CITY OF DOVER

# DOVER PLANNING BOARD – AGENDA

| | |
|---|---|
| Meeting Type: | Regular Meeting |
| Meeting Location: | Council Chambers, City Hall, 288 Central Avenue, Dover, NH 03820 |
| Meeting Date: | **Tuesday, May 28, 2024** |
| Meeting Time: | **7:00 pm** |

1. **CITIZENS' FORUM**
2. **APPROVAL OF THE PRIOR MINUTES**
   - May 14, 2024 Regular Meeting Minutes
3. **OLD BUSINESS**
4. **NEW BUSINESS**

   A. Consideration and acceptance of a Lot Line Adjustment for Jaffe Family Revocable Trust and Michael & Shelby Brewer, Assessor's Map 32, Lots 36-D & 36-F, zoned R-12, located at 73 & 77 Fourth Street. *(LOTA-2024-0005)

   B. Consideration and acceptance of a Transfer of Development Rights for Tritech Engineering (Owners: Stonearch Development, LLC), Assessor's Map F, Lot 3, zoned R-40, located at 210 Tolend Road. (Proposal requests to purchase 33 TDR units (10 "unrestricted" & 23 "restricted size units"). A site plan for a current proposal of 53 units would need further review and a future Planning Board vote). *(TRAN-2024-0003)

5. **STAFF COMMENT**
6. **MEMBER COMMENTS**
7. **ADJOURNMENT**

*Indicates that if the application is accepted for discussion, the public hearing will be held the same evening. Note that some hearings will be continued from one meeting to another and some may be postponed. Since this is only a partial description of the proposal and may change, persons with questions or wishing to see the plans are invited to visit the Planning Office, Monday through Thursday from 8:30 am to 5:30 pm and Friday 8:30 am to 4:00 pm or email Dover-Planning@dover.nh.gov. You may also view materials at www.dover.nh.gov. Follow us on Twitter @DoverNHPlanning and find us on Facebook at https://www.facebook.com/DoverNHPlanning. The public is encouraged to leave comments in advance by emailing Dover-Planning@dover.nh.gov, or mailing written comments to Planning Board, Dover City Hall, 288 Central Ave., Dover, NH 03820. Messages must be received no later than 4 p.m. the day of the meeting and should identify the name and Dover address of the person leaving the message or providing the comment.

# DOVER PLANNING BOARD – MINUTES

CITY OF DOVER

| | |
|---|---|
| Meeting Type: | Regular Meeting |
| Meeting Location: | Council Chambers, City Hall, 288 Central Ave, Dover, NH. |
| Meeting Date: | **Tuesday, May 14, 2024** |
| Meeting Time: | **7:00 pm** |

**Members Present:** Gina Cruikshank (Chair), Fergus Cullen (Councilor), Ken Mavrogeorge, Tom Clark, Jeff Sanborn (Alternate), Melina Gambino (Alternate), George DeBoer, Erinn Kaspari, Mallory Strange (Alternate)
**Members Not Present (excused)**: Mark Speidel, Kyle Pimental, Jon Elliard
**Members Not Present (un-excused)**: None
**Staff Present:** Donna Benton, Director of Planning and Community Development

G. Cruikshank (Chair), called the meeting to order at 7 p.m, welcomed Mallory Strange (Alternate) to the Planning Board and noted that Erinn Kaspari would Vice Chair, Jeff Sanborn would sit for Mark Speidel and Melina Gambino for Kyle Pimental.

## 1. CITIZENS' FORUM

*Citizens Forum Open*
Ryan Crosby, Executive Director of Dover Housing Authority and Anna Boudreau, Executive Director of Our Place NH (non-profit organization) spoke about housing access for people with disabilities. They stressed the need for housing and support for those with IDD in NH.
*Citizens Forum Closed*

## 2. APPROVAL OF THE PRIOR MINUTES

- April 23, 2024 Regular Meeting Minutes

**Motion** F. Cullen moved to approve the regular meeting minutes of April 23, 2024 as submitted. Seconded by: M. Gambino. Vote: U/A

## 3. OLD BUSINESS

## 4. NEW BUSINESS

A. Consideration and acceptance of an Amendment for Downtown Dover Storage, LLC, Assessor's Map 4, Lot 5, zoned CBD-G, located at 14 Broadway. (Proposal is to construct a ~14,770 s.f. 4-story residential building with 38 units with revised covered parking and relocating an internal staircase.) *(WAIV-2024-0004)

D. Benton explained that the applicant was previously (conditionally) approved on December 14, 2021 for a 4-story, 24-unit residential building with commercial space and a related CUP to allow for less than 20% of the building to be non-residential. The applicant seeks to obtain an amendment to their approved site plan to increase the number of residential units to 38, to revise the parking layout, and relocate an internal staircase.

Parking is provided both onsite and via a lease at 18 Chapel St.
This item was reviewed by the Technical Review Committee on March 28, 2024 and April 25, 2024.

Chris Raymond, of TEC, represented the application. The original approval was for 24 luxury residential units with first floor commercial and covered parking. Since that time, Our Place NH and Regan Development became interested in the site with an intriguing goal in mind.

The changes proposed to the original plan are: up the number of units from 24 to 38; bedroom count and total square footage remains the same (48) - 24 2-bedroom units to 10 2-bedroom and 28 one-bedroom units; relocation of a staircase; minor restriping of the covered parking area.

Laurie McIntosh, Our Place NH board chair explained the mission is to create housing for adults with developmental disabilities which is lacking in NH. The housing template they are proposing with Regan

Development is workforce housing with a percentage of units reserved for adults with developmental disabilities. There is also an office for staff who will be on site 24 hours a day. There is a common area for the entire building to utilize. The project makes sense economically and not only supports their population, but the people who work with them.

Clarifications were made by the applicant for the board regarding:

- 25% of the units will be reserved for adults with disabilities
    - How is this reserved? Deeded?
        - Tax credits will force it to be deed–restricted and permanently held at HUD fair market rates
- Original plans and timeline to this proposal
- Parking specifics and considerations for the 7-9 reserved units likely not needing a parking space
- Overall timelines and financing issues as to why projects approved are taking years to get started
- Expected price point for workforce housing
- Traffic study
- Metal screen design and explanation
- Full design concept review and presentation
    - Have met with resident and addressed her concerns
- Common area descriptions
- Commercial space
- Train noise/ passive house design

Mr. Raymond noted unnecessary driveway curb cuts will be closed off and three additional street parking spots will be created.

**Motion:** G. DeBoer moved to accept the application and declared no regional impact. Seconded by: K. Mavrogeorge. Vote: U/A

*Public hearing opened.*
Peggy Mace, 93 Glen Hill Rd spoke passionately in support of the project. She shared personal stories.

Elizabeth Bratter, 16 St John St. noted she met with the applicant for two hours about her concerns. She noted suggestions and discussion about parking, drop-off access, design choices, and snow storage. She expressed support of the current proposal. She encouraged the public to attend meetings and speak up with concerns and get involved.

Sam, 22 Wigham in Stratham gave personal information about her life and spoke in favor of the project.

Erin Jennings, 149 Garrison Rd gave personal information about her life and spoke in favor of the project.

D. Benton summarized the 20 letters of support received to the office and available in the file.
*Public hearing closed.*

**STAFF RECOMMENDATION- Site Plan Amendment**
Chapter 153-4 of the Site Review Regulations of the City Code provides for site review by the Planning Board of new construction of various types. This plan is consistent with those regulations.



DRAFT

The Planning Department recommends the Planning Board make findings and vote to approve the Site Plan with the following subsequent conditions as the plans meet the standards outlined:

**Subsequent Conditions to Be Met Prior to Signing of the Plans:**

1. A wall evaluation be conducted and sealed by a professional engineer and provided to Community Services prior to the issuance of a Certificate of Occupancy.
2. Revise EV parking configuration per Building Official's TRC comments.
3. Revise parking table to remove 4 Broadway parking spaces and revise total provided.
4. Provide:
   4.1. Letter from Licensed Pest Control Specialist regarding if a pest management plan is needed.
   4.2. Letter to serve from Eversource.
   4.3 Physical and digital copies (including CAD) of complete plan set which additionally shall include:
      a. Signature and stamp of PE, LLA, and LLS
      b. Owner's signature
      c. Add location of parking meter (to be paid for by owner) and installed per the City of Dover.

**Subsequent Conditions to Be Met Prior to Construction:**

5. A site construction sign with the contact information for the general contractor must be located and approved by the City Engineer or Planning Director. Site Construction sign shall indicate level of visibility/noise/vibration disturbance anticipated each day.
6. Public art presented to Dover Arts Commission and Planning Staff and added to the site plan.
7. If pest control is required, the plan shall be implemented with proper monitoring.

**Subsequent Condition to Be Met Prior to Building Permit:**

8. Water and sewer investment fees shall be paid at the time of request of service.

**Subsequent Conditions to Be Met Prior to Occupancy:**

9. Issuance of a certificate of occupancy.
10. Impact fees shall be paid per the invoice included with the Notice of Decision, unless impact fee policy changes.
11. The applicant shall provide a letter of credit or other form of security acceptable to the City for any unfinished work.
12. Parking meter installed at expense of the applicant to the satisfaction of the Parking Manager.
13. Public art installed.

**Motion:** G. DeBoer moved to approve the Site Plan Amendment with subsequent conditions set by staff. Seconded by E. Kaspari. Vote: U/A

B. Consideration and acceptance of a Site Review for Jared Lusk (Owners: Lionel R Jr & Kristina L Paradis), Assessor's Map F, Lot 2, zoned IT and R-40, located at 180 Tolend Road. (Proposal is to construct and operate a 104' wireless telecommunications facility) *(SITE-2023-0012)

D. Benton explained that the applicant is proposing to construct and operate a 104' wireless telecommunications facility at the subject property. The applicant, Verizon Wireless, has identified service inadequacies in the City of Dover and proposed the project and location to remedy the service deficiencies. Previously, the Zoning Board of Adjustment approved a Variance on July 20, 2023, to permit construction of a wireless telecommunication tower at the subject property within the IT Zoning District.

Mark Bodeman, Verizon and Chip Fredette, SAI represented the application. Mr. Fredette explained the lack of coverage in the West part of town and the proposal. He explained the design and construction details and access point on the property along with the proposed view of the tower.

Clarifications were made by the applicant for the board regarding:

- Reasons for lack of coverage
- 4G and 5G technology provided
- Abutting housing proposal
- Built to suit multiple carriers (3 total)

**Motion:** G. DeBoer moved to accept the application and declared no regional impact. Seconded by: K. Mavrogeorge. Vote: U/A

*Public hearing opened.*
No one spoke
*Public hearing closed.*

**STAFF RECOMMENDATION- Site Plan**
Chapter 153-4 of the Site Review Regulations of the City Code provides for site review by the Planning Board of new construction of various types. This plan is consistent with those regulations.

Chapter 170-22C(1) of the Zoning Ordinance permits the location of telecommunication facilities in the City of Dover on 15 specific parcels or co-locations on existing infrastructure.

The Zoning Board of Adjustment found that the criteria of a Variance were met, which would allow the applicant to construct the proposed telecommunication tower on the subject parcel where the construction of a new telecommunication tower would otherwise only be permitted in the above referenced areas.

The Planning Department recommends the Planning Board make the necessary and supporting findings of fact, and vote to approve the Site Plan with the following subsequent conditions:

**Subsequent Conditions to Be Met Prior to Signing of the Plans:**

1. The applicant shall provide:
    a. a digital version of plan set
    b. a revised current use plan to the Assessing Department's satisfaction
2. The applicant must revise final plan set to:
    a. Add the owner's signatures to the final plan
    b. Add LLS and PE signatures and stamps to final plan

**Subsequent Condition to Be Met Prior to Construction:**

3. A site construction sign with the contact information for the general contractor must be displayed in a location approved by the City Engineer or Planning Director;

**Subsequent Conditions to Be Met Prior Completion:**

4. Issuance of Certificate of Completion;
5. Payment of Impact Fees as noted in the invoice attached to the Decision Letter unless a change is made to the impact fee policy;
6. Surety or other form of security acceptable to the City is provided for any unfinished work.

**Motion:** G. DeBoer moved to approve the Site Plan with subsequent conditions set by staff. Seconded by: K. Mavrogeorge. Vote: U/A

C. Consideration and acceptance of a Transfer of Development Rights for Tritech Engineering (Owners: Stonearch Development, LLC), Assessor's Map F, Lot 3, zoned R-40, located at 210 Tolend Road. (Proposal requests to purchase 33 TDR units (10 "unrestricted" & 23 "restricted size units"). A site plan for a current proposal of 53 units would need further review and a future Planning Board vote). *(TRAN-2024-0003)

The Chair explained that the applicant has requested this item be continued to the next Regular Planning Board meeting on May 28, 2024 at 7 p.m.

## 5. STAFF COMMENTS

- The one property owner with a notification issue will be re-notified of item 4C, but no others will.
- Received a complaint about a potential wetlands violation behind Old Littleworth Rd that NHDES is investigating
- D. Benton asked if members were expecting to attend the next Regular Planning Board meeting on May 28th as there will be an Executive Session at 6 p.m.
- TRCs since last meeting:
  - Amendment for Downtown Dover Storage, LLC, Assessor's Map 4, Lot 5, zoned CBD-G, located at 14 Broadway. (Proposal is to construct a 14,770 s.f. 4-story residential building with 38 units with revised covered parking and relocating internal staircase.) (WAIV-2024-0004) *[This item was previously heard by the Planning Technical Review Committee on March 28, 2024]*
  - Site Review for 17-19 Summer Street Properties, LLC, Assessor's Map 12, Lot 35-1, zoned HR, located at Locust Street. (Proposal is to build a 2,400 s.f. residential building consisting of (4) four, (2) two-bedroom units, improved driveway access, parking, utilities and drainage improvements.) (SITE-2024-0003) *[This item was previously heard by the Planning Technical Review Committee on March 28, 2024]*
- TRCs coming up:
  - (May 30th) Site Review for Our Place, Inc., Assessor's Map H, Lot 6-4, zoned R-20, located at 105 Durham Road. (Proposal is to provide a 9-unit group housing facility for adults with Intellectual Developmental Disabilities (IDD) with associated parking, drainage and landscaping.) (SITE-2024-0004)

## 6. MEMBER COMMENTS

- M. Gambino
  - Asked for update on storage facility on Sixth st which D. Benton provided
- K. Mavrogeorge
  - Touch a Truck 11-2 Saturday/ podcast promoting Public Works week
- The Chair signed the following:
  - 200 Sterling Way- Tesla EV Charging Stations
  - 34 New Rochester Rd.- 6, 2-family structures (12 residential units plus 1 existing unit)

## 7. ADJOURNMENT

**Motion:** K. Mavrogeorge moved to adjourn at 8:28pm. Seconded by E. Kaspari. Vote: U/A

DRAFT

CITY OF DOVER

# PLANNING BOARD - STAFF MEMO FILE #LOTA-2024-0005

| | |
|---|---|
| Application Type: | Lot Line Adjustment |
| Applicant(s): | Michael & Shelby Brewer |
| Owner(s): | Michael & Shelby Brewer, and the Jaffe Family Revocable Trust |
| Location: | 77 and 73 Fourth St., (Tax Map 32, Lots 36F and 36D) |
| Meeting Date: | Tuesday, May 28, 2024 |

**INTENT:** To revise the lot lines between abutting properties, located at 77 Fourth St. (Map 32, Lot 36F) and 73 Fourth St. (Map 32, Lot 36D), adding approximately 2,728 sf. from 73 Fourth St. to 77 Fourth St.

**LOTS/UNITS PROPOSED:** N/A

**AGENDA ITEM #:** 4-A

**FILE:** LOTA-2024-0005

**SQUARE FOOTAGE**:
**Existing/Proposed**
77 Fourth St. = 172,822 / 175,550 sf.
73 Fourth St. = 63,757 / 61,028 sf.

**ZONING DISTRICT:** Medium Density Residential (R-12)

**EXISTING USE:** Residential

**PROPOSED USE:** No change

**SURROUNDING:** Residential and Mixed Use

**ZBA ACTION:** None

**ATTACHMENTS:** Lot Line Adjustment Plan

**APPLICATION IS COMPLETE:** Yes

**REGIONAL IMPACT:** No

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

**PERMITS / WAIVERS REQUIRED:**
None

**Summary of Request and Background**
The applicant is submitting a proposed lot line revision to revise the line between their parcel, 77 Fourth St., and their neighbor's parcel, 73 Fourth St., Map 32, Lots 36F & 36D, with the intent of to increasing the 77 Fourth St. parcel by approximately 2,728 sf. Each lot's frontage and compliance with the underlying R-12 zoning regulations will remain the same.

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

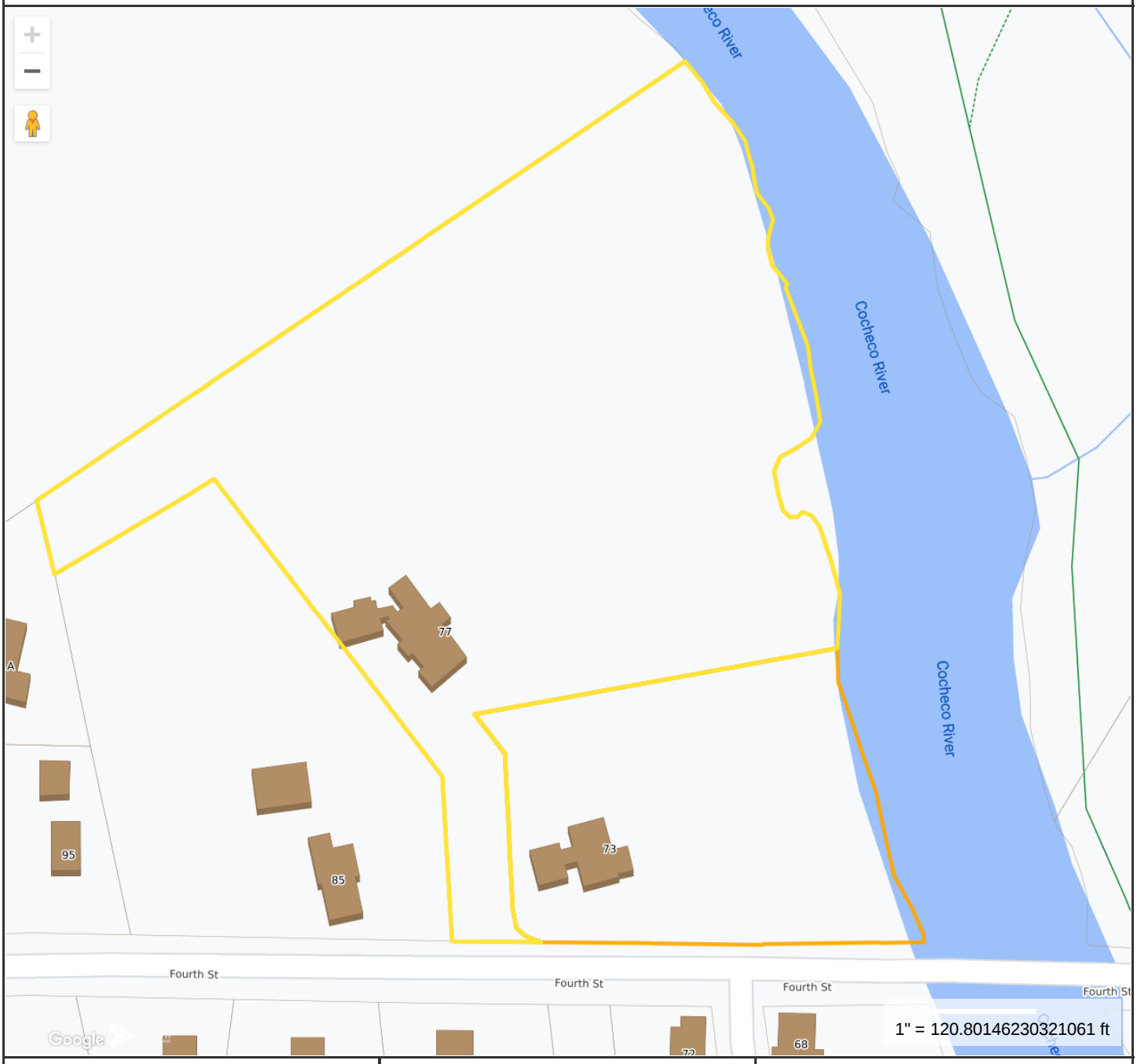
The post-adjustment area of 77 Fourth St. will be 175,550 +/- sq. ft. and 73 Fourth St. will be 61,028 +/- sq. ft., conditional upon the applicant submitting a Lot Line Adjustment Plan and necessary application materials to the City to be reviewed by this board.

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

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

**Subsequent Conditions to Be Met Prior to Signing of Plans:**
1. Provide physical and digital copies (including CAD) of complete plan set for recording at Strafford County Registry of Deeds which additionally shall include:
   a. Planning File Number #LOTA-2024-0005
   b. The owner's signatures
   c. The LLS stamp and signature

# LOTA-2024-0005 77 & 73 Fourth Street




**Property Information**

| | |
|---|---|
| **Location** | 77 FOURTH ST |
| **Owner** | BREWER MICHAEL & |
| **Land Use** | |
| **Zoning Code** | R-12 |
| **Property Id** | 32036-F00000 |

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 10/30/2023
Data updated Daily

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

# PLAN SNAPSHOT REPORT LOTA-2024-0005
# FOR CITY OF DOVER, N.H.

| | | | | | |
|---|---|---|---|---|---|
| **Plan Type:** | Lot Adjustment | **Project:** | | **App Date:** | 05/07/2024 |
| **Work Class:** | Lot Line Adjustment | **District:** | None | **Exp Date:** | 07/11/2024 |
| **Status:** | Fees Paid | **Square Feet:** | 0.00 | **Completed:** | NOT COMPLETED |
| **Valuation:** | $0.00 | **Assigned To:** | Blonigen, Rachel | **Approval Expire Date:** | |
| **Description:** | To add 2729 s.f. to Lot 32/36F | | | | |

| | | | | |
|---|---|---|---|---|
| **Parcel:** | 32036-D00000 | **Address:** | 73 Fourth St<br>Dover, NH | **Zone:** R-12(Residential - Medium Density) |
| | 32036-F00000 Main | | 77 Fourth St<br>Dover, NH Main | |

Applicant
McEneaney Survey Associates
P.O. Box 1166
DOVER, NH 03821
Business: (603) 742-0911

Owner
Marin & Carole Jaffe
Home: (603) 749-1260

Owner
Michael & Shelby Brewer
Mobile: (603) 617-6242

**Plan Custom Fields**

| | | | | | |
|---|---|---|---|---|---|
| Number of Parcels Involved | 2 | Parcel Map/Lot | 32/36F | Proposed Parcel Size (sqft) | 175550 |
| Parcel Zoning | R12 | Existing Parcel Size (Ac) | 3.97 | Address of First Property | 77 Fourth Street |
| Existing Parcel Size (sqft) | 172933 | Owner Name | Michael & Shelby Brewer | Deed Book | 3314 |
| Deed Page | 748 | Owner Address | 77 Fourth Street | Deed Date | 12/30/05 |
| Owner Phone | 603-617-6242 | Parcel Feedback | | Address of Second Property | 73 Fourth Street |
| Address of Third Property | | Parcel 2 Map/Lot | 32/36D | Parcel 3 Map/Lot | |
| Second Property Owner Name | Martin & Carole Jaffe | Third Property Owner Name | | Second Property Owner Address | 73 Fourth Street |
| Third Property Owner Address | | Second Property Owner Phone | 603-749-1260 | Third Property Owner Phone | |
| First Easement Holder Name | | Second Easement Holder Name | | First Easement Holder Address | |
| Second Easement Holder Address | | First Easement Holder Phone | | Second Easement Holder Phone | |

| Attachment File Name | Added On | Added By | Attachment Group | Notes |
|---|---|---|---|---|
| Signature_Kevin_McEneaney_5/7/2024.jpg | 05/07/2024 12:02 | McEneaney, Kevin | | Uploaded via CSS |

| Invoice No. | Fee | Fee Amount | Amount Paid |
|---|---|---|---|
| INV-00007827 | Planning Lot Line Adjustment Application Fee | $200.00 | $200.00 |
| | Planning Lot Line Adjustment Fee | $200.00 | $200.00 |
| | Total for Invoice INV-00007827 | $400.00 | $400.00 |
| | **Grand Total for Plan** | **$400.00** | **$400.00** |

| Workflow Step / Action Name | Action Type | Start Date | End Date |
|---|---|---|---|
| **Review v.1** | | 05/07/2024 17:24 | 05/07/2024 17:24 |
| Confirm application complete v.1 | Generic Action | | 05/07/2024 17:24 |
| **Planning Board v.1** | | 05/07/2024 17:24 | |
| Planning Board Agenda v.1 | Task | 05/07/2024 17:24 | |

# *City of Dover, New Hampshire*
# *MINOR LOT LINE ADJUSTMENT APPLICATION*

[Revision Date: June 4, 2019]

| *Office Use Only* | Project #: | | Date Received: | |
|---|---|---|---|---|
| | Amount Paid: | | Time Received: | |

## APPLICANT INFORMATION

Name of Applicant: See 1st & 2nd Property Owners Telephone #

Address of Applicant:

## FIRST PROPERTY OWNER AND PARCEL INFORMATION

Name of 1st Property Owner (*if different from applicant*): Michael & Shelby Brewer Telephone #603-617-6242

Address of 1st Property Owner: 77 Fourth Street Dover, NH 03820

Address of Property: 77 Fourth Street

Assessor's Map # 32 Lot(s) # 36F

Property Deed: Book 3314 Page: 748

Zoning District(s) R-12 Overlay District(s) None

Size of Existing Parcel (sq. ft.): 172,822 Size of Proposed Parcel (sq. ft.): 175,550

## SECOND PROPERTY OWNER AND PARCEL INFORMATION

Name of 2nd Property Owner (*if different from applicant*): Jaffe Family Revocable Trust Martin R. & Carole A. Jaffe, Trustees Telephone # 603-749-1260

Address of 2nd Property Owner: 73 Fourth Street Dover, NH 03820

Address of Property: 73 Fourth Street

Assessor's Map # 32 Lot(s) # 36D

Property Deed: Book 5038 Page: 736

Zoning District(s) R-12 Overlay District(s) None

Size of Existing Parcel (sq. ft.): 63,757 Size of Proposed Parcel (sq. ft.): 61,028

## THIRD PROPERTY OWNER AND PARCEL INFORMATION

Name of 3rd Property Owner (*if different from applicant*): N/A Telephone #

Address of 3rd Property Owner:

Address of Property:

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

Property Deed: Book _____ Page: _____

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

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

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

**SURVEYOR INFORMATION**

Name of Surveyor and Company (Licensed in N.H.) Kevin McEneaney, LLS - McEneaney Survey Associates

Address P.O. Box 1166 Dover, NH 03821 Telephone #: 603-742-0911

Professional License #: NH LLS #661 E-mail address: kevin@surveynh.com

**CONSERVATION EASEMENT HOLDER (s)** N/A

Name of Easement Holder: _____ Telephone #_____

Address Easement Holder: _____

Name of 2nd Easement Holder: _____ Telephone #_____

Address 2nd Easement Holder: _____

**SIGNATURES**

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

Signature of First Property Owner: _____ Date: 5/5/24

Signature of Second Property Owner: _____ Date: 5/5/24

Signature of Applicant (*if different from owner*): _____ Date: _____

Signature of Agent: _____ Date: _____

**AUTHORIZATION TO ENTER SUBJECT PROPERTY**

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

Signature of Property Owner: _____ Date: 5/5/24

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

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

**Owner:**

| TAX MAP | LOT # | PROPERTY OWNER | MAILING ADDRESS |
|---|---|---|---|
| 32 | 36D | Jaffe Family Revocable Trust | 73 Fourth Street Dover, NH |

**Applicant (if different from owner):**

| APPLICANT NAME | APPLICANT COMPANY | MAILING ADDRESS |
|---|---|---|
| Michael & Shelby Brewer | | 77 Fourth Street Dover, NH |

**Surveyor and/or Engineer/Professional Agent:**

| NAME | COMPANY | MAILING ADDRESS |
|---|---|---|
| Kevin McEneaney, LLS | McEneaney Survey Associates | P.O. Box 1166 Dover, NH 03821 |
| | | |
| | | |

**Conservation Easement Holder:** N/A

| TAX MAP | LOT # | NAME OF EASEMENT HOLDER | MAILING ADDRESS |
|---|---|---|---|
| | | | |

# *City of Dover, New Hampshire*
# *LOT LINE ADJUSTMENT SUBMISSION CHECKLIST*

[Revision Date: June 4, 2019]

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

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

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

APPLICANT: Jaffe Family Revocable Trust & Michael & Shelby Brewer File Number: _____

PROPERTY LOCATION: 73 & 77 Fourth Street Tax Map: 32 Lot: 36D and Lot: 36F

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

REVIEWED BY: _____ DATE_____

**LOTA-2024-0005** **73 & 77 FOURTH STREET**

| Property ID | Location | Owner 1 | Owner 2 | Owner Address 1 | City | State | Zip |
|---|---|---|---|---|---|---|---|
| 31002-000000 | 63 FOURTH ST | OSTERMAN PROPANE LLC | | 18 SPRING ST | BRUNSWICK | ME | 04011 |
| 31003-A00000 | FOURTH ST | CITY OF DOVER | | 288 CENTRAL AV | DOVER | NH | 03820-4169 |
| 31103-000000 | 76 SIXTH ST | SIXTH STREET STATION CONDOMINIUM | OWNERS' ASSOCIATION | 385 SIXTH ST | DOVER | NH | 03820 |
| 32001-000000 | 72 FOURTH ST | LAW GERORGE JR & GLENNA TRUSTEES | LAW GEORGE JR AND GLENNA TRUSTS | 72 FOURTH ST | DOVER | NH | 03820 |
| 32002-000000 | FOURTH ST | LUTSK DEBORAH & DELORES M SILVA & | GEORGE TIMOTHY & LISA M MULCAHY | 245 N BEND DR | MANCHESTER | NH | 03104 |
| 32003-000000 | 78 80 FOURTH ST | EIGHTY FOURTH STREET LLC | C/O REYNOLDS | PO BOX 396 | DOVER | NH | 03821 |
| 32004-000000 | 84 FOURTH ST | REYNOLDS EVELYN B REV TRUST | REYNOLDS EVELYN B TRUSTEE | 84 FOURTH STREET | DOVER | NH | 03820 |
| 32005-000000 | 86 FOURTH ST | REYNOLDS CHARLES D REV TRUST | REYNOLDS CHARLES D TRUSTEE | 84 FOURTH STREET | DOVER | NH | 03820 |
| 32034-000000 | 7 SNOW'S CT | PERKINS DOROTHY S | PERKINS DANIEL O | 7 SNOW'S COURT | DOVER | NH | 03820 |
| 32035-000000 | 68 FOURTH ST | ARRIGONI SCOTT A & | ARRIGONI ELLEN A | 400 SLIGO RD | ROLLINSFORD | NH | 03869-5812 |
| 32035-A00000 | SNOW'S CT | CARROLL SHANNON | | 40 NORTON RD | HAMPTON | NH | 03842 |
| 32036-000000 | 85 FOURTH ST | WHITEHEAD GEORGE R | WHITEHEAD HOLLY L | 85 FOURTH STREET | DOVER | NH | 03820 |
| 32036-A00000 | 97 FOURTH ST | KIZIM INC | | 7A LAFAYETTE RD | NORTH HAMPTON | NH | 03862 |
| 32036-B00000 | 95 FOURTH ST | AUGER KALE DAVID & | BANKER LAUREN ELIZABETH | 95 FOURTH ST | DOVER | NH | 03820 |
| 32036-C00000 | 95 A FOURTH ST | HOBSON CHRISTOPHER L & MARY CYNTHIA TRUS | HOBSON FAMILY REVOCABLE LIVING TRUST | 95 A FOURTH ST | DOVER | NH | 03820 |
| 32037-000000 | 103 FOURTH ST | FIRST HOMELY HOUSE LLC | | 18 HAMPTON RD STE 3 | EXETER | NH | 03833 |
| 32036-D00000 | 73 FOURTH ST | JAFFE MARTIN J & CAROLE A TRUSTEES | JAFFE FAMILY REVOCABLE TRUST | 73 FOURTH ST | DOVER | NH | 03820 |
| 32036-F00000 | 77 FOURTH ST | BREWER MICHAEL & | BREWER SHELBY | 73 FOURTH ST | DOVER | NH | 03820 |
| | | MCENEANEY SURVEY ASSOCIATES | KEVIN MCENEANEY | PO BOX 1166 | DOVER | NH | 03821 |

2005 DEC 30 AM 11:23
REGISTER OF DEEDS
STRAFFORD COUNTY

BK3314PG0748

033641

Return to:
Michael Brewer and Shelby Brewer
24 Lexington St
Dover, NH 03820

STATE OF NEW HAMPSHIRE
DEPARTMENT OF REVENUE ADMINISTRATION
REAL ESTATE TRANSFER TAX
****3 THOUSAND 0 HUNDRED AND 00 DOLLARS
MO. DAY YR. AMOUNT
12/30/2005 755517 $ ****3000.00
VOID IF ALTERED

# WARRANTY DEED

George Law and Glenna Law, husband and wife, of 72 Fourth Street, Dover, NH, for consideration paid grant to Michael Brewer and Shelby Brewer, husband and wife of 5315 Birch Court, West River, MD as joint tenants with rights of survivorship, with warranty covenants;

Three certain tracts of land, situate in Dover, County of Strafford, State of New Hampshire, being shown as Lot 1, Lot 2 and Lot 3 on plan entitled "Subdivision of Land, Dover, N.H., Timothy Pearson, P.O. Box 664, Dover, N.H.", Scale: 1" = 40', dated August 28, 1979 and recorded in the Strafford County Registry of Deeds in Plan Drawer 27, Number 35, to which plan reference may be made for a more particular description.

Lot 1 contains 1.5 acres, more or less;
Lot 2 contains 1.6 acres, more or less;
Lot 3 contains 2.6 acres, more or less.

Lot 2 is conveyed together with a right of way over a portion of Lot 3 as shown on the above-described plan.

Subject to any and all matters as shown on Plan No. 27-35.

Lot 3 is conveyed subject to a right of way for the benefit of Lot 2 as shown on said plan.

Meaning and intending to describe and convey the same premises as conveyed to the within Grantor by Deed of Timothy G. Pearson and Jean E. Sawtelle, Trustees of Cocheco River Trust, dated October 7, 1985 and recorded in Book 1192, Page 70 of the Strafford County Registry of Deeds.

Fourth Street, Lot 1/36-D, Lot 2/36-E, Lot 3/36-F, Dover, NH 03820

WB SB
Buyer's Initials

SIGNATURES ON FOLLOWING PAGE

DMH

Executed this December 28, 2005.

George Law

Glenna Law

**STATE OF NEW HAMPSHIRE**

Strafford SS

The foregoing was acknowledged before me this December 28, 2005 by George Law and Glenna Law.

Notary Public/Justice of the Peace
My commission expires:

KELLY A. SHEA
MY COMMISSION EXPIRES OCT. 21, 2010
NOTARY PUBLIC
NEW HAMPSHIRE

BK3314PG0749

Doc # 0005588 Apr 12, 2012 2:57 PM
Book 4008 Page 0875 Page 1 of 1
Register of Deeds, Strafford County

# *NOTICE OF MERGER*

This notice of Merger is made this 15 th day of MARCH, 2012. Be it known that MICHAEL & SHELBY BREWER of 73 FOURTH STREET DOVER, NH 03820 being the owner(s) of Tax Map 32, Lot 36E, a parcel described in deed Book 3314, Page 748 recorded at the Strafford County Registry of Deeds and Tax Map 32, Lot 36F, a parcel described in deed book 3314, page 748 recorded at the Strafford County Registry of Deeds has/have requested that said parcels be merged. The landowner(s) certify(ies) that the above described lots have at least one common boundary and are located in the City of Dover, NH, in the County of Strafford.

The above described lots shall not be conveyed as individual lots, but shall be conveyed as one. The intent is that any common boundaries between or among the lots shall be abandoned. The resulting merged lot may only be subdivided upon approval by the Planning Board based on the regulations existing at the time of application for the subdivision.

It is further understood that the above described lots shall be assessed as one lot for property tax evaluation purposes.

The owner(s) of the above described parcels has/have notified all mortgage holders for the above described parcels that said parcels are being merged and the owner(s) accepts full liability for this merger.

The Planning Board of the City of Dover, New Hampshire has signed this Notice of Merger as required by RSA 674:39-a and accepts no liability for this merger.

Owner
MICHAEL BREWER
*(Print owner name)*

Witness 3/15/2012

Owner
SHELBY BREWER
*(Print owner name)*

Witness

Owner

Witness

*(Print owner name)*
Marcia Gasses
Planning Board Chair

Witness

Image: 4008-0875 Page 1 of 1

Doc # 220008651 06/06/2022 02:33:51 PM
Book 5038 Page 736 Page 1 of 2
CATHERINE A. BERUBE
Register of Deeds, Strafford County
LCHIP STA197986 25.00

*Return To:*
**Eileen A. Nevins, PLLC**
**One Park Avenue**
**Unit 3-1**
**Hampton, NH 03842**

# WARRANTY DEED

**KNOW ALL MEN BY THESE PRESENTS,** that we, **Martin J. Jaffe and Carole Jaffe,** a married couple, of 73 Fourth Street, Dover, County of Rockingham and State of New Hampshire, 03820, for consideration paid, grant to **Martin J. Jaffe and Carole A. Jaffe as Trustees of the Jaffe Family Revocable Trust (udt 6/1/2022)**, of 73 Fourth Street, Dover, County of Rockingham, and State of New Hampshire, 03874, with WARRANTY COVENANTS the following described premises:

A certain tract of land, together with any buildings and improvements thereon, situate on the Northerly side of Fourth Street in Dover, County of Strafford, State of New Hampshire, being shown as Lot 1 on a plan entitled "Subdivision of Land, Dover, N.H., Timothy Pearson, P.O. Box 664, Dover, N.H.", Scale: 1" = 40', dated August 28, 1979 and recorded in the Strafford County Registry of Deeds in Plan Drawer 27, Number 35, to which plan reference may be made for a more particular description.

Lot 1 contains 1.5 acres, more or less.

Together with a right-of way for the benefit of Lot #1, as shown on the above referenced plan, for ingress and egress over that portion of Lot #3 as used to access Lot #1.

Subject to any and all matters as shown on Plan No. 27-35.

This conveyance is a transfer without consideration to a revocable trust in which the beneficial interest in the trust is not represented by transferable shares and which trust was created and funded for estate planning purposes, as a testamentary substitute. As such, this conveyance is exempt from taxation under RSA 78-B:2, XXI.

This deed was prepared by information supplied by the Grantors and no independent title examination has been conducted.

Meaning and intending to describe the same premises conveyed to the Grantors in a deed dated August 7, 2013 and recorded at Book 4154, Page 840, in the Strafford County Registry of Deeds.

Executed this 1st day of June, 2022.

Martin J. Jaffe

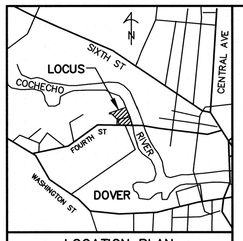
Carole A. Jaffe

STATE OF NEW HAMPSHIRE
ROCKINGHAM COUNTY

On this 1st day of June, 2022, personally appeared before me, Martin J. Jaffe and Carole A. Jaffe, personally known to me and proven to be the persons whose names are subscribed to the foregoing instrument and acknowledged that they executed the same as their free act and deed. Before me,

Notary Public

EILEEN A. NEVINS
STATE OF
MY
COMMISSION
EXPIRES
MAY 4,
2027
NEW HAMPSHIRE
NOTARY PUBLIC




LOCATION PLAN
( NO SCALE )

| No. | Central Angle | Radius | Arc Length | Chord Length | Chord Bearing |
|---|---|---|---|---|---|
| C1 | 86°42'28" | 25.00' | 37.83' | 34.33' | S46°36'12"E |

| No. | Bearing | Distance |
|---|---|---|
| L1 | N10°42'43"W | 52.72' |
| L2 | S12°53'26"W | 45.00' |
| L3 | S80°57'57"W | 50.00' |
| L4 | N03°14'58"W | 6.08' |
| L5 | N37°14'48"W | 39.78' |

## LEGEND

I.R.(fnd) – IRON ROD (FOUND)
S.S.(fnd) – STEEL STAKE (FOUND)
I.R.(tbs) – IRON ROD WITH ID CAP #661 (TO BE SET)
– FIRE HYDRANT
– UTILITY POLE
S.C.R.D. – STRAFFORD COUNTY REGISTRY OF DEEDS

## NOTES:

1.) OWNER OF RECORD:

32 / 36F
MICHAEL BREWER
SHELBY BREWER
73 FOURTH STREET
DOVER, NEW HAMPSHIRE 03820
S.C.R.D. VOLUME 3314, PAGE 748
LOT MERGER S.C.R.D. VOLUME 4008, PAGE 875

32 / 36D
JAFFE FAMILY REVOCABLE TRUST
MARTIN J. JAFFE, TRUSTEE
CAROLE JAFFE, TRUSTEE
73 FOURTH STREET
DOVER, NEW HAMPSHIRE 03820
S.C.R.D. VOLUME 5038, PAGE 736

2.) 32 / 36F – DENOTES TAX MAP AND PARCEL NUMBER.

3.) THE INTENT OF THIS PLAN IS TO ADJUST THE LOT LINES OF THE SUBJECT PARCELS AS SHOWN: PARCEL A (2,729 S.F.) WILL BE ADDED TO LOT 32/36F.

| LOT | ORIGINAL AREA | NEW AREA |
|---|---|---|
| 32/36F | 172,822 S.F. (3.97 Ac.) | 175,550 S.F. (4.03 Ac.) |
| 32/36D | 63,757 S.F. (1.46 Ac.) | 61,028 S.F. (1.40 Ac.) |

4.) ZONING DISTRICT IS R12:

| DIMENSIONAL REQUIREMENTS: | |
|---|---|
| MINIMUM LOT SIZE | = 12,000 S.F. |
| MAXIMUM LOT COVERAGE | = 30 PERCENT |
| MINIMUM FRONTAGE | = 100 FEET |
| BUILDING SETBACK REQUIREMENTS: | |
| FRONT BUILD-TO | = 15-25 FEET |
| SIDE YARD | = 15 FEET |
| FRONT YARD | = 30 FEET |
| MAXIMUM BUILDING HEIGHT | = 35 FEET |

5.) A PORTION OF THE SUBJECT PARCEL IS WITHIN THE SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1 PERCENT ANNUAL CHANCE FLOOD, ZONE AE, AS SHOWN ON FLOOD INSURANCE RATE MAP, COMMUNITY NUMBER 330145;MAP NUMBER 33017C0310E; EFFECTIVE DATE 9/30/2015.

6.) BASIS OF BEARING IS NH STATE PLANE (NAD83) AND VERTICAL DATUM IS NAVD88 BASED ON GPS OBSERVATION DATED MARCH 27, 2024.

7.) A PORTION OF THE PARCEL IS SUBJECT TO THE RULES OF THE SHORELAND WATER QUALITY PROTECTION ACT (NH RSA 483-B), THOSE AREAS WITHIN TWO HUNDRED AND FIFTY (250) FEET OF COCHECHO RIVER REFERENCE LINE.

8.) THE SUBJECT PARCELS ARE SERVICED BY MUNICIPAL WATER AND SEWER.

9.) ON FEBRUARY 28, 2012 THE DOVER PLANNING BOARD APPROVED A CONDITIONAL USE PERMIT FOR PARCEL 32/36F. SEE DOVER PLANNING BOARD FILE P11-61.

10.) PROPERTY LINE INFORMATION HAS BEEN OBTAINED FROM A SURVEY PERFORMED BY MCENEANEY SURVEY ASSOCIATES, INC. ON DURING WITH AN ERROR NOT GREATER THAN 1 IN 10,000.

11.) PARCEL 32/36F IS SUBJECT TO AN EASEMENT TO PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE AND NORTHERN NEW ENGLAND TELEPHONE OPERATIONS LLC, S.C.R.D. VOLUME 4115, PAGE 45.

12.) PARCEL 32/36D IS SUBJECT TO A DRAINAGE EASEMENT AS SHOWN ON REFERENCE PLAN 4.

## REFERENCE PLANS:

1.) PLAN OF LOTS A & B – PRISCILLA LEGG FARRIS, DOVER, NEW HAMPSHIRE. SCALE: 1" = 50'; DATED: JULY, 1973; BY: G.L. DAVIS & ASSOCIATES. RECORDED S.C.R.D. PLAN 36, POCKET 1, FOLDER 4.

2.) PLAN OF LOT NOS. 1 & 2 – BRUCE E. & CAROL N. NADEAU, DOVER, NEW HAMPSHIRE. SCALE: 1" = 50'; DATED: MAR., 1975; BY: G.L. DAVIS & ASSOCIATES. RECORDED S.C.R.D. PLAN 31, POCKET 1, FOLDER 12.

3.) PLOT PLAN OF LOT NO. 3 FOR BRUCE & CAROL NADEAU, DOVER, N.H. SCALE: 1" = 50'; DATED: 7-6-77; BY: G.V. ROE. S.C.R.D. PLAN 17C-44.

4.) SUBDIVISION OF LAND DOVER, N.H. – TIMOTHY PEARSON, P.O. Box 664, DOVER, N.H. SCALE: 1" = 40'; DATED: AUGUST 28, 1979; BY: JOHN W. DURGIN ASSOCIATES, INC. RECORDED S.C.R.D. PLAN 27-35.

5.) PRELIMINARY BOUNDARY PLAN – MICHAEL AND SHELBY BREWER, FOURH STREET, DOVER, NEW HAMPSHIRE. SCALE: 1" = 40'; ISSUED: APRIL 1, 2010; BY: TRITECH ENGINEERING CORP. NOT RECORDED.

N59°15'39"E 621.89'

32 / 37
FIRST HOMELY HOUSE, LLC
18 HAMPTON ROAD, STE 3
EXETER, NH 03833
4995 / 161

NH STATE PLANE MAD 83 - GPS OBS.

S.S.(fnd)
L1
127.71'
S58°56'34"W

32 / 36C
HOBSON FAMILY REVOCABLE LIVING TRUST
95 A FOURTH STREET
DOVER, NH 03820
4467 / 145

N39°15'26"W 290.80'

32 / 36F
NEW PARCEL AREA
175,550 S.F.
4.03 Ac.

HOUSE #77

WETLANDS FROM 2011 DELINEATION

214.66'
S80°32'07"W

LOT LINE TO BE ABANDED
95.00'
N80°32'07"E
L2
I.R.(tbs)
N - 256266.49
E - 1193110.23

ASPHALT DRIVE
LOT LINE TO BE ABANDED
L5
L4
PARCEL A
L3
I.R.(tbs)
I.R.(tbs)

32 / 36D
NEW PARCEL AREA
59,876 S.F.
1.37 Ac.

I.R.(fnd)
N04°58'36"W 125.00'
S03°14'58"E 117.44'

HOUSE #73
ASPHALT DRIVE

I.P.(fnd)
N - 256073.99
E - 1193008.99
73.42'
N89°57'26"W
C1
I.R.(fnd)
N89°57'26"W 302.40'
20' WIDE DRAINAGE EASEMENT
D.H.(fnd)

FOURTH STREET
{PUBLIC R.O.W.}

BRIDGE

SNOWS COURT

214.91'
S18°31'34"E
SURVEY TIE

479'± ALONG RIVER

EDGE OF COCHECHO RIVER AS LOCATED MARCH 27, 2024

223.23'
S06°14'04"E
SURVEY TIE

COCHECHO RIVER FLOW

240'± ALONG RIVER
S15°24'15"E
SURVEY TIE
236.58'

32 / 36
GEORGE R. WHITEHEAD
HOLLY L. WHITEHEAD
85 FOURTH STREET
DOVER, NH 03820
1003 / 16

32 / 3
EIGHTY FOURTH STREET LLC
P.O. BOX 396
DOVER, NH 03821
4296 / 485

32 / 2
DEBORAH LUTSK, DELORES SILVA, GEORGE TIMOTHY, LISA MULCAHY
245 N BEND DRIVE
MANCHESTER, NH 03804
4918 / 158

32 / 1
GEORGE, JR. & GLEENA LAW TRUSTS
GEORGE, JR. & GLENNA LAW, TR
72 FOURTH STREET
DOVER, NH 03820
3376 / 252

32 / 35
SCOTT A. ARRIGONI
ELLEN A. ARRIGONI
400 SLIGO ROAD
ROLLINSFORD, NH 03869
3689 / 609

| NO. | DATE | DESCRIPTION | BY | CHK |
|---|---|---|---|---|
| | | REVISIONS | | |

| 24-1933 | LLADJ | 24-03 | 8-10 |
|---|---|---|---|
| PROJECT NO | TYPE | FIELDBOOK & PAGES | |

"I HEREBY CERTIFY THAT THIS PLAN IS BASED ON AN ACTUAL GROUND SURVEY PERFORMED WITH A TOTAL STATION, BY ME OR THOSE UNDER MY DIRECT SUPERVISION AND THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, SAID SURVEY MEETS OR EXCEEDS THE MINIMUM PRECISION REQUIREMENTS FOR SURVEY CLASSIFICATION "U" AS SET FORTH IN TABLE 500.1 OF THE NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES OF THE BOARD OF LICENSURE FOR LAND SURVEYORS."

# LOT LINE ADJUSTMENT PLAN

PREPARED FOR
MICHAEL & SHELBY BREWER
AND
JAFFE FAMILY REVOCABLE TRUST
TAX MAP 32, LOT Nos. 36F & 36D
77 & 73 FOURTH STREET
CITY of DOVER
COUNTY of STRAFFORD
STATE of NEW HAMPSHIRE

**DOVER PLANNING FILE No.**

| DRAWN BY: KJF | FILE: MSA\1933\D\24-1933 |
|---|---|
| SCALE: 1" = 40' | DATE: APRIL 24, 2024 |

40 20 0 20 40 80 120 160

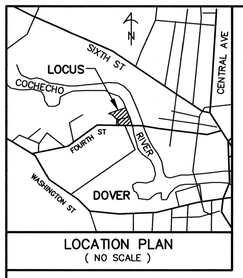
STATE OF NEW HAMPSHIRE No. 661 KEVIN M. McENEANEY LICENSED LAND SURVEYOR SIGNATURE

McEneaney Survey Associates of NEW ENGLAND

P.O. Box 1166 – 181 WATSON ROAD
DOVER, NH 03820 (603) 742-0911

SURVEYING – PLANNING – CONSULTING

5/1/2024 15:57:44 File: M:\1933\Drawings\24-1933.dwg Layout: 22x34




LOCATION PLAN
( NO SCALE )

| No. | Central Angle | Radius | Arc Length | Chord Length | Chord Bearing |
|---|---|---|---|---|---|
| C1 | 86°42'28" | 25.00' | 37.83' | 34.33' | S46°36'12"E |

| No. | Bearing | Distance |
|---|---|---|
| L1 | N10°42'43"W | 52.72' |
| L2 | S12°53'26"W | 45.00' |
| L3 | S80°57'57"W | 50.00' |
| L4 | N03°14'58"W | 6.08' |
| L5 | N37°14'48"W | 39.78' |

## LEGEND

I.R.(fnd) – IRON ROD (FOUND)
S.S.(fnd) – STEEL STAKE (FOUND)
I.R.(tbs) – IRON ROD WITH ID CAP #661 (TO BE SET)
– FIRE HYDRANT
– UTILITY POLE
S.C.R.D. – STRAFFORD COUNTY REGISTRY OF DEEDS

## NOTES:

1.) OWNER OF RECORD:

32 / 36F
MICHAEL BREWER
SHELBY BREWER
73 FOURTH STREET
DOVER, NEW HAMPSHIRE 03820
S.C.R.D. VOLUME 3314, PAGE 748
LOT MERGER S.C.R.D. VOLUME 4008, PAGE 875

32 / 36D
JAFFE FAMILY REVOCABLE TRUST
MARTIN J. JAFFE, TRUSTEE
CAROLE JAFFE, TRUSTEE
73 FOURTH STREET
DOVER, NEW HAMPSHIRE 03820
S.C.R.D. VOLUME 5038, PAGE 736

2.) 32 / 36F – DENOTES TAX MAP AND PARCEL NUMBER.

3.) THE INTENT OF THIS PLAN IS TO ADJUST THE LOT LINES OF THE SUBJECT PARCELS AS SHOWN: PARCEL A (2,729 S.F.) WILL BE ADDED TO LOT 32/36F.

| LOT | ORIGINAL AREA | NEW AREA |
|---|---|---|
| 32/36F | 172,822 S.F. (3.97 Ac.) | 175,550 S.F. (4.03 Ac.) |
| 32/36D | 63,757 S.F. (1.46 Ac.) | 61,028 S.F. (1.40 Ac.) |

4.) ZONING DISTRICT IS R12:

| | |
|---|---|
| DIMENSIONAL REQUIREMENTS: | |
| MINIMUM LOT SIZE | = 12,000 S.F. |
| MAXIMUM LOT COVERAGE | = 30 PERCENT |
| MINIMUM FRONTAGE | = 100 FEET |
| BUILDING SETBACK REQUIREMENTS: | |
| FRONT BUILD-TO | = 15-25 FEET |
| SIDE YARD | = 15 FEET |
| FRONT YARD | = 30 FEET |
| MAXIMUM BUILDING HEIGHT | = 35 FEET |

5.) A PORTION OF THE SUBJECT PARCEL IS WITHIN THE SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1 PERCENT ANNUAL CHANCE FLOOD, ZONE AE, AS SHOWN ON FLOOD INSURANCE RATE MAP, COMMUNITY NUMBER 330145;MAP NUMBER 33017C0310E; EFFECTIVE DATE 9/30/2015.

6.) BASIS OF BEARING IS NH STATE PLANE (NAD83) AND VERTICAL DATUM IS NAVD88 BASED ON GPS OBSERVATION DATED MARCH 27, 2024. CONTOUR INTERVAL IS 2 FEET.

7.) A PORTION OF THE PARCEL IS SUBJECT TO THE RULES OF THE SHORELAND WATER QUALITY PROTECTION ACT (NH RSA 483-B), THOSE AREAS WITHIN TWO HUNDRED AND FIFTY (250) FEET OF COCHECHO RIVER REFERENCE LINE.

8.) THE SUBJECT PARCELS ARE SERVICED BY MUNICIPAL WATER AND SEWER.

9.) ON FEBRUARY 28, 2012 THE DOVER PLANNING BOARD APPROVED A CONDITIONAL USE PERMIT FOR PARCEL 32/36F. SEE DOVER PLANNING BOARD FILE P11-61.

10.) PROPERTY LINE INFORMATION HAS BEEN OBTAINED FROM A SURVEY PERFORMED BY MCENEANEY SURVEY ASSOCIATES, INC. ON DURING WITH AN ERROR NOT GREATER THAN 1 IN 10,000.

11.) PARCEL 32/36F IS SUBJECT TO AN EASEMENT TO PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE AND NORTHERN NEW ENGLAND TELEPHONE OPERATIONS LLC, S.C.R.D. VOLUME 4115, PAGE 45.

12.) PARCEL 32/36D IS SUBJECT TO A DRAINAGE EASEMENT AS SHOWN ON REFERENCE PLAN 4.

## REFERENCE PLANS:

1.) PLAN OF LOTS A & B – PRISCILLA LEGG FARRIS, DOVER, NEW HAMPSHIRE. SCALE: 1" = 50'; DATED: JULY, 1973; BY: G.L. DAVIS & ASSOCIATES. RECORDED S.C.R.D. PLAN 36, POCKET 1, FOLDER 4.

2.) PLAN OF LOT NOS. 1 & 2 – BRUCE E. & CAROL N. NADEAU, DOVER, NEW HAMPSHIRE. SCALE: 1" = 50'; DATED: MAR., 1975; BY: G.L. DAVIS & ASSOCIATES. RECORDED S.C.R.D. PLAN 31, POCKET 1, FOLDER 12.

3.) PLOT PLAN OF LOT NO. 3 FOR BRUCE & CAROL NADEAU, DOVER, N.H. SCALE: 1" = 50'; DATED: 7-6-77; BY: G.V. ROE. S.C.R.D. PLAN 17C-44.

4.) SUBDIVISION OF LAND DOVER, N.H. – TIMOTHY PEARSON, P.O. Box 664, DOVER, N.H. SCALE: 1" = 40'; DATED: AUGUST 28, 1979; BY: JOHN W. DURGIN ASSOCIATES, INC. RECORDED S.C.R.D. PLAN 27-35.

5.) PRELIMINARY BOUNDARY PLAN – MICHAEL AND SHELBY BREWER, FOURH STREET, DOVER, NEW HAMPSHIRE. SCALE: 1" = 40'; ISSUED: APRIL 1, 2010; BY: TRITECH ENGINEERING CORP. NOT RECORDED.

| NO. | DATE | DESCRIPTION | BY | CHK |
|---|---|---|---|---|
| | | REVISIONS | | |

| | | | |
|---|---|---|---|
| 24-1933 | LLADJ | 24-03 | 8-10 |
| PROJECT NO | TYPE | FIELDBOOK & PAGES | |

32 / 37
FIRST HOMELY HOUSE, LLC
18 HAMPTON ROAD, STE 3
EXETER, NH 03833
4995 / 161

32 / 36C
HOBSON FAMILY REVOCABLE LIVING TRUST
95 A FOURTH STREET
DOVER, NH 03820
4467 / 145

32 / 36
GEORGE R. WHITEHEAD
HOLLY L. WHITEHEAD
85 FOURTH STREET
DOVER, NH 03820
1003 / 16

32 / 36F
NEW PARCEL AREA
175,550 S.F.
4.03 Ac.

32 / 36D
NEW PARCEL AREA
59,876 S.F.
1.37 Ac.

PARCEL A

N59°15'39"E 621.89'
N39°15'26"W 290.80'
N10°42'43"W 52.72'
127.71' S58°56'34"W
214.66' S80°32'07"W
85.00' N80°32'07"E
117.44' S03°14'58"E
125.00' N04°58'36"W
73.42' N89°57'26"W
302.40' N89°57'26"W
S18°31'34"E 214.91'
S06°14'04"E 223.23'
S15°24'15"E 236.58'
479'± ALONG RIVER
240'± ALONG RIVER

N.H. STATE PLANE NAD 83 GPS OBS.

S.S.(fnd)
I.R.(fnd)
I.R.(tbs) N – 256266.49 E – 1193110.23
I.P.(fnd) N – 256073.99 E – 1193008.99
I.R.(tbs)
I.R.(fnd)
I.R.(fnd)
D.H.(fnd)

HOUSE #77
HOUSE #73
ASPHALT DRIVE
ASPHALT DRIVE
WETLANDS FROM 2011 DELINEATION
LOT LINE TO BE ABANDED
LOT LINE TO BE ABANDED
EDGE OF COCHECHO RIVER AS LOCATED MARCH 27, 2024
20' WIDE DRAINAGE EASEMENT
COCHECHO RIVER FLOW
BRIDGE
FOURTH STREET {PUBLIC R.O.W.}
SNOWS COURT

32 / 3
EIGHTY FOURTH STREET LLC
P.O. BOX 396
DOVER, NH 03821
4296 / 485

32 / 2
DEBORAH LUTSK, DELORES SILVA, GEORGE TIMOTHY, LISA MULCAHY
245 N BEND DRIVE
MANCHESTER, NH 03804
4918 / 158

32 / 1
GEORGE, JR. & GLEENA LAW TRUSTS
GEORGE, JR. & GLENNA LAW, TR
72 FOURTH STREET
DOVER, NH 03820
3376 / 252

32 / 35
SCOTT A. ARRIGONI
ELLEN A. ARRIGONI
400 SLIGO ROAD
ROLLINSFORD, NH 03869
3689 / 609

"I HEREBY CERTIFY THAT THIS PLAN IS BASED ON AN ACTUAL GROUND SURVEY PERFORMED WITH A TOTAL STATION, BY ME OR THOSE UNDER MY DIRECT SUPERVISION AND THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, SAID SURVEY MEETS OR EXCEEDS THE MINIMUM PRECISION REQUIREMENTS FOR SURVEY CLASSIFICATION "U" AS SET FORTH IN TABLE 500.1 OF THE NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES OF THE BOARD OF LICENSURE FOR LAND SURVEYORS."

# TOPOGRAPHIC PLAN
PREPARED FOR
MICHAEL & SHELBY BREWER
AND
JAFFE FAMILY REVOCABLE TRUST
TAX MAP 32, LOT Nos. 36F & 36D
77 & 73 FOURTH STREET
CITY of DOVER
COUNTY of STRAFFORD
STATE of NEW HAMPSHIRE

DOVER PLANNING FILE No.

| | |
|---|---|
| DRAWN BY: KJF | FILE: MSA\1933\D\24-1933 |
| SCALE: 1" = 40' | DATE: APRIL 24, 2024 |

40 20 0 20 40 80 120 160

STATE OF NEW HAMPSHIRE No. 661 KEVIN M. McENEANEY LICENSED LAND SURVEYOR SIGNATURE

McEneaney Survey Associates of NEW ENGLAND
P.O. Box 1166 – 181 WATSON ROAD
DOVER, NH 03820 (603) 742-0911

SURVEYING – PLANNING – CONSULTING

File: M:\1933\D\drawings\24-1933.dwg Layout: LLADJ TOPO
5/3/2024 08:33:19 File: M:\1933\D\

CITY OF DOVER

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

| | |
|---|---|
| Application Type: | Transfer of Development Rights |
| Applicant(s): | 210 Tolend Road, LLC |
| Owner(s): | 210 Tolend Road, LLC |
| Location: | 210 Tolend Rd. (Assessor's Map F, Lot 3) |
| Meeting Date: | May 28, 2024 |

**INTENT:** To request the purchase of additional units through the Transfer of Development Rights (TDR) ordinance for 33 TDR units (10 "unrestricted" & 23 "restricted size units"). The applicant is also proposing 23 Fair Market Rent restricted Accessory Dwelling Units. A full plan review would still be required by the Planning Board and Technical Review Committee. *(Continued from the May 14, 2024 Regular Planning Board meeting.)*

**AGENDA ITEM #:** 4-B

**APPLICANT/OWNER:** 210 Tolend Road, LLC

**LOCATION:** 210 Tolend Rd. (Assessor's Map F, Lot 3)

**UNITS PROPOSED:** 53 Residential Units (including 10 "unrestricted" and 23 "restricted size units")

**ACREAGE**: 54.90± acres total, 52.74± acres in current use

**ZONING DISTRICT:** R-40

**EXISTING USE:** Residential

**PROPOSED USE:** Residential

**SURROUNDING USE:** Residential

**ZBA ACTION:** N/A

**PERMITS:** Not required at this time but the applicant will require a NHDES Alteration of Terrain Permit and Dredge and Fill Wetlands Permit.

**WAIVERS REQUESTED:** N/A

**REGIONAL IMPACT:** No

**NOTICES SENT:** Abutter notices were sent by certified mail.

**TRC:** N/A (A full plan review would still be required)

**ATTACHMENTS:** Application materials including site plan

**Summary of Request and Background**

The applicant is requesting the purchase of thirty-three (33) residential units by acquiring Transfer of Development Rights (TDR). Ten (10) of these units would not be restricted in size or rental rates and the other twenty-three (23) units would be restricted in size to no larger than 1,400 square feet (not including the rent-restricted ADUs). A full site plan review would still be required by the Planning Board and Technical Review Committee. The Zoning Ordinance allows for a sketch plan to be provided to staff and the Planning Board to discuss the TDR request and willingness to waive lot size and frontage requirements and may consider a maximum allowed. The Planning Board require a reduced number of units after seeing a fully engineered site plan.

Per Chapter 170-27.2 E.(4)a, staff provided a written report on May 23, 2024 explaining the need for additional information before the Planning Board make a decision on the sketch plan.

**Consistency with Land Use Regulations - TDR**

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

Since the ordinance doesn't define what makes a complete sketch plan or a complete TDR application, staff believes the Planning Board may review the sketch plan, yet may also ask for additional information either before making a decision on the TDR request or as a condition of the TDR approval depending on the discussion Tuesday night.

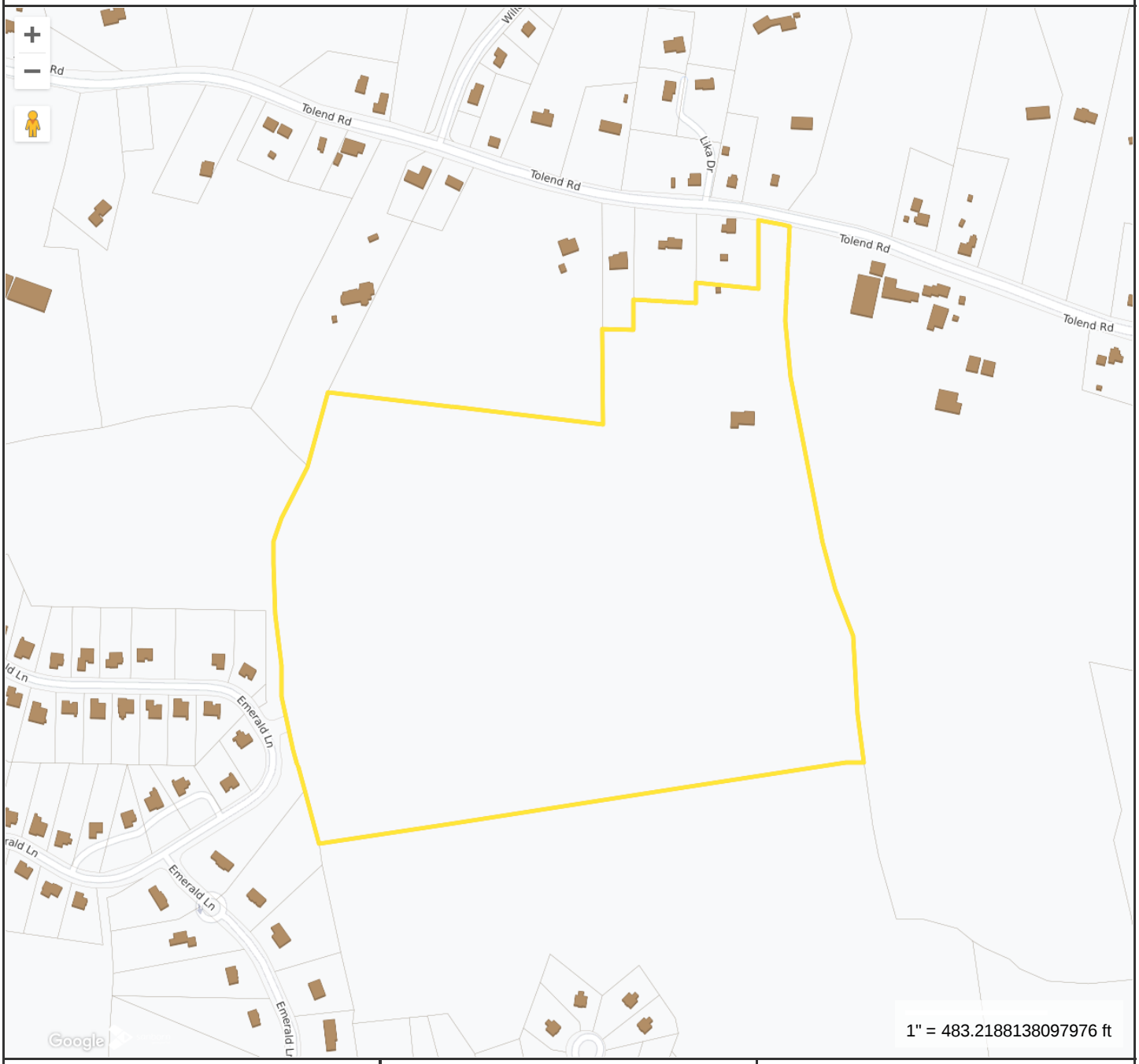
Staff understands the need of housing, especially attainable housing, and a mix of housing unit types but also values the rural nature of the R-40 district and the purpose of the TDR ordinance. A balance is needed here and the applicant needs to provide testimony on how it meets the intent of the R-40 district, the neighborhood context, and the Transfer of Development Rights Ordinance as currently designed.

Staff has reviewed the proposal and supplied a TDR memo to the applicant and ownership team. Staff would like the Planning Board to get a better understanding of traffic and sight distance concerns, the Conservation Commission's view on the Conditional Use Permits required, feasibility of utility connection, and understanding of future subdivision or project layout in terms of approximate lot lines.

**STAFF RECOMMENDATION - TDR:**

- The Planning Department recommends the Planning Board review the sketch plan and ask for additional information regarding sight distance, utility connection, Conservation Commission endorsement, and explanation of future property lines

# TRAN-2024-0003 210 TOLEND ROAD




**Property Information**

| | |
|---|---|
| **Location** | 210 TOLEND RD |
| **Owner** | 210 TOLEND ROAD LLC |
| **Land Use** | |
| **Zoning Code** | R-40 |
| **Property Id** | F0003-000000 |

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 10/30/2023
Data updated Daily

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

**To:** Bob Stowell, PE
**From:** Donna Benton, AICP
**Cc:** 210 Tolend Road, LLC (Robert Baldwin and John O'Neil)
Staff
**Date:** May 22, 2024
**Re:** TDR 210 Tolend

**ISSUE:**
In February of 2020 the Board recommended amendments to the Transfer of Development Rights (TDR) Ordinance. In June 2020 the Planning Board approved the amendments and on July 22, 2020, the City Council ratified them. One element is the requirement for staff to draft a review statement on the need for a sketch plan. Since then the criteria for TDR has also been amended.

**INTENT:**
This memo will serve as part of the staff report

**GOALS:**
Provide background of the balancing development vs. conservation needs and current housing shortage, and describe the TDR applications in Dover.

## Background

On behalf of your client, you submitted a plan and narrative to obtain 53 units by purchasing 33 through TDR (10 unrestricted TDR units and 23 size restricted to 1,400 s.f.) for a project located at 210 Tolend Rd. Staff is also aware that there is an intent of the developer to add accessory dwelling units to each of the size-restricted homes that would be in addition to the size restriction of 1,400 s.f.

Staff performed this review based upon the information below, and is now providing the required staff report (Chapter 170-27.2 E.(4)a).

### Project Information

| | |
|---|---|
| Project: | 210 Tolend Road TDR Project |
| Where: | 210 Tolend Road |
| What: | 53 units (plus 23 ADUs). Of the 53 units, 23 units will be 1,400 s.f. and 10 will be unrestricted. The density calculation per Chapter 170-27.2.G(3)(a) was used to determine base calculation. |
| Acres: | 55.698 |
| Zone: | R-40 |
| Public Water: | To be brought to the site from Emerald Lane |
| Public Sewer: | To be brought to the site from Emerald Lane |
| Units: | 53 new units proposed (plus 23 ADUs), 21* units were yielded by the TDR calculation in Land Unit A, plus 23 1,400 s.f. and 10 unrestricted TDR units (including existing dwelling). |
| CUP: | Yes |

### Staff Comment

When reviewing projects, review the context, discuss options with the applicant, and advise on the feasibility of requesting the purchase or exchange before or after designing a fully laid out plan.

**In reviewing this project, we note:**

- Traffic
  - Emerald Lane is a public local road. Tolend Road is an arterial road connecting Dover and Barrington. Sight distance and traffic would be studied and reviewed during the Technical Review Committee process.
- Existing layout/topography
  - There is currently an existing residence onsite with gravel driveway and as noted on your plan a woods road.
- Environmental
  - The site is heavily wooded and contains substantial wetland and wetland buffer area.
  - The R-40 District is intended to be the most rural in nature with 40,000 s.f. minimum lot sizes, longer frontage requirements, and open space subdivisions required for any major subdivision. Within the Open Space Regulations, there are buffer and setback requirements in addition to the flexibility of reducing lot size and putting that balance into protected Open Space. The Zoning Ordinance requires wetlands and wetland buffers to not be disturbed (without a CUP). The development as it is designed provides open space but the majority of the open space is the required wetland

protection and buffer requirements that would be required as undisturbed, regardless of open space requirements. no-

- Per 170-27.2.E.4.b, if CUPs are required, Conservation Commission endorsement must occur first. Staff understands the applicant has requested want to hear Planning Board's opinion on TDR though Planning Board likely cannot vote on the TDR request without the Conservation Commission endorsement first.
- This lot is located near several other conserved pieces of land.
- While bringing existing septic systems the ability to connect to municipal sewer is helpful to the city's environmental efforts, not enough information on a potential connection was provided to see if such a connection is feasible.
- While Dover's regulations do not address wildlife directly, staff is aware the Ambrose family worked with NRCS through USDA as part of the Working Lands for Wildlife program.

**Staff Recommendation**

Currently, the TDR unit cost is $15,000 per unit, which is lessened if either HUD rental restricted or size restricted. The application is proposing 23 units to be size restricted to 1,400 s.f. (plus Accessory Dwelling unit in each), and 10 unrestricted TDR units including the existing dwelling, totaling 54 units (plus 23 ADUs and all of the ADUs to be restricted to the HUD Fair Market rental rates).

Staff understands the need for additional housing units and the desire to bring units using private septic systems onto municipal sewer. But also understands the importance of the rural nature of the R-40 district as laid out in the Vision Chapter of the Master Plan:

> "*Dover maintains distinct areas that have defining land uses and characteristics, such as an urban, historic downtown center, residential neighborhoods, business districts, and rural residential, agricultural, and open lands.*"

Staff recommends balancing the intensity of this development with additional upland, non-buffer open space. One way of doing this is to provide a larger portion of Land Unit "B" as conserved open space.

Based on the submitted information and current design, staff cannot recommend the project as currently designed until additional information is provided and reviewed including:

- Traffic study and sight distance study
- Utility connection feasibility
- Conservation Commission endorsement of CUPs
- Explanation of approximate future property lines to ensure the intent of the zoning ordinance and open space subdivision regulations are met.

# PLAN SNAPSHOT REPORT TRAN-2024-0003
# FOR CITY OF DOVER, N.H.

| | | | | | |
|---|---|---|---|---|---|
| **Plan Type:** | Transfer | **Project:** | | **App Date:** | 04/02/2024 |
| **Work Class:** | Transfer of Development Rights | **District:** | None | **Exp Date:** | NOT AVAILABLE |
| **Status:** | Fees Due | **Square Feet:** | 0.00 | **Completed:** | NOT COMPLETED |
| **Valuation:** | $0.00 | **Assigned To:** | | **Approval Expire Date:** | |

**Description:** Ambrose Woods includes the construction of 53 new homes and will require the purchase of 33 TDR units (10 "unrestricted" & 23 "restricted").

| | | | | | |
|---|---|---|---|---|---|
| **Parcel:** | F0003-000000 Main | **Address:** | 210 Tolend Rd<br>Dover, NH Main | **Zone:** | R-40(Residential - Rural) |

Owner
Stonearch Development Corp
Business: (978) 375-3153

Applicant
Tritech Engineering Corp.
755 Central Avenue
Dover, NH 03820
Business: (603) 742-8107

**Plan Custom Fields**

| | | | | | |
|---|---|---|---|---|---|
| Parcel Map/Lot | F/3 | Parcel Zoning Overlay | Wetland Protection | Parcel Zoning | R-40 |
| trandevdetail | Ambrose Woods includes the construction of 53 new homes and will require the purchase of 33 TDR units (10 "unrestricted" & 23 "restricted" units). | Deed Book | 5166 | Deed Page | 26 |
| Property Address | 210 Tolend Road | Deed Date | February 15, 2024 | Owner Name | 210 Tolend Road, LLC |
| Existing Parcel Size (Ac) | 55.698 | Owner Address | 42J Dover Point Road, Dover, NH 03820 | Owner Phone | 978-375-3153 |
| Existing Parcel Size (sqft) | 2.4262e+006 | Owner EMail | office@stonearchcommunities.com | Parcel Feedback | |
| Reference Plan ID Number: | | Request Type | Purchase, Residential, Residential (reduced size) | trandevpermits | NHDES Wetland Impact Permit - not yet begun<br>NHDES AoT Pemit - not yet begun |
| Project Zone | Residential | New Change in Impervious/Paved Area (sq ft) | 0 | Quantity of Non-Restricted Units | 10 |
| Quantity of 1,400 sq ft Units | 23 | Relief Sought | Unit increase | | |

| Attachment File Name | Added On | Added By | Attachment Group | Notes |
|---|---|---|---|---|
| Signature_Robert_Stowell_4/2/2024.jpg | 04/02/2024 13:55 | Stowell, Robert | | Uploaded via CSS |
| Plan Detailed Report.pdf | 04/25/2024 15:48 | Service, EnerGov | Available Online | Attached by EnerGov's IO Automation Service (ATTACH: Attach copy of Notice of Decision) |

| Note | Created By | Date and Time Created |
|---|---|---|
| 1. Emailed applicant requesting copies of materials for PB meeting | Rachel Blonigen | 04/19/2024 14:39 |
| 2. PB Version 1 deferred to version 2, due to a duplicate application. | Rachel Blonigen | 04/25/2024 15:48 |

| Invoice No. | Fee | Fee Amount | Amount Paid |
|---|---|---|---|
| INV-00007384 | Planning Transfer of Dev Rights Application Fee | $200.00 | $200.00 |
| | **Total for Invoice INV-00007384** | **$200.00** | **$200.00** |
| NOT INVOICED | Transfer of Dev Rights Fee - 1,400 sq ft | $253,000.00 | $0.00 |
| | Transfer of Dev Rights Fee - Non-Restricted | $150,000.00 | $0.00 |
| | **Total for Invoice NOT INVOICED** | **$403,000.00** | **$0.00** |

# PLAN SNAPSHOT REPORT (TRAN-2024-0003)

| | | | |
|---|---|---|---|
| | **Grand Total for Plan** | **$403,200.00** | **$200.00** |

| Workflow Step / Action Name | Action Type | Start Date | End Date |
|---|---|---|---|
| **Review v.1** | | 04/02/2024 17:24 | 04/09/2024 12:17 |
| Confirm application complete v.1 | Generic Action | | 04/02/2024 17:24 |
| Technical Review Committee Meeting Agenda v.1 | Task | | 04/09/2024 12:16 |
| Land Use Plan Technical Review v.1 | Receive Submittal | | 04/09/2024 12:16 |
| Technical Review Committee Meeting v.1 | Hold Meeting | | 04/09/2024 12:17 |
| **Planning Board v.1** | | 04/09/2024 12:18 | |
| Planning Board Agenda v.1 | Task | 04/09/2024 12:18 | 04/09/2024 12:18 |
| Invoice for Notices v.1 | Task | 04/09/2024 12:18 | 04/09/2024 14:46 |
| Send Notices v.1 | Task | 04/25/2024 15:42 | 04/09/2024 14:43 |
| Planner Creates Staff Recommendations v.1 | Plan Activity | | 04/09/2024 14:43 |
| Distribute Planning Board Materials v.1 | Task | | 04/09/2024 14:43 |
| Planning Board Hearing v.1 | Hold Hearing | | 04/09/2024 14:43 |
| Planning Board Decision v.1 | Plan Activity | | 04/09/2024 14:43 |
| NOD Sent to Applicant v.1 | Create Report | | 04/09/2024 14:43 |
| **Planning Board v.2** | | 04/25/2024 15:46 | |
| Planning Board Agenda v.1 | Task | 04/25/2024 15:47 | |
| Invoice for Notices v.1 | Task | 04/25/2024 15:46 | |
| Send Notices v.1 | Task | 04/25/2024 15:46 | |
| Planner Creates Staff Recommendations v.1 | Plan Activity | 04/25/2024 15:46 | |
| Distribute Planning Board Materials v.1 | Task | 04/25/2024 15:46 | |
| Planning Board Hearing v.1 | Hold Hearing | 04/25/2024 15:46 | |
| Planning Board Decision v.1 | Plan Activity | 04/25/2024 15:46 | |
| NOD Sent to Applicant v.1 | Create Report | 04/25/2024 15:46 | |

# City of Dover, New Hampshire
## TRANSFER OF DEVELOPMENT RIGHTS APPLICATION

[Revision Date: October 1, 2020]

| Office Use Only | Project #: | | Date Received: | |
|---|---|---|---|---|
| | Amount Paid: | | Time Received: | |

**APPLICANT AND OWNER INFORMATION**

Name of Applicant: 210 Tolend Road, LLC Telephone # 978-375-3153

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

E-Mail Address: johnoneill.nh@gmail.com office@stonearchcommunities.com

Name of Property Owner (if different from applicant): 210 Tolend Road, LLC Telephone # 978-375-3153

Address of Property Owner: 42J Dover Point Road Dover, NH

**PROPERTY INFORMATION**

Assessor's Map # F Lot(s) # 3

Address of Property: 210 Tolend Road Dover, NH

Zoning District(s) R-40 Overlay District(s) Wetland protection

Existing Use of Property: Single family residential

New impervious area (in s.f.): N/A

**TRANSFER OF DEVELOPMENT RIGHTS INFORMATION**

**Type of TRANSFER OF DEVELOPMENT RIGHT REQUEST (Check All That Apply):**

☒ Residential ☒ Residential (reduced size) ☐ Industrial | ☒ Purchase ☐ Land Preservation

**Relief sought (Check All That Apply):**

☐ Lot Size ☐ Frontage ☐ Setback ☒ Increase by 33 units

Describe Proposed Use or Activity that requires TDR; describe any impacts and document mitigation:

Ambrose woods includes the construction of 53 new homes and will require the purchase of 33 TDR units ( 10 unrestricted and 23 restricted).

List Any Associated State or Federal Permits That Have Been or Will Be Applied For and Indicate Their Status: Alteration of Terrain - Not yet begun
NHDES Dredge and Fill Wetlands Permit - Not yet begun

Name of Professional That Prepared TDR Plans: Robert J. Stowell, Tritech Engineering Corporation

Address 755 Central Ave Dover, NH Telephone #: 603-742-8107

Professional License #: 9903 E-mail address: rjs@tritecheng.com

**SIGNATURES**

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

Signature of Property Owner: _____ Date: 4-2-24

Signature of Applicant (if different from owner): _____ Date: _____

Signature of Agent: _____, PRESIDENT Date: 04/02/2024

**AUTHORIZATION TO ENTER SUBJECT PROPERTY**

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

Signature of Property Owner: _____ Date: 4-2-24

# CITY OF DOVER TRANSFER OF DEVELOPMENT RIGHTS
# LIST OF ABUTTERS

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

**Owner:**

| TAX MAP | LOT # | PROPERTY OWNER | MAILING ADDRESS |
|---|---|---|---|
| F | 3 | 210 Tolend Road, LLC | 42J Dover Point Road, Dover NH |

**Applicant (if different from owner):**

| APPLICANT NAME | APPLICANT COMPANY | MAILING ADDRESS |
|---|---|---|
| John O'Neill | 210 Tolend Road, LLC | 42 J Dover Point Road, Dover, NH |

**Surveyor and/or Engineer/Professional Agent:**

| NAME | COMPANY | MAILING ADDRESS |
|---|---|---|
| Robert J. Stowell | Tritech Engineering Corporation | 755 Central Ave, Dover, NH |
| Michael Mariano | Highland Soil Services | 75 Prospect Street, Somersworth, NH |
| | | |

**Conservation Easement Holder:**

| TAX MAP | LOT # | NAME OF EASEMENT HOLDER | MAILING ADDRESS |
|---|---|---|---|
| | | | |

**TRAN-2024-0003** **210 TOLEND ROAD**

| Property ID | Location | Owner 1 | Owner 2 | Owner Address 1 | City | State | Zip |
|---|---|---|---|---|---|---|---|
| E0045-000000 | 217 TOLEND RD | WYATT AMY | | 217 TOLEND RD | DOVER | NH | 03820 |
| E0046-000000 | 211 TOLEND RD | JACOBY LAUREN TRUSTEE | | 211 TOLEND ROAD | DOVER | NH | 03820 |
| E0047-000000 | 201 TOLEND RD | HERD KENNETH G & | WIEDMANN-HERD LESLIE J | 201 TOLEND RD | DOVER | NH | 03820 |
| E0047-001000 | TOLEND RD | STERN BRIAN | | 520 COLLAR HILL RD | WORCESTER | VT | 05682-9614 |
| F0002-000000 | 180 TOLEND RD | PARADIS LIONEL R JR & | PARADIS KRISTINA L | 180 TOLEND ROAD | DOVER | NH | 03820 |
| F0003-B00000 | 212 TOLEND RD | MILTON DANIEL L & | WATSON SHERRI H | 212 TOLEND RD | DOVER | NH | 03820-5511 |
| F0003-C00000 | 220 TOLEND RD | CARR NATALIE M | CARR RACHEL | 220 TOLEND RD | DOVER | NH | 03820 |
| F0003-D00000 | 232 TOLEND RD | BARNES DAVID TRUSTEE | BARNES DAVID E TRUST 2009 | 232 TOLEND RD | DOVER | NH | 03820-5511 |
| F0003-E00000 | 226 TOLEND RD | FRANCISCO PAMELA L | | 226 TOLEND RD | DOVER | NH | 03820-5511 |
| F0005-000000 | 254 TOLEND RD | CARROLL CHARLES | | 254 TOLEND RD | DOVER | NH | 03820 |
| F0008-000000 | TOLEND RD | DREW WILBUR & SHIRLEY A TRUSTEES | DREW FAMILY REVOCABLE TRUST | 266 TOLEND ROAD | DOVER | NH | 03820 |
| F0015-000000 | LITTLEWORTH RD | INDIAN RIDGE HOMEOWNERS' ASSOCIATION | | 42 J DOVER POINT RD | DOVER | NH | 03820 |
| F0015-000TOT | EMERALD LN | CITY OF DOVER | | 288 CENTRAL AVE | DOVER | NH | 03820 |
| F0015-023000 | 125 EMERALD LN | GAL ADILSON JR & | GAL RAFAELA L | 125 EMERALD LN | DOVER | NH | 03820 |
| F0015-024000 | 121 EMERALD LN | BERTOLINI MARK E & | BERTOLINI LEE H | 121 EMERALD LN | DOVER | NH | 03820 |
| F0015-025000 | 112 EMERALD LN | KEFALAS STEPHEN J | KEFALAS JULIA K | 112 EMERALD LN | DOVER | NH | 03820 |
| F0015-026000 | 102 EMERALD LN | SNYDER BRICE R & | SNYDER NICOLE L | 102 EMERALD LN | DOVER | NH | 03820 |
| F0015-049000 | 120 EMERALD LN | PATTI LINO N | | 120 EMERALD LN | DOVER | NH | 03820 |
| F0022-A00011 | 89 EMERALD LN | GASTON MICHAEL J & | GASTON SUSAN E | 89 EMERALD LN | DOVER | NH | 03820 |
| F0022-A00012 | 87 EMERALD LN | MACNEIL CHARLES W & | MACNEIL JENNIFER L | 87 EMERALD LN | DOVER | NH | 03820 |
| F0022-A00013 | 81 EMERALD LN | DORAIS ANDREW & | DORAIS MICHELINNE | 81 EMERALD LN | DOVER | NH | 03820 |
| F0023-A00000 | LITTLEWORTH RD | EZRA GREEN'S FARM HOMEOWNERS ASSOCIATION | | PO BOX 1312 | DOVER | NH | 03820 |
| F0003-000000 | 210 TOLEND RD | 210 TOLEND ROAD LLC | | 42J DOVER POINT RD | DOVER | NH | 03820 |
| | | TRITECH ENGINEERING CORP. | ROBERT STOWELL | 755 CENTRAL AVENUE | DOVER | NH | 03820 |
| | | HIGHLAND SOIL SERVICES | MICHAEL MARIANO | 75 PROSPECT STREET | SOMERSWOR | NH | 03878 |

TRITECH
ENGINEERING CORPORATION

755 Central Avenue
Dover, New Hampshire 03820

Telephone 603.742.8107
Facsimile 603.742.3830

April 2, 2024

Donna Benton, AICP
Director of Planning & Community Development
City of Dover, Planning Department
288 Central Avenue
Dover, New Hampshire 03820

Subject: TDR Application
210 Tolend Road, LLC
Tolend Road & Emeral Lane
Dover Tax Map F Lot 3
Dover, New Hampshire
Job No. 23118

Dear Donna:

On behalf of the applicant / property owner 210 Tolend Road, LLC we are submitting this Application for Transfer Development Right (TDR). The property is shown as City of Dover Tax Map F, Lot 3 and is located at 210 Tolend Road. Tritech has completed a property survey and wetlands delineation of the subject property and the results are depicted on the attached plans. The property contains 55.698 acres of which 15.5 acres are wetlands and is located in the R-40 Zoning District.

The applicant proposes to develop Map F Lot 3 by utilizing the City of Dover Transfer Development Rights (TDR) regulations in a condominium style project. The proposal calls for the construction of 53 new homes. Thirty (30) of these new homes, units 1 through 30, will be constructed as unrestricted housing & will require the purchase of ten (10) "unrestricted" TDR units. The remaining twenty-three (23) new homes, units 31 through 53, will be size restricted to 1400 square feet for the primary residence. These size restricted residence will also have additional square footage for the construction of an accessory dwelling unit(ADU). The rental amounts of these accessory dwelling units will be deed restricted to a Fair Market Rent set by HUD. All of these homes will require the purchase of "restricted" TDR units.

This project will include the construction of a 2,850-foot-long connector road from Emerald Lane to Tolend Road. This road construction will include the connection of City Water from Emerald Lane to Tolend Road and the extension of the City Sewer System from Emerald Lane to Tolend Road. This will make City Sewer available to a portion of the city where it is not currently available. In addition to this connector road the project includes the construction of a 1600-foot-long loop road. Both the connector road as well as the loop road are proposed to be private and will be maintained by the condominium association.

The construction of the connector road will require a Conditional Use Permit (CUP) from the City of Dover as well as a Wetland Impact Permit for the State of New Hampshire Department of Environmental Services (NHDES) for impact of approximately 5,000 square feet of wetlands as well as associated buffers.

All of this work will be constructed within the limits of Land Unit "A" which contains 44.568 acres, comprised of 31.517 acres of upland and 13.0 acres of wetlands.

Land Unit "B" will contain the existing single-family residence and is 11.198 acres in size. It is intended that Land Unit "B" is not restricted from potential future development with the proper permitting.

As the property is located in the R-40 Zoning District, for each unit in the development we are providing 20,000 square feet of Open Space. Land Unit "A" has over 26 acres of Open Space which is suitable for this 54-unit development. Any future development of Land Unit "B" will require additional Open Space.

The TDR Purchase Formula is based on Land Unit "A" and yields a base density of 21 units.

We look forward to meeting with the Planning Board at their April 23rd meeting and discussing this development plan. Should the board approve this TDR application, the applicant will proceed with completing site engineering and present an application for Site Plan Review in the future.

Attached please find the supporting documentation:

- Transfer Development Rights Application.
- Transfer Development Rights Site Development Plan Package.

Please advise should you have any questions.

Very truly yours,
**TRITECH ENGINEERING CORP.**

Robert J. Stowell, P.E., L.L.S.
President

RJS / rms
Attachments
\\23118submittalltr.docx

TDR SITE DEVELOPMENT PLANS

# AMBROSE WOODS

## 210 TOLEND ROAD
## DOVER, NEW HAMPSHIRE

LIST OF PLANS


| | | |
|---|---|---|
| T-1 | - | TITLE SHEET |
| T-2 | - | NEIGHBORHOOD PLAN 1"=200' (W-PHOTO) |
| EX-1 | - | EXISTING CONDITIONS PLAN 1"=100' |
| SP-1 | - | TDR SITE DEVELOPMENT PLAN 1"=100' (W-PHOTO) |
| SP-1 | - | TDR SITE DEVELOPMENT PLAN 1"=100' |
| SP-2 | - | TDR SITE DEVELOPMENT PLAN 1"=40' |
| SP-3 | - | TDR SITE DEVELOPMENT PLAN 1"=40' |
| SP-4 | - | TDR SITE DEVELOPMENT PLAN 1"=40' |
| OS-1 | - | OPEN SPACE DEVELOPMENT PLAN 1"=100' |


PREPARED FOR:

210 TOLEND ROAD LLC.
42 J DOVER POINT ROAD
DOVER, NEW HAMPSHIRE

OWNER:

210 TOLEND ROAD LLC.
42 J DOVER POINT ROAD
DOVER, NEW HAMPSHIRE

PREPARED BY

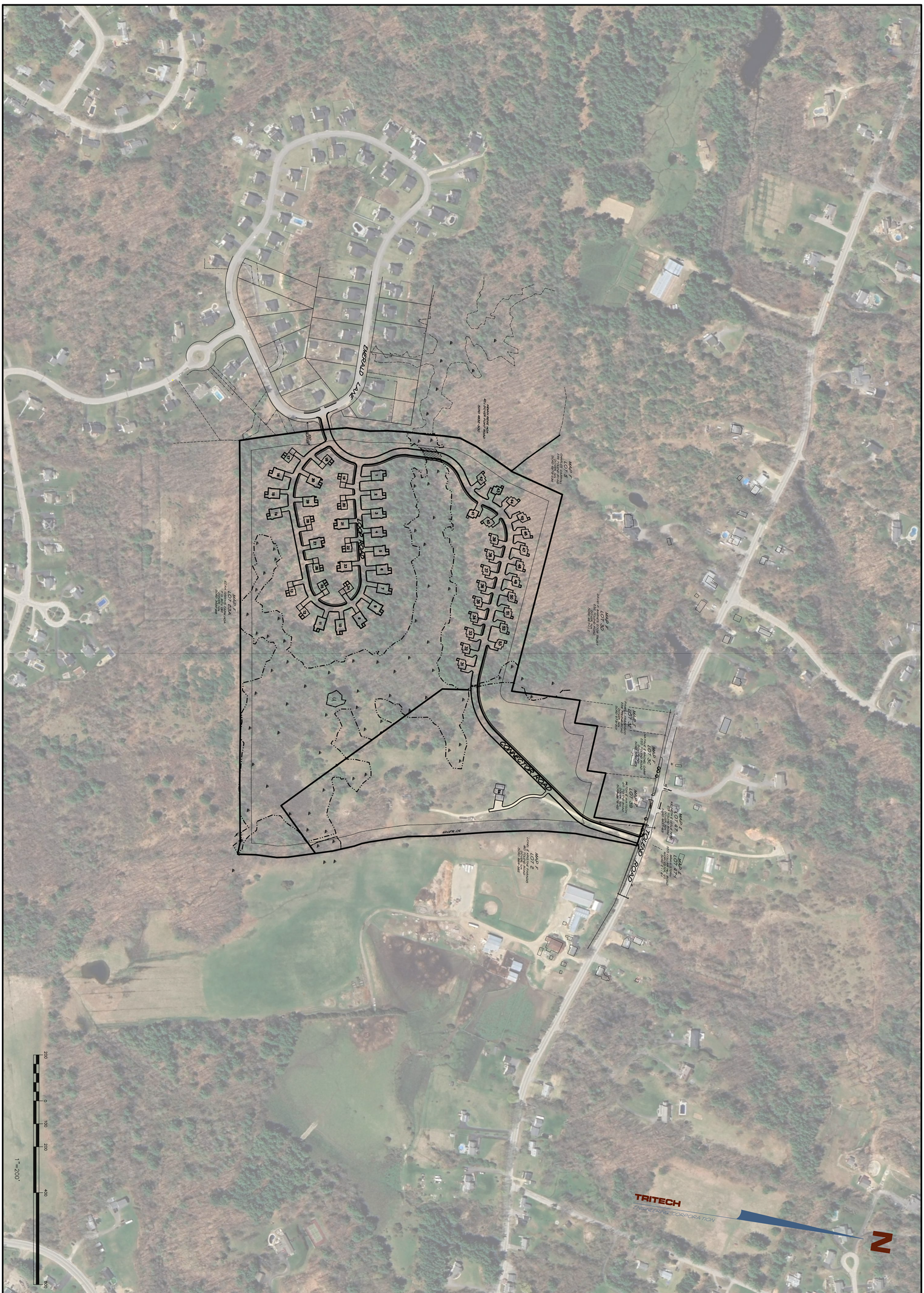

TRITECH
ENGINEERING CORPORATION
755 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820
TELEPHONE 603 742 8107
FAX 603 742 3630


ISSUED FOR PLANNING BOARD REVIEW
April 2, 2024

REVISIONS
DATE: DESCRIPTION:

TITLE SHEET
AMBROSE WOODS
TAX MAP F LOT 3
210 TOLEND ROAD
DOVER, NEW HAMPSHIRE
APRIL 2, 2024
JOB No. 23118

SHEET No.
T-1




SHEET No.

T-2

NEIGHBORHOOD PLAN

# AMBROSE WOODS

210 TOLEND ROAD

DOVER, NEW HAMPSHIRE

APRIL 2, 2024 JOB No. 23118

SCALE: 1" = 200'

ISSUED FOR PLANNING BOARD REVIEW

April 2, 2024

| REVISIONS | |
|---|---|
| DATE: | DESCRIPTION: |
| | |
| | |
| | |
| | |
| | |
| | |
| | |


TRITECH

ENGINEERING CORPORATION

755 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820

TELEPHONE 603 742 8107
FAX 603 742 3630

N

MAP E LOT 47
KENNETH E. & LESLIE HERD
209 TOLEND ROAD
DOVER, N.H.
SCRD 4455-851

MAP E LOT 47-1
BRIAN STERN
320 COLLAR HILL ROAD
WORCESTER, VT.
SCRD-2119-1

TOLEND ROAD

S 80°45'24" E
98.81'

MAP F LOT 3C
NATHALIE & RACHEL CARR
220 TOLEND ROAD
DOVER, N.H.
SCRD 5042-60

MAP F LOT 3E
PAMELA FRANCISCO
226 TOLEND ROAD
DOVER, N.H.
SCRD 4731-201

MAP F LOT 3B
MILTON & WATSON
212 TOLEND ROAD
DOVER, N.H.
SCRD 3876-42

N 00°49'23" W
217.9'

S 07°06'18" W
26.87'

S 01°04'02" W
42.31'

MAP F LOT 3D
DAVID E. BARNES 2009 TRUST
232 TOLEND ROAD
DOVER, N.H.
SCRD 4874-12

S 85°34'57" E
199.57'

W 00°13'58" W
200.00'

W 00°13'58" W
8.59'

S 83°33'02" E
85.26'

100.64'
S 85°31'13" E

N 00°52'00" W
300.00'

S 84°08'20" E
583.66'

MAP F LOT 5
CHARLES CARROLL
284 TOLEND ROAD
DOVER, N.H.
SCRD 4975-234

N 16°25'42" E
244.23'

25' PUBLIC ACCESS EASEMENT

MAP F LOT 1 15
INDIAN RIDGE HOA
420 DOVER POINT ROAD
DOVER, N.H.
SCRD 4832-300

N 42°15'05" E
4.08'

N 28°17'11" E
189.52'

N 10°10'08" W
71.02'

N 21°05'39" E
180.70'

N 03°45'20" W
7.28'

N 01°26'30" W
87.79'

N 04°45'25" W
2.88'

N 09°33'49" W
79.98'

N 04°46'17" W
83.16'

N 00°37'23" W
100.09'

DRAINAGE EASEMENT

80' WIDE BUFFER

EMERALD LANE

N 13°08'08" W
62.74'

N 13°08'01" W
50.63'

N 13°08'14" W
62.73'

S 67°48'58" W
35.13'

S 67°49'31" W
14.08'

N 16°13'07" W
133.61'

UTILITY EASEMENT

N 16°13'07" W
81.31'

N 17°37'37" W
79.29'

MAP F LOT 22A-11
MICHAEL & SUSAN EASTON
89 EMERALD LANE
DOVER, N.H.
SCRD 4437-682

S 80°47'27" W
157.75'

S 81°16'56" W
387.51'

S 81°16'04" W
382.35'

MAP F LOT 23A

S 81°26'27" W
320.43'

S 82°30'54" W
126.27'

S 81°55'44" W
112.73'

S 80°59'09" W
260.63'

N 86°57'27" W
54.78'

S 00°57'43" E
92.19'

S 04°58'41" E
79.42'

S 10°45'52" E
46.62'

S 16°25'24" E
158.73'

S 21°46'39" E
38.77'

S 27°32'58" E
34.10'

S 16°00'41" E
58.68'

S 16°09'58" E
13.88'

S 17°08'13" E
93.73'

S 20°03'56" E
35.19'

S 21°34'45" E

S 12°39'36" E
238.52'

S 10°45'18" E
159.07'

S 02°27'55" W
202.83'

S 00°45'24" E
182.24'

MAP F LOT 2
LIONEL & KRISTINE PARADIS
180 TOLEND ROAD
DOVER, N.H.
SCRD 1868-382

EXISTING HOUSE

CENTRAL DRIVE

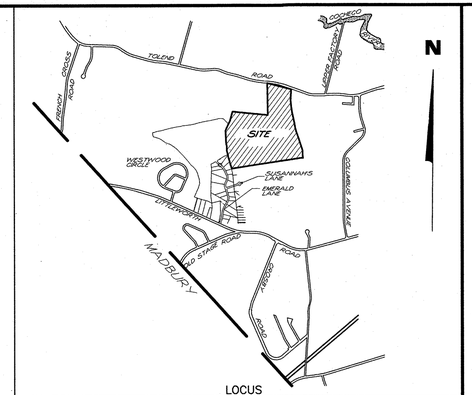
TAX MAP F
LOT 3
2,426,198 SQ.FT.
55.698 ACRES

WOODS ROAD

EASEMENT

TRITECH ENGINEERING CORPORATION

LOCUS
(NOT TO SCALE)




## NOTES

1.) INTENT: TO SHOW THE EXISTING CONDITIONS OF DOVER TAX MAP F LOT 3.

2.) CURRENT OWNER OF RECORD: 210 TOLEND ROAD LLC.
42 J DOVER POINT ROAD
DOVER, NEW HAMPSHIRE

_____
SIGNATURE

3.) TAX MAP F LOT 3.

4.) TOTAL LOT AREA: 2,426,198 SQ.FT. – 55.698 ACRES

5.) PROJECT DEED REFERENCE: BOOK 5166 PAGE 26

6.) PROJECT PLAN REFERENCE: SUBDIVISION PLAN
INDIAN RIDGE
EMERALD LANE
DOVER, NEW HAMPSHIRE
TRITECH ENGINEERING INC.
AUG. 28, 2014 SCRD: #110-70

BOUNDARY PLAN
LAND OF
LIONEL & KRISTINA PARADIS
TOLEND ROAD
DOVER, N.H.
TAX MAP F LOT 2
BERRY SURVEYING
JULY 23, 2012 SCRD #104-61

PLAN OF
ALTERNATIVE DESIGN SUBDIVISION
LITTLEWORTH RD.
DOVER, N.H.
FOR EZRA GREEN'S FARM LLC.
NORWAY PLAINS ASSOCIATES, INC.
MARCH 2000 SCRD 59-49

PLAN OF LAND
CARLTON W. HAM
DOVER, N.H.
FREDERICK E. DREW
SEPT. 1991 SCRD 40-47
BERRY SURVEYING

PLAN OF SUBDIVISION
FOR ELLIOTT BERKOWITZ
TOLEND ROAD
DOVER, NEW HAMPSHIRE
K.E. MOORE & B.G. STAPLES
OCT. 1986 SCRD 30-62

7.) PROPERTY IS SUBJECT TO NET&T EASEMENT DESCRIBED IN BOOK 506 PAGE 14.

8.) ZONING: R-40
MIN. LOT SIZE: 40,000 SQ.FT.
MIN. FRONTAGE: 150 FT
MIN. SETBACKS:
FRONT: 40 FT
SIDE: 25 FT
REAR: 15 FT

OPEN SPACE SUBDIVISION
R-40
MIN. LOT SIZE: 20,000 SQ.FT.
MIN. FRONTAGE: 40 FT
MIN. SETBACKS:
FRONT: 20 FT
SIDE: 20 FT
REAR: 20 FT
EXTERNAL BOUNDARIES: 50 FT
EXISTING BUILDINGS: 100 FT

IN ADDITION TO R-40, THIS PROPERTY FALLS WITHIN SEVERAL ZONING OVERLAY DISTRICTS:
– WETLANDS PROTECTION DISTRICT

9.) VARIANCES, SPECIAL EXCEPTIONS OR CONDITIONAL USE PERMITS GRANTED: NONE

10.) THE RAW UNADJUSTED CLOSURE OF OUR RANDOM POINT TRAVERSE WAS 1 PART IN 27,000. AND WAS ACCOMPLISHED USING A TOPCON GT 503 TOTAL STATION, DURING THE MONTH OF JANUARY, 2000.

11.) SUBJECT PARCEL IS NOT LOCATED WITHIN A FEDERALLY DESIGNATED FLOOD HAZARD. FIRM PANEL NO. 33017C 0310D, MAY 17, 2005.

12.) DURING THE MONTH OF AUGUST 2023, MICHAEL MARIANO, STATE OF NEW HAMPSHIRE CERTIFIED SOIL SCIENTIST #76, NH CERTIFIED WETLAND SCIENTIST #183, CONDUCTED AN ON-SITE WETLANDS DELINEATION OF THE SUBJECT PARCEL. WETLANDS WERE IDENTIFIED BASED ON THE CITY OF DOVER ZONING ORDINANCE (170-27.1) AND ON STATE & FEDERAL CRITERIA OUTLINED IN THE "CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL" (DEPT. OF THE ARMY, 1987). ON THIS SITE, WETLANDS BASED ON LOCAL CRITERIA SHARE THE SAME BOUNDARIES WITH THOSE BASED ON STATE AND FEDERAL CRITERIA.

13.) BASIS OF BEARING: BEARING SYSTEM BASED ON GPS FIELD OBSERVATIONS ON AUGUST 29, 2023 USING TOPCON HIPER SR RECEIVERS AND OPUS CORRECTED ON AUGUST 31, 2023. DATUM BASED ON NEW HAMPSHIRE STATE PLANE COORDINATES SPC (2800 NH), (NAVD 88).

100 0 50 100 200 400
1"=100'


TRITECH
ENGINEERING CORPORATION
755 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820
TELEPHONE 603 742 8107
FAX 603 742 3630

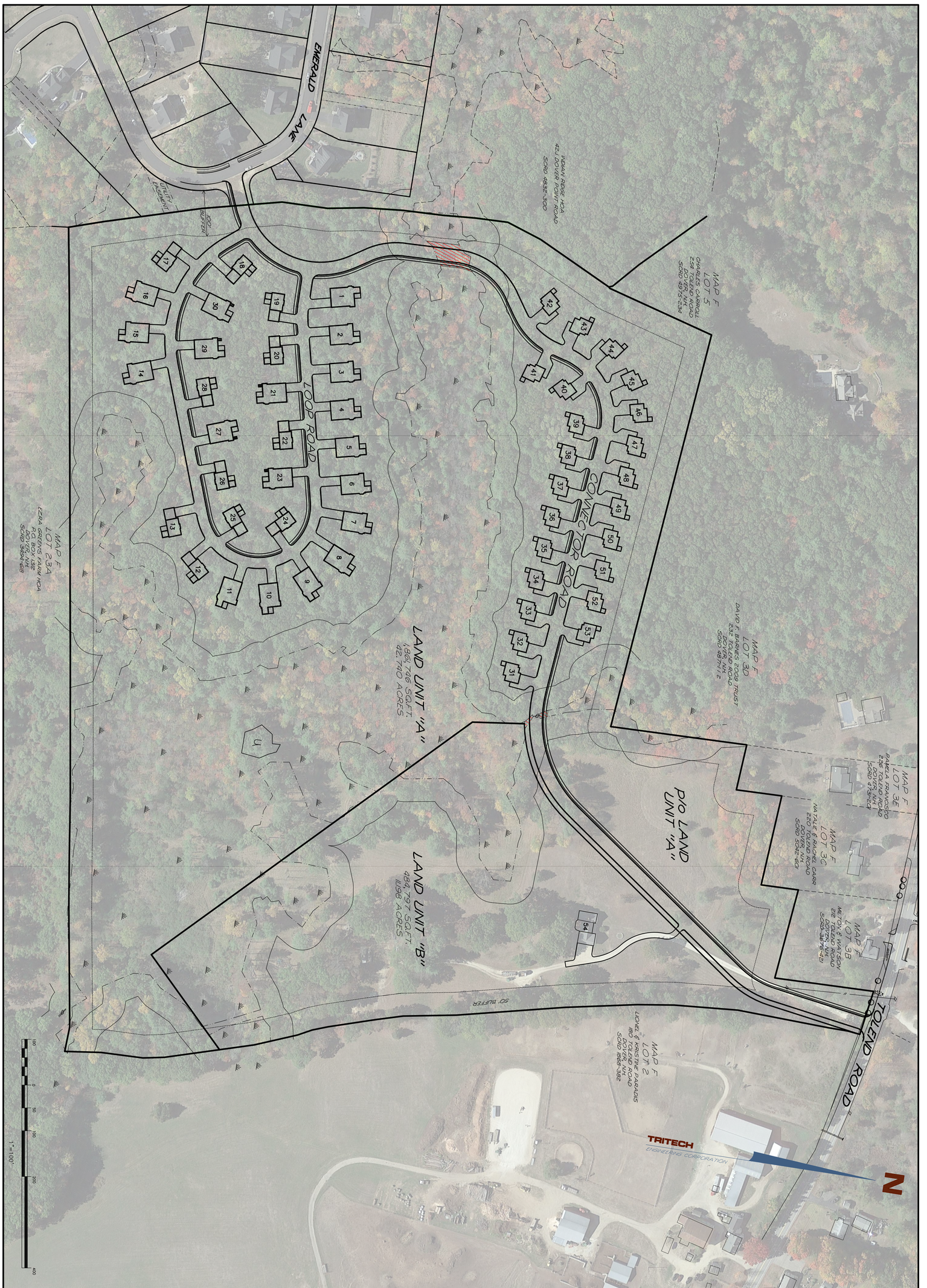

REVISIONS
DATE: DESCRIPTION:

ISSUED FOR PLANNING BOARD REVIEW
April 2, 2024

LICENSED LAND SURVEYOR
No. 8841
STATE OF NEW HAMPSHIRE
STEPHEN J. ROBERTS

EXISTING CONDITIONS PLAN
**210 TOLEND ROAD LLC.**
TAX MAP F LOT 3
210 TOLEND ROAD
DOVER, NEW HAMPSHIRE
APRIL 2, 2024
JOB No. 23118
SCALE: 1" = 100'

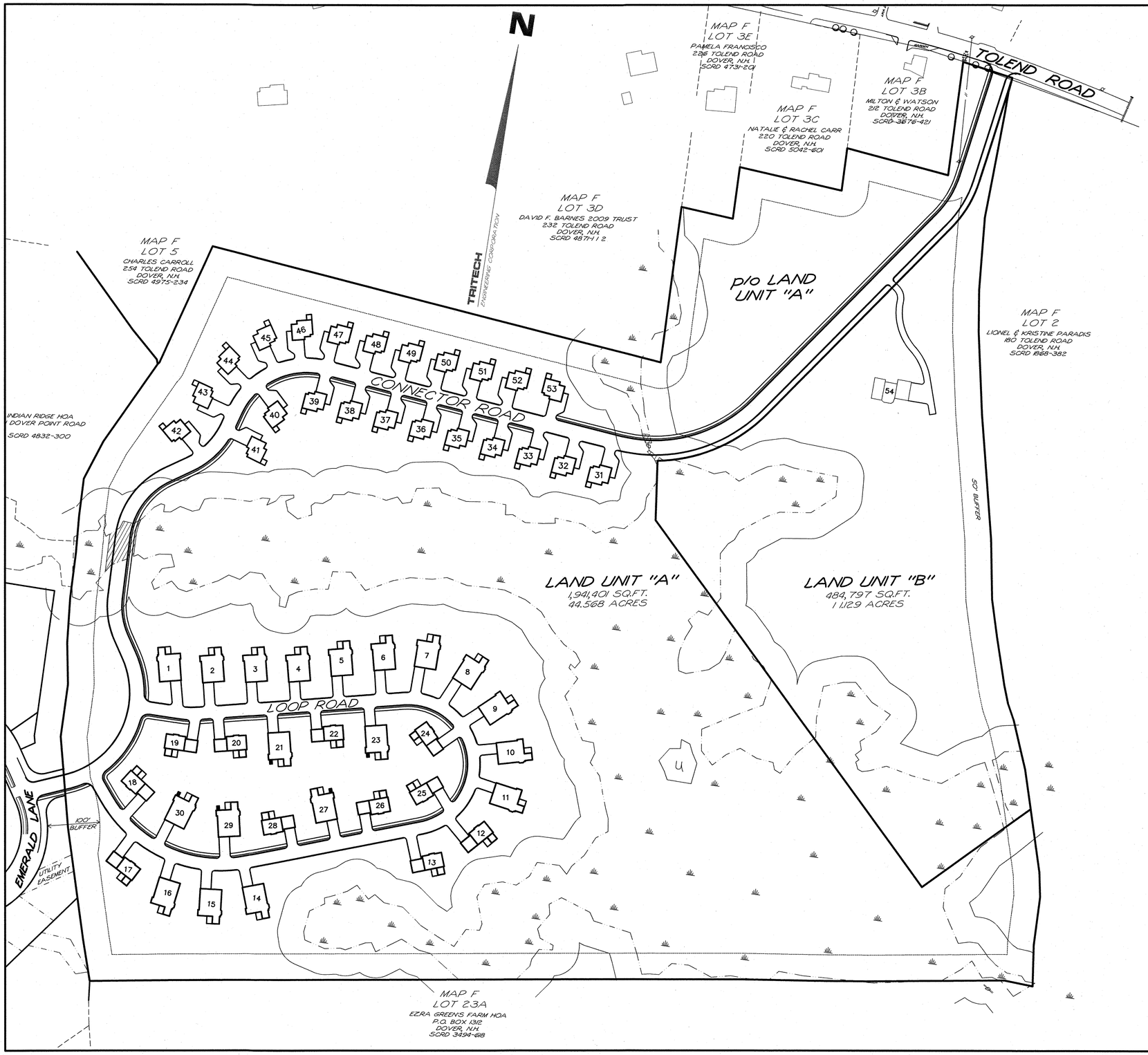
SHEET NO.
**EX-1**




| SHEET No. | TDR SITE DEVELOPMENT PLAN | ISSUED FOR PLANNING BOARD REVIEW | TRITECH |
|---|---|---|---|
| SP-1 | **AMBROSE WOODS** | April 2, 2024 | ENGINEERING CORPORATION |
| | 210 TOLEND ROAD | REVISIONS | |
| | DOVER, NEW HAMPSHIRE | DATE: DESCRIPTION: | |
| | APRIL 2, 2024 JOB No. 23118 | | |
| | SCALE: 1" = 100' | | |

755 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820

TELEPHONE 603 742 8107
FAX 603 742 3630




## NOTES

1.) INTENT: TO SHOW THE DEVELOPMENT OF 54 SINGLE FAMILY DETACHED CONDOMINIUMS. AMBROSE WOODS INCLUDES THE CONSTRUCTION OF 53 NEW HOMES AND WILL REQUIRE THE PURCHASE OF 33 TDR UNITS (10 UNRESTRICTED AND 23 RESTRICTED).

2.) CURRENT OWNER OF RECORD: 210 TOLEND ROAD LLC.
42 J DOVER POINT ROAD
DOVER, NEW HAMPSHIRE

SIGNATURE

APPLICANT: 210 TOLEND ROAD, LLC
42 J DOVER POINT ROAD
DOVER, NEW HAMPSHIRE

3.) TAX MAP F LOT 3.

4.) TOTAL LOT AREA: 2,426,198 SQ.FT. – 55.698 ACRES

5.) PROJECT DEED REFERENCE: BOOK 5166 PAGE 26

6.) PROJECT PLAN REFERENCE:

SUBDIVISION PLAN
INDIAN RIDGE
EMERALD LANE
DOVER, NEW HAMPSHIRE
TRITECH ENGINEERING INC.
AUG. 28, 2014 SCRD: #11D-70

BOUNDARY PLAN
LAND OF
LIONEL & KRISTINA PARADIS
TOLEND ROAD
DOVER, N.H.
TAX MAP F LOT 2
BERRY SURVEYING
JULY 23, 2012 SCRD #104-61

PLAN OF
ALTERNATIVE DESIGN SUBDIVISION
LITTLEWORTH RD.
DOVER, N.H.
FOR EZRA GREEN'S FARM LLC.
NORWAY PLAINS ASSOCIATES, INC.
MARCH 2DDD SCRD 59-49

PLAN OF LAND
LAND OF
CARLTON W. HAM
DOVER, N.H.
FREDERICK E. DREW
SEPT. 1991 SCRD 4D-47
BERRY SURVEYING

PLAN OF SUBDIVISION
FOR ELLIOTT BERKOWITZ
TOLEND ROAD
DOVER, NEW HAMPSHIRE
K.E. MOORE & B.G. STAPLES
OCT. 1986 SCRD 30-62

7.) PROPERTY IS SUBJECT TO NET&T EASEMENT DESCRIBED IN BOOK 506 PAGE 14.

8.) ZONING: R-40
MIN. LOT SIZE: 40,DDD SQ.FT.
MIN. FRONTAGE: 150 FT
MIN. SETBACKS:
FRONT: 40 FT
SIDE: 25 FT
REAR: 15 FT

OPEN SPACE SUBDIVISION
R-40
MIN. LOT SIZE: 20,00D SQ.FT.
MIN. FRONTAGE: 40 FT
MIN. SETBACKS:
FRONT: 20 FT
SIDE: 20 FT
REAR: 20 FT
EXTERNAL BOUNDARIES: 50 FT
EXISTING BUILDINGS: 100 FT

IN ADDITION TO R-40, THIS PROPERTY FALLS WITHIN A ZONING OVERLAY DISTRICT:
– WETLANDS PROTECTION DISTRICT

9.) VARIANCES, SPECIAL EXCEPTIONS OR CONDITIONAL USE PERMITS GRANTED: NONE

10.) THE RAW UNADJUSTED CLOSURE OF OUR RANDOM POINT TRAVERSE WAS 1 PART IN 27,DDD. AND WAS ACCOMPLISHED USING A TOPCON GT 503 TOTAL STATION, DURING THE MONTH OF JANUARY, 2000.

11.) SUBJECT PARCEL IS NOT LOCATED WITHIN A FEDERALLY DESIGNATED FLOOD HAZARD. FIRM PANEL NO. 33017C 0310D, MAY 17, 2005.

12.) DURING THE MONTH OF AUGUST 2023, MICHAEL MARIANO, STATE OF NEW HAMPSHIRE CERTIFIED SOIL SCIENTIST #76, NH CERTIFIED WETLAND SCIENTIST #183, CONDUCTED AN ON-SITE WETLANDS DELINEATION OF THE SUBJECT PARCEL. WETLANDS WERE IDENTIFIED BASED ON THE CITY OF DOVER ZONING ORDINANCE (170-27.1) AND ON STATE & FEDERAL CRITERIA OUTLINED IN THE "CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL" (DEPT. OF THE ARMY, 1987). ON THIS SITE, WETLANDS BASED ON LOCAL CRITERIA SHARE THE SAME BOUNDARIES WITH THOSE BASED ON STATE AND FEDERAL CRITERIA.

13.) BASIS OF BEARING: BEARING SYSTEM BASED ON GPS FIELD OBSERVATIONS ON AUGUST 29, 2023 USING TOPCON HIPER SR RECEIVERS AND OPUS CORRECTED ON AUGUST 31, 2023. DATUM BASED ON NEW HAMPSHIRE STATE PLANE COORDINATES SPC (2800 NH), (NAVD 88).

14.) THE LAND DEVELOPMENT FEATURES (HOUSES, DRIVEWAYS, SEPTICS, ETC) SHOWN ON THIS PLAN ARE APPROXIMATE AND SHOWN FOR PLANNING PURPOSES ONLY.

