

CITY OF DOVER

ZONING BOARD OF ADJUSTMENT - AGENDA

REVISED

Meeting Type: Regular Meeting
Meeting Location: Council Chambers, City Hall, 288 Central Avenue, Dover, NH 03820
Meeting Date: **Thursday, May 15, 2025**
Meeting Time: **7:00 pm**

1. ATTENDANCE

2. APPROVAL OF MEETING MINUTES OF April 17, 2025 Regular Meeting Minutes

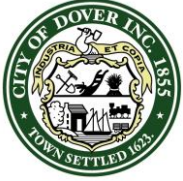
3. HEARINGS

- A. **Rehearing of *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-2025-0012:** Applicant ~~Two Hundred Sixth Street, LLC, 200 Sixth Street, Tax Map E, Lot 70-A,~~ located in Innovative Technology (IT), ~~requests a Variance from Section 170-12(B), to allow for a reduced size lot for a public utility use. This item has been continued to a later Zoning Board of Adjustment Meeting.~~
- C. ***ZONE-2025-0013:** Applicant: 16 Industrial Park, LLC, 34 Industrial Park Road, Tax Map G, Lot 4-1, located in the Commercial Manufacturing District (CM), requests a Variance from **Section 170-20F(3)(e) footnote (9) Solar/Green Roof Standard**, to provide relief from the green roof requirement.
- D. ***ZONE-2025-0014:** Applicant: 5 Sherman Street, LLC, 46 Rutland Street, Tax Map 12, Lot 138, located in the Heritage District (HR), requests a Variance from **Section 170-6**, to allow for shorter frontage on the second street than is required in the Heritage Zoning District.

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
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Meeting Date: Thursday, April 17, 2025
Meeting Time: 7:00 pm

1. ATTENDANCE

Members Present: Chris Prior (Chair), Rich Onufry, Nicholas Couturier, Jackson Brown, Hilary Hamer (Alternate)

Members Not Present: Anthony Sillitta (Vice Chair)

Staff Present: Paul R. Crouser (Zoning Administrator)

Chair Prior called the meeting to order at 7PM and explained the hearing process.

2. APPROVAL OF MEETING MINUTES OF FEBRUARY 20, 2025

Motion: Couturier moved to approve the minutes of February 20, 2025 as submitted. Seconded by Brown.

Roll Call Vote: Hamer-yes, Brown-yes, Couturier-yes, Onufry-yes, Prior-yes

3. HEARINGS

A. *ZONE-2025-0002 Applicant: Kurt Eddins c/o: Eddins Investments, LLC, located at 6 Milk Street, Tax Map 30, Lot 108, located in the Urban Density Multi-Residential District (RM-U), requests a Variance/Amendment from the Notice of Decision for ZONE-2024-0002, Conditionals of Approval, to remove “prohibiting alcohol” and to clarify applicability of conditions.

Kurt Eddins, owner presented the item and explained the request.

He highlighted the reasons for his request by touching on the zoning criteria explaining there is no Zoning mechanism to enforce this condition- the NH Liquor Commission is the governing body for the item. He is asking for the property to be on a level playing field with other downtown businesses which don't have this condition in place.

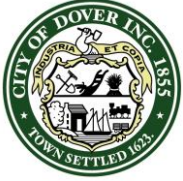
The board asked some follow up questions which the applicant addressed.

- Business opening date
- Reason for the request for change if business is going well
- How would BYOB be monitored
- No renters under 21
- Layout of the building spaces
- Request is for BYOB, not to have a liquor license
- Parking for proposed events

Public hearing opened:

Mr. and Mrs. Martinez, 10 Mount Vernon St noted there have been no parking issues, the applicant is a great neighbor, the events are focused on the music.

Ben Goldbrich, 100 First St Apt 307 utilizes the space as a tenant and everything is run very well. He is comfortable with his equipment there. There is plenty of security and all positive experiences.



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Planning Department input: Staff neither supports nor opposes the relief sought in this request. Staff does find that the relief sought is more than reasonable given the following:

1. Alcohol use is not expressly prohibited in the RM-U district, which in fact grants the use of Assembly Hall by right, a use commonly associated with alcohol; and
2. Presuming alcohol consumption takes place indoors, enforcement of the condition is difficult

Should this Board move to deny the Variance request before it today, staff recommends making a formal clarification on the record, to be issued in writing via a Notice of Decision from staff, that the conditions of the variance shall only apply to areas of the existing structure subject to the variance relief granted in the underlying 02/15/2024 variance.

The board discussed an option of allowing the request conditionally that it be indoors only.
Public hearing closed.

Motion: N.Couturier moved to grant the amendment to the Conditions of Approval of ZONE 2024-0002 to remove “prohibiting alcohol” from the variance conditions with the added condition that alcohol consumption may only take place indoors. Onufry seconded.

Roll Call Vote: Hamer- yes, Brown-yes, Couturier-yes, Onufry-yes, Prior-yes

Item B was withdrawn.

C. *ZONE-2024-0045R Request for Rehearing of ZONE-2024-0045, Applicant: Sam Hewitt, through counsel, requests a rehearing of the variance granted on December 19, 2024 in which the owner of 9 Maple Street, Tax Map 30, Lot 66, located in Urban Density Multi Residential District (RM-U), was granted 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.

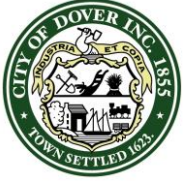
The Chair noted the packet of information was provided in advance. In order to grant a rehearing, the board needs to determine: 1) is there new information available that wasn’t available at the time of decision or, 2) was a mistake made in the interpretation leading to a decision made in error.

Staff explained the history of the item having been approved with the condition that the application go to Technical Review Committee.

Staff addressed some of the points laid out by the attorney in the letter:

- Language in 170-14 zoning ordinance: structures allowed by right, but not allowed by special exception may be erected on any non-conforming lot of record
- Applicability and enforceability of the City’s Technical Review Committee (“TRC”),

The Applicant would argue that §170-14 precludes any use permitted by special exception from any non-conforming lot within the City. Staff disagrees. When examining §170-14 in its totality, it is clear that it is



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permissive in nature, not prohibitive, serving to provide relief of underlying dimensional regulations for nonconforming lots. Staff asserts that the language the Applicant cites simply precludes uses permitted only via special exception from utilizing the relief afforded under §170-14.

The Applicant argues that per criterion B of the special exception criteria, which states “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.”, mandates comprehensive compliance with Chapter 153, Dover’s Site Review Regulations. The Applicant also notes that while this Board did require TRC review, it was unclear as to the enforceability of any potential TRC comments which could render the construction of the 4-family structure impossible without decreasing size, unit count, etc. In this regard, Staff does agree.

Per §170-56 of the Zoning Ordinance, “The following conditions shall apply to all parking and loading spaces provided in conformance with this chapter: A. Conformity with the Site Review Regulations, Chapter 153, §§ 153- 14 and 153-17, site development criteria.”

Staff interprets this section of the Zoning Ordinance to mean that in any instance in which this Board’s review for any agenda item expressly contemplates either parking or loading spaces, that §§ 14 and 17 of Chapter 153 must be met in all instances where applicable. Staff disagrees, however, with the Applicant’s assertion that it was the property owner’s burden to show compliance with the aforementioned sections in order for this Board to render a decision as to grant or deny the special exception request. The responsibility for such review is expressly under the preview of the TRC or Planning Board as this Board does not have field-specific, technical knowledge to make such determinations.

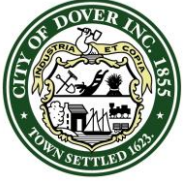
Staff recommends that this Board grant the request for rehearing, though solely on the grounds of clarification as to the conditions of approval re: compliance with Chapter 153, §§14 and 17 is needed.

Chair Prior addressed the rehearing request. Upon reviewing Chapter 153:14 design and the design plan, the parking spaces provided are in compliance, but the right of way is 18’ where 22’ is required which makes the plan not compliant with 153:14. He believes he made an error in granting the special exception. In addition, the board’s lack of clarity in what the TRC comments would result in is rationale to grant the rehearing request.

He further noted that he supports staff comments and the rehearing would be for the sole purpose of clarification of the conditions of approval with Chapter 153: 14 and 17, not a rehashing of the dimensional aspects, though P. Crouser noted that the Board could not restrict any testimony or argument therein at the rehearing, and must consider all in their ruling.

P. Crouser further explained the language of the zoning ordinance for the board upon request. It was clarified that if the board grants the rehearing, the approval previously granted is revoked, the rehearing is granted, and the item will have to go before TRC.

Motion: N. Couturier moved to grant the rehearing. Brown seconded.



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Roll Call Vote: Hamer- yes, Brown-yes, Couturier-yes, Onufry-yes, Prior-yes

Item D was not heard.

E. * ZONE-2025-0007 Applicant: Spruce Building and Development (Owners: The Davis Family Trust), located at 110 Spruce Lane Extension, Tax Map J, Lot 4-2, located in the Rural Residential District (R-40), requests a Variance from Section 170-24, to allow for an accessory dwelling unit that exceeds the size requirements of 700 sf to 960 sf

An owner representative represented the item and reviewed the criteria for variance.

- Design will be harmonious with the neighborhood
- ADU is for aging parents- could not get the design to work within the regulations as part of the existing home

Board members asked clarifying questions about the size and layout and subdivision/ conservation area/ property line clarification which were addressed by the representative and the owner.

Public Hearing Opened

No one spoke

Planning Department input: Staff wishes to highlight the fact that it has already recommended to Planning Board that the maximum size of an ADU should be increased from 800 s.f. to 950 s.f., and while this proposal exceeds that value by ten (10) feet, staff feels such an increase is negligible.

As Staff has recommended that the maximum size of ADUs should be increased, staff supports this variance request with one condition, which is as follows:

1. Relief granted in this variance approval shall only apply to the ADU presented in the plan set provided with this variance application.

Public Hearing Closed

Motion: Onufry moved to grant the variance to allow the ADU to 960 sf with the condition provided by staff. Brown seconded.

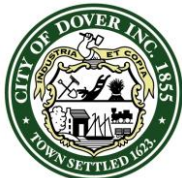
Roll Call Vote: Hamer- yes, Brown-yes, Couturier-yes, Onufry-yes, Prior-yes

4. OTHER BUSINESS

New alternate member Hilary Hamer introduced herself.

5. ADJOURN

Motion: Chair Prior moved to adjourn at 8:08pm. Couturier seconded. Vote: U/A



CITY OF DOVER

ZONING BOARD OF ADJUSTMENT – STAFF MEMO

Meeting Type:	Regular Meeting
Meeting Location:	Council Chambers, City Hall 288 Central Ave. Dover, NH 03820
Meeting Date:	Thursday, May 15, 2025
Meeting Time:	7:00 pm

INTENT: This is a rehearing of matter ZONE-2024-0045, where the Applicant was granted 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, with conditions.

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: Civilworks New England

OWNERS: Simon Macalister

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: Special Exception granted, with conditions, on 12/19/2024. Petition for rehearing was granted on 4/17/2025.

PLANNING BOARD APPROVAL REQ.: No

ATTACHMENTS: Site Plan, Narrative, Application

STAFF RECOMMENDATION: Staff supports granting the Special Exception with conditions.

BACKGROUND INFORMATION

The property subject to this special exception 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 special exception 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.

During the petition for rehearing and the public meeting that followed (in which this Board granted the rehearing) it was universally decided that the applicant/property owner in this project would be responsible for proving to the Technical Review Committee ("TRC") that the project satisfied all applicable provisions within Site Review Regulations, Chapter 153, §§ 153-14 and 153-17.

Regarding said compliance with the aforementioned sections of the Site Review Regulations, staff wishes to emphasize that this Board should not

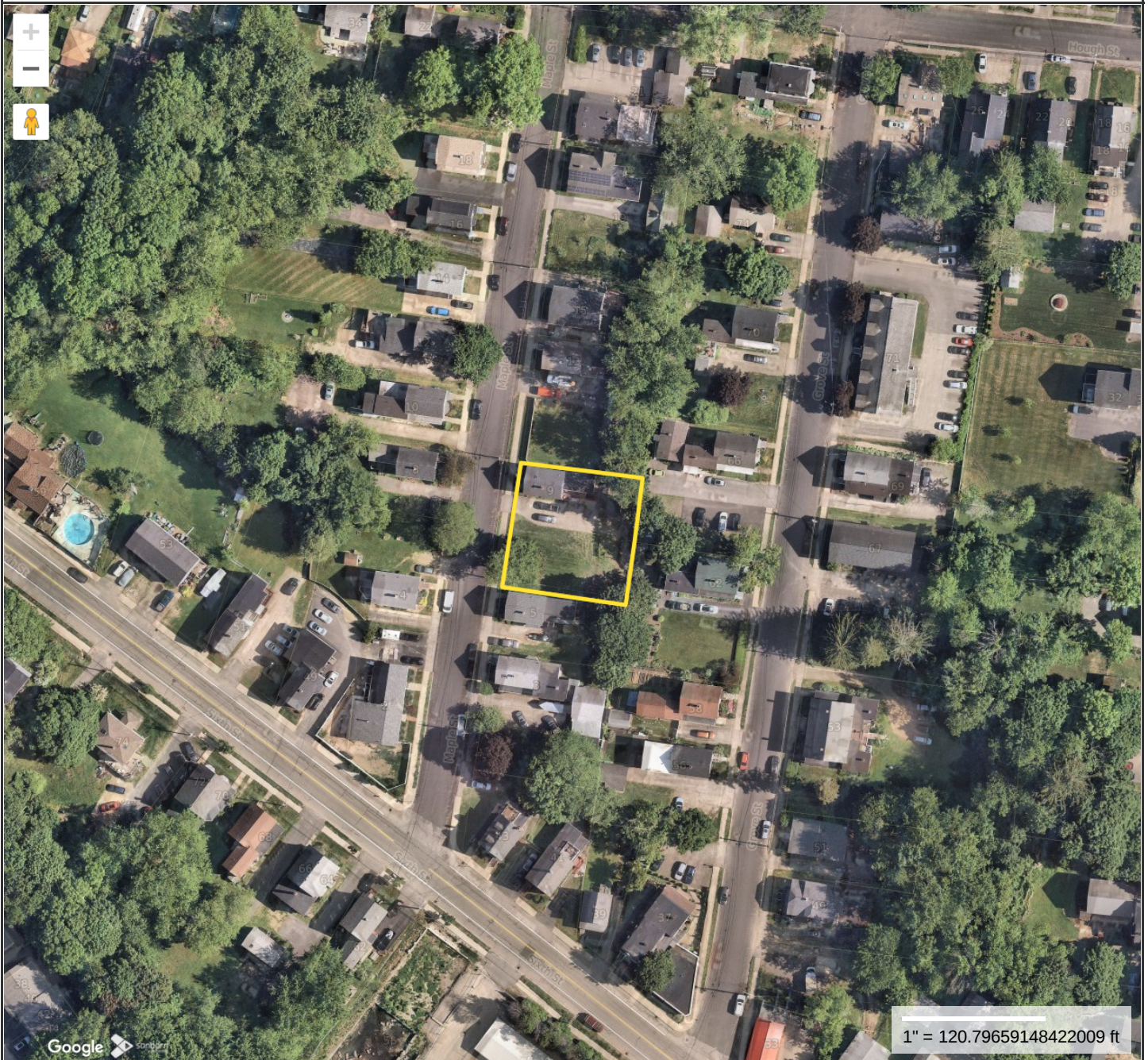
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attempt to interpret and apply the applicable Site Review Regulations, as that responsibility lies solely with the TRC and Planning Board as applicable. The Zoning Board of Adjustment shall only consider project variables which do or do not satisfy the RM-U District's Special Exception criteria specific to the creation or conversion of a 3-4 family dwelling.

Given the above, Staff recommends that the Board open the public hearing, accept testimony, and make findings on each of the six Special Exception criteria. Based on the evidence presented, Staff recommends that this Board approve this Special Exception request, though 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;
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, and;
3. *(Though redundant as the applicant is bound to adhere to Site Review Regulations Chapter 153, §§ 153-14 and 153-17 regardless)* Applicant shall comply with all applicable sections of sections 14 and 17 within the City of Dover's Site Review Regulations, as determined by the TRC, and shall implement any amendments or changes the TRC recommends pursuant to those two sections.

ZONE-2024-0045_9 Maple Street

**Property Information**

Location 9 MAPLE ST
Owner MACALISTER SIMON D J
Land Use 101R
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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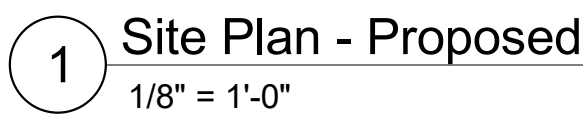
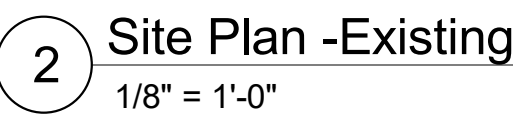
MAPLE STREET APTS

SITE PLAN

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

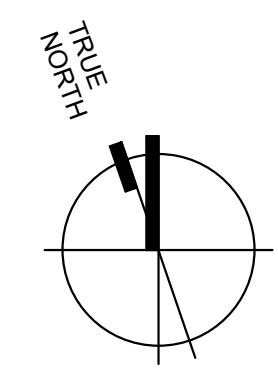
A1.00

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



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

consultant
address
address
phone
fax
mail

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

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





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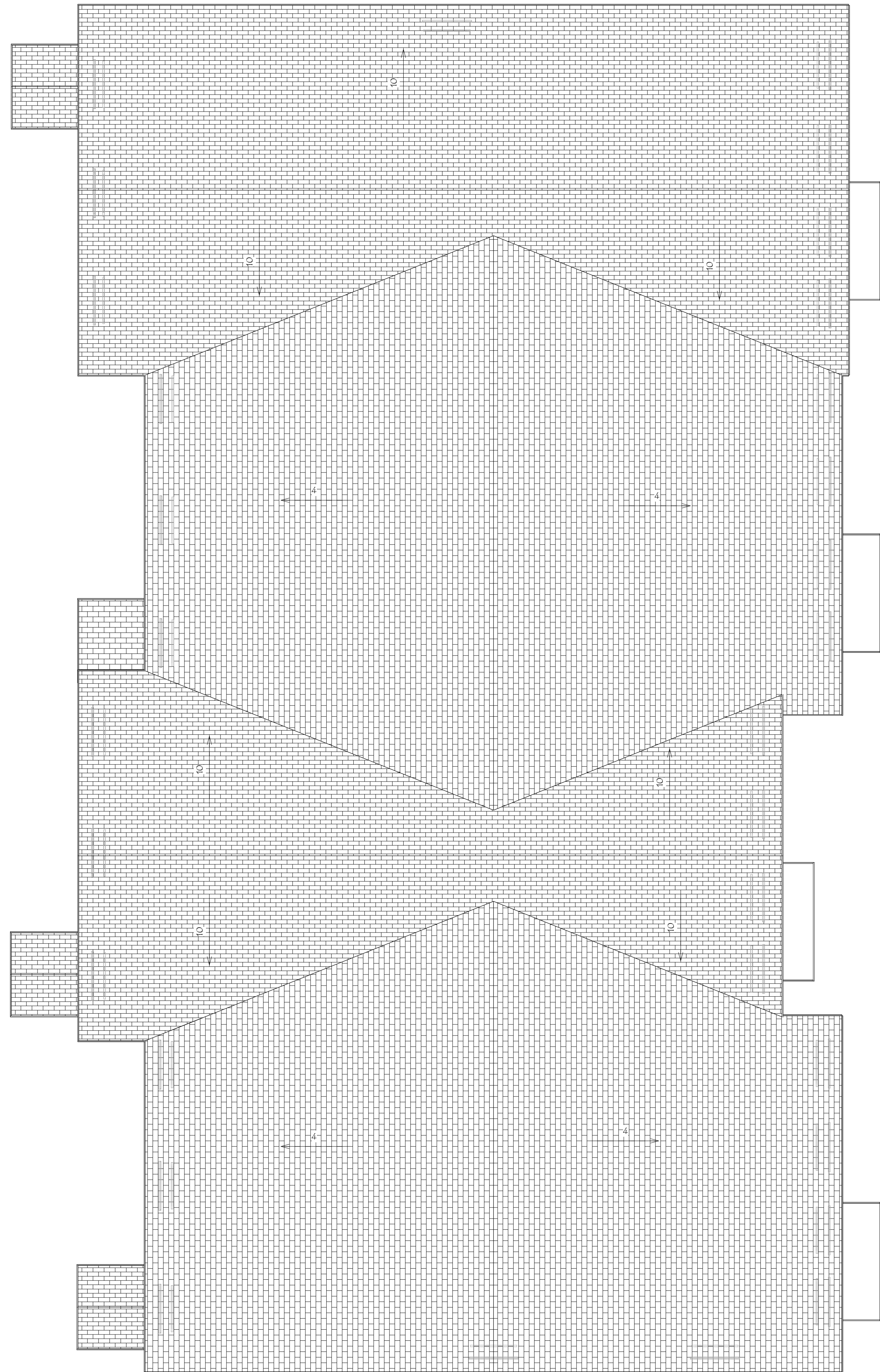
MAPLE STREET APTS.

ROOF PLAN

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

A1.03

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



1 Roof
SCALE: 1/4" = 1'-0"

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10/25/2024 9:44:49 PM



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Ham, NH 03824
Tel: 603-969-6711
isaakdesign.com

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APPLE STREET APTS

ANTERIOR ELEVATIONS

number	2406
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07/22/24

NI

by _____ Checker _____

A2.00

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Isaak, AIA, LEED AP
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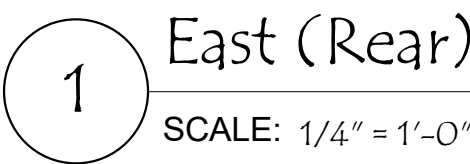
MAPLE STREET APTS

ANTERIOR ELEVATIONS

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

A2.01

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



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NOT FOR CONSTRUCTION

10/25/2024 9:44:55 PM



D

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URBAN DESIGN
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TICK@ISAAKDESIGN.COM

www.isaakdesign.com

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MAPLE STREET APTS.

3D RENDERINGS

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

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

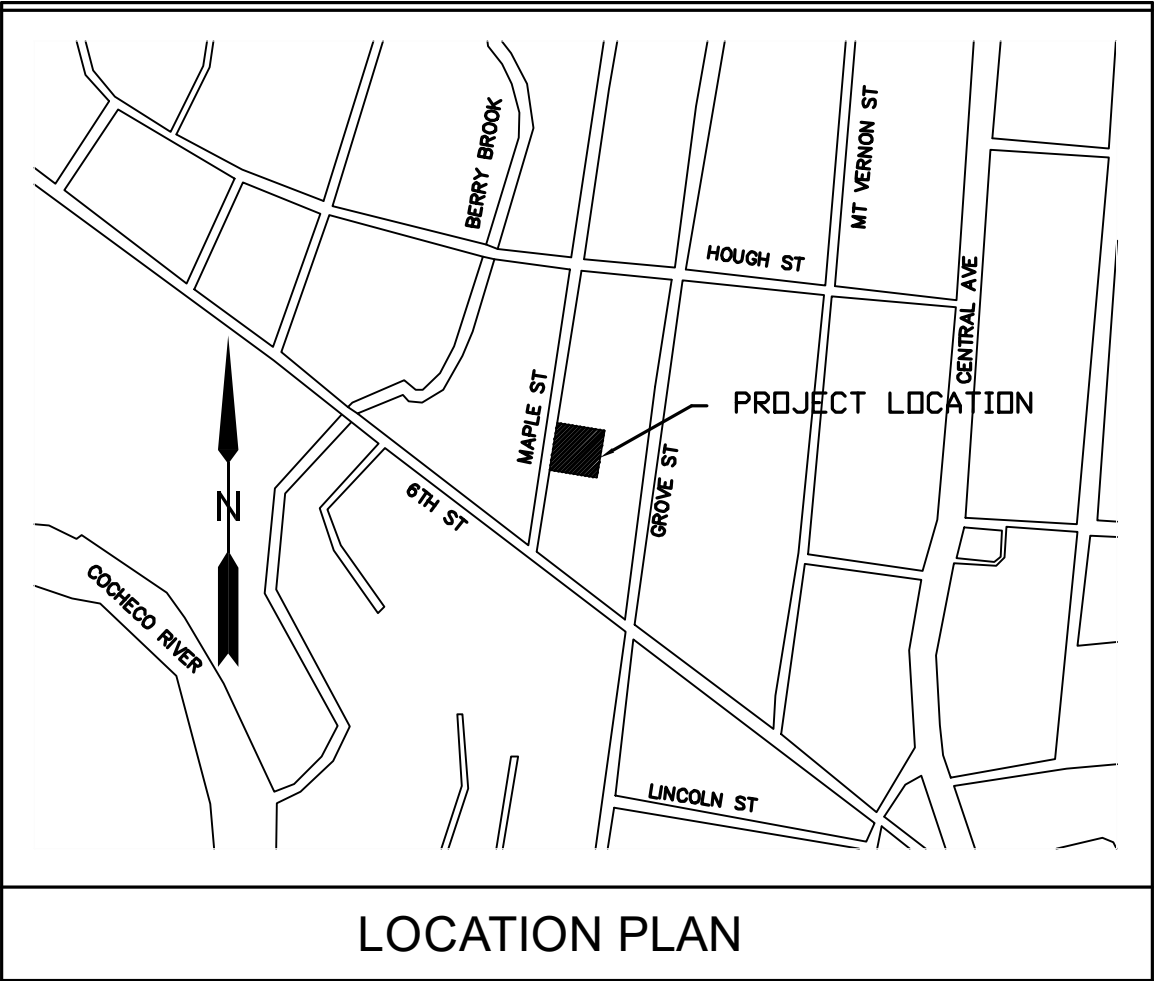
MAP 30 PAGE 65
BRIAN K AKERLEY
13 MAPLE STREET
DOVER NH 03820
2237/534

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



- 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**

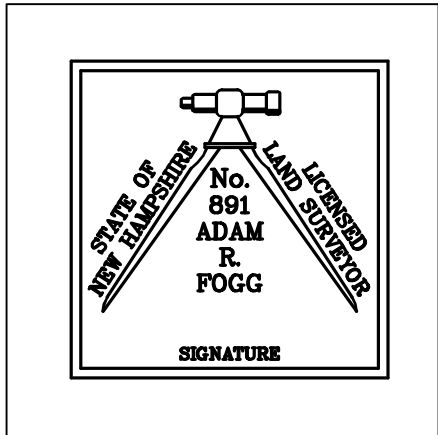
DATE:
JUNE 3, 2024
SCALE: 1" = 10'

NO.	DATE	DESCRIPTION	BY
1	DATE	INITIAL SUBMISSION	TKF

"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.

LEGEND

- UTILITY POLE
FENCE LINE
E UTILITY LINES

FARWELL
ENGINEERING
SERVICES, LLC

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

From: FX Bruton <fx@brutonlaw.com>
Sent: Thursday, May 15, 2025 11:49 AM
To: Crouser, Paul <P.Crouser@dover.nh.gov>
Subject: Dover ZBA - 200 Sixth Street

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

Hi Paul,

I understand that the Dover ZBA meeting will only be attended by 4 members tonight. As such, the Applicant for the project at 200 Sixth Street, Dover respectfully requests that this matter be continued until the next ZBA meeting of June 19, 2025.

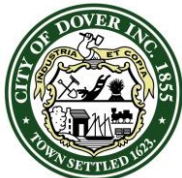
Thanks.

Francis X. Bruton, III, Esquire
Bruton & Berube, PLLC
601 Central Avenue
Dover, New Hampshire 03820
P: (603) 749-4529
F: (603) 343-2986
www.brutonlaw.com

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Please consider conserving our natural resources before printing this e-mail and/or any attachments.

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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, May 15, 2025
Meeting Time:	7:00 pm

INTENT: The Applicant seeks requests a Variance from **Section 170-20F(3)(e), 170-12, CM District footnote (9) Solar/Green Roof Standard** of the Zoning Ordinance to provide relief from the green roof/solar requirement

UNITS PROPOSED: One (1) Commercial Unit

AGENDA ITEM: 3-C

ZONING DISTRICT: Commercial
Manufacturing (CM) District

FILE: ZONE-2025-0013

APPLICANT: 16 Industrial Park, LLC

OWNERS: Same

LOCATION: 34 Industrial Park Road, Tax Map G,
Lot 4-1

ACREAGE: Parent Lot: ±2.03 acres. No change in acreage

EXISTING LAND USE: Vacant

PROPOSED LAND USE: Commercial

SURROUNDING LAND USE: Commercial,
Mixed-use, Residential

PREVIOUS ZBA ACTION: On February 20, 2025, this Board granted this same applicant a Special Exception to allow for a seasonal automobile storage and maintenance facility use with the CM zoning district.

PLANNING BOARD APPROVAL REQ.: Not pursuant to the sought relief, but Planning Board review was needed to approve site plan.

ATTACHMENTS: Application, Narrative, BMP Report

STAFF RECOMMENDATION: Staff endorses this variance request without conditions.

BACKGROUND INFORMATION

The property subject to this variance request is located at 34 Industrial Park Road, directly next to 14 Industrial Park Road. The property is ±2.03 acres and is currently vacant.

The applicant previously received Zoning Board approval to allow for a seasonal automobile storage and maintenance facility. The approved building's size, totaling approximately 27,000 s.f. triggers the commercial green roof / solar standard, as the structure is in excess of 25,000 s.f. The standard states that buildings of such size shall have a 30% roof coverage of either solar panels or a green roof. The applicant in this matter seeks relief from this standard but proposes an alternative environmental benefit, stormwater treatment in excess of what is required for the site.

Any project requiring site review by Planning Board is subject to compliance with the City of Dover Stormwater Regulations. In addition to complying with those regulations, the applicant in this case is proposing to expand their stormwater treatment to offsite, City-owned areas which currently have no active stormwater pollutant control.

The applicant has provided a comparison model for quantitative pollutant removal in the proposed system vs the required 30% green roof and has shown that, although treating a smaller area than the required 30% of the building (treating approximately 5,401 s.f. of offsite area vs 8,100 s.f. of roof area) that their proposal will provide significantly greater pollutant load removal benefit by treating the offsite stormwater than if it were to install a green roof.

STAFF RECOMMENDATION

The intent of the green roof / solar panel standard is to promote resiliency in the City and to promote progressive environmental best-practice policies. In this case, the applicant has clearly shown that this project's above-and-beyond stormwater management plan provides, objectively, a greater benefit to the public than if it were to be compliant with the City's green roof standard. In conjunction with the fact that staff is in the process of developing a more comprehensive and equitable green roof / solar standard for large commercial properties, staff feels as though the applicant has met the intent of the ordinance while demonstrating hardship.

Given the above, Staff recommends that the Board open the public hearing, accept testimony, and make findings on each of the five Variance criteria. Based on the evidence presented, Staff recommends that this Board approve this variance request without conditions.

ZONE-2025-0013_34 Industrial Park Road



Property Information

Location INDUSTRIAL PARK RD
Owner 16 INDUSTRIAL PARK LLC
Land Use 440V
Zoning Code CM
Property Id G0004-001000



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-2025-0013 FOR CITY OF DOVER, N.H.

Permit Type Zoning	Project:	App Date: 04/24/2025
Work Class: Variance	District: None	Exp Date: NOT AVAILABLE
Status: In Review	Square Feet: 0.00	Completed: NOT COMPLETED
Valuation: \$0.00	Assigned To: Crouser, Paul	Approval
Description: Relief from the green roof requirement described in 170-20 F(3)(e) and 170 Attachment 8 (CM District) Footnote (9).		Expire Date:

Parcel: G0004-001000 Main	Address: Industrial Park Rd Main Dover, NH	Zone: CM(Non-Residential - Commercial Manuf.
----------------------------------	--	---

Applicant Civilworks New England Steve Haight 181 Watson Road PO Box 1166 Dover, NH 03820 Business: (603) 749-0443 Mobile: (603) 817-6651	Applicant Summit land Development 340 central ave 202 dover, NH 03820 Business: (603) 749-2300
--	--

Permit Custom Fields

ZoneVariAppealPhDisa No bility	Number of Variances 1 Requested:	ZoneVariPlanDirections34 Industrial Park Road
ZoneVariPlanSummary To construct a 27,000 sf seasonal automotive storage & maintenance facility with associated parking, grading and drainage as allowed by Special Exception granted by ZBA on 2/20/2025.	ZoneVariAppealSect Zoning 170 Attachment 8 (CM) Footnote 9	ZoneVariAppealSectDe for relief from green roof tail requirement described in Zoning 170 Attachment 8, CM District, Footnote (9) Solar/Green Roof Standard for the proposed 27,000± sf building by alternatively providing a pollutant removal design that will exceed the green roof efficiencies, as well as treating City roadway drainage that is currently untreated.
What is the parcel zoned? CM	ZoneVariAppeal1Public the pollutant removal Interest BMP's being proposed will meet the intent of the Ordinance by providing treatment for the proposed building, as well as the existing City roadway that is currently untreated.	ZoneVariAppeal2Ordin the stormwater BMP's anceSpirit incorporated in the design provide pollutant removal efficiencies that exceed green roof efficiencies.
ZoneVariAppeal3Subst the system, as designed antialJustice and once implemented, will treat existing City roadways that are currently untreated.	ZoneVariAppeal4Prope this is an industrial rtyValue building of like size and construction to the other buildings in the park.	ZoneVariAppeal5A1Un because no other NecHardship buildings in this industrial park have a green roof.
ZoneVariAppeal5A2No pollutant removal BMP's FairRelate are incorporated in the site design and provide the pollutant removal necessary.	ZoneVariAppeal5A3Re the pollutant removal asonableUse contemplated by a green roof are met with the pollutant removal BMP's to be implemented.	ZoneVariAppeal5BNoR easonableUse

PERMIT SNAPSHOT REPORT (ZONE-2025-0013)

Attachment File Name	Added On	Added By	Attachment Group	Notes
1 ZBA Application 2025-4-24.pdf	04/24/2025 11:54	Haight, Steve		Uploaded via Dover, NH - Permits Plans Licensing
2 BMP Narrative-Report.pdf	04/24/2025 11:54	Haight, Steve		Uploaded via Dover, NH - Permits Plans Licensing
3 Grading, Drainage, Erosion Control Plan.pdf	04/24/2025 11:54	Haight, Steve		Uploaded via Dover, NH - Permits Plans Licensing
Signature_Steve_Haight_4/24/2025.jpg	04/24/2025 11:54	Haight, Steve		Uploaded via CSS
Permit Snapshot Report.pdf	04/24/2025 11:55	Service, EnerGov		Attached by IO - ATTACH: Initial Permit Snapshot

Invoice No.	Fee	Fee Amount	Amount Paid
INV-2025012140	Planning Zoning Variance Application Fee	\$200.00	\$0.00
Total for Invoice INV-2025012140		\$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	04/24/2025	04/28/2025		No	No
Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Zoning Administrator	Planning	Crouser, Paul	In Review	04/24/2025	04/28/2025	

Workflow Step / Action Name	Action Type	Start Date	End Date
Review v.1		04/24/2025 12:21	
Confirm application complete v.1	Generic Action		04/24/2025 12:22
Planning Permit Application Review v.1	Receive Submittal	04/24/2025 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		



City of Dover, New Hampshire
ZONING BOARD OF ADJUSTMENT APPLICATION

[Revised June 7, 2022]

Office Use Only Case #: _____ Date Received: _____
Amount Paid: \$ _____ Time Received: _____

APPLICANT/PROPERTY OWNER INFORMATION

APPLICANT: Summit Land Development, LLC Phone # 603-749-2800

Address of Applicant: 340 Central Avenue, Suite 202 Dover, NH 03820

E-Mail Address: chad@summitlanddev.com

PROPERTY OWNER (if different from applicant): 16 Industrial Park, LLC

Address: 340 Central Avenue, Suite 202 Dover, NH 03820 Phone # 603-749-2800

E-Mail Address: chad@summitlanddev.com

PROPERTY/PARCEL INFORMATION

Address: 34 Industrial Park Road (address confirmed by Building Inspection)

Brief Directions: West on Silver Street to Knox Marsh Road (NH Rte 155), right onto Littleworth
Road (NH Rte 9) towards Barrington, first left onto Industrial Park Road. Parcel on left.

Zoning District: CM Assessor's Map # G Lot(s) # 4-1

TYPE OF APPEAL: (Please check one)

☒ Variance from Section 170-20 F(3)(e) of the Zoning Ordinance
170 Attachment 8, CM District, Footnote (9) Solar/Green Roof Standard
☐ Physical Disability Variance (RSA 674:33-V) from Section _____ of the Zoning Ordinance
☐ Special Exception per Section _____ of the Zoning Ordinance
☐ Appeal of Administrative Decision regarding Section _____ of the Zoning Ordinance
☐ Equitable Waiver per Section _____ of the Zoning Ordinance

DESCRIBE BRIEFLY YOUR PLANS FOR THE PROPERTY:

To construct a 27,000 sf seasonal automotive storage and maintenance facility with
associated parking, grading, and drainage. This use is permitted by a Special Exception
granted by ZBA on February 20, 2025. ZONE-2025-0003

APPLICATION CHECKLIST (Please check off)

- A. **Application signed** by Applicant and Property Owner (if different from Applicant) X
Note: In order for the application to be accepted by Planning Department staff and placed on the ZBA agenda YOU MUST COMPLETE (1) ALL SECTIONS ON PAGE 1 as well as (2) ALL QUESTIONS FOR THE SPECIFIC APPEAL YOU ARE SEEKING.
- B. ²~~5~~ **Copies of Completed Zoning Board of Adjustment Application** X
Note: Only include those pages of the application that are relevant to your request. Please do not include the abutters list with the ~~10~~ copies (include only as part of original signed application (Part A above)).
 1 (FULL SIZE)
- C. ~~5~~ **copies of a plot plan** drawn in accordance with a boundary line to scale not less than 1" = 40'. They need to include the lot dimensions including area in square feet, and also the size and location of existing and proposed buildings if applicable, including setbacks. X
- D. Submit at least one (1) copy of the plot plan at a size of ~~8 1/2 x 11~~ 11x17 (this is in addition to the ~~10~~ copies required in 'C' above). X
- E. **5 copies of photos** (suggested but optional) and any **other materials** applicant would like to submit in support of the application. N/A
- F. **Abutter Notification/Mailing Labels** - this office will create and print the abutter list and provide labels in triplicate for each abutter. The applicant/owner will need to provide to this office the engineer, architect, land surveyor or soil scientist whose professional seal appears on the plan with names and addresses for notices. You will be notified with the amount due, once this has been completed.
1. Applicant & Owner, engineer, architect, land surveyor or soil scientist
 Certified letters fee # _____ of x \$10.00 =
 2. Certified letters fee: # of abutters _____ X \$10.00 = \$ _____
 3. First Class Mail fee (for individual owner of units within a condominium or other collective form of ownership): # of abutters _____ X \$1.00 = \$ _____
 4. Creating/Printing Abutter Labels in triplicate per sheet _____ x \$10.00 = \$ _____
- G. **TOTAL FEE** paid by cash or check made payable to "City of Dover"
1. Application fee of:

\$200.00 VARIANCE (per Section requested)	\$ <u> 200.00 </u>
\$200.00 SPECIAL EXCEPTION	\$ _____
\$200.00 APPEAL FROM ADMINISTRATIVE DECISION	\$ _____
\$200.00 EQUITABLE WAIVER	\$ _____
 2. Foster's newspaper public notice \$ 120.00
- TOTAL FEE** \$ _____

VARIANCE REQUIREMENTS

THIS SECTION TO BE COMPLETED BY VARIANCE APPLICANTS ONLY

A. Variance Requested

A variance is requested from Section(s) 170-20 F(3)(e) of the Zoning Ordinance to permit:

a 27,000+ sf building to be constructed without a green roof. The site design incorporates pollutant
removal Best Practice Management (BMP) standards that provide substantially more pollutant removal
efficiencies than a green roof. The site design also incorporates and treats City drainage that is currently
untreated.

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:

the pollutant removal BMP's being proposed will meet the intent of the Ordinance by providing
treatment for the proposed building, as well as the existing City roadway that is currently untreated.

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

the stormwater BMP's incorporated in the design provide pollutant removal efficiencies
that exceed green roof efficiencies.

3. Granting the variance would do substantial justice because:

the system, as designed and once implemented, will treat existing City roadways that
are currently untreated.

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

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:

EQUITABLE WAIVER OF DIMENSIONAL REQUIREMENTS

THIS SECTION TO BE COMPLETED BY EQUITABLE WAIVER APPLICANTS ONLY

An Equitable Waiver of Dimensional Requirements is requested from Article _____ Section _____ of the Zoning ordinance to permit _____

1. Does the request involve a dimension requirement, not a use restriction? yes no

2. a) Explain how the violation has existed for 10 years or more with no enforcement action, including written notice, being commenced by the city **OR** b) explain how the nonconformity was discovered after the structure was substantially completed or after a vacant lot in violation had been transferred to a bona fide purchaser **AND** how the violation was not an outcome of ignorance of the law or bad faith but resulted from a legitimate mistake.

3. Explain how the nonconformity does not constitute a nuisance nor diminish the value or interfere with future uses of other property in the area.

4. Explain how the cost of correction far outweighs any public benefit to be gained.

NOTE: The Board must find in the affirmative on all four questions or the request must be denied

APPEAL OF ADMINISTRATIVE DECISION

THIS SECTION TO BE COMPLETED BY APPLICANTS APPEALING AN ADMINISTRATIVE DECISION ONLY

Explain why you feel that the Administrative Official made an error in applying or interpreting the zoning ordinance in a particular case.

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

SPECIAL EXCEPTION REQUIREMENTS

THIS SECTION TO BE COMPLETED BY SPECIAL EXCEPTION APPLICANTS ONLY

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.

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

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. _____

B. _____

C. _____

D. _____

E. _____

F. _____

SIGNATURE PAGE

THIS SECTION OF THE APPLICATION MUST BE COMPLETED BY ALL APPLICANTS

I, the undersigned Applicant, hereby certify that the information contained within this Application is complete and accurate, and I acknowledge that I have read and understand the Application Instructions, which are set forth on the first two pages of this Application form.

IMPORTANT

PROPERTY IDENTIFICATION SIGN
MUST BE POSTED ON THE PROPERTY
FOR THE 5 DAYS PRIOR TO HEARING.
FAILURE TO POST MAY RESULT IN
APPLICATION NOT BEING ACCEPTED.



Signature of Applicant*

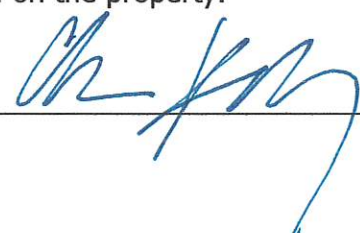


Signature of Owner*

*Both Signatures Required

AUTHORIZATION TO ENTER SUBJECT PROPERTY

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

Signature of Property Owner:  _____ Date: 7/21/25

ZONE-2025-0013**34 Industrial Park Road**

Property ID	Location	Owner 1	Owner 2	Owner Address 1	City	State	Zip
G0003-B00000	85 INDUSTRIAL PARK RD	85 INDUSTRIAL PARK II LLC		210 COMMERCE DR STE 300	PORTSMOUTH	NH	03801
G0004-000000	14 INDUSTRIAL PARK RD	16 INDUSTRIAL PARK LLC		340 CENTRAL AVE SUITE 202	DOVER	NH	03820
G0004-B00000	35 INDUSTRIAL PARK RD	CAMH LLC		35 INDUSTRIAL PARK RD	DOVER	NH	03820
G0004-B00001	39 INDUSTRIAL PARK RD	BOND ENTERPRISES LLC		174 ESTES RD	ROCHESTER	NH	03867
G0004-C00001	29 INDUSTRIAL PARK RD	R&R BERNSTEIN HOLDING LLC		29 INDUSTRIAL PARK RD	DOVER	NH	03820
G0005-000000	LITTLEWORTH RD	BOSTON & MAINE RR	IRON HORSE PARK	500 WATER STREET J-910	JACKSONVILLE	FL	32202
H0031-000000	30 LITTLEWORTH RD	SOUSANE RUTH K &	QUINLAN NANCY K	30 LITTLEWORTH RD	DOVER	NH	03820
G0004-001000	INDUSTRIAL PARK RD	16 INDUSTRIAL PARK LLC		340 CENTRAL AVE SUITE 202	DOVER	NH	03820
		CIVILWORKS NEW ENGLAND		PO BOX 1166	DOVER	NH	03821
		SUMMIT LAND DEVELOPMENT		340 CENTRAL AVENUE, SUITE	DOVER	NH	03820

CIVILWORKS NEW ENGLAND

181 WATSON ROAD
P.O. BOX 1166
DOVER, NH 03821-1166
PHONE: 603.749.0443

Objective: To determine the pollutant removal load afforded the project by providing a green roof for 30% of the proposed roof in accordance with Zoning-Chapter 170, Attachment 8, Footnote 9 and analyze alternative onsite treatment practices to offset the required treatment.

Narrative: The subject parcel is 2.03 acres and is located at 34 Industrial Park Drive in Dover, NH. The site is currently undeveloped and mainly consists of grassed areas with some trees scattered throughout the site. The proposed project includes site improvements associated with the construction of a 27,040 sf commercial/manufacturing building, site access, grading and drainage, and utilities. The development includes 1.239 acres of new impervious area, 0.621 acres Roof and 0.608 acres Pavement. The City of Dover requires that commercial and mixed-use buildings in the CM zone that are 25,000 square feet or more incorporate solar panels or a green roof on at least 30% of the roof area. Calculations have been made for the pollutant treatment a 30% green roof would provide. A pollutant removal alternative has been provided which treats the offsite road runoff in front of 34 Industrial Park Drive. The 0.124 acres offsite roadway is impervious and is currently untreated. Calculations are provided to show the comparison between pollutant removal loads between the 30% green roof and the offsite road treatment system.

Conclusion: The proposed alternative pollution treatment for offsite road runoff exceeds the pollution removal provided by the 30% green roof. Offsite road runoff treatment provides 60.91 lbs/yr more TSS treatment compared to the 30% green roof. The offsite road runoff treatment also provides 0.17 and 0.02 lbs/yr of TN and TP treatment respectively while the green roof provides none.

Pollutant Removal Comparison:

Comparing the 30% green roof treatment of pollution to the purposed alternative which treats offsite road runoff.

Pollutant Removal Comparison		
Pollutant	Removal Provided 30% Green Roof (lbs/yr)	Removal Provided Offsite Runoff (lbs/yr)
TSS	13.02	73.93
TN	0.00	0.17
TP	0.00	0.02

CIVILWORKS NEW ENGLAND

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PHONE: 603.749.0443

Green Roof Pollutant Load: Pollutant loads were calculated in accordance with NH Stormwater Manual, Volume 1, December 2008 utilizing the Simple Method.

Polutant Load Equations		
Annual Load - Simple Method Equation:	$L = 0.226 * R * C * A$	
	L	Annual Load (lbs/yr)
	0.226	Unit Conversion Constant
	R	Annual Runoff (in)
	C	Pollutant Concentration (mg/l)
	A	Area (ac)
Annual Runoff (R) Equation:	$R = P * P_j * R_v$	
	R	Annual Runoff (in)
	P	Annual Rainfall (in)
	P _j	Rainfall Runoff Fraction (0.9)
	R _v	Runoff Coefficient
Runoff Coefficient (R _v) Equation:	$R_v = 0.05 + 0.9I_a$	
	R _v	Runoff Coefficient
	I _a	% Impervious Area (decimal form)

Runoff Coefficient (R_v): Dover requires the treatment of impervious surfaces therefore the % Impervious Area (I_a) in decimal form is 1.

$$R_v = 0.05 + 0.9(1) = 0.95$$

Annual Runoff (R): U.S. Climate Data (<https://www.usclimatedata.com/climate/madbury/new-hampshire/united-states/usnh0285>) provides an average annual precipitation for Madbury, NH of 47.31 inches.

$$R = 47.31 \text{ in} * 0.9 * 0.95 = 40.45 \text{ in}$$

CIVILWORKS NEW ENGLAND

181 WATSON ROAD
P.O. BOX 1166
DOVER, NH 03821-1166
PHONE: 603.749.0443

Annual Load (L): Utilizing the roofs impervious area of 0.621 ac and the Event Mean Concentrations identified in Appendix D of the NH Stormwater Manual, Volume 1, December 2008 for Commercial Roof (9.0 mg/L TSS, 2.10 mg/L TN, and 0.14 mg/L TP) provides the following pollutant loads for the proposed impervious roof on site.

Commercial Roof:

$$L_{TSS} = 0.226 * 40.45 \text{ in} * 9.0 \text{ mg/L} * 0.621 \text{ ac} = 51.07 \text{ lb/yr}$$

$$L_{TN} = 0.226 * 40.45 \text{ in} * 2.10 \text{ mg/L} * 0.621 \text{ ac} = 11.92 \text{ lb/yr}$$

$$L_{TP} = 0.226 * 40.45 \text{ in} * 0.14 \text{ mg/L} * 0.621 \text{ ac} = 0.79 \text{ lb/yr}$$

Pollutant Removal Required: In accordance with City of Dover's Zoning regulations, with use of a 30% green roof at a minimum, the following pollutant removal is required. BMP Pollutant Removal Efficiency rates for green roofs are provided in the Minnesota Stormwater Manual.

Pollutant Removal Required (IMPERVIOUS ROOF OPTIONS)				
Pollutant	Annual Load Roof (lbs/yr)	Annual Load 30% Green Roof (lbs/yr)	New Green Roof Effective Treatment Rate (%)	Removal Provided (lbs/yr)
TSS	51.07	15.32	85	13.02
TN	11.92	3.58	0	0.00
TP	0.79	0.24	0	0.00

Annual Load (L): Utilizing the roads impervious area of 0.124 ac and the Event Mean Concentrations identified in Appendix D of the NH Stormwater Manual, Volume 1, December 2008 for Commercial (General) (77.0 mg/L TSS, 2.97 mg/L TN, and 0.33 mg/L TP) provides the following pollutant loads for the impervious road runoff from offsite.

Commercial General Pollution Load:

$$L_{TSS} = 0.226 * 40.45 \text{ in} * 77 \text{ mg/L} * 0.124 \text{ ac} = 87.28 \text{ lb/yr}$$

$$L_{TN} = 0.226 * 40.45 \text{ in} * 2.97 \text{ mg/L} * 0.124 \text{ ac} = 3.37 \text{ lb/yr}$$

$$L_{TP} = 0.226 * 40.45 \text{ in} * 0.33 \text{ mg/L} * 0.124 \text{ ac} = 0.37 \text{ lb/yr}$$

CIVILWORKS NEW ENGLAND

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DOVER, NH 03821-1166
PHONE: 603.749.0443

Pollutant Removal Alternative: As opposed to the 30% green roof, the project purposes onsite treatment of 0.124 acres of offsite impervious road runoff through a deep sump catch basin in series with an STC 2400 Contech Cascade Separator prior to discharge. BMP Pollutant Removal Efficiency rates are provided in Appendix B of the NH Stormwater Manual, Volume 2, December 2008. Deep Sump Catch Basin of 15% TSS, 5% TN, and 5% TP. BMP Pollutant Removal Efficiency rates are provided in Contech Engineered Solutions Stormceptor Sizing Report. STC 2400 of 82% TSS, 0% TN, and 0% TP.

Proposed Catch Basin A (PCBA):

PCBA is a deep sump catch basin in series with the STC 2400.

Pollutant Removal Provided (PCBA)					
Pollutant	Offsite Impervious Area (ac)	Offsite Impervious Area Load (lbs/yr)	PCBA Removal Provided (%)	Removal Provided (lbs/yr)	Pollutant Remaining To Be Treated (lbs/yr)
TSS	0.124	87.28	15	13.09	74.19
TN	0.124	3.37	5	0.17	3.20
TP	0.124	0.37	5	0.02	0.36

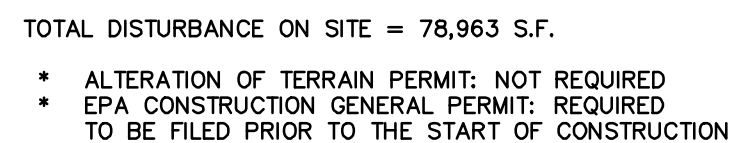
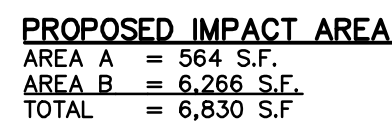
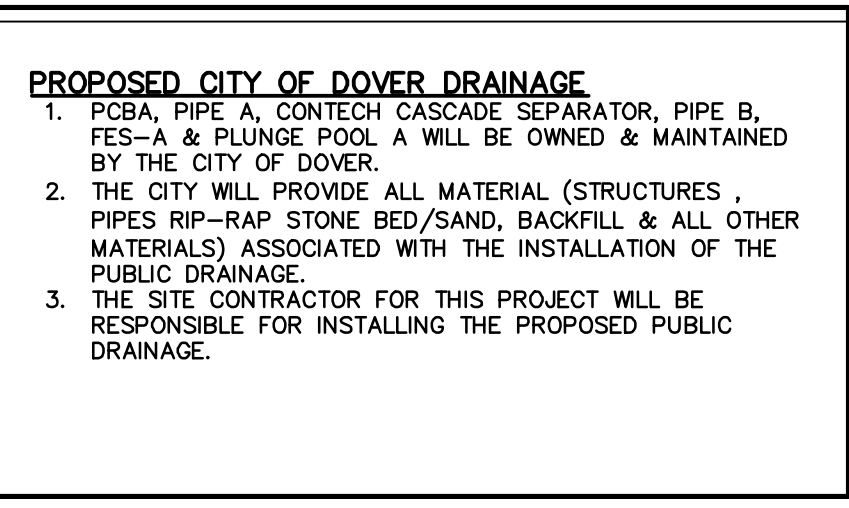
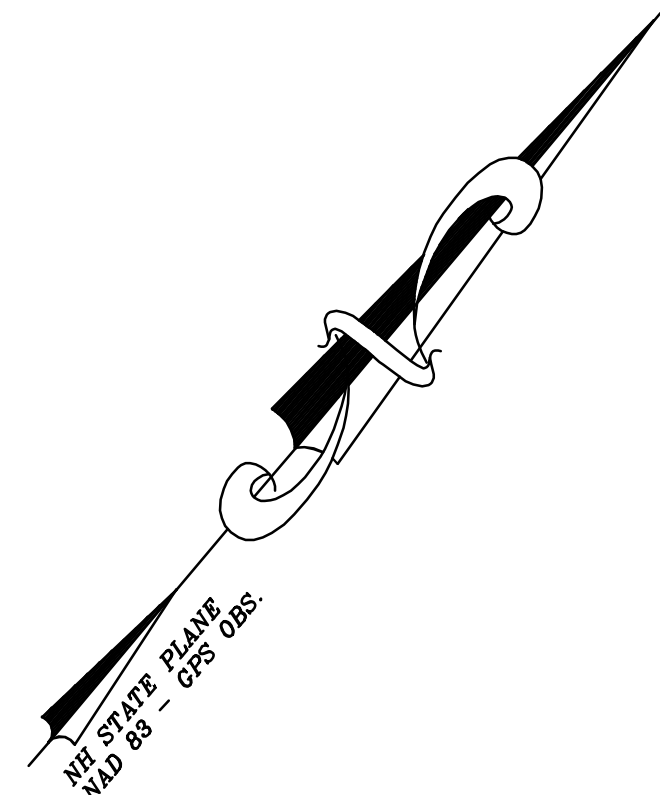
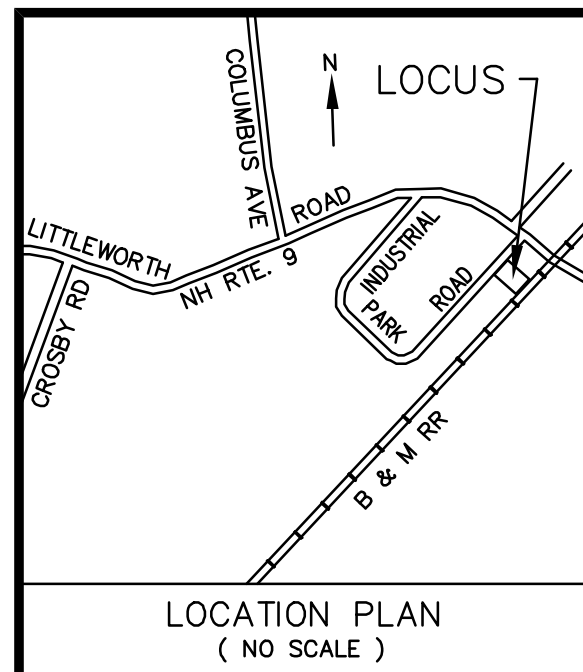
Contech Cascade Separator (STC 2400):

STC 2400 treats storm water runoff from PCBA prior to discharge offsite.

Pollutant Removal Provided (STC 2400)				
Pollutant	Annual Load From PCBA (lbs/yr)	STC 2400 Removal Provided (%)	STC 2400 Removal Provided (lbs/yr)	Pollutant Remaining (lbs/yr)
TSS	74.19	82	60.84	13.35
TN	3.20	0	0.00	3.20
TP	0.36	0	0.00	0.36

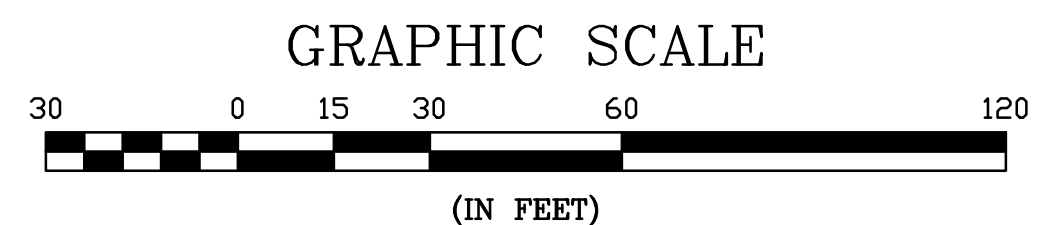
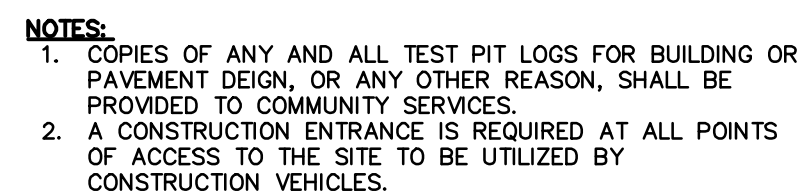
Total Pollutant Removal Provided:

Pollutant Removal Provided			
Pollutant	Removal Provided PCBA (lbs/yr)	Removal Provided STC 2400 (lbs/yr)	Total Removal Provided (lbs/yr)
TSS	13.09	60.84	73.93
TN	0.17	0.00	0.17
TP	0.02	0.00	0.02



Pollutant Removal Provided				
Pollutant	Annual Load (lbs/yr)	Removal Required (lbs/yr)	Removal Provided (lbs/yr)	% Removed
TSS	203.58	162.86	162.82	80%
TN	22.65	11.32	12.46	55%
TP	1.64	0.82	1.11	68%

Conclusion: The proposed mitigation measures implemented on site meet the minimum treatment rates for TSS, TN, and TP required by the City's regulations.



PLANNING FILE NO.: SITE-2025-0001

GRADING, DRAINAGE & EROSION CONTROL PLAN

**SEASONAL AUTOMOTIVE
STORAGE/MAINTENANCE
34 INDUSTRIAL PARK ROAD
DOVER, NH 03820**

**16 INDUSTRIAL PARK, LLC
340 CENTRAL AVENUE
SUITE 202
DOVER, NH 03820**

NOT FOR CONSTRUCTION FOR PERMIT USE ONLY

CNE

CIVILWORKS NEW ENGLAND

ONE & WATERGATE ENGINEERING

181 Watson Road, PO Box 1166
Dover, New Hampshire 03821
603.749.0443

[illegible]

From: Mavrogeorge, Kenneth <K.Mavrogeorge@dover.nh.gov>
Sent: Thursday, May 15, 2025 12:17 PM
To: Zoning Board - All <ZoningBoard-All@dover.nh.gov>
Subject: Comment on Item 3-C on tonight's ZBA Agenda

Good Afternoon Members of the Board,

I am writing regarding item 3-C on the ZBA agenda for May 15, 2025. I have had discussions with the Applicant regarding the development at 34 Industrial Park Dr during their design phase and the Applicant has agreed to provide stormwater treatment for runoff generated in the City's right of way and outside the limits of their project. That said, I agree with the staff recommendations provided in the meeting materials prepared by the Planning and Community Development Staff that the "this project's above-and-beyond stormwater management plan provides, objectively, a greater benefit to the public than if it were to be compliant with the City's green roof standard".

Please let me know if you have any questions.

Regards,

Ken

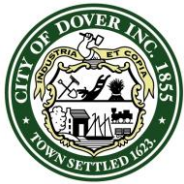
Ken Mavrogeorge, PE
City Engineer
City of Dover, NH
271 Mast Rd.
Dover, NH 03820-4169
e: k.mavrogeorge@dover.nh.gov
p: 603.516.6454 | f: 603.516.6463

Dover: First in New Hampshire, First with you!
<http://www.dover.nh.gov>

****[Click here to read the latest City of Dover Engineering Monthly Report!](#)****

Please consider conserving our natural resources before printing this e-mail and/or any attachments.

This electronic message and any attachments may contain information that is confidential and/or legally privileged in accordance with NH RSA 91-A and other applicable laws or regulations. It is intended only for the use of the person and/or entity identified as recipient(s) in the message. If you are not an intended recipient of this message, please notify the sender immediately and delete the material. Do not print, deliver, distribute or copy this message, and do not disclose its contents or take any action in reliance on the information it contains unless authorized to do so. Thank you.



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, May 15, 2025
Meeting Time:	7:00 pm

INTENT: The applicant in this matter requests a Variance from **Section 170-6 of the Zoning Ordinance**, to allow for (on a corner lot) shorter frontage on the second street than is required in the Heritage Residential Zoning District.

UNITS PROPOSED: N/A

AGENDA ITEM: 3-D

ZONING DISTRICT: Heritage Residential (HR) District

FILE: ZONE-2025-0014

APPLICANT: 5 Sherman Street, LLC

OWNERS: Same

LOCATION: 46 Rutland (Tax Map 12, Lot 138)

ACREAGE: Existing ± 1.04 acres. No change in acreage. New proposed lots would be: ± 0.57 acres, ± 0.23 acres, and ± 0.24 acres.

EXISTING LAND USE: Residential

PROPOSED LAND USE: Residential

SURROUNDING LAND USE: Residential

PREVIOUS ZBA ACTION: None

PLANNING BOARD APPROVAL REQ.:

Planning Board approval required for the subsequent Minor Subdivision and is tentatively on the May 27th Planning Board meeting agenda.

ATTACHMENTS: Application, Narrative, Plan

STAFF RECOMMENDATION: Staff endorses this variance request without conditions.

BACKGROUND INFORMATION

The property subject to this variance request is located at 46 Rutland at the intersection of Rutland and Fisher Street. The property is ± 1.04 acres and currently contains one single-family home with access from both Fisher and Rutland Street.

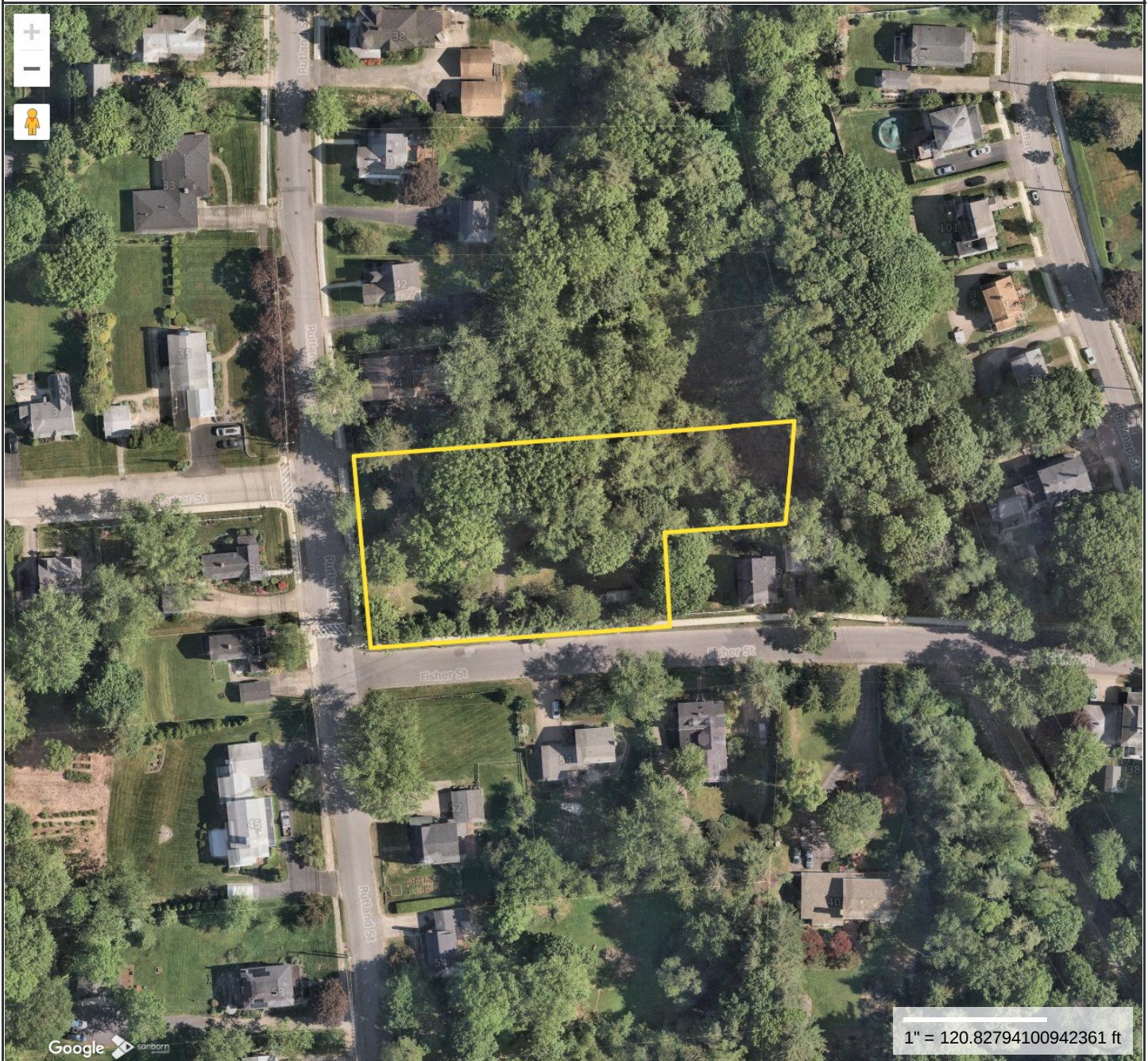
The applicant seeks to subdivide the parcel into a total of three (3) lots. In the Heritage Residential (HR) District, a new lot must have a minimum of 10,000 s.f. in area and 80 linear feet of frontage. All lots post-subdivision will be compliant with area, and all but one (the lot directly on the corner of Rutland/Fisher which will only have 73' on Rutland St.) will be compliant with frontage requirements, hence the variance request.

STAFF RECOMMENDATION

Staff finds this request reasonable as three (3) of four (4) frontages will meet the minimum 80' and the fourth is only short seven (7) feet and the other frontage on that proposed lot has the minimum required. Staff feels criteria of the Variances have been met.

Given the above, Staff recommends that the Board open the public hearing, accept testimony, and make findings on each of the five Variance criteria. Based on the evidence presented, Staff recommends that this Board approve this variance request without conditions.

ZONE-2025-0014_46 Rutland Street

**Property Information**

Location 46 RUTLAND ST
Owner 5 SHERMAN STREET LLC
Land Use 101R
Zoning Code HR
Property Id 12138-000000

**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-2025-0014 FOR CITY OF DOVER, N.H.

Permit Type Zoning	Project:	App Date: 04/24/2025
Work Class: Variance	District: None	Exp Date: NOT AVAILABLE
Status: In Review	Square Feet: 0.00	Completed: NOT COMPLETED
Valuation: \$0.00	Assigned To: Crouser, Paul	Approval
		Expire Date:

Description: A variance to 170-6 Definition of Frontage to allow for a shorter frontage on the second street than that required in the zone.

Parcel: 12138-000000	Main	Address: 46 Rutland St Dover, NH	Main	Zone: HR(Residential - Heritage)
-----------------------------	------	--	------	---

Owner	Applicant
Robert Baldwin	Berry Surveying & Engineering
242 CENTRAL AV	335 Second Crown Point Road
DOVER, 03820	Barrington, NH 03825
Home: (603) 986-2373	Business: (603) 332-2863
Business: (603) 986-2373	Mobile: (603) 781-3403
Mobile: (603) 986-2373	

Permit Custom Fields

ZoneVariAppealPhDisa No bility	Number of Variances Requested: 1	ZoneVariPlanDirections Corner of Rutland and Fisher
ZoneVariPlanSummary Subdivide the property into 3 total lots	ZoneVariAppealSect 170-6 Definition of Frontage	ZoneVariAppealSectDe Proposing a corner lot with adequate frontage on Fisher Street and less than 80' on Rutland Street. It has been interpreted that each street requires 80'.
What is the parcel zoned? HR	ZoneVariAppeal1Public See Narrative Interest	ZoneVariAppeal2Ordin anceSpirit
ZoneVariAppeal3Subst See Narrative antialJustice	ZoneVariAppeal4Prope See Narrative rtyValue	ZoneVariAppeal5A1Un See Narrative NecHardship
ZoneVariAppeal5A2No See Narrative FairRelate	ZoneVariAppeal5A3Re See Narrative asonableUse	ZoneVariAppeal5BNoR easonableUse

Attachment File Name	Added On	Added By	Attachment Group	Notes
24-114 5 Sherman Street LLC, ZBA Application 46 Rutland Street.pdf	04/24/2025 14:32	Berry, Chris		Uploaded via Dover, NH - Permits Plans Licensing
24-114 Subdivision Plan.pdf	04/24/2025 14:32	Berry, Chris		Uploaded via Dover, NH - Permits Plans Licensing
Signature_Chris_Berry_4/24/2025.jpg	04/24/2025 14:32	Berry, Chris		Uploaded via CSS
Permit Snapshot Report.pdf	04/24/2025 14:33	Service, EnerGov		Attached by IO - ATTACH: Initial Permit Snapshot

Invoice No.	Fee	Fee Amount	Amount Paid
INV-2025012145	Planning Zoning Variance Application Fee	\$200.00	\$0.00
Total for Invoice INV-2025012145		\$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	04/24/2025	04/28/2025		No	No
Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Zoning Administrator	Planning	Crouser, Paul	In Review	04/24/2025	04/28/2025	

Workflow Step / Action Name	Action Type	Start Date	End Date
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PERMIT SNAPSHOT REPORT (ZONE-2025-0014)

Review v.1

04/24/2025 15:52

Confirm application complete v.1

Generic Action

04/24/2025 15:52

Planning Permit Application Review v.1

Receive Submittal

04/24/2025 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



City of Dover, New Hampshire
ZONING BOARD OF ADJUSTMENT APPLICATION

[Revised June 7, 2022]

Office Use Only	Case #: _____	Date Received: _____
	Amount Paid: \$ _____	Time Received: _____

APPLICANT/PROPERTY OWNER INFORMATION

APPLICANT: 5 Sherman Street LLC Phone # 603-742-2121

Address of Applicant: 242 Central Ave., Dover, NH 03820

E-Mail Address: rob@centralfallsrealty.com

PROPERTY OWNER (if different from applicant): Same

Address: _____ Phone # _____

E-Mail Address: _____

PROPERTY/PARCEL INFORMATION

Address: 46 Rutland Street

Brief Directions: The property is a corner lot on the corner of Rutland Street and Fisher Street.

Zoning District: HR Assessor's Map # 12 Lot(s) # 138

TYPE OF APPEAL: (Please check one)

- ☒ Variance
☐ Physical Disability Variance (RSA 674:33-V)
☐ Special Exception
☐ Appeal of Administrative Decision
☐ Equitable Waiver

Defintion of Frontage

from Section 170-6 of the Zoning Ordinance
from Section _____ of the Zoning Ordinance
per Section _____ of the Zoning Ordinance
regarding Section _____ of the Zoning Ordinance
per Section _____ of the Zoning Ordinance

DESCRIBE BRIEFLY YOUR PLANS FOR THE PROPERTY:

The parcel is able to be subdivided into three total lots. In an effort to create lots that are square and rectilinear, the proposed corner lot will contain the required frontage on Fisher Street, and will have 73' of frontage on Rutland Street, where it is being interpreted that 80' is required.

APPLICATION CHECKLIST (Please check off)

- A. **Application signed** by Applicant and Property Owner (if different from Applicant) x _____
Note: In order for the application to be accepted by Planning Department staff and placed on the ZBA agenda YOU MUST COMPLETE (1) ALL SECTIONS ON PAGE 1 as well as (2) ALL QUESTIONS FOR THE SPECIFIC APPEAL YOU ARE SEEKING.
- B. **5 Copies of Completed Zoning Board of Adjustment Application** x _____
Note: Only include those pages of the application that are relevant to your request. Please do not include the abutters list with the 10 copies (include only as part of original signed application (Part A above)).
- C. **5 copies of a plot plan** drawn in accordance with a boundary line to scale not less than 1" = 40'. They need to include the lot dimensions including area in square feet, and also the size and location of existing and proposed buildings if applicable, including setbacks. x _____
- D. Submit at least one (1) copy of the plot plan at a size of **8 1/2 x 11** (this is in addition to the 10 copies required in 'C' above). x _____
- E. **5 copies of photos** (suggested but optional) and any **other materials** applicant would like to submit in support of the application. x _____
- F. **Abutter Notification/Mailing Labels** - this office will create and print the abutter list and provide labels in triplicate for each abutter. The applicant/owner will need to provide to this office the engineer, architect, land surveyor or soil scientist whose professional seal appears on the plan with names and addresses for notices. You will be notified with the amount due, once this has been completed.
1. Applicant & Owner, engineer, architect, land surveyor or soil scientist
 Certified letters fee # _____ of x \$10.00 =
 2. Certified letters fee: # of abutters _____ X \$10.00 = \$ _____
 3. First Class Mail fee (for individual owner of units within a condominium or other collective form of ownership): # of abutters _____ X \$1.00 = \$ _____
 4. Creating/Printing Abutter Labels in triplicate per sheet _____ x \$10.00 = \$ _____
- G. **TOTAL FEE** paid by cash or check made payable to "City of Dover"
1. Application fee of:

\$200.00 VARIANCE (per Section requested)	\$ _____
\$200.00 SPECIAL EXCEPTION	\$ _____
\$200.00 APPEAL FROM ADMINISTRATIVE DECISION	\$ _____
\$200.00 EQUITABLE WAIVER	\$ _____
 2. Foster's newspaper public notice \$ **120.00**
- TOTAL FEE** \$ _____

VARIANCE REQUIREMENTS

THIS SECTION TO BE COMPLETED BY VARIANCE APPLICANTS ONLY

A. Variance Requested

A variance is requested from Section(s) 170-6 of the Zoning Ordinance to permit:

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:

See Narrative

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

See Narrative

3. Granting the variance would do substantial justice because:

See Narrative

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

See Narrative

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:

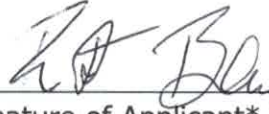
SIGNATURE PAGE

THIS SECTION OF THE APPLICATION MUST BE COMPLETED BY ALL APPLICANTS

I, the undersigned Applicant, hereby certify that the information contained within this Application is complete and accurate, and I acknowledge that I have read and understand the Application Instructions, which are set forth on the first two pages of this Application form.

IMPORTANT

PROPERTY IDENTIFICATION SIGN
MUST BE POSTED ON THE PROPERTY
FOR THE 5 DAYS PRIOR TO HEARING.
FAILURE TO POST MAY RESULT IN
APPLICATION NOT BEING ACCEPTED.



Signature of Applicant*

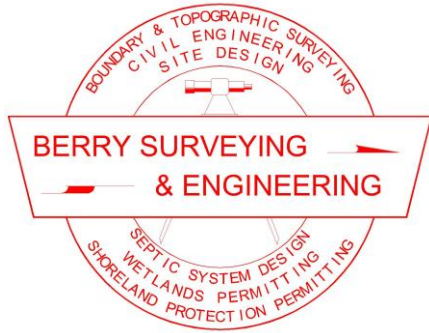
Signature of Owner*

*Both Signatures Required

AUTHORIZATION TO ENTER SUBJECT PROPERTY

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

Signature of Property Owner:  Date: 4-24-25



BERRY SURVEYING & ENGINEERING

335 Second Crown Point Road

Barrington, NH 03825

Phone: (603) 332-2863

Fax: (603) 335-4623

www.BerrySurveying.Com

April 24, 2025

City of Dover Zoning Board of Adjustment

Attention: Ms. Donna Benton AICP, Director of Planning and Community Development

RE: Variance Request
46 Rutland Street
Heritage Residential (HR)
Definition of Frontage
Tax Map 12, Lot 138
5 Sherman Street LLC

Chair and Members of the Dover Zoning Board of Adjustment,

On behalf of 5 Sherman Street LLC, Berry Surveying & Engineering (BS&E) is submitting for your review a variance requests to the definition of frontage in the HR Zone.

5 Sherman Street LLC, is proposing to subdivide the parcel located at 46 Rutland Street. The subdivision creates two new lots and keeps the existing house on Rutland on its own lot. The parcel contains the required amount of land mass and frontage to achieve this subdivision. However, to create a rectilinear subdivision that creates clear lines of ownership, the applicant is proposing that the lot on the corner have frontage on both Rutland Street and Fisher Street. A potential interpretation of the definition of frontage, as applied in this case, is that each street with frontage requires the minimum amount of 80', or as otherwise prescribed in the zone. The remedy to this is either request a variance to provide the required frontage on Fisher Street with less than 80' of frontage on Rutland Street, or create a subdivision that places the southwest corner of the corner lot, in the exact intersection of the two streets, which will create an odd ambiguous area of ownership. Additionally it allows the lot to have frontage on the primary street and thus allow two practical fronts to be created.

To the merits of the five statutory criteria for the Zoning Board to grant a variance we offer the following with regards to the separation of the mixed-use elements and ratios into separate buildings:

1. *"Granting of the variance would not be contrary to the public interest."*
 - The public interest, with respect to frontage on two streets, is to ensure that the lot is shaped in a manner that is usable and clear in lines of fee simple ownership. Though the frontage on Rutland is 73.38' and not 80' it makes the lot no less usable or buildable. In fact, as currently design affords the ability for the new structure to contain two fronts, as is typical on corner lots. The alternative diminishes this potential. The request does not affect the health, safety or welfare of the abutting land owners or the City as a whole.

2. *"Granting the variance would be consistent with the spirit of the Ordinance."*

- The spirit of the ordinance is to ensure a general consistency and conformity with lot and block layout as well as ensuring that a lot contains the required depth and land mass to be reasonably buildable. In this case, the proposal to have less frontage on one street vs another while maintaining the total frontage doesn't affect the spirit or purpose of the ordinance. The proposed lot maintains reasonable space and bulk standards. The essential character of the neighborhood is not affected by the request to reduce the second frontage from 80' to approximately 73'.

3. *"Granting of the variance would do substantial justice."*

- The benefit to the applicant far outweighs any detriment to the community, abutters or ordinance as whole through the development of a well-planned subdivision. It is our opinion that there is no loss or detriment in this case based on the shape and sizes of the lot(s) proposed. As noted above the design alternative, though technically viable, provides for subdivision that is less functional for all.

4. *"Granting the variance will not result in diminution of surrounding property values."*

- The surrounding properties will not be diminished in due to the fact that this is a residential zone and the applicant is proposing a residential subdivision. Diminution of property values is typically associated with uses that differ from the general neighborhood or permitted uses in the zone. Subdivisions in the zone are permitted for this purpose.

5. *"Special conditions exist such that literal enforcement of the Ordinance will result in unnecessary hardship to the applicant as defined under applicable law."*

- This parcel is a corner lot and is of sufficient size and frontage to permit a three-lot subdivision. Though this not isolated in the zone or general area, the special condition of this parcel is that it contains enough frontage on one of the streets to obtain the same goal, but lacks the frontage required on Rutland to provide two formal frontages. Literal enforcement and denial does create a hardship to the applicant, in that it would dictate a design that creates ambiguity in ownership and a loss of functional land for the future lot owners and residents. This is unnecessary with the relief sought.
- The purpose of the ordinance as noted above is to create corner lots that are square in nature and are balanced in the occupation of block length. This idealism is somewhat antiquated and can now be accomplished using different building methods. Since the lot being created is adequately sized and creates good usable space, there is no substantial relationship between the purposed and intent and the practical and specific application.
- The proposed use is reasonable because the derivation from the requirement is small and creates a better lot layout than a potential alternative.



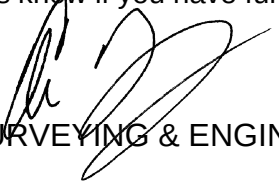
BERRY SURVEYING & ENGINEERING

335 Second Crown Pt. Rd., Barrington, NH 03825
(603) 332-2863 / (603) 335-4623 FAX
www.BerrySurveying.Com

Variance Request
5 Sherman Street LLC, Tax Map 12, Lot 138

April 24, 2025
Page 3 of 3

Please let us know if you have further questions.



BERRY SURVEYING & ENGINEERING

Christopher R. Berry – Project Manager
Principal, President



BERRY SURVEYING & ENGINEERING

335 Second Crown Pt. Rd., Barrington, NH 03825
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www.BerrySurveying.Com

ZONE-2025-0014**46 RUTLAND STREET**

Property ID	Location	Owner 1	Owner 2	Owner Address 1	City	State	Zip
12113-000000	119 BELKNAP ST	HAWKINS MATTHEW & ASHLEY TRUSTEES	HAWKINS FAMILY REVOCABLE TRUST	PO BOX 308	DOVER	NH	03821
12114-000000	103 BELKNAP ST	MINGLEWOOD LLC		103 BELKNAP ST	DOVER	NH	03820
12114-A00000	105 BELKNAP ST	DIDIO MARISA A TRUSTEE	DIDIO MARISA A REVOCABLE LIVING TRUST	105 BELKNAP STREET	DOVER	NH	03820
12115-000000	101 BELKNAP ST	LUCEY JASON R &	COX KATHERINE F	101 BELKNAP ST	DOVER	NH	03820
12116-000000	99 BELKNAP ST	LAUNDER MELISSA	FIELD ZACHARY	99 BELKNAP ST	DOVER	NH	03820
12126-000000	FISHER ST	CITY OF DOVER		288 CENTRAL AVE	DOVER	NH	03820
12135-000000	40 RUTLAND ST	DAVIS EMERSON P		40 RUTLAND ST	DOVER	NH	03820
12136-000000	42 RUTLAND ST	MAGNESS JASON	LYONS-THOMAS JULIETTE	PO BOX 152	DOVER	NH	03821
12137-000000	44 RUTLAND ST	BARNETT ELLEN H & GOLDMAN ELIZABETH CO-T	BARNETT GOLDMAN FAMILY REVOCABLE TRUST	44 RUTLAND ST	DOVER	NH	03820
12139-000000	49 FISHER ST	GRIFFIN ELISABETH		49 FISHER ST	DOVER	NH	03820
12140-000000	35 RUTLAND ST	DIENGOTT ANDREW J & PATRICIA CO-TRUSTEES	DIENGOTT FAMILY REVOCABLE TRUST OF 2017	35 RUTLAND STREET	DOVER	NH	03820
12141-A00000	33 RUTLAND ST	KNIZEWSKI THOMAS		33 RUTLAND ST	DOVER	NH	03820
13029-000000	45 RUTLAND ST	PELLETIER LINDA BROWN TRUSTEE	PELLETIER LINDA BROWN 2015 REVOCABLE TRU	45 RUTLAND ST	DOVER	NH	03820-3945
13030-000000	41 RUTLAND ST	BODUCH ANASTASIA E TRUSTEE	BODUCH ANASTASIA E LIVING TRUST	41 RUTLAND ST	DOVER	NH	03820
13031-000000	39 RUTLAND ST	ROSEVEAR LLOYD & SHEILA ELIA TRUSTEES	ROSEVEAR FAMILY 2014 REVOCABLE TRUST	39 RUTLAND ST	DOVER	NH	03820
15040-A00001	LENOX DR	STABILE TOWNHOMES AT FISHER STREET LLC		20 COTTON ROAD SUITE 200	NASHUA	NH	03063
15054-000000	40 FISHER ST	MUNIZ LOUIS A & JOSEPHINE A CO-TRUSTEES	MUNIZ REVOCABLE TRUST OF 2017	40 FISHER ST	DOVER	NH	03820
15055-000000	50 FISHER ST	YORKE HELEN MARILYN TRUSTEE	YORKE HELEN MARILYN REVOCABLE TRUST OF 2	52 FISHER ST	DOVER	NH	03820
15056-000000	54 FISHER ST	FORTIN RICHARD ALBERT & LISA ANN TRUSTEE	FORTIN FAMILY 2020 REVOCABLE TRUST	54 FISHER ST	DOVER	NH	03820
15057-000000	52 RUTLAND ST	JACQUES REBECCA A		52 RUTLAND ST	DOVER	NH	03820
12138-000000	46 RUTLAND ST	5 SHERMAN STREET LLC		242 CENTRAL AVE	DOVER	NH	03820
		BERY SURVEYING & ENGINEERING	CHRISTOPHER R. BERRY	335 SECOND CROWN POINT	BARRING	NH	03825

PLAN REFERENCES:

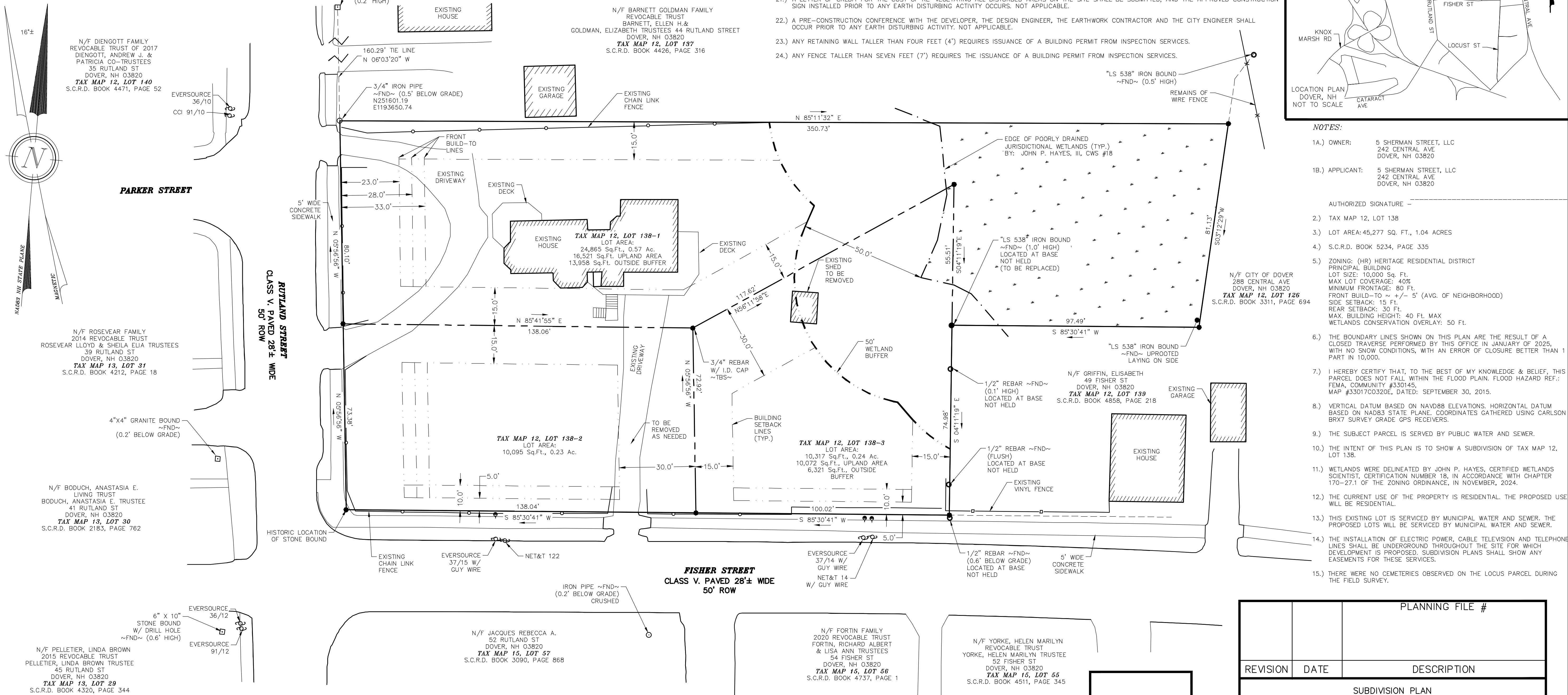
- 1.) "LOT LINE ADJUSTMENT; FOR: ROBERT & CAROL STRATON; AND; LINDA-DIANE GRANT; IN; DOVER, N.H." BY: BRUCE L. POHOPEK DATED: OCTOBER 11, 1988 S.C.R.D. PLAN #36-58
- 2.) "LOT LINE ADJUSTMENT; FOR: TAX MAP 15 LOTS' 54, 62, & 66; ON; FISHER AND RUTLAND STREETS'; IN; DOVER N.H." BY: BRUCE L. POHOPEK DATED: JUNE 24, 1996 S.C.R.D. PLAN #48-73
- 3.) "LOT LINE ADJUSTMENT; FOR: ROBERT & CAROL STRATON; ON; RUTLAND & FISHER STREET; IN; DOVER N.H." BY: BRUCE L. POHOPEK DATED: NOVEMBER 2, 1997 S.C.R.D. PLAN #52-2

PLAN REFERENCES (CONT.):

- 4.) "LOT LINE ADJUSTMENT PLAN; PREPARED FOR: ANASTASIA E. BODUCH REVOCABLE; LIVING TRUST; AND; LLOYD & SHEILA ELIA ROSEVEAR; TAX MAP 13, LOT NOS 30 & 31; 41 & 39 RUTLAND STREET; CITY OF DOVER; COUNTY OF STRAFFORD; STATE OF NEW HAMPSHIRE" BY: MCNEANEY SURVEY ASSOCIATES, INC. DATED: FEBRUARY 7, 2003 S.C.R.D. PLAN #71-60
- 5.) "PLAN OF LOTS; ON; SUNNYSIDE FARM; DOVER, N.H." BY: S.S. JEWINS DATED: SEPTEMBER, 1892 S.C.R.D. BOOK 298, PAGE 501
- 6.) "COMMUNITY TRAIL; PHASE II; TAX MAP 15 LOTS 21-22 & 40A; EASEMENT PLAN; CITY OF DOVER; NEW HAMPSHIRE" BY: FUSS & O'NEILL DATED: NOVEMBER, 2017 S.C.R.D. PLAN #11977

NOTES CONTINUED:

- 16.) ALL CONSTRUCTION SHALL CONFORM TO THE STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION DATED 2016. CONSTRUCTION SHALL ALSO CONFORM TO THE CITY OF DOVER POLICIES AND PRACTICES. THE MORE STRINGENT SPECIFICATION SHALL APPLY.
- 17.) ALL MATERIALS AND CONSTRUCTION SHALL CONFORM TO APPLICABLE CITY AND STATE CODES.
- 18.) ALL EROSION CONTROL NOTES SHALL INCLUDE PROVISIONS FOR CONSTRUCTION SEQUENCING, TEMPORARY EROSION CONTROL MEASURES, AND PERMANENT STANDARDS SUCH AS LOAM SPREAD RATE FOR DISTURBED AREAS, RATES OF LIME, TYPE AND RATES FOR FERTILIZER, AND SEED AND MULCH MIXTURE WITH RATES OF APPLICATION.
- 19.) BUILDING ADDRESSES SHALL BE ASSIGNED BY THE BUILDING INSPECTOR AT THE TIME OF ISSUANCE OF A BUILDING PERMIT.
- 20.) THE SITE CONSTRUCTION HOURS SHALL BE LIMITED TO MONDAY-FRIDAY 7AM-6PM, SATURDAY-SUNDAY 9AM-4PM. HOURS OF CONSTRUCTION SHALL BE DOCUMENTED ON A SITE CONSTRUCTION SIGN ALONG WITH THE CONTACT INFORMATION FOR THE GENERAL CONTRACTOR. SAID SIGNAGE MUST BE LOCATED AND APPROVED BY THE CITY ENGINEER OR PLANNING DIRECTOR.
- 21.) A LETTER OF CREDIT FOR THE COST OF RE-VEGETATING ALL DISTURBED AREAS ON THE SITE SHALL BE SUBMITTED, AND THE APPROVED CONSTRUCTION SIGN INSTALLED PRIOR TO ANY EARTH DISTURBING ACTIVITY OCCURS. NOT APPLICABLE.
- 22.) A PRE-CONSTRUCTION CONFERENCE WITH THE DEVELOPER, THE DESIGN ENGINEER, THE EARTHWORK CONTRACTOR AND THE CITY ENGINEER SHALL OCCUR PRIOR TO ANY EARTH DISTURBING ACTIVITY. NOT APPLICABLE.
- 23.) ANY RETAINING WALL TALLER THAN FOUR FEET (4') REQUIRES ISSUANCE OF A BUILDING PERMIT FROM INSPECTION SERVICES.
- 24.) ANY FENCE TALLER THAN SEVEN FEET (7') REQUIRES THE ISSUANCE OF A BUILDING PERMIT FROM INSPECTION SERVICES.



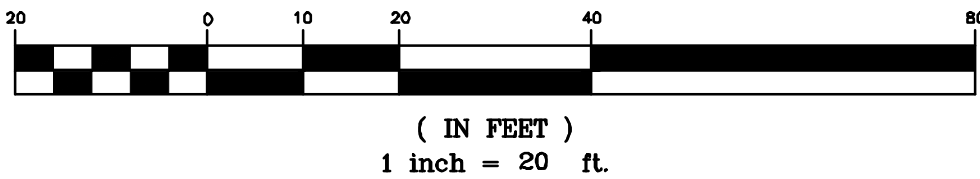
WETLAND NOTES:

- WETLANDS WERE DELINEATED BY JOHN P. HAYES, III, IN NOVEMBER 2024 UTILIZING THE FOLLOWING STANDARDS:
- REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL: NORTH CENTRAL AND NORTHEAST REGION, (VERSION 2.0) JANUARY 2012, U.S. ARMY CORPS OF ENGINEERS.
 - FIELD INDICATORS OF HYDRIC SOILS IN THE UNITED STATES, A GUIDE FOR IDENTIFYING AND DELINEATING HYDRIC SOILS, VERSION 8.0, UNITED STATES DEPARTMENT OF AGRICULTURE (2016).
 - NATIONAL WETLAND PLANT LIST (CURRENT VERSION).
 - FIELD INDICATORS FOR IDENTIFYING HYDRIC SOILS IN NEW ENGLAND, NEW ENGLAND HYDRIC SOILS TECHNICAL COMMITTEE, APRIL 2004, 3RD EDITION NEWPOC LOWELL, MA.
 - CORPS OF ENGINEERS WETLAND DELINEATION MANUAL JANUARY 1987, WETLANDS RESEARCH PROGRAM TECHNICAL REPORT Y-87-1.
 - CLASSIFICATION OF WETLANDS AND DEEP WATER HABITATS OF THE UNITED STATES, DECEMBER 1979, US DEPARTMENT OF THE INTERIOR, FISH AND WILDLIFE SERVICES. FWS/OBS-79/31

LEGEND:

- IRON PIPE (FND)
IRON BOUND/REBAR (FND)
3/4" REBAR W/D CAP (TO BE SET)
STONE BOUND (FND)
UTILITY POLE W/ GUY WIRE
PROPOSED BOUNDARY LINE
APPROX. EXISTING ABUTTING PROPERTY LINE
BUILDING SETBACK LINE
EDGE OF POORLY DRAINED WETLAND
50' WETLAND BUFFER
FOUND
TYPICAL
STRAFFORD COUNTY REGISTRY OF DEEDS
TO BE SET

GRAPHIC SCALE



I CERTIFY THAT THIS PLAT EXCEEDS THE MINIMUM REQUIREMENT FOR ACCURACY AND COMPLETENESS OF THE STATE OF N.H. AND OF THE CITY OF DOVER, N.H. - 1:10,000-
KENNETH A. BERRY L.L.S. 805 DATE 3-31-25

NOTES:

- 1A.) OWNER: 5 SHERMAN STREET, LLC
242 CENTRAL AVE
DOVER, NH 03820
- 1B.) APPLICANT: 5 SHERMAN STREET, LLC
242 CENTRAL AVE
DOVER, NH 03820
- AUTHORIZED SIGNATURE _____
- 2.) TAX MAP 12, LOT 138
- 3.) LOT AREA: 45,277 SQ. FT., 1.04 ACRES
- 4.) S.C.R.D. BOOK 5234, PAGE 335
- 5.) ZONING: (HR) HERITAGE RESIDENTIAL DISTRICT
PRINCIPAL BUILDING
LOT SIZE: 10,000 Sq. Ft.
MAX LOT COVERAGE: 40%
MINIMUM FRONTAGE: 80 Ft.
FRONT BUILD-TO: ~ +/- 5' (AVG. OF NEIGHBORHOOD)
SIDE SETBACK: 15 Ft.
REAR SETBACK: 30 Ft.
MAX. BUILDING HEIGHT: 40 Ft. MAX
WETLANDS CONSERVATION OVERLAY: 50 Ft.
- 6.) THE BOUNDARY LINES SHOWN ON THIS PLAN ARE THE RESULT OF A CLOSED TRAVERSE PERFORMED BY THIS OFFICE IN JANUARY OF 2025, WITH NO SNOW CONDITIONS, WITH AN ERROR OF CLOSURE BETTER THAN 1 PART IN 10,000.
- 7.) I HEREBY CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE & BELIEF, THIS PARCEL DOES NOT FALL WITHIN THE FLOOD PLAIN. FLOOD HAZARD REF.: FEMA, COMMUNITY #330145, MAP #33017C0320E, DATED: SEPTEMBER 30, 2015.
- 8.) VERTICAL DATUM BASED ON NAVD88 ELEVATIONS. HORIZONTAL DATUM BASED ON NAD83 STATE PLANE. COORDINATES GATHERED USING CARLSON BRX7 SURVEY GRADE GPS RECEIVERS.
- 9.) THE SUBJECT PARCEL IS SERVED BY PUBLIC WATER AND SEWER.
- 10.) THE INTENT OF THIS PLAN IS TO SHOW A SUBDIVISION OF TAX MAP 12, LOT 138.
- 11.) WETLANDS WERE DELINEATED BY JOHN P. HAYES, CERTIFIED WETLANDS SCIENTIST, CERTIFICATION NUMBER 18, IN ACCORDANCE WITH CHAPTER 170-27.1 OF THE ZONING ORDINANCE, IN NOVEMBER, 2024.
- 12.) THE CURRENT USE OF THE PROPERTY IS RESIDENTIAL. THE PROPOSED USE WILL BE RESIDENTIAL.
- 13.) THIS EXISTING LOT IS SERVICED BY MUNICIPAL WATER AND SEWER. THE PROPOSED LOTS WILL BE SERVICED BY MUNICIPAL WATER AND SEWER.
- 14.) THE INSTALLATION OF ELECTRIC POWER, CABLE TELEVISION AND TELEPHONE LINES SHALL BE UNDERGROUND THROUGHOUT THE SITE FOR WHICH DEVELOPMENT IS PROPOSED. SUBDIVISION PLANS SHALL SHOW ANY EASEMENTS FOR THESE SERVICES.
- 15.) THERE WERE NO CEMETERIES OBSERVED ON THE LOCUS PARCEL DURING THE FIELD SURVEY.

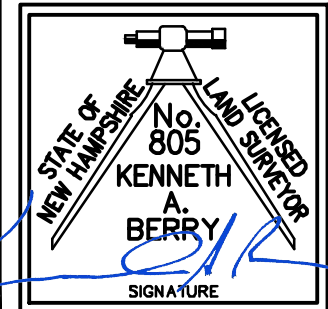
PLANNING FILE #

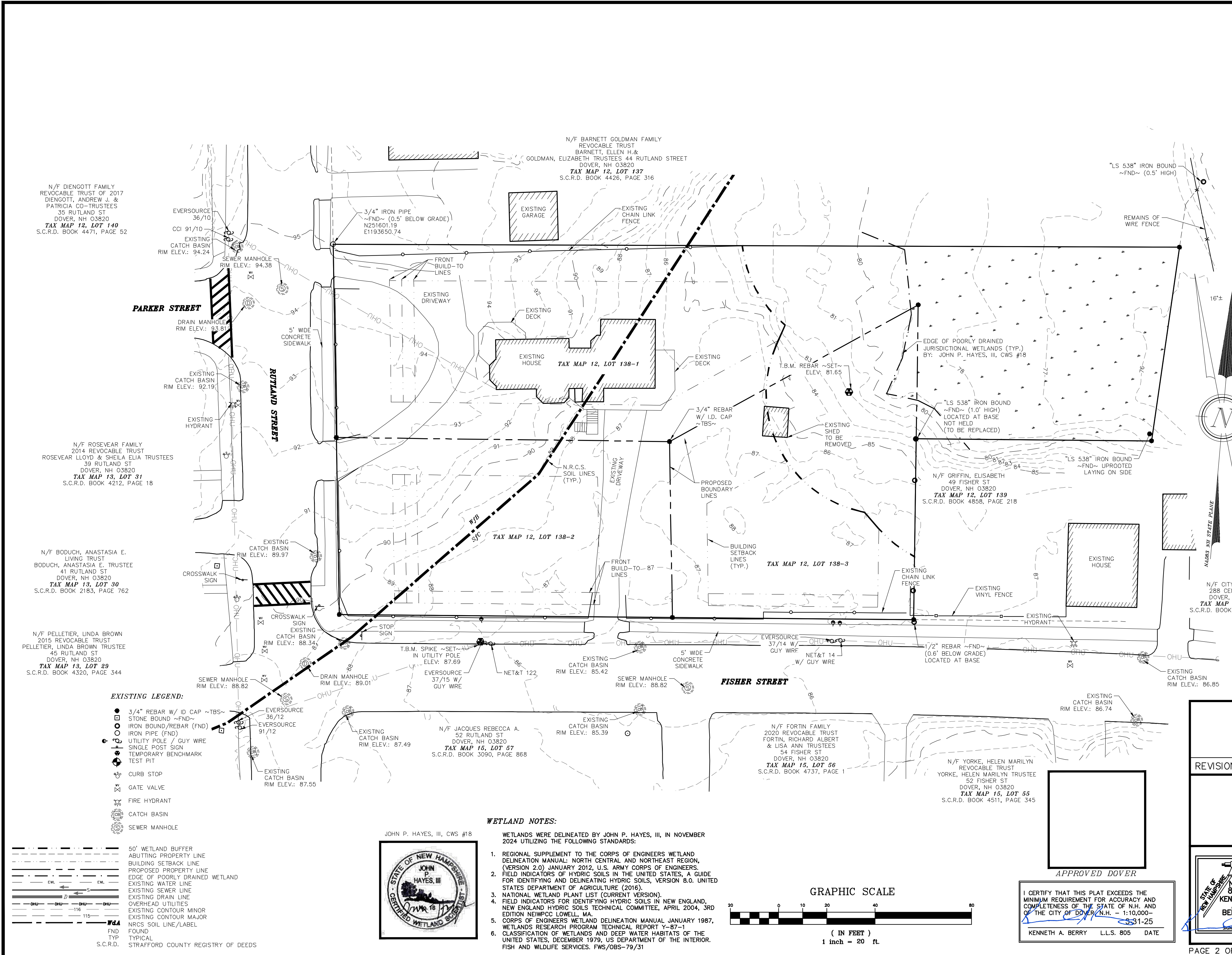
REVISION DATE DESCRIPTION

SUBDIVISION PLAN
LAND OF
5 SHERMAN STREET LLC
46 RUTLAND STREET
DOVER, N.H.
TAX MAP 12, LOT 138

BERRY SURVEYING & ENGINEERING
335 SECOND CROWN POINT RD.
BARRINGTON, N.H. (603)332-2863

SCALE : 1 IN. EQUALS 20 FT.
DATE : FEBRUARY 11, 2025
FILE NO. : DB 2024 - 114





LOCATION PLAN
DOVER, NH
NOT TO SCALE

NOTES:
1A.) OWNER: 5 SHERMAN STREET, LLC
242 CENTRAL AVE
DOVER, NH 03820
1B.) APPLICANT: 5 SHERMAN STREET, LLC
242 CENTRAL AVE
DOVER, NH 03820

AUTHORIZED SIGNATURE _____

2.) TAX MAP 12, LOT 138
3.) LOT AREA: 45,277 SQ. FT., 1.04 ACRES
4.) S.C.R.D. BOOK 5234, PAGE 335
5.) ZONING: (HR) HERITAGE RESIDENTIAL DISTRICT
PRINCIPAL BUILDING
LOT SIZE: 10,000 Sq. Ft.
MAX LOT COVERAGE: 40%
MINIMUM FRONTAGE: 80 Ft.
FRONT BUILD-TO ~ +/- 5' (AVG. OF NEIGHBORHOOD)
SIDE SETBACK: 15 Ft.
REAR SETBACK: 30 Ft.
MAX. BUILDING HEIGHT: 40 Ft. MAX
6.) THE BOUNDARY LINES SHOWN ON THIS PLAN ARE THE RESULT OF A CLOSED TRAVERSE PERFORMED BY THIS OFFICE IN JANUARY OF 2025, WITH NO SNOW CONDITIONS, WITH AN ERROR OF CLOSURE BETTER THAN 1 PART IN 10,000.
7.) I HEREBY CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE & BELIEF, THIS PARCEL DOES NOT FALL WITHIN THE FLOOD PLAIN. FLOOD HAZARD REF.: FEMA, COMMUNITY #330145, MAP #3301700320E, DATED: SEPTEMBER 30, 2015.
8.) VERTICAL DATUM BASED ON NAVD88 ELEVATIONS. HORIZONTAL DATUM BASED ON NAD83 STATE PLANE. COORDINATES GATHERED USING CARLSON BRX7 SURVEY GRADE GPS RECEIVERS.
9.) THE SUBJECT PARCEL IS SERVED BY PUBLIC WATER AND SEWER.
10.) THE INTENT OF THIS PLAN IS TO SHOW A SUBDIVISION OF TAX MAP 12, LOT 138.

SOILS:
SfC - SUFFIED SILT LOAM, 8 TO 15 % SLOPES
Wfb - WINDSOR LOAMY FINE SAND, CLAY SUBSOIL VARIANT, 0 TO 8 % SLOPES
SEE: USDA/NRCS WEBSOIL

PLANNING FILE #		
REVISION	DATE	DESCRIPTION
SUBDIVISION TOPOGRAPHY PLAN LAND OF 5 SHERMAN STREET LLC 46 RUTLAND STREET DOVER, N.H. TAX MAP 12, LOT 138		
BERRY SURVEYING & ENGINEERING 335 SECOND CROWN POINT RD. BARRINGTON, N.H. (603)332-2863		
SCALE : 1 IN. EQUALS 20 FT.		
DATE : FEBRUARY 11, 2025		
FILE NO. : DB 2024 - 114		

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