

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, May 16, 2024**  
Meeting Time: **7:00 pm**

### 1. ATTENDANCE

### 2. APPROVAL OF MEETING MINUTES OF April 18, 2024

### 3. HEARINGS

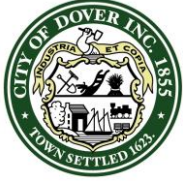
A. **\*ZONE-2024-0012** Applicant: Daniel Dion, 36 Tuttle Lane, Tax Map M, Lot 82-B, located in the Rural Residential (R-40), requests a Variance from **Section 170-14(4)a**, to allow relief from the street-abutting setback of 40' on Quaker Ln. to 11.3', and for a proposed lot coverage percentage of 12.1% where 10% is permitted, to allow for the installation of an attached garage.

~~B. **\*ZONE-2024-0016** Applicant: One First Street, LLC c/o: Kendra Price, 10 Second Street, Tax Map 6, Lot 20, located in the Central Business District General (CBD-G), requests a Variance from **Section 170-12, CBD-G Sign Regulation**, to allow for a freestanding sign, where they are prohibited in the Central Business District General.~~

### 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@doover.nh.gov](mailto:Dover-Planning@doover.nh.gov). You may also view materials at [www.doover.nh.gov](http://www.doover.nh.gov). Follow us on Twitter @DoverNHPlanning and find us on Facebook at <https://www.facebook.com/DoverNHPlanning>. The public is encouraged to leave comments in advance by emailing [Dover-Planning@doover.nh.gov](mailto:Dover-Planning@doover.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, February 15, 2024  
Meeting Time: 7:00 pm

### 1. ATTENDANCE

**Members Present:** Chris Prior (Chair), Anthony Sillittta (Vice Chair), Otis Perry, Rich Onufry, Nicholas Couturier, Jackson Brown (Alternate), and Sarah Tatarczuk (Alternate)

**Members Absent (Excused):** George Reagan (Alternate)

**Members Absent (Unexcused):** None

**Staff Present:** Paul R. Crouser (Zoning Administrator)

The Chair called the meeting to order at 7 PM.

### 2. APPROVAL OF MEETING MINUTES OF JANUARY 18, 2024

**Motion:** Sillittta moved to approve the minutes of January 18, 2024 as submitted. Seconded by Onufry.

Vote: U/A with Perry abstaining

The Chair explained the hearing process.

### 3. HEARINGS

**A. ZONE-2024-0002** Applicant: Eddins Investments, LLC. 6 Milk Street, Tax Map 30, Lot 108 located in the Urban Density Multi Residential (RM-U), requests a Variance from Section 170-11.D of the Zoning Ordinance, to allow for change in use from a warehouse and office space to musical collaboration space and office space.

Kurt Eddins, owner of Eddins Investments, LLC, represented the application and explained the proposal. He has been looking for a property to support both office space for his business as well as music studios that can be rented out for practice space and music lessons. This property fits his plans.

The initial phase will include the office area and six music studios. Half of the building will remain warehouse space. He intends to be a good neighbor and has worked with a consultant to design sound proofing for each studio as well as to contain sound within the building.

He noted the property is in a residential/ commercial zone, and has been used for commercial purposes for many years. The building takes up most of the block and is surrounded by multi family units.

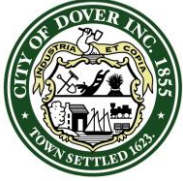
The Chair noted previous Zoning Board action has allowed the property to be a legal non-conforming wholesale distribution center. He noted staff has recommended some conditions of approval and read them aloud.

Mr. Eddins intends to be present on the property as the manager and anticipates hours of operation of 12-9pm weekdays and 12-10pm weekends which he based on the retail guidelines for the zone. He does not see any issue with the conditions. He noted the focus of the project is more community-building rather than money making.

He addressed questions of board members regarding parking, liquor license plan (no), lounge area purpose, snow maintenance, and size of the music studios.

He addressed each of the five criteria:

1. Community-oriented space
2. Has been used for commercial purposes- not changing use, just reallocating the space within the building.
3. The building does need a lot of work and he is willing and excited to make the investment for improvements.



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4. Plans are to improve the quality of the neighborhood by adding this artspace and improving the building. He has consulted with a sound-proofing expert on how to properly construct the studios so as not to disturb each other or the abutters.

5. The property is unique as it is in a mixed commercial/residential zone, but it is the only commercial property in the area. The intended use will not negatively impact the neighbors and plans to have open communication with them for feedback. This is a reasonable use as the intent is to improve the space and make it welcoming to all.

Public Hearing opened

Public Comment:

10 Mt Vernon noted she lives right across from the proposed project. Parking is a huge issue there. In the winter she parks on the lawn and in the summer they park on the street. She is concerned about parking space for her as well as parking spaces for all of the musicians, drinking on the premises and loud noise late at night with the groups coming and going.

Dev Khalsa, 5-7 Milk St noted parking is an issue. The amount of street parking that exists on Milk st is not even enough to cover the apartments that exist there. Plowing eats up a good portion of the parking spaces at the building in question. He is concerned that there is nothing binding to the owner if there is a sound issue. There is no noise ordinance in Dover so enforcing the peace is very subjective. The proposed hours are too late at night to have bands practicing in a residential area. He is very skeptical of the sound being contained. He is concerned about diminution of value due to tenants not wanting to rent his units if they see or hear the music practice going on.

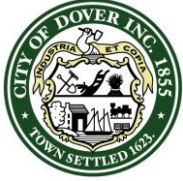
Mr. Eddin noted he is processing the feedback and understands the concerns and looks forward to working with the neighbors to not negatively impact them. Parking will be challenging and he will continue to research options. He has talked with similar businesses about security and the types of agreements they have the bands sign when they rent space and how rules are enforced. He is mindful and careful about who he will rent the space to. This is not a money making endeavor – it is meant to help the community- not harm it. He is confident in his research regarding the sound and believes he is doing everything he can to contain the sound and agreed to the condition proposed by staff.

The Chair asked staff for their feedback regarding parking.

P. Crouser noted the parking on site meets standards for the space. Parking is a problem city-wide though Central ave being one block over is encouraging.