LAND UNIT "A"
TDR BASE DENSITY CALCULATIONS

| | | |
|---|---|---|
| TOTAL AREA | = | 1,941,401 SQ.FT. |
| LESS WETLANDS | = | <568,492> SQ.FT. |
| UPLAND AREA | = | 1,372,909 SQ.FT. |
| LESS ROAD ALLOCATION (15%) | = | <205,936> SQ.FT. |
| NET AREA | = | 1,166,973 SQ.FT. |
| LESS WETLAND FACTOR FOR 29% WETLANDS (25%) | | <291,743> SQ.FT. |
| AREA | = | 875,230 SQ.FT. |
| 40,000 SQ.FT. PER UNIT REQUIRED IN THE R-40 DISTRICT | ÷ | 40,000 |
| BASE TDR DENSITY | = | 21.88 UNITS |
| ROUNDED DOWN TO | = | 21 UNITS |

TRITECH
ENGINEERING CORPORATION
735 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820
TELEPHONE 603 742 8107
FAX 603 742 3630

ISSUED FOR PLANNING BOARD REVIEW
April 2, 2024

REVISIONS
DATE: DESCRIPTION:

TDR SITE DEVELOPMENT PLAN

# AMBROSE WOODS

210 TOLEND ROAD
DOVER, NEW HAMPSHIRE

APRIL 2, 2024 JOB No. 2318
SCALE: 1" = 100'

SHEET No.
SP-1

TRITECH
ENGINEERING CORPORATION
795 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820
TELEPHONE 603 742 9107
FAX 603 742 3830


ISSUED FOR PLANNING BOARD REVIEW
April 2, 2024

REVISIONS
DATE: DESCRIPTION:

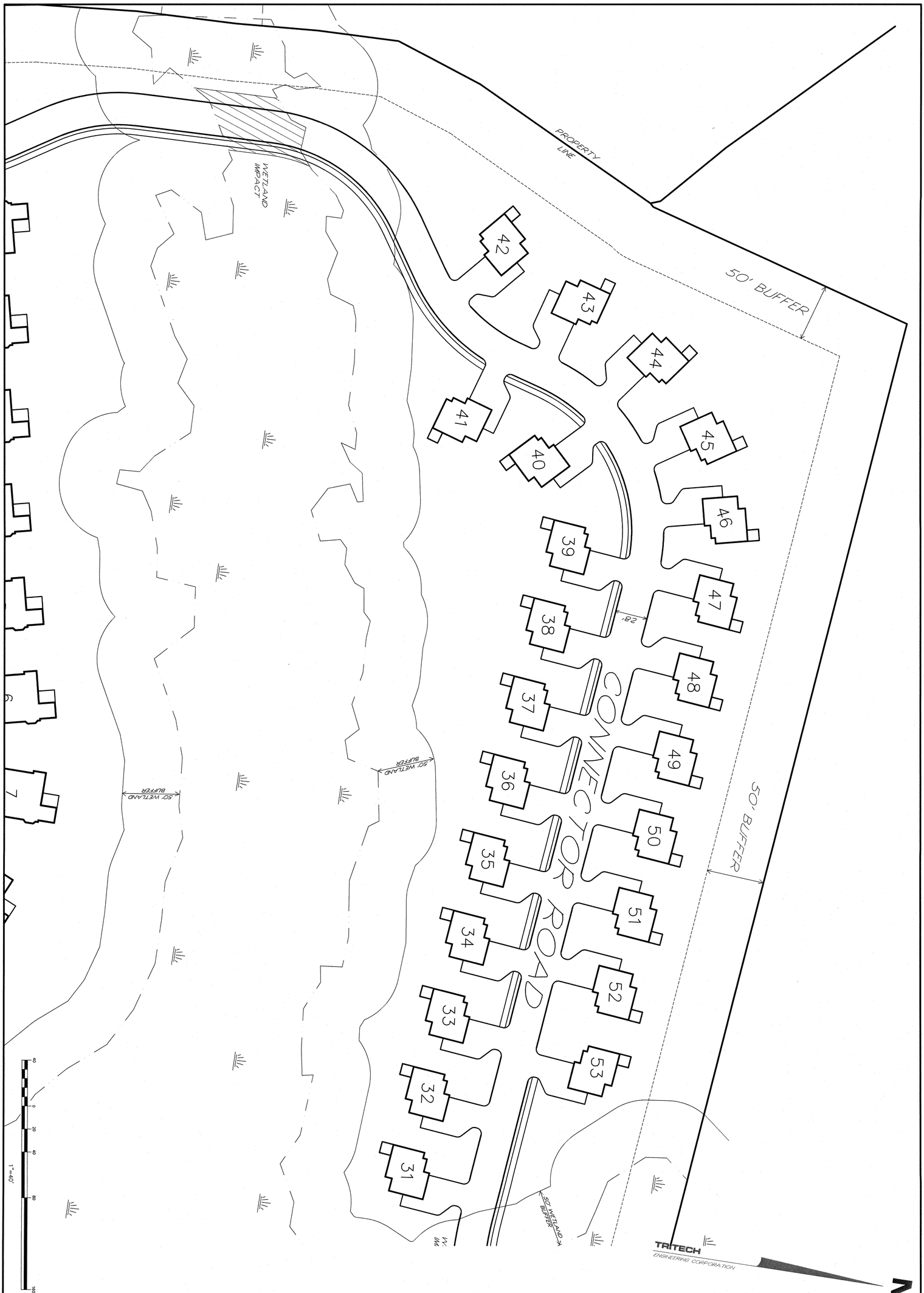
TDR SITE DEVELOPMENT PLAN

# AMBROSE WOODS

2/O TOLEND ROAD
DOVER, NEW HAMPSHIRE

APRIL 2, 2024
JOB No. 2318
SCALE: 1" = 40'

SHEET No.
SP-2




SHEET No.

**SP-3**

TDR SITE DEVELOPMENT PLAN

**AMBROSE WOODS**

210 TOLEND ROAD

DOVER, NEW HAMPSHIRE

APRIL 2, 2024 JOB No. 23118

SCALE: 1" = 40'

ISSUED FOR PLANNING BOARD REVIEW

April 2, 2024

| REVISIONS | |
|---|---|
| DATE: | DESCRIPTION: |
| | |
| | |
| | |
| | |
| | |
| | |


TRITECH

ENGINEERING CORPORATION

755 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820

TELEPHONE 603 742 8107
FAX 603 742 3630

N

TRITECH ENGINEERING CORPORATION

TOLEND ROAD

MAP F
LOT 3D
DAVID F. BARNES 2009 TRUST
232 TOLEND ROAD
DOVER, N.H.
SCRD 4871-112

226 TOLEND ROAD
DOVER, N.H.
SCRD 4731-201

MAP F
LOT 3C
NATALIE & RACHEL CARR
220 TOLEND ROAD
DOVER, N.H.
SCRD 5042-601

MAP F
LOT 3B
MILTON & WATSON
212 TOLEND ROAD
DOVER, N.H.
SCRD 3676-421

PROPERTY LINE

50' BUFFER

28'

P/O LAND
UNIT "A"

EXISTING SINGLE FAMILY

54

50' BUFFER

MAP F
LOT 2
LIONEL & KRISTINE PARADIS
180 TOLEND ROAD
DOVER, N.H.
SCRD 1868-382

52

53

50' WETLAND BUFFER

50' WETLAND BUFFER

33

WETLAND IMPACT

40 0 20 40 80 160
1"=40'


TRITECH
ENGINEERING CORPORATION
755 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820
TELEPHONE 603 742 8107
FAX 603 742 3630


ISSUED FOR PLANNING BOARD REVIEW
April 2, 2024

REVISIONS
DATE: DESCRIPTION:

TDR SITE DEVELOPMENT PLAN

**AMBROSE WOODS**

210 TOLEND ROAD
DOVER, NEW HAMPSHIRE

APRIL 2, 2024 JOB No. 2318

SCALE: 1" = 40'

SHEET No.

**SP-4**

MAP F
LOT 3E
PAMELA FRANCISCO
226 TOLEND ROAD
DOVER, N.H.
SCRD 4731-201

MAP F
LOT 3C
NATALIE & RACHEL CARR
220 TOLEND ROAD
DOVER, N.H.
SCRD 5042-601

MAP F
LOT 3B
MILTON & WATSON
212 TOLEND ROAD
DOVER, N.H.
SCRD-3876-421

TOLEND ROAD

MAP F
LOT 3D
DAVID F. BARNES 2009 TRUST
232 TOLEND ROAD
DOVER, N.H.
SCRD 4871-112

MAP F
LOT 5
CHARLES CARROLL
254 TOLEND ROAD
DOVER, N.H.
SCRD 4975-234

P/O LAND
UNIT "A"

MAP F
LOT 2
LIONEL & KRISTINE PARADIS
180 TOLEND ROAD
DOVER, N.H.
SCRD 1868-382

INDIAN RIDGE HOA
42J DOVER POINT ROAD
SCRD 4832-300

CONNECTOR ROAD

LOOP ROAD

EMERALD LANE

100' BUFFER

50' BUFFER

UTILITY EASEMENT

LAND UNIT "A"
1,861,746 SQ.FT.
42.740 ACRES

LAND UNIT "B"
484,797 SQ.FT.
11.198 ACRES

MAP F
LOT 23A
EZRA GREENS FARM HOA
P.O. BOX 392
DOVER, N.H.
SCRD 3494-618

OPEN SPACE CALCULATIONS

OPEN SPACE REQUIRED

54 UNITS
X 20,000 SQ.FT OPEN SPACE PER UNIT
1,080,000 SQ.FT. REQUIRED

OPEN SPACE PROVIDED

611,820 SQ.FT. UPLAND PROVIDED
540,000 SQ.FT. WETLANDS PROVIDED CAPPED AT 50% OF REQUIRED
1,151,820 SQ.FT. PROVIDED OR 26.4 ACRES
71,820 SQ.FT. EXCESS OPEN SPACE (MAY BE USED FOR INFRASTRUCTURE IN FINAL DESIGN).

OPEN SPACE UPLAND
611,820 SQ.FT.

OPEN SPACE WETLANDS
564,452 SQ.FT.

100 0 50 100 200 400
1"=100'

N

TRITECH
ENGINEERING CORPORATION


TRITECH
ENGINEERING CORPORATION
735 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820
TELEPHONE 603 742 8107
FAX 603 742 3630


ISSUED FOR PLANNING BOARD REVIEW
April 2, 2024

REVISIONS
DATE: DESCRIPTION:

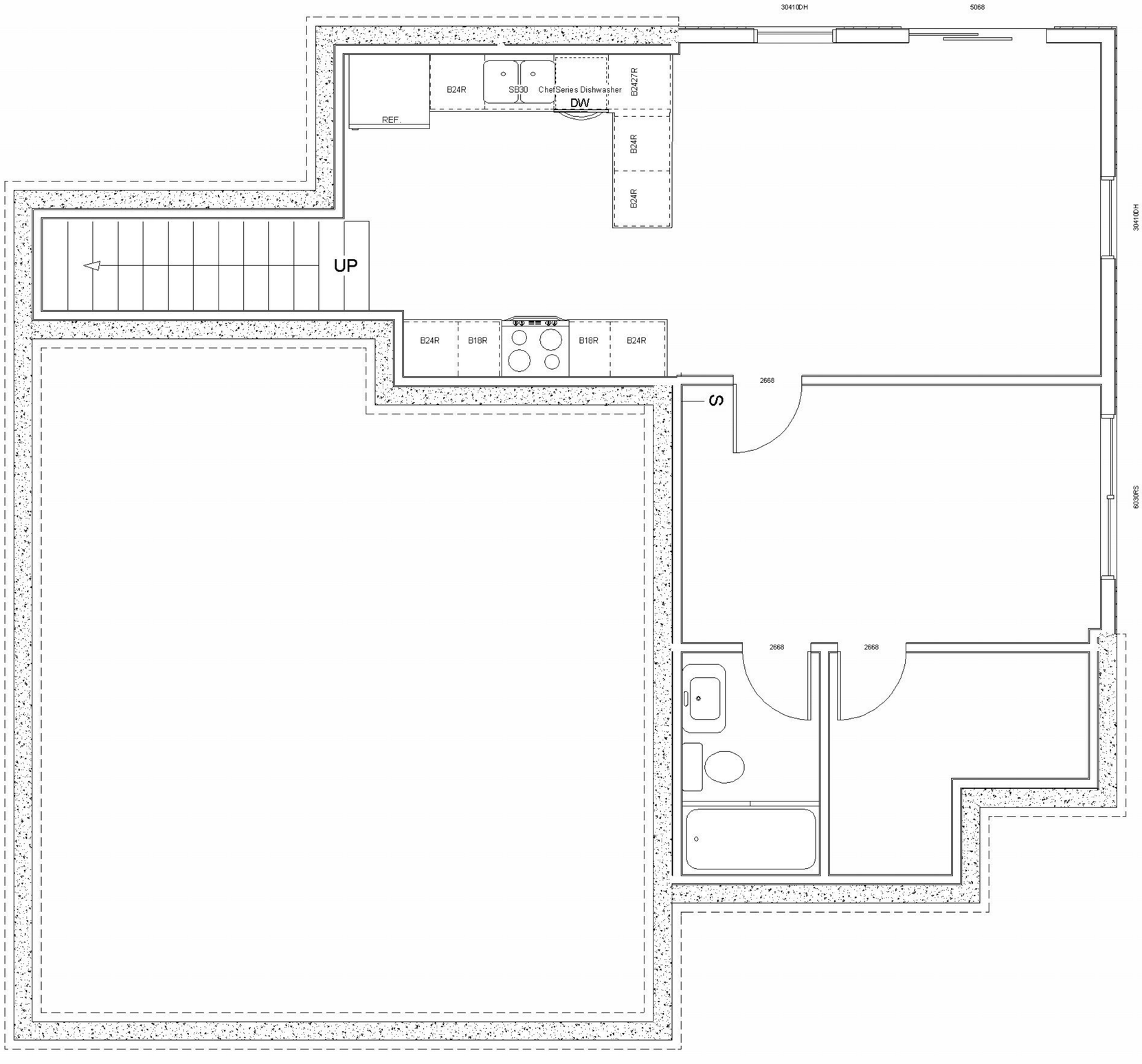
TDR SITE DEVELOPMENT PLAN

# AMBROSE WOODS

210 TOLEND ROAD
DOVER, NEW HAMPSHIRE

APRIL 2, 2024
JOB No. 2318
SCALE: 1" = 100'

SHEET No.
OS-1


30410DH
5068
B24R
SB30
ChefSeries Dishwasher
DW
B2427R
REF.
B24R
B24R
UP
B24R
B18R
B18R
B24R
2668
S
30410DH
6903DS
2668
2668

6/17/2022

# Ben David Jr.

252.124.v4 GL (6/17/2022)

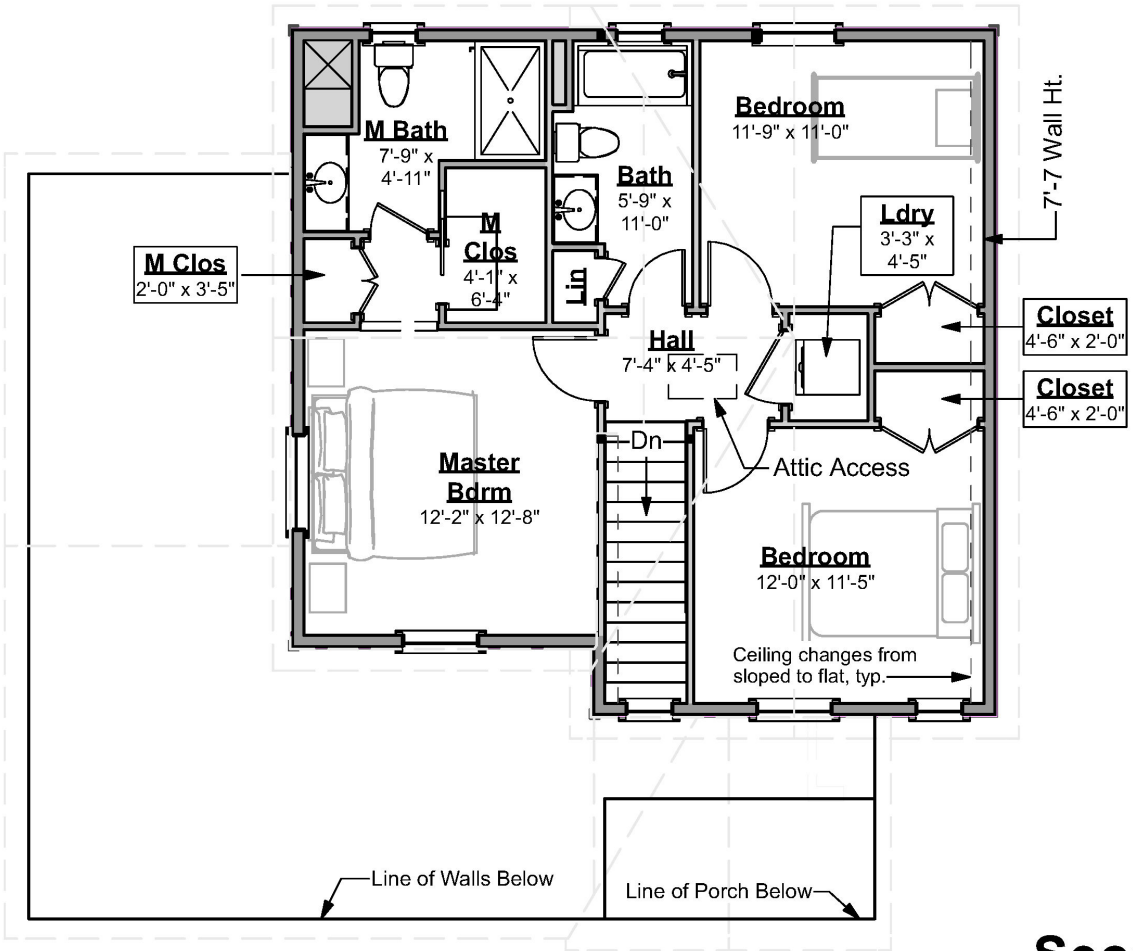
©2010-2022 Art Form Architecture, Inc., all rights reserved. You may not build this design without purchasing a license, even if you make changes. This design may have geographic restrictions.

Art Form Architecture, Inc.

603-431-9559

**Living Area this Floor: 786 sq ft**

8 ft Ceilings




# Second Floor Plan

Scale: 1/8" = 1'-0"

6/17/2022

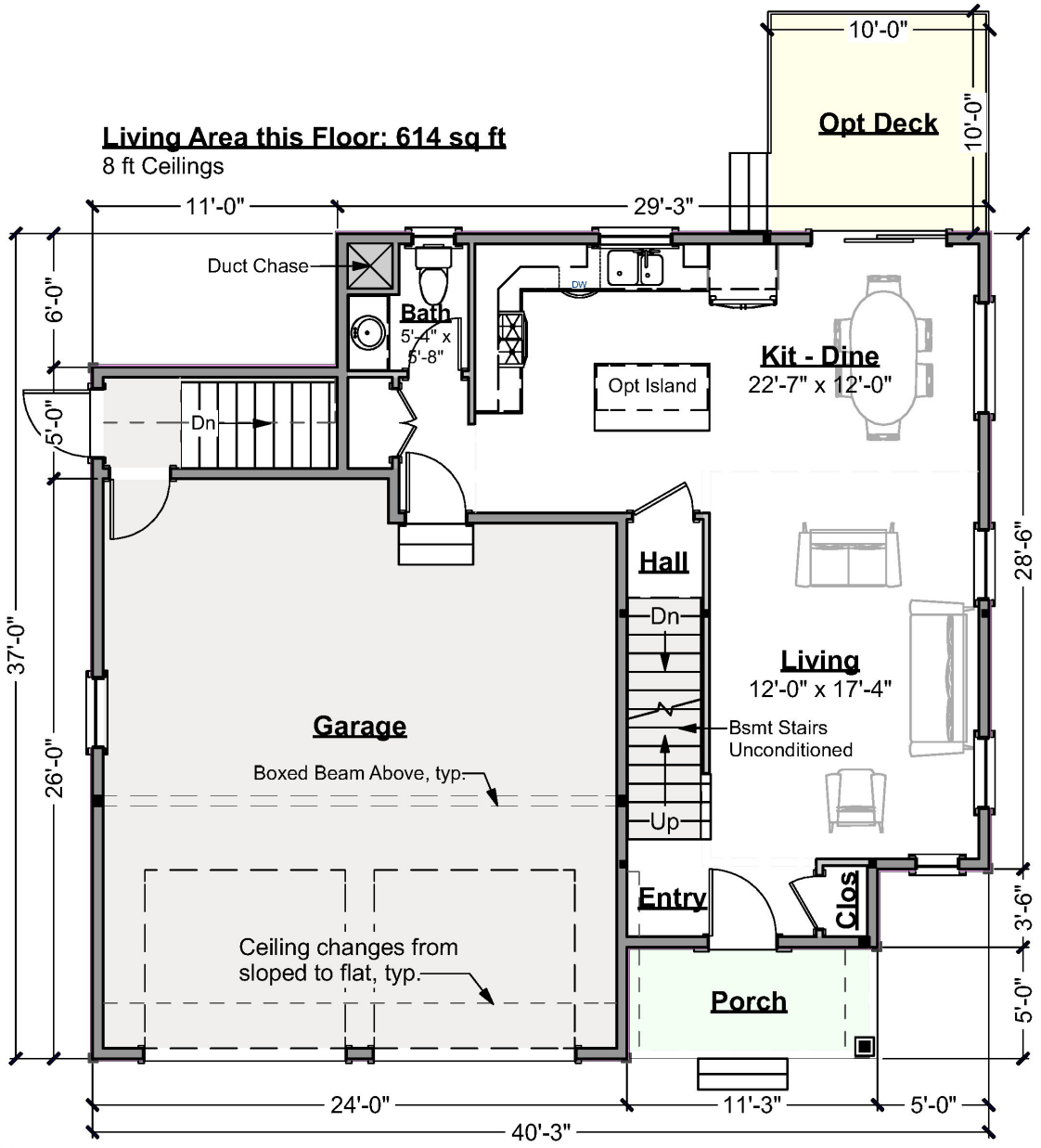
# Ben David Jr.

252.124.v4 GL (6/17/2022)

©2010-2022 Art Form Architecture, Inc., all rights reserved. You may not build this design without purchasing a license, even if you make changes. This design may have geographic restrictions.

Art Form Architecture, Inc.

603-431-9559




## First Floor Plan

Scale: 1/8" = 1'-0"

May 23, 2024

Dover Planning Board
Dover City Hall
288 Central Ave.
Dover, NH 03820

Subject: Ambrose Woods TDR Purchase Request (TRAN-2024-0003)

Dear Planning Board Members:

The neighbors of the Ambrose property (located at 210 Tolend Rd.) held a meeting on May 7, 2024, in order to: 1) review the Ambrose Woods TDR Purchase Request (TRAN-2024-0003), 2) review the Dover TDR Policy and Fact Sheet, and 3) discuss the probable impacts of the proposed Ambrose Woods Development on the existing wildlife habitat areas on the property. This letter summarizes our main discussion points.

Until now, the Ambrose property has been a standout example of land stewardship and conservation. In 2015, the Ambrose Family received a federal grant from NRCS to restore the shrubby forest habitat on their property, protecting the endangered New England cottontail and other diverse wildlife (including woodcocks, prairie warblers, eastern towhees, catbirds, bobcats, and box turtles).

On September 15, 2015 at the Ambrose property, US Senator Jean Shaheen, US Secretary of the Interior, Sally Jewell, US Director of the Fish and Wildlife Service, Dan Ashe, and Jason Weller, the Chief of the USDA National Resources Conservation Service (NRCS) attended a “New England Cottontail Celebration" event (see Attachment A). They spoke at length about the importance of public-private partnerships in land stewardship and conservation, and the critical need to sustain these efforts into the future.

The Ambrose Woods property is situated amongst numerous Conservation Easements (see Attachment B). These Conservation Easements are a shining testament to the hard work and foresight of the Dover Open Lands Committee, the Dover Conservation Commission, and the Dover Planning Board, working hand-in-hand with landowners to protect (and connect) Dover’s natural resources.

A significant portion of the Ambrose Woods property includes land identified as “Highest Ranked Habitat of the State” (in Tier-1, which includes the top 15% of critical habitat areas in NH), as established by the NH Fish and Game Department. These qualities

have led this site to be further designated as a “Prioritized Habitat Block” for protection against development, as it provides vitally important habitat as well as connectivity to hundreds of acres on adjoining properties through its broader “NH Wildlife Corridor” (see Attachment C).

It is our understanding that the purpose of the Dover TDR Policy is to allow increased density and promote intensive development on the developable land possessing the least conservation value, and to direct funds generated from TDR sales to permanently protect lands possessing significant conservation features. Based on the summary paragraphs above, it is clear that the Ambrose Woods property unequivocally qualifies as “possessing significant conservation features”, and therefore should not be approved for increased density, but should instead be protected against “intensive development”.

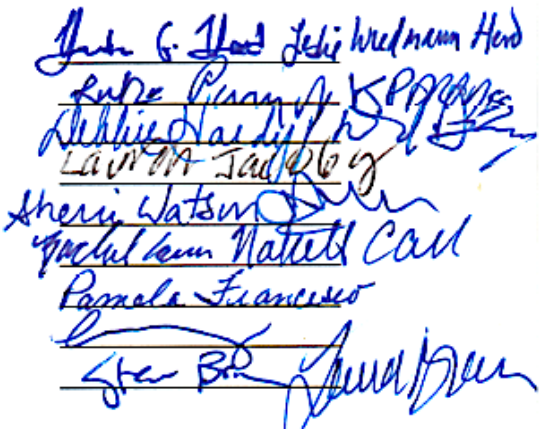
In order to minimize the net environmental impact of the Ambrose Woods Development, we strongly urge the Board to consider the following questions:

1) Would you consider approving a much lesser number of units than requested and to make the permanent conservation of Land Unit “B” (as shown in Attachment D), a condition of approval?
2) Has anyone spoken to the property owner about the possibility of selling a Conservation Easement to the Conservation Commission, on all or a portion of the property, in order to protect the NRCS-funded Ambrose Habitat Restoration Area (established in 2015), resulting in a lower number of homes being built?

We greatly appreciate the Planning Board’s consideration of this important matter. The Ambrose property stewardship (and the associated public-private partnership) has been a great conservation success story so far: nobody wants to see this story end sadly…

Respectfully,

| | | |
|---|---|---|
| Kenneth Herd and Leslie Wiedmann-Herd | 201 Tolend Rd. | |
| Luke and Kristina Paradis | 180 Tolend Rd. | |
| David Barnes and Debbie Hardy | 232 Tolend Rd. | |
| Lauren Jacoby | 211 Tolend Rd. | |
| Daniel Milton and Sherri Watson | 212 Tolend Rd. | |
| Natalie Carr and Rachel Carr | 220 Tolend Rd. | |
| Pamela Francisco | 226 Tolend Rd. | |
| Gordon Carroll | 254 Tolend Rd. | |
| Steve and Laura Brown | 229 Tolend Rd. | |



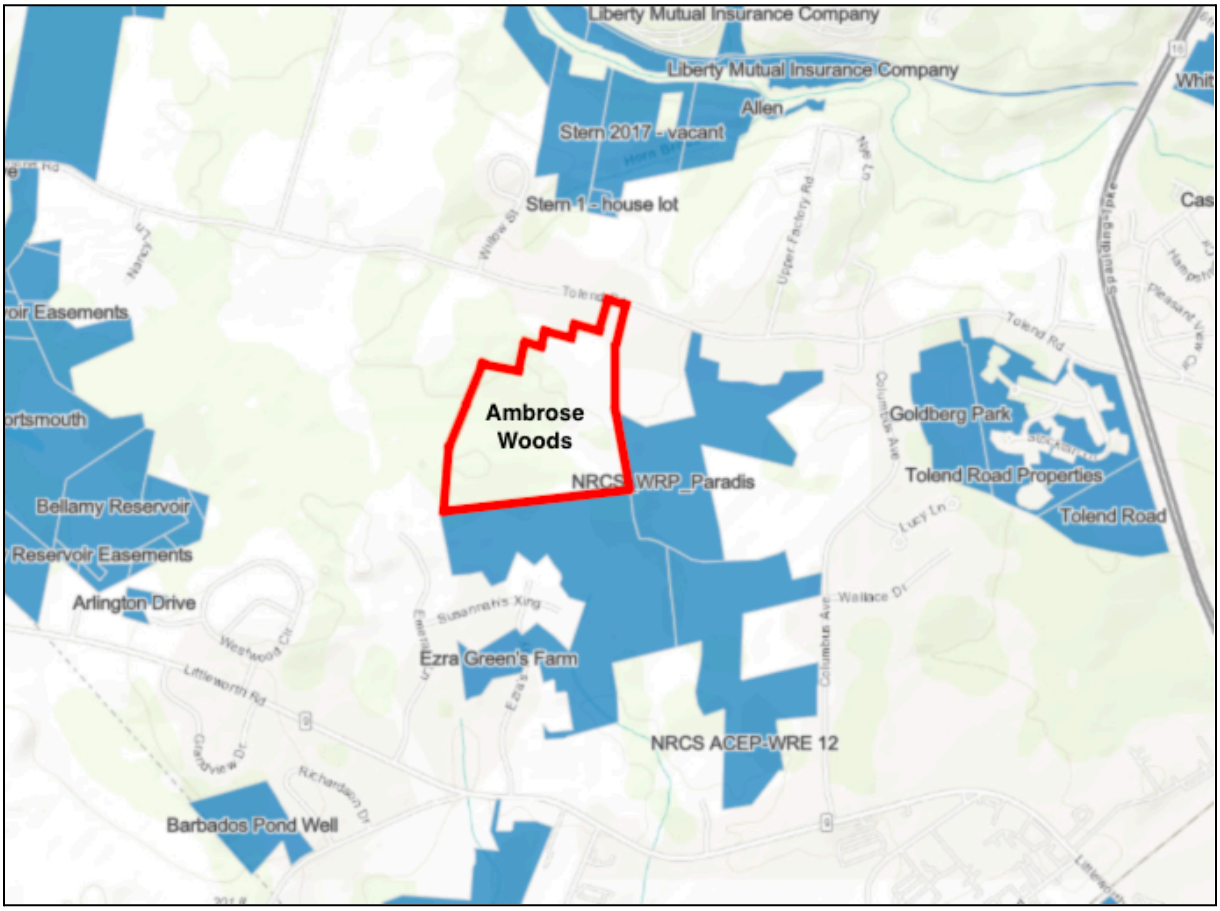
ATTACHMENT A

New England Cottontail Celebration Day at the Ambrose Property, 9/11/15

Source: 9/11/15 Conservation Celebration Day Photo Album

ATTACHMENT B

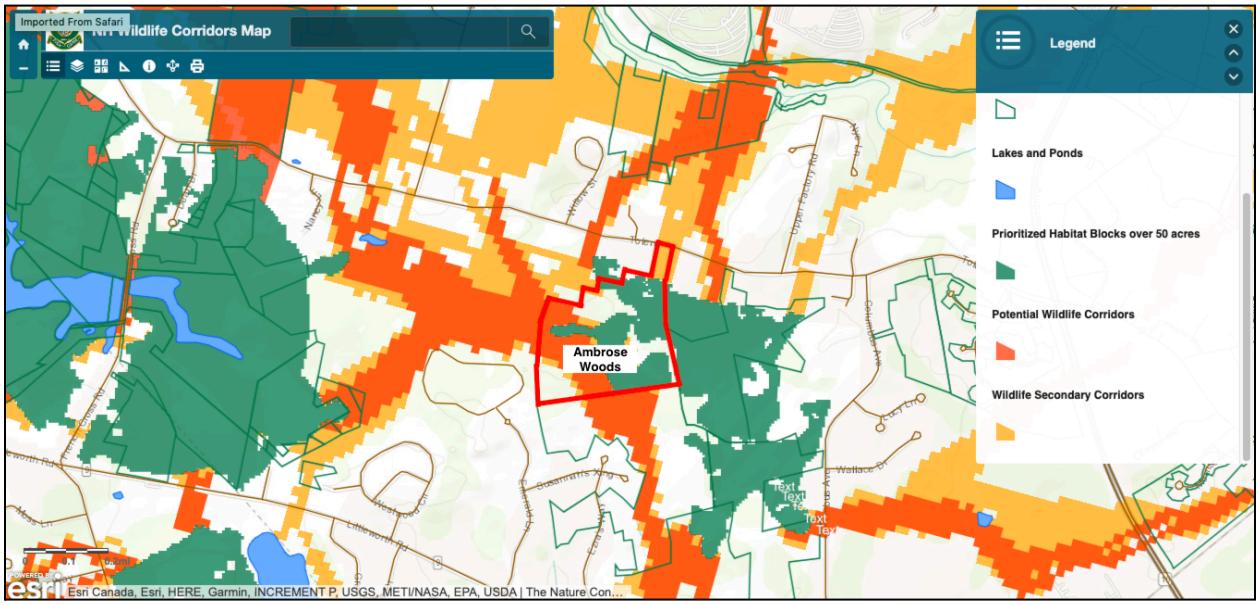
Conservation Easements Near Ambrose Woods




Source: NHDES Database

ATTACHMENT C

Ambrose Woods - Prioritized Habitat Block and Wildlife Corridors




Source: NH Fish and Game Database

ATTACHMENT D

Ambrose Woods Site Development Plan, OS-1

Re: TRAN-2024-0003

To whom it may concern:

I am writing this as a concerned citizen and to provide comment regarding the above-captioned Transfer of Development Rights. Unfortunately, I will not be able to attend personally as I will be out of town. I would otherwise request to speak on the matter at the meeting.

I do not believe that this requested Transfer of Development Rights should be granted for a number of reasons:

-Although the proposed road into Emerald Lane might be able to accommodate some limited additional traffic, the number of additional units proposed would clearly overwhelm Emerald Lane as it currently exists. The road is narrow and at the present time drivers have to be quite cautious in navigating Emerald Lane.

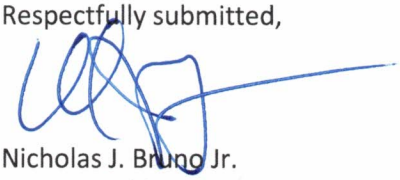
-The proposed road into Emerald Lane is within a short distance of the children's playground, referred to as the "Tot Lot". The playground is used frequently by many neighborhood children under the age of ten. When my 8 year old granddaughter visits, she often asks to play on the playground. I strongly believe that there is not enough distance between the proposed road and the playground to ensure safety for our small children. You should understand that our development is a nice mix of retirees like myself and young families with small children. There are quite a few young children that I see on the playground during nice weather along with their parents.

-The proposed road would enter the current Emerald Lane at a point where there is a huge blindspot for oncoming traffic heading towards "old" Emerald Lane. I strongly believe that increased traffic would result in an increase in traffic accidents as traffic on the proposed road would only be able to have limited sight to oncoming cars coming from both the right and left.

-I have also travelled along Tolend Road and have seen that there is not a really good line of sight where the proposed road would enter Tolend Road, although not as limited as where it enters Emerald Lane. However, where traffic usually proceeds at 20-25mph on our portion of Emerald Lane, traffic proceeds at a minimum of the posted 30mph on Tolend Road, so the danger might be even greater.

I understand that any acceptance is at the discretion of the Planning Board. I would urge the Planning Board not to accept the Transfer of Development Rights as currently proposed. Safety of its citizens should be more important than blind and inadequately planned expansion.

Respectfully submitted,



Nicholas J. Bruno Jr.
144 Emerald Lane, Dover, NH

Cc: Dennis Shanahan, Council Member Ward 5

Cathy Bruno

144 Emeral Lane

Dover, NH 03820

Re: Planning Board Meeting 5/28/24

TDR Stonearch Development

Trans-2024-0003

Assessor's Map F, Lot3, Zoned R-40

I am writing to speak against the application for a TDR by Stonearch Development. I would have attended the meeting and asked to speak but I will be out of town.

I moved to NH 5 years ago from upstate NY. The reasons I chose to spend my retirement years here are many but they included escaping the NYS tax burden and the overreaching regulations and policies of NY politicians and bureaucrats. NH is a beautiful state. I appreciated its "live free or die" spirit and Dover seemed to be a good fit. Based on that initial assessment, I found the Indian Ridge development, built by the same developers that are now applying for this TDR. But before I invested in my retirement vision, I did some further research. The development had an HOA whose bylaws and protective covenants I reviewed. There was a curb cut out I assumed for possible future development but the land was zoned R-40, the same as the Indian Ridge development. So, if and when this land was developed, I concluded, based on the zoning, that the development would look just like ours, 20-22 single family homes of similar size and value. (The assessed value of Indian Ridge properties ranges from $597,000 to $903,000.) Therefore, I felt confident enough to invest a large sum of money in Dover. Now I am discovering that my due diligence was pointless. This TDR application is for 53 units some of which are multi-family affordable housing. I feel a lot like Charlie Brown. I've just had the football pulled from me after I have irrevocably committed to kicking.

Every city has a master plan. The zoning is an outgrowth of that plan. It allows growth to proceed in an orderly manner and with the nature of the future growth known to all. The citizenry proceeds to invest in the city based upon the promises made in the master plan and the zoning regulations. The TDR concept appears to allow the city to break those promises and override all zoning regulations for a fee. The city is free to do this whenever it's convenient to solve the crisis of the moment with little regard to the tax paying citizens who have already invested based on the zoning promises made.

Additional reasons for objecting to this application are:

1. The curb cutout on Emerald Lane is in an unsafe location. It is next to the "tot lot" owned by the city. The lot is used by resident families. Children ride their bikes and skate boards around the circle as it is a natural "track". At the curb cut point on Emerald Lane there is both a curve and a rise in the road. It is already a dicey proposition coming around that corner in either direction

because of site limitations. The road is only 28 feet wide. Throw in a few garbage pails at the end of the driveways on garbage day or a line of lawn mowing service trucks during the warm months or anybody parking legally on one side of the road, or kids on bikes/skate boards and our 2 lane road becomes a single lane road with cars having to stop to let another car pass. It happens now. There have been a lot of near misses with 2 lane traffic when this happens. Now add 75 to 125 more cars pulling out at that dangerous spot and the near misses will become actual accidents. The same goes for the initial older stretch of Emerald Lane in the Emerald Woods development.

2. The cut out on Tolend Road has the same issue as Emerald Lane. It is at the top of a rise in the road. People pulling out of the proposed development cannot see cars coming from Route 125 and cars coming from 125 won't be able to see cars pulling out on to Tolend from the development.
3. Indian Ridge's HOA, its residents, are responsible for the maintenance, repair and eventual replacement of the 6-stormwater management bio-ponds in our development. Based on the proposed map of the development, some buildings on Loop Road may be less than 75 feet from our bio-pond #1. Removing trees to accommodate the houses in this loop will compromise the natural stormwater absorption provided by nature and put a larger burden on this bio-pond, a burden it was not designed to handle. As a result, the cost to maintain the bio-pond will increase and place an additional financial burden on our home owners.
4. The last building closest to Emerald Lane in the second grouping of building is about 150 feet from our bio-pond #2. I have the same concerns for this bio-pond as stated in #3
5. It appears Dover has found a favored format for new residential development, one where the builder has to create an HOA and after the development is complete, hands the HOA to the residents who assume the burden of several services that used to be part of the core mission of a city. In this proposed development, the HOA will not only be responsible for stormwater management but will also be responsible for the repair, maintenance and eventual replacement of the roads. This development will have a private road. It seems the only core duty the city is retaining in these types of developments is the collection of property taxes. My specific concerns with this arrangement are:
    a. Will school buses be allowed on this private road? If not, where will the children get the bus? See #1 about road safety concerns/congestion.
    b. Will police and fire be allowed on this private road? Will the police be able to routinely patrol this road?
    c. Part of this development is reserved for affordable housing. How affordable will it be when the HOA (residents) are burdened with road costs? Our HOA was almost responsible for snow plowing in 2021-22 so I know what private snow removal costs as we had to make contingent plans for snow removal.
    d. Given the size of the development, they may have to hire a property management company to handle HOA dues billing and collection and management of protective covenants. Add these costs to stormwater management, road maintenance and replacement and insurance needed to cover liability and the HOA dues will be costly.
    e. Developers build. They are not property managers. Creating and managing an HOA is something they are obligated to do to get a permit, an afterthought. Since our development was a similar model, though smaller, whose HOA was established and

maintained by these same developers, Stonearch, for the first 5 years of its existence with no oversight by the city, Indian Ridge residents are all too familiar with the end result. We were fortunate to have within our neighborhood several lawyers and an accountant that were willing to take on the challenge of straightening out what we were handed. The HOA would be happy to share our experiences with you but my initial concerns are how this will be marketed. Assuming Stonearch will act in a similar manner as they did for Indian Ridge potential buyers, the existence of an HOA will either not be mentioned or downplayed. The dues will be set artificially low to make the properties look attractive. Anyone inquiring about the HOA will be told either "not to worry" or "it can be disbanded once it's turned over to the homeowners or the dues will never go up. Unless mandated, they won't set up capital reserves. Not once was the full measure of the nature, permanence and responsibilities of the HOA clearly spelled out to prospective buyers. Affordable housing buyers tend to be first time home owners. Based on our experience with the developers, these home buyers won't realize what they are getting into.

f. If the HOA, when turned over to its residents, does not live up to its responsibilities, then what? The roads and stormwater ponds will deteriorate affecting the value of their development and ours. This setup is not what you create in the name of affordable housing. How much oversight will the city have? During the time the developers were running our HOA, they were supposed to file annual reports with the city on health of the bio-ponds. They never did and the city never followed up.

In closing, I am disappointed in Dover. I have the impression that the city is hoping that its residents are too busy with their own lives to read a "Dover Download" or search the city's web site for upcoming meeting agendas and therefore, is all too ready to pull a bait and switch like what is being proposed with this TDR. I understand the need for affordable housing but its remedy cannot be at the expense of citizens who bought into a neighborhood of what was supposed to be surrounded by single family homes of similar size and value to what has been already built. I have come to the sad conclusion that I must constantly be on alert to protect my investment in Dover.