

CITY OF DOVER

ZONING BOARD OF ADJUSTMENT - AGENDA

REVISED

Meeting Type: Regular Meeting
Meeting Location: Council Chambers, City Hall, 288 Central Avenue, Dover NH 03820
Meeting Date: **Thursday, December 19, 2024**
Meeting Time: **7:00 pm**

1. ATTENDANCE

2. APPROVAL OF MEETING MINUTES OF November 21, 2024 Regular Meeting Minutes

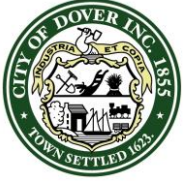
3. HEARINGS

- A. ***ZONE-2024-0045** Applicant: Simon D. J. Macalister, 9 Maple Street, Tax Map 30, Lot 66, located in Urban Density Multi Residential District (RM-U), requests a Special Exception through **Section 170-12, Conversion to, or creation of Dwelling, 3-4 Family criteria**, to allow for the addition of three (3) new dwelling units to an existing single-family dwelling
- B. ***ZONE-2024-0046** Applicant: Cory Bastianelli, 9 Federal Street, Tax Map 20 Lot 93, located in the Urban Density Multi-Residential District (RM-U), requests a Variance from **Section 170-24(C)**, to allow for an existing detached garage be converted into a two-story accessory dwelling unit.
- ~~C. ***ZONE-2024-0047** Applicant: Guy Chase, 87 Littleworth Road, Tax Map F, Lot 32, located the Rural Density District (R-40), requests a Variance from **Section 170-24(F)**, to allow for the utility power to come directly from the utility power where it is required to have power supplied from the main residence. This item will be continued to a later meeting date.~~
- D. ***ZONE-2024-0048** Applicant: Read Family Trust 2023, 7 Browning Drive, Tax Map 21, Lot 99, located in the Medium Density Residential District (R-12), requests a Variance from **Section 170-12(B), R-12 Frontage Requirements**, to allow for the subdivision which would create one (1) lot with zero frontage, where 100' of frontage is required.

4. OTHER BUSINESS

5. ADJOURN

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



CITY OF DOVER

ZONING BOARD OF ADJUSTMENT - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers, City Hall – 288 Central Ave., Dover, NH 03820
Meeting Date: Thursday, November 21, 2024
Meeting Time: 7:00 pm

1. ATTENDANCE

Members Present: Rich Onufry, Anthony Sillitta (Vice Chair), Nicholas Couturier and Jackson Brown (Alternate)

Members Absent (Excused): Chris Prior (Chair)

Members Absent (Unexcused):

Staff Present: Donna Benton (Director of Planning and Community Development)

The Vice Chair called the meeting to order at 7PM

2. APPROVAL OF MEETING MINUTES OF OCTOBER 17, 2024

Motion: Brown moved to approve the minutes of October 17, 2024 as submitted. Seconded by Onufry. Vote: U/A

The Vice Chair noted only four members of the board are present, which is a quorum, but applicants will be given the opportunity to move forward with their hearing tonight or postpone to another date. Three members will need to vote in favor for a hearing item to pass. In the event of a denial, the applicant cannot use the fact that there wasn't a full board present as reason for rehearing.

3. HEARINGS

- A. *ZONE-2024-0043 Applicant: Tyler D. & Kathryn E. Goodwin, 49 Prospect Street, Tax Map 10, Lot 2-C, located in the Medium Density Residential District (R-12), requests a Variance from Section 170-12(c), to allow for a minor subdivision to create one (1) new lot with approximately 95 feet of frontage where 100 feet is required within the R-12 Zoning District.**

The Vice Chair explained the hearing process.

Bob Stowell, TriTech Engineering presented the item noting the uniqueness of the parcel includes that it is a 2-acre lot in the R12 zone, but for the size of the lot there is less frontage than usual.

There are at least eight other properties in the neighborhood with approximately 95' of frontage so once the subdivision occurs, it will maintain the character of the neighborhood.

He noted all variance criteria is met and is addressed in the materials submitted.

The survey hasn't been done yet, which is why the frontage request may not be exactly 95'.

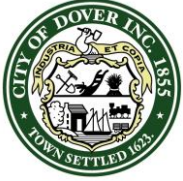
Public hearing opened:

No one spoke

Planning Department input: this request is minimal- only 5' or less from the requirement. Staff is comfortable recommending approval for the variance with no conditions, but allowing 2' of leeway from the 95' frontage request.

Public hearing closed

Motion: Couturier moved to grant the variance request to allow the frontage of 95' +/-2' without conditions as it meets the criteria. Brown seconded. Vote: U/A



CITY OF DOVER

ZONING BOARD OF ADJUSTMENT - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers, City Hall – 288 Central Ave., Dover, NH 03820
Meeting Date: Thursday, November 21, 2024
Meeting Time: 7:00 pm

- B. *ZONE-2024-0045 Applicant: Simon D. J. Macalister, 9 Maple Street, Tax Map 30, Lot 66, located in Urban Density Multi Residential District (RM-U), requests a Special Exception through Section 170-12, Conversion to, or creation of Dwelling, 3-4 Family criteria, to allow for the addition of three (3) new dwelling units to an existing single-family dwelling.**

The Vice Chair noted this hearing has been requested to be continued.

The board unanimously voted to continue the Special Exception hearing to December 19, 2024.

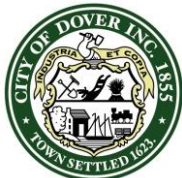
4. OTHER BUSINESS

D. Benton made announcements:

- George Reagan resigned from the ZBA
 - One application has come in and will be reviewed by the appointments committee
- New, recodified zoning code is up on the website- digitized
- All-boards meeting on January 14th

5. ADJOURN

Motion: Couturier moved to adjourn at 7:16pm. Onufry seconded. Vote: U/A



CITY OF DOVER

ZONING BOARD OF ADJUSTMENT – STAFF MEMO

Meeting Type:	Regular Meeting
Meeting Location:	Council Chambers, City Hall 288 Central Ave. Dover, NH 03820
Meeting Date:	Thursday, December 19, 2024
Meeting Time:	7:00 pm

INTENT: The Applicant requests a Special Exception through **Section 170-12, Conversion to, or creation of Dwelling, 3-4 Family criteria**, to allow for the addition of three (3) new dwelling units to an existing single-family dwelling.

UNITS PROPOSED: 3 New Units, 4 in total

AGENDA ITEM: 3-A

ZONING DISTRICT: Urban Density Multi Residential District, (RM-U)

FILE: ZONE-2024-0045

APPLICANT: Simon Macalister c/o Nicholas Isaak

OWNERS: Same

LOCATION: 9 Maple St. (Tax Map 3, Lot 66)

ACREAGE: ±0.23 acres. No change in acreage

EXISTING LAND USE: Residential

PROPOSED LAND USE: Residential, No Change

SURROUNDING LAND USE: Mixed Use

PREVIOUS ZBA ACTION: None

PLANNING BOARD APPROVAL REQ.:
No

ATTACHMENTS: Application, Narrative, Site Plan

STAFF RECOMMENDATION: Staff supports this Variance request with conditions

BACKGROUND INFORMATION

The property subject to this variance request is located at 9 Maple St. and resides within the Urban Density Multi Residential (RM-U) District. The property is approximately 0.23 acres and has approximate dimensions of 100' (frontage) x 97', with an existing ±1,275 s.f. single-family home, with approximately $\frac{3}{4}$ of the lot vacant as open space.

The Applicant requests a Special Exception in order to add-on to the existing home to convert it into a 4 Family Dwelling. Under the RM-U's specific zoning regulations, six criteria must be met in order for any property within the RM-U to create, or convert to, a 3-4 Family Dwelling:

A. The specific site must have an amount of open space, either landscaped or left natural, at least equal to the average amount of open space on all developed lots in the RM-U District that are wholly or partly within two hundred (200) feet of the subject parcel. Existing parking areas, either gravel, paved or unpaved, shall not be considered to be open space.

B. Off-street parking, in accordance with Chapter 153, Site Review, shall be provided as to avoid vehicles backing into the street. Two (2) parking spaces per unit shall be required.

C. Parking lots shall be at least five (5) feet from a side property line and ten (10) feet from a front property line.

D. Parking areas shall be screened from the street and from abutting lots.

E. Structures shall be at least twenty (20) feet from a front property line, fifteen (15) feet from a rear property line and fifteen (15) from a side property line unless abutting a street, in which case, the distance from the side property line shall be twenty (20) feet.

F. If the units generated are restricted to the HUD Fair Market Rent rates, for Dover, criteria A and E do not apply.

STAFF RECOMMENDATION

Staff supports this variance request with conditions. Per the applicant's narrative, the property owner is willing to restrict the three (3) newly generated units to the applicable HUD Fair Market Rental rates, eliminating the need to comply with criteria A and E, with the project meeting all other criteria as-presented.

Given the above, Staff recommends that the Board open the public hearing, accept testimony, and make findings on each of the five Variance criteria. Should the Board approve this variance request, Staff encourages it do so with the following conditions:

1. A Landscape Plan proving compliance with parking area screening requirements shall be submitted and approved by the Planning Department.; and
2. Proof of deed-restricted HUD Fair Market Rent rates for the three (3) created units shall be recorded at SCRD and submitted to the Planning Department prior to the issuance of any Certificate of Occupancy.

ZONE-2024-0045 9 Maple Street

**Property Information**

Location 9 MAPLE ST
Owner MACALISTER SIMON D J
Land Use
Zoning Code RM-U
Property Id 30066-000000

**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.



PERMIT SNAPSHOT REPORT ZONE-2024-0045 FOR CITY OF DOVER, N.H.

Permit Type Zoning	Project:	App Date: 10/31/2024
Work Class: Special Exception	District: None	Exp Date: NOT AVAILABLE
Status: In Review	Square Feet: 0.00	Completed: NOT COMPLETED
Valuation: \$0.00	Assigned To: Blonigen, Rachel	Approval
Description: Add three new apartments to existing single family home		Expire Date:

Parcel: 30066-000000	Main	Address: 9 Maple St Dover, NH	Main	Zone: RM-U(Residential - Urban Density)
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Applicant Nicholas Isaak 35 Oyster River Rd., Durham, NH 03824 Business: (603) 969-6711	Owner/Builder Simon Macalister 40 MAPLE ST STE 2 DOVER, NH 03820-3057 Business: (603) 969-6275 Mobile: (603) 969-6275
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Permit Custom Fields

ZoneSpExPlanSummary 4 townhome-style units with parking behind	ZoneSpExAppealSect open space requirements	ZoneSpExA1GenPubWelfare Much need for apartments in Dover and NH in general.
ZoneSpExA2SafetyImpact Adding three apartments would not dramatically increase traffic on Maple Street.	ZoneSpExA3UtilityImpact The project would not overload the municipal systems or cause negative health and safety effects.	What is the parcel zoned? RM-U
A. The specific site must have an amount of open space, either landscaped or left natural, at least equal to the average amount of open space on all developed lots in the RM-U District that are wholly or partly within two hundred (200) feet of the subject parcel. Existing parking areas, either gravel, paved or unpaved, shall not be considered to be open space. (See F)	B. Off-street parking, in accordance with Chapter 153, Site Review, shall be provided as to avoid vehicles backing into the street. Two (2) parking spaces per unit shall be required. Meets criteria.	C. Parking lots shall be at least five (5) feet from a side property line and ten (10) feet from a front property line. Meets criteria.
D. Parking areas shall be screened from the street and from abutting lots. Landscape buffer will be provided.	E. Structures shall be at least twenty (20) feet from a front property line, fifteen (15) feet from a rear property line and fifteen (15) from a side property line unless abutting a street, in which case, the distance from the side property line shall be twenty (20) feet. (See F)	F. If the units generated are restricted to the HUD Fair Market Rent rates, for Dover, criteria A and E do not apply. Using this Exception.

Attachment File Name	Added On	Added By	Attachment Group	Notes
PlanningApplication.OwnerAuthorizationZoning.pdf	10/31/2024 12:32	Isaak, Nicholas		Uploaded via Dover, NH - Permits Plans Licensing

PERMIT SNAPSHOT REPORT (ZONE-2024-0045)

Signature_Nicholas_Isaak_10/31/2024.jpg	10/31/2024 12:32	Isaak, Nicholas	Uploaded via CSS
Permit Snapshot Report.pdf	10/31/2024 12:32	Service, EnerGov	Attached by IO - ATTACH: Initial Permit Snapshot

Invoice No.	Fee	Fee Amount	Amount Paid
INV-00009844	Planning Zoning Special Exception Application Fee	\$200.00	\$200.00
Total for Invoice INV-00009844		\$200.00	\$200.00
Grand Total for Permit		\$200.00	\$200.00

Workflow Step / Action Name	Action Type	Start Date	End Date
Review v.1			
Confirm application complete v.1	Generic Action		
Planning Permit Application Review v.1	Receive Submittal		
Zoning Board v.1			
Zoning Board Agenda v.1	Task		
Invoice for Notices v.1	Task		
Send Notices v.1	Task		
Zoning Administrator Creates Staff Recommendations v.1	Task		
Distribute Zoning Board Materials v.1	Task		
Zoning Board Hearing v.1	Hold Hearing		
Zoning Board Decision v.1	Permit Activity		
NOD Sent to Applicant v.1	Create Report		
Final Plan v.1			
Document Archival v.1	Generic Action		
Internal Notification of Permit Completion v.1	Generic Action		
Create/Link to Records v.1			
Create / Link to Permit - Building Major v.1	Create Sub Permit		

ZONE-2024-0045**9 MAPLE STREET**

Property ID	Location	Owner 1	Owner 2	Owner Address 1	City	State	Zip
30047-000000	53 55 SIXTH ST	BEAUDETTE RAYMOND J &	BEAUDETTE LISA M	53 SIXTH ST	DOVER	NH	03820-3020
30048-000000	51 SIXTH ST	WILLIAMS AARON DANIEL	WILLIAMS YU-TING	51 SIXTH ST	DOVER	NH	03820
30049-000000	2 MAPLE ST	PAYNE JONATHAN READ &	COCOLA STACIE LYNN	2 MAPLE ST	DOVER	NH	03820
30049-A00000	49 SIXTH ST	BUCK STEPHEN M TRUSTEE	STONEGATE LANE TRUST	20 STONEGATE LN	WOLFEBORO	NH	03894
30050-000000	4 MAPLE ST	STANLEY KYLE DANIEL &	STANLEY GLORIA	4 MAPLE ST	DOVER	NH	03820
30051-000000	8 MAPLE ST	ANDREWS CHRISTOPHER D		14 GLENWOOD ST	SANFORD	ME	04073
30052-000000	10 MAPLE ST	RED MAPLE HOMES LLC		10 MAPLE ST	DOVER	NH	03820
30053-000000	12 MAPLE ST	LANDRY NATALIE &	LANDRY LOUIS-JAMES	8 BROOKS RD	BARRINGTON	NH	03825-4002
30054-000000	14 MAPLE ST	SWEENEY COURTNEY &	TOM RICHARD L	9 WILDCAT DR UNIT D	ROCHESTER	NH	03839
30055-000000	16 MAPLE ST	LEAR DAVID C		30 CLIPPER WAY	NEWBURYPORT	MA	01950
30063-000000	19 MAPLE ST	WATTERS DAVID	ALBERGHENE JANICE M	19 MAPLE STREET	DOVER	NH	03820
30064-000000	15 17 MAPLE ST	LONE TREE HOMES LLC		PO BOX 271	GREENLAND	NH	03840
30065-000000	13 MAPLE ST	AKERLEY BRIAN K		13 MAPLE ST	DOVER	NH	03820
30067-000000	5 MAPLE ST	HEWITT SAMUEL A		5 B MAPLE ST	DOVER	NH	03820
30068-000000	3 MAPLE ST	PAGE SHAUN M		3 MAPLE ST APT A	DOVER	NH	03820
30069-000000	43 SIXTH ST	BDH REALTY TRUST	KEANEY DANIELLE TRUSTEE	526 MANCHESTER ST	SEABROOK	NH	03874
30070-000000	41 SIXTH ST	PERREAULT RICHARD J III &	PERREAULT HEATHER L	78 PORTLAND AVE	DOVER	NH	03820-3541
30071-000000	39 SIXTH ST	FORBES KRISTEN K		39 SIXTH ST	DOVER	NH	03820
30072-000000	37 SIXTH ST	PROPERTY BROTHERS LLC		PO BOX 801	NEWCASTLE	NH	03854
30073-000000	56 GROVE ST	WOOD GEOFFREY J &	WOOD CHRISTINA A	123 PORTSMOUTH AVE	STRATHAM	NH	03885-2420
30074-000000	58 GROVE ST	SMITH KATHERINE L &	SMITH JAMES D	58 GROVE ST	DOVER	NH	03820
30075-000000	62 GROVE ST	AINSWORTH DONALD O	AINSWORTH PATRICIA A	62 GROVE STREET	DOVER	NH	03820
30076-000000	66 GROVE ST	INFLECTION POINT PROPERTY INVESTMENTS LL		14 SILVER ST	DOVER	NH	03820
30077-000000	70 GROVE ST	SWAIN DOUG M		70 GROVE ST	DOVER	NH	03820
30078-000000	74 GROVE ST	WHITE ROBERT W	WHITE MICHELLE M	74 GROVE ST	DOVER	NH	03820
30082-000000	71 GROVE ST	NOTHING BUT NET LLC	C/O CARDINAL POINT PROPERTY MANAGEMENT	4 GREENLEAF WOODS DR #102	PORTSMOUTH	NH	03801
30083-000000	69 GROVE ST	RYAN RUTH A		69 GROVE ST	DOVER	NH	03820-3003
30084-000000	67 GROVE ST	AMAZEEN TODD A		4 HAM STREET	DOVER	NH	03820
30085-000000	53 59 GROVE ST	O BRIEN LOUISE J		PO BOX 2801	SEABROOK	NH	03874
30066-000000	9 MAPLE ST	MACALISTER SIMON D J		22 AMYS LANE	BARRINGTON	NH	03825
		ISAAK DESIGN, PLLC		35 OYSTER RIVER ROAD	DURHAM	NH	03824



Mr. Paul R. Crouser
Zoning Administrator / Assistant City Planner
Planning & Community Development
City of Dover, NH

November 5, 2024

Dear Paul,

I went back through and tried to add more substance to each answer. I hope that this helps validate each point .
We truly appreciate your help and feedback in this process.

RE: 9 Maple Street - Special Exception narrative

Briefly describe plans for the property.

Conversion of an existing single family property into 4 townhome-style units with parking behind

Please indicate Section of Zoning Ordinance you wish to appeal.

Conversion to, or creation of Dwelling, 3-4 Family in the Urban Density Multi-Residential (RM-U) District

A. General Special Exception Requirements (as set forth in §170-52.C.3 of the Zoning Ordinance)

1. Explain how the requested use would be essential or desirable to the public convenience or welfare.

There is a well documented need for apartments in Dover. As evidence of this On Sept. 24, the Dover Planning Board voted to eliminate impact fees on affordable housing projects, setting the fee to 0% effective immediately. The proposed units will help fill the “missing middle” component of affordable housing that is often overlooked by developers. These units will be restricted to the HUD Fair Market Rent rates.

