone: C(Non-Residential - Commercial)
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Applicant
Packy S Campbell
P.O. Box 77
Farmington, NH 03835
Business: (603) 765-9101
Mobile: (603) 765-9101

Permit Custom Fields

Number of Variances Requested: 1	ZoneVariPlanDirections	ZoneVariPlanSummary see attached
ZoneVariAppealSect	ZoneVariAppealSectDe see attached tail	What is the parcel zoned? C
ZoneVariAppeal1Public see attached Interest	ZoneVariAppeal2Ordin see attached anceSpirit	ZoneVariAppeal3Subst see attached antialJustice
ZoneVariAppeal4Prope see attached rtyValue	ZoneVariAppeal5A1Un NechHardship	ZoneVariAppeal5A2No FairRelate
ZoneVariAppeal5A3ReasonableUse	ZoneVariAppeal5BNoR The tracker arrays are approximately 30-35' in height in order t capture maximal solar emissions, and to permit travel or parking under arrays.	

Attachment File Name	Added On	Added By	Attachment Group	Notes
48 measured in feet SAT_Bright Spot_PST-2AL_48EA_Longi LR4-72HBD_0421.pdf	04/13/2023 14:19	Campbell, Packy		Uploaded via Civic Access
Signature_Packy_Campbell_4/13/2023.jpg	04/13/2023 14:19	Campbell, Packy		Uploaded via CSS
Permit Snapshot Report.pdf	04/13/2023 14:19	Service, EnerGov		Attached by IO - ATTACH: Initial Permit Snapshot

Invoice No.	Fee	Fee Amount	Amount Paid
INV-00002928	Planning Zoning Variance Application Fee	\$100.00	\$100.00
	Total for Invoice INV-00002928	\$100.00	\$100.00
INV-00002935	Planning Certified Mailing to Abutters	\$72.00	\$72.00
	Planning Public Notice in Newspaper	\$100.00	\$100.00
	Planning Certified Mailing to Application Contacts	\$8.00	\$8.00
	Total for Invoice INV-00002935	\$180.00	\$180.00
	Grand Total for Permit	\$280.00	\$280.00

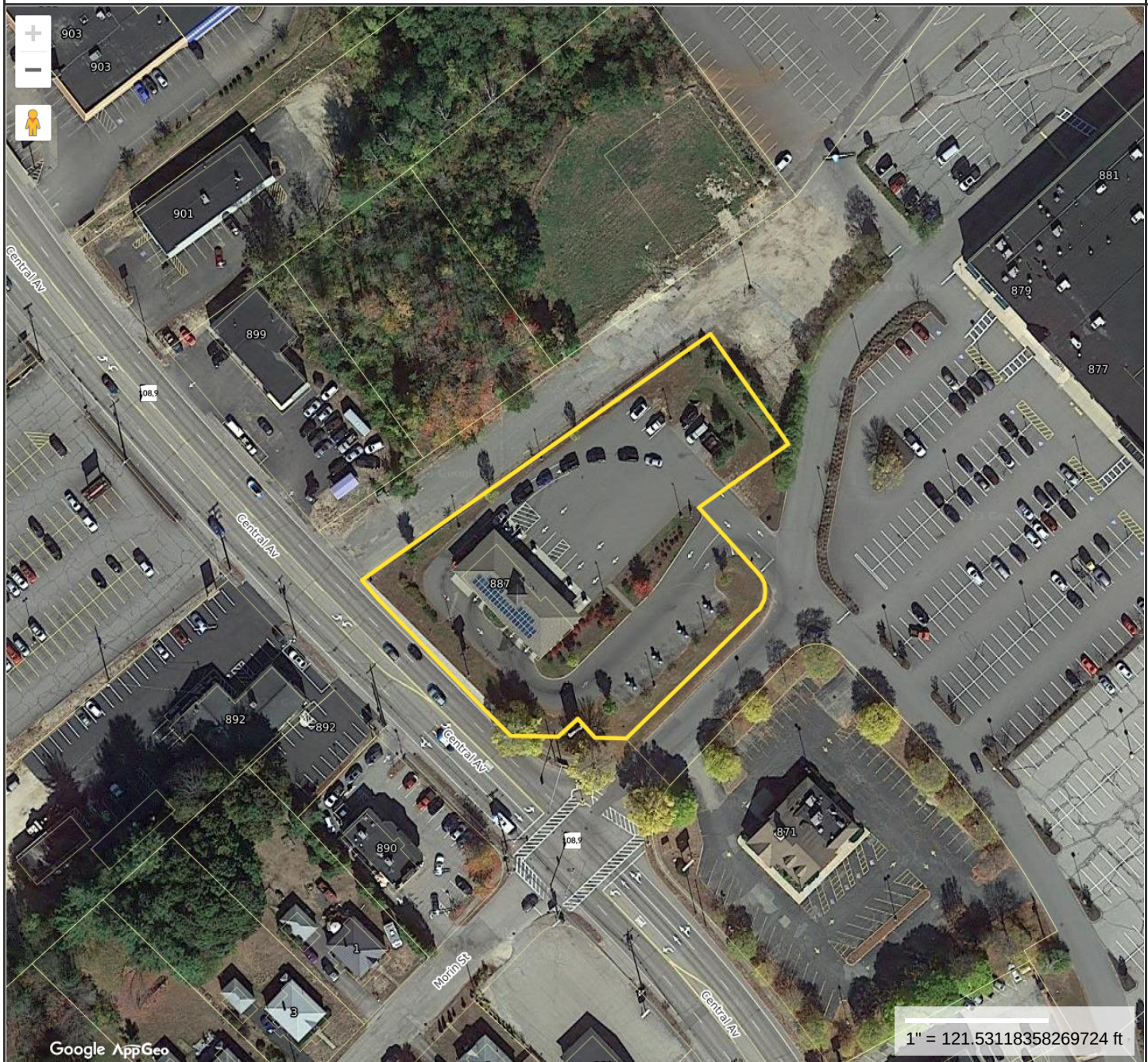
Hearing Type	Location	Scheduled Date	Status	Subject
Zoning Board Hearing v.1	Council Chambers	06/15/2023	Scheduled	Solar Arrays

Submittal Name	Status	Received Date	Due Date	Complete Date	Resubmit	Completed
Planning Permit Application Review v.1	Approved	04/14/2023	05/12/2023	04/24/2023	No	Yes

PERMIT SNAPSHOT REPORT (ZONE-2023-0018)

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Zoning Administrator	Planning	Kypfer, Natasha	Approved	04/14/2023	05/12/2023	04/24/2023
Comments: Variance to be heard at May 18, 2023 ZBA meeting.						
Workflow Step / Action Name			Action Type	Start Date		End Date
Review v.1				04/13/2023	16:21	04/24/2023 11:55
Confirm application complete v.1			Generic Action			04/13/2023 16:21
Planning Permit Application Review v.1			Receive Submittal	04/14/2023	0:00	04/24/2023 11:55
Zoning Board v.1				05/02/2023	16:11	
Zoning Board Agenda v.1			Task	05/02/2023	16:11	05/08/2023 14:55
Invoice for Notices v.1			Task	05/08/2023	14:55	05/08/2023 14:56
Send Notices v.1			Task	05/08/2023	14:56	05/08/2023 14:59
Zoning Administrator Creates Staff Recommendations v.1			Task	05/08/2023	14:59	05/12/2023 13:24
Distribute Zoning Board Materials v.1			Task	05/16/2023	12:14	05/16/2023 12:15
Zoning Board Hearing v.1			Hold Hearing	05/16/2023	12:14	
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-2023-0018 887 Central Avenue

**Property Information**

Property ID 38009-A00000
Location 887 CENTRAL AV
Owner IAN JOSEPH CAMPBELL LLC
Land Use 335
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.

ABUTTERS LIST

Variance Application
Ian Joseph Campbell, LLC
887 Central Avenue

Parcel: 38-9-A-0

Name & Address	Parcel
Fribble, LLC 304 Maplewood Ave Portsmouth, NH 03801	38-6-A-1
Essential Properties, LLC 304 Maplewood Ave Portsmouth, NH 03801	38-6-A-0
Gulf Landing Properties, LLC 65 Nimble Hill Road Newington, NH 03801	38-9-A-2
Driscoll Realty, Inc. P.O. Box 207 Kittery Point, ME 03905	38-9-A-1
Hueyloch, LLC 899 Central Ave Dover, NH 03820	38-9-B-0
Matthew Michael Realty, LLC 304 Maplewood Avenue Portsmouth, NH 03801	38-23-B-0
Stonewell Group, LLC 33 Baxter Street Medford, MA 02155	38-23-D-0
Stonewell Group, LLC 33 Baxter Street Medford, MA 02155	38-25-E-0