Board members discussed parking solutions. Chair Prior suggested each studio to have an assigned parking spot though where the other participants park will be hard to enforce.

Planning Department recommendation: P. Crouser noted 2/3 of the proposed uses for this parcel will remain the same so the change is the rented music spaces. While most direct abutters to this property are residential dwellings, this parcel is on the outer edge of the RM-U district and directly abuts the CBD-G district and is within approximately 200 linear feet from the Gateway and the CBD-MU districts, which are both commercially-biased districts. The nearest abutter is about 36' away, however the warehouse portion of the building is between the abutter and the music use area which includes a fire-rated wall. Parking is an issue but would likely be an issue for any user of the property. Other permitted uses in the zone would likely bring similar concerns regarding parking and noise, but the use would be permitted (church, performance hall) and no soundproofing would be required.



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Meeting Time: 7:00 pm

Staff supports this Variance request with the following conditions:

- 1) Hours of operation specific to the music space rental use shall be agreed upon and abided by, for both residential noise and traffic concerns;
- 2) That, although the nearest residential structure is 36' away from the property in question, if any reasonable noise complaints are made by any direct abutter, that the applicant shall take timely measures to remedy the root cause of the complaint, whether that entails limiting the permissible scope of music-related activities on the premises, installing additional sound buffering, etc.

Hours of operation were discussed and clarified that a warehouse operation could run three shifts and an assembly hall would not have a restriction on hours.

Public hearing was closed.

**Motion:** N. Couturier moved to GRANT the variance with condition (2) set forth by the planning department and additional conditions as follows:

- One assigned parking spot provided on premises per rental studio for musician use
- No congregating outdoors by tenants/lessees
- No alcohol on premises
- Hours of operation for music studios not to exceed 10am-9pm Sun-Thurs and 10am-10pm Fri and Sat.

Sillitta seconded.

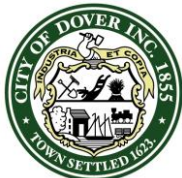
Vote: U/A

#### 4. OTHER BUSINESS

None

#### 5. ADJOURN

**Motion:** Perry moved to adjourn at 8:09pm. Sillitta 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:     | <b>Thursday, May 16, 2024</b>                                  |
| Meeting Time:     | <b>7:00 pm</b>                                                 |

**INTENT:** The Applicant requests a Variance from **Section 170-14(4)a and 170-12 of the Zoning Ordinance**, to allow relief from the street-abutting setback of 40' on Quaker Ln. to 11.3', and for a proposed lot coverage percentage of 12.1% where 10% is permitted, to allow for the installation of an attached garage.

**UNITS PROPOSED:** N/A

**AGENDA ITEM:** 3-A

**ZONING DISTRICT:** Rural Residential, (R-40)

**FILE:** ZONE-2024-0012

**APPLICANT:** Daniel Dion c/o: Stonewall Surveying

**OWNERS:** Daniel Dion

**LOCATION:** 36 Tuttle Lane

**ACREAGE:** 0.46 acres. No requested change in acreage

**EXISTING LAND USE:** Residential

**PROPOSED LAND USE:** Residential, No Change

**SURROUNDING LAND USE:** Residential

**PREVIOUS ZBA ACTION:** None

**PLANNING BOARD APPROVAL REQ.:** No

**ATTACHMENTS:** Application, Narrative, Site Plan

**STAFF RECOMMENDATION:** Staff supports this variance request.

### BACKGROUND INFORMATION

The property subject to this Variance request is located at 36 Tuttle Ln. within the R-40 zoning district. The intent behind the sought relief is to demolish the home's existing carport and rebuild a garage in its place which would increase encroachment into the Quaker Ln. setback. At present, the existing carport has a setback from the Quaker Ln. boundary line of approx. 25.2', whereas the proposed garage replacement decreases that setback value to 11.3'.

Additionally, lots within the R-40 district have a maximum lot coverage value of 10%. The proposed garage increases the lot's total coverage from 8.5% to 12.1%.

### STAFF RECOMMENDATION

Staff recommends that the Board open the public hearing, accept testimony, and make findings on each of the five Variance criteria. Staff supports this Variance request without any conditions.

The Zoning Ordinance creates an exemption to setbacks for pre-existing nonconforming structures, which states that expansion of single-family structures is allowable, provided that the expansion is no closer to the property line than the existing primary structure and shall not be any closer than ten (10) feet from the lot line. If this lot did not have two frontages (Quaker and Tuttle Ln.) the proposed garage would comply with the Zoning Ordinance's pre-existing nonconforming structure setbacks. However, the secondary frontage along Quaker Ln. triggers the R-40 District's 40' abut a street setback.

Regarding the lot coverage relief, the applicant is correct in that this lot is a non-conforming lot (approximately 22,651.2 sf. where 40,000 sf. is required), which does create a considerable burden to the applicant in making reasonable additions to their home.

Given that this variance proposal falls within the ordinance's 10' pre-existing nonconforming structure setback envelope and the subject parcel is nearly half the size of the required lot square footage value, staff recommends that this variance be granted without any conditions.



## PERMIT SNAPSHOT REPORT ZONE-2024-0012 FOR CITY OF DOVER, N.H.

|                             |                                      |                                 |
|-----------------------------|--------------------------------------|---------------------------------|
| <b>Permit Type</b> Zoning   | <b>Project:</b>                      | <b>App Date:</b> 04/08/2024     |
| <b>Work Class:</b> Variance | <b>District:</b> None                | <b>Exp Date:</b> NOT AVAILABLE  |
| <b>Status:</b> In Review    | <b>Square Feet:</b> 0.00             | <b>Completed:</b> NOT COMPLETED |
| <b>Valuation:</b> \$0.00    | <b>Assigned To:</b> Blonigen, Rachel | <b>Approval</b>                 |
|                             |                                      | <b>Expire Date:</b>             |

**Description:** Looking for setback relief from Quaker Lane, being an abut-a -street, setback of 40 feet to 11.3 feet to allow for installation of an attached garage.