2. Detail how the requested use would not create undue traffic congestion or unduly impair pedestrian safety.

Adding three apartments would not dramatically increase traffic on Maple Street. There are several apartment buildings along Maple street with much higher densities. 42 and 46 Maple for example, that set precedent. We do not feel the added cars would unduly impair pedestrian safety. The parking is behind the building which will aid in slowing traffic on Maple street as cars enter and exit the driveway. This will enhance pedestrian safety.

3. Describe how the requested use would not overload any public water, drainage or sewerage system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the City will be unduly subjected to hazards affecting health, safety or the general welfare.



We do not anticipate that adding three apartments would overload the public water, drainage or sewerage system or any other municipal systems or cause negative health and safety effects. There are several apartment buildings along Maple street with much higher densities. 42 and 46 Maple for example, that set precedent

Exception Criteria

B. Specific Special Exception Requirements (as may be set forth in the applicable Table of Use) Explain how the proposal meets the specific special exception requirements as may be set forth in the Table of Use for the zoning district in which the subject property is located:

- A.** The specific site must have an amount of open space, either landscaped or left natural, at least equal to the average amount of open space on all developed lots in the RM-U District that are wholly or partly within two hundred (200) feet of the subject parcel. Existing parking areas, either gravel, paved or unpaved, shall not be considered to be open space. ***(See F)***
- B.** Off-street parking, in accordance with Chapter 153, Site Review, shall be provided as to avoid vehicles backing into the street. Two (2) parking spaces per unit shall be required. ***We are providing 8 parking spaces (2 per unit) located behind the building.***
- C.** Parking lots shall be at least five (5) feet from a side property line and ten (10) feet from a front property line. ***The parking lot is a minimum of 5' from any lot line and more that 10' from the front property line.***
- D.** Parking areas shall be screened from the street and from abutting lots. ***Landscape buffer will be provided. The parking will be screened within the 5' buffer with arborvitae or a similar vegetative buffer.***
- E.** Structures shall be at least twenty (20) feet from a front property line, fifteen (15) feet from a rear property line and fifteen (15) from a side property line unless abutting a street, in which case, the distance from the side property line shall be twenty (20) feet. ***(See F)***
- F.** If the units generated are restricted to the HUD Fair Market Rent rates, for Dover, criteria A and E do not apply.

Using this Exception.

Sincerely,

Nick Isaak, AIA
Principal
Isaak Design, PLLC

Cc: Simon Macalister



CITY OF DOVER, NEW HAMPSHIRE

PLANNING APPLICATION OWNER AUTHORIZATION (ZONING)

IMPORTANT

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

OWNER AUTHORIZATION

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

Property Owner Name:

Simon Macalister

Signature(s) of Property Owner(s):

Date: 10/31/2024

Signature of Applicant:

if different from owner

Date: 10/31/2024

AUTHORIZATION TO ENTER SUBJECT PROPERTY

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

Property Owner Name:

Simon Macalister

Signature(s) of Property Owner(s):

Date: 10/31/2024

Signature of Applicant:

if different from owner

Date: 10/31/2024



ARCHITECT
Isaac Isaak, AIA, LEED AP
100 Oyster River Rd.
Durham, NH 03824
Phone: 603-969-6711
isaak@isaakdesign.com

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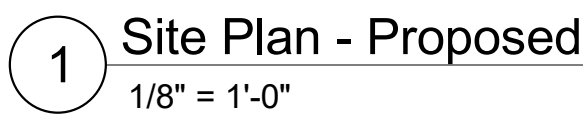
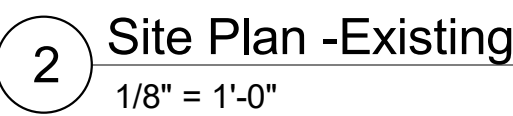
MAPLE STREET APTS

SITE PLAN

Project number	2406
Date	07/22/24
Drawn by	Author
Checked by	Checker

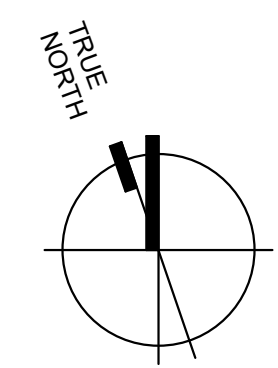
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PERMIT SET
NOT FOR CONSTRUCTION

10/25/2024 9:44:41 PM



PERMIT SET
NOT FOR CONSTRUCTION





ARCHITECT
Rick Isaak, AIA, LEED AP
Oyster River Rd.
Durham, NH 03824
Phone: 603-969-6711
rick@isaakdesign.com

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MAPLE STREET APTS

2ND FLOOR PLAN - OVERALL

Project number	2406
Date	07/22/24
Drawn by	Author
Checked by	Checker

A1.02

Scale	As indicated
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1 SECOND FLOOR PLAN
1/4" = 1'-0"



ARCHITECT
Rick Isaak, AIA, LEED AP
Oyster River Rd.
Durham, NH 03824
Phone: 603-969-6711
rick@isaakdesign.com

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MAPLE STREET APTS.

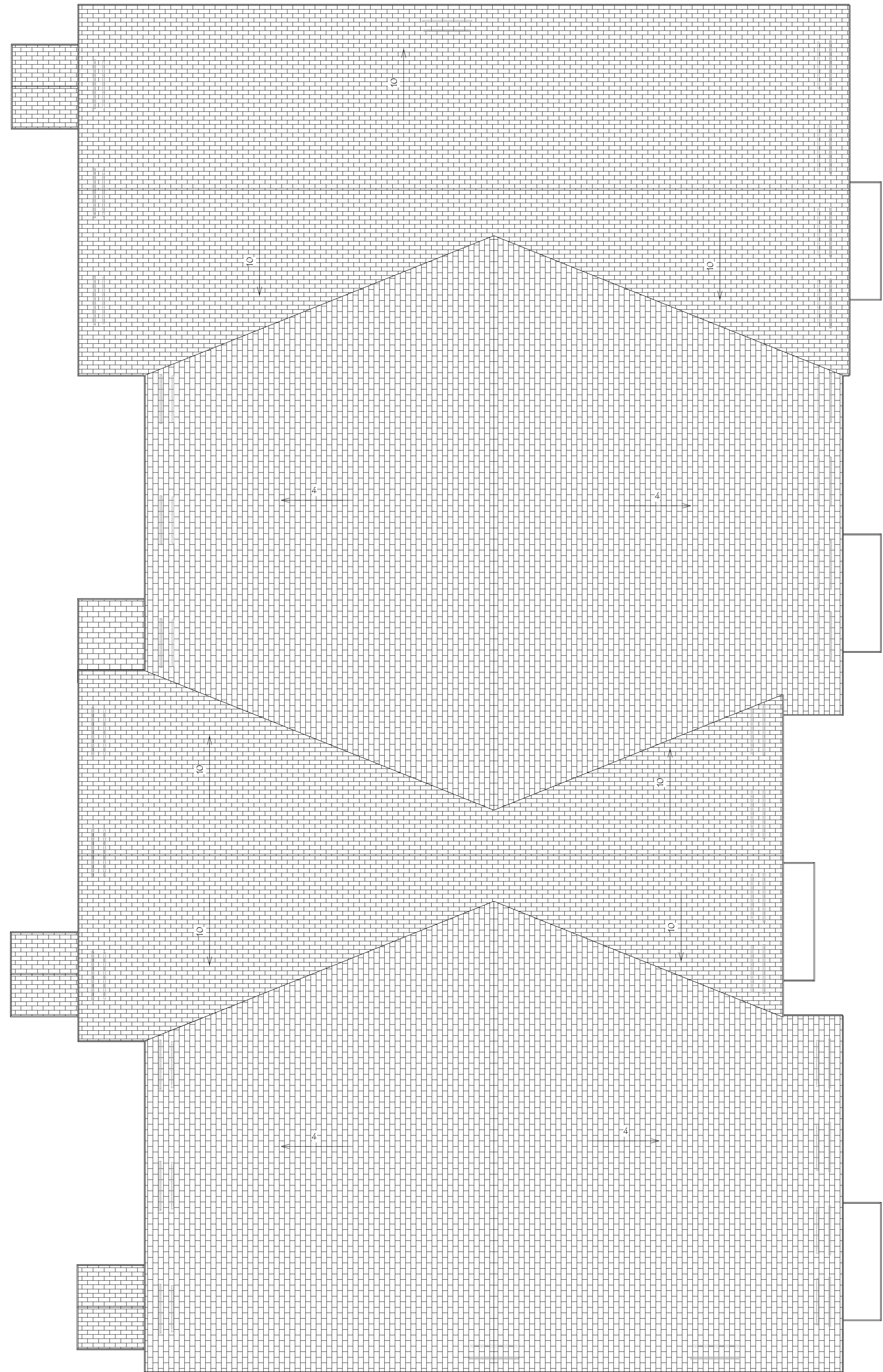
ROOF PLAN

Project number	2406
Date	07/22/24
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Checked by	Checker

A1.03

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10/25/2024 9:44:49 PM



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NOT FOR CONSTRUCTION



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e: 603-969-6711
@isaakdesign.com

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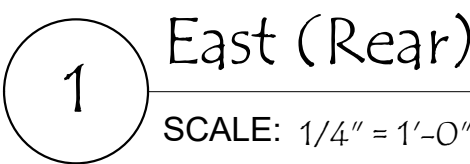
APPLE STREET APTS

ANTERIOR ELEVATIONS

Project number	2406
Date	07/22/24
Drawn by	Author
Checked by	Checker

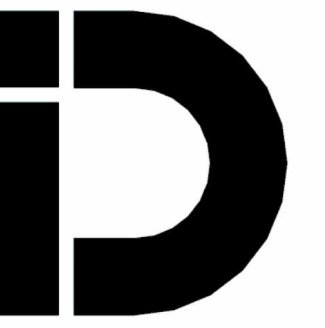
A2.01

Scale $1/4" = 1'-0"$



PERMIT SET
NOT FOR CONSTRUCTION

10/25/2024 9:44:55 PM



ISAAK DESIGN, PLLC
ARCHITECTURE &
URBAN DESIGN
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HICK@ISAAKDESIGN.COM

www.isaakdesign.com

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rick@isaakdesign.com

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MAPLE STREET APTS.