Name & Address

Parcel

890 Central Avenue
C/O JFS Management
780 Portsmouth Ave
Greenland, NH 03840

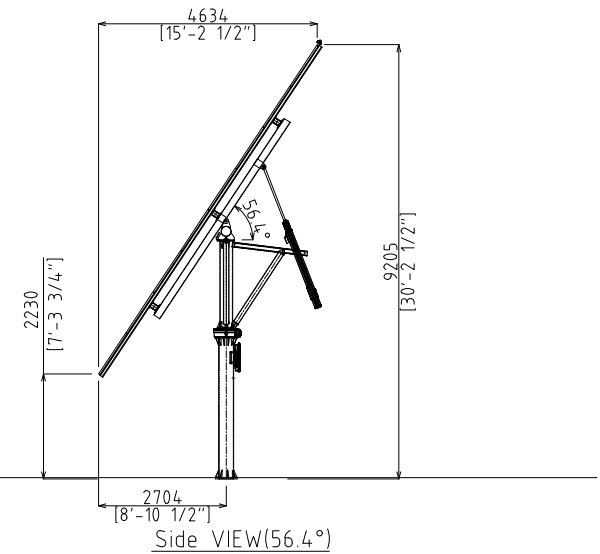
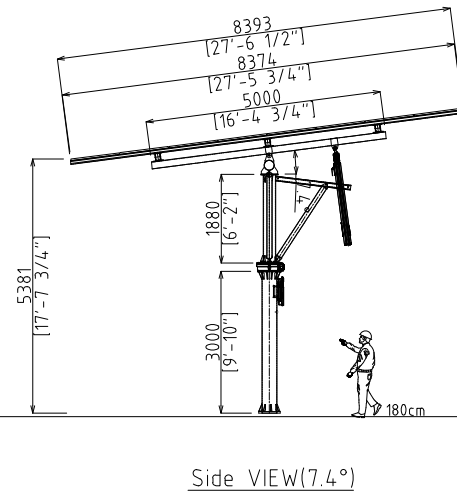
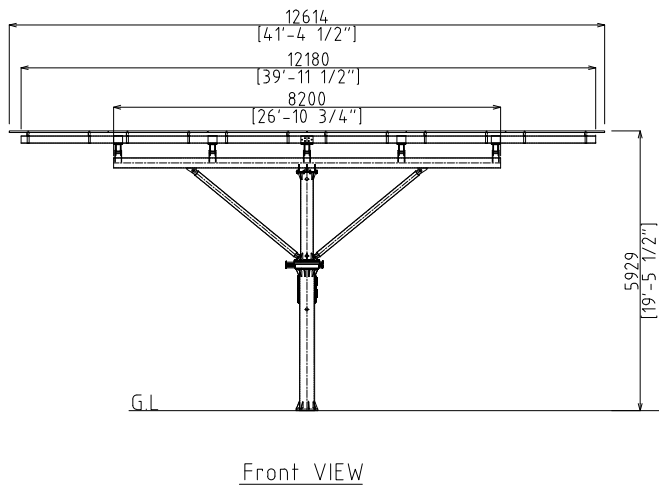
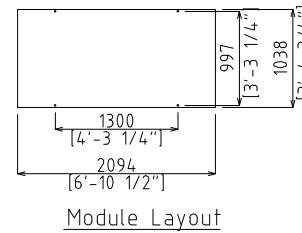
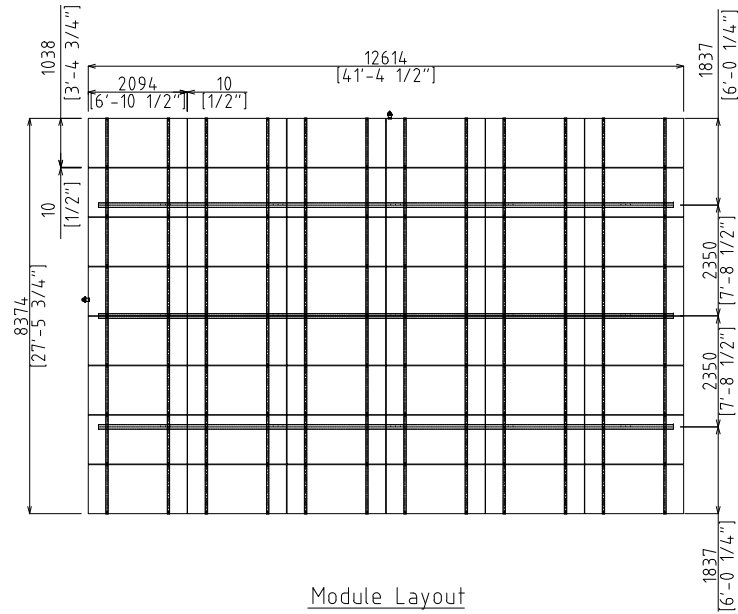
38-25-O-0

R A P Realty
50 Atlantic Ave
Seabrook, NH 03874

38-25-M-0

ZONE-2023-0018 **887 Central Avenue**

Property ID	Location	Owner 1	Owner 2	Owner Address 1	City	State	Zip
38006-A00000	851 881 CENTRAL AV	ESSENTIAL PROPERTIES LLC		304 MAPLEWOOD AVE	PORTSMOUTH	NH	03801
38006-A00001	871 CENTRAL AV	FRIBBLE LLC		304 MAPLEWOOD AVE	PORTSMOUTH	NH	03801
38009-A00001	CENTRAL AV	KNOX MARSH DEVELOPMENT LLC		242 CENTRAL AVE	DOVER	NH	03820
38009-A00002	CENTRAL AV	GULF LANDING PROPERTIES LLC		65 NIMBLE HILL RD	NEWINGTON	NH	03801-2727
38009-B00000	899 CENTRAL AV	HUEYLOCH LLC		899 CENTRAL AV	DOVER	NH	03820
38009-D00000	CENTRAL AV	DOVER GAMING LLC		887 B CENTRAL AV	DOVER	NH	03820
38023-B00000	898 CENTRAL AV	MATTHEW MICHAEL REALTY LLC		304 MAPLEWOOD AVE	PORTSMOUTH	NH	03801
38023-D00000	892 896 CENTRAL AV	STONEWELL GROUP LLC		33 BAXTER ST	MEDFORD	MA	02155
38025-C00000	1 MORIN ST	CHAPIN WARREN S	CHAPIN LAURA P	1 MORIN STREET	DOVER	NH	03820
38025-E00000	892 CENTRAL AV	STONEWELL GROUP LLC		33 BAXTER ST	MEDFORD	MA	02155
38025-M00000	882 CENTRAL AV	R A P REALTY		50 ATLANTIC AVE	SEABROOK	NH	03874
38025-O00000	890 CENTRAL AV	890 CENTRAL AVE DOVER LLC	C/O JFS MANAGEMENT LLC DUNKIN DONUTS	780 PORTSMOUTH AVE	GREENLAND	NH	03840
38009-A00000	887 CENTRAL AV	IAN JOSEPH CAMPBELL LLC		PO BOX 77	FARMINGTON	NH	03835-0077
		PACKY CAMPBELL	BRIGHT SPOT SOLAR, LLC	P.O. BOX 77	FARMINGTON	NH	03835-0077



MEMBERS LIST

No	PART NAME	Q'TY	MATERIAL	STANDARD	REMARK
1	Purlin	12	Posmac-440	C 75x45x15x2T	
2	Main Girder	3	Posmac-440	□ 150x100x3.2T	
3	Stringer-C	1	SS400	□ 150x100x4.5T	Hot Dip Galvanizing
4	Stringer-S1	4	SS400	□ 150x100x4.5T	Hot Dip Galvanizing
5	Stringer-S2	2	SS400	□ 150x100x5.7T	Hot Dip Galvanizing
6	Torque Tube	1	SS400	φ 216x6T	Hot Dip Galvanizing
7	Torque Brace	2	SS400	φ 114.3x3.2T	Hot Dip Galvanizing
8	Down Post A'ssy	1	SS400	φ 318.5x9T	Hot Dip Galvanizing
9	Upper Post A'ssy	1	SS400	φ 267.4x7T	Hot Dip Galvanizing
10	ACT Supporting Angle	2	SS400	C 100x50x5Tx7.5T	Hot Dip Galvanizing
11	ACT Supporting Brace	1	SS400	φ 114.3x3.2T	Hot Dip Galvanizing
12	ACT Supporting Angle Bracket	1	SS400	PL 312x90x10T	Hot Dip Galvanizing



Provided: 5/15/2023

From: Anthony Fallon <tony@tonyfallon.com>
Sent: Thursday, June 8, 2023 3:58 PM
To: Benton, Donna; Blonigen, Rachel; Glidden, Jean; John Ratigan Esq; Justine Marie Fallon; Karl Kumli; Kypfer, Natasha
Subject: Re: Cote Drive, Follow-up

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

Thanks Natasha

Per today's Dover staff planning staff request we do here request for the zoning hearing on 15 June 2023 for 332 Dover Point Road in Dover, New Hampshire to be continued to the July 2023 Dover zoning board meeting.

Appreciate the assistance of all in this official grandkids closer campaign.

;))

Tony Fallon

On Thu, Jun 8, 2023 at 11:18 AM Kypfer, Natasha <N.Kypfer@dover.nh.gov> wrote:

Dear Mr. Fallon,

Writing as a follow-up to our phone call this morning so that you have my email address.

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

Dover: First in New Hampshire, First with you!

<http://www.dover.nh.gov>

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