|                             |      |                              |      |                                        |
|-----------------------------|------|------------------------------|------|----------------------------------------|
| <b>Parcel:</b> M0082-B00000 | Main | <b>Address:</b> 36 Tuttle Ln | Main | <b>Zone:</b> R-40(Residential - Rural) |
|                             |      | Dover, NH                    |      |                                        |

|                        |                          |
|------------------------|--------------------------|
| Owner                  | Applicant                |
| Daniel Dion            | Raymond Bisson, LLS      |
| Mobile: (603) 969-3130 | P.O. Box 458             |
|                        | Barrington, NH 03825     |
|                        | Business: (603) 664-3900 |
|                        | Mobile: (603) 767-6502   |

### Permit Custom Fields

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ZoneVariAppealPhDisa No<br>bility                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Number of Variances<br>Requested: 2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | ZoneVariPlanDirectionsAt intersection of Quaker<br>Ln & Tuttle Ln                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| ZoneVariPlanSummary There is currently a 1,020<br>sq ft single level house<br>with an attached car-port<br>for one car. The plan is to<br>replace the carport with a<br>28' x 30'8" garage and<br>add a 2nd story to the<br>house. They cannot do a<br>24 ft wide garage due to<br>the stairs that protrude<br>into the existing carport.<br>The proposed design<br>modifies the entry into the<br>house as well to make it<br>more fluent. There is also<br>a planned screen room to<br>be placed on the rear of<br>the house. | ZoneVariAppealSect Table 19, relief on<br>abut-a-street setback and<br>lot                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | ZoneVariAppealSectDe Abut-a-Street: The<br>tail current setback<br>requirement from<br>abut-a-street is 40 feet.<br>We are asking for a<br>setback relief to 11.3 feet<br>at the closet corner of the<br>proposed garage and<br>27.1 feet to the proposed<br>screen room.<br><br>Lot Coverage: The current<br>maximum lot coverage is<br>10%. The existing<br>coverage is 8.5% and as<br>proposed 12.1% or 434<br>square feet over<br>maximum allowed.<br>frontage less than 110<br>feet to be allowed a 10<br>foot side setback. We are<br>asking the setback be<br>considered along this<br>property line. It should be<br>noted that across the<br>street is the R-20 zone<br>with an abut-a-street<br>setback of 20 feet and a<br>max coverage of 30%. |
| What is the parcel<br>zoned? R-40                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | ZoneVariAppeal1Public These variances will not<br>Interest be contrary to public<br>interest because the<br>proposed improvements<br>will not be out of<br>character to the<br>surrounding residences.<br>This home is an older<br>1,425 sf home & carport.<br>The surrounding 8 houses<br>average 2,298 sf; of<br>which 6 have garages.<br>Based upon the lot width,<br>there is no location for the<br>garage, except out back<br>which would not be a<br>reasonable location,<br>especially to attach to the<br>house. Code sec 170-14<br>allows for<br>non-conforming lots with |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

# PERMIT SNAPSHOT REPORT (ZONE-2024-0012)

|                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                               |                                                                                                                                                                                                                                                                                                                                                               |
|--------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ZoneVariAppeal2OrdinanceSpirit | <p>Code sec 170-14 allows for non-conforming lots with frontage less than 110 feet to be allowed a 10 foot side setback. Granting the variance would be consistent with the Non-Conforming relief requirements and therefore be consistent with the spirit of the ordinance.</p> <p>Due to the older lot being about 50% less then the current zoning lot area of 40,000 sf, it is difficult to meet the 10% maximum coverage. Based upon current regulations 4,000 sf would be allowed. As proposed we are at 2,430 sf of coverage or 424 sf over the maximum allowed. This variance would be a reasonable request as it still maintains the surrounding neighborhood character of which the Ordinance is created to maintain.</p> | ZoneVariAppeal3SubstantialJustice | <p>Granting the variance would do substantial justice because without the variance, the proposed improvements can not be constructed and hinders the modernization of the existing outdated house. The existing home has 3 small bedrooms, 1 bath, small kitchen and a small living room in the 1,065 sq ft of space. The proposed improvements places the bedrooms on the second floor and opens the first floor to a larger open concept living room and kitchen with an den and office space. The carport would be replaced with the two car garage. As noted above, 6 out of the 8 surrounding houses have garages. Garages are also becoming more common on many new homes and helps with the resale value. No living space is proposed over the garage.</p> <p>This is a non-conforming lot of record where current regulations allow for 4,000 sf of coverage. This parcel is only allowed 2,006 sf of coverage per current regulations. The proposal being 434 sf over is reasonable under these circumstances.</p> <p>Substantial justice will be met as the improvements will allow for a non-conforming lot to be improved in a manner similar to modern developments and surrounding properties. smaller lot makes it difficult for improvements on the existing house and modifications to the house to place the garage behind the house would be difficult and costly, plus they would lose the functionality of the back yard.</p> | ZoneVariAppeal4PropertyValue  | <p>The proposed improvements will improve the ascetics of the 1960 era home. These improvements will increase the value of the proposed house and therefore increase values of abutting properties, so no properties will be diminished by the improvements. Also, the setback relief being sought after is from the street and not a private land owner.</p> |
| ZoneVariAppeal5A1UnNecHardship | <p>The existing property was created in 1960 and before Quaker Lane was created. At the time of creation, the parcel was not under the stricter regulations of today. This parcel and the adjacent lot to the right are smaller than most of the lots on the north side of road in the R-40 zone. This</p>                                                                                                                                                                                                                                                                                                                                                                                                                          |                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | ZoneVariAppeal5A2NoFairRelate | <p>The pre-existing conditions of this parcel create challenges beyond the ordinance provisions. If the street was a residential lot, only a 10 ft setback would be required under Sec 170-14. No living space is proposed over the garage, therefore there is no endangerment to</p>                                                                         |

# PERMIT SNAPSHOT REPORT (ZONE-2024-0012)

inhabitants by the closer setback of the garage, of which the ordinance is designed for safety to the public. The coverage of the lot falls well beneath the requirements for across the street in the R-20 zone so again the provisions as created impact the parcel that was created before the zone.

ZoneVariAppeal5A3ReasonableUse With the lot width being 99.7' and the required setbacks being 50 feet only allows for 49.7' of usable building envelope. The existing home is 38.3' wide and 21.9' off the right property line which eliminates the possibility of the garage on this side. There is no building envelope on the left side of the house due to the 40 ft setback, but the house is 39.3' from the property line, making for a more reasonable area for the addition. The existing carport is 14.1' into this setback. The ordinance as written makes conformance difficult without the complete removal and replacement of the house, of which is not practical and costly. It should also be noted that Quaker Lane has curbing along this side of the road, which aids in prevention of a car leaving the pavement.

ZoneVariAppeal5BNoReasonableUse

| Attachment File Name                  | Added On         | Added By             | Attachment Group | Notes                                            |
|---------------------------------------|------------------|----------------------|------------------|--------------------------------------------------|
| 23060 Abutter List.docx               | 04/08/2024 12:19 | Bisson, LLS, Raymond |                  | Uploaded via Civic Access                        |
| 23060 Authorization.pdf               | 04/08/2024 12:19 | Bisson, LLS, Raymond |                  | Uploaded via Civic Access                        |
| 23060 Photo Sheet.docx                | 04/08/2024 12:19 | Bisson, LLS, Raymond |                  | Uploaded via Civic Access                        |
| 23060 Pro-House.docx                  | 04/08/2024 12:19 | Bisson, LLS, Raymond |                  | Uploaded via Civic Access                        |
| Authorization.pdf                     | 04/08/2024 12:19 | Bisson, LLS, Raymond |                  | Uploaded via Civic Access                        |
| R-20.pdf                              | 04/08/2024 12:19 | Bisson, LLS, Raymond |                  | Uploaded via Civic Access                        |
| R-40.pdf                              | 04/08/2024 12:19 | Bisson, LLS, Raymond |                  | Uploaded via Civic Access                        |
| Signature_Raymond_Bisson_4/8/2024.jpg | 04/08/2024 12:19 | Bisson, LLS, Raymond |                  | Uploaded via CSS                                 |
| Permit Snapshot Report.pdf            | 04/08/2024 12:19 | Service, EnerGov     |                  | Attached by IO - ATTACH: Initial Permit Snapshot |

| Invoice No.                    | Fee                                      | Fee Amount | Amount Paid |
|--------------------------------|------------------------------------------|------------|-------------|
| INV-00007348                   | Planning Zoning Variance Application Fee | \$400.00   | \$400.00    |
| Total for Invoice INV-00007348 |                                          | \$400.00   | \$400.00    |
| Grand Total for Permit         |                                          | \$400.00   | \$400.00    |

| Submittal Name                         | Status     | Received Date | Due Date   | Complete Date | Resubmit   | Completed      |
|----------------------------------------|------------|---------------|------------|---------------|------------|----------------|
| Planning Permit Application Review v.1 | Approved   | 04/26/2024    | 05/24/2024 | 04/26/2024    | No         | Yes            |
| Item Review Name                       | Department | Assigned User | Status     | Assigned Date | Due Date   | Completed Date |
| Zoning Administrator                   | Planning   | Crouser, Paul | Approved   | 04/26/2024    | 05/24/2024 | 04/26/2024     |

| Workflow Step / Action Name      | Action Type    | Start Date       | End Date         |
|----------------------------------|----------------|------------------|------------------|
| Review v.1                       |                | 04/26/2024 12:43 | 04/26/2024 12:46 |
| Confirm application complete v.1 | Generic Action |                  | 04/26/2024 12:46 |

## PERMIT SNAPSHOT REPORT (ZONE-2024-0012)

|                                                        |                   |                  |                  |
|--------------------------------------------------------|-------------------|------------------|------------------|
| Planning Permit Application Review v.1                 | Receive Submittal | 04/26/2024 0:00  | 04/26/2024 12:46 |
| <b>Zoning Board v.1</b>                                |                   | 04/26/2024 12:46 |                  |
| Zoning Board Agenda v.1                                | Task              | 04/26/2024 12:46 |                  |
| Invoice for Notices v.1                                | Task              |                  |                  |
| Send Notices v.1                                       | Task              |                  |                  |
| Zoning Administrator Creates Staff Recommendations v.1 | Task              |                  |                  |
| Distribute Zoning Board Materials v.1                  | Task              |                  |                  |
| Zoning Board Hearing v.1                               | Hold Hearing      |                  |                  |
| Zoning Board Decision v.1                              | Permit Activity   |                  |                  |
| NOD Sent to Applicant v.1                              | Create Report     |                  |                  |
| <b>Final Plan v.1</b>                                  |                   |                  |                  |
| Document Archival v.1                                  | Generic Action    |                  |                  |
| Internal Notification of Permit Completion v.1         | Generic Action    |                  |                  |
| <b>Create/Link to Records v.1</b>                      |                   |                  |                  |
| Create / Link to Permit - Building Major v.1           | Create Sub Permit |                  |                  |

## Letter of Authorization

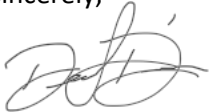
March 29, 2024

To Dover Zoning Board:

I, the undersigned, hereby authorize Raymond Bisson from Stonewall Surveying and his appointees to act on our behalf in all manners relating to local and state permitting, including the signing of all documents related to these matters for the property identified as **Tax Map M Lot 82-B** located at **36 Tuttle Lane**. Any and all acts carried out by Raymond Bisson and appointees on our behalf shall have the same effect as acts of our own.

This authorization is valid until further written notice from myself, Daniel Dion.

Sincerely,

A handwritten signature in black ink, appearing to be 'D. Dion', with a stylized flourish at the end.

Daniel Dion  
36 Tuttle Lane  
Dover, NH 03820



Owner: **Daniel Dion**

Location: **36 Tuttle Lane, Dover, Strafford County, New Hampshire**

Tax Map & Lot Number: **Map M Lot 82-B**

**Abutters List**

**Daniel Dion**  
**Tax Map M Lot 82-B**  
**36 Tuttle Lane**  
**Dover, NH**

Melissa A. Trembley Rev Trust  
Tax Map M Lot 83-C  
28 Tuttle Ln  
Dover, NH 03820

**Stonewall Surveying**  
**PO Box 458**  
**Barrington, NH 03825**

Brian E. Barry  
Tax Map M Lot 83-29  
12 Quaker Ln  
Dover, NH 03820

Matthew L. Shawver  
James D. Barnard  
Tax Map M Lot 69-C  
41 Tuttle Ln  
Dover, NH 03820

Barbara & David Downer  
Tax Map M Lot 83-D  
15 Quaker Ln  
Dover, NH 03820

Mitchell Family Rev Trust  
Tax Map M Lot 68-C  
33 Tuttle Ln  
Dover, NH 03820

Dion Family Rev Trust  
Tax Map M Lot 83-E  
17 Hull Ave  
Dover, NH 03820

**ZONE-2024-0012****36 TUTTLE LANE**

| Property ID  | Location      | Owner 1                                | Owner 2                                  | Owner Address 1 | City   | State | Zip        |
|--------------|---------------|----------------------------------------|------------------------------------------|-----------------|--------|-------|------------|
| M0068-C00000 | 33 TUTTLE LN  | MITCHELL PATRICIA D & JAMES R TRUSTEES | MITCHELL FAMILY REVOCABLE TRUST          | 33 TUTTLE LN    | DOVER  | NH    | 03820      |
| M0068-D00000 | 25 TUTTLE LN  | LEMIRE PHILIP W &                      | LEMIRE CAROL J                           | 25 TUTTLE LN    | DOVER  | NH    | 03820      |
| M0069-C00000 | 41 TUTTLE LN  | SHAWVER MATTHEW L &                    | BARNARD JAMES D                          | 41 TUTTLE LANE  | DOVER  | NH    | 03820      |
| M0069-C00001 | 45 TUTTLE LN  | ROSS ERIN E &                          | ROSS DUNCAN H                            | 45 TUTTLE LN    | DOVER  | NH    | 03820      |
| M0082-000000 | 363 MIDDLE RD | BULL ALEXIS W                          |                                          | 363 MIDDLE RD   | DOVER  | NH    | 03820      |
| M0082-A00000 | 48 TUTTLE LN  | LIOE ANDIE &                           | LIOE SULING                              | 48 TUTTLE LN    | DOVER  | NH    | 03820      |
| M0082-A00001 | TUTTLE LN     | WILLIAMS MATT R III TRUSTEE            | WILLIAMS MATT R III 2020 REVOCABLE TRUST | 8 MULLIGAN DR   | DOVER  | NH    | 03820      |
| M0083-022000 | 18 QUAKER LN  | HUANG YINA                             | SAUL LUKAS                               | 18 QUAKER LN    | DOVER  | NH    | 03820      |
| M0083-029000 | 12 QUAKER LN  | BARRY BRIAN E                          |                                          | 12 QUAKER LN    | DOVER  | NH    | 03820      |
| M0083-C00000 | 28 TUTTLE LN  | TREMBLEY MELISSA A TRUSTEE             | TREMBLEY MELISSA A REVOCABLE TRUST       | 28 TUTTLE LN    | DOVER  | NH    | 03820-4918 |
| M0083-D00000 | 15 QUAKER LN  | DOWNER BARBARA                         | DOWNER DAVID                             | 15 QUAKER LN    | DOVER  | NH    | 03820      |
| M0083-E00000 | TUTTLE LN     | DION DANIEL P & AND NANCY TRUSTEES     | DION FAMILY REVOCABLE TRUST              | 17 HULL AVE     | DOVER  | NH    | 03820      |
| M0082-B00000 | 36 TUTTLE LN  | DION DANIEL J                          |                                          | 36 TUTTLE LN    | DOVER  | NH    | 03820      |
|              |               | STONEWALL SURVEYING                    | RAYMOND BISSON, LLS                      | P.O. BOX 458    | BARRIN | NH    | 03825      |



Owner: **Daniel Dion**

Location: **36 Tuttle Lane, Dover, Strafford County, New Hampshire**

Tax Map & Lot Number: **Map M Lot 82-B**

**Photo 1 – On Tuttle Lane facing house**



**Photo 2 – On Quaker Lane facing carport**





**Photo 3 – On Quaker Lane showing rear of house**



# Low Density Residential (R-20) District

Amended: 11-28-12 by Ord. No. 2012-11.14-24, 08-19-2015 by Ord. No. O-2015.07.22-017



## Permitted Uses

- ACCESSORY DWELLING UNIT
- ADULT DAY CARE [5]
- ASSEMBLY HALL
- Bank [5]
- Beauty and Barber Shop [5]
- BED and BREAKFAST
- CHILD CARE FACILITY
- CHILD CARE HOME
- CONSERVATION LOT
- Conversion of Existing Dwelling to Accommodate not more than 2 units [6]
- Dwelling, 2 Family [7]
- Dwelling, 3 To 4 family [7]
- DWELLING, SINGLE FAMILY
- EDUCATIONAL INSTITUTION, K-12
- FARM [8]
- FARM ANIMALS FOR FAMILY USE, for non-commercial purposes, on lots containing a one or two family dwelling [9]
- OFFICE [10] [5]
- PERSONAL SERVICE ESTABLISHMENT [5]
- PUBLIC RECREATION
- Public Utility [11]
- Retail Sale of Agricultural or Farm Products Raised on Site
- ROADSIDE FARM STAND [12]
- Theater [5]
- Veterinary Office, Animal Hospital or KENNEL [13]

## Dimensional Regulations [1] [2]

| LOT                         |                                                                    |
|-----------------------------|--------------------------------------------------------------------|
| Minimum LOT Size [3]        | 20,000 sf                                                          |
| Maximum LOT COVERAGE        | 30%                                                                |
| Minimum FRONTAGE            | 125 ft                                                             |
| PRINCIPAL BUILDING          |                                                                    |
| Front BUILD TO LINE         | 20 ft min, 35 ft max*                                              |
| Abut a Street BUILD TO LINE | 20 ft min, 35 ft max*                                              |
| Side SETBACK                | 20 ft                                                              |
| Rear SETBACK                | 30 ft                                                              |
| OUTBUILDING/ACCESSORY USE   |                                                                    |
| Front SETBACK               | No closer than the principal BUILDING or 35 feet whichever is less |
| Abut a Street SETBACK       | No closer than the principal BUILDING or 35 feet whichever is less |
| Side SETBACK                | 10 ft                                                              |
| Rear SETBACK                | 10 ft                                                              |
| HEIGHT OF BUILDING          |                                                                    |
| PRINCIPAL BUILDING          | 35 ft max                                                          |
| OUTBUILDING                 | 35 ft max                                                          |

\*Expansions to, or renovations of, existing structures have a twenty (20) foot setback.

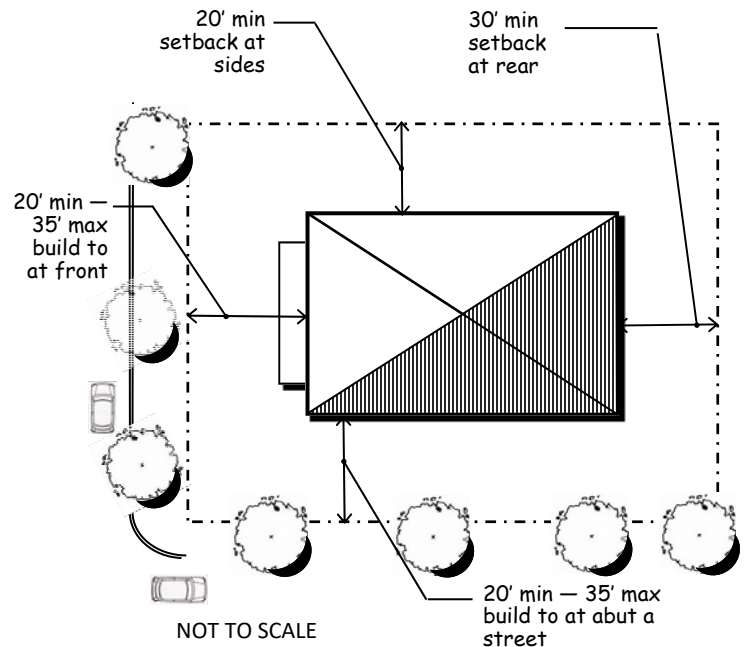
## Uses Permitted by Special Exception

- ASSISTED LIVING FACILITY
- CONGREGATE CARE FACILITY
- CONTINUING CARE COMMUNITY FACILITY
- EDUCATIONAL INSTITUTION, POST SECONDARY
- ELDERLY ASSISTED CARE HOME
- Helicopter Take Offs & Landings
- NURSING HOME

## Sign Regulations

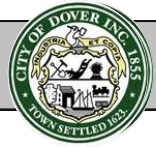
| Size                  | R-20 District                                                                                 |
|-----------------------|-----------------------------------------------------------------------------------------------|
| Total signs permitted | 1                                                                                             |
| Total area permitted  | 16 sf<br>(CUSTOMARY HOME OCCUPATION SIGN 2 sf max, development identification SIGN 20 sf max) |
| Type                  |                                                                                               |
| FREESTANDING          | permitted<br>(10 ft SETBACK required)                                                         |
| PROJECTING            | permitted                                                                                     |
| WALL/ Awning          | not permitted                                                                                 |
| Temporary             | not permitted                                                                                 |

## Principal Building Placement



# Rural Residential (R-40) District

Amended: 11-28-12 by Ord. No. 2012-11.14-24



## Permitted Uses

- ACCESSORY DWELLING UNIT
- ADULT DAY CARE [5]
- ASSEMBLY HALL
- Bank [5]
- Beauty and Barber Shop [5]
- BED and BREAKFAST
- CHILD CARE FACILITY
- CHILD CARE HOME
- Clinic
- CONSERVATION LOT
- Conversion of Existing Dwelling to Accommodate not more than 2 units [6]
- COUNTRY CLUB [7]
- Dwelling, 2 Family [8]
- Dwelling, 3 To 4 family [8]
- DWELLING, SINGLE FAMILY
- EDUCATIONAL INSTITUTION, K-12
- EXCAVATION [7]
- FARM [9]
- FARM ANIMALS FOR FAMILY USE, for non-commercial purposes, on lots containing a one or two family dwelling [10]
- Hospital
- MANUFACTURED HOUSING
- OFFICE [5] [11]
- PERSONAL SERVICE ESTABLISHMENT [5]
- PUBLIC RECREATION
- Public Utility
- Recreational Camp
- Retail Sale of Agricultural or Farm Products Raised on Site
- Theater [5]
- Veterinary Office, Animal Hospital or KENNEL [12]
- WHOLESALING of Farm Products [7]

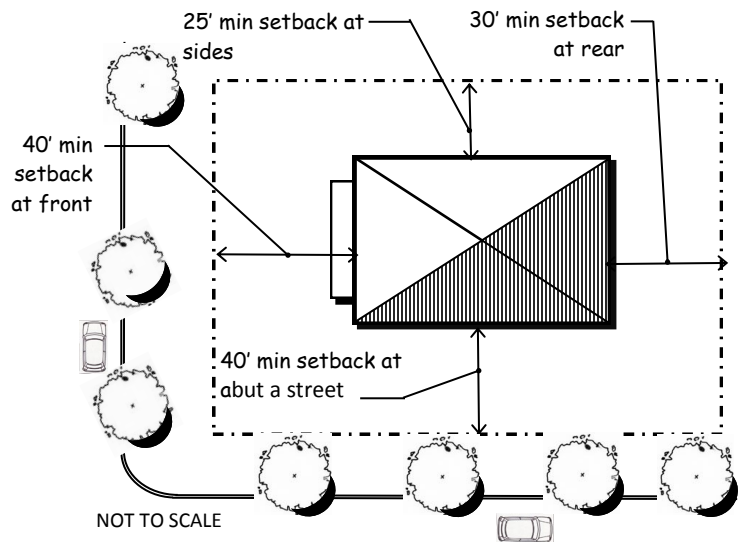
## Uses Permitted by Special Exception

- ASSISTED LIVING FACILITY
- CONGREGATE CARE FACILITY
- CONTINUING CARE COMMUNITY FACILITY
- EDUCATIONAL INSTITUTION, POST SECONDARY
- ELDERLY ASSISTED CARE HOME
- Helicopter Take Offs & Landings
- JUNKYARD
- MANUFACTURED HOUSING Park
- NURSING HOME

## Dimensional Regulations [1] [2]

| LOT                       |           |
|---------------------------|-----------|
| Minimum LOT Size [3] [4]  | 40,000 sf |
| Maximum LOT COVERAGE      | 10%       |
| Minimum FRONTAGE          | 150 ft    |
| PRINCIPAL BUILDING        |           |
| Front SETBACK             | 40 ft     |
| Abut a Street SETBACK     | 40 ft     |
| Side SETBACK              | 25 ft     |
| Rear SETBACK              | 30 ft     |
| OUTBUILDING/ACCESSORY USE |           |
| Front SETBACK             | 40 ft     |
| Abut a Street SETBACK     | 40 ft     |
| Side SETBACK              | 10 ft     |
| Rear SETBACK              | 10 ft     |
| HEIGHT OF BUILDING        |           |
| PRINCIPAL BUILDING        | 35 ft max |
| OUTBUILDING               | 35 ft max |

## Principal Building Placement



## Sign Regulations

| Size                  | R-40 District                                                                                 |
|-----------------------|-----------------------------------------------------------------------------------------------|
| Total signs permitted | 1                                                                                             |
| Total area permitted  | 16 sf<br>(customary home occupation sign 2 sf max, development identification SIGN 20 sf max) |
| Type                  |                                                                                               |
| FREESTANDING          | permitted<br>(10 ft setback required)                                                         |
| PROJECTING            | permitted                                                                                     |
| WALL/ Awning          | not permitted                                                                                 |
| Temporary             | not permitted                                                                                 |



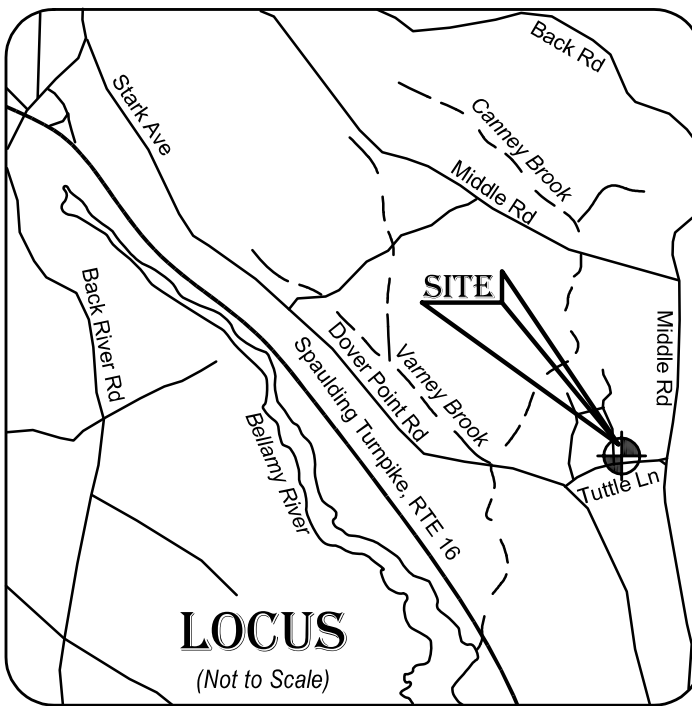
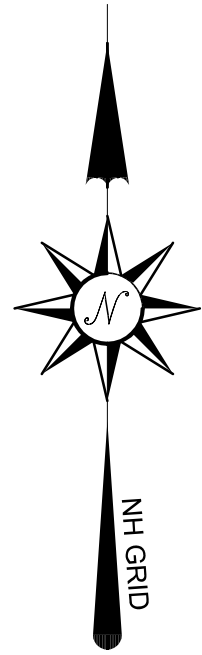
Owner: **Daniel Dion**

Location: **36 Tuttle Lane, Dover, Strafford County, New Hampshire**

Tax Map & Lot Number: **Map M Lot 82-B**

**3D Images generated by T/W Designs, LLC**





#### ZONE DATA:

ZONE: R-40 RURAL RESIDENTIAL

ZONE REQUIREMENTS (Principal Building):  
MINIMUM LOT SIZE: 40,000 Square Feet  
MAXIMUM COVERAGE: 10%  
Existing = 8.5%  
Proposed = 12.1%  
MINIMUM FRONTAGE: 150 Feet  
FRONT SETBACK: 40 Feet  
ABUT-A-STREET SETBACK: 40 Feet  
SIDE SETBACK: 25 Feet\*  
REAR SETBACK: 30 Feet

\*Sec 170-14(4)a: Lots less than 110 feet in width, shall have a 10 foot side setback.

#### NOTES:

- OWNER OF RECORD:  
DANIEL P. DION  
S.C.R.D. BOOK 4353 PAGE 293  
DATED JANUARY 14, 2016  
  
CREATION DEED:  
RICHARD & IRENE CARR  
S.C.R.D. BOOK 722 PAGE 466  
DATED SEPTEMBER 2, 1960  
FROM  
HUGH C. TUTTLE
- TOTAL PARCEL AREA:  
20,060 Square Feet OR 0.46 Acres
- BASIS OF BEARING AND COORDINATES ARE PER PLAN REFERENCE #2 AND ARE BASED ON THE NH GRID SYSTEM.

#### CERTIFICATION

"I certify that this survey plat is not a subdivision pursuant to this title and that the lines of streets and ways shown are those of public or private streets or ways already established and that no new ways are shown."

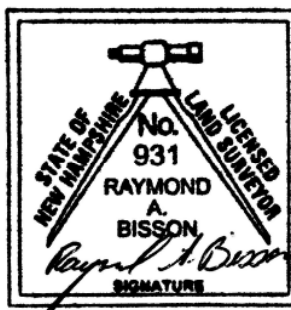
"I certify that this survey conforms to the ethics and standards set forth by the New Hampshire Land Surveyors Association for a category 1, condition 1 survey."

*Raymond A. Bisson*

Raymond A. Bisson, LLS #931

March 29, 2024

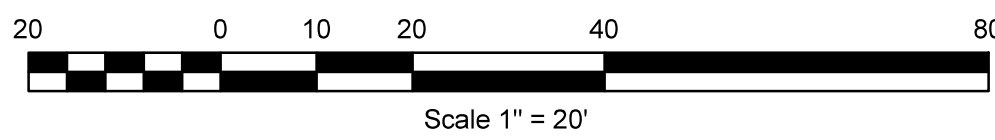
Dated



#### PLAN REFERENCES:

- "PLAN OF SUBDIVISION, HUGH C. TUTTLE, DOVER, NEW HAMPSHIRE" PREPARED BY G.L. DAVIS & ASSOCIATES DATED JUNE 1971 AND RECORDED AT S.C.R.D. AS POCKET 2 FOLDER 20 PLAN 44.
- "PROPERTY SURVEY LOCATED AT 48 TUTTLE LANE, DOVER, STRAFFORD COUNTY, NEW HAMPSHIRE FOR THE WERNER FAMILY TRUST" PREPARED BY STONEWALL SURVEYING DATED JUNE 5, 2020.
- "SUBDIVISION OF LAND KNOWN AS THE OVERLOOK AT DOVER POINT PREPARED FOR STABLE HOMES AT OVERLOOK, INC., TAX MAP M, LOT No. 83, QUAKER LANE, CITY OF DOVER, COUNTY OF STRAFFORD, STATE OF NEW HAMPSHIRE" PREPARED BY McENEANEY SURVEY ASSOCIATES, INC. DATED APRIL 3, 2001 AND RECORDED AT THE S.C.R.D. AS PLAN 64-56 THRU 64-59.
- "MINOR SUBDIVISION OF LAND PREPARED FOR THE CONSTANCE M. PASSAS REVOCABLE TRUST, TAX MAP M, LOT No. 86C, 41 TUTTLE LANE, CITY OF DOVER, COUNTY OF STRAFFORD, STATE OF NEW HAMPSHIRE" PREPARED BY McENEANEY SURVEY ASSOCIATES, INC. DATED MAY 29, 2014 AND RECORDED AT THE S.C.R.D. AS PLAN 108-69.
- "PLAN SHOWING LAND OWNED BY MARTHA & PHILP CALCUTT, TUTTLE LANE, DOVER, N.H." PREPARED BY K.E. MOORE DATED MARCH 1965 AND RECORDED AT S.C.R.D. AS POCKET 4 FOLDER 5 PLAN 20.
- "SUBDIVISION OF LAND AND LOT LINE ADJUSTMENT PLAN PREPARED FOR THE STABLE HOMES AT OVERLOOK, INC., TAX MAP M, LOT Nos. 83c & 83-22, QUAKER LANE & TUTTLE LANE, CITY OF DOVER, COUNTY OF STRAFFORD, STATE OF NEW HAMPSHIRE" PREPARED BY McENEANEY SURVEY ASSOCIATES, INC. DATED FEBRUARY 6, 2002 AND RECORDED AT THE S.C.R.D. AS PLAN 65-20.
- "SUBDIVISION PLAN, RICHARD & HILDA CARROLL, TUTTLE LANE, DOVER, NEW HAMPSHIRE" PREPARED BY TRITECH ENGINEERING CORPORATION DATED AUGUST 12, 1998 AND RECORDED AT THE S.C.R.D. AS PLAN 53-86.

| REV | DATE | STATUS |
|-----|------|--------|
|     |      |        |
|     |      |        |
|     |      |        |



**PROPERTY SURVEY  
& SITE PLAN**  
*Located on:*  
36 Tuttle Lane, Dover  
Strafford County, New Hampshire  
*For:*  
**Daniel Dion**  
36 Tuttle Lane, Dover, NH 03820

Licensed in New Hampshire & Maine  
PO Box 458, Barrington, NH 03825  
t: (603) 664-3900 www.StonewallSurveying.com

|                                         |                              |
|-----------------------------------------|------------------------------|
| TAX MAP & LOT NO:<br>Tax Map M Lot 82-B | DRAWING NO:<br>23060 ZBA.dwg |
| SCALE:<br>1" = 20'                      | SHEET:<br>1 of 1             |
| PROJECT NO:<br>23060                    | DATE:<br>March 29, 2024      |

TUTTLE LANE

QUAKER LANE

N/F  
BARBARA & DAVID DOWNER  
TAX MAP M LOT 83-D  
15 QUAKER LANE  
DOVER, NH 03820  
S.C.R.D. BOOK 891 PAGE 197

N/F  
MATT R. WILLIAM III 2020 REVOCABLE TRUST  
TAX MAP M LOT 82-A-1  
8 MULLIGAN DRIVE  
DOVER, NH 03820  
S.C.R.D. BOOK 4848 PAGE 82

N/F  
BRIAN E. BARRY  
TAX MAP M LOT 83-29  
12 QUAKER LANE  
DOVER, NH 03820  
S.C.R.D. BOOK 4787 PAGE 992

N/F  
MELISSA A. TREMBLEY REVOCABLE TRUST  
TAX MAP M LOT 83-C  
28 TUTTLE LANE  
DOVER, NH 03820  
S.C.R.D. BOOK 4639 PAGE 231

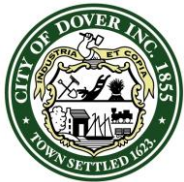
N/F  
DION FAMILY REVOCABLE TRUST  
TAX MAP M LOT 83-E  
17 HULL AVE  
DOVER, NH 03820  
S.C.R.D. BOOK 4353 PAGE 295

N/F  
ANDIE & SULING LIOE  
TAX MAP M LOT 82-A  
48 TUTTLE LANE  
DOVER, NH 03820  
S.C.R.D. BOOK 4782 PAGE 203

N/F  
ERIN E. ROSS &  
DUNCAN H. ROSS  
TAX MAP M LOT 69-C-1  
45 TUTTLE LANE  
DOVER, NH 03820  
S.C.R.D. BOOK 4430 PAGE 104

N/F  
MATTHEW L. SHAWVER  
& JAMES D. BARNARD  
TAX MAP M LOT 69-C  
41 TUTTLE LANE  
DOVER, NH 03820  
S.C.R.D. BOOK 4263 PAGE 654

N/F  
MITCHELL FAMILY REVOCABLE TRUST  
TAX MAP M LOT 68-C  
33 TUTTLE LANE  
DOVER, NH 03820  
S.C.R.D. BOOK 2197 PAGE 283



**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:     | <b>Thursday, May 16, 2024</b>                                  |
| Meeting Time:     | <b>7:00 pm</b>                                                 |

This item has been removed.