3D RENDERINGS

Project number	2406
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Date	07/22/24
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Drawn by	Author
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Checked by	Checker
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A2.02

Scale

PERMIT SET
NOT FOR CONSTRUCTION

10/25/2024 9:44:55 PM

MAP 30 PAGE 52
SALAS LUIS ALFREDO
MUNOZ
VEGA JESSICA PEREZ
10 MAPLE STREET APT 1
DOVER NH 03820
4365/9

MAP 30 PAGE 51
CHRISTOPHER D AND NANCY
J ANDREWS
8 MAPLE STREET
DOVER NH 03820
3303/335

MAP 30 PAGE 13
KYLE DANIEL AND GLORIA
STANLEY
4 MAPLE STREET
DOVER NH 03820
3044/189

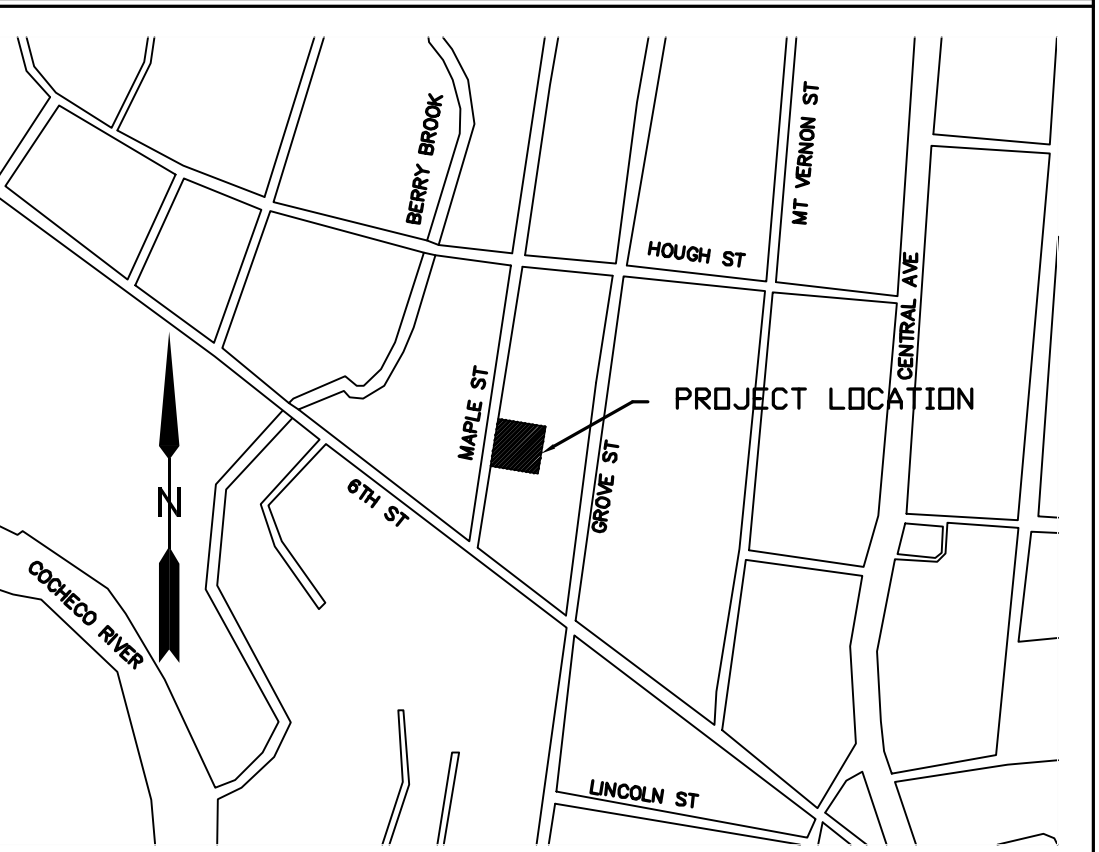
MAP 30 PAGE 65
BRIAN K AKERLEY
13 MAPLE STREET
DOVER NH 03820
2237/534

MAP 30 PAGE 76
INFLECTION POINT
PROPERTY INVESTMENTS LI
14 SILVER STREET
DOVER NH 03820
3688/403

MAP 30 PAGE 75
DONALD O AND
PATRICIA A AINSWORTH
62 GROVE STREET
DOVER NH 03820
1098/370

MAP 30 PAGE 67
SAMUEL A HEWITT
5 MAPLE STREET
DOVER, NH 03820
3762/889

TAX MAP 30
LOT NUMBER 66
9978 SQ.FT
0.23 +/- ACRES



LOCATION PLAN

- NOTES:**
- OWNER OF RECORD FOR MAP 30 LOT 66
SIMON D. J. AND CYNTHIA L. MACALISTER
90 RIVER STREET APT. 14D
NEWMARKET, NH 03857
BK 2303 PAGE 0130
 - 30/66- DENOTES TAX MAP AND PARCEL NUMBER
 - ZONING DISTRICT IS RM-U (URBAN DENSITY RESIDENTIAL)
MINIMUM LOT SIZE =10,000 SQ.FT
MINIMUM FRONTAGE =80 FT
SETBACK REQUIREMENTS
FRONT = AVERAGE FRONT SETBACK ON STREET
REAR =15 FT
SIDE (ABOUT A LOT) =15 FT
SIDE (ABOUT A STREET)=AVERAGE SETBACK ON STREET
MAXIMUM LOT COVERAGE =40%
MAXIMUM BUILDING HEIGHT =40 FT
 - THE SUBJECT PARCEL IS NOT LOCATED WITHIN A FEDERALLY DESIGNATED
100-YEAR FLOOD HAZARD ZONE AS SHOWN ON FIRM PANEL 33017C0310E
EFFECTIVE 9/30/2015
 - THE BASIS OF BEARING IS NAVD88

**PLAT OF LAND
FOR
SIMON D J AND CYNTHIA L
MACALISTER
9 MAPLE STREET
DOVER, NH 03820**

DATE:
JUNE 3, 2024
SCALE: 1" = 10'

LEGEND

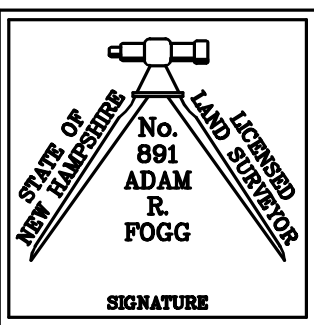
- UTILITY POLE
FENCE LINE
E UTILITY LINES

"I CERTIFY THAT THIS PLAT IS NOT A SUBDIVISION PURSUANT
TO THIS TITLE AND THAT THE LINES OF STREETS AND WAYS
SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS
ALREADY ESTABLISHED AND THAT NO NEW WAYS ARE SHOWN."

"I CERTIFY THAT THIS SURVEY AND PLAN WAS PREPARED BY
ME OR BY THOSE UNDER MY DIRECT SUPERVISION. I CERTIFY
THAT THIS SURVEY WAS MADE ON THE GROUND AND IS CORRECT
TO BEST OF MY KNOWLEDGE AND BELIEF. RANDOM TRAVERSE
SURVEY BY THEODOLITE AND EDM. PRECISION GREATER THAN 1:
15,000.

L.L.S. #891

DATE



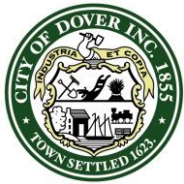
REFERENCE PLANS:

- "PLAN OF LAND BELONGING TO THE DOVER BUILDING ASSOCIATION SHOWING PROPOSED
STREETS AND LOTS FROM SURVEYS MADE BY JOHN M. HAYES, C.E., DOVER N.H." SCALE: 1"=50',
DATE RECORDED: AUG. 31, 1875, SCRD PLAN 34, POCKET 10, FOLDER 2.

NO.	DATE	INITIAL SUBMISSION	TKF
1	DATE	INITIAL SUBMISSION	TKF
NO.	DATE	DESCRIPTION	BY



265 WADLEIGH FALLS ROAD
LEE, NEW HAMPSHIRE 03824
PH: 603-969-0493
WWW.FARWELLENENGINEERING.COM



CITY OF DOVER

ZONING BOARD OF ADJUSTMENT – STAFF MEMO

Meeting Type:	Regular Meeting
Meeting Location:	Council Chambers, City Hall 288 Central Ave. Dover, NH 03820
Meeting Date:	Thursday, December 19, 2024
Meeting Time:	7:00 pm

INTENT: The Applicant requests a Variance from **Section 170-24(C)**, to allow for an existing detached garage be converted into a two-story accessory dwelling unit.

UNITS PROPOSED: None (ADUs are not considered new dwelling units)

AGENDA ITEM: 3-B

ZONING DISTRICT: Urban Density Multi Residential District, (RM-U)

FILE: ZONE-2024-0046

APPLICANT: Corey Bastianelli

OWNERS: Same

LOCATION: 9 Federal St. (Tax Map 20, Lot 93)

ACREAGE: ±0.25 acres. No change in acreage

EXISTING LAND USE: Residential

PROPOSED LAND USE: Residential, No Change

SURROUNDING LAND USE: Mixed Use

PREVIOUS ZBA ACTION: None

PLANNING BOARD APPROVAL REQ.:
No

ATTACHMENTS: Application, Narrative

STAFF RECOMMENDATION: Staff supports this Variance request with conditions

BACKGROUND INFORMATION

The property subject to this variance request is located at 9 Federal St. and resides within the Urban Density Multi Residential (RM-U) District. The property is approximately 0.25 acres and currently contains a single-family home (approx. 1,634 s.f.) and a single detached garage (approx. 465 s.f.).

The applicant seeks a variance request to a single provision of the accessory dwelling unit (“ADU”) regulation within the zoning ordinance, §170-24(C), which states that “...If located in a detached accessory structure, the accessory dwelling unit may be located on either floor of the structure.” The applicant, due to the small size of their detached garage, seeks relief from this provision to permit the ADU to occupy both the first and second floor of the garage.

STAFF RECOMMENDATION

Staff supports this variance request with conditions. Per the applicant’s variance request submission, they will remain compliant with all other ADU regulations. Additionally, staff notes that the ADU provision in question is one that staff will be asking the Planning Board to review and possibly post a zoning ordinance amendment to. If the Board posts and recommends the Amendment, it would then go to City Council for review and possible adoption. The staff proposed amendment would be to eliminate the garage requirement for detached ADUs. As such, staff recommends the approval of this variance request with the following conditions:

1. Relief granted in this variance approval shall only apply to the existing detached garage, requiring that any additional accessory structure or major reconstruction of the existing accessory structure meet the current ADU regulations at such time as the potential ADU application is submitted.
2. Compliance with all other ADU regulations as specified in §170-24.

ZONE-2024-0046 9 Federal Street

**Property Information**

Location 9 FEDERAL ST
Owner BASTIANELLI COREY M
Land Use
Zoning Code RM-U
Property Id 20093-000000

**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 using
this resource.



PERMIT SNAPSHOT REPORT ZONE-2024-0046 FOR CITY OF DOVER, N.H.

Permit Type Zoning	Project:	App Date: 11/13/2024
Work Class: Variance	District: None	Exp Date: NOT AVAILABLE
Status: In Review	Square Feet: 0.00	Completed: NOT COMPLETED
Valuation: \$0.00	Assigned To: Blonigen, Rachel	Approval
Description: Requesting a variance from section 170-24 (3)- relief for the single story rule for an ADU.		Expire Date:

Parcel: 20093-000000 Main	Address: 9 Federal St Dover, NH Main	Zone: RM-U(Residential - Urban Density)
----------------------------------	--	--

Applicant
Corey Bastianelli
9 Federal Street
Dover, NH 03820
Mobile: (603) 630-0161

Permit Custom Fields

ZoneVariAppealPhDisa No bility	Number of Variances 1 Requested:	ZoneVariPlanDirections Variance for already-built detached garage ADU
ZoneVariPlanSummary Convert my already-built detached garage into a two-story, two-bedroom, one bathroom ADU.	ZoneVariAppealSect Section 170-24 (3)	ZoneVariAppealSectDe My detached garage tail already exists. utilizing only one floor not only does not make fiscal sense, but it would create a small and barely habitable apartment that hardly meets the min. sq./ft. requirement of an ADU. I am looking for an exception to the two-story ADU rule.
What is the parcel zoned? RM-U	ZoneVariAppeal1Public Causes zero harm to the Interest public, utilizing an existing structure on my property.	ZoneVariAppeal2Ordin It allows me, as the anceSpirit homeowner, to provide much needed housing to the community. It would allow me to fully utilize/maximize my unused space.
ZoneVariAppeal3Subst It would allow me to antialJustice provide suitable and prudent housing that is much needed in the city of Dover.	ZoneVariAppeal4Prope The structure is already rtyValue there. If anything, this will raise my property value, and subsequently, the surrounding properties as well.	ZoneVariAppeal5A1Un NecHardship
ZoneVariAppeal5A2No FairRelate	ZoneVariAppeal5A3Re asonableUse	ZoneVariAppeal5BNoR My detached garage easonableUse already exists. Utilizing only one floor of the current structure for an ADU not only does not make fiscal sense, but it would create a very small apartment (approx. 400 sq./ft.) - one that would hardly satisfy the minimum sq/ft requirement of an ADU.

Attachment File Name	Added On	Added By	Attachment Group	Notes
Signature_Corey_Bastianelli_11/13/2024 4.jpg	11/13/2024 13:37	Bastianelli, Corey		Uploaded via CSS

PERMIT SNAPSHOT REPORT (ZONE-2024-0046)

Permit Snapshot Report.pdf 11/13/2024 13:37 Service, EnerGov Attached by IO - ATTACH: Initial Permit Snapshot

Invoice No.	Fee	Fee Amount	Amount Paid
INV-00009994	Planning Zoning Variance Application Fee	\$200.00	\$0.00
Total for Invoice INV-00009994		\$200.00	\$0.00
Grand Total for Permit		\$200.00	\$0.00

Submittal Name	Status	Received Date	Due Date	Complete Date	Resubmit	Completed
Planning Permit Application Review v.1	In Review	11/14/2024	12/09/2024		No	No
Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Zoning Administrator	Planning	Crouser, Paul	In Review	11/14/2024	12/09/2024	

Workflow Step / Action Name	Action Type	Start Date	End Date
Review v.1		11/14/2024 10:30	
Confirm application complete v.1	Generic Action		11/14/2024 10:31
Planning Permit Application Review v.1	Receive Submittal	11/14/2024 0:00	
Zoning Board v.1			
Zoning Board Agenda v.1	Task		
Invoice for Notices v.1	Task		
Send Notices v.1	Task		
Zoning Administrator Creates Staff Recommendations v.1	Task		
Distribute Zoning Board Materials v.1	Task		
Zoning Board Hearing v.1	Hold Hearing		
Zoning Board Decision v.1	Permit Activity		
NOD Sent to Applicant v.1	Create Report		
Final Plan v.1			
Document Archival v.1	Generic Action		
Internal Notification of Permit Completion v.1	Generic Action		
Create/Link to Records v.1			
Create / Link to Permit - Building Major v.1	Create Sub Permit		

Property ID	Location	Owner 1	Owner 2	Owner Address 1	City	State	Zip
20013-000121	121 CRICKET BROOK	PADDOCK BARRETT L & CHERYL J CO-TRUSTEES	THE PADDOCK REVOCABLE TRUST	85125 SAGAPONACK DR	FERNANDINA BEACH	FL	32034
20013-000122	122 CRICKET BROOK	POWELL MELISSA M		93 HENRY LAW AVE #122	DOVER	NH	03820
20013-000123	123 CRICKET BROOK	LOZIER KATRINA H		25 PROSPECT ST	NEWBURYPORT	MA	01950
20013-000124	124 CRICKET BROOK	LEHTINEN IIRO TRUSTEE	LEHTINEN SOPHIE T 2005 TRUST	740 WOODBURY AVE	PORTSMOUTH	NH	03801
20013-000125	125 CRICKET BROOK	CRICKET BROOK 125 LLC		PO BOX 1192	PORTSMOUTH	NH	03801
20013-000126	126 CRICKET BROOK	HIGGINS DAVID R	HIGGINS LINDA B	59 KING ST	GROVELAND	MA	01834
20013-000127	127 CRICKET BROOK	127 CRICKET BROOK LLC		6 NILES ST	DOVER	NH	03820
20013-000128	128 CRICKET BROOK	BASTARACHE JACOB T		128 CRICKET BROOK	DOVER	NH	03820
20013-000131	131 CRICKET BROOK	BENOIT DENNIS J TRUSTEE	BENOIT DENNIS J REVOCABLE TRUST	136 CRICKET BROOK	DOVER	NH	03820
20013-000132	132 CRICKET BROOK	132 CRICKET BROOK LLC		6 NILES ST	DOVER	NH	03820
20013-000133	133 CRICKET BROOK	MUSTO MATTHEW C		133 CRICKET BROOK	DOVER	NH	03820
20013-000134	134 CRICKET BROOK	DENMON RACHEL		94 COCHECO ST	DOVER	NH	03820
20013-000135	135 CRICKET BROOK	BENOIT DENNIS J TRUSTEE	BENOIT DENNIS J REVOCABLE TRUST	93 HENRY LAW AVE UNIT #136	DOVER	NH	03820
20013-000136	136 CRICKET BROOK	BENOIT DENNIS J TRUSTEEQ	BENOIT DENNIS J REVOCABLE TRUST	93 HENRY LAW AVE UNIT #136	DOVER	NH	03820
20013-000137	137 CRICKET BROOK	SUNTORO BAYU		366 CENTRAL AV	DOVER	NH	03820
20013-000138	138 CRICKET BROOK	SHERWOOD KANDACE K		93 HENRY LAW AVE UNIT #138	DOVER	NH	03820
20013-000141	141 CRICKET BROOK	CHAFFEE DYLAN		141 CRICKET BROOK	DOVER	NH	03820
20013-000142	142 CRICKET BROOK	BULGER OLIVIA MARIE	BULGER RYAN MICHAEL	329 SWAMP ROAD	HINESBURG	VT	05461
20013-000143	143 CRICKET BROOK	ROULEAU MICHAEL B		56 OLD ROCHESTER ROAD UNIT 3	DOVER	NH	03820
20013-000144	144 CRICKET BROOK	WARDANA WILSON WISNU		144 CRICKET BROOK	DOVER	NH	03820
20013-000145	145 CRICKET BROOK	GRAUSTEIN KURT & JESSICA SUDBOROUGH CO-T	GRAUSTEIN FAMILY TRUST	79 TRACY WAY	MEREDITH	NH	03253
20013-000146	146 CRICKET BROOK	SINGH JOGA &	KAUR SURINDER	93 COTTONWOOD DR	DOVER	NH	03820
20013-000147	147 CRICKET BROOK	KAUR SURINDER &	SINGH JOGA	93 COTTONWOOD DR	DOVER	NH	03820
20013-000148	148 CRICKET BROOK	PANKOVA MARIA		125 STATE STREET	NEWBURYPORT	MA	01950
20013-000151	151 CRICKET BROOK	HARVEY MICHAEL		129 S SUNSET TER	INVERNESS	FL	34450-1813
20013-000152	152 CRICKET BROOK	COMEAU JESSE P		93 HENRY LAW AVE UNIT 152	DOVER	NH	03820
20013-000153	153 CRICKET BROOK	DUBOIS THOMAS R & BONNIE J TRUSTEES	T&B DUBIOS FAMILY REVOCABLE TRUST	73 GLEN HILL RD	DOVER	NH	03820
20013-000155	155 CRICKET BROOK	WRIGHT ALAN H		93 HENRY LAW AVE UNIT #155	DOVER	NH	03820
20013-000156	156 CRICKET BROOK	BELL SARAH A		156 CRICKET BROOK	DOVER	NH	03820
20013-000157	157 CRICKET BROOK	CRANFORD J MARK &	CRANFORD ELIZABETH R	45 DRAKES LANDING	HAMPTON	NH	03842
20013-000158	158 CRICKET BROOK	FERULLO ROBERT		158 CRICKET BROOK	DOVER	NH	03820
20091-A00000	10 FEDERAL ST	KRYZAK MELISSA		70 HUBBARD CT	DERRY	NH	03038-4831
20091-B00000	12 FEDERAL ST	JEWETT CASSANDRA L		12 FEDERAL ST UNIT B	DOVER	NH	03820

VARIANCE REQUIREMENTS

THIS SECTION TO BE COMPLETED BY VARIANCE APPLICANTS ONLY

A. Variance Requested

A variance is requested from Section(s) 170-24^(a) of the Zoning Ordinance to permit:

Requesting Variance Relief for the single story rule for an
ADU.

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

Please demonstrate compliance with the following:

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

Causes zero harm to the public, utilizing an existing structure
on my property.

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

It allows me, as the homeowner, to provide much needed
housing to the community. It would allow me to fully
utilize/maximize my unused space.

3. Granting the variance would do substantial justice because:

Again, it allows me to provide suitable and prudent
housing that is much needed in the city of Dover.

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

The structure is already there. If anything, they will notice my property value, and subsequently the surrounding properties as well.

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

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

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

and

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

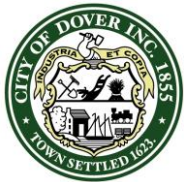
and

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

OR

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

My detached garage already exists. Utilizing only one floor of the structure for an ADU not only does not make fiscal sense, but it would create a very small apt. - one that would hardly satisfy the min. sq/ft requirements of an ADU.

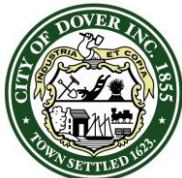


CITY OF DOVER

ZONING BOARD OF ADJUSTMENT – STAFF MEMO

Meeting Type:	Regular Meeting
Meeting Location:	Council Chambers, City Hall 288 Central Ave. Dover, NH 03820
Meeting Date:	Thursday, December 19, 2024
Meeting Time:	7:00 pm

This item to be heard by the Zoning Board of Adjustment at a later date.



CITY OF DOVER

ZONING BOARD OF ADJUSTMENT – STAFF MEMO

Meeting Type:	Regular Meeting
Meeting Location:	Council Chambers, City Hall 288 Central Ave. Dover, NH 03820
Meeting Date:	Thursday, December 19, 2024
Meeting Time:	7:00 pm

INTENT: The Applicant requests a Variance from **Section 170-12(B), R-12 Frontage Requirements**, to allow for the subdivision which would create one (1) lot with zero frontage, where 100' of frontage is required.

UNITS PROPOSED: None

LOTS PROPOSED: One (1)

AGENDA ITEM: 3-D

ZONING DISTRICT: R-12

FILE: ZONE-2024-0048

APPLICANT: Phillip E. Read

OWNERS: Read Family Trust 2023

LOCATION: 7 Browning Drive (Tax Map 21, Lot 99)

ACREAGE: ±1.04 acres (±45,302.4 s.f.)

ACREAGE POST PROPOSED

SUBDIVISION:

Parent Lot: ±22,683.5 s.f.

New Lot: ±22,618.9 s.f.

EXISTING LAND USE: Residential

PROPOSED LAND USE: Residential,
No Change

SURROUNDING LAND USE:
Residential

PREVIOUS ZBA ACTION: None

PLANNING BOARD APPROVAL REQ.: Yes – Project requires Planning Board approval of proposed minor subdivision

ATTACHMENTS: Application,
Narrative, Plan

STAFF RECOMMENDATION: Staff does not support this request.

BACKGROUND INFORMATION

The property subject to this variance request is located at 7 Browning Drive and resides within the Medium Density Residential (R-12) District. The property is approximately 1.04 acres (±45,302.4 s.f.) and currently contains a single-family home (approx. 3,386 s.f.). The lot also contains a 25' sewer easement (*see SCR D Drawer 18A, Plan 49, attached*).

The applicant ultimately seeks to subdivide the subject lot, creating a single new lot in the rear of the property, leaving both the parent lot and new lot with roughly one-half acre each. The proposed new lot, however, would not meet the R-12's frontage requirement of 100', but rather, per the applicant's plan, would provide 0' of frontage, with access to the parcel existing solely through the existing private driveway on the parent parcel.

STAFF RECOMMENDATION

Staff does not support this variance request. Historically, this board has, in certain instances, provided relief to dimensional regulations in varying residential districts to permit current owners to subdivide their land when they do not meet, but come close to meeting, current underlying dimensional regulations.

This proposal, as noted above, seeks relief from the R-12 district's frontage requirement in its entirety. Per the applicant's own submitted materials, while their lot is indeed the largest along Browning Drive, nearly every parcel on that street has 95 – 100' of frontage each.

Staff has concerns about setting a precedent of permanently altering the design of subdivisions such as the Browning Drive Subdivision, which, while approved back in 1977, is more or less compliant with current underlying zoning standards. Also, per RSA 674:41, since the proposed new lot does not have access to a public way via a public street, a recognized private street, or otherwise, the owner of the new lot would require Planning Board approval for the issuance of any building permit on the newly proposed lot. As such, staff recommends denying this variance request. However, should this board decide to grant the variance request, staff recommends it do so with the following conditions:

1. The use on the newly proposed lot shall be restricted to purely residential uses;
2. Any development on the newly proposed lot shall be restricted to a single-family home only, and shall certify as such via a recorded deed restriction at the Strafford County Registry of Deeds, a copy of which shall be provided to the Planning Dept. prior to the issuance of a Certificate of Occupancy; and
3. Compliance with RSA 674:41 would be required to allow a building permit to be issued on a lot with no frontage.

ZONE-2024-0048 7 Browning Drive

**Property Information**

Location 7 BROWNING DR
Owner READ PHILIP E & SUSAN J TRUSTEE
Land Use
Zoning Code R-12
Property Id 21099-000000

**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.



PERMIT SNAPSHOT REPORT ZONE-2024-0048 FOR CITY OF DOVER, N.H.

Permit Type Zoning	Project:	App Date: 11/19/2024
Work Class: Variance	District: None	Exp Date: NOT AVAILABLE
Status: In Review	Square Feet: 0.00	Completed: NOT COMPLETED
Valuation: \$0.00	Assigned To: Blonigen, Rachel	Approval
Description: request variance for zero frontage building lot.		Expire Date:

Parcel: 21099-000000	Main	Address: 7 Browning Dr Dover, NH	Main	Zone: R-12(Residential - Medium Density)
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Applicant
Philip E Read
7 Browning Dr, Dover, NH
Dover, NH 03820
Home: (603) 742-9483
Mobile: (603) 285-2721

Permit Custom Fields

Number of Variances Requested: 1	ZoneVariPlanDirections7 Browning Drive	ZoneVariPlanSummary subdivide 1 acre lot into two 1/2 acre lots using current driveway for access to a "Flag" lot with zero frontage in order to build a house similar in design and size to existing neighborhood homes and using existing right of way access for utilities.
ZoneVariAppealSect	ZoneVariAppealSectDe tail	What is the parcel zoned? R-12
ZoneVariAppeal1Public Interest 1. The access driveway will meet required width. 2. The subdivided lots and all other boundary requirements will be met. 3. deeded right of way for all utilities is existing. 4. The planned house will be consistent with the neighborhood.	ZoneVariAppeal2OrdinanceSpirit the planned house and lot size will be consistnt with others in the neighborhood .	ZoneVariAppeal3Subst antialJustice the value of the existing property will be enhanced.
ZoneVariAppeal4Prope rtyValue the lot size, house design, and all other xoning dimentional requirements will be met and consistent with the neighborhood.	ZoneVariAppeal5A1Un NecHardship	ZoneVariAppeal5A2No FairRelate
ZoneVariAppeal5A3ReasonableUse	ZoneVariAppeal5BNoReasonableUse The lot size is the largest in the neighborhood but located on a curve in the road which substantially reduces the street frontage relative to the lot size.	

Attachment File Name	Added On	Added By	Attachment Group	Notes
Signature_Philip_Read_11/19/2024.jpg	11/19/2024 17:57	Read, Philip		Uploaded via CSS
Permit Snapshot Report.pdf	11/19/2024 17:57	Service, EnerGov		Attached by IO - ATTACH: Initial Permit Snapshot

PERMIT SNAPSHOT REPORT (ZONE-2024-0048)

Invoice No.	Fee	Fee Amount	Amount Paid
INV-00010056	Planning Zoning Variance Application Fee	\$200.00	\$200.00
Total for Invoice INV-00010056		\$200.00	\$200.00
Grand Total for Permit		\$200.00	\$200.00

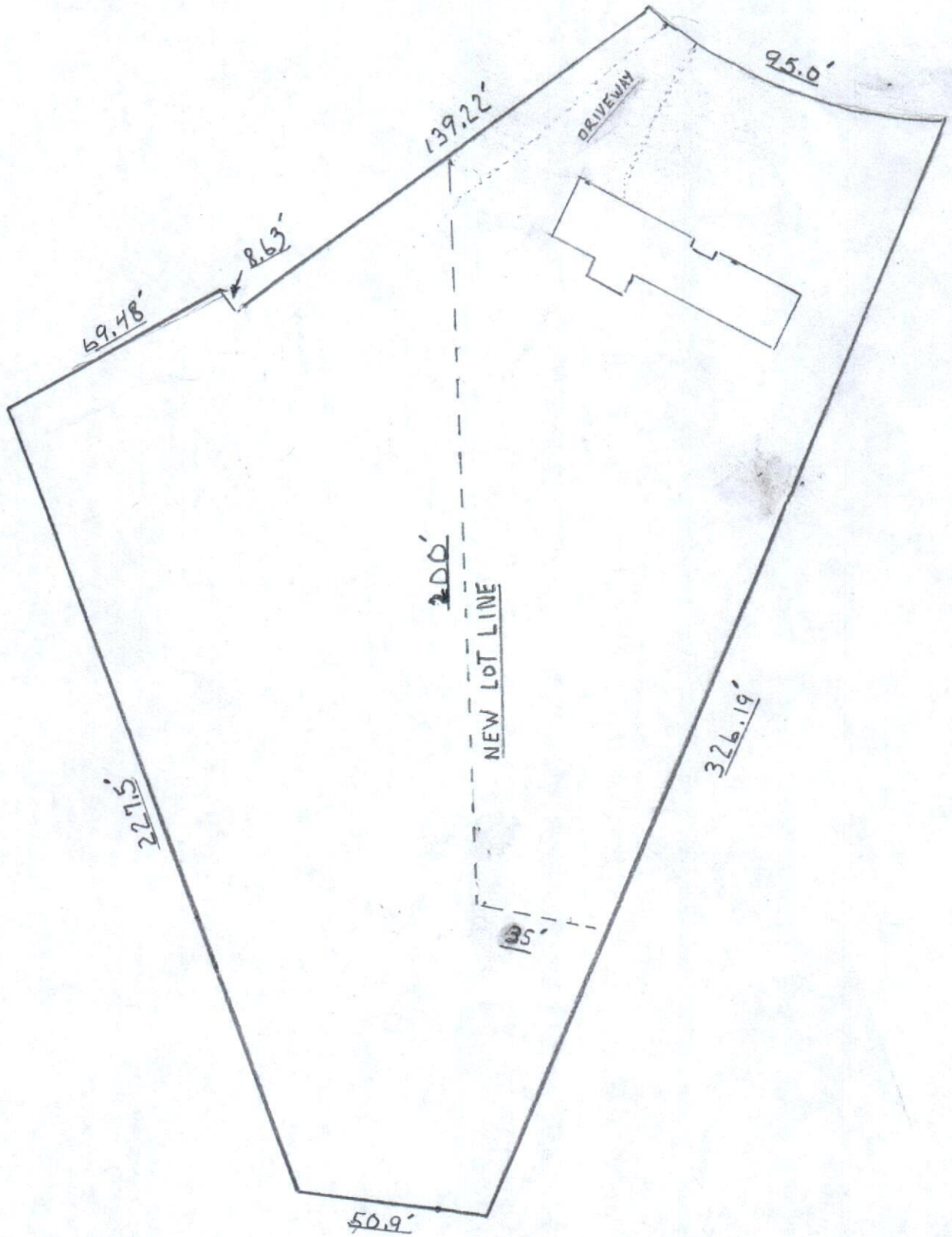
Workflow Step / Action Name	Action Type	Start Date	End Date
Review v.1			
Confirm application complete v.1	Generic Action		
Planning Permit Application Review v.1	Receive Submittal		
Zoning Board v.1			
Zoning Board Agenda v.1	Task		
Invoice for Notices v.1	Task		
Send Notices v.1	Task		
Zoning Administrator Creates Staff Recommendations v.1	Task		
Distribute Zoning Board Materials v.1	Task		
Zoning Board Hearing v.1	Hold Hearing		
Zoning Board Decision v.1	Permit Activity		
NOD Sent to Applicant v.1	Create Report		
Final Plan v.1			
Document Archival v.1	Generic Action		
Internal Notification of Permit Completion v.1	Generic Action		
Create/Link to Records v.1			
Create / Link to Permit - Building Major v.1	Create Sub Permit		

ZONE-2024-0048
7 BROWNING DRIVE

Property ID	Location	Owner 1	Owner 2	Owner Address 1	City	State	Zip
20001-000000	145 HENRY LAW AV	HANNAN BETTY J	HANNAN ROBERT E	145 HENRY LAW AVENUE	DOVER	NH	03820
20002-000000	141 HENRY LAW AV	GENS JOHN P JR & MARY B	GENS ERIC M	8 REGINA RD	PORTSMOUTH	NH	03801
20002-A00000	143 HENRY LAW AV	FAGUNDO JONATHAN I & TRACEY A TRUSTEES	THE FAGUNDO FAMILY REV TRUST OF 2022	143 HENRY LAW AVE	DOVER	NH	03820
20003-001000	4 MARTIN LN	DEMERS NICHOLAS N		4 MARTIN LN	DOVER	NH	03820
20003-002000	6 MARTIN LN	SABOL JAMES P &	SABOL JULIE J	6 MARTIN LANE	DOVER	NH	03820
20003-003000	8 MARTIN LN	BURDIN JAMES E &	BURDIN RACHEL S	8 MARTIN LN	DOVER	NH	03820
20114-000000	COBBLE HILL DR	COBBLE HILL COMMUNITY ASSN		COBBLE HILL DRIVE	DOVER	NH	03820
20114-010000	17 COBBLE HILL DR	HINMAN SAMUEL C & LINDSEY C TRUSTEES	HINMAN FAMILY REVOCABLE TRUST 2024	17 COBBLE HILL DR	DOVER	NH	03820
20114-011000	19 COBBLE HILL DR	COTE AGATHA P TRUSTEE	COTE AGATHA P REVOCABLE TRUST 2024	19 COBBLE HILL DRIVE	DOVER	NH	03820
21080-000000	4 BROWNING DR	TARBELL JASON R &	TARBELL KATHLEEN S	4 BROWNING DRIVE	DOVER	NH	03820
21081-000000	6 BROWNING DR	RIPPETT THERASA A &	TREMBLAY RICHARD E AND NANCY I	6 BROWNING DRIVE	DOVER	NH	03820
21082-000000	8 BROWNING DR	MIZZAU BRUCE & JUDITH CO-TRUSTEES	MIZZAU REVOCABLE TRUST	8 BROWNING DRIVE	DOVER	NH	03820
21083-000000	10 BROWNING DR	SUM JOSEPH T &	SUM ANNA G	10 BROWNING DRIVE	DOVER	NH	03820
21096-000000	13 BROWNING DR	ATKINS LEWIS JR		13 BROWNING DRIVE	DOVER	NH	03820
21097-000000	11 BROWNING DR	AUGER THOMAS	AUGER JOYCE	11 BROWNING DR	DOVER	NH	03820
21098-000000	9 BROWNING DR	CULLY PAUL A &	KISIL ANNE S	9 BROWNING DR	DOVER	NH	03820-4111
21100-000000	5 BROWNING DR	TROWBRIDGE JAMES &	TROWBRIDGE RISMA	5 BROWNING DR	DOVER	NH	03820
21101-000000	3 BROWNING DR	LOWELL RICHARD D & MARSHA J TRUSTEES	LOWELL FAMILY REVOCABLE TRUST OF 2021	3 BROWNING DRIVE	DOVER	NH	03820
21102-000000	1 BROWNING DR	CLARKE HILARY F		1 BROWNING DR	DOVER	NH	03820
21099-000000	7 BROWNING DR	READ PHILIP E & SUSAN J TRUSTEE	READ FAMILY TRUST 2023	7 BROWNING DRIVE	DOVER	NH	03820

7 BROWNING DRIVE, DOVER, NH

1" = 40'



1979 MAR 23 PM 12:47
Lester A. Carney

of Saco 30 School Street County, State of
(Town or City) (Street Address) York
Maine with WARRANTY covenants, the

A certain tract of land with buildings thereon, situate on the northwesterly side of Browning Drive in Dover, County of Strafford and State of New Hampshire and shown as Lot #57 on a certain plan entitled "Oxford Heights, Lots #35-#60", dated October 1977; by G. L. Davis & Associates recorded in the Strafford County Registry of Deeds, Drawer 18A as Plan #49, more particularly bounded and described as follows:

Subject to restrictive covenants dated August 11, 1978 recorded in the Strafford County Registry of Deeds at Book 1020, Page 200. Subject further to a 25 foot drainage and sewer easement, as well as a 20 foot drainage easement as shown on the above referenced plan. Further subject to an easement granted to Public Service Company of New Hampshire and New England Telephone & Telegraph Company dated November 13, 1978 recorded in the Strafford County Registry of Deeds at Book 1024, Page 929.

..... wife
..... husband of said Grantor, release to said Grantee all rights of
curtesy, homestead and other interests therein.

Witness:
 William L. Tanquary
 William L. Tanquary

Larry M Landry, ¹ Duly Authorized Officer,
an individual, and Larry Landry Duly Authorized Officer, of
Chestnut Hill Realty, all of the general partners of Law
Meadows Limited Partnership
Personally appeared and acknowledged the foregoing instrument to be
its voluntary act and deed.

By: Larry M. Landry
 Larry M. Landry, an individual, general partner
 CHESTNUT HILL REALTY, INC. - general partner
 By: Larry M. Landry For Deed

By: James M. Landry, Esq.
I, Duly Authorized Officer
and Larry Landry Duly Authorizes Officer,
of said firm, all of the general partners of Law
Partnership
and acknowledged the foregoing instrument to be
ratary act and deed.

William L. Tanguay
Justice of the Peace.
~~Notary Public.~~

STATE OF NEW HAMPSHIRE
TAX ON TRANSFER
OF REAL PROPERTY

STATE TAX
COMMISSION

MAR --79

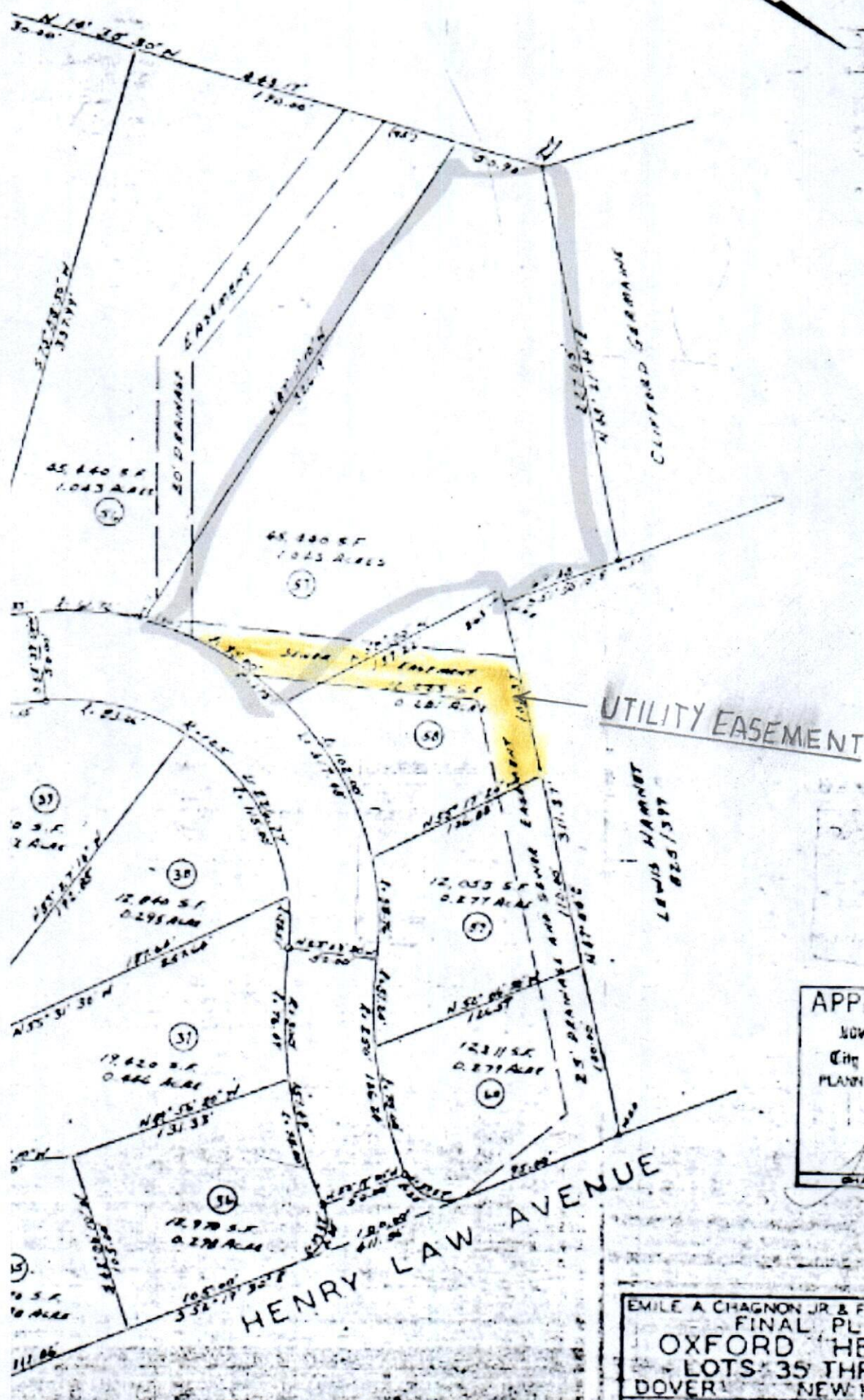
130.00

DK-1000 BCE-005

FREDERICK TAYLOR



ORIGIN
IN
TIN
8/1/81



Paul Cully
9 Browning Drive
Dover, NH 03820
603-241-2742 (no texts or voice mail)
pac4patriot@comcast.net

RECEIVED
Planning Office

DEC 17 2024

Dover, New Hampshire

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

Re: Application: Zone-2024-0048 – Applicant: Reed Family Trust 2023

To the City of Dover Zoning Board,

I am opposed to sub-dividing the property at 7 Browning Drive.

After I received the notice of the hearing, scheduled for Thursday, December 19th 2024, at 7:00PM, I went to the Planning and Community Development Department at City Hall, and obtained copies of the application. I also used the information on the City's website to learn more.

In the application I note the following: 1) It states that the 7 Browning Drive lot is, *"the largest in the neighborhood, but [is] located on a curve in the road which substantially reduces the street frontage"*, but according to the City's property records there are equal and larger lots around it. 2) It states that *"the value of the existing property will be enhanced"*. Having lived in other locations in New England, my experience is that this is completely bogus, and that, over and over again, increasing the density of homes on a fixed amount of land, **decreases** the value, and the quality of living, of existing and surrounding properties. 3) The application suggests that the sub-division might be used, *"to build a house similar in design and size to existing homes"* but fails to state that the granting of the sub-division **does not bind** the current owner (or a subsequent owner) to the building of any specific structure. This lack of full transparency is very misleading.

The other home owners in the neighborhood I spoke with were surprised by the application to sub-divide and unaware of what might be built. Under "Medium Density Residential (R-12) District" zoning, a child care home, kindergarten, assembly hall, bed and breakfast, and much more can be built WITHOUT ANY FURTHER VARIANCES.

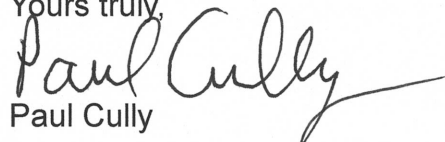
The City's property records show insufficient space between 7 Browning and 5 Browning for the minimum 20 foot roadway to access the sub-division, as is called for in zoning regulation "155-33. Street Design", to be built and still have any side set-back, never mind the required side set back.

However, what especially concerns me is the lack of acknowledgement of the serious drainage problems my, and adjoining properties have. The properties from 7 Browning and along the street for several lots on the odd-number side, up to at least 13 Browning, all drain storm water into a swale on my property at 9 Browning. The addition of any new structure on the sub-divided lot at 7 Browning can only add to the runoff running into the swale. We currently observe that the swale almost overflows now during heavy rains, and that additional runoff from the structure(s) on the sub-divided lot can only increase the risk that the swale will overflow, damaging the 9 Browning property. Already the drainage from 7 Browning has caused some slight erosion on the 9 Browning property, as the 7 Browning current runoff flows across my property and into the swale.

Because of the false, misleading, and absent statements in the application, and because I believe the sub-division would damage all the neighborhood properties, and lessen their value, especially my property at 9 Browning, I ask the Zoning Board to reject this application to sub-divide the 7 Browning Drive property.

Thank you for your attention to this matter.

Yours truly,


Paul Cully

To: PlanningBoard-All@dover.nh.gov

Sent: Thursday, December 19, 2024 12:35 PM

Subject: Zone-2024-0048 Applicant: Reed Family Trust 2023

Dover Planning Board Members

Our neighborhood property abuts 7 Browning Drive and I believe approval of the requested variance will negatively affect the area. These are small neighborhoods with narrow streets and small lots. The precedence would be set for all on Browning Drive to do the same and would spread throughout the city. The additional traffic & congestion will not be a good move for the city. Please do not allow this to be approved.

Unfortunately, I unable to attend tonight's meeting to express my concerns and hope that my nieghbors will also be able to reach out to you.

Our household didn't recieve any formal correspondence of this request that affects us all, instead our association of 15 homes recieved a forwarded email from our board of directors earlier this week. This was not enough time for us to fit into our schedules at this time of year.

Again, I am against the approval of the zoning variance for this request.

Thank you for your time,
Michael St Peter
5 Pebble Hill Drive
Dover NH