

CITY OF DOVER

ZONING BOARD OF ADJUSTMENT - AGENDA

Meeting Type: Regular Meeting
Meeting Location: Council Chambers, City Hall, 288 Central Avenue, Dover, NH 03820
Meeting Date: **Thursday, August 21, 2025**
Meeting Time: **7:00 pm**

1. ATTENDANCE

2. APPROVAL OF MEETING MINUTES OF June 19, 2025 Regular Meeting Minutes

3. HEARINGS

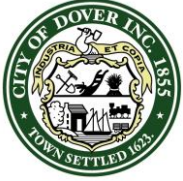
- A. **ZONE-2024-0045R** Request for Rehearing of ZONE-2024-0045, Applicant: Sam Hewitt, through counsel, requests a rehearing of the Special Exception granted on June 19, 2025 in which the owner of 9 Maple Street, Tax Map 30, Lot 66, located in Urban Density Multi Residential District (RM-U), was granted a Special Exception through **Section 170-12.B, RM-U 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-2025-0024** Applicant: Fuss and O'Neill (Owner: Essential Properties, LLC) 851 Central Avenue, Tax Map 38, Lot 6-A, located in the Commercial District (C), requests a Variance from **Sections 170-50-C(1) and 170-50-F(1)a**, to allow for a monument sign to be located on a property that the business does not itself reside on and allow for more than one monument sign on a property with only one road frontage.
- C. **ZONE-2025-0025** Applicant: Matthew Hunt, Back Road, Tax Map M, Lot 105-1, located in the Rural Residential District (R-40), requests a Variance from **Section 170-12.B, R-40 Table of Uses**, to allow for the location of a garage to be closer to the road than the 40' setback requirement.
- D. **ZONE-2025-0028** Bruton & Berube, PLLC, (Owner: Ry Development, LLC) 99 Knox Marsh Road, Tax Map H, Lot 34, located in the Commercial Manufacturing District (CM), requests a Variance from **Sections 170-32.(E)(1), 170-32(F)(2)(b)(2), 170-32(F)(2)(b)(2), 170-32(E)(5)(a)**, to allow the development containing a mixed-use project with two (2) buildings each containing eighty (80) units, for a total of one hundred sixty (160) residential apartment units.

4. OTHER BUSINESS

- A. Zoning Board Member Training

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.



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1. ATTENDANCE

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

Members Not Present:

Staff Present: Paul R. Crouser (Zoning Administrator)

Chair Prior called the meeting to order at 7PM.

2. APPROVAL OF MEETING MINUTES OF MAY 15, 2025

Motion: Couturier moved to approve the minutes of May 15, 2025 as submitted. Seconded by Brown. Vote: U/A

Chair Prior explained the hearing process.

Motion: Onufry moved to remove item A from the table. Sillitta seconded. Vote: U/A

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.

Chair Prior re-opened the public hearing, noted he has watched last month's meeting, there is a new plan in the packet for this item tonight and the packet was made publicly available.

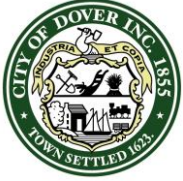
Steve Haight, CivilWorks addressed the changes since the last meeting. They finalized the boundary existing conditions document and have submitted that which demonstrates the lot size meets the criteria. The rest of the criteria for special exception remains as presented last month. The applicant will be going to the Planning Board for the special exception, and they will review the project for site plan, landscape plan, parking, drainage etc. The special exception request tonight is for number of units.

The project is a multi-family and request for the associated density. The project meets the requirements of criteria for special exception. He addressed number of units, utilities, water and sewer, parking, landscape buffers. Criterion A and E do not apply due to HUD fair market rates.

Mr. Haight addressed questions from the board relating to criteria b: no backing out onto the street and confirming TRC will have say in its compliance.

The Chair reminded the public to address new information.

Public comment:



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Sam Hewitt, 5 Maple St. read his concerns about the proposed project into the record. He requested the board vote to deny the special exception based on multiple procedural and material defects. He handed out some documents he created by overlaying information over the site map. This appears to show an encroachment to his property. Additionally, he handed out papers with parking simulations.

Jonathan Payne, 2 Maple St. is in opposition to the project and highlighted some issues he has including the new survey not having explanations and unsatisfactory snow storage and parking access.

Ashley Ryall, 5 Maple St. states the project is not eligible for special exception. She is concerned about people having to drive over her land to access their parking and asks the board to perform their duties by promoting the health, safety and welfare of the community.

Shaun Page, 3 Maple St. talked about the character of the neighborhood. The proposed project does not fit with the old buildings on this portion of the street. He is not concerned about having multi-family units, it is the density proposed of 4 separate houses where one exists that is the concern.

Kyle Stanley, 4 Maple St. is opposed to the project due to the size of the structure on the lot, the parking and backing out to the road, and lack of street space for parking and driving especially in winter.

The Chair asked the applicant why the new survey was not overlayed onto the old survey.

Mr. Haight pointed out that the original survey was not a stamped survey plan. It didn't seem necessary to include that in this packet.

He explained the new plan shows the property line is adjusted from where it was on the previously submitted unstamped survey plan.

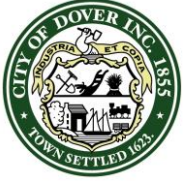
Board members reviewed the plans submitted to better understand the change.

Mr. Haight noted the TRC and Planning processes are still to come. This hearing is for the number of units. All of the abutters and board members have valid concerns, and if the project as proposed cannot meet the restrictions and requirements, adjustments will be made such as decreasing the size of the building.

The Chair cited the questions the board must answer as part of their findings of fact for special exception.

Sam Hewitt, 5 Maple St. stated the first survey was stamped and signed. He gave a copy to the board.

Planning Department input: 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.



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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 attempt to interpret and apply the applicable Site Review Regulations, as that responsibility lies solely with the TRC or Planning Board. The Board 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 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 to the satisfaction of the Director of Planning and Community Development;
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

Additionally, P. Crouser noted that he disagrees that special exceptions are barred from all non-conforming lots in the City. He expanded on that point.

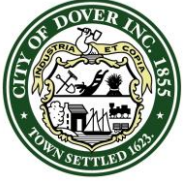
The reason the item was tabled is because the board was deadlocked and therefore the proper procedure is to table to a meeting with more members present.

The zoning ordinance citations are unclear. He expounded on the right of the board to weigh in on whether the parking allows for no backing into the street or not, but not on the related topics of parking lots, driveway size and location, landscaping etc. which will be reviewed by TRC, engineering and Planning Board.

He also addressed the late-filed document to staff and whether that has relevance to a decision tonight.

Jonathan Payne, 2 Maple St. reiterated his concerns about parking and the change of survey/ lot lines.

Hamer commented that the TRC is made up of staff who are paid and though they have the expertise, it is this board’s job to do the best with all the information they have to determine whether claims made by the applicant are reasonable to save the resources of the City at TRC. Determining the reasonableness of proposals is the duty of the Zoning Board. She cited some cases related to this. The required information



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such as revised site plan which is necessary to make a determination on the criteria has not been submitted.

At Brown's request, P. Crouser explained the TRC process and what the rights of the public citizens are at and before those meetings.

Onufry inquired about the phrase "sufficient evidence" which P. Crouser addressed.

Sillitta posed a point that if the ZBA grants with a certain number of parking spaces, then the project is reduced at a later date due to TRC or Planning Board input and only three units are finalized, wouldn't the parking be overdone for the project. How is that addressed? P. Crouser noted a reduction would not require the plan to come back to ZBA to decrease the impacts.

Public hearing was closed.

Chair Prior noted the criteria elements that are required to be met for the special exemption and gave his opinions on each noting: HUD rental rates are needed, multi-family units are in this neighborhood, leaning upon TRC and the conditions that will be put on this project will have the project meeting the criteria.

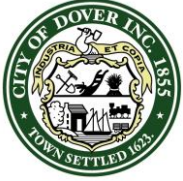
Onufry noted many of the issues that came up tonight are not within the purview of this board. Parking is the overriding issue. The applicant is willing to make concessions to make this project work.

Motion: Onufry moved to grant the special exception with the conditions set by staff. Silitta seconded. Vote: 4-1 with Couturier opposed.

B. *ZONE 2025-0020. Applicant: John Edward Williams, 169 Spur Road, Tax Map L, Lot 45-H, located in the Residential Low Density (R-20), requests a Variance from Section 170-12(B) to allow for the building of a single-family residence within the front and side setbacks.

FX Bruton, Bruton and Berube presented the item. He described the location and the site. He described the proposal to remove the existing shed. He described the existing impervious surface on site and the plans to turn it into buffer vegetation. The lot will go from 50% to 24% impervious surface after the house is razed and the new proposal is in place. He explained the trade off of losing impervious surface by adding a garage within the footprint of the structure, but affects the setbacks due to the increase size. This is the reason for the variance request.

He addressed the variance criteria noting the character of the neighborhood will not be affected and the property will be improved. The tidal setback and flood hazard zone will be maintained. The encroachments will improve from what exists now. There is no benefit to the public by denying the variance. Surrounding property values will not be diminished as the lot will be improved. The lot is unique in that it is a relatively small lot, is not very deep due to the river and is almost covered in the back with the flood hazard zone. That will be addressed by the removal of the pavement and the addition of vegetation.



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Mr. Bruton addressed board comments and questions relating to the amount of feet of encroachment into the front setback, drainage and easements.

Public Hearing opened:

Deena Mottola, 171 Spur Rd, abutter is in favor of the proposal.

Planning Department input:

As the side setback relief is a moot point in this case, we must only scrutinize the front build-to-line relief request. Staff believes the driving factor in seeking that relief is the existence of a recognized AE (1% event) Flood Hazard Zone which covers a significant portion of the property's rear. Though the provided plans do not show the flood zone's boundary, for reference, the existing home, for all intents and purposes, directly abuts the AE Flood Zone, which then runs largely parallel with the existing home. Due to the presence of a Flood Zone on the property, staff would make the argument that impacting the front build-to line is less substantial than is impacting the existing AE Flood Hazard Zone. 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 with the following conditions:

1. Planning Board approval of an Environmental Conditional Use permit for impacts to the Conservation District, which first requires Conservation Commission review;
2. Planning Board approval of an Environmental Conditional Use permit for impacts to the Wetland Protection District, which first requires Conservation Commission review; and
3. Approval of a NHDES Shoreline permit or a written statement from NHDES stating the permit is not needed.

P. Crouser mentioned a possible, additional condition to implement the vegetation shown on the plan.

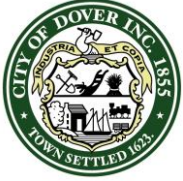
Sam Hayden, project scientist with Hayley Ward addressed the landscape plan and native vegetation.
Public hearing closed

Motion: Sillitta moved to grant the variance as presented as it meets the five criteria with the conditions set forth by staff and the additionally:

4. The maximum distance of encroachment into the front setback is up to 3.3 feet or to allow what is depicted on the plans and to be generally consistent with the landscaping noted on the plans.

Brown seconded. Vote: U/A

C. *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.



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FX Bruton, Bruton and Berube and Steve Haight, CivilWorks presented the item. Mr. Berube explained there was a building on site that was torn down with the intent to be restored, but the contractor had some difficulty completing that so now the house is gone.

He described the zone and the parcel. The intent of the parcel will be restricted in use to a Comcast switching station with a parking area so it can be maintained occasionally. The facility will not have anyone present on a regular basis.

The lot will be reduced below the minimum and the back area will not be used for the facility which will be close to the road. The larger than usual setbacks will be maintained.

He addressed the criteria stating the proposal is not in opposition to public interest, the size of the lot will not change the intended use, the facility will be screened from public view, the use is a permitted use in the IT zone, this will provide orderly development and benefit the public interest for Comcast users, there is no public benefit by denying the variance, surrounding property values will not be diminished, the lot is unique as it is surrounded by “Liberty”, and there are steep slopes around it which would be difficult to develop. This lot is at the end of the IT zone near the small, residential lots.

Public Hearing opened:

Mr. Bruton answered board inquiries relating to environmental effects or history of impacts around these units.

Mr. Haight addressed the comment and explained what a switching station does.

Staff addressed board inquiry relating to use of the property if, in the future, these stations are not necessary.

Planning Department input:

The applicant argues that given the nature of the proposed use on the property, in addition to the characteristics of the surrounding area, that requiring the new lot to contain 2 acres of area is unreasonable in this case and offers no additional benefit to the public vs. permitting the 1.3- acre lot. Staff agrees with the applicant’s analysis and emphasizes the following points:

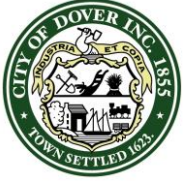
1. Underlying IT district setback values remain unchanged, with or without variance relief, meaning the applicant could situate the proposed building and parking just as close to abutting properties on a 1.3-acre parcel as he could on a 2-acre parcel;
2. Given the unique characteristics associated with the proposed use, namely the proffered lack of personnel/activity outside of maintenance on the facility itself, staff does not see any reasonable public gain to be had from denying the variance request.

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 with the following condition:

1. (For future Site review considerations) This variance approval is based upon the purported use of a Public Utility which will have zero regular employees, customers, or other traffic, outside of routine or as-needed maintenance on the proposed facility itself.

Public hearing closed.



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Motion: Couturier moved to grant the variance as presented with the condition set by staff as it meets the criteria. Sillitta seconded.

Vote: U/A

4. OTHER BUSINESS

P. Crouser has some training materials for the board members.

5. ADJOURN

Motion: Onufry moved to adjourn at 9:17pm. Couturier seconded. Vote: U/A

DRAFT



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VIA EMAIL AND HAND DELIVERY

July 18, 2025

Zoning Board of Adjustment
City of Dover
288 Central Ave
Dover, NH 03820

Re: Request for Rehearing Pursuant to RSA 677:2
Case No.: ZONE-2024-0045
9 Maple Street – Tax Map 3, Lot 66
Simon D. J. Macalister – Applicant

Dear Chairman Prior and Members of the Board:

As you know, this office represents the interests of Sam Hewitt, the owner of 5 Maple Street, which directly abuts the Applicant's property in the above-captioned matter. On June 19, 2025, the Board, for the second time, granted a special exception allowing the Applicant to convert a historic single-family home into a four-family building. For the reasons set forth herein, Mr. Hewitt submits that the Board has once again granted the special exception in contravention of the City's regulations and requests that the Board grant the within Request for Rehearing to reconsider the application under the correct legal standards. The Board may grant such rehearing if in its opinion good reason is stated in this request. See RSA 677:2.

The Board should grant this Request for Rehearing to correct several errors. The rehearing process "is geared to the proposition that the board of adjustment shall have a first opportunity to correct any action it has taken, if correction is necessary, before an appeal to the court is filed." *Fisher v. Town of Boscawen*, 121 N.H. 438, 440 (1981). The statutory scheme is based upon the principle that the local board should have the first opportunity to pass upon any alleged errors in its decisions so that the court may have the benefit of the Board's judgment in hearing the appeal. *Id.*

Following the first approval in December 2024, the Board granted Mr. Hewitt's rehearing request because it was clear from the Applicant's plan submission that, among other deficiencies, the lot lacked sufficient area to be eligible for a special exception pursuant to Dover Zoning Ordinance Section 170-14. The Applicant's property is located in the Urban Density Multi

Residential District (RM-U). Per the Zoning Ordinance, the minimum lot size in the RM-U is 10,000 square feet and “Conversion of existing dwelling to accommodate not more than 4 units” requires a special exception.

As you recall, the Applicant’s original site plan listed the lot area as 9,978 square feet. The Applicant submitted an “updated conditions plan” 14 days prior to the June 19, 2025 hearing—a clear violation of the City’s 21-day submission requirement—now showing that the lot contains exactly 10,000 square feet. To achieve the new area calculation, the revised plan reflects “new survey corners” that move the entire property nearly five feet further north. While this revised plan demonstrates the necessary area, it shows encroachments by the Applicant on abutting properties, something municipal boards lack the authority to approve. Additionally, because the project includes an existing structure, simply shifting the lot lines without redrawing the building plan on the new survey means the plan the Board approved does not reflect the lot and improvements as they will actually exist on the lot. The plan revision presently does not accurately reflect the parking area location, landscape buffers, side buffer, etc., all of which are prerequisites of approval.

“In applying for a special exception, the applicant has the burden of presenting sufficient evidence to support a favorable finding on each of the requirements for a special exception.” *Jensen’s, Inc. v. City of Dover*, 130 N.H. 761, 765 (1988). “It is generally recognized in this State that, in considering whether to grant a special exception, zoning boards may not vary or waive any of the requirements as set forth within the zoning ordinance.” *New London Land Use Assoc. v. New London Zoning Board*, 130 N.H. 510, 517–18 (1988). “In addition, there must be sufficient evidence before the board to support favorable findings on all of the ordinance’s requirements.” *McKibbin v. City of Lebanon*, 149 N.H. 59, 61 (2002).

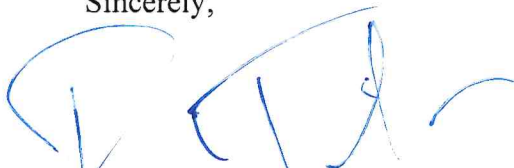
As raised in Mr. Hewitt’s previous motion for rehearing, the Applicant has not demonstrated the proposal complies with special exception criterion B, namely, “Off-street parking, in accordance with Chapter 153, Site Review Regulations, shall be provided as to avoid vehicles backing into the street. Two parking spaces per unit shall be required.” In this case, the only turning radius templates the Board considered were presented by Mr. Hewitt and they indicate that a passenger car will be unable to maneuver on this site without driving on the landscape buffer and backing into traffic. While boards can rely on “personal knowledge of certain factors in reaching its decision, its decision must be based on more than the mere personal opinion of its members.” *Continental Paving, Inc. v. Town of Litchfield*, 158 N.H. 570, 574 (2009). Here, the Applicant failed to present sufficient evidence to counter the uncontroverted evidence provided by Mr. Hewitt. See *id.* One glaring issue is that the revised plan, as noted, does not show the true location of the existing building and therefore the new buildings and appurtenances are also not correct. There is no way the Board could have sufficiently made the required findings while relying on an inaccurate plan. The Applicant clearly failed to meet its burden of proof, and the application should be denied upon rehearing unless the record is augmented to demonstrate criterion B has been met.

Finally, the Board should not abdicate its duty to approve or disapprove this Application to the Technical Review Committee. In this case, the Applicant is building off of an existing building that will not be moving. The revised lot lines result in ~5 fewer feet on the southern boundary.

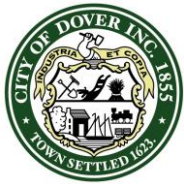
Since the Applicant has not submitted a plan showing the proposed building on the actual lot, the Board could not make findings regarding the ability of the Property to accommodate the proposed building, meet buffer requirements, or provide sufficient parking in the parking area located along the southern boundary. Instead, the ZBA merely acknowledged that TRC and the Planning Board would be able to further review the project. Under the Zoning Ordinance, TRC review is prerequisite prior to Planning Board review for many applications; however, it is generally nonbinding and advisory. Furthermore, TRC hearings generally lack public input in favor of comments from City staff. The ZBA cannot cede its authority under state law and the Zoning Ordinance to an advisory committee. The Board could consider information gleaned from a TRC session in making the final decision, but the Ordinance requires the Zoning Board of Adjustment, not the Planning Board or TRC, to make the necessary findings for the requested special exception. As presently constituted, the Board is improperly relinquishing its duty and authority to issue the final ruling to the TRC.

For the foregoing reasons, Mr. Hewitt respectfully requests that this Board grant this Request for Rehearing to reconsider its decision granting the special exception.

Sincerely,

A handwritten signature in blue ink, appearing to read "Roy W. Tilsley Jr.", with a stylized flourish at the end.

Roy W. Tilsley Jr.



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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, August 21, 2025
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INTENT: This is a subsequent rehearing request pursuant to the approval 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-2024-0045R

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. Matter tabled on 5/15/2025. Final approval 6/19/2025.

PLANNING BOARD APPROVAL REQ.: Yes

ATTACHMENTS: Site Plan, Narrative, Application

STAFF RECOMMENDATION: Staff recommends denying the rehearing request.

BACKGROUND INFORMATION

The property subject to this rehearing request is located at 9 Maple St. and resides within the Urban Density Multi Residential (RM-U) District. Following numerous prior meetings, this Board granted a Special Exception, with conditions, for the conversion of the existing single-family home into a 4-family dwelling on June 19, 2025.

The Appellant requests a rehearing on this matter based upon assertions that evidence was submitted two weeks in advance of the June 19, 2025 hearing instead of three, that the Board lacked sufficient evidence to make rulings on the applicable Special Exception criteria, and effectively abdicated its regulatory authority to the City's Technical Review Committee with regard to vehicular parking and maneuverability concerns.

Each of these points were discussed at length during the June 19, 2025 hearing, and thus, as no new evidence or novel arguments were presented in Appellant's July 18, 2025 rehearing request, Staff sees no merit in granting the rehearing request.

STAFF RECOMMENDATION

Each factual assertion made within the July 18, 2025 rehearing request were made either explicitly or constructively during the June 19, 2025 hearing, and as such, Staff fails to see any credible basis for the granting of a rehearing as the Board has previously discussed each claimed argument at length, subsequently moving for and approving the Special Exception.

Appellant first argues that the Applicant's updated conditions plan was only uploaded 14 days in advance of the hearing in "...clear violation of the City's 21-day submission requirement..." with the allegation that the Appellant, the Board, the public, or all, were disadvantaged due to the late submission. Staff disagrees. Not only was the amended plan provided to the Appellant in compliance with the notice requirements set forth in RSA 675:7, Staff personally emailed Appellant's counsel on 6/6/25 to provide it in good faith. There exists a commonly known and long-standing legal doctrine that procedural defects do not automatically invalidate a board's decision unless they result in some sort of actual prejudice, which in this case, they do not, as the late submission in no way created a serious impairment of opportunity for the Appellant to take notice and participate.

It is then suggested that the amended plan created inherent zoning setback issues, as, in Appellant's own words, "...it (the amended plan) shows encroachments by the Applicant on abutting properties, something municipal boards lack the authority to approve." Staff would again disagree. Most noteworthy is the fact that the Applicant's amended plan shows no such encroachment, but rather the Appellant's own work product submitted as evidence at the June 19 hearing does. Second, potential encroachment issues are made moot as foundation

certifications for any structure additions are required as part of the City's permitting process, which are required to bear the signature of a NH Licensed Land Surveyor, which makes encroachment of a permanent structure incredibly unlikely.

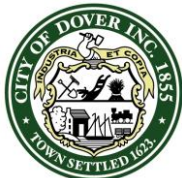
Appellant cites to the amended plan by correctly stating that "[t]he revised lot lines result in ~5 fewer feet on the southern boundary" to supposedly indicate that the deduction in square footage inherently voids all measurements attested to on the original plan. Appellant fails to mention, however, that an equal ~5 feet is simultaneously *added* to the northern boundary. As the open space dedicated to the parking lot area remains unchanged, just relocated ~5 feet to the north, it is not reasonable to conclude that the amended plan now fails to meet the Special Exception's specified criteria. Staff agrees with Appellant that best practice would suggest the Applicant should have included such details on the amended plan, but disagrees that its absence in the new plan, which simply served to show accurate lot area (the original of which being objected to in Appellant's first rehearing request) demands a rehearing when the Applicant's testimony unambiguously indicates the plan will not change, but rather the parking area will simply move northerly by 4-5 feet.

Appellant's main arguments to justify the rehearing largely revolve around criteria B and C of the Special Exception, which deal exclusively with the number of parking spaces to be provided on-site (2-per unit) and the setbacks of the parking lot itself. Staff wishes to highlight the recent passage of HB 284, which limits the ability of NH municipalities to restrict parking on a per-unit basis to no more than 1 parking space per unit. HB 284 was signed into law on July 22, 2025, with an effective date of September 13, 2025. As such, instead of the previously required eight (8) parking spaces (two per each unit), as of September 13, 2025, the City may not require any more than four (4) parking spaces total for this proposed project as a whole, making moot all of Appellant's arguments seeking to justify a rehearing, including size of spaces, vehicular turning abilities, setbacks of the parking lot itself, etc., as the Applicant's parking burden is now cut in half.

Finally, Appellant objects to the plan's review from Dover's Technical Review Committee ("TRC"), even though the TRC is that committee which ensures compliance with all parking requirements prescribed under Chapter 153, section 14, and is the sole governing body with the engineering qualifications necessary to ensure said compliance. Appellant would argue that the ZBA is forfeiting its authority to review the plan, suggesting that the TRC is "generally nonbinding and advisory" in nature, thus suggesting that any issues the TRC brings forth are unenforceable. Staff would emphasize Appellant's own aforementioned word "generally".

While it is true that the TRC can make suggestions and recommendations to projects at their discretion, fully aware that those suggestions and recommendations are unenforceable by the TRC, that fails to recognize the underlying purpose of the TRC, which is to ensure compliance with all applicable municipal land use ordinances, building codes, and fire and life safety codes. The Zoning Ordinance itself, under §56, explicitly states that all parking and loading spaces must conform with Chapter 153 (Site Review Regulations), §§ 14 and 17 (Site Development Design Criteria and Physical Arrangements respectively).

In this particular instance, and as stated on the record at several public hearings in which Appellant and his counsel have been in attendance and



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, August 21, 2025
Meeting Time:	7:00 pm

testified, compliance with Chapter 153, §§ 14 and 17 are non-negotiable. The Zoning Ordinance explicitly demands compliance with the aforementioned sections of Chapter 153, and the TRC is tasked with ensuring that projects which must comply with Chapter 153 do comply, which is a fact that has not been hidden from the public or from the Appellant or his counsel. While the notion of having experienced civil engineers, architects, and land surveyors as volunteer board members is certainly ideal in many instances, expecting such level of expertise from community volunteers is not reasonable, nor is the expectation that the Board should provide evidence of their decisions which absolutely survive the scrutiny of such expertise. This is especially plain as the City of Dover has a pre-established and long-standing procedural process whose sole responsibility is to apply such expertise to development projects to ensure their compliance with local and state land use regulations and codes.

In summation, the ZBA, on the record, reviewed all evidence presented, including the evidence provided by the Appellant, proffered their rationale as to why they felt that the criteria of the Special Exception had been satisfied, and appropriately rendered their decision, and ultimately, their approval. For these reasons, Staff recommends denial of this rehearing request.



PERMIT SNAPSHOT REPORT ZONE-2025-0024 FOR CITY OF DOVER, N.H.

Permit Type	Zoning	Project:		App Date:	07/09/2025
Work Class:	Variance	District:	None	Exp Date:	NOT AVAILABLE
Status:	In Review	Square Feet:	0.00	Completed:	NOT COMPLETED
Valuation:	\$0.00	Assigned To:	Blonigen, Rachel	Approval Expire Date:	

Description: Variance Application for Zoning Relief Article 170-50, C (1) and F (1) a, is enclosed. This variance application will allow for a monument sign to be located on a property that the business does not itself reside on and allow for more than one monument sign on a property with only one road frontage.

The monument sign is for Revo Casino which is owned and operated by Dover Gaming, LLC. The parking lot for Revo Casino is located on Tax ID 38-9-D-0, while the gaming facility itself is located on the abutting property located in Rollinsford, Tax ID: 001-002-001. Dover Gaming, LLC benefits from an access easement that extends from Central Avenue to the parking lot through the 851 Central Avenue property, Tax ID 38-6-A-0. The intent is to locate the sign within the existing access easement and secure a new sign easement for the sign.

Parcel:	38006-A00000	Main	Address:	851 Central Av Dover, NH	Main	Zone:	C(Non-Residential - Commercial)
Owner	Robert V Graham	Engineer	Amy Sanders	Applicant	Amy Sanders	Applicant	Stefan Huba
	81 Lakeview drive		50 Commercial Street Unit 2S		50 Commercial Street Unit 2S		Business: (603) 359-1823
	Nottingham, NH 03290		Unit 2S		Unit 2S		
	Mobile: (603) 479-3666		Manchester, NH 03101		Manchester, NH 03101		
			Business: (603) 222-3454		Business: (603) 222-3454		

Permit Custom Fields

ZoneVariAppealPhDisa No bility	Number of Variances 1 Requested:	ZoneVariPlanDirections 851 Central Ave, Shaws Plaza (most northerly Drive
ZoneVariPlanSummary Add a new sign for Dover Gaming, LLC (Revo Casino) on the south side of the northerly access driveway to the Shaws Plaza. This is an off property sign and an additional sign for the Shaws Plaza which only has 1 frontage. This new sign is also within 500 feet of the the existing Shaws Plaza sign to the south along Central Avenue. The sign is for land locked property (Revo Casino).	ZoneVariAppealSect 170-50, C (1) and F (1) a	ZoneVariAppealSectDe tail This variance application will allow for a monument sign to be located on a property that the business does not itself reside on and allow for more than one monument sign on a property with only one road frontage. The monument sign is for Revo Casino which is owned and operated by Dover Gaming, LLC. The parking lot for Revo Casino is located on Tax ID 38-9-D-0, while the gaming facility itself is located on the abutting property located in Rollinsford, Tax ID: 001-002-001. Dover Gaming, LLC benefits from an access easement that extends from Central Avenue to the parking lot through the 851 Central Avenue property, Tax ID 38-6-A-0. The intent is to locate the sign within the

PERMIT SNAPSHOT REPORT (ZONE-2025-0024)

existing access easement and secure a new sign easement for the sign.

What is the parcel zoned?

C

ZoneVariAppeal1Public Interest

Waiving the terms of the ordinance to allow the installation of an additional monument sign on a lot that already has a sign, and to permit that sign to advertise a business located on a separate, landlocked property with no road frontage, will not be contrary to the public interest because it supports equitable business visibility, maintains public safety, and aligns with the existing commercial setting of Central Avenue.

The sign is proposed for a property in the Commercial Zoning District along Central Avenue, a busy and highly trafficked commercial corridor. The surrounding area contains numerous and similar monument and freestanding signs identifying shopping plazas, service businesses, and retail establishments. The proposed sign will be designed to comply with applicable aesthetic and dimensional standards outlined in the zoning ordinance, including height and square footage requirements. As such, it will not create visual clutter or disrupt the corridor's character.

The business that the sign is intended to serve is located on a landlocked parcel with no direct road frontage or visibility from Central Avenue. It can only be accessed via the existing access easement. The sign provides beneficial information to the commuting public along with existing and future patrons of the business.

Allowing the sign provides a reasonable and balanced solution to a unique site constraint. It ensures that all businesses, regardless of

PERMIT SNAPSHOT REPORT (ZONE-2025-0024)

lot configuration, have an opportunity to identify their presence in a way that is safe, orderly, and consistent with Dover's commercial development patterns.

Because the sign is compatible with other signage along Central Avenue and will be constructed in full compliance with the ordinance's aesthetic and dimensional requirements, its placement will be in harmony with the public interest and the established commercial landscape.

ZoneVariAppeal2OrdinanceSpirit

The proposed deviation from the strict requirements of the zoning ordinance is consistent with the spirit of the ordinance because it upholds the core objectives of Dover's sign regulations: ensuring public safety, maintaining visual order, and promoting equitable and effective identification for commercial properties.

The spirit of the ordinance aims to balance business needs with the city's goals for a safe, attractive, and functional commercial environment. In this case, the strict application of the ordinance would prohibit a sign for a property that is uniquely landlocked, has no frontage, and is completely hidden from public view. The property has no ability to install signage on its own lot that would be visible to the public from the public right-of-way.

The proposed monument sign will be placed on the abutting lot within the existing access easement. A new sign easement can also be provided. The proposed monument sign has been professionally designed, appropriately scaled, and compliant with applicable safety and design standards, ensuring it blends into the existing streetscape without adding visual clutter or undermining the character of the area.

ZoneVariAppeal3SubstantialJustice

Granting the requested variance would do substantial justice because it will allow landlocked commercial property, which lacks any road frontage or visibility from Central Avenue, to reasonably identify its location and attract customers in a manner consistent with neighboring businesses.

Due to its lack of road frontage, the business located on this lot is inherently disadvantaged in terms of visibility and wayfinding, especially in a busy commercial corridor like Central Avenue, where signage is essential for attracting customer traffic and ensuring safe and efficient access.

The monument sign will be appropriately scaled, professionally designed, and placed to maintain sight lines and public safety, ensuring no negative impacts to traffic or pedestrians. It will not create sign clutter, as it aligns with the existing commercial character of the area.

Denying the variance would impose an unnecessary hardship on the landlocked property owner by preventing reasonable business identification and visibility, despite the property's lawful use and its reliance on a shared access point. No public purpose would be served by such a restriction, and the denial would offer no corresponding benefit to the public.

Therefore, granting the variance does substantial justice by balancing the ordinance's regulatory intent with the property owner's right to fair and reasonable use of signage to support their

PERMIT SNAPSHOT REPORT (ZONE-2025-0024)

business, particularly in a dense, commercially zoned area where visibility is essential and signage is customary.

ZoneVariAppeal4Prope
rtyValue

The installation of the proposed monument sign will not diminish the value of surrounding properties because it is consistent with the established commercial character and development patterns of Central Avenue, a high-traffic, commercially zoned corridor in the City of Dover.

The sign has been professionally designed and constructed as a monument-style sign, which is visually cohesive, and commonly used in commercial areas to identify tenants and enhance visibility. It is appropriately scaled and located so as not to obstruct sight lines.

The surrounding properties consist primarily of other commercial uses, including retail centers, service providers, and restaurants—many of which already utilize similar signage. As such, the addition of this monument sign is in keeping with prevailing land use and marketing practices in the area and will not introduce a use or structure that is out of place.

Importantly, the sign serves a landlocked commercial property that lacks road frontage and is not visible from Central Avenue. Without a sign, the business cannot effectively identify its presence to the public or customers, which may impact its viability. The ability to install appropriate signage ensures that the business can be better identified and accessed. Facilitating healthy commercial activity in turn supports the overall vitality and value of the surrounding business district.

Because the sign will be compatible in appearance, function, and placement with existing commercial signage in the corridor, it will not negatively impact property values. On the contrary, enabling reasonable signage for landlocked parcels can promote business success, economic stability, and an orderly commercial environment, all of which help maintain or enhance the value of nearby properties.

PERMIT SNAPSHOT REPORT (ZONE-2025-0024)

ZoneVariAppeal5A1UnNecHardship The subject property is landlocked, with no direct frontage on Central Avenue or any other public road. Unlike other nearby properties in the Commercial Zoning District that benefit from direct visibility and signage opportunities along the roadway, this property is completely obscured from view by surrounding development and lacks a location on which a sign could legally be placed under the current ordinance and be visible from the right-of-way.

ZoneVariAppeal5A2NoFairRelate The general purpose of the signage ordinance is to regulate the number, placement, and location of signs in a way that promotes visual clarity, prevents sign clutter, and ensures traffic and pedestrian safety. While these are legitimate goals, strict enforcement of the ordinance in this case would unfairly disadvantage a property that has existed for decades and has no road frontage or visibility. Applying the ordinance rigidly would deny the property any reasonable ability to identify or promote its use to the public.

Given that the sign will be a monument-style structure and will comply with safety, size, and aesthetic standards, there is no substantial public benefit in denying the variance. Conversely, the business may suffer significant hardships by remaining invisible to passing traffic along a busy commercial corridor. And

ZoneVariAppeal5A3ReasonableUse The proposed use, a professionally designed monument sign identifying a commercial business, is entirely consistent with the surrounding commercial surroundings, including the uses and signage typical of Central Avenue. It will not negatively impact neighboring properties. Instead, it provides a practical and necessary means for a landlocked business to participate in the commercial visibility essential to success amongst this busy commercial corridor.

Providing signage access in this manner represents reasonable accommodation of the property's unique limitations, while still respecting the broader intent of the ordinance. It ensures that all commercial properties, regardless of their frontage limitations, have equitable opportunities to operate successfully within the city.

ZoneVariAppeal5BNoReasonableUse

Attachment File Name	Added On	Added By	Attachment Group	Notes
Signature_Amy_Sanders_7/9/2025.jpg	07/09/2025 14:03	Sanders, Amy		Uploaded via CSS
Permit Snapshot Report.pdf	07/09/2025 14:04	Service, EnerGov		Attached by IO - ATTACH: Initial Permit Snapshot

Invoice No.	Fee	Fee Amount	Amount Paid
INV-2025013170	Planning Zoning Variance Application Fee	\$200.00	\$200.00
Total for Invoice INV-2025013170		\$200.00	\$200.00
Grand Total for Permit		\$200.00	\$200.00

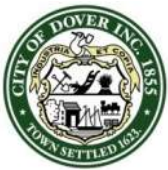
Submittal Name	Status	Received Date	Due Date	Complete Date	Resubmit	Completed
Planning Permit Application Review v.1	In Review	07/14/2025	07/31/2025		No	No
Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Zoning Administrator	Planning	Crouser, Paul	In Review	07/14/2025	07/31/2025	

Workflow Step / Action Name	Action Type	Start Date	End Date
Review v.1		07/14/2025 10:35	
Confirm application complete v.1	Generic Action		07/14/2025 10:35
Planning Permit Application Review v.1	Receive Submittal	07/14/2025 0:00	

Zoning Board v.1

PERMIT SNAPSHOT REPORT (ZONE-2025-0024)

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: Dover Gaming, LLC Phone # 603-359-1823

Address of Applicant: 887 B Central Avenue, Dover, NH 03820

E-Mail Address: StefanHuba@p2e.com

PROPERTY OWNER (if different from applicant): Essential Properties, LLC

Address: 304 Maplewood Avenue, Portsmouth, NH 03801 Phone # 603-479-3666

E-Mail Address: Rob Graham email: Rob@graham-consult.com

PROPERTY/PARCEL INFORMATION

Address: 851 - 881 Central Avenue

Brief Directions: Northern access driveway to the Shaws Plaza property.

Zoning District: C Assessor's Map # 38-6-A-0 Lot(s) # _____

TYPE OF APPEAL: (Please check one)

☒ Variance from Section 170-50 C (1) & F (1)a of the Zoning Ordinance
☐ Physical Disability Variance (RSA 674:33-V) from Section _____ of the Zoning Ordinance
☐ Special Exception per Section _____ of the Zoning Ordinance
☐ Appeal of Administrative Decision regarding Section _____ of the Zoning Ordinance
☐ Equitable Waiver per Section _____ of the Zoning Ordinance

DESCRIBE BRIEFLY YOUR PLANS FOR THE PROPERTY:

Add a new sign for Dover Gaming, LLC (Revo Casino) on the south side of the northerly access driveway to the Shaws Plaza. This is an off property sign and an additional sign for the Shaws Plaza which only has 1 frontage. This new sign is also within 500 feet of the the existing Shaws Plaza sign to the south along Central Avenue.

VARIANCE REQUIREMENTS

THIS SECTION TO BE COMPLETED BY VARIANCE APPLICANTS ONLY

A. Variance Requested

A variance is requested from Section(s) ^{170-50 C} (1) & F (1)a of the Zoning Ordinance to permit:

This variance application will allow for a monument sign to be located on a property that the business does not itself reside on and allow for more than one monument sign on a property with only one road frontage. The monument sign is for Revo Casino which is owned and operated by Dover Gaming, LLC. The parking lot for Revo Casino is located on property ID 38-9-D-0, while the gaming facility itself is located on the abutting property located in Rollinsford, Tax Map 1 Lot 2-1. Dover Gaming, LLC benefits from an access easement that extends from Central Avenue to the parking lot through the 851 Central Avenue property (ID 38-6-A-0). The intent is to locate the sign within the existing access easement and secure a new sign easement for the sign.

Please demonstrate compliance with the following:

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

See attached.

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

See attached.

3. Granting the variance would do substantial justice because:

See attached.

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

See attached.

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:

See attached.

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:

See attached.

and

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

See attached.

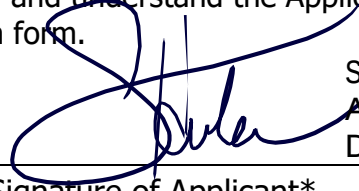
OR

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.



Stefan Huba
Authorized Signer
Dover Gaming, LLC

Signature of Applicant*

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 Owner* Michael Grondahl, Authorized Signer
Essential Properties, LLC

*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: Michael Grondahl Date: 07/08/2025

Michael Grondahl, Authorized Signer
Essential Properties, LLC

Zoning Variance Attachment – Property ID 38-6-A-0, 851 Central Avenue Variance Article 170-50, C (1) and F(1)a

This variance application will allow for a monument sign to be located on a property that the business does not itself reside on and allow for more than one monument sign on a property with only one road frontage. The monument sign is for Revo Casino which is owned and operated by Dover Gaming, LLC. The parking lot for Revo Casino is located on Tax ID 38-9-D-0, while the gaming facility itself is located on the abutting property located in Rollinsford, Tax ID: 001-002-001. Dover Gaming, LLC benefits from an access easement that extends from Central Avenue to the parking lot through the 851 Central Avenue property, Tax ID 38-6-A-0. The intent is to locate the sign within the existing access easement and secure a new sign easement for the sign.

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

Waiving the terms of the ordinance to allow the installation of an additional monument sign on a lot that already has a sign, and to permit that sign to advertise a business located on a separate, landlocked property with no road frontage, will not be contrary to the public interest because it supports equitable business visibility, maintains public safety, and aligns with the existing commercial setting of Central Avenue.

The sign is proposed for a property in the Commercial Zoning District along Central Avenue, a busy and highly trafficked commercial corridor. The surrounding area contains numerous and similar monument and freestanding signs identifying shopping plazas, service businesses, and retail establishments. The proposed sign will be designed to comply with applicable aesthetic and dimensional standards outlined in the zoning ordinance, including height and square footage requirements. As such, it will not create visual clutter or disrupt the corridor's character.

The business that the sign is intended to serve is located on a landlocked parcel with no direct road frontage or visibility from Central Avenue. It can only be accessed via the existing access easement. The sign provides beneficial information to the commuting public along with existing and future patrons of the business.

Allowing the sign provides a reasonable and balanced solution to a unique site constraint. It ensures that all businesses, regardless of lot configuration, have an opportunity to identify their presence in a way that is safe, orderly, and consistent with Dover's commercial development patterns.

Because the sign is compatible with other signage along Central Avenue and will be constructed in full compliance with the ordinance's aesthetic and dimensional requirements, its placement will be in harmony with the public interest and the established commercial landscape.

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

The proposed deviation from the strict requirements of the zoning ordinance is consistent with the spirit of the ordinance because it upholds the core objectives of Dover's sign regulations: ensuring public safety, maintaining visual order, and promoting equitable and effective identification for commercial properties.

The spirit of the ordinance aims to balance business needs with the city's goals for a safe, attractive, and functional commercial environment. In this case, the strict application of the ordinance would prohibit a sign for a property that is uniquely landlocked, has no frontage, and is completely hidden from public view. The property has no ability to install signage on its own lot that would be visible to the public from the public right-of-way.

The proposed monument sign will be placed on the abutting lot within the existing access easement. A new sign easement can also be provided. The proposed monument sign has been professionally designed, appropriately scaled, and compliant with applicable safety and design standards, ensuring it blends into the existing streetscape without adding visual clutter or undermining the character of the area.

3. Granting the variance would do substantial justice because:

Granting the requested variance would do substantial justice because it will allow landlocked commercial property, which lacks any road frontage or visibility from Central Avenue, to reasonably identify its location and attract customers in a manner consistent with neighboring businesses.

Due to its lack of road frontage, the business located on this lot is inherently disadvantaged in terms of visibility and wayfinding, especially in a busy commercial corridor like Central Avenue, where signage is essential for attracting customer traffic and ensuring safe and efficient access.

The monument sign will be appropriately scaled, professionally designed, and placed to maintain sight lines and public safety, ensuring no negative impacts to traffic or pedestrians. It will not create sign clutter, as it aligns with the existing commercial character of the area.

Denying the variance would impose an unnecessary hardship on the landlocked property owner by preventing reasonable business identification and visibility, despite the property's lawful use and its reliance on a shared access point. No public purpose would be served by such a restriction, and the denial would offer no corresponding benefit to the public.

Therefore, granting the variance does substantial justice by balancing the ordinance's regulatory intent with the property owner's right to fair and reasonable use of signage to support their business, particularly in a dense, commercially zoned area where visibility is essential and signage is customary.

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

The installation of the proposed monument sign will not diminish the value of surrounding properties because it is consistent with the established commercial character and development patterns of Central Avenue, a high-traffic, commercially zoned corridor in the City of Dover.

The sign has been professionally designed and constructed as a monument-style sign, which is visually cohesive, and commonly used in commercial areas to identify tenants and enhance visibility. It is appropriately scaled and located so as not to obstruct sight lines.

The surrounding properties consist primarily of other commercial uses, including retail centers, service providers, and restaurants—many of which already utilize similar signage. As such, the addition of this monument sign is in keeping with prevailing land use and marketing practices in the area and will not introduce a use or structure that is out of place.

Importantly, the sign serves a landlocked commercial property that lacks road frontage and is not visible from Central Avenue. Without a sign, the business cannot effectively identify its presence to the public or customers, which may impact its viability. The ability to install appropriate signage ensures that the business can be better identified and accessed. Facilitating healthy commercial activity in turn supports the overall vitality and value of the surrounding business district.

Because the sign will be compatible in appearance, function, and placement with existing commercial signage in the corridor, it will not negatively impact property values. On the contrary, enabling reasonable signage for landlocked parcels can promote business success, economic stability, and an orderly commercial environment, all of which help maintain or enhance the value of nearby properties.

5.

a. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship:

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

The subject property is landlocked, with no direct frontage on Central Avenue or any other public road. Unlike other nearby properties in the Commercial Zoning District that benefit from direct visibility and signage opportunities along the roadway, this property is completely obscured from view by surrounding development and lacks a location on which a sign could legally be placed under the current ordinance and be visible from the right-of-way.

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

The general purpose of the signage ordinance is to regulate the number, placement, and location of signs in a way that promotes visual clarity, prevents sign clutter, and ensures traffic and pedestrian safety. While these are legitimate goals, strict enforcement of the ordinance in this case would unfairly disadvantage a property that has existed for decades and has no road frontage or visibility. Applying the ordinance rigidly would deny the property any reasonable ability to identify or promote its use to the public.

Given that the sign will be a monument-style structure and will comply with safety, size, and aesthetic standards, there is no substantial public benefit in denying the variance. Conversely, the business may suffer significant hardships by remaining invisible to passing traffic along a busy commercial corridor. And

iii. The proposed use is a reasonable one because:

The proposed use, a professionally designed monument sign identifying a commercial business, is entirely consistent with the surrounding commercial surroundings, including the uses and signage typical of Central Avenue. It will not negatively impact neighboring properties. Instead, it provides a practical and necessary means for a landlocked business to participate in the commercial visibility essential to success amongst this busy commercial corridor.

Providing signage access in this manner represents reasonable accommodation of the property's unique limitations, while still respecting the broader intent of the ordinance. It ensures that all commercial properties, regardless of their frontage limitations, have equitable opportunities to operate successfully within the city.

**SUPPLEMENT TO SIGN VARIANCE APPLICATION
PROPERTY ID 38-6-A-0, 851 CENTRAL AVENUE
VARIANCE ARTICLE 170-50, C (1) and F (1) a
REVO CASINO AND SOCIAL CLUB**



To: Zoning Board of Adjustments, City of Dover New Hampshire
From: Stefan Huba, Chief Development Officer
Subject: Freestanding Sign Request for Revo Casino and Social Club
Location: 887b Central Avenue, Dover, NH (Commercial District)
Date: July 1, 2025

This supplement accompanies our application for a zoning variance under Article 170-50, C(1) and F(1)(b) to permit the installation of a monument sign on a property not occupied by the business it will serve and to allow a second monument sign on a lot with only one road frontage.

Revo Casino and Social Club, owned and operated by Dover Gaming, LLC, is situated on a landlocked parcel in Rollinsford (Parcel ID: 001-002-001) with its primary parking located at 887B Central Avenue, City of Dover (Parcel ID#38-9-D-0). The business relies on an access easement across 851 Central Avenue (Parcel 38-6-A-0), where the proposed sign will be located within the easement.

The proposed monument sign is a code-compliant, professionally designed structure that directly addresses the unique hardship created by our property's lack of visibility and road frontage, a condition not shared by surrounding commercial properties.

Business Visibility, Public Access & Economic Impact

Despite having over 225 feet of building frontage, our facility is set back over 700 feet from Central Avenue and is entirely obscured by three intervening commercial properties. The absence of visibility has a direct, measurable impact on our business and those we serve.

A monument sign positioned at 851 Central Avenue will:

- Improve visibility and guest access from Central Ave, Route 108;
- Eliminate confusion and unsafe traffic behavior caused by missed turns;
- Enhance the safety and clarity of wayfinding for patrons, rideshare drivers, emergency responders, and first-time guests;
- Support consistent customer traffic flow to a business that otherwise lacks a fair opportunity to promote its presence.

Without this variance, we are functionally invisible despite operating a fully permitted business and contributing meaningfully to the local economy.

Charitable Gaming Mission & Community Impact

Revo Casino and Social Club is proud to operate under New Hampshire RSA 287-D as a licensed charitable gaming facility, where returning a portion of our net proceeds to local nonprofits is central to our mission. These charitable distributions are foundational to our business model and reflect our long-standing commitment to community reinvestment.

In 2025, we anticipate charitable contributions from our Dover location alone will exceed \$3.3 million, directly benefiting dozens of nonprofit organizations serving the City of Dover, Town of Rollinsford, Strafford County and beyond. These funds provide essential support for services addressing youth development, veterans' needs, health and wellness, food security, and animal welfare. Below is a partial list of past and upcoming nonprofit beneficiaries based in Dover:

- American Legion Post 8
- Annie E. Woodman Institute
- BPO Elks #184 Dover
- Computers4Vets
- Dover Adult Learning Center
- Dover Baseball, Inc.
- Dover Football League
- Dover High School Boys Basketball Boosters
- Dover Police Charities
- Dover Rotary Charities
- Dover Youth Hockey Association
- Dover Youth Softball League
- Friends of Hyder Family Hospice House
- Loyal Order of Moose Dover
- NH Harm Reduction Coalition
- NH Pet Aid
- Victim's Inc.

Approval of the proposed sign will enhance visibility and ensure guests can reliably locate our facility, which will:

- Increased visibility through the proposed signage will:
- Ensure guests can locate our business easily and safely;
- Result in higher guest traffic and larger charitable distributions;
- Sustain and expand the reach of our nonprofit impact across the region.

Ultimately, this sign supports not just our business, it supports the many organizations and people who rely on our charitable model to meet real and urgent needs. Without proper signage, our ability to attract patrons and therefore fund charities is compromised.

Support for Local Jobs and Economic Development

Revo Casino is also a growing employer in the region, with full- and part-time staff across gaming, food and beverage, facilities, entertainment, and security. Our team includes wage-earning, salaried, and tipped employees, all of whom are directly impacted by the volume of business generated.

A monument sign at Central Avenue will:

- Stabilize and increase patron volume;
- Support consistent scheduling and earnings for staff;
- Allow continued growth of employee benefits and career pathways;
- Reinforce team morale and operational strength.

Additionally, we contribute to the vitality of Dover's retail and hospitality economy by drawing regional foot traffic to the Central Avenue corridor.

Conclusion

The variance requested is not only reasonable, but essential to address the exceptional hardship presented by our site's landlocked configuration and complete lack of road visibility. Granting the variance:

- Advances the public interest by improving safety and access;
- Upholds the spirit of the ordinance by ensuring fair, orderly signage consistent with the surrounding commercial environment;
- Supports substantial justice by preventing an undue hardship to a lawful business;
- Preserves or enhances the value of surrounding properties by supporting healthy commercial activity;
- Enables the continued success of a business with proven charitable impact and employment benefits to the community.

We respectfully request the City of Dover grant this variance and allow Revo Casino to proceed with the installation of the proposed monument sign. We are available to provide additional documentation or appear at public meetings as needed to support this application.

Best regards,



Stefan Huba
Chief Development Officer
Dover Gaming, LLC
630-359-1823 |c
StefanHuba@p2e.com

Additional Abutter Notification Information

Applicant	Dover Gaming, LLC c/o Stefan Huba 887 B Central Avenue Dover, NH 03820
Engineer	Fuss & O'Neill c/o Brian Pratt, PE 50 Commercial Street Unit 2S Manchester, NH 03101

ZONE-2025-0024

851 CENTRAL AVENUE

Property ID	Location	Owner 1	Owner 2	Owner Address 1	City	State	Zip
37024-000000	829 CENTRAL AV	THE DOVER CONDOMINIUM		1385 HANCOCK ST	QUINCY	MA	02169
37024-A00000	829 CENTRAL AV	PAPA GINOS OF AMERICA INC		600 PROVIDENCE HGY	DEDHAM	MA	02026
37024-A00001	829 CENTRAL AV	CALICO PROPERTIES LLC		304 MAPLEWOOD AVE	PORTSMOUTH	NH	03801
37024-H00000	833 CENTRAL AV	HANNAFORD BROS COMPANY	C/O SAMPSON SUPERMARKET INC	PO BOX 1000 MS 6000	RE DEPT PORTLAND	ME	04104
37024-H01000	835 CENTRAL AV	MARSKE CONDOMINIUMS	C/O THOMAS AND ANN MASSINGHAM	835 CENTRAL AVE	DOVER	NH	03820
37024-H01001	835 CENTRAL AV	STOCK REALTY TRUST LLC		839 CENTRAL AVE	DOVER	NH	03820
37024-H01002	839 CENTRAL AV	STOCK REALTY TRUST LLC		839 CENTRAL AVE	DOVER	NH	03820
37024-H01003	837 CENTRAL AV	STOCK REALTY TRUST LLC		839 CENTRAL AVE	DOVER	NH	03820
37024-H01004	837 CENTRAL AV	STOCK REALTY TRUST LLC		839 CENTRAL AVE	DOVER	NH	03820
37024-H01005	CENTRAL AV	STOCK REALTY TRUST LLC		839 CENTRAL AV	DOVER	NH	03820
37035-A00LIC	GLENWOOD AV	AMJ HOSPITALITY INC	C/O NEVILLE COMPANIES	30 KIMBALL AVE	S BURLINGTON	VT	05403
37038-000000	826 CENTRAL AV	AMJ HOSPITALITY INC	C/O NEVILLE COMPANIES	30 KIMBALL AVE	S BURLINGTON	VT	05403
37038-000LIC	GLENWOOD AV	AMJ HOSPITALITY INC	C/O NEVILLE COMPANIES	30 KIMBALL AVE	S BURLINGTON	VT	05403
38004-B00000	845 CENTRAL AV	ESSENTIAL PROPERTIES LLC		304 MAPLEWOOD AVE	PORTSMOUTH	NH	03801
38005-000000	863 CENTRAL AV	DDM NH LLC		166 SOUTH BLVD UNIT C	WEST SPRINGFIELD	MA	01089
38006-A00001	871 CENTRAL AV	FRIBBLE LLC		304 MAPLEWOOD AVE	PORTSMOUTH	NH	03801
38006-A00004	841 CENTRAL AV	841 CENTRAL AVENUE LLC	ATTN GLASSMAN JAMES H MANAGER	10 MEREDITH CIRCLE	NEEDHAM	MA	02492
38007-000000	869 CENTRAL AV	TSOPAS MICHAEL A TRUSTEE	MICHAEL A TSOPAS 2023 REVOCABLE TRUST	869 CENTRAL AVE	DOVER	NH	03820
38009-A00000	887 CENTRAL AV	IAN JOSEPH CAMPBELL LLC		PO BOX 77	FARMINGTON	NH	03835-0077
38009-A00001	CENTRAL AV	KNOX MARSH DEVELOPMENT LLC		242 CENTRAL AVE	DOVER	NH	03820
38009-A00002	CENTRAL AV	PROPERTICA LLC		1 BUCKSKIN LN	NORTH HAMPTON	NH	03862
38009-B00000	899 CENTRAL AV	HUEYLOCH LLC		899 CENTRAL AV	DOVER	NH	03820
38009-D00000	CENTRAL AV	DOVER GAMING LLC		887 B CENTRAL AV	DOVER	NH	03820
38010-000000	901 CENTRAL AV	WHITCHER PROPERTY SERVICES LLC		254 DRAKE HILL ROAD	STRAFFORD	NH	03884
38023-B00000	898 CENTRAL AV	MATTHEW MICHAEL REALTY LLC		304 MAPLEWOOD AVE	PORTSMOUTH	NH	03801
38023-D00000	892 CENTRAL AV	STONEWELL GROUP LLC		33 BAXTER ST	MEDFORD	MA	02155
38024-000000	880 CENTRAL AV	J&N COLONY DOVER AUTOBODY REALTY LLC		880 CENTRAL AV	DOVER	NH	03820
38025-C00000	1 MORIN ST	CHAPIN WARREN S	CHAPIN LAURA P	1 MORIN STREET	DOVER	NH	03820
38025-E00000	892 CENTRAL AV	STONEWELL GROUP LLC		33 BAXTER ST	MEDFORD	MA	02155
38025-M00000	882 CENTRAL AV	R A P REALTY		50 ATLANTIC AVE	SEABROOK	NH	03874
38025-O00000	890 CENTRAL AV	890 CENTRAL AVE DOVER LLC	C/O JFS MANAGEMENT LLC DUNKIN DONUTS	780 PORTSMOUTH AVE	GREENLAND	NH	03840
38028-000000	874 CENTRAL AV	ARANOSIAN OIL CO INC		557 NO STATE ST	CONCORD	NH	03301
38029-000000	860 CENTRAL AV	860 CENTRAL AVENUE CONDOMINIUMS	C/O JUDIE KEHL, MANAGING MEMBER	860 CENTRAL AV	DOVER	NH	03820
38029-000001	860 CENTRAL AV	SNOW MARK &	KEHL JUDITH	860 CENTRAL AV	DOVER	NH	03820
38029-000002	864 CENTRAL AV	DELAURIER MATTHEW		864 CENTRAL AV	DOVER	NH	03820
38033-000000	1 GLENWOOD AV	BULWARK DOVER LLC	C/O WALGREEN STORE NO 10780	PO BOX 1159	DEERFIELD	IL	60015
38006-A00000	851 CENTRAL AV	ESSENTIAL PROPERTIES LLC	C/O BRIAN PRATT, PE	304 MAPLEWOOD AVE	PORTSMOUTH	NH	03801
		FUSS & O'NEILL		50 COMMERICAL STREET UNIT 2S MANCHESTER		NH	03101

July 9, 2025

Mr. Paul R. Crouser
Zoning Administrator / Assistant City Planner
City of Dover
Planning and Community Development
288 Central Avenue
Dover, NH 03820

Re: 851 Central Avenue, Tax ID 38-6-A-0
Zoning Board of Adjustment – Sign Variance, Article 170-50, C (1) and F (1)a
Fuss & O'Neill Reference No. 20240390.A10

Dear Mr. Crouser:

On behalf of the Owner, Essential Properties, LLC and the Applicant, Dover Gaming, LLC, a Variance Application for Zoning Relief Article 170-50, C (1) and F (1) a, is enclosed. This variance application will allow for a monument sign to be located on a property that the business does not itself reside on and allow for more than one monument sign on a property with only one road frontage.

The monument sign is for Revo Casino which is owned and operated by Dover Gaming, LLC. The parking lot for Revo Casino is located on Tax ID 38-9-D-0, while the gaming facility itself is located on the abutting property located in Rollinsford, Tax ID: 001-002-001. Dover Gaming, LLC benefits from an access easement that extends from Central Avenue to the parking lot through the 851 Central Avenue property, Tax ID 38-6-A-0. The intent is to locate the sign within the existing access easement and secure a new sign easement for the sign.

Enclosures

The following materials are enclosed with this letter to complete this variance application.

- (10) copies of the Signed Variance Application (including the following)
 - Zoning Variance Attachment
 - Supplement to Sign Variance Application
 - Additional Abutter Notification Information
- (10) copies of the Zoning Plans (22"x34")
 - Zoning Overview Plan, ZP-101
 - Zoning Plan, ZP-102
- (1) copy of the Zoning Plans (8.5"x11")
 - Zoning Overview Plan, ZP-101
 - Zoning Plan, ZP-102
- (10) copies of the Proposed Sign

Mr. Paul Crouser
July 9, 2025
Page 2 of 2

The applicant requests to be added to the next available Zoning Board agenda. Please let us know if you have any questions or require additional information.

Very truly yours,



Amy R. Sanders, PE
Project Manager

ARS:BAP:mjt

Enclosures

cc w/ enclosures via email:

Stefan Huba, Peninsula Pacific

Rob Graham



signgallery
CORPORATE SIGN IDENTITY

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101 WEST RIVER RD.
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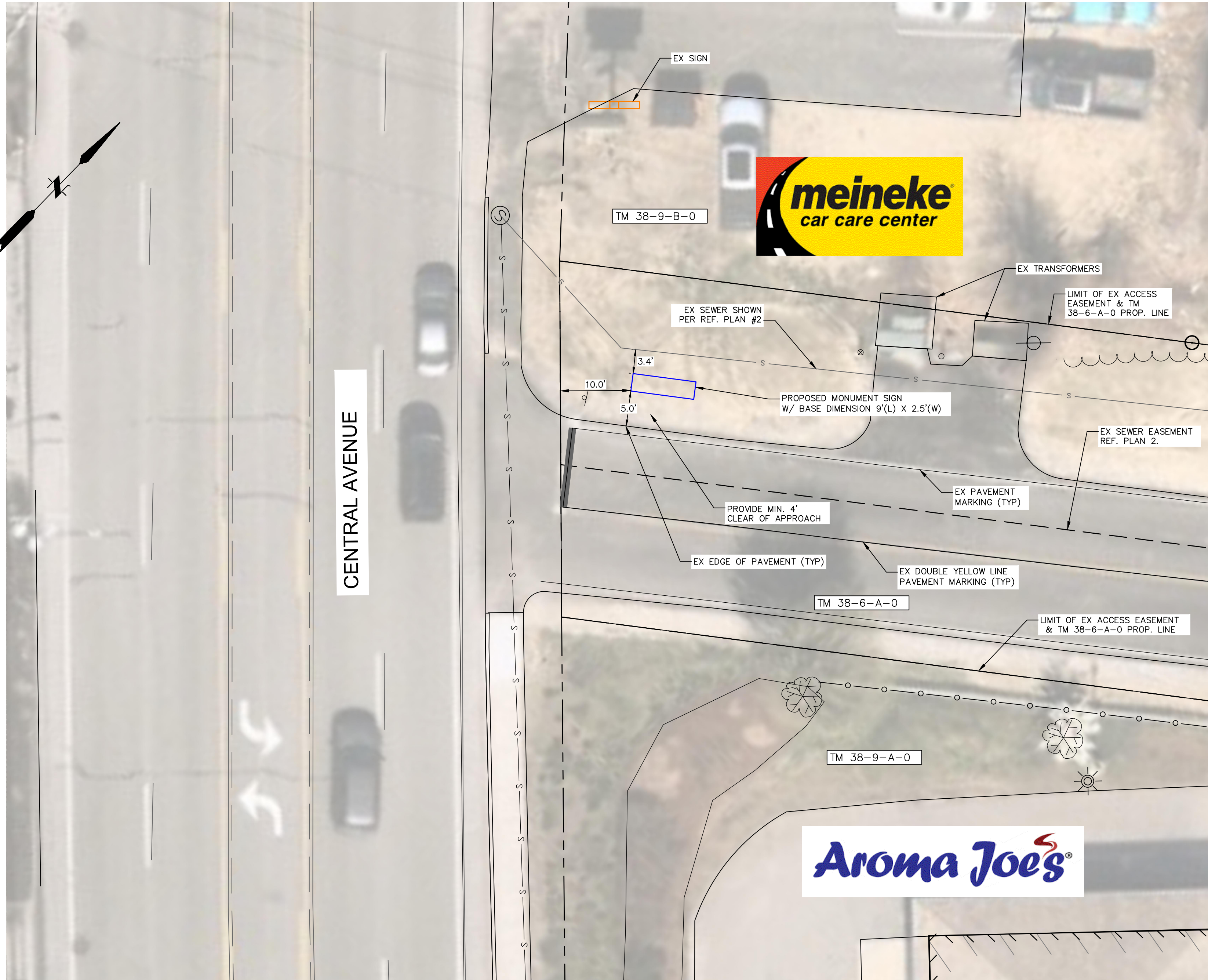


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CLIENT: REVO CASINO		DESCRIPTION:		
LOCATION: DOVER, NH		DRAWING APPROVAL:		
DATE: 3.20.25	REV.	DRAWN BY: JT	DWG. #: RCP-500	SCALE:

1. THE PURPOSE OF THIS PLAN IS TO SHOW THE PROPOSED OFF PREMISE SIGN FOR DOVER GAMING, LLC'S PROPERTY KNOWN AS TAX ID 38-9-D-0 IN DOVER, NH AND TAX MAP 1 LOT 2-1 IN ROLLINSFORD, NH. THE PROPOSED SIGN REQUIRES VARIANCES FROM THE DOVER, NH ZONING ORDINANCE, SECTIONS 170-50 C.1 AND F.1.d AS THE SIGN IS PROPOSED TO BE LOCATED ON TAX ID 38-6-A-0, OWNED BY ESSENTIAL PROPERTIES, LLC.
2. THE DOVER GAMING, LLC'S PROPERTY IS CURRENTLY USED AS A GAMING FACILITY WITH SITE ACCESS, VIA AN ACCESS EASEMENT, FROM CENTRAL AVENUE THROUGH THE ESSENTIAL PROPERTIES, LLC PROPERTY.
3. THE EXISTING SITE LAYOUT IS SHOWN ON THESE ZONING PLANS PREPARED BY FUSS AND O'NEILL, SUCH AS THE BUILDING, CANOPIES, LEAN TO, PORCH, EDGE OF PAVEMENT, PAVEMENT MARKINGS AND LIGHTING ARE SHOWN PER APRIL 23, 2023 AND APRIL 2025 NEARMAP AERIAL IMAGERY. THE PROPERTY BOUNDARY IS SHOWN PER REFERENCE PLAN #1.
4. THE PHYSICAL ASPECTS OF THE GROUND OR BOUNDARY SURVEY HAS BEEN PERFORMED BY THIS OFFICE. FUSS AND O'NEILL MAKES NO WARRANTY AS TO THE ACCURACY OF THE INFORMATION PROVIDED.
5. A FIELD VISIT WAS CONDUCTED AND PHOTOS WERE TAKEN TO CONFIRM GENERAL CONSISTENCY WITH THE AERIAL IMAGERY, REFERENCE PLAN AND THE EXISTING CONDITIONS DEFINED ON THIS PLAN.
6. A FIELD SURVEY AND PARTIAL BOUNDARY WAS PERFORMED BY FUSS AND O'NEILL IN AUGUST 2025. THE LIMITED BOUNDARY OF ESSENTIAL PROPERTIES INC. THAT IS DEPICTED ON THIS PLAN IS BASED ON THE PARTIAL BOUNDARY BY FUSS AND O'NEILL.

1. "SITE PLAN OF DOVER BOWL, CENTRAL AVENUE, DOVER, NH. OWNER MARK F. BOWEN & MICHAEL DOWNS, P.O. BOX 1755, DOVER, NH, PREPARED BY TERRASCAN, INC., 634 CENTRAL AVENUE, DOVER, NH 03820," DATED 12/7/88, LAST REVISED JANUARY 23, 1989.
2. "ALTA/ ACSM LAND TITLE SURVEY FOR 851 CENTRAL AVENUE LLC, CENTRAL AVENUE, DOVER, NEW HAMPSHIRE". PREPARED BY DOUCET SURVEY INC., DATED APRIL 9, 2012. LAST REVISED 5/8/2012.



signgallery
CORPORATE SIGN IDENTITY

artwork exclusive property of:
the sign gallery
101 WEST RIVER RD.
HOOKSETT, NH 03106
(603)622-7212 FAX: (603)622-7221

N.T.S.

SCALE:	HORIZ.: 1" = 10'
	VERT.: -
DATUM:	
	HORIZ.: -
	VERT.: -



GRAPHIC SCALE

**FUSS &
O'NEILL**

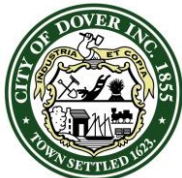
50 COMMERCIAL STREET
MANCHESTER, NH 03101
603.668.9223
www.fando.com

TM 38-G-A-0, 851 CENTRAL AVE
TM 38-S-D-0, 887 B CENTRAL AVE
DOVER GAMING, LLC

ZONING PLAN
SIGN VARIANCE

DOVER NEW HAMPSHIRE

ZP-102



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, August 21, 2025**
Meeting Time: **7:00 pm**

INTENT: The applicant seeks a Variance from **Sections 170-50-C(1) and 170-50-F(1)a**, to allow for a monument sign to be located on a property that the business does not itself reside on and allow for more than one monument sign on a property with only one road frontage.

UNITS PROPOSED: N/A

AGENDA ITEM: 3-B

ZONING DISTRICT: Commercial (C) District

FILE: ZONE-2025-0024

APPLICANT: Fuss and O'Neill o/b/o Dover Gaming, LLC

OWNERS: Essential Properties, LLC

LOCATION: 851 Central Ave. (Tax Map 38, Lot 6-A)

ACREAGE: ±15.46 acres. No change in acreage

EXISTING LAND USE: Commercial

PROPOSED LAND USE: Commercial, no change

SURROUNDING LAND USE: Commercial, Residential

PREVIOUS ZBA ACTION: Variance granted 11/8/1961 for service station sign; Variance granted 02/15/2018 for wall sign in excess of permitted area.

PLANNING BOARD APPROVAL REQ.: Not at this time

ATTACHMENTS: Application, Variance plan

STAFF RECOMMENDATION: Staff supports this variance request with conditions.

BACKGROUND INFORMATION

The property effectively seeking this variance request is located at 887B Central Avenue in Dover, but because the subject property is bisected by the boundary line of Rollinsford and Dover, the property, for all intents and purposes, resides in Rollinsford. The business benefiting from the relief of this Variance request is Dover Gaming, LLC, operating as Revo Casino in Dover.

The applicant seeks a variance for a freestanding pylon sign along Central Ave. due to the fact that it does not own any frontage along Central Ave. or any other street in any community, for that matter. As such, the Applicant, Essential Properties, LLC (“Essential Properties”) has granted Dover Gaming, LLC (“Dover Gaming”) an easement to allow for the casino’s signage to be placed on a portion of their property which has frontage along Central Ave.

The variance is required because 851 Central Ave. already has two freestanding signs on the premises, which is permitted under §170-50.F(1)(b), which states that “one freestanding sign shall be permitted for every principal entryway to a shopping center. Such signage shall be a distance of 500 feet apart.” As both primary entrances of the existing shopping center already have freestanding signage, variance relief is needed.

STAFF RECOMMENDATION

Staff recommends approval of this variance request with conditions. This particular case is unique in that the property benefiting from the sought relief is not the property applying for the variance itself which complicates the establishment of a hardship. Dover Gaming, LLC, in Staff’s opinion, has sufficiently demonstrated hardship as they own a purely commercial property which lacks any sort of means in which to advertise its use due to the property’s physical location. The complication, in this unique case, is that Essential Properties is constructively assuming Dover Gaming’s hardship since Dover Gaming cannot, by itself, remedy their hardship using their own property.

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 with the following conditions:

1. The third freestanding sign shall not exceed 60 s.f. in area and shall be subject to sign permit review and associated fees;
2. 851 Central Ave. shall not seek any additional variance for additional freestanding signs or expansions of their area; and

3. The sign shall be considered “non-conforming” and should any current or future use associated with the freestanding sign granted through this variance cease for a period of one (1) year, the sign shall be removed, or a new variance shall be applied for.



PERMIT SNAPSHOT REPORT ZONE-2025-0025 FOR CITY OF DOVER, N.H.

Permit Type Zoning	Project:	App Date: 07/11/2025
Work Class: Variance	District: None	Exp Date: NOT AVAILABLE
Status: In Review	Square Feet: 0.00	Completed: NOT COMPLETED
Valuation: \$0.00	Assigned To: Blonigen, Rachel	Approval Expire Date:

Description: Request is to locate a garage closer to the road than the 40 foot setback requirement. Currently set out as 31 ft setback, which is in line with the home next door.

Parcel: M0105-001000	Main	Address: Back Rd Dover, 03820	Main	Zone: R-40(Residential - Rural)
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Applicant Matt Hunt 35 New York St Dover, NH 03820 Home: (603) 781-1939 Business: (603) 781-1939 Mobile: (603) 781-1939	Applicant Justin Heald 180 Locust St Ste 2 Ste 2 Dover, NH 03820 Business: (603) 664-5040 Mobile: (603) 396-0996
---	---

Permit Custom Fields

ZoneVariAppealPhDisa No bility	Number of Variances Requested: 1	ZoneVariPlanDirectionsIn between 389 Back Road and 321 Back Road
ZoneVariPlanSummary Construct a single family home with detached garage	ZoneVariAppealSect 40 foot required setback from road.	ZoneVariAppealSectDe The standard requirement is for a setback of 40 feet for any structure, from the road. However, though the lot is over 3 acres, most of it is considered to be wetlands or wetland buffer zone, leaving only a very small area which is buildable. In order to fit the home and garage onto the lot, we would need the garage to be 31 feet from the road, not 40. This site design was based on the existing home, 321 Back Road, which is close to the proposed site, having a similar setback of 31 feet, per the surveyor. By keeping inline with the neighboring structure, we keep a consistent look for the area, and it prevents us from interacting with the wetlands. Additionally, this siting preserves the maximum amount of the lot in its current state as open, agricultural space, minimizing the impact of building the housing unit. consistent with the neighboring homes.
What is the parcel zoned? R-40	ZoneVariAppeal1Public Interest This will have no impact on the public traveling on the road, and will be	

PERMIT SNAPSHOT REPORT (ZONE-2025-0025)

ZoneVariAppeal2OrdinanceSpirit This still provides significant setbacks from the road, while allowing the construction of a new housing unit.

ZoneVariAppeal3SubstantialJustice As described above, this preserves the maximum character in the parcel in its current open, agricultural state, while still providing a setback from the street.

ZoneVariAppeal4ProportionalityValue This will be consistent with the adjacent parcel

ZoneVariAppeal5A1UnNecHardship Due to the limited amount of buildable space, as dictated by the wetlands aspect, this provides the best possible use of this parcel, as pertains to constructing a new housing unit.

ZoneVariAppeal5A2NoFairRelate My understanding is the intent is to provide a visual and physical separation between the road and the structure. If this variance were to be granted, there would still be a substantial setback from the road, and this would still be consistent with the adjacent structures.

ZoneVariAppeal5A3ReasonableUse It will allow construction of the housing unit, while still providing a substantial setback.

ZoneVariAppeal5BNoReasonableUse

Attachment File Name	Added On	Added By	Attachment Group	Notes
Signature_Matt_Hunt_7/11/2025.jpg	07/11/2025 11:32	Hunt, Matt		Uploaded via CSS
Permit Snapshot Report.pdf	07/11/2025 11:33	Service, EnerGov		Attached by IO - ATTACH: Initial Permit Snapshot

Invoice No.	Fee	Fee Amount	Amount Paid
INV-2025013202	Planning Zoning Variance Application Fee	\$200.00	\$200.00
Total for Invoice INV-2025013202		\$200.00	\$200.00
Grand Total for Permit		\$200.00	\$200.00

Submittal Name	Status	Received Date	Due Date	Complete Date	Resubmit	Completed
Planning Permit Application Review v.1	In Review	07/14/2025	08/11/2025		No	No
Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Zoning Administrator	Planning	Crouser, Paul	In Review	07/14/2025	08/11/2025	

Workflow Step / Action Name	Action Type	Start Date	End Date
Review v.1		07/14/2025 10:29	
Confirm application complete v.1	Generic Action		07/14/2025 10:29
Planning Permit Application Review v.1	Receive Submittal	07/14/2025 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

ZONE-2025-0025

BACK ROAD

Property ID	Location	Owner 1	Owner 2	Owner Address 1	City	State	Zip
M0092-B00000	CULLEN BAY RD	CULLEN BAY HOMEOWNERS ASSC	C/O MICHELLE TROCHALAKIS TREASURER	7 CULLEN BAY RD	DOVER	NH	03820
M0092-C00001	398 BACK RD	CYR ROBERT A	BARRY PATRICIA	398 BACK RD	DOVER	NH	03820
M0092-D00000	380 BACK RD	SMITH DAVID F &	SMITH JULIANNE M	380 BACK RD	DOVER	NH	03820
M0092-I00000	370 BACK RD	MARINO JOSEPH A		370 BACK ROAD	DOVER	NH	03820
M0100-A00000	245 BACK RD	HUNT NANCY E	HUNT WILLIAM C	245 BACK ROAD	DOVER	NH	03820
M0100-B00000	295 BACK RD	HUNT GREGORY W		295 BACK RD	DOVER	NH	03820
M0102-006000	3 EMERY LN	JOLIN CHAD	JOLIN KELSEY	3 EMERY LN	DOVER	NH	03820
M0102-006A00	389 BACK RD	DUBOIS RENE R & ELIZABETH H TRUSTEES	DUBOIS RENE AND ELIZABETH H REVOCABLE LI	389 BACK RD	DOVER	NH	03820-5006
M0105-000000	321 BACK RD	HIPPE KRISTIN LEIGH		321 BACK RD	DOVER	NH	03820
M0105-002000	303 BACK RD	BERG CHRISTOPHER D &	BERG KAREN J	303 BACK RD	DOVER	NH	03820
M0105-001000	BACK RD	HUNT MATTHEW	CAMPBELL ALANA	35 NEW YORK ST	DOVER	NH	03820
		JUSTIN HEALD	J.R. BUILDERS, LLC	180 LOCUST STM L	DOVER	NH	03820

Search Google Maps



Share



321 Back Rd

Dover, New Hampshire

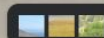


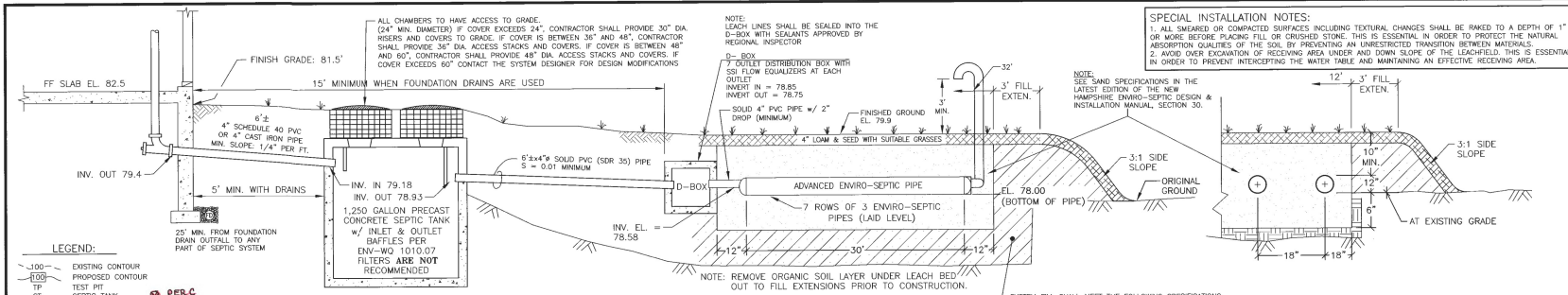
Google Street View

Sep 2019



Google





DESIGN DATA **COLLECTION SYSTEM PROFILE** **LEACH FIELD PROFILE** **LEACH FIELD SECTION**

DESIGN INTENT:
THE PURPOSE OF THIS DESIGN IS TO MAINTAIN 2' ABOVE SEASONAL HIGH WATER TABLE & 2.5' ABOVE LEACH FIELD IMPERMEABLE SUBSTRATUM BY CONSTRUCTING THE BOTTOM OF THE PIPE AT ELEVATION 78.00 WHICH IS AT EXISTING GROUND AT THE HIGHEST POINT. (HP 78.00)

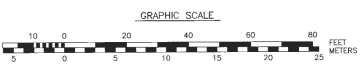
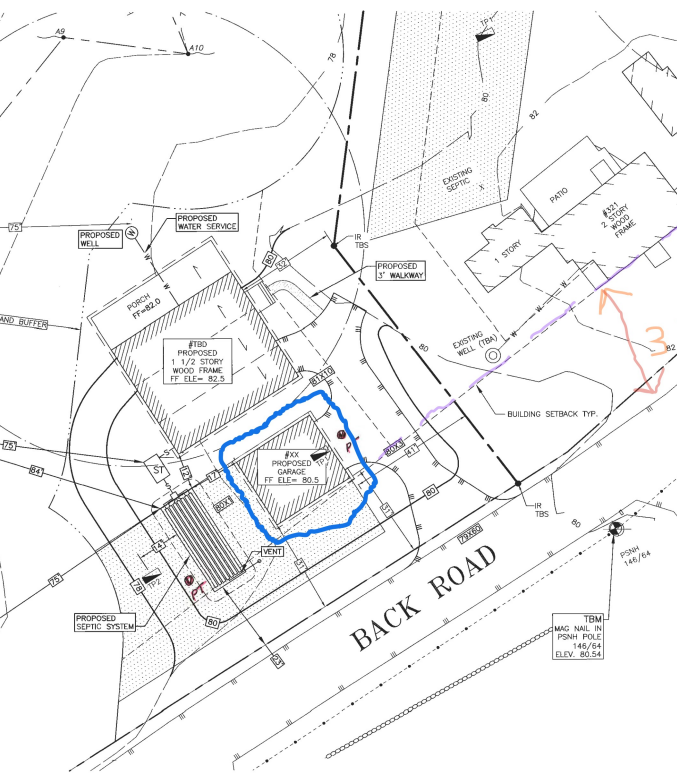
DISTANCE TO SURFACE WATER:
68'± TO HYDRIC B WETLAND
SOIL DATA:
SOIL - CIB
CHARTON FINE SANDY LOAM
3-8% SLOPE
GROUP 2
NITRATE SETBACK:
TOTAL DESIGN FLOW = < 999 GPD
(NITRATE SETBACKS FOR NON-AGGREGATE FLOWS UNDER 999)
DOWN GRADIENT 10 FT
SIDE GRADIENT 10 FT
UP GRADIENT 10 FT
LOT LOADING:
4 BEDROOM
DES SA 2013010330

SEPTIC TANK SIZE:
NHDES ENV-WO-1010.01 REQUIRES FLOWS 300-599 GPD = 1250 GALLON TANK
PROPOSED FLOW = 450 GPD = 1,250 GALLON TANK VOLUME REQUIRED.
1250 GALLON TANK IS PROPOSED

TEST PIT #1		TEST PIT #2	
Date:	05/23/24	Date:	05/23/24
Logged by:	SDR	Logged by:	SDR
ESHW:	24"	ESHW:	24"
Observed Water:	NONE	Observed Water:	47"
Restrictive layer:	30"	Restrictive layer:	32"
REFUSAL:	NONE TO 65"	REFUSAL:	NONE TO 71"
Percolation rate:	16 min./inch	Percolation rate:	16 min./inch
Roots:	NONE	Roots:	NONE
DEPTH	DESCRIPTION	DEPTH	DESCRIPTION
0-11"	10 YR 3/2 FINE SANDY LOAM, GRANULAR, FRABLE	0-13"	10 YR 3/2 FINE SANDY LOAM, GRANULAR, FRABLE
11-24"	10 YR 4/4 FINE SANDY LOAM, GRANULAR, FRABLE	13-24"	10 YR 4/4 FINE SANDY LOAM, GRANULAR, FRABLE
24-30"	2.5 Y 1/2 SILT LOAM, BLOCKY, FIRM, MASSIVE	24-32"	2.5 Y 1/2 SILT LOAM, BLOCKY, FIRM, MASSIVE
30-65"	2.5 Y 5/2 SILT LOAM, BLOCKY, FIRM, MASSIVE	32-71"	2.5 Y 5/2 SILT LOAM, BLOCKY, FIRM, MASSIVE

SPACE RESERVED FOR N.H.D.E.S.

ENVIRO-SEPTIC WASTEWATER TREATMENT SYSTEMS ARE APPROVED BY NHDES AS AN IFA IN ACCORDANCE WITH PART ENV-WS 1024. THE SYSTEM IS DESIGNED IN ACCORDANCE WITH THE ENVIRO-SEPTIC & SIMPLE SEPTIC LEACHING SYSTEMS DESIGN AND INSTALLATION MANUAL AND THE ENVIRO-SEPTIC WASTEWATER TREATMENT SYSTEMS DESIGN AND INSTALLATION MANUAL NEW HAMPSHIRE STATE ATTACHMENT.



Wetlands were delineated on the basis of hydrophytic hydrology in accordance with the techniques outlined in the National Wetlands Inventory (NWI) Manual, January 1987, as determined by using the "Field Indicators for Identifying Hydric Soils in New England, Version 3", NFWPC Wetlands Work Group (April 2004).

SPECIAL INSTALLATION NOTES:
1. ALL SMOOTHER OR COMPACTED SURFACES INCLUDING TEXTURAL CHANGES SHALL BE RAKED TO A DEPTH OF 1" OR MORE BEFORE PLACING FILL OR CRUSHED STONE. THIS IS ESSENTIAL TO PREVENT THE NATURAL ABSORPTION QUALITIES OF THE SOIL BY PREVENTING AN UNRESTRICTED TRANSITION BETWEEN MATERIALS.
2. AVOID OVER EXCAVATION OF RECEIVING AREA UNDER AND DOWN SLOPE OF THE LEACH-FIELD. THIS IS ESSENTIAL IN ORDER TO PREVENT INTERCEPTING THE WATER TABLE AND MAINTAINING AN EFFECTIVE RECEIVING AREA.
NOTE: SEE SAND SPECIFICATIONS IN THE LATEST EDITION OF THE NEW HAMPSHIRE ENVIRO-SEPTIC DESIGN & INSTALLATION MANUAL, SECTION 30.
NOTE: LEACH LINES SHALL BE SEALED INTO THE D-BOX WITH SEALANTS APPROVED BY REGIONAL INSPECTOR.
NOTE: REMOVE ORGANIC SOIL LAYER UNDER LEACH BED OUT TO FILL EXTENSIONS PRIOR TO CONSTRUCTION.
SYSTEM FILL SHALL MEET THE FOLLOWING SPECIFICATIONS:
MEDIUM TO COARSE TEXTURED SAND, WITH AN EFFECTIVE SIZE OF 0.25 TO 2.0 MM, NO GREATER THAN 5% PASSING THE #200 SIEVE, AND NO PARTICLES LARGER THAN 5/4 INCH, OR MATERIALS MEETING THE ASTM C-33 SPECIFICATION.

CONSTRUCTION NOTES:
1) GRAVITY SEWER PIPE TO BE 4" SCH 35 OR SCH 40 PVC WITH SEALED JOINTS. ALL VENT PIPES SHALL BE 4" SCH 40 UNLESS DIRECTED BY DESIGNER.
2) SEPTIC SYSTEM MUST BE 75' FROM PRIVATE WELLS, SURFACE WATER, OPEN DRAINAGE INTERCEPTING THE S.H.W.T. OR VERY POORLY DRAINAGE WETLANDS, AND 50' FROM POORLY DRAINAGE WETLANDS. SYSTEM MUST BE 10' (TANK) & 25' (FIELD) FROM A PRESSURE WATER LINE & 50' (TANK & FIELD) FROM A SUCTON WATER LINE.
3) UNARMED PUMP LINES, PIPES UNDER WHEEL LOADS, OR PIPES UNDER AREAS WITHOUT SNOW COVER SHALL BE BURIED AT LEAST 4" TO PREVENT FREEZING OR SHALL BE INSULATED WITH 2" RIGID INSULATION.
4) UNDER NO CIRCUMSTANCES SHALL VEHICLES TRAVEL OVER OR NEAR ANY SEPTIC SYSTEM COMPONENT, UNLESS DESIGNED FOR AHD TO H-20 LOADING.
5) DISTRIBUTION BOXES AND DRAIN SUMPS SHALL BE BROUGHT UP TO FINISH GRADE WITH MANHOLE RINGS AND COVERS AS NECESSARY.
6) AN INSPECTOR DETERMINED BY THE DESIGNER SHALL BE PRESENT DURING FILL PLACEMENT UNDER SYSTEM AREA AT ANY TIME DURING THIS TASK THE INSPECTOR MAY TAKE FILL SAMPLE(S) AT HIS/HER DISCRETION FOR SIEVE ANALYSIS TO VERIFY THE CONTRACTOR'S SUBMITTALS.
7) THE DISTRIBUTION BOX SHALL HAVE FLOW EQUALIZERS INSTALLED IN THE OUTLET PORTS.
8) IF NEEDED THE SITE CONTRACTOR SHALL HAVE A LICENSED LAND SURVEYOR TO STAKE THE LEACH FIELD LOCATION AND THE PROPERTY LINE IN THE AREA OF THE EDS. THE SURVEYOR SHALL SET THE TIE AND BENCH MARKS STATED ON THIS PLAN WHICH SHALL REMAIN UNTIL THE NHDES REGIONAL INSPECTOR HAS INSPECTED THE EDS.
9) STUMPS MAY BE BURIED ON THE SITE THEY WERE GENERATED ON PROVIDED THEY ARE 75' DOWN SLOPE FROM THE LEACH BED AND 75' FROM THE WELL, AND THE PROPERTY FORM IS SUBMITTED TO N.H.D.E.S., WASTE MANAGEMENT DIVISION.
10) THESE PLANS MAY BE A PART OF A LARGER CONSTRUCTION SET. THE CONTRACTOR SHALL HAVE THE ENTIRE APPROVED SET ON-SITE PRIOR TO THE START OF CONSTRUCTION.
11) COMPACTION OF THE DISPOSAL FIELD AREA SHALL BE AVOIDED. IF COMPACTION OCCURS FOLLOW INSTRUCTIONS ON SPECIAL INSTALLATION NOTE #1.
12) FINAL GRADING OVER THE LEACH FIELD SHALL BE SUCH THAT SURFACE WATER (RAINFALL) WILL DRAIN AWAY FROM THE DISPOSAL AREA.

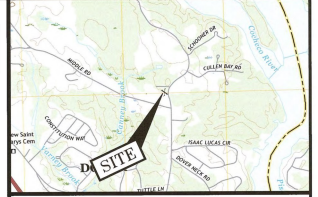
DIRECTIONS TO SITE:
FROM FOLLOW NH-16 N/US-4 W TO DOVER POINT ROAD. HEAD NORTHWEST TOWARD ROUTE 1 BYPASS SOUTH EXIT TRAFFIC CIRCLE ONTO NH-16N/US-4 W/SPAUDLING TURNPIKE N HEADING TO SPAULDING TURNPIKE/CONCORD/ROCHESTER, CONTINUE TO FOLLOW NH-16 N/US-4W. USE THE RIGHT LANE TO TAKE THE EXIT TOWARD US-4. LIGHT RIGHT ONTO THE RAMP TO DOVER. USE THE LEFT LANE TO MERGE ONTO US-4. CONTINUE STRAIGHT ON US-4. FOLLOW DOVER POINT ROAD AND MIDDLE ROAD TO BACK ROAD.

BENCHMARK:
TBM MAG NAIL IN PSNH POLE 146/64 ELEV. 80.54
DATUM: NAVD 88-MEAN SEA LEVEL BY GPS OBSERVATION

APPROVALS:
SUBDIVISION: SA 2013010330
SEPTIC: PENDING

City of Dover, NH
Community Services Department
Engineering Division
Received: 3/24/25 Reviewed: 4/3/25
Reviewer: KK

APPROVED



LOCATION MAP 1" = 2000'

- NOTES:**
- 1) PROPOSED FLOW: 4 BEDROOM RESIDENCE 3000GPD + 1500GPD FOR EACH BEDROOM OVER 2, 3000GPD + 1500GPD = 4500GPD
 - 2) PROPOSED FIELD SIZE AT 16 MINUTE PERC CONVENTIONAL EFFLUENT DISPOSAL AREA: 1,010 S.F. ADVANCED ENVIRO-SEPTIC REQUIRED LENGTH: 210 FEET 210 FEET OF ENVIRO-SEPTIC PIPE PROVIDED.
 - 3) THIS PLAN IS PREPARED FOR SEPTIC SYSTEM DESIGN ONLY, IT IS NOT A BOUNDARY SURVEY.
 - 4) FOUNDATION DRAIN: SLAB ON GRADE
 - 5) PARCEL IS NOT IN A SPECIFIC FLOOD HAZARD AREA AS SHOWN ON FIRM PLAN, 33017003AD, EFF. 9/30/2015.
 - 6) ANY CHANGES TO THE SPECIFICATIONS SHOWN HEREON SHALL BE SUBMITTED TO THE DESIGNER, IN WRITING FOR APPROVAL PRIOR TO ANY CONSTRUCTION ON SAID CHANGES.
 - 7) IN THE EVENT OF SYSTEM FAILURE, REBUILD IN PLACE.
 - 8) WATER SURVEY WELL ON LOT
 - 9) THE OWNER IS RESPONSIBLE TO OPERATE THIS SYSTEM WITHIN ITS DESIGN CAPACITY. THE AVERAGE DAILY FLOW TO THE LEACHFIELD SHOULD BE NO MORE THAN 1/2 ITS APPROVED DESIGN CAPACITY FOR SUCCESSFUL OPERATION OF DISPOSAL SYSTEM. MAINTENANCE IS REQUIRED. SEPTIC TANKS SHALL BE INSPECTED FOR ACCUMULATION OF SLUDGE AND SURFACE SCUM AT LEAST ONCE EVERY YEAR. WHEN THE COMBINED THICKNESS OF THE SLUDGE AND SUBSURFACE EQUAL 1/3 OR MORE OF THE TANK DEPTH, THE TANK SHALL BE PUMPED BY A LICENSED SEPTIC TANK PUMPER. DO NOT DISPOSE BULKY WASTES, TOXIC MATERIALS, OR OIL INTO SYSTEM. DO NOT DISPOSE GREASE INTO THE SYSTEM. CLEAN SEPTIC TANK FILTER WHEN PUMPING TANK. DO NOT ALLOW VEHICLES OR UNTRUCKED ONTO SYSTEM UNLESS SPECIFICALLY DESIGNED FOR SUCH LOADS. DO NOT USE COLORED TOILET PAPER. CONSULT THE SYSTEM DESIGNER PRIOR TO PLACING ANY ADDITIONAL LOADS ON THE SYSTEM, SUCH AS KITCHEN GARBAGE GRINDERS, HOT TUBS, WHIRLPOOLS, OR BACKWASH SYSTEMS.
 - 10) THIS SEPTIC SYSTEM SHALL BE INSTALLED BY OR UNDER THE SUPERVISION OF A WAIVES LICENSED INSTALLER. INSTALLER IS RESPONSIBLE FOR PLACING THE LEACH FIELD IN LOCATION SHOWN ON THIS PLAN. WHEN PROVIDED, ANY DISCREPANCIES BETWEEN THESE PLANS AND THE APPARENT FIELD CONDITIONS SHALL BE REPORTED TO THE DESIGNER PRIOR TO CONSTRUCTION. OMISSIONS IN THE PLANS DO NOT RELIEVE THE INSTALLER OF THEIR RESPONSIBILITIES.
 - 11) CONSTRUCTION APPROVAL FOR THIS SYSTEM SHALL EXPIRE 4 YEARS FROM DATE OF ISSUE.
 - 12) ALL SYSTEMS MUST COMPLY WITH STATUTORY REQUIREMENTS OF RSA 485-A. THE INSTALLER IS RESPONSIBLE FOR VERIFYING SITE CONDITIONS. ANY DISCREPANCIES IN THE APPROVED PLAN, AND THE ACTUAL SITE CONDITIONS MUST BE REPORTED BY THE INSTALLER TO THE DESIGNER PRIOR TO CONSTRUCTION. OMISSIONS IN THE PLANS DO NOT RELIEVE THE INSTALLER OF THEIR RESPONSIBILITIES.
 - 13) WHEN EXCAVATING NEAR UNDERGROUND UTILITIES YOU SHOULD CALL DIG SAFE SYSTEM, INC. IN N.H. 811 OR (1-888-344-7233)

SEPTIC SYSTEM DESIGN		HUNT RESIDENCE	
1	3/31/25	REVISIONS PER CITY	CBA JRC
0	2/25/25	ISSUED FOR COMMENT	CBA JRC
NO.	DATE	DESCRIPTION	BY CHK.

HALEYWARD
ENGINEERS | ENVIRONMENTAL | SURVEYING
200 Guller Rd. Unit 14
Portsmouth, New Hampshire 03801
603.430.9362
WWW.HALEYWARD.COM

TAX MAP M, LOT 105 - 1
SUBSURFACE DISPOSAL SYSTEM
BACK ROAD
DOVER, NH 03820

OWNER:
MATT HUNT
45 NEW YORK STREET
DOVER, NH 03820

DATE: JUNE 2024 **SCALE:** 1" = 20'
DRAWN BY: CBA **DESIGNED BY:** JRC **CHECKED BY:** JRC
PROJECT NO: 202506.02 **FIELD BOOK #:** FB 209, PWS 1
SYSTEM TYPE: **DIG NO.:**

SHEET 2 **1**

From: Joseph Marino <joe.marino85@gmail.com>

Sent: Wednesday, August 20, 2025 9:21 PM

To: City of Dover - Planning <Dover-Planning@doover.nh.gov>

Subject: Abutter Letter - ZONE-2025-0025 Variance Request - 21AUG25 Meeting

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

August 20, 2025

Zoning Board of Adjustment

City of Dover NH

Good evening,

My apologies for not being able to attend in person, as I have work commitments this evening. This letter is in response to ZONE-2025-0025, Tax Map M, Lot 105-1, a R-40 setback variance request as presented by Matthew Hunt.

The proposed variance request raises concern as an abutter. Per the supplied approved septic document, Mr Hunt proposes two structures on this lot of land. A 1-1/2 story wood frame house and a detached garage. The placement of these structures shows an estimated 31' from the road, with approximately 12' separating the garage and house, thus needing an approx. 9' variance.

Granting a waiver of this setback variance request solely on the neighbor's home which is also set back 31' and built in 1875 is not a justifiable reason in my opinion. There has been no unique nor excruciating circumstance presented that would prevent the applicant from building a home that fits this lot properly. This variance request is self-created. The hardship should not be the result of the property owners' actions or decisions. Granting this waiver would be for the convenience of the proposed sized buildings and layout of this property.

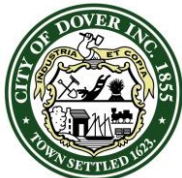
If this setback waiver is granted, it sets a precedence for all future R-40 setback variances based upon an older home when these setbacks were not required. I would hope the committee can ask specifically if other plans were evaluated. If the proposed garage were attached to the home, or redesigning the rear deck and moving the entire building plan further into the lot, it appears to eliminate the need for a variance.

I fully support Mr Hunt building his home within the guidelines of the zoning regulations in this district. Thank you for your time to be heard regarding this.

Sincerely,

Joseph Marino

370 Back Rd, Dover NH



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, August 21, 2025**
Meeting Time: **7:00 pm**

INTENT: The owner of a vacant parcel on Back Road seeks a Variance from Section 170-12.B, R-40 Table of Uses, to allow for the location of a garage to be closer to the road than the 40' setback requirement.

UNITS PROPOSED: N/A

AGENDA ITEM: 3-C

ZONING DISTRICT: Rural Residential (R-40) District

FILE: ZONE-2025-0024

APPLICANT: Matthew Hunt

OWNERS: Matthew Hunt, Alana Campbell

LOCATION: Back Road (Tax Map M, Lot 105-1)

ACREAGE: ±2.93 acres. No change in acreage

EXISTING LAND USE: Vacant lot

PROPOSED LAND USE: Residential

SURROUNDING LAND USE: Residential

PREVIOUS ZBA ACTION: None

PLANNING BOARD APPROVAL REQ.: No

ATTACHMENTS: Application, Variance plan

STAFF RECOMMENDATION: Staff endorses this variance request without conditions

BACKGROUND INFORMATION

The property seeking this variance request is located on a vacant lot along Back Rd., between 321 and 389 Back Rd. The owners are in the process of receiving permit approval for a single-family home with a detached garage, which, per the plan, is proposed to be within the required 40' front setback for accessory structures.

Per the plan, the subject parcel has a very small portion of developable area due to the large area of wetlands and wetland buffer present on the lot. As such, all buildable area not requiring an environmental CUP is isolated to the southeastern most corner of the lot.

The subject lot, as well as 303 Back Rd. were created via subdivision in 2013 from the parent parcel now located at 321 Back Rd. The subdivision's plan shows the existing house located at 321 Back Rd. as encroaching on the 40' minimum front setback. The applicant, in an effort to match his neighbor's existing front setback and to avoid environmental impacts, is seeking relief from the required 40' front setback down to a 31' front setback

STAFF RECOMMENDATION

Staff recommends approval of this variance request with conditions. In this particular case, while the current setback values were known prior to the owner purchasing this lot, it is evident that the underlying subdivision, which created this parcel in 2013, left little room in terms of avoiding a variance should the parcel be developed in accordance with the neighborhood, which it is now. The parcel is the largest of the three by over 1.5 acres, yet it has the least amount of accessible area in which to develop due to wetland/buffer constraints.

Given that the accessory garage is of reasonable size (approx. 672 s.f.) and being that most other garages in the area are indeed larger than the proposed garage, coupled with the lack of area on the subject parcel which can be developed without relief of some kind, staff is in favor of granting this variance versus the alternative, which would likely manifest as permission to cause environmental impact versus front setback impact.

Staff therefore 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.



PERMIT SNAPSHOT REPORT ZONE-2025-0028 FOR CITY OF DOVER, N.H.

Permit Type Zoning	Project:	App Date: 07/31/2025
Work Class: Variance	District: None	Exp Date: NOT AVAILABLE
Status: In Review	Square Feet: 0.00	Completed: NOT COMPLETED
Valuation: \$0.00	Assigned To: Blonigen, Rachel	Approval Expire Date:

Description: The development will be a mixed-use project with two (2) buildings each containing eighty (80) units, for a total of One Hundred Sixty (160) residential apartment units, with 100% of the units representing affordable housing and offered as HUD rent restricted housing. The applicant will also permit a pad site for a 25K SF commercial building.

Parcel: H0034-000000	Main	Address: 99 Knox Marsh Rd Dover, NH	Main	Zone: CM(Non-Residential - Commercial Manuf.
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Engineer Civilworks New England/ Haight Engineering, PLLC Stephen J. Haight, P.E. Business: (603) 749-0443	Wetlands Scientist Damon Burt 38 garland road Strafford, NH 03884 Home: (603) 969-5574 Business: (603) 969-5574 Mobile: (603) 969-5574	Owner Neil Robbins, Manager Business: (603) 430-7701 Mobile: (603) 234-7520	Applicant Francis X Bruton 601 Central Ave Dover, NH 03820 Business: (603) 749-4529
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Permit Custom Fields

ZoneVariAppealPhDisa No bility	Number of Variances 4 Requested:	ZoneVariPlanDirections Across the St. from existing Westgate Village apts
ZoneVariPlanSummary The development will be a mixed-use project with two (2) buildings each containing eighty (80) units, for a total of One Hundred Sixty (160) residential apartment units, with 100% of the units representing affordable housing and offered as HUD rent restricted housing. The applicant will also permit a pad site for a 25K SF commercial building.	ZoneVariAppealSect 170-32.(E)(1), 170-32(F) (2)(b)(2), 170-32(F)(2)(b)	ZoneVariAppealSectDe 170-32.(E)(1), 170-32(F) tail (2)(b)(2), 170-32(F)(2)(b) (2), 170-32(E)(5)(a)
ZoneVariAppeal1Public See attached narrative. Interest	ZoneVariAppeal2Ordin See attached narrative. anceSpirit	ZoneVariAppeal3Subst See attached narrative. antialJustice
ZoneVariAppeal4Prope See attached narrative. rtyValue	ZoneVariAppeal5A1Un See attached narrative. NecHardship	ZoneVariAppeal5A2No See attached narrative. FairRelate
ZoneVariAppeal5A3Re See attached narrative. asonableUse	ZoneVariAppeal5BNoR easonableUse	

Attachment File Name	Added On	Added By	Attachment Group	Notes
Signature_Francis_Bruton_7/31/2025.jp g	07/31/2025 11:01	Bruton, Francis		Uploaded via CSS
Permit Snapshot Report.pdf	07/31/2025 11:02	Service, EnerGov		Attached by IO - ATTACH: Initial Permit Snapshot

Invoice No.	Fee	Fee Amount	Amount Paid
INV-2025013386	Planning Zoning Variance Application Fee	\$800.00	\$0.00
Total for Invoice INV-2025013386		\$800.00	\$0.00
Grand Total for Permit		\$800.00	\$0.00

PERMIT SNAPSHOT REPORT (ZONE-2025-0028)

Submittal Name	Status	Received Date	Due Date	Complete Date	Resubmit	Completed
Planning Permit Application Review v.1	In Review	07/31/2025	08/04/2025		No	No
Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Zoning Administrator	Planning	Crouser, Paul	In Review	07/31/2025	08/04/2025	

Workflow Step / Action Name	Action Type	Start Date	End Date
Review v.1		07/31/2025 12:26	
Confirm application complete v.1	Generic Action		07/31/2025 12:26
Planning Permit Application Review v.1	Receive Submittal	07/31/2025 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		

RY Development, LLC

199 Knox Marsh Road

Dover, NH 03820

Map H, Lot 34

BOARD OF ADJUSTMENT APPLICATION

INTRODUCTION

RY Development, LLC (the “Applicant”) is the current owner of the property located at 99 Knox Marsh Road. The lot is depicted on the city of Dover tax maps as Map H, Lot 34 (the “Lot”) and is in both the Commercial-Manufacturing (“CM”) District and the Residential-Commercial Mixed Use (“RCM”) Overlay District. The property contains a single-family house that has been vacant for years. The Applicant is under agreement with Elm Grove Companies, a successful developer of specialized affordable housing with financing provided by the New Hampshire Housing Finance Authority (NHHFA), utilizing Low Income Housing Tax Credit (“LIHTC”) funding. The development will be a mixed-use project with two (2) buildings each containing eighty (80) units, for a total of One Hundred and Sixty (160) residential apartment units. **100% of the units will represent affordable housing and offered as HUD rent restricted housing. Providing 100% of the units as affordable housing at HUD rates will represent the largest development in Dover, aimed at addressing the existing housing crisis facing Dover and New Hampshire as a whole.** The rents will be restricted to those rents published on an annual basis by NHHFA and HUD, with the 60% AMI rent limitations for Multifamily Tax Subsidy Projects. The current rents published are attached hereto as Exhibit A. In addition to the housing, as the parcel is in the commercial zone, the applicant will also permit a pad-site for a 25K SF commercial building. The development plan for the Lot is depicted on the enclosed ZBA Sketch attached hereto as Exhibit B.

The site itself is quite unique. The Lot is just over 20 acres in size, which allows for the overlay of the RCM district (see map of the Lot and surrounding properties attached hereto as Exhibit C). The Lot is burdened, however, with significant wetlands. In addition, the Applicant has worked with the New Hampshire Fish & Game (“NHF&G”) to address concerns related to protected rabbits. In that regard, the Applicant has agreed with NHF&G to self-restrict approximately 7.5 acres of the Lot. Although the exact location has not been finalized, discussions so far with NHF&G have developed an approximate location of the restricted area, which is depicted conceptually on the ZBA Sketch. Despite these limitations the Applicant, working with the Dover Planning staff, has developed the plan of development resulting in a workable layout that will deliver the much needed affordable housing. Additionally, as you can see from the enclosed map, the project will be adjacent to significant multi-housing facilities. Specifically, near 99 Knox Marsh Road, there are 45 condo units known as the Village at Bellamy Common, a Condominium; 130 apartment units known as the Westgate Village; 192 apartment units known as the Huntington Exchange; and 213 apartment units known as the Lilac Village, for a total of 580 residential multi-units.

The proposed project comes just in time for Dover to address, in a substantial and considerable way, the affordable housing needs of Dover. Recently, the Dover Ad-Hoc Committee to Address Housing Needs (the “Housing Committee”) published its detailed report, presenting its

findings and recommendations to the Dover City Council on July 23, 2025 (the full report and summary pages are referred to as the “Report” attached hereto as Exhibit D). The Housing Committee determined that Dover itself needs 1,734 housing units by 2035 to address and accommodate Dover’s growing population and housing needs. The Housing Committee specifically found, as its highest priority, that there is a growing gap in housing affordability, with rising rental prices and limited options for middle-income and low-income residents. The report recognizes that Dover zoning ordinance policies are progressive in terms of lowering the “zoning barriers,” but, at the same time, found that “Overall inventory of affordable units is low, with insufficient new construction to meet the need; with high inflation and a surging economy, developers are hesitant to build low-margin affordable units when market-rate units offer a much stronger return on investment.” (See report of the Housing Committee, Page 14.) Approving the reasonable variances requested by this Board will serve to pave the way for this much needed affordable housing, with a developer eager and experienced in the art of developing a project that delivers as to the needs expressed by the Housing Committee and regularly espoused by the citizenry of Dover.

The project will also be located adjacent to the COAST bus headquarters and bus lines and will contain a commercial component for possible resident employment, with access to NH Route 16, downtown Dover and the University of New Hampshire.

The project needs the following four variances:

- 1) Variance from Section 170-32 (E)(1) that requires Nonresidential and/or mixed use uses must comprise at least 55% of the total proposed floor area for the development; residential uses must not exceed 45% of the total proposed floor area for the development, where 86% residential and 14% nonresidential/mixed-use is proposed (the “45%/55% Variance”); and
- 2) Variance from Section 170-32 (F)(2)(b)(2) that requires 100 foot setbacks of structures and parking from an external road (Knox Marsh Road), where 48.8 feet to 64.3 feet are proposed (the “100’ Roadway Variance”); and
- 3) Variance from Section 170-32 (F)(2)(b)(3) that restricts building height to 35 feet, where 45 feet is proposed (the “Height Variance”).
- 4) Variance from Section 170-32 (E)(5)(a) that permits zero density if the residential units conform to the HUD Fair Market Rent rates published by NHHFA, where the units conform to the 60% AMI rent limitations for Multifamily Tax Subsidy Projects published by NHHFA.

The 45%/55% Variance is premised on the fact that the 2 residential buildings would not be able to be built with the location of commercial uses on the ground floor of either building. The funding for each building will subject each building to go through an annual funding cycle to provide for the LIHTC funding that is needed to provide for 100% HUD rate affordability. A letter outlining these needs is attached hereto as Exhibit E. In the Housing Committee’s report, specific recommendations on how to address the affordable housing needs of Dover cite the need to “Improve future application competitiveness.” (See Page 27 of the Report). In addition, the residential aspect of the project reflects the surrounding uses, where 580 units of residential housing are located just across from the project site.

The 100' Roadway Variance is needed to accommodate safe buildings that also respect the existing wetlands and conservation areas that are detailed within the ZBA Sketch.

The Height Variance is needed to accommodate the fourth floor of the building. This height is reasonable, particularly given the location of the property in a residential area, and that Dover has a policy of above 5 floors for projects within the downtown that offer HUD rate affordable housing. This height factor was specifically highlighted as existing policies used to support HUD Rate affordable housing projects in the Housing Committee's report (See Page 16 of the Report).

The RCM regulations specify zero density requirement for residential units conform to the HUD Fair Market Rent rates published by NHHFA. Given the LIHTC funding model, the units will conform to the 60% AMI rent limitations for Multifamily Tax Subsidy Projects published by NHHFA. As set forth in Exhibit A, the rates are almost identical, and, as such, should be permitted to maintain the zero density allocation within the RCM regulations.

FACTS SUPPORTING THIS REQUEST

1. The variance will not be contrary to the public interest because:

In Chester Rod & Gun Club, Inc. v. Town of Chester, 152 N.H. 577, 581 (2005), the Supreme Court held that to be contrary to the public interest or injurious to public rights of others, the variance must unduly, and in a marked degree, conflict with the ordinance such that it violates the ordinance's basic zoning objectives. The Court went on to note that to determine whether a variance would violate the basic zoning objectives, it was appropriate to examine whether the granting of the variance would alter the essential character of the locality or threaten the public health, safety or welfare. It is respectfully submitted that the essential character of the locality will not be changed or altered by the granting of the variances and will not be contrary to the public interest. The residential mix pursuant to the 45%/55% Variance, where the residential mix of uses is consistent with the 580 units of residential units located just across the street. The height of the building will be 4 stories, particularly where, as an incentive to promote HUD Rate affordable housing, the City encourages building above 5 stories within the downtown area. Also, the 100' Road Variance still maintains up to at least 48.8 feet of road setback, while protecting the environmental conditions contained within property, and while also providing significant affordable housing for the City.

2. By granting the variances, the spirit of the ordinance would be observed because:

The Applicant respectfully submits that if the variances are granted, the spirit of the ordinance would be observed as the use in question is suitable, and granting the variances would result in an encouragement of the needed HUD Rate affordable housing, to be located in an area that contains significant residential use, although in a commercial zone.

Within its general purpose and intent clause, the Dover Zoning Ordinance indicates that its intent is to promote the health, safety and general welfare of Dover's residents and to provide for an orderly growth in the future. The Applicant respectfully submits that the general purposes and intent of the Zoning Ordinance will be maintained and achieved, to the extent that the variances requested herein are granted, and the goals set forth by the Housing Committee will be specifically addressed, with the need for HUD Rate affordable housing being alleviated.

3. Granting the variances would do substantial justice because:

In Malachy Glen Associates v. Town of Chester, 155 N.H. 102, 109 (2002), the New Hampshire Supreme Court held that "the only guiding rule [in determining whether the requirement for substantial justice is satisfied] is that any loss to the individual that is not outweighed by a gain to the general public is an injustice." The Court also noted that it would look at whether a proposed development was consistent with the area's present use. The grant of the variances would result in substantial justice as it would allow the property to be utilized in a similar fashion as surrounding uses, with enhanced opportunities for affordable housing, which is much needed in Dover. Given the foregoing, denial of the variances would result in a loss to the Applicant that is not outweighed by any gain to the general public. Thus, granting the requested relief would result in substantial justice.

4. Granting of the variances would not diminish the value of surrounding properties because:

The construction of the project would be consistent with the large scale existing residential uses, and the addition of the commercial building would be consistent with other commercial uses located adjacent to that side of the parcel where the commercial building is proposed. It is respectfully submitted that all the surrounding properties have a value associated with them which is premised upon the existence of the existing buildings and uses located upon the properties. In this instance, it is believed, and therefore averred, that the inclusion of the amount of residential square footage is consistent with those across the street and will not result in a diminution of surrounding property values.

In addition to the above, the Applicant has requested that the issue of diminution of value also be addressed by Brian White of White Appraisals, LLC, a Certified General appraiser by the State of New Hampshire and a MAI and SRA designated appraiser with the Appraisal Institute (see attached report attached hereto as Exhibit F).

5. Literal enforcement of the provisions of the zoning ordinance would result in an "unnecessary hardship" meaning that, owing to special conditions of the property that distinguish it from other properties in the area, because:

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

The general purposes of the ordinance are to promote the reasonable development of property, while protecting health, safety, convenience, and general welfare and to thus encourage the most appropriate land uses in various parts of the City. For the reasons set forth above, the Applicant respectfully submits that the restrictions that cannot be met are not necessary to be met to protect the purpose of the ordinance. Thus, there is no conflict between the general public purpose of the ordinance and enforcing the restrictions for which the Applicant seeks the variances.

The lot is unique given its size at 20 acres, qualifying the lot for inclusion in the RCM overlay district. The Lot, however, has significant environmental conditions which does not lend itself to development for purely commercial purposes. Rather, the Lot is suitable for the design as

presented, as less space is required for residential uses. Given the existing significant residential uses in the area, the Lot is uniquely suited for residential use, while also qualifying for the density permitted under the RCM district and providing, all at the same time, 160 units of HUD Rate affordable housing. As to utilizing the 60% AMI rent limitations for Multifamily Tax Subsidy Projects published by NHHFA, which is required for LIHTC funded projects, to maintain the zero density allocation, those rates are virtually identical to the HUD Fair Market Rates and given such, unnecessary hardship would result if these rates were not permitted. The combination of all of these factors is unique and consistent with not only the goals of the zoning ordinance, when considering the incentive provided under the ordinance for HUD Rate affordable housing, but also given the recent Report issued by the Housing Committee.

It is respectfully submitted that the granting of these variances would not result in a conflict with the general purpose set forth within the Dover Zoning Ordinance but would rather promote the general purpose of the ordinance, and many other goals of the City.

(i) Explain how the proposed use is a reasonable one:

The Applicant proposes to use the property in the same as the many residential uses in the adjacent vicinity, while offering a commercial component as well. There will be parking for all of the residential and commercial use. For all the reasons set forth hereinabove, the use is reasonable.

EXHIBIT A

Current HUD Rent Limits

COMPARISON OF AREA PROGRAM RENT LIMITS

Effective Dates

Revised Date

6/3/2025

Housing Voucher Program: 4/1/2025

HOME Program: 6/1/2025

Housing Trust Fund: 6/1/2025

Effective Dates

COMPARISON OF AREA PROGRAM RENT LIMITS

Year: 2025

Revised Date

6/3/2025

HOUSING VOUCHER AND TAX CREDIT RENTS: 4/1/2025

FAIR MARKET RENT: 10/1/2024

HOME RENTS: 6/1/2025

HOUSING TRUST FUND RENTS: 6/1/2025

AREA	PROGRAM	EFFIC.	1 BR	2 BR	3 BR	4 BR	5 BR	6 BR
HUD Metropolitan Fair Market Rent Areas								
Boston-Cambridge-Quincy, MA-NH HMFA NH Portion	FAIR MARKET RENT	\$2,163	\$2,288	\$2,711	\$3,266	\$3,594	\$4,133	\$4,672
Housing Choice Voucher	80% RENT LIMIT	\$2,316	\$2,481	\$2,977	\$3,439	\$3,837	\$4,234	\$4,630
	50% RENT LIMIT	\$1,447	\$1,551	\$1,861	\$2,150	\$2,398	\$2,646	\$2,894
HOME	65% RENT LIMIT	\$1,861	\$1,996	\$2,397	\$2,761	\$3,060	\$3,358	\$3,657
	60% RENT LIMIT	\$1,737	\$1,861	\$2,233	\$2,580	\$2,878	\$3,176	\$3,473
	50% HOME RENT LIMIT	\$1,447	\$1,551	\$1,861	\$2,150	\$2,398	\$2,646	\$2,894
	LOW HOME RENT	\$1,447	\$1,551	\$1,861	\$2,150	\$2,398	\$2,646	\$2,894
	HIGH HOME RENT	\$1,861	\$1,996	\$2,397	\$2,761	\$3,060	\$3,358	\$3,657
	HOUSING TRUST FUND	\$868	\$930	\$1,116	\$1,290	\$1,438	\$1,588	\$1,736
Multifamily Tax Subsidy Projects	60% RENT LIMIT	\$1,737	\$1,861	\$2,233	\$2,580	\$2,878	\$3,176	\$3,473
	50% RENT LIMIT	\$1,447	\$1,551	\$1,861	\$2,150	\$2,398	\$2,646	\$2,894
	80% RENT LIMIT MTSP AVERAGING	\$2,316	\$2,481	\$2,977	\$3,439	\$3,837	\$4,234	\$4,630
	70% RENT LIMIT MTSP AVERAGING	\$2,026	\$2,171	\$2,605	\$3,010	\$3,358	\$3,705	\$4,052
	40% RENT LIMIT MTSP AVERAGING	\$1,158	\$1,241	\$1,489	\$1,720	\$1,919	\$2,117	\$2,315
	30% RENT LIMIT MTSP AVERAGING	\$868	\$930	\$1,116	\$1,290	\$1,438	\$1,588	\$1,736
	20% RENT LIMIT MTSP AVERAGING	\$579	\$620	\$744	\$860	\$959	\$1,058	\$1,157
Lawrence, MA-NH HMFA, NH Portion								
FAIR MARKET RENT		\$1,346	\$1,498	\$1,963	\$2,365	\$2,603	\$2,993	\$3,384
Housing Choice Voucher	80% RENT LIMIT	\$1,823	\$1,954	\$2,345	\$2,709	\$3,022	\$3,334	\$3,647
	50% RENT LIMIT	\$1,237	\$1,325	\$1,590	\$1,837	\$2,050	\$2,261	\$2,472
HOME	65% RENT LIMIT	\$1,588	\$1,703	\$2,046	\$2,354	\$2,606	\$2,857	\$3,109
	60% RENT LIMIT	\$1,485	\$1,590	\$1,908	\$2,205	\$2,460	\$2,714	\$2,967
	50% HOME RENT LIMIT	\$1,237	\$1,325	\$1,590	\$1,837	\$2,050	\$2,261	\$2,472
	LOW HOME RENT	\$1,237	\$1,325	\$1,590	\$1,837	\$2,050	\$2,261	\$2,472
	HIGH HOME RENT	\$1,346	\$1,498	\$1,963	\$2,354	\$2,603	\$2,857	\$3,109
	HOUSING TRUST FUND	\$742	\$795	\$955	\$1,102	\$1,230	\$1,357	\$1,491
Multifamily Tax Subsidy Projects	60% RENT LIMIT	\$1,485	\$1,590	\$1,908	\$2,205	\$2,460	\$2,714	\$2,967
	50% RENT LIMIT	\$1,237	\$1,325	\$1,590	\$1,837	\$2,050	\$2,261	\$2,472
	80% RENT LIMIT MTSP AVERAGING	\$1,823	\$1,954	\$2,345	\$2,709	\$3,022	\$3,334	\$3,647
	70% RENT LIMIT MTSP AVERAGING	\$1,732	\$1,855	\$2,226	\$2,572	\$2,870	\$3,166	\$3,461
	40% RENT LIMIT MTSP AVERAGING	\$990	\$1,060	\$1,272	\$1,469	\$1,640	\$1,809	\$1,978
	30% RENT LIMIT MTSP AVERAGING	\$742	\$795	\$954	\$1,102	\$1,230	\$1,357	\$1,483
	20% RENT LIMIT MTSP AVERAGING	\$495	\$530	\$636	\$734	\$820	\$904	\$989
Portsmouth-Rochester, NH HMFA								
FAIR MARKET RENT		\$1,475	\$1,517	\$1,961	\$2,429	\$2,749	\$3,161	\$3,574
Housing Choice Voucher	80% RENT LIMIT	\$1,823	\$1,954	\$2,345	\$2,709	\$3,022	\$3,334	\$3,647
	50% RENT LIMIT	\$1,230	\$1,317	\$1,581	\$1,826	\$2,037	\$2,248	\$2,458
HOME	65% RENT LIMIT	\$1,579	\$1,693	\$2,034	\$2,342	\$2,593	\$2,842	\$3,091
	60% RENT LIMIT	\$1,476	\$1,580	\$1,897	\$2,192	\$2,445	\$2,698	\$2,950
	50% HOME RENT LIMIT	\$1,230	\$1,317	\$1,581	\$1,826	\$2,037	\$2,248	\$2,458
	LOW HOME RENT	\$1,230	\$1,317	\$1,581	\$1,826	\$2,037	\$2,248	\$2,458
	HIGH HOME RENT	\$1,475	\$1,517	\$1,961	\$2,342	\$2,593	\$2,842	\$3,091
	HOUSING TRUST FUND	\$738	\$791	\$948	\$1,096	\$1,222	\$1,349	\$1,491
Multifamily Tax Subsidy Projects	60% RENT LIMIT	\$1,476	\$1,580	\$1,897	\$2,192	\$2,445	\$2,698	\$2,950
	50% RENT LIMIT	\$1,230	\$1,317	\$1,581	\$1,826	\$2,037	\$2,248	\$2,458
	80% RENT LIMIT MTSP AVERAGING	\$1,823	\$1,954	\$2,345	\$2,709	\$3,022	\$3,334	\$3,647
	70% RENT LIMIT MTSP AVERAGING	\$1,722	\$1,844	\$2,213	\$2,557	\$2,852	\$3,148	\$3,442
	40% RENT LIMIT MTSP AVERAGING	\$984	\$1,054	\$1,265	\$1,461	\$1,630	\$1,798	\$1,967
	30% RENT LIMIT MTSP AVERAGING	\$738	\$790	\$948	\$1,096	\$1,222	\$1,349	\$1,475
	20% RENT LIMIT MTSP AVERAGING	\$492	\$527	\$632	\$730	\$815	\$899	\$983

EXHIBIT B

ZBA Sketch

GENERAL NOTES:

1. PARCEL AREA: 890,791 S.F. / 20.45 Ac.
2. ZONING OVERLAY DISTRICT IS RESIDENTIAL-COMMERCIAL MIXED USE (RCM) AND THE UNDERLYING DISTRICT IS COMMERCIAL MANUFACTURING (CM):

DIMENSIONAL REGULATIONS:
(RCM):

NON-RESIDENTIAL/MIXED-USE BUILDINGS:
MINIMUM STRUCTURE SETBACK FROM EXTERNAL LOT LINE = 50 FEET
MINIMUM STRUCTURE SETBACK FROM EXTERNAL ROW = 50 FEET
MAXIMUM NON-RESIDENTIAL BUILDING HEIGHT: = 55 FEET
*FOR ALL OTHER DIMENSIONAL REQUIREMENTS FOR NON-RESIDENTIAL STRUCTURES AND PARKING SETBACKS REFER TO THE UNDERLYING ZONE.

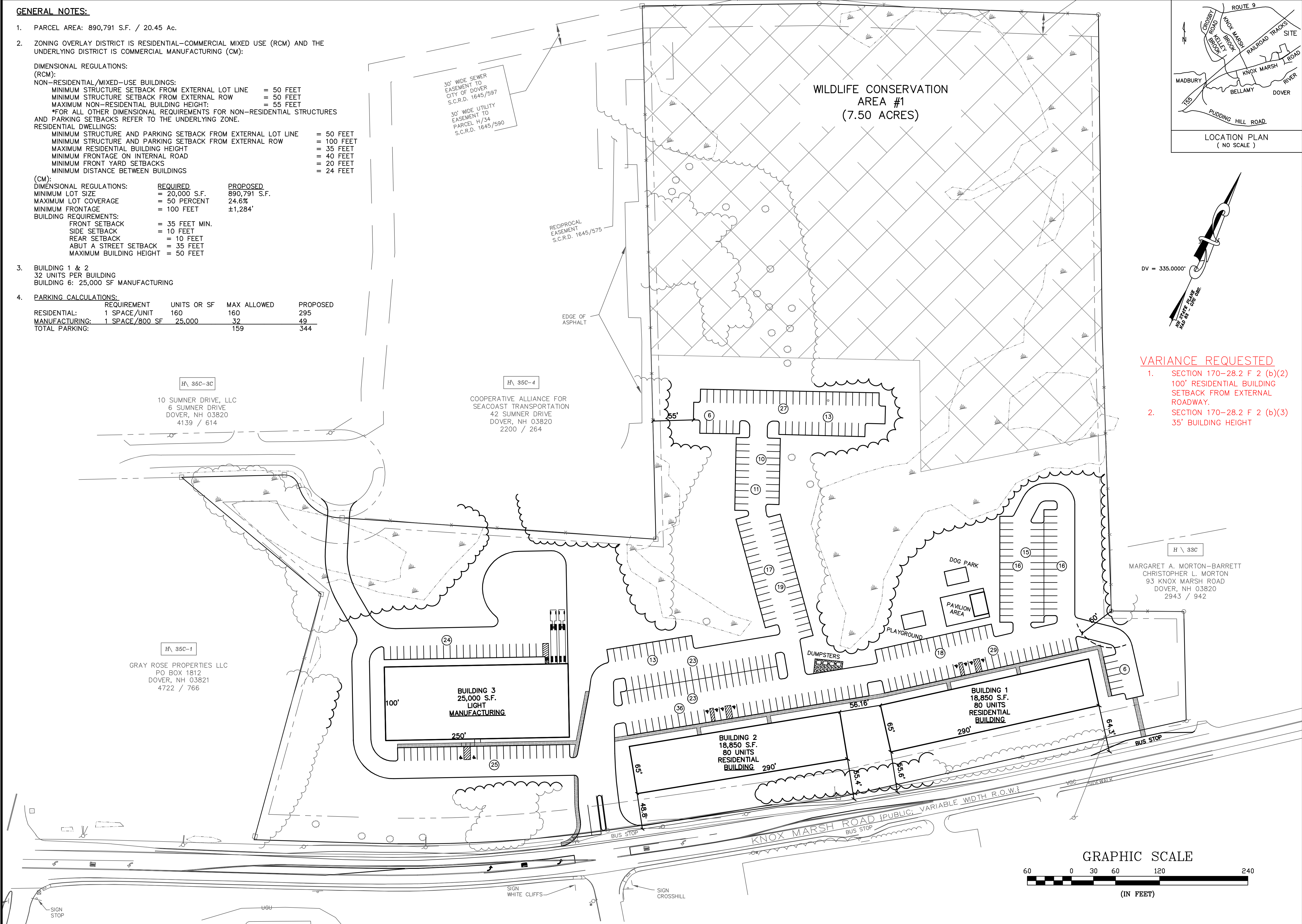
RESIDENTIAL DWELLINGS:
MINIMUM STRUCTURE AND PARKING SETBACK FROM EXTERNAL LOT LINE = 50 FEET
MINIMUM STRUCTURE AND PARKING SETBACK FROM EXTERNAL ROW = 100 FEET
MAXIMUM RESIDENTIAL BUILDING HEIGHT = 35 FEET
MINIMUM FRONTAGE ON INTERNAL ROAD = 40 FEET
MINIMUM FRONT YARD SETBACKS = 20 FEET
MINIMUM DISTANCE BETWEEN BUILDINGS = 24 FEET

(CM):
DIMENSIONAL REGULATIONS:
MINIMUM LOT SIZE = 20,000 S.F.
MAXIMUM LOT COVERAGE = 50 PERCENT
MINIMUM FRONTAGE = 100 FEET

BUILDING REQUIREMENTS:
FRONT SETBACK = 35 FEET MIN.
SIDE SETBACK = 10 FEET
REAR SETBACK = 10 FEET
ABUT A STREET SETBACK = 35 FEET
MAXIMUM BUILDING HEIGHT = 50 FEET

3. BUILDING 1 & 2
32 UNITS PER BUILDING
BUILDING 6: 25,000 SF MANUFACTURING

4. PARKING CALCULATIONS:				
	REQUIREMENT	UNITS OR SF	MAX ALLOWED	PROPOSED
RESIDENTIAL:	1 SPACE/UNIT	160	160	295
MANUFACTURING:	1 SPACE/800 SF	25,000	32	49
TOTAL PARKING:			159	344



- VARIANCE REQUESTED**
- SECTION 170-28.2 F 2 (b)(2) 100' RESIDENTIAL BUILDING SETBACK FROM EXTERNAL ROADWAY.
 - SECTION 170-28.2 F 2 (b)(3) 35' BUILDING HEIGHT

NOT FOR CONSTRUCTION FOR PERMIT USE ONLY

CIVILWORKS NEW ENGLAND
181 Watson Road, PO Box 1166
Dover, NH 03821
603.749.0443

DATE: XXX	SCALE: XX	DRAWN BY: XX	DESIGN BY: XX	APPROVED BY: XX	PROJECT NO: 2310	FILE: XXX	REVISION	APP'D	DATE

ZBA EXHIBIT

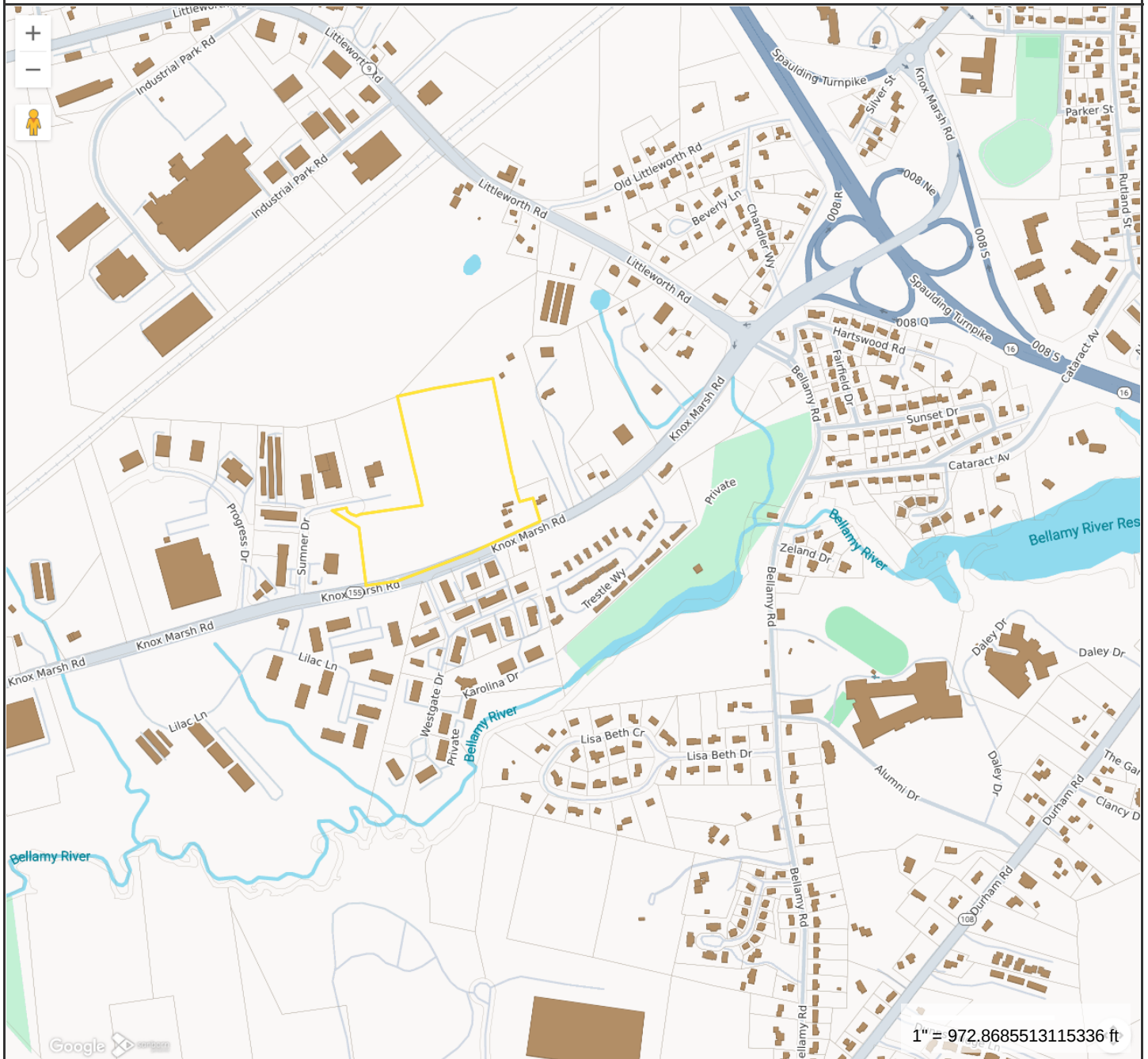
XXX
CLIENT
NAME
ADDRESS

PROJECT
NAME
LOCATION
DATA

EX-1

EXHIBIT C

Surrounding Area Tax Map

**Property Information**

Location 99 KNOX MARSH RD
Owner RY DEVELOPMENT LLC
Land Use 390R
Zoning Code CM
Property Id H0034-000000

**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.

EXHIBIT D

Housing Committee Summary and Report



Ad-Hoc Committee to Address Community Housing Needs Summary of Recommendations

Access to safe, affordable, and sustainable housing is essential for the well-being of our residents and the overall vitality of our community. In response to growing concerns about housing availability, affordability, and accessibility, the Committee to Address Community Housing Needs was established to support the City Council in reviewing data, exploring solutions, and identifying long-term strategies for responsible development that support Dover's housing needs through 2035.

Key Findings

Through extensive research, stakeholder engagement, and public outreach, the committee identified critical housing challenges facing Dover:

- **The need for additional Affordable Housing:** A growing gap in housing affordability, with rising rental prices and limited options for middle-income and low-income residents.
- **Regulatory and Zoning Barriers:** Although Dover is often considered as having progressive land-use policies, it continues to explore ways to improve those policies to encourage additional opportunities for diverse housing development.
- **Homelessness and Housing Insecurity:** Increased demand for low-barrier shelters, supportive housing, and services for vulnerable populations, including individuals with disabilities and seniors.
- **Workforce Housing Shortage:** Essential workers, including teachers, healthcare professionals, and first responders can struggle to find housing within city limits.
- **Community Concerns and Misconceptions:** Public feedback highlights the need for education on housing policies, affordability solutions, the economic benefits of diverse housing stock, and lack of public forum to engage in concerns about housing issues impacting Dover.

PRO-HOUSING ZONING REFORMS SINCE 2021

Allowing smaller more affordable homes to be built on lots smaller

Allowing more than one ADU, if the additional ADU is rent restricted to affordable rates

Allowing 2 family conversions if the home looks and operates like a single family home

Allowing new construction of two-family homes single family districts

Populations of Concern

Unsheltered

Disabled

Essential Workers

44% OF DOVER RENTERS ARE COST BURDENED

<3% OF STRAFFORD CO. HOUSING STOCK IS AFFORDABLE

1734 NEW HOUSING UNITS IN DOVER NEEDED BY 2035

26.12% OF LAND IN DOVER IS DEVELOPABLE

Housing Affordability for Strafford County's Workforce

**EMPLOYEES
SURVEYED = 47,720**

	Entry Level	Median	Experienced
Average Yearly Income, All Occupations	\$31,393	\$47,976	\$76,532
Maximum Affordable Monthly Rent	\$785	\$1,199	\$1,913
Maximum Affordable Home Purchase Price	\$92,000	\$140,500	\$224,500

**AVERAGE MONTHLY RENT IN
STRAFFORD CO. = \$1,981**

**AVERAGE PURCHASE PRICE
STRAFFORD CO. = \$430,000**

Source: NHES 2023

Median Sale Price of Homes in Dover

● 2016 ● 2020 ● 2024

2016 EXISTING HOME:
\$250,000

2016 NEW CONSTRUCTION:
\$359,900

2020 EXISTING HOME:
\$336,300

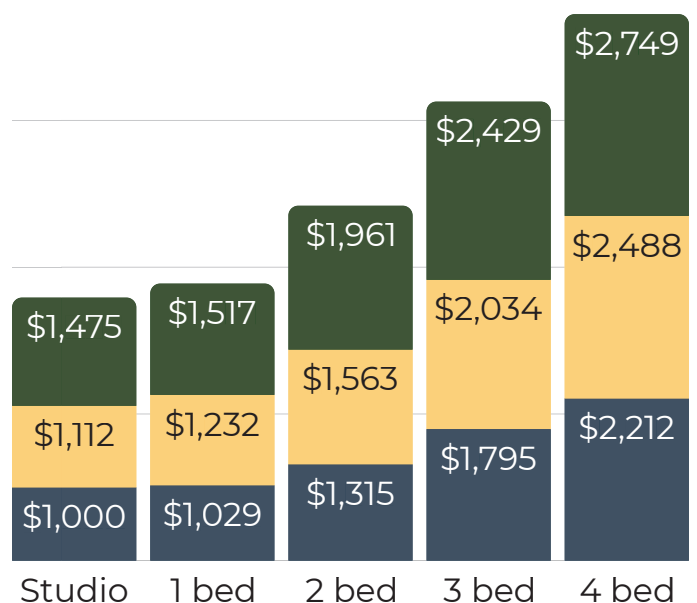
2020 NEW CONSTRUCTION:
\$479,000

2024 EXISTING HOME:
\$540,000

2024 NEW CONSTRUCTION:
\$683,300

Portsmouth-Rochester Fair Market Rents*

● 2020 ● 2023 ● 2025



*FMR is an estimation set by HUD of what rent should cost for a unit in a given market.



Summary of Recommendations

To address these challenges, the committee proposes policy actions, zoning amendments, and financial strategies that align with Dover's 2035 Housing Vision:

1. Increase Community Engagement and Education:

- Launch public information campaigns on the benefits of affordable housing and supportive housing programs in the city.
- Involve local schools and community organizations in housing discussions and workshops.

2. Expand Affordable and Workforce Housing:

- Require an affordable housing component in all new major developments, an approach known as inclusionary zoning
- Establish consistency measures (standardized policies, criteria, and procedures) for tax incentives and financial assistance programs for homeowners and developers to create affordable units.

3. Revise Zoning and Land-Use Policies:

- Reduce minimum lot sizes and frontage requirements to allow for denser, mixed-use development.
- Relax regulations and increase financing options to encourage Accessory Dwelling Units (ADUs), creating additional lower-cost housing units

4. Address Homelessness and Housing Insecurity:

- Expand low-barrier shelter availability and wraparound support services through defining and allowing shelters within the zoning ordinance.
- Establish a land trust to preserve affordable housing and prevent displacement.

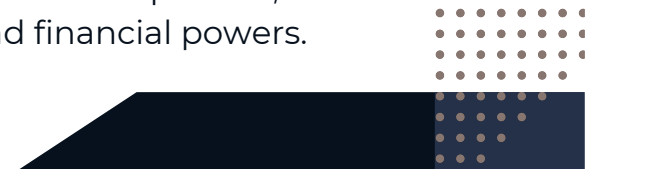
5. Strengthen Public-Private Partnerships:

- Collaborate with local businesses to develop Employer-Assisted Housing Programs..
- Work with financial institutions to provide low-interest housing loans and affordability programs.

6. Promote Inclusive and Sustainable Housing Development:

- Encourage mixed-income neighborhoods through inclusionary zoning policies.
- Support adaptive reuse of vacant properties for residential use.

7. Create a City Housing Commission:

- Chartering of official standing housing commission for the city
 - Grant oversight powers for many housing-related policies, administrative oversights, programmatic implementations, and financial powers.
- 

Call to Action

Dover is at a critical juncture in addressing its housing challenges. The committee urges the City Council, planning officials, business leaders, and residents to work together in implementing these recommendations. The success of these initiatives depends on a unified, city-wide commitment to:

- Explore the full report from the Ad-Hoc Committee to better understand Dover's housing challenges and the solutions being proposed.
- Adopt progressive housing policies that foster economic growth and social equity. Publicly commit to growing housing for all outlined in the community vision and in the upcoming Land Use Master Plan Chapter.
- Prioritize investments in housing infrastructure and support programs for vulnerable populations.
- Engage residents in housing discussions to ensure broad community support.
- Hold developers and policymakers accountable for delivering results that align with Dover's long-term housing goals.

The committee calls upon city leadership to act with urgency and intention in making these recommendations a reality.

By taking decisive action now, Dover will continue to build on its strengths as a regional leader in innovative, inclusive housing solutions that benefit all residents, businesses, and community stakeholders.

The future of housing in Dover depends on our collective commitment to ensuring affordability, accessibility, and sustainability for generations to come.



Ad-Hoc Committee to Address Community Housing Needs **Report on Findings and Recommendations**

Introduction

Access to safe, affordable, and sustainable housing is essential for the well-being of our residents and the overall vitality of our community. In response to growing concerns about housing availability, affordability, and accessibility, the Committee to Address Community Housing Needs was established to support the City Council in reviewing data, exploring solutions, and identifying long-term strategies for responsible development.

Guided by its charter, the Committee has worked diligently to assess the current housing landscape, consider diverse perspectives, and develop recommendations that address the needs of residents across all income levels, ages, and abilities. Through regular meetings and discussions, the Committee has gathered valuable insights into the challenges facing our housing market and the opportunities for thoughtful, strategic growth.

This report represents the culmination of the Committee's efforts, providing a comprehensive overview of our findings and proposed strategies. It serves as a roadmap for future policy decisions aimed at fostering a more inclusive and sustainable housing environment. Our recommendations are designed to ensure that all members of our community have access to stable and affordable housing, supporting economic growth and social well-being.

The Committee will formally submit this final report to the City Council by December 31, 2025, in accordance with its charter.

Committee Membership

The Committee is composed of dedicated individuals representing a range of expertise in government, housing, planning, and community services. Their collective efforts have been instrumental in shaping the findings and recommendations presented in this report.

Committee Members:

- Mayor Robert Carrier, City Council, Chair
- Betsey Andrews Parker, Community Action Partnership of Strafford County, Vice-Chair
- Pam Lessard, Secretary (Alternate)
- Robert Baldwin, Real Estate Developer Representative
- Ernie Clark, Resident Property Owner, Representative
- Ryan Crosby, Dover Housing Authority Representative
- Mary Beth Rudolph (Alternate)
- George DeBoer, Planning Board Representative
- Krysta Gingue, Resident Renter Representative
- Mark O'Dell, Employer/Business Representative
- Mark Speidel, Planning Board (Alternate) Representative
- Dorothy Wagner, Landlord/Property Manager Representative

As the City Council reviews this report, we encourage continued collaboration and community engagement to implement sustainable housing solutions that align with our city’s vision for the future.

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- 1.3 Summary of Recommendations
- 1.4 Embracing Housing as a Right

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- 3.3 Regional Dynamics: Dover vs Strafford County
- 3.4 Populations of Concern (Unhoused, Developmentally Delayed, Housing Insecure, etc.)
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5. Recommendations Related to the 2035 Community Vision – Pillar 4 Housing and Vision Elements

- 5.1 Goal - Pillar 4-1: Housing is affordable, and attainable to a variety of individuals, families, and households at a range of income levels.
- 5.2 Goal – Pillar 4.2. Diversity of housing options are available, including single family and multi-family homes, and safe, well-maintained rental units.
- 5.3 Goal - Pillar4.3. Housing types are interspersed to foster neighborhoods that are multigenerational and socioeconomically diverse.

5.4 Goal – Pillar 4.4. We are supporting varying housing needs including availability of one-level housing, assisted living, and long-term care options to meet the needs of residents of all ages and abilities.

5.5 Goal – Pillar 4.5. Housing and property taxes are affordable to older residents on fixed incomes seeking to age in place in Dover.

5.6 Goal – Pillar 4.6. Housing in the downtown area is available for walkable, car-less living.

5.7 Goal – Pillar 4.7. Large single-family housing can be converted into multi-family housing where appropriate.

5.8 Goal – Pillar 4.8. Housing is available to adults with disabilities.

5.9 Goal – Pillar 4.9. High quality healthcare and specialists, including behavioral and mental healthcare, are accessible and available to all community members.

5.10 Goal – Pillar 4.10. Low-barrier shelter and support services are available and utilized by people experiencing housing insecurity and homelessness.

5.11 Goal – Pillar 4.11. Creative housing solutions, incorporating the ‘housing-first’ model of shelter and case management, that meets the needs of residents experiencing homelessness or housing insecurity.

5.12 Goal – Pillar 4.12. Collaborative public and private partnerships address homelessness and housing needs in Dover, including supportive resources and specialists within local government and departments.

6. Conclusion

6.1 Summary of Recommendations

6.2 Call to Action

6.3 Next Steps

7. Appendices

7.1 Housing Terms Glossary

7.2 SRPC Regulatory Audit

7.3 SRPC Housing Needs Assessment

7.4 Summary of Community Engagement 2023-2024

7.5 Housing Needs Survey Summary and Analysis

7.6 Housing Champion Program Report

1. Executive Summary

1.1 Purpose of the Report

The Ad-Hoc Committee to Address Community Housing Needs was established in response to growing concerns about housing affordability, availability, and accessibility in Dover. The committee was tasked with reviewing housing data, engaging with stakeholders, and developing long-term strategies to ensure sustainable and inclusive housing development. This report outlines the committee's findings, community engagement efforts, key challenges, and recommended policy solutions to support Dover's housing needs through 2035.

1.2 Key Findings

Through extensive research, stakeholder engagement, and public outreach, the committee identified critical housing challenges facing Dover:

- **The need for additional Affordable Housing:** A growing gap in housing affordability, with rising rental prices and limited options for middle-income and low-income residents.
- **Regulatory and Zoning Barriers:** Although Dover is often considered as having progressive land-use policies, it continues to explore ways to improve those policies to encourage additional opportunities for diverse housing development.
- **Homelessness and Housing Insecurity:** Increased demand for low-barrier shelters, supportive housing, and services for vulnerable populations, including individuals with disabilities and seniors.
- **Workforce Housing Shortage:** Essential workers, including teachers, healthcare professionals, and first responders, struggle to find housing within city limits.
- **Community Concerns and Misconceptions:** Public feedback highlights the need for education on housing policies, affordability solutions, and the economic benefits of diverse housing stock, and lack of public forum to engage in concerns about housing issues impacting Dover.

1.3 Summary of Recommendations

To address these challenges, the committee proposes policy actions, zoning amendments, and financial strategies that align with Dover's 2035 Housing Vision:

1. **Creation of a City Housing Commission:**
 - Chartering of official standing housing commission for the city
 - Grant oversight powers for many housing related policies, administrative oversights, programmatic implementations, and financial powers.
2. **Expand Affordable and Workforce Housing:**
 - Require an affordable housing component in all new major developments, an approach known as inclusionary zoning
 - Establish consistency measures (standardized policies, criteria, and procedures) for tax incentives and financial assistance programs for homeowners and developers to create affordable units.

3. Revise Zoning and Land-Use Policies:
 - Reduce minimum lot sizes and frontage requirements to allow for denser, mixed-use development.
 - Relax regulations and increase financing options to encourage Accessory Dwelling Units (ADUs), creating additional lower-cost housing units
4. Address Homelessness and Housing Insecurity:
 - Expand low-barrier shelter availability and wraparound support services through defining and allowing structures.
 - Establish a land trust to preserve affordable housing and prevent displacement.
5. Strengthen Public-Private Partnerships:
 - Collaborate with local businesses to develop Employer-Assisted Housing Programs.
 - Work with financial institutions to provide low-interest housing loans and affordability programs.
6. Promote Inclusive and Sustainable Housing Development:
 - Encourage mixed-income neighborhoods through inclusionary zoning policies.
 - Support adaptive reuse of vacant properties for residential use.
7. Increase Community Engagement and Education:
 - Launch public information campaigns on the benefits of affordable housing and supportive housing programs in the city.
 - Involve local schools and community organizations in housing discussions and workshops.

1.4 Housing as a Right – Dover’s Commitment

The City of Dover is committed to ensuring that safe, stable, and affordable housing is accessible to all residents, regardless of income, age, or ability. This report provides a roadmap for future housing policies that support economic vitality, community well-being, and long-term sustainability.

The committee urges the City Council to adopt these recommendations and take decisive action so that Dover continues to be a leader in developing progressive solutions to the housing challenges we face.

2. Activities of the Committee: Background, Support, & Overview of Activities

2.1 Committee Implementation and Composition:

The Ad-Hoc Committee to Address Community Housing Needs was established on May 24, 2023 with the passage of Resolution 2023.05.24 – 084 by Dover City Council. The Committee was established with the purpose of conducting and analyzing community feedback and reviewing relevant data, with the ultimate goal of recommending long-term strategies to City Council and the City Manager to encourage and incentivize thoughtful development that meets the needs of residents of all incomes, ages, and abilities. In order to ensure a holistic analysis of the issue, the Committee was established with a clearly defined composition intended to ensure greater diversity of expertise and experience. Members of the Committee were subsequently appointed to represent a variety of resident and stakeholder interests as outlined below:

- City Council
- Planning Board
- Dover Housing Authority (DHA)
- Community Action Partnership of Strafford County (CAPSC)
- Real Estate Developer
- Employer/Business Owner
- Landlord/Property Manager
- Resident Property Owner
- Resident Renter

Interviews of prospective candidates were conducted by the City Appointments Committee throughout the summer of 2023, with members named and appointed by City Council in October. The Committee held its first meeting on October 31, 2023.

2.2 Housing Navigator:

In October of 2022, the City of Dover was one of five NH communities to be awarded funding (in Dover's case \$250,000) to hire a Community Housing Navigator for a period of approximately two years. This grant award was made possible by the State's reallocation of \$10,000,000 of American Rescue Plan Act (ARPA) funds to create InvestNH, a designated funding source intended to address barriers to development and incentivize new housing production. The City's Housing Navigator was hired in April of 2023 with an initial directive of analyzing the City's demographics and land use regulations, engaging community members and stakeholders on the subject of housing and affordability, and proposing long-term solutions to address the housing needs of the City's residents. To ensure resident oversight and participation in these initiatives, the Planning Department staff proposed the creation of the Ad-Hoc Committee to Address Community Housing Needs, serving as support and staff liaison.

2.3 Additional InvestNH Funding:

The InvestNH Program provided several municipal grant opportunities in addition to the Housing Navigator program. City staff maintained regular contact with the program administrators at both NH Housing and the Department of Business and Economic Affairs (BEA), applying for applicable funding opportunities as they became available. These efforts resulted in additional InvestNH grant awards, totaling \$765,000, from three other programs, as outlined below:

- Municipal Demolition Grant: \$140,000
 - The Municipal Demolition Grant program, administered by BEA, was created to assist municipalities and developers with site preparation expenses for new housing creation and community revitalization. The City applied for these funds in partnership with Dover Coast, LLC to fund the site clearance for the redevelopment of 725-727 Central Ave, a project that includes 17 units of deed-restricted attainable housing.
- Municipal Per Unit Grant: \$560,000
 - The Municipal Per Unit Grant program, also administered by BEA, was established to incentivize municipal planning and permitting practices that resulted in the creation of new affordably priced units. Municipalities were awarded \$10,000 for each qualifying unit within developments meeting the program criteria. Funds received through this program are unrestricted and can be leveraged by recipient municipalities as dictated by their respective legislative bodies. The City of Dover received two awards from this program, detailed below, with the use of funds yet to be determined.
 - The Cottages at Back River Road – \$440,000 awarded in recognition of the 44 units developed by GSD Construction LLC, all of which are price-restricted in perpetuity at Fair Market Rent, as calculated by the Department of Housing and Urban Development (HUD) for the Portsmouth-Rochester area. The development’s price restrictions were the result of the density provisions outlined in the City’s innovative Transfer of Development Rights (TDR) ordinance, which exists to incentivize development in areas with existing infrastructure in exchange for support of conservation initiatives and long-term commitments of affordability.
 - The Old Strafford County Court House - \$120,000 awarded in recognition of 12 units, out of a total of 58, within the redevelopment of the Old Strafford County Court House by Chinburg Properties Inc. These 12 units, representative of 20% of the project’s residential composition, are designated for residents earning 80% or less of the Area Median Income (AMI) for a period of 21 years, with rent amounts not to exceed 30% of 80% of AMI, as calculated annually by NH Housing. These affordability restrictions, along with preservation of the historic building and improvements to nearby public infrastructure, were agreed to as part of a Development Agreement between the City and the developer, in exchange for the application of property tax relief provisions authorized by RSA 79-E for a period of 7 years.
- Housing Opportunity Planning (HOP) Grant: \$65,000
 - The HOP Grant program, administered by NH Housing and PlanNH, was established to assist municipalities with consultant expenses for the review and revision of regulatory policies and practices related to housing and land use. Municipalities were invited to apply for funding for up to three phases of work, Phase 1: Housing Needs Analysis & Planning, Phase 2: Regulatory Audit, and Phase 3: Regulatory Development. The City applied for funding for both Phase 2 and Phase 3 activities, receiving an award of \$65,000 on June 15, 2023. It is worth noting that the program’s success in communities throughout the State

resulted in a temporary shortage of qualified planning consultants, which resulted in significant delays in the City's solicitation efforts. After three bid issuances, the City eventually selected Strafford Regional Planning Commission (SRPC) as the preferred consultant to conduct both the Regulatory Audit and Regulatory Development phases. Work with SRPC, overseen by the SRPC Dover Housing Audit Steering Committee, with additional input from the Ad-Hoc Committee to Address Community Housing Needs, began in February of 2024 and concluded in November of 2024, the findings and deliverables of which will be covered later in this report.

2.4 Housing Needs Survey

Prior to the appointment of members to the Ad-Hoc Committee to Address Community Housing Needs, the City launched an online survey in an effort to establish a baseline of the community's understanding of, and solutions for addressing, the issue of housing affordability and availability. The survey consisted of three free form questions;

1. What do you think is Dover's biggest housing challenge?
2. How would you address that housing challenge?
3. What would more housing look like to you?

This survey was launched to coincide with the Dover 400 Block Party on July 1, 2023, where it was publicized by the Housing Navigator at the City's Planning Booth throughout the event. It was similarly advertised during National Night Out in August and Apple Harvest Day in October. The survey also featured on the websites and newsletters of the City, Chamber of Commerce, and several other local organizations before it closed on October 31, 2023 with 189 responses. The survey responses were provided in full to the Ad-Hoc Committee to Address Community Housing Needs at their initial meeting, also on October 31, 2023. Members were asked to review and analyze responses to identify recurring themes that would be used to direct the Committee's work and areas of focus going forward.

2.5 Three Pillars: Zoning & Regulatory Reform, Community Engagement & Education, and Economic Vitality

The common themes arising from the survey responses indicated that the City faces a lack of available housing options priced within the means of many of its residents. This problem was cited as especially pronounced for those living with disabilities, residents at or below the area median income, older residents on fixed incomes, and those seeking to purchase their first home. To further distill this feedback and prioritize actions, the Committee's own analysis of survey responses highlighted three primary areas of focus, or Pillars, to frame the content of this report:

1. **Zoning & Regulatory Reform:** It was clear in the survey responses that the primary avenue for addressing these concerns was to review the City's regulations and propose modifications aimed at increasing diverse supply, removing unnecessary barriers to development, and attempting to streamline processes to decrease developer and resident costs.
2. **Community Engagement & Education:** Responses also highlighted the need for greater community engagement and education on the subject of housing and land use. This was

due to apparent confusion over what was already permissible in the City coupled with persistent misunderstandings about the people most impacted by housing insecurity.

3. Economic Vitality: There was broad recognition of the economic consequences of housing inaccessibility, particularly its effects on workforce retention and local economic activity. Respondents also highlighted the importance of transportation options, walkability, and access to essential services in shaping community resilience and economic vitality.

3. Current State of Affairs Analysis – Existing Conditions

3.1 SRPC Overview and Dover Successes

In 2024, Strafford Regional Planning Commission was tasked with auditing land use policies in Dover and presenting opportunities for growth to address housing needs in the city. The analysis showed that Dover currently provides a wide range of opportunities to encourage the creation of attainable and affordable housing.

The City of Dover's awarding of the Housing Champion designation in 2024 highlights the effectiveness of the city's dedication to finding opportunities to address housing needs. The New Hampshire Department of Business and Economic Affairs recognized Dover's commitment to fostering innovative and sustainable solutions to address the state's housing needs. The city demonstrated its eligibility for the Housing Champion designation by meeting criteria that included encouraging and establishing workforce housing and other housing types that will help continue economic development.

The designation does not come with direct funding; however, it provides Dover with preferential access to state resources including, but not limited to, discretionary state infrastructure funds, to continue the city's efforts in addressing housing challenges that contribute to the overall goal of solving the state's housing crisis. The state legislature created the voluntary Housing Champion Designation and Grant Program and provided \$5 million in grant funding through RSA 12-O:71-76¹. The NHBEA administers the designation process and related programming.

Dover's use of tax-incentive programs and land-use policies, such as the State's Community Revitalization Tax Incentive (RSA 79-E) and Dover's Transfer of Development Rights Program (TDR) have been used to encourage developments such as The Cottages at River Road by GSD Group and Bellamy Road development by Knox Marsh Development. These developments, their public recognition of innovation, and the partnership required with the city highlights the continued commitment of the city and its local developers to provide innovative and timely solutions to add relevant housing stock for the city.

Within the community and with support from non-profits working in the housing sector, Dover should continue to exhaust all avenues for creating, supporting, and championing housing development. Dover received numerous suggestions and recommendations for the city to address housing needs. The SRPC audit offers opportunities to grow housing stock through ADU's, new construction, conversions, land use policy changes, other housing types, and financial tools for incentivization. Dover could effectively address many of these proposals through thoughtful coordination of the planning and community development department, city

¹ The NH State Legislative has declined to allocate funding to the Housing Champion Designee grant programs in the upcoming biennium.

council, planning and zoning boards, and a newly created Housing Commission to implement and oversee suggestions for growing housing options in the city.²

The prevailing sentiment through our current state of affairs analysis, as a committee and through the SRPC audit, is that Dover is a leader in the implementation of programs to address the growing housing crisis that affects New Hampshire, however to meet the growing need for our city, we must be vigilant in continuing to manage as well as grow our programs to address housing at all ages, incomes, and abilities.

3.2 Current Housing Landscape, Demographics and Economic Trends

The housing landscape in Dover, as well as the demographic and economic trends, are outlined in detail through the SRPC audit (7.2). Some highlights to note for the issues Dover is facing include:

- City of Dover is in need of at least 1,754 housing units by 2035 to constitute a balanced housing supply, which would accommodate population growth in the city of approximately 1% per year or 10% over the next decade.
- As much as 35% of all households and 44% of renting households pay 30% or more of their household income on housing in Dover, the traditional threshold for a household to be considered “cost-burdened” by housing.
- Dover’s growth has come from in-migration rather than natural growth (where births outpace deaths).
- 7.62 square miles or 26.12% of the city, is deemed “developable.”

3.3. Regional Dynamics: Dover vs Strafford County

Dover exhibits a notably different housing landscape compared to Strafford County as a whole. While 67% of county residents own their homes and 33% rent, Dover presents a nearly even split, with only 52% homeowners and 48% renters. This higher proportion of renters, coupled with a median rent that is 26% higher than the county average, underscores the heightened housing cost burden many Dover residents face.

Although progress has been made in improving housing quality—such as reducing the number of homes lacking basic plumbing—structural gaps in affordable housing remain. One key difference lies in the availability of mobile home parks. Unlike neighboring towns such as Rochester and Farmington, where mobile home parks are more prevalent and serve as a crucial source of affordable housing, Dover has only a few such options — and higher lot fees often limit their affordability. As a result, residents in search of lower-cost living arrangements are often forced to relocate outside the city, contributing to displacement and weakening community ties.

² <https://nhfpi.org/blog/multiple-affordable-housing-barriers-adversely-impact-communities-adding-housing-expands-tax-base-beyond-key-costs/#:~:text=A%20confluence%20of%20interrelated%20factors,second%20homes%20and%20short%2Dterm>

This regional imbalance suggests an opportunity for Dover to invest in housing solutions that are both affordable and community-centered. By diversifying its housing stock and aligning more closely with the needs of its residents, Dover can enhance both housing equity and community resilience in the face of growing economic pressures.

3.4 Populations of Concern

Through both quantitative and qualitative data points and evidence, the following populations were found to be at a higher risk of housing insecurity.

- Unhoused/Experiencing Homelessness: a growing population of currently unhoused people live in Dover and experience hardship due to their lack of stable housing. (In 2025, the annual Point-in-Time count, a HUD report to estimate homelessness, found 119 unsheltered individuals in Strafford County.)
- Developmentally Delayed: adults, and soon-to-be adults who are reliant on their guardians and/or other social services to assist with care are at a higher risk of housing insecurity due to loss of guardian, limited social services, and limited self-sufficiency.
- Disabled/Differently Abled-bodied: individuals with mobility impairments can be housing insecure due to the lack of housing option available that meet their needs for self-sufficiency.
- “Missing Middle”: households that earn too much to qualify for traditional subsidized housing, yet have difficulty finding housing and struggle to afford market-rate rents. This group includes essential workers such as teachers, healthcare professionals, and first responders, often referred to as the workforce.

These populations are not all encompassing of the groups of people deeply affected by lack of affordable housing. However, it is important to note that the shortage of housing is impacting them in a disproportionate way due to lack of other options with transportation and or accessibility restrictions.

3.5 Affordability Challenges

Affordability challenges continue to be a large topic in the overall housing crisis in New Hampshire and Dover. According to New Hampshire Fiscal Policy Institute (NHFPI) a confluence of interrelated factors may be contributing to the limited availability of affordable housing in the Granite State, including changing demographics, reduction in housing construction between the early 2000s and 2010s, concerns about local property tax increases, and the increasing number of second homes and short-term rentals in New Hampshire. The state’s housing shortage creates challenges to Granite Staters’ well-being. These challenges include slower economic growth, increased strain on family resources, and loss of housing entirely. As Dover grapples with a housing stock shortage for all populations, including the over-housed who wish to down size, transplants, middle and high-income families, the impact of lack of affordable housing, especially for populations of greatest need, should continue to be an area of concern for policy makers to create policies and programs to increase housing availability.

3.6 Stakeholder Input and Community Engagement

Prior to the establishment of the Ad-Hoc Committee to Address Community Housing Needs and after the Committee's inception, the City's Housing Navigator, with the support of other Planning Department staff, engaged in a variety of activities to solicit resident and stakeholder feedback. This combined 2023-2024 summary highlights the substantial progress made in community engagement, policy development, and regional housing advocacy in Dover. Key takeaways and impact from community engagement include:

- Expanded public engagement through events, surveys, and community discussions, increasing awareness of housing challenges.
- Strengthened partnerships with housing organizations, financial institutions, and policymakers to advance attainable housing efforts.
- Implemented zoning reforms to encourage housing development and accessibility.
- Launched financing programs and studies to address housing affordability, ADU financing, and lead safety challenges.
- Established a city-wide ad-hoc Housing Committee to consider long-term housing strategies.

3.7 Areas for Improvement & Proposed Plans

Several housing initiatives intended to increase the supply of available housing, and, in turn, affordability have been implemented in the State of New Hampshire since 2023. The implementation of the [Housing Champion Program](#), as enacted in 2023, made \$5 million dollars in grant funding available to municipalities that voluntarily meet several requirements including zoning and land use ordinances that support increases in workforce housing. The City of Dover was designated a Housing Champion in 2024, in recognition its ongoing commitment to addressing housing needs through proactive planning and forward-thinking policy initiatives.

There were also [several housing law changes](#) during the 2024 Legislative Session to increase the amount of available housing, including reduced barriers to housing construction and time for approvals. Changes included potential tax incentives for owners and developers who convert office space into residential space, including mixed-use buildings, easing parking space requirements for certain types of units, fire code exceptions for buildings with four or fewer units, and the creation of housing opportunity zones.

New Hampshire Housing is working to reduce misconceptions associated with affordable and workforce housing through their "[Housing Fact or Fiction](#)" series, including highlighting multiple reports that found no evidence that increases in workforce and affordable housing result in influxes of children who cause local property tax increases to fund schools. The series highlights that many people have lived, or currently live, in workforce housing, but do not realize they do; affordable housing and workforce housing were not commonly used historically because most housing was affordable to Granite Staters who were employed. The Workforce Housing Coalition of the Greater Seacoast continues to work with businesses to encourage public-private partnerships and direct employer investment in providing housing for their employees.

NHFPI notes that without additional investments and enhanced understanding of effective and sustainable policies that support housing access, more New Hampshire residents may struggle to afford to live, work, and thrive in the Granite State.

Dover received numerous suggestions and recommendations for the city to address housing needs. The SRPC audit offers opportunities to grow housing stock through ADU's, new construction, conversions, land use policy changes, other housing types, and financial tools for incentivization. Dover could effectively address many of these proposals through thoughtful coordination of the planning and community development department, city council, planning and zoning boards, and a newly created Housing Commission to implement and oversee suggestions for growing housing options in the city.³

4. Key Issues Identified by the Committee

4.1 Barriers and Pathways to Affordable Housing

Development of affordable housing in Dover involves a complex interplay of economic, regulatory, and community factors. In order to ensure thoughtful development of housing for residents of all ages, incomes, and abilities, we must first understand both the barriers and pathways to affordable housing.

Economic realities represent the greatest barriers to affordable housing in Dover. According to the NH Fiscal Policy Institute, rental prices in Dover have surged significantly in recent years, up nearly 32% between 2020-2024⁴. It remains extremely challenging for low- and moderate-income households to find affordable units. Research also reveals “the missing middle,” those who earn 80% or more of the Area Median Income (AMI) whose incomes are slightly too high to qualify for subsidized units-- but still do not earn enough to afford market priced homes. Overall inventory of affordable units is low, with insufficient new construction to meet the need; with high inflation and a surging economy, developers are hesitant to build low-margin affordable units when market-rate units offer a much stronger return on investment.

Developers also point to regulatory and policy barriers as impediments to affordable housing development. While Dover's local zoning laws are among the most progressive and forward-thinking in the State of New Hampshire, local restrictions and policies limit where affordable units can be built. This compounds when lengthy and costly discretionary approval processes for new developments are considered, as these add to construction costs and delay housing production. Limited funding for affordable housing initiatives and restrictive land-use policies hinder progress, which combined with community opposition to higher-density or low-cost housing developments can slow or block projects, despite efforts to educate residents on the benefits of such initiatives. Affordable housing projects that push the limits of allowable zoning in pursuit of greater density risk angering neighbors, whose collective action as NIMBYs (Not In My Backyard) can deter, delay, or halt further development of affordable housing.

³ <https://nhfpi.org/blog/multiple-affordable-housing-barriers-adversely-impact-communities-adding-housing-expands-tax-base-beyond-key-costs/#:~:text=A%20confluence%20of%20interrelated%20factors,second%20homes%20and%20short%2Dterm>

⁴ <https://nhfpi.org/blog/new-hampshire-rental-costs-continued-to-rise-in-early-2024-increasing-impacts-on-tenant-household-budgets/>

Developing the pathways to enable affordable housing requires innovative development strategies and persistent engagement by developers, policy-makers, and citizens alike:

- Redevelopment or adaptive reuse projects (e.g., apartments at Tuttle Square, Washington Street Mill, Bellamy Mill Apartments, the Orpheum, etc.) demonstrate how repurposing underutilized buildings can create affordable units while preserving historical features.
- Innovation in existing spaces is another pathway to affordable housing.
- Dover has also promoted additional dwelling units (ADUs) as a way to increase housing supply.
- New financing programs, such as second-lien loans offered by Kennebunk Savings Bank, can help residents build ADUs affordably.
- Other housing types that have fallen out of favor, such as single-room occupancy (SROs), are also options; SROs are a type of low-cost housing with small, furnished single rooms for dwelling, with shared bathrooms and communal kitchens.

Dover's willingness to take on policy and regulatory reforms has also enabled development of affordable housing.

- By allowing "by-right" development of multi-family housing in certain zones, Dover has helped reduce regulatory and cost barriers by eliminating lengthy approval processes that would otherwise derail these projects.
- Dover's use of inclusionary zoning programs is also commendable-- offering incentives (density bonuses, variances, conditional use permitting) for developers who include affordable units in their projects has encouraged more development of both affordable and market-priced units. Increasing the overall inventory of housing is essential to ensuring all residents have appropriate housing throughout their lifetimes.

Another pathway exists through community engagement and education initiatives.

- By engaging community members as early as possible in the planning process, developers build trust and support for affordable housing projects, particularly when targeting distressed, blighted, or problem properties for redevelopment.
- Collaborative efforts with public-private partnerships between city officials, developers, and financial institutions are also essential pathways that help address barriers to housing development collectively.

If economic realities are one of the greatest barriers to affordable housing, the use of all available financial tools and creative financing models is the pathway to enabling its creation. This means using all state and local funding sources to make projects financially viable, using creative financing models and programs that allow homeowners to finance ADU or affordable unit construction to offer cost-saving opportunities for expanding housing options.

In summary, while Dover faces significant barriers to affordable housing-- high costs, restrictive zoning, and limited funding—there are pathways to enable development, like redevelopment and adaptive reuse projects; policy reforms; innovative financing tools; and community collaboration. By leveraging creative solutions, policy makers can ensure thoughtful development of housing for residents of all ages, incomes, and abilities.

4.2 Zoning and Land Use Policies

In this section we review Dover's current zoning and land use policies:

The City of Dover has four Chapters regarding land use policy, including housing policy in their Code. These include Chapter 101 (Manufactured Home Parks), Chapter 153 (Site Review Regulations), Chapter 157 (Land Subdivision Regulations), and Chapter 170 (Zoning). Each year, the Planning Board (and in the case of Zoning, the City Council) reviews potential amendments to these Chapters to ensure the strategic plan, master plan, Council goals, and state statute are being followed.

Over the past several years, the City has been very active in responding to issues of housing. Since 2021, the Planning Board and City Council approved additional Zoning Amendments to reduce barriers to housing availability including:

- Allowing smaller homes to be built, without zoning relief, on lots smaller than 5,000 sf;
- Allowing more than one ADU, if the additional ADU is HUD rent restricted;
- Allowing conversion of single-family homes to two family homes, by right, in all single family zones if the home looks and operates like a single family home;
- Allowing new construction of two-family homes in the R-12 and R-40 single family districts;
- Removing the dimensional requirement for conversion of a two-family home in the urban multifamily district into a 3 or 4 family by special exception if the owner agrees the new units will follow HUD rent restrictions.

A non-Zoning action was to incorporate allowances for additional tax credit relief under the Community Revitalization Tax Credit Program for mixed use buildings downtown, if there are HUD rent rate units included.

As already noted, in 2023 and 2024, the City partnered with SRPC through the InvestNH Housing Opportunity Program (HOP), to do a regulatory audit of the zoning code and other land use regulations to look for opportunities to create additional density in the City. A full report was provided to the Housing Committee and amendments will start being recommended in 2025.

Currently, Dover allows multi-family housing in over half of the City, manufactured housing in most residential areas, a variety of densities throughout the city such as 1 unit per 2,000 s.f. of lot size in "urban" areas and 1 unit per 40,000 s.f. in "rural" areas, as well as rooming houses in the urbanized areas. Dover also incentivizes attainable housing through a Transfer of Development Right's Ordinance, which allows property owners to purchase density from lots elsewhere in the City. There are a variety of options such as some homes being size restricted, or allowing density increase if rent rates are restricted. Additionally, developers can build above 5 stories in the downtown area if additional units are HUD rent restricted.

Since 2010, the City has increased density by removing density calculation from residential projects downtown, allowing higher density in the Gateways into the Dover or if HUD restricted elsewhere, and allowing commercial/industrial properties to have residential density (1 unit per 2,000 s.f. of commercial building space) within industrial zones for new construction over 40,000 s.f.

For decades, Dover has recognized the value in creating commercial and residential mixed-uses. Within most non-residential zones, and in the Residential/Commercial Mixed Use Overlay district, the community has zoning that allows mixed use buildings, so long as there is commercial on the first floor of the building. This allows both commercial growth and high density residential options in the city such as Pointe Place.

Dover has allowed Accessory Dwelling Units or ADUs since 2010. Dover also allows Customary Home Occupations, which in many cases increases options for live/work. Finally, Dover does not have a “family” requirement for Single Family homes, nor do we prevent private leases between parties for rooms. If the life safety code is met, you may have multiple unrelated people sharing a home, so co-housing or similar tenancy can occur.

Several housing regulation topics are currently being discussed by the City for possible modification:

- **Transfer of Development Rights (TDR):** The Transfer of Development Rights (TDR) program has proven to be a tool for both increasing housing stock and conserving land. The flexibility of the existing TDR ordinance allows for creative design and development, making it a mechanism for addressing Dover’s evolving housing needs.
- **Accessory Dwelling Units (ADUs):** Adjusting the ADU policy could create additional housing opportunities while enabling property owners to contribute directly to housing solutions.
- **Lot Restoration and Adjustments:** Lot restoration has been instrumental in supporting infill development throughout Dover, particularly when benefiting from non-conforming lot status. However, current regulations prevent property owners from applying for a lot line adjustment without forfeiting this status. Policy revisions could allow property owners to seek lot line adjustments that improve lot conformity while maintaining development eligibility.
- **Commercial Land Use and Housing Integration:** Dover could benefit from increased flexibility in commercial zoning requirements.

Additionally, the SRPC audit report included many specific suggestions for addressing city policies to increase housing stock, to encourage affordable housing development, and create programs to better match housing stock with those in need.

1. Accessory Dwelling Units

- Allow a second HUD Fair Market Rental unit in the R-40 District with provisions to maintain the R-40's rural character.
- Eliminate the requirement for dedicated off-street parking if located within walking distance of downtown, public transit or can be accommodated by another acceptable alternative parking solution.

2. Conversion of Existing Dwellings

- Review parking requirements for conversion units to reduce or eliminate if located within walking distance of downtown, public transit or can be accommodated by another acceptable alternative parking solution.
- Allow conversions of up to four units in the RM-U, CWD and HR Districts by right.
- Allow conversions of existing dwelling units in the Office, Hospital, and Little Bay Waterfront Districts.

3. New Two Unit Dwellings

- Allow two-family dwellings by right in the R-40 District with provisions to maintain R-40's rural character.

4. New Three – Four Unit Dwellings

- Allow 3-4 family dwellings in the H and R-12 Districts.
- Update the Special Exception and Conditional Use Permit criteria in RM-U and HR Districts, including a review of parking and setback requirements.
- In the R-40 District, allow by Special Exception (with existing density of 40,000 sf per unit) in areas with water and sewer or with lot areas that can meet onsite utility requirements.
- Consider a pause on impact fees to encourage new development.

5. New Multi-family Dwellings

- Consider revising the Conditional Use Permit language to clarify standards for ground floor residential units in the CBD General, CBD Mixed-Use and TOD.
- Consider allowing increased heights in the CBD to accommodate additional density.
- Incentivize the building of ADA-compliant units, with additional incentives for those who specialize in affordable housing and/or supportive housing for those with disabilities.

6. Other Development Types

- The City could consider allowing Emergency Shelters through Conditional Use Permit or Special Exception, possibly along Routes 108 and 155 (in the CBD, C & G zones).
- Include a sample or example yield calculation for Transfer of Development Rights
- Consider modifications to better support attainable (price-restricted) homes for purchase
- Consider further reducing the minimum lot size for RCM with TDR.
- Allow developments with HUD Fair Market Rental units to correspondingly reduce the commercial percentages required in the RCM overlay.
- Consider reviewing the RM-U and Office districts lot sizes so more lots are in conformity.
- Consider relaxing the non-conforming lot regulations in these districts to allow for more infill.

7. Housing Opportunity Zone

- The City could consider incorporating the HOZ overlay into the TDR, RCM, or Open Space Regulations to incentivize the development of affordable housing.

For additional examples to expand zoning options, see the SRPC recommendations in the appendix. These examples were developed by SRPC and are provided to inform local discussions.

4.3 Homelessness and Vulnerable Populations

The housing challenges in Strafford County are both acute and multifaceted, placing a significant burden on vulnerable populations, including individuals facing homelessness and housing insecurity. While Dover-specific data is not readily available, the figures presented below reflect housing issues across the entire county. Collecting and analyzing more localized data would enhance the ability to develop targeted and effective housing solutions tailored to the Dover community.

- Cost-burdened households—defined as those spending more than 30% of their income on housing—represent 31.87% of households in the county, a higher rate than the state and national averages. Renters are disproportionately affected, with 49% of renter households classified as cost-burdened. For homeowners, 34% of those with mortgages and 21% without mortgages fall into this category. High housing costs are compounded by a severe shortage of affordable units; less than 3% of the housing stock is priced below an affordable rent compared to 14% statewide, while vacancy rates remain at an all-time low of 1.4%.
- Housing quality also poses significant challenges. Over 31% of occupied housing units in Strafford County have at least one substandard condition, such as inadequate plumbing or kitchen facilities, overcrowding, or high housing costs relative to income. This trend, combined with higher rates of cost-burdened households and low vacancy rates, places additional pressure on residents, especially those with limited financial resources.
- Homelessness remains a pressing concern, with the number of people experiencing homelessness consistently outpacing the 170 shelter bed capacity for all of Strafford County. The Willand Pond Emergency Warming Center served 136 unique Individuals over the course of the 24-25 season. According to the NH Coalition to End Homelessness, these individuals are often at higher risk of health complications and mortality due to hazardous living conditions and limited access to care. While housing authorities in Dover, Rochester, and Somersworth manage Housing Choice (Section 8) Vouchers and other affordable housing programs, waiting lists for assistance extend up to three years, leaving many residents without immediate support. Expanding affordable housing options and addressing systemic barriers to stable housing are critical to improving outcomes for the region's most vulnerable populations.

4.4 Workforce Housing Needs

Workforce housing is defined as housing affordable to households earning between 60 and 120 percent of area median income (AMI). Workforce housing is an essential resource that provides housing options for middle-income earners, like police officers, firefighters, teachers, health care workers, retail and service economy workers, and so on. These professions earn wages that often don't equal the costs of market-rate housing in their communities, which is crucial for maintaining a stable workforce and a healthy local economy. Households who need workforce housing may not always qualify for housing subsidized by the [Low-Income Housing Tax Credit](#)

(LIHTC) program or the [Housing Choice Vouchers](#) program (formerly known as Section 8), which are two major programs in place for addressing affordable housing needs.

As Dover's economy has grown, rents and mortgages have grown as well—but wages have not, and a large portion of Dover's workforce is priced out of nearby residences and must commute from other municipalities. This unravels the civic and social fabric by taking people's most precious commodity—their time—as lengthy commutes pull people away from their families, and deter their participation in civic, political, and community events. To mend this condition, we must make it possible for people at all income levels to work and live in Dover.

One workforce housing solution is employer-assisted housing (EAH). EAH programs can close the renter and homeownership affordability gap and allow workers to rent apartments and/or purchase homes in the communities they serve. In collaboration with local businesses, Dover should explore ways to raise awareness of EAH programs among employers, lenders, and community groups as a way to effectively leverage public and private funds to address housing affordability challenges and community revitalization.

4.5 Impact of Short-Term Rentals

Seasonal or vacation homes may also reduce available housing units. National 2020 estimates from the U.S. Census Bureau suggest seasonal units may constitute [approximately half of vacant housing](#) nationwide. In New Hampshire, the average rate of seasonal, recreational, or occasional use housing in 2020, the most recently available data with reliable municipal-level estimates, was estimated to be [8.8 percent](#), but at a municipal level, Dover was estimated to be at less than 1%.

While the use of seasonal or vacation homes is not a significant problem in Dover today, it will be important to ensure future housing policies account for the negative impacts that short term rentals can have on a community and to avoid them taking hold in Dover.⁵

⁵ <https://nhfpi.org/blog/multiple-affordable-housing-barriers-adversely-impact-communities-adding-housing-expands-tax-base-beyond-key-costs/#:~:text=A%20confluence%20of%20interrelated%20factors,second%20homes%20and%20short%2Dterm>

5. Recommendations Related to the 2035 Community Vision – Pillar 4 Housing and Vision Elements

Goal - Pillar 4-1: Housing is affordable, and attainable to a variety of individuals, families, and households at a range of income levels.			
Deliverable	Timeline	Responsibility	Impact
Establish a Housing Commission in Dover, NH to address the city’s current and future housing needs. The commission will create a comprehensive housing policy for the city and focus on strategies to ensure affordable, accessible, and sustainable housing options for all residents while supporting economic growth and community well-being.	End of 2025	City Council	Assess Housing Needs: Conduct a comprehensive assessment of current housing conditions, affordability, and future housing demand. Policy Development: Develop recommendations for housing policies that align with the city’s Master Plan and long-term growth objectives. Community Engagement: Create opportunities for residents, stakeholders, and businesses to participate in the housing dialogue. Advocate for Funding: Identify and pursue funding opportunities, such as state and federal grants, for housing development and preservation.
Use available data on housing (inventory, pricing and affordability needs assessments, etc.) to determine concrete needs for Dover’s housing stock, and then apply that data to drive policies that encourage development or reuse of the most-needed types housing.	Annual reporting and analysis; Biennial needs assessment	Housing Planner (data aggregator) Housing Commission (recommends policy)	Planning Dept uses data to drive developer incentives and shape zoning policies, influencing developers to build most-needed types of housing. Annual Out of Reach Report, Paycheck to Paycheck Database, State/local data on development

Goal - Pillar 4-1: Housing is affordable, and attainable to a variety of individuals, families, and households at a range of income levels.

Deliverable	Timeline	Responsibility	Impact
Continue to offer an affordable component to all TDR applications. Offer increased density for affordable, workforce, and attainable units. Incentivize development for affordable/attainable priced homes (price restricted) for purchase. Reduce lot sizes and frontage requirements. Plans w/ greatest affordability are offered the greatest incentives.	NLT 2026; review annually, assess w/ biennial Housing Needs Assessment	Housing Commission Planning Dept Planning Board Dover City Council	Infrastructure costs are reduced through additional density. Developers build more affordable options w/ increased market rate unit density. Single Family Home construction often includes ADUs deed-restricted to HUD FMR rents. RSA 673:10 City Code, Ch 153, 157, 170
Relax ADU regulations to allow more flexibility.	End of 2025	Planning Dept Planning Board City Council	Improved affordability for current residents, especially those on fixed incomes, to be able to remain in remain in their homes with rental income either from the ADU unit or the main house. Home purchasers can qualify for a mortgage with anticipated ADU rental income and thus afford to purchase a home in Dover.
City of Dover to explore developing a housing assistance program for police, firefighters, teachers and other city employees in order to attract and retain quality candidates for Dover's open positions.	End of 2026	Housing Commission City Council	Dover has fully staffed Police, Fire and School Departments and can more easily attract quality candidates when openings do occur.
Conduct a Comprehensive Needs Assessment for Dover: The assessment will identify current and future housing needs, with a specific focus on underserved and vulnerable populations, and	Mid 2026	Planning Department	Analyze the current housing inventory, affordability, and gaps. Identify Vulnerable Populations: Highlight the needs of underserved groups such as low-income households, seniors, individuals

Goal - Pillar 4-1: Housing is affordable, and attainable to a variety of individuals, families, and households at a range of income levels.

Deliverable	Timeline	Responsibility	Impact
provide data-driven recommendations to inform housing policies and programs.			with disabilities, and people experiencing homelessness. Forecast Future Demand: Predict housing needs based on demographic and economic trends. Support Strategic Planning: Provide actionable insights to guide the development of housing policies, programs, and funding decisions.
Craft a Balanced Housing Policy to address Dover's housing needs for inclusion in Dover's Master Plan. The goal is to promote equitable, sustainable, and diverse housing solutions that support affordability, accessibility, community growth, and economic development while preserving neighborhood character and environmental sustainability.	End of 2025	City Council/ Planning Board	Incentivize Affordable Housing: Propose tax incentives, density bonuses, or streamlined permitting for developers prioritizing affordable housing units. Develop a landlord incentive program in Dover, NH, that encourages property owners to accept housing vouchers by addressing common barriers such as financial risks and administrative burdens. The program will provide funding for security deposits, offer financial support for damage repairs, and streamline communication and processes to foster positive landlord-tenant relationships and expand affordable housing opportunities. Preserve Existing Housing Stock: Develop programs for the maintenance and rehabilitation of older homes. Conduct workshops, town hall meetings, and surveys to gather

Goal - Pillar 4-1: Housing is affordable, and attainable to a variety of individuals, families, and households at a range of income levels.

Deliverable	Timeline	Responsibility	Impact
			public input on housing priorities. Collaborate with local organizations, businesses, and housing advocates to ensure broad representation.
Establish public-private partnerships (PPPs) to increase the development and availability of affordable and supportive housing in Dover, NH. These partnerships will leverage the resources, expertise, and capital of both the public and private sectors to address housing challenges while fostering innovation and cost-effective solutions.	Medium-Long Term	City Council/ Planning Board	Expand Affordable Housing: Increase the number of affordable units available for low- and moderate-income residents. Develop Supportive Housing: Provide housing paired with wraparound services for individuals with complex needs, including those experiencing homelessness, seniors, and individuals with disabilities. Leverage Resources: Combine public funding and incentives with private investment to maximize impact. Foster Collaboration: Build lasting partnerships between government, private developers, nonprofits, and community stakeholders.
Identify and study comparable communities across the country that have successfully expanded affordable housing and implemented effective programs to alleviate housing shortage. By analyzing best practices, Dover, NH can develop and adapt proven strategies to address local	Medium-Long Term	City Council/ Planning Board	Identify Comparable Communities: Locate cities or towns with similar demographics, economic profiles, and housing challenges to Dover, NH. Document Best Practices: Gather data on successful affordable

Goal - Pillar 4-1: Housing is affordable, and attainable to a variety of individuals, families, and households at a range of income levels.

Deliverable	Timeline	Responsibility	Impact
housing challenges and improve services for vulnerable populations.			housing initiatives and homelessness alleviation programs. Assess Transferability: Evaluate which strategies can be adapted to Dover's unique needs and constraints. Inform Local Policies: Provide actionable recommendations based on proven models.
Explore modification to HUD restricted housing to include purchase option.	Mid 2026	Planning/ Housing Commission	Expands options for affordable home ownership.

Goal – Pillar 4.2. Diversity of housing options are available, including single family and multi-family homes, and safe, well-maintained rental units.

Deliverable	Timeline	Responsibility	Impact
Approved plans are consistent with Dover Master Plan, reviewed to ensure inclusion of visual attractiveness; cohesion and connectivity throughout the entire city (walkability, bike lanes, public transit); thoughtful growth; and protecting and enhancing a vibrant urban core along with its surrounding residential neighborhoods, business districts, and rural residential, agricultural, and open lands.	Jan 2026	All Boards Housing Commission Planning Dept TRC Planning Board	Dover's development pleases residents, contributing to a more cohesive, visually appealing, and well-connected city. Ensures walkability, expanded bike lanes, and accessible public transit are prioritized, enhancing mobility and connectivity for all residents. Thoughtful growth strategies support a vibrant urban core while preserving the character and vitality of surrounding residential neighborhoods, business districts, and rural open spaces.

Goal – Pillar 4.2. Diversity of housing options are available, including single family and multi-family homes, and safe, well-maintained rental units.			
Deliverable	Timeline	Responsibility	Impact
			Promotes a balanced, sustainable city that reflects community values and supports long-term quality of life. RSA 673:10 City Code, Ch 153, 157, 170
Explore using fines from Code enforcement violations to contribute to housing related funds.	Medium-Long term	Housing Commission City Council	Offers a locally controlled revenue stream to support affordable housing development, enhancing long-term housing stability efforts.

Goal – Pillar 4.3. Housing types are interspersed to foster neighborhoods that are multigenerational and socioeconomically diverse.			
Deliverable	Timeline	Responsibility	Impact
Encourage a mix of housing stock by enabling special exceptions for mixed-styles of housing, with multifamily buildings and single-family homes side-by-side in projects of certain sizes.	Jan 2026	All Boards Housing Commission Planning Dept TRC Planning Board	A mixture of housing stock in neighborhoods enables a diversity of housing options while maintaining Dover’s unique character. Developers innovate to include greater density and mixed affordability in new developments. Dover’s stock of workforce housing enables residents to live/work/play in their community. RSA 673:10 City Code, Ch 153, 157, 170

Goal – Pillar 4.3. Housing types are interspersed to foster neighborhoods that are multigenerational and socioeconomically diverse.

Deliverable	Timeline	Responsibility	Impact
Investigate and identify developers and nonprofits that have been successful in securing funding through the New Hampshire Housing Finance Authority (NHHFA) program for apartment complex developments as seen Rochester and other cities.	Intermediate	Planning Dept or Housing Commission	Identify successful strategies for NHHFA funding Improve future application competitiveness Ensure effective use of public funds Support the development of impactful affordable housing in Dover
Review and analyze Current Manufactured Home Park Codes in Dover.	2026	Planning Dept	Provide informed recommendations for updating Dover’s codes to accommodate modern tiny homes or revamped manufactured home parks, fostering affordable housing solutions and ensuring regulations reflect current housing trends.
Analysis and Evaluation of Single Room Occupancy (SRO) Style Group Living Models as seen in Boston.	2026	Planning Dept or Housing Commission	Provide recommendations for improving or replicating the model, considering factors such as structured self-sufficiency support, resident participation, space utilization, and program effectiveness.
Review Design Evaluation of Apartment Buildings with Ground-Level Storefronts and ADA Apartments.	Long Term	Planning Dept AND Housing Commission	Evaluate the design’s effectiveness in balancing residential and commercial needs, enhance accessibility for ADA residents, and provide actionable recommendations for optimizing and replicating this mixed-use model in future developments.
Review incentives for building housing units with a wide mix of incomes (Low-to moderate Income) to achieve Housing Integration.	Long Term	Planning Dept AND Housing Commission	This structured approach will provide a thorough evaluation of the integration of low-income housing in a multi-story condominium setting, offering insights into its success and

Goal – Pillar 4.3. Housing types are interspersed to foster neighborhoods that are multigenerational and socioeconomically diverse.

Deliverable	Timeline	Responsibility	Impact
			potential for wider application in future housing developments.

Goal – Pillar 4.4. We are supporting varying housing needs including availability of one-level housing, assisted living, and long-term care options to meet the needs of residents of all ages and abilities.

Deliverable	Timeline	Responsibility	Impact
Offer the greatest possible incentives for accessible and supportive housing developers. Use all legal, financial, and planning tools to promote ADA-compliant, single-story, accessible and “ADA-ready units” development. Offer incentives for mixed use multi-family units with assisted-living, long-term care, or memory care facilities in the same neighborhoods.	2026; review annually, assess w/ Biennial Housing Needs Assessment	Housing Commission Planning Dept Planning Board Dover City Council	Supportive and accessible housing development measurably increases. Developers innovate to offer accessible and supportive multifamily units, and single-story accessible homes, in neighborhoods with mixtures of multifamily and single-family units; increased development of assisted, long-term, nursing, and memory care facilities. RSA 673:10 City Code, Ch 153, 157, 170

Goal – Pillar 4.5. Housing and property taxes are affordable to older residents on fixed incomes seeking to age in place in Dover.

Deliverable	Timeline	Responsibility	Impact
Develop, enhance or expand Senior Property Tax Relief Program specifically for older residents on fixed incomes.	End of 2025	City of Dover Tax Assessor's Office, Senior advocacy groups, local Nonprofits	Reduces the financial burden of property taxes, allowing seniors to remain in their homes.

Goal – Pillar 4.5. Housing and property taxes are affordable to older residents on fixed incomes seeking to age in place in Dover.

Deliverable	Timeline	Responsibility	Impact
Create Affordable Senior Housing Development Incentives: Encourage the development of affordable, age-friendly housing units through zoning incentives and public-private partnerships.	Intermediate	Dover Planning and Zoning Departments, Private Developers, State Housing Agencies	Expands affordable housing options tailored to older residents' needs. Ensure proximity to healthcare, public transit, and community amenities. Provide density bonuses, tax abatements, or expedited permitting for developers building senior housing.
Establish "Aging in Place" Home Modification Grant Program: Create a grant or low-interest loan program to assist older residents in making their homes more accessible and energy-efficient.	Intermediate	Dover Community Development Office. State and Federal Housing Programs (e.g., NHHFA, Local Charities	Improves safety, comfort, and affordability, enabling seniors to age in place. Funding for modifications such as ramps, grab bars, stairlifts, and weatherization improvements. Partnerships with local contractors for affordable services.

Goal – Pillar 4.6. Housing in the downtown area is available for walkable, car-less living.

Deliverable	Timeline	Responsibility	Impact
Explore options to address “last mile” deficiencies.	Medium-Long term	Housing Commission	Increases access to jobs, education, healthcare, and essential services.
Consider incorporating elements of “15-minute cities” to enhance neighborhood livability.	Medium-Long term	City Council/ Zoning Department	Reduces environmental impact, improves quality of life, and promote equity by ensuring that all residents — regardless of income or background — have convenient access to daily necessities.

Goal – Pillar 4.7. Large single-family housing can be converted into multi-family housing where appropriate.

Deliverable	Timeline	Responsibility	Impact
Consider expansion to Allow 2-4 family units by right in the R-40 district with provisions to maintain R-40's rural character.	2026	Planning Board	Building density and adding units, without impacting rural character.

Goal – Pillar 4.8. Housing is available to adults with disabilities.

Deliverable	Timeline	Responsibility	Impact
Use all legal, financial, and planning tools to promote ADA-compliant, single-story, accessible, and “ADA-ready units” development. Provide incentives for accessible and supportive housing developers.	2026; review annually, assess w/ Biennial Housing Needs Assessment	Housing Commission Planning Dept Planning Board Dover City Council	Supportive and accessible housing development measurably increases. Developers innovate to offer accessible and supportive multifamily units, and single-story accessible homes, in neighborhoods with mixtures of multifamily and single-family units. Increased development of assisted, long-term, nursing, and memory care facilities. RSA 673:10 City Code, Ch 153, 157, 170

Goal – Pillar 4.9. High quality healthcare and specialists, including behavioral and mental healthcare, are accessible and available to all community members.

Deliverable	Timeline	Responsibility	Impact
City of Dover to develop a housing assistance program for private employers in order to attract and retain quality candidates for regional open positions.	End of 2026	City of Dover Local coalitions and housing partners	Dover has adequate workforce can more easily attract quality candidates when openings occur.

Goal – Pillar 4.10. Low-barrier shelter and support services are available and utilized by people experiencing housing insecurity and homelessness.

Deliverable	Timeline	Responsibility	Impact
Establish/Expand Low-Barrier Shelters: Develop or enhance shelters that prioritize access by minimizing entry requirements, such as sobriety, income, or ID.	Short term	Shelter providers, Municipal governments, Continuum of Care (CoC) organizations	Increased access to safe, temporary housing for individuals and families, leading to a reduction in unsheltered homelessness.
Enhance Support Services Integration: Provide wraparound services, including case management, mental health support, substance use treatment, job training, and healthcare, directly at shelter sites or through partnerships.	Ongoing	Shelter providers, social service agencies, State agencies (e.g., NH Department of Health and Human Services), community partners	Improved stability and pathways to permanent housing for shelter residents.
Community Outreach and Awareness Campaigns: Educate communities and potential service users about the availability and benefits of low-barrier shelters and services.	Short Term, Ongoing	CoC organizations, local housing advocacy groups, Media partners, local governments	Increased utilization of shelters and reduction of stigma around homelessness.

Goal – Pillar 4.10. Low-barrier shelter and support services are available and utilized by people experiencing housing insecurity and homelessness.

Deliverable	Timeline	Responsibility	Impact
Measure and Track Outcomes: Develop metrics to monitor shelter usage, housing placement rates, and individual outcomes post-shelter stay.	Short Term, Ongoing	Shelter operators, CoC data teams, Academic or Research Institutions, Funders	Evidence-based improvements in service delivery and funding allocation.
Expand Funding Sources: Advocate for increased funding from public and private sources to sustain and scale low-barrier shelters and services.	Immediate to Short Term, Ongoing	Nonprofit Organizations, Municipal Governments, Philanthropic Organizations, State Legislators	Long-term sustainability of low-barrier shelters and associated services.
Create sanctioned campgrounds for homeless individuals in Dover, NH. These campgrounds will provide essential services, including showers, laundry facilities, garbage collection, and transportation, offering a safe and dignified living environment while facilitating access to supportive resources and pathways to permanent housing.	Intermediate	City Council/ Nonprofit organizations	Provide Safe Shelter: Offer a secure and designated space for homeless individuals to reside temporarily. Improve Quality of Life: Ensure access to basic amenities like hygiene facilities and waste management. Connect to Resources: Provide transportation to facilitate access to social services, healthcare, and employment opportunities. Promote Community Well-being: Reduce unauthorized encampments and their associated impacts on public spaces and safety.

Goal – Pillar 4.10. Low-barrier shelter and support services are available and utilized by people experiencing housing insecurity and homelessness.

Deliverable	Timeline	Responsibility	Impact
Create respite beds in Dover, NH, designed to provide short-term, safe, and supportive accommodations for individuals experiencing homelessness who are recovering from illness, injury, or medical treatment. Respite beds bridge the gap between healthcare services and permanent housing, ensuring vulnerable individuals receive the care and rest they need to recover and rebuild stability.	Medium-Long term	City Council/ Planning	Improve Health Outcomes: Provide a safe space for recovery after medical care, reducing readmissions and emergency room visits. Support Vulnerable Populations: Offer services tailored to the needs of medically fragile individuals experiencing homelessness. Integrate Services: Facilitate access to healthcare, case management, and housing support. Relieve Healthcare System Strain: Reduce the burden on hospitals and emergency services by providing an appropriate care setting.

Goal – Pillar 4.11. Creative housing solutions, incorporating the ‘housing first’ model of shelter and case management, that meets the needs of residents experiencing homelessness or housing insecurity.

Deliverable	Intermediate	Responsibility	Impact
Expand Short-Term Rental Assistance Programs: Increase funding and accessibility to short-term rental assistance for individuals and families facing eviction due to income loss or unforeseen financial hardship.	Short Term, Ongoing	Local housing authorities, CAPSC, City Welfare offices	Prevent evictions and reduce homelessness by helping households maintain their housing. Maintaining housing is more cost-effective than rehousing individuals.
Establish Landlord Education and Support Program: Implement educational resources and training for landlords to identify early	Short term	Local housing authorities, CAPSC, City Welfare offices	Educate landlords on eviction prevention strategies and resources to support tenants, stabilizing households and reducing evictions.

warning signs of tenant struggles, communicate effectively, and collaborate with social services.			
Expand Homeless Prevention Services and Record-Clearing Clinics: Broaden the scope of services addressing the root causes of homelessness, including assistance with clearing criminal records and providing tailored case management.	Ongoing	Local housing authorities, CAPSC, Police Department, City Welfare offices, Legal Aid	Provide families with resources to remain housed, reduce barriers to housing for individuals with criminal records, and promote long-term self-sufficiency.

Goal – Pillar 4.12. Collaborative public and private partnerships address homelessness and housing needs in Dover, including supportive resources and specialists within local government and departments.

Deliverable	Intermediate	Responsibility	Impact
Dover should establish and fund a Land Trust to provide appropriately located land for development of affordable and low-income housing.	Long term	City Council/ Planning Department	Creates a stable, community-controlled mechanism for preserving land for affordable housing. Ensure development occurs in appropriate, well-connected locations—close to jobs, schools, and transit, advancing equity and access.
Local landlords ensure that those awarded vouchers have a choice of affordable, accessible, conveniently located living units of various sizes.	Medium Term	Planning Dept, Housing Commission, Housing Authority, CAPSC	Offers attainable housing options for families of diverse income levels, enabling residents to live in communities that align with their preferences and meet their housing needs.

Goal – Pillar 4.12. Collaborative public and private partnerships address homelessness and housing needs in Dover, including supportive resources and specialists within local government and departments.

Deliverable	Intermediate	Responsibility	Impact
Determine next steps with the SRPC inventory of buildable large tracts of land that are buildable	Medium to Short Term	Strafford Regional Planning & Planning Dept.	Include landowners in the long term planning of housing, schools, recreation and open space in the city.
Bring together local developers to discuss their financial needs and building code restrictions with local employers (hospital, restaurants, retail, schools) sharing the housing needs and support service needs (medical, child care, transportation) required to attract employees.	Medium Term	Housing Commission	Provide “cooperative” housing development of affordable and workforce housing apartments and condominiums to allow employees to live near where they work, and support services are available and convenient to home and work.
Conduct a series of group discussions, round tables, think tanks with local professionals (local housing developers, landlords, property managers, assisted housing agencies, social service providers, municipal and county welfare officials) and seek their opinions on how best to deal with homelessness and how to best build quality affordable housing.	Immediate to Short Term, Ongoing	Planning Dept, Housing Commission, Housing Authority, CAPSC	Consider the advice of professionals dealing with housing concerns every day. Develop new relations and possibly create new partnerships.
Hire a full-time, dedicated housing grant writer to secure funding for affordable housing development, supportive housing programs, and other housing-related initiatives in Dover, NH. A dedicated grant writer will enhance the city’s ability to identify, apply for, and	Short-term (1 st year)	City Council/City Manager	Increase Funding: Secure federal, state, and private grants to address Dover’s housing needs. Support Housing Development: Provide financial resources for creating affordable and supportive housing.

Goal – Pillar 4.12. Collaborative public and private partnerships address homelessness and housing needs in Dover, including supportive resources and specialists within local government and departments.			
Deliverable	Intermediate	Responsibility	Impact
manage grants, ensuring sustainable financial support for critical housing projects.			Streamline Grant Management: Ensure compliance with grant requirements and improve reporting efficiency. Enhance Collaboration: Work with city departments, nonprofits, and private developers to pursue funding opportunities.

6. Conclusion

6.1 Summary of Recommendations

The Ad-Hoc Committee to Address Community Housing Needs has conducted extensive research, stakeholder engagement, and policy analysis to develop strategic recommendations that will ensure Dover’s housing landscape remains accessible, affordable, and sustainable. Key recommendations include:

1. Commit to Addressing Housing Needs through City Housing Commission
 - Creation of standing Housing Commission to oversee affordable housing policy, grant funds, advising of community, and oversight of existing and incoming housing related funding
 - Serve as an advising body for residents, businesses and developers for a more holistic growth in Dover
 - Oversight of consistent application of housing related incentives included TDR, 79E, Housing Opportunity Zones, and any other incoming state-wide housing programs
 - Expected deliverables include yearly update of community impact, creation and oversight of housing opportunity zone mapping, consistent policies of housing incentivization programs, housing champion designation oversight, liaison with Assistant City Planner of Housing & Community Development
 - Chartered with commission including, but not limited to: A renter representative, a developer representative, a landlord representative, a property owner representative, a representative from DBIDA, a school board member, a representative from the planning or zoning boards, a city council member, with

ex-officio membership from Dover Housing Authority and Community Action Partnership of Strafford County

- Award oversight of the creation and updating of housing related chapters in the master plan including the Land Use Chapter, Community Vision, and possibility of a housing-specific chapter

2. Expand Affordable and Workforce Housing

- Require affordable housing components in new developments.
- Incentivize ADUs, mixed-use housing, and multi-family housing through regulatory adjustments.
- Support creative financing solutions for homebuyers and renters, including workforce housing initiatives.

3. Revise Zoning and Land-Use Policies

- Reduce minimum lot sizes and allow denser housing development in targeted areas.
- Encourage adaptive reuse of underutilized commercial and industrial spaces for residential housing.
- Implement inclusionary zoning policies to ensure a balanced mix of housing options.

4. Address Homelessness and Housing Insecurity

- Expand low-barrier shelters and supportive housing programs.
- Create a housing assistance program to help cost-burdened residents remain in their homes.
- Partner with regional organizations to develop transitional housing solutions.

5. Strengthen Public-Private Partnerships

- Establish Employer-Assisted Housing Programs to retain essential workers in Dover.
- Expand funding for public-private affordable housing projects.
- Work with local landlords to increase participation in Housing Choice Voucher programs.

6. Enhance Community Engagement and Housing Education

- Increase public awareness campaigns on housing policies and affordability solutions.
- Involve local businesses, schools, and community organizations in housing discussions and advocacy.
- Conduct regular housing needs assessments to guide future policy adjustments.

6.2 Call to Action

Dover is at a critical juncture in addressing its housing challenges. The committee urges the City Council, planning officials, business leaders, and residents to work together in implementing these recommendations. The success of these initiatives depends on a unified, citywide commitment to:

- Adopt progressive housing policies that foster economic growth and social equity. Publicly commit to growing housing for all outlined in the community vision and in the upcoming Land Use Master Plan Chapter.
- Prioritize investments in housing infrastructure and support programs for vulnerable populations.
- Engage residents in housing discussions to ensure broad community support.
- Hold developers and policymakers accountable for delivering results that align with Dover's long-term housing goals.

The committee calls upon city leadership to act with urgency and intention in making these recommendations a reality.

6.3 Next Steps

To ensure immediate progress, the following action items are recommended for 2025 and beyond:

1. City Council Review & Adoption
 - Present this report to the City Council for formal approval.
 - Integrate key recommendations into the City's Master Plan and upcoming policy decisions.
2. Policy Implementation & Zoning Adjustments
 - Revise zoning and land-use policies in collaboration with the Planning Board including possible implementation of Housing Opportunity Zones.
 - Develop a comprehensive Housing Plan that includes financial and regulatory incentives.
3. Housing Development & Investment
 - Secure state and federal funding for affordable and workforce housing initiatives.
 - Identify and fast-track development projects that align with housing goals.
4. Community Engagement & Education
 - Launch public workshops and informational sessions on housing initiatives.
 - Strengthen partnerships with local businesses, nonprofits, and housing advocates.
5. Annual Housing Progress Review
 - Establish a Housing Commission to oversee progress and report to the City Council annually.

- Continuously evaluate the effectiveness of new policies and make adjustments as needed.

By taking decisive action now, Dover can become a regional leader in innovative, inclusive housing solutions that benefit all residents, businesses, and community stakeholders. The future of housing in Dover depends on our collective commitment to ensuring affordability, accessibility, and sustainability for generations to come.

7. Appendices

7.1 Housing Terms Glossary

- **15-minute Cities:** An urban planning concepts where all essential needs can be accessed within a 15-minute walk or bike ride from a person's home.
- **Accessory Dwelling Unit (ADU):** A secondary housing unit on a single-family residential lot, often used as an affordable housing option or for multigenerational living.
- **Adaptive Reuse:** the process of repurposing old or existing buildings for new uses, different from their original design or function.
- **Affordable Housing:** Housing units affordable to households earning 80% or less of the area median income (AMI), often with costs not exceeding 30% of gross income.
- **Area Median Income (AMI):** The median household income for a region, used to determine eligibility for affordable housing programs.
- **Attainable Housing:** Attainable housing refers to housing that is affordable to moderate- or middle-income households, typically those earning between 80% and 120% of the Area Median Income (AMI). Unlike affordable housing, which is often subsidized and targeted at lower-income households, attainable housing is generally unsubsidized and priced so that middle-income workers—such as teachers, healthcare providers, and public safety personnel—can realistically afford it without public financial support.
- **Continuum of Care (CoC):** A coordinated regional system for addressing homelessness, including prevention, outreach, housing, and supportive services.
- **Emergency Shelter:** A facility that provides temporary or transitional shelter for the homeless in general or for specific populations.
- **Employer Assisted Housing (EAH):** programs or benefits provided by employers to help their employees afford housing. These initiatives are often designed to make it easier for employees to live near their workplace, reducing commute times and improving quality of life.
- **Homeless (as defined by HUD):** An individual or family lacking a fixed, regular, and adequate nighttime residence or living in a shelter, institution, or place not designed for sleeping.
- **Housing Choice Vouchers:** See also Section 8 Vouchers. A federal program that provides rental assistance to low-income households by subsidizing a portion of rent in privately-owned housing.
- **Housing Density:** The number of housing units per acre of land, used to describe how concentrated housing is in a given area.
- **Housing First:** A strategy prioritizing providing permanent housing to people experiencing homelessness as a foundation for addressing other challenges.
- **HUD (United States Department of Housing and Urban Development):** The federal agency overseeing national housing programs, policies, and assistance.
- **Inclusionary Zoning:** A policy requiring or incentivizing developers to include a certain percentage of affordable housing units in new developments.
- **Last Mile Deficiencies:** the gap between a public transit stops (like a bus or train station) and a person's final destination, such as their home, workplace, or school.
- **Lot Restoration and Adjustments:** The State of New Hampshire legislature has approved a statute that provides that lots “involuntarily merged” prior to September 29,

2010 shall be restored to their premerger status upon request of the owner provided the City cannot prove that the merger was voluntary.

- **Low-Income:** At or below 80% of the area median adjusted income.
- **Low-Income Housing Tax Credit (LIHTC):** A federal program offering tax credits to developers to incentivize the construction or rehabilitation of affordable housing.
- **Market-Rate Housing:** Housing that is rented or sold without any income restrictions, priced based on supply and demand.
- **Missing Middle:** those who earn 80% to 120% of the Area Median Income (AMI) whose incomes are slightly too high to qualify for subsidized units-- but still do not earn enough to afford market priced homes.
 - The term missing middle in housing refers to a range of multi-unit or clustered housing types—such as duplexes, triplexes, fourplexes, townhouses, cottage courts, and small apartment buildings—that are compatible in scale with single-family homes and fill the gap between detached single-family houses and large apartment complexes
- **Mixed-Use Development:** Developments combining residential, commercial, and/or industrial uses, designed to reduce sprawl and encourage walkability.
- **Overlay District:** A zoning tool that applies specific regulations to a designated area, supplementing the existing zoning.
- **Section 8 Voucher:** A federal program that provides rental assistance to low-income households by subsidizing a portion of rent in privately-owned housing. See also Housing Choice Vouchers.
- **Shelter:** Housing, with varying levels of services, for people who are homeless.
- **Single Room Occupancy (SRO):** A residential property that includes multiple single-room dwelling units for occupancy by eligible individuals.
- **Supportive Housing:** Housing that combines affordable units with support services for individuals with disabilities, mental health conditions, or experiencing homelessness.
- **Supportive Services (as defined by HUD):** Services that assist homeless participants in the transition from the streets or shelters into permanent housing and help them live successfully in housing.
- **Transfer of Development Rights (TDR):** A land use tool that allows landowners to buy and sell allowed development capacity, seeking to concentrate housing in areas with existing infrastructure and amenities while permanently protecting land with significant conservation value.
- **Very Low-Income:** Between 30% and 50% of the area median adjusted income.
- **Workforce Housing:** Housing targeted to moderate-income workers earning up to 120% of the AMI for a region, including rental and ownership options. Workforce housing is defined as housing affordable to households earning between 60 and 120 percent of area median income (AMI).
- **Wraparound Services:** A unique set of community services and natural supports designed to achieve a positive set of outcomes.
- **Zoning Ordinance:** Local regulations governing land use, including types and density of housing allowed in different areas.

7.2 SRPC Regulatory Audit

The Stafford Regional Planning Commission conducted a regulatory audit of the City of Dover's Zoning Ordinance and made recommendations. That audit can be found here: [SRPC Regulatory Audit](#).

7.3 SRPC Housing Needs Assessment

The Stafford Regional Planning Commission compiled a Housing Needs Assessment in 2023, analyzing and identifying the housing needs of residents in our region. That assessment can be found here: [SRPC Housing Needs Assessment](#).

7.4 Summary of Community Engagement 2023-2024

Community Engagement & Public Events

- National Night Out (August 6, 2024):
 - Staffed a Planning Department booth to discuss housing and conservation initiatives.
 - Engaged families and community members who are harder to reach through traditional outreach channels.
 - Received positive feedback on Dover's balanced development approach and commitment to affordability.
- Dover 400 Block Party & Farmers Market (2023-2024):
 - Hosted booths with interactive engagement exercises and informational materials on Dover's housing policies.
 - Conducted a 3-question virtual survey to gather public input on housing affordability and homelessness.
 - Distributed pocket-sized informational booklets ("Housing in Dover" branded materials).
- Apple Harvest Day (October 5, 2024):
 - Hosted a Planning and Community Development booth to solicit resident feedback on housing initiatives.
 - Conducted a sticker board exercise and online survey to gather community insights on housing challenges.
- "Where We Live" Workforce Housing Tour (August 27, 2024):
 - Participated in a site tour of a new residential development at Sophie/Banner Drive.

- Discussed Dover’s Transfer of Development Rights (TDR) ordinance and its role in housing development.
- Shift the Seacoast: Neighbor to Neighbor Pilot (October 26, 2024):
 - Presented on Dover’s housing market trends, affordability challenges, and cost of living.
 - Featured speakers included residents with lived experiences of homelessness and educators addressing financial displacement of families.
 - Event hosted in collaboration with Home For All’s grassroots advocacy initiative.

Stakeholder Outreach & Interviews

- One-on-One Stakeholder Interviews (2023-2024):
 - Conducted multiple interviews with residents, real estate professionals, business owners, developers, and bankers.
 - Met with members of the Committee of Racial Equity and Inclusion to explore housing policy collaboration.
 - Targeted outreach on zoning changes, ADU financing, lead paint remediation, and attainable housing policies.
- Dover Public Schools Social Justice Program (2024):
 - Partnered with local teachers to introduce housing and food security topics in a 4th-grade social justice program.
 - Planning for Planning Department staff and housing experts to participate in student discussions.
- Strafford County Ending Homelessness Committee (2023-2024):
 - Co-presented at multiple committee meetings on Dover’s efforts to preserve and incentivize attainable housing.
 - Joined the Legislative and Policy subcommittee to monitor state and federal housing policies.
 - Ongoing planning for a “Community Conversation on Homelessness” event to engage the public and policymakers.

Housing & Policy Development Work

- Housing Committee Formation & Engagement (2023-2024):
 - Established Ad-Hoc Housing Committee to guide community engagement and oversee housing-related land use proposals.
 - Conducted research on housing needs, zoning reforms, and financial incentives.
 - Met with Peterborough’s Planning Department to study best practices in community housing initiatives.

- Secured City Council approval for a term extension to allow alignment with ongoing housing grant programs.
- ADU (Accessory Dwelling Unit) Financing Project (2023-2024):
 - Conducted outreach with local credit unions, NH Housing Finance Authority, and the Community Loan Fund.
 - Explored statewide financing strategies for ADUs and attainable housing solutions.
 - Assisted York Community Service Association (YCSA) in hosting an ADU financing webinar.
- Attainable Housing Inventory (2024):
 - Created a city-wide inventory of housing units available at affordable rates.
 - Identified units with affordability restrictions due to Housing Authority ownership, LIHTC financing, and Housing Choice Vouchers.
- Zoning Amendments & Land Use Policies (2023-2024):
 - Successfully proposed and adopted zoning amendments to allow Residential-Commercial Mixed Use (RCM) Overlay on lots with 20 acres (previously 25 acres).
 - Began drafting new housing definitions, including policies for Emergency Shelters and Community Residences.
 - Proposed revisions to ADU regulations, including removing garage requirements and allowing easier ADU conversions.
 - Initiated updates to the Transfer of Development Rights (TDR) Ordinance to encourage more attainable housing projects.

Regional & Statewide Housing Advocacy

- Participation in NH Housing Policy Discussions (2023-2024):
 - Served on boards for Home For All, Workforce Housing Coalition, and Home For Now (a family shelter acquired by CAPSC).
 - Participated in NH Bankers Association housing work group to explore creative financing solutions.
 - Met with NH Housing, DHHS, and BEA to address land use implications of new lead safety certification requirements.
 - Presented at the NH Municipal Association Mayors Roundtable on housing policies and planning approaches.
- Legislative & Regulatory Discussions (2023-2024):
 - Attended a General Court Hearing on Student Housing to provide a municipal planning perspective.

- Hosted a TEFTRA Hearing for the redevelopment of McIntosh College into affordable housing.
- Assisted with CDBG program updates, working with city attorneys and planners to improve funding applications.

7.5 Housing Needs Survey and Analysis: Linked [here](#).

7.6 Housing Champion Program Guidance: Linked [here](#).

EXHIBIT E

LIHTC Letter



MEMORANDUM

To: Elm Grove Companies, Development Team

From: LIHTC Equity Partner

Date: 06/20/2025

Subject: Competitive Hardship Created by Ground-Floor Commercial Requirement at Knox Marsh Apartments, Dover NH

Knox Marsh Apartments project is designed to deliver 160 workforce housing units in two 80-unit, four-story buildings. Current zoning requires roughly half of the first floor of one of the residential buildings to be commercial space, equal to about twelve and a half percent of total gross floor area.

In Low Income Housing Tax Credit (LIHTC) funding only areas determined to be residential or common spaces related to residential areas qualify for LIHTC funding. Removing seventeen percent of square footage from workforce housing would have an adverse impact on the competitive return of the funding request resulting in:

- The loss of 10 rental units
- The loss of approximately \$1.9 million in funding
- Loss of gap funding such as HOME, National Housing Trust Fund, New Hampshire Affordable Housing Fund, and CDBG.
- Because the issuance of LIHTC funding is a competitive process every additional dollar requested reduces the likelihood of an award of funding which would lead to the project not moving forward.

Mixed-use space in predominantly residential LIHTC buildings experiences longer vacancy, and a higher turnover. These underwriting realities further compress proceeds compound the equity shortfall and make projects even less likely to receive funding.

The Salem Zoning Board granted a variance in 2023 for a project Depot & Main consisting of 60 units of workforce housing. That decision unlocked sufficient equity, reduced reliance on scarce public funds, and enabled timely construction of the project, hopefully a model for the City of Dover to follow.

Granting a variance to permit first-floor residential use at Knox Marsh would:

- Preserve nearly **\$2 million** in LIHTC funding, reducing pressure on oversubscribed subsidy funds.
- Maintain project feasibility without increasing municipal financial exposure.
- Accelerate delivery of 160 income-restricted homes that address Dover's documented housing shortfall.

EXHIBIT F

Report of White Appraisals, LLC

WHITE APPRAISAL

REAL ESTATE APPRAISING & CONSULTING

Brian W. White, MAI, SRA



July 30, 2025

Francis X. Bruton, Esquire
Bruton & Berube, PLLC
601 Central Avenue
Dover, NH 03820

RE: The Variance application for the proposed mixed-use development to be located on 99 Knox Marsh Road in Dover, New Hampshire.

Attorney Bruton:

At your request, I have been asked to investigate the impact on the value of the abutting properties for the proposed mixed-use development to be located the subject property (Map H, Lot 34) and to prepare an analysis and opinion on the matter. I have reviewed the Dover Zoning Ordinance that addresses the standards for the requested variances. To prepare this letter, I have completed research on the proposed subject property, the neighborhood, the Dover marketplace and several other comparable developments located in the greater Seacoast area of New Hampshire. This opinion letter summarizes my analysis, findings and conclusions.

1. The Existing Development:

The subject property is a 20.45-acre parcel of land located on the northern side of Knox Marsh Road that is improved with an older abandoned single-family residence with a detached garage building (Circa 1938). The majority of the property is vacant land that is overgrown with a variety of evergreens and softwoods. The existing residential improvements are located in the southeastern portion of the property. There is an older driveway that provides access to the existing buildings. The overall condition of the existing buildings appears to be below average as the property has not been occupied or maintained for several years. The property has extensive road frontage on Knox Marsh Road and on Sumner Drive to the rear of the parcel. The property is entirely located in the "CM" (Commercial Manufacturing) zone and in the "RCM" (Residential-Commercial Mixed-Use Overlay District). The parcel contains wetland areas in the central and rear portions of the parcel with the usable uplands being located largely in the southern portion of the parcel.

2. The Proposed Development:

The subject property is proposed for development with a mixed-use development that will contain two 80-unit residential buildings (160 total units) and one 25,000 square foot commercial/light industrial building. The residential portion will have paved drive and parking areas that will contain a total of 295 parking spaces while the commercial/light industrial portion will have 49 parking spaces. There will be a single main ingress and egress drive located to the front of the property that will provide access to the drive and

parking areas for the residential and the light industrial areas of the property. There will also be a rear paved drive located off of Sumner Drive that will provide access to the rear of the commercial/light industrial portion of the parcel. The residential portion of the development will be 100% Affordable Housing offered at HUD rent restricted rental rates. The development will have a rear Pavillion, a dog park and a playground area. An existing Coast Bus Stop will be relocated to the southeastern portion of the property along Knox Marsh Road. A fair amount of the existing perimeter wooded and groundcover will remain in place providing a partial natural screen for the three proposed buildings. The proposed development will largely be taking place in the southern upland areas of the parcel. A portion of the central area of the parcel will accommodate a rear parking lot while the entire northern portion of the property will remain in a natural state.

3. Neighborhood & Abutting Properties:

The subject property is located in the Commercial Manufacturing Zone which occupies the areas to the north of Knox Marsh Road in the subject's immediate area. This area is largely developed with light industrial developments, a veterinary clinic, one gasoline/convenience building, and a few older single-family residences. The land located on the southern side of Knox Marsh Road is entirely residential in nature with a mixture of larger apartment developments, residential condominiums and one older single-family residence. These properties are located in the "RM-SU" (Suburban Density Residential) zone. The immediate abutters for the subject property are an older single-family residence located at 93 Knox Marsh Road to the east, a light industrial development with a coffee drive-through kiosk located at 7 Sumner Drive to the west, the COAST office, garage and bus terminal located to the north at 42 Sumner Drive, along with undeveloped land to the north. To the south of the subject property, across Knox Marsh Road, there is one older single-family residence (26 Knox Marsh Road along with a few larger multi-unit residential apartment or condominium developments (Crosshill Housing, Huntington Exchange Dover, Lilac Gardens and the Village at Bellamy Common Condominiums. The subject property fronts on Knox Marsh Road (NH Route 155) which is a fairly heavily traveled roadway that is one of the main feeder roads to the City of Dover. Based on recent 2024 traffic reporting prepared by the New Hampshire Department of Transportation (NH-DOT), the average daily traffic count for the subject's area on Knox Marsh Road is 15,407 vehicles per day.

4. Factors that impact Value and the Application to the Subject Property:

For the subject property, there are three potential factors that could directly impact the market value of the abutting properties. These factors are typically noise, view and use. I will review each of these factors and their application to the subject property below.

Noise:

It was previously noted that the proposed mixed-use development will have one main front ingress and egress drive located off of Knox Marsh Road. This drive will be located directly across from the access road for Crosshill Housing and Huntington Exchange Dover, two large apartment developments. The two proposed multi-story apartment buildings of the subject property will be located in the central and eastern portions of the parcel along Knox Marsh Road to the front of the subject property. The 25,000 square foot commercial/light industrial building will also be located along Knox Marsh Road but it will be in the western

portion of the parcel. There will be several paved drives and parking lot areas that will largely be located to the rear of the three buildings. The residential portion of the development will have a common exterior area with a pavilion, a dog park and playground that will be located in a central area surrounded by parking lot and natural areas.

There will be the usual amount of exterior noises from vehicles entering and exiting the property along with pedestrian noises from those walking from the parking areas to the various buildings of the development. There will be noise from the typical maintenance and plowing of the roads and lawn areas of the development. The noise emitted from the development would likely be less impactful as compared to the potential noise emissions from that of several other uses that are permitted by right in the Commercial Manufacturing Zone. There is a natural terrain buffer for the parcel that will likely decrease the noise from opening and closing of car doors. There will obviously be additional noise from the use and maintenance of the various buildings of the development. However, these noises would likely be no different than what would be heard from the abutting and surrounding residences if the property had other uses typical for the area and permitted by right. Considering all of these factors, it is reasonable to conclude that the proposed three-building mixed-use development of the subject property will be configured in such a manner that there would not be an increase in noises that would be greater than that of any other permitted uses in the Commercial Manufacturing Zone or from several of the existing nearby multi-tenant residential developments located along Knox Marsh Road.

View:

At the present time, the subject property's improved with an older vacant single-family residence and a detached garage building that are in below average overall condition. These improvements are located in the southeastern portion of the parcel and they are visible from Knox Marsh Road. The subject's proposed development will call for demolishing these improvements and developing the front portion of the parcel with two four-story apartment buildings and one 25,000 square foot detached commercial/light industrial building. The two residential buildings will be setback from 48.8' to 64.3' from Knox Marsh Road while the commercial/light industrial building will be setback over approximately 120' from Knox Marsh Road. The two residential buildings will have a building height of 45' and the height of the future commercial/light industrial building is not currently known (likely 20' to 30'). Some of the existing natural perimeter buffer will remain in place. The parcel has a mostly level terrain with a gently rolling slope. The two front residential buildings will be very visible from Knox Marsh Road given their site area and building height.

While adding these two new residential buildings will change the views from Knox Marsh Road and from a few of the neighboring and nearby developments, the massing of the property will not be dramatically different from what is currently in place along this portion of Knox Marsh Road. The nearby developments of Crosshill Housing, Huntington Exchange Dover and Lilac Gardens all contain several large 3.5-story buildings. In Dover, there are several recently constructed 4-story or 5-story buildings that are either largely residential units or are 100% residential units. These developments include: 100 and 200 First Street, several buildings at Point Place and the Station Apartments on Chestnut Street.

Additionally, residential buildings of this size are the norm for similar “rural” mixed-use areas throughout the Seacoast area of New Hampshire. The proposed four-story apartment buildings to be located on the subject property will be similar in size and height as compared to that which is already in place in the surrounding communities of the Seacoast. The proposed apartment buildings will be located to the front of the property in order to maintain the existing wetlands on the parcel and to utilize the upland areas of the parcel. The existing single-family development of the subject property is in below average condition. The proposed mixed-use apartment and commercial/light industrial development will have new paved drives accessing the development. All of the buildings for the development will be of new construction and they will be modern buildings in very good condition.

The proposed project will enhance the views from the neighboring properties on Knox Marsh Road as the views will all be of new buildings and not of a deteriorating single-family residence. The use of some of the existing natural buffer will reduce the view change for the properties located along Knox Marsh Road. The views of several nearby residential properties will change but not to the extent that any negative impact will result. It could be argued that the views of the neighboring properties will be enhanced by replacing undeveloped land and an unsightly residence with new construction apartment buildings that will be in very good condition and values that are likely to exceed that of all the similar-use neighboring properties. The views of the subject’s residential and commercial/light industrial buildings will be of uses that currently dominate the immediate neighborhood on Knox Marsh Road. It can reasonably be concluded that the proposed development for the subject property will not change the views for any of the surrounding properties that would negatively impact those properties.

Use:

The Applicant’s proposal calls for developing the subject property with two 80-unit residential buildings and one 25,000 square foot commercial/light industrial building. It is noted that affordable housing is in short supply in Dover and in the greater Seacoast area. The development will add a total of 160 Affordable Housing offered at HUD rent restricted rental rates. In the surrounding neighborhood, the Knox Marsh Road area is primarily developed with apartments and light industrial uses with a few scattered commercial and single-family properties. If the subject property is not developed with these new apartment buildings as currently proposed, the subject property could be developed with a number of other industrial or commercial uses that might not be as desirable a use when compared to the Applicant’s proposed apartment and commercial/light industrial use. For example, several of the permitted uses in the Commercial Manufacturing Zone include: Manufacturing, Warehouse, Fuel, Oil or Gas Storage, Light Industry, and Trucking Terminals which many would consider less attractive uses as compared to the proposed apartment and commercial/light industrial use. While none of these uses are ones that would be undesirable uses in other areas, they are all uses that many of the immediate residential abutters may find to be less desirable uses as compared to the apartment use that is currently proposed for the subject property. It is noted that the subject’s proposed commercial/light industrial building will be situated adjacent to and to the front of a few similar commercial or light industrial developments. It can reasonably be concluded that the proposed use of the subject property with two 80-unit apartment buildings and one commercial/light industrial building and supporting surface parking areas are uses that will be compatible with the surrounding neighborhood.

5. *Specific Standards – Variances:*

The owners are requesting a Variance from the following – Dover Zoning Ordinances:

1. Section 170-32 (E)(1) – Requires non-residential and/or mixed-use uses to comprise at least 55% of the total proposed floor area for the development. The proposed floor area for the development will contain 86% residential and 14% non-residential.
2. Section 170-32 (F)(2)(b)(2) – Requires 100' setback for structures and parking from the road where 48.8' to 64.3' are proposed.
3. Section 170-32 (F)(2)(b)(3) - Requires that building height cannot exceed 35' where a 45' building height is proposed.
4. Section 170-32 (E)(5)(a) – Permits zero density if the residential units conform to the HUD Fair Market Rent rates published by NHHFA, where the units conform to the 60% AMI rent limitations for Multifamily Tax Subsidy Projects published by NHHFA.

Each of these requested variances will be examined to determine if there is any evidence that granting the variance would result in the diminution of value for nearby properties.

- 1. Section 170-32 (E)(1) – Requires non-residential and/or mixed-use uses to comprise at least 55% of the total proposed floor area for the development. The proposed floor area for the development will contain 86% residential and 14% non-residential.***

This article requires non-residential and/or mixed-use developments to contain no more than 45% residential space. The subject property will contain 86% residential space as the two 4-story front buildings will be entirely residential space. It was previously noted that there are several large multi-building residential developments (Crosshill Housing, Huntington Exchange Dover and Lilac Gardens) that are located directly across Knox Marsh Road from the subject property. These developments are almost entirely residential space. It is noted that these properties are located in a different zone (RM-SU Suburban Density Residential) which permit apartment developments. While there are zoning differences between these two sides of Knox Marsh Road, the real estate marketplace and the property values in those zones do not typically react to the vagaries of municipal zoning ordinances. Rather, property values are typically negatively and positively impacted by uses that are either compatible or not compatible with those of the existing properties in the area.

Additionally, there are several Seacoast area examples where larger pure residential apartment developments were constructed in areas that were previously dominated by either single-family developments or a mixture of single-family developments and commercial uses where there has been no diminution of value for the existing properties because of the pure residential buildings being constructed. There are no exactly similar recently constructed four-story multi-family developments located in Dover. Lacking this, the appraiser has gathered information on the impact that other somewhat similar larger apartment developments in the surrounding area have had on neighboring properties after the apartment development was constructed. As part of this analysis, the appraiser spoke with several assessors from the corresponding municipalities in order to derive market evidence that

indicated that neighboring properties did or did not experience a diminution of value because of their proximity to the new larger multi-family development. Assessors are the valuation professional who have unique access to the values of all of the properties located within their municipality and they also are aware if any abutting properties have experienced a diminution of value for a given market factor. Assessors are also aware if the owner of a neighboring property has filed for an abatement citing the construction of a new large multi-family development in the area as the cause of the diminution of value.

Pointe Place in Dover, a large new-construction mixed-use development, has been developed over the past decade at the site of a former apple orchard off of Dover Point Road in a mixed-use area with residential and commercial uses. This development, while it has a combination of free-standing single-family homes, townhouse condominiums, an assisted living property, mixed-use buildings and pure residential buildings, is mostly made-up of four and five-story buildings that largely contain garden-style apartment units. Donna Langley indicated that she can't recall anyone filing for an abatement because of their proximity to this development and she does not believe that there has been any diminution of the value of the surrounding properties because of the Point Place property being developed in this mixed-use area.

In Rochester, The Villages at Clark Brook, a large 132-unit garden-style apartment development, was developed from 2016 to 2018 at 370 Old Dover Road in an area with single-family residential and agricultural uses. This development has four three-story apartment buildings on a total of 17.37-acres of land. Theresa Hervey, the Rochester Deputy Assessor, indicated that none of the surrounding abutters have ever filed for an abatement because of their proximity to this large multi-family development.

There is a recently constructed four-story multi-family residential condominium development located at 150 U.S Route 1 By-pass in Portsmouth that is located adjacent to the rear yards of several single-family residences. This building was constructed in 2017 and it abuts the existing residential development of Hillside Drive. In the following five-years after the multi-unit residential building was constructed, three of the abutting single-family properties were sold. I examined the sale prices and I also examined the sale prices of similar homes located on Hillside Drive that did not back up to the multi-unit development. There was no sales data that indicated a diminution of value for the abutting residences. I spoke with Rosann Maurice-Lentz, the Portsmouth Assessor, and she agreed with my findings. She has not seen any loss in value for these abutting properties. In the Islington Street area of the greater downtown area of Portsmouth, there have been two recently constructed mixed-use developments which were allowed to construct rear 4-story or 5-story buildings that are part of a larger mixed-use development. On 125-155 Brewery Lane, a parcel that contained two older two-story multi-tenant commercial buildings was allowed to construct a new rear 5-story, 92-unit residential building in 2019. Additionally, the West End Yards is a large multi-building mixed-use development that contains a couple commercial buildings and a couple 4-story residential buildings that were constructed from 2019 to 2020. This development was designed with the commercial buildings being located along the heavily trafficked Route 1 By-Pass with the rear residential buildings being located off of the interior roads (Hodgdon Way & Cate Street). According to Rosann Maurice-Lentz, she has seen no indication that there has been any diminution of value for the surrounding properties because these pure residential buildings were constructed. Ms.

Maurice-Lentz also stated that many municipalities are allowing for these larger residential buildings to be permitted in response to the housing shortage.

I have searched for market data that would indicate a diminution of value for the properties in the area of a newer larger multi-story multi buildings and I have found none. Several Seacoast area examples of other cities and towns where somewhat similar larger multi-family buildings have been constructed have also been examined. All of these cases indicate that there has not been any diminution of value of the surrounding properties.

2. Section 170-32 (F)(2)(b)(2) – Requires 100’ setback for structures and parking from the road where 48.8’ to 64.3’ are proposed.

This article requires a 100’ setback for buildings and parking from roadways. The front setback for the two proposed residential buildings will range from 48.8’ to 64.3.’ The existing building setbacks for a given area tend to set the precedent for what is typical for a given neighborhood. In order to determine what is normal in the subject’s immediate Knox Marsh Road area, the appraiser has utilized the Dover GIS system. By utilizing this system, the appraiser has been able to reasonably measure the distance of the setbacks for several of the nearby buildings located in the subject’s area of Knox March Road. The following table summarizes the property location, building type and estimated front building setback for several nearby buildings that have smaller front setbacks.

PROPERTY ADDRESS	BUILDING TYPE	FRONT SETBACK
26 Knox Marsh Road	Single-family Residence	35’
165 Knox Marsh Road	Gasoline Canopy	36’
2 Lilac Lane	2-Story Office Building	41’
86 Knox Marsh Road	2.5-Story Apartment Building	50’
99 Knox Marsh Road SUBJECT PROPERTY	Existing Single-family Residence	55’
7 Sumner Drive	Coffee Kiosk	62’
2 Westgate Drive	1-Story Apartment Building	63’
165 Knox Marsh Road	Gasoline/Convenience Building	65’
94 Knox Marsh Road	2.5-Story Apartment Building	76’

An examination of the above front building setbacks in the subject’s immediate area of Knox Marsh Road indicates that there are several existing buildings in the immediate area that have front setbacks that are somewhat in-line with the proposed front building setbacks for the subject’s two front 4-story apartment buildings (48.8’ to 64.3’). Based on the front setback alone, it appears that the proposed front setback for the subject’s apartment buildings will be reasonably in-line with what currently exists in the immediate neighborhood.

3. Section 170-32 (F)(2)(b)(3) - Requires that building height cannot exceed 35’ where a 45’ building height is proposed.

This article limits the maximum height of the building to 35’. The two four-story apartment buildings proposed for the subject property will have a building height of 45’. A 45’ building height is not uncommon for a new four-story garden-style apartment building. The questions here is will a slightly taller apartment building result in the diminution of value of

the surrounding properties, or not? To address this question, the appraiser has gathered data from comparable taller apartment or mixed-use buildings in the area.

At 100 and 200 First Street in downtown Dover, two five-story mixed-use buildings have been constructed over the past several years in an area that is developed with a mixture of two and three-story mixed-use buildings, apartment buildings and older single-family homes. I spoke with Donna Langley, the Dover Assessor, and she indicated that there has been no diminution of value for the properties that surround these two new five-story buildings. The appraiser has reached out to the Assessor's for Portsmouth, Durham and Hampton who each have experienced the recent construction of taller buildings located in close proximity to existing single-family residential properties and smaller commercial properties to see if they have identified any diminution of value for the nearby properties.

In the downtown area of Durham, a mixed-use building (largely apartments) was constructed on 10 Pettee Brook Lane. This building, while actually containing four-stories, presents as a five-story building as there is a ground-level parking garage. The building is located in an area that is dominated by commercial developments and student housing properties with some multi-family and single-family properties in the area. According to Jim Rice, the former Durham Assessor, there has been no diminution of value for the surrounding properties because of this taller building being constructed. The appraiser also spoke with Ed Tinker, the Hampton Assessor, to get his opinion on the building height question and the potential diminution of value for neighboring properties. Mr. Tinker indicated that he was not familiar with the details of the proposed project. He indicated that there have been several taller buildings constructed in Hampton over the years (428 Lafayette Road and several buildings located at Hampton Beach). Mr. Tinker stated that he has never seen any neighboring property owners approach the Hampton Assessor's Office seeking an assessment abatement because of their proximity to these taller buildings. He also indicated that he has never completed an analysis on the possible diminution of value due to proximity to buildings that are taller than what is permitted in the zoning district. In the City of Portsmouth, several taller four or five-story buildings have recently been constructed. Some of these buildings are located in existing built-up areas while others are located in areas dominated with single-family residences. According to Rosann Maurice-Lentz, she has seen no indication that there has been any diminution of value for the surrounding properties because these various taller developments were constructed.

I have searched for market data that would indicate a diminution of value for the properties in the area of a newer taller or four-story buildings and I have found none. Several Seacoast area examples of other cities and towns where somewhat similar taller four or five-story buildings have been constructed have also been examined. All of these cases indicate that there has not been any diminution of value of the surrounding properties.

4. Section 170-32 (E)(5)(a) – Permits zero density if the residential units conform to the HUD Fair Market Rent rates published by NHHFA, where the units conform to the 60% AMI rent limitations for Multifamily Tax Subsidy Projects published by NHHFA.

The subject's unit will be 100% Affordable Housing offered at HUD rent restricted rental rates. The ordinance allows for zero density under this provision. It is noted that there are Workforce Housing apartment units and rent subsidized apartment units located throughout

the City of Dover and the greater Seacoast area. There is no data that indicated that the existence of a rent subsidized apartment unit directly results in the diminution of value for nearby properties. For the subject's proposed new construction mixed-use development, it would be expected that the same results would occur for the surrounding properties.

Final Thoughts:

There could be some potential buyers of residences or commercial/industrial developments in the area that would prefer to not be in the area of a new mixed-use development like the subject property and there will likely also be some potential buyers that would prefer to not be in the area of a Manufacturing, Warehouse, Fuel, Oil or Gas Storage, Light Industry, and Trucking Terminal development which are all permitted uses in the Commercial Manufacturing District. There will also likely be other potential buyers of residences or commercial/industrial developments in the area that would not be negatively impacted by being located near a new mixed-use (apartment & commercial/light industrial) development the size of the proposed property and others may view it as a positive as the new development like the subject property as it will bring a new quality apartment and commercial/light industrial development to the neighborhood. Values tend to be negatively impacted not when a few or some of the potential buyers in the marketplace view a property feature or property type as being a negative, but they tend to be negatively impacted when all or nearly all of the potential buyers in the marketplace view a property feature or a property type as being a negative. There will likely be some individual potential buyers of nearby residences and commercial/industrial developments in the area who do not view the location near the subject's proposed mixed-use apartment and commercial/light industrial development as being a positive, but based on the data gathered and my observations, these potential buyers will not be large enough to negatively impact the market value of the surrounding properties.

It is my opinion that granting the requested variances for the subject property to be improved with two four-story apartment buildings and one 25,000 square foot commercial/light industrial building would not result in the diminution in value of the abutting property values in the immediate vicinity of the subject property and the proposed subject property would not negatively change the characteristics of the neighborhood. In fact, the addition of the proposed subject property will add several modern buildings to the neighborhood that very well could enhance the value of the surrounding properties as it will add new residential units commercial/light industrial space to a location that is currently under improved for the area.

Respectively submitted,


Brian W. White, MAI, SRA NHC#-52

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SCOPE OF THE APPRAISAL

The Scope of the Appraisal is defined as “the extent of the process of collecting and reporting data.”

Appraisal Problem:

The subject property is a 20.45-acre parcel of land that is currently improved with a vacant older single-family residence and garage building located on 99 Knox Marsh Road in Dover, New Hampshire. The proposed mixed-use development calls for removing the existing improvements and developing the property with two 80-unit residential buildings (160 total units) and one 25,000 square foot commercial/light industrial building. The residential portion of the development will be 100% Affordable Housing offered at HUD rent restricted rental rates. Surrounding this area, there are several improved properties that contain a mixture of apartment and light industrial with several scattered older single-family residences and commercial properties.

This opinion letter will examine the marketplace to determine if there is any data that indicates that if the requested variances are granted to the subject’s proposed apartment development that there would be a diminution in the values of the neighboring properties. The analysis included examining market sales data along with surveying several assessor’s of Seacoast area cities and towns to obtain their findings from similar developments.

Intended Use of the Appraisal:

The intended use of this opinion letter is to assist in determining if there would be any diminution in the values of the properties that surround the proposed subject property.

Intended User of the Appraisal:

This appraisal report was prepared for the exclusive use of the client. This report is not intended for any other use. Any use of this appraisal by any other person or entity, or any reliance or decisions based on this appraisal, are the sole risk of the third party. White Appraisal accepts no responsibility for damages suffered by any third party as a result of reliance on, decisions made, or actions taken based on this report.

Property Inspection:

In this appraisal assignment the collection process began with obtaining data on the subject property. Initially, this was done by gathering recorded information on the subject property as follows:

1. A copy of the current tax assessment card was obtained from the City of Dover Assessor’s Office.
2. Municipal data (zoning map and zoning regulations) was gathered which addresses the current zoning of the subject property.
3. Copies of the current deed for the subject property was obtained from the registry along with copies of any pertinent older deeds, easements, or recorded site plans. The appraiser has been provided with a survey plan on the subject property that was prepared by Civilworks New England and Applicant’s Application for Variances.
4. The site areas of the subject property were viewed by Brian W. White on January 3, 2024 and again on July 24, 2025.

5. The description of the subject's existing and proposed development is based on information from the Dover Assessor's Office, the provided site plan, and the appraiser's physical viewing of the subject property.
6. The appraiser has familiarized himself with the various Variance Requests that the Applicant will be requesting in order to accommodate the proposed mixed-use development.

Data Research:

Market data utilized in this report has been collected to support the appraiser's findings. Comparable sales have been identified by researching sales data published by various Multiple Listing Services, and the local municipality. These transactions have been studied and all pertinent data confirmed by checking the recorded deeds and/or by contacting a party directly involved in the sales transaction. Real Estate Brokers, property owners, and other individuals who are knowledgeable with the marketplace have been contacted in order to obtain additional comparable data regarding current asking prices, pending sales, or leases of similar properties. The transactions deemed most meaningful to this opinion letter have been utilized.

Analyses Undertaken:

This appraisal utilized sales of properties located in the Seacoast area that may have been impacted by their proximity to a new larger apartment of mixed-use building. Several local Seacoast area assessors were surveyed to obtain information on any similar studies that they may have conducted and to obtain their opinion of the matter.

Reporting:

The content of this opinion letter is prepared based on the requirements defined by Standard 2 of the Uniform Standards of Professional Appraisal Practice (2024-2025 USPAP), effective January 1, 2024, through December 31, 2025. The level of reporting is consistent with a Restricted Appraisal Report format.

WHITE APPRAISAL

REAL ESTATE APPRAISING & CONSULTING



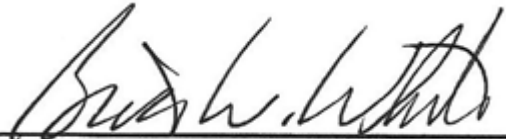
Brian W. White, MAI, SRA

CERTIFICATION

I do hereby certify that, except as otherwise noted in this report:

1. the statements of fact contained in this report are true and correct;
2. the reported analyses, opinions and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, unbiased professional analyses, opinions and conclusions;
3. I have no present or prospective interest in the property which is the subject of this report and I have no personal interest or bias with respect to the parties involved;
4. I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment;
5. my engagement in this assignment was not contingent upon developing or reporting predetermined results;
6. my compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal;
7. my analysis, opinions, and conclusions, were developed, and this report has been prepared in conformity with the Uniform Standards of Professional Appraisal Practice;
8. Brian W. White, MAI, SRA has made a personal inspection of the property that is the subject of this report;
9. no one has provided significant real property appraisal assistance to the persons signing this certification;
10. I have not performed any services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment;
11. the reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Code of Professional Ethics & Standards of Professional Appraisal Practice of the Appraisal Institute;
12. the use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives;
13. As of the date of this report, Brian W. White, MAI, SRA, has completed the continuing education program for Designated Members of the Appraisal Institute.

Respectively submitted,


Brian W. White, MAI, SRA NHCG-#52

130 VARNEY ROAD • DOVER, NEW HAMPSHIRE 03820 • BRIANWMAI@AOL.COM • (603) 742-5925

Qualifications of the Appraiser

Brian W. White, MAI, SRA

Professional Designations:

Member, Appraisal Institute (**MAI**) – Awarded by the Appraisal Institute. MAI #9104
Senior Residential Appraiser (**SRA**)

Employment:

1989 to Present	White Appraisal – Dover, NH President – Senior Appraiser Owner of White Appraisal, a commercial and residential real estate appraisal firm. Complete appraisals on all types of commercial and residential properties. Consulting.
1988	Finlay Appraisal Services – Portsmouth, NH Senior Vice President/Chief Operations Officer Oversaw the operation of four appraisal offices. Completed commercial and residential appraisals on all types of properties.
1985	Finlay Appraisal Services – Portsmouth, NH and Appraisal Services Manager – South Portland, ME. Completed commercial and residential appraisals on all types of properties.

Education:

Mitchell College
Associate of Arts, Liberal Studies

University of Southern Maine
Bachelors of Science, Business Administration
Bus 022 Real Estate Law
Bus 023 Real Estate Practice
Bus 025 Real Estate Valuation

American Institute of Real Estate Appraisers
1A-1 Real Estate Appraisal Principles
1A-2 Basic Valuation Procedures
1B-A Cap. Theory and Technique (A)
1B-B Cap. Theory and Technique (B)
2-3 Standards of Pro. Practice
2-4 Exam #7 Industrial Valuation

Society of Real Estate Appraisers
101 Intro. To Appraising Real Property
102 Applied Residential Property Valuation
201 Prin. Of Income Property Appraising
202 Applied Income Property Valuation

Recent Appraisal Institute Classes:
Introduction to Appraising Green Buildings – 2011
USPAP Update - 2013
USPAP Update - 2015
Introduction to Land Valuation - 2016
USPAP Update- 2017

Education (Continued):

USPAP Update- 2019
Business Practices & Ethics- 2021
USPAP 2022/2023 Update- 2021
Marshall & Swift Valuation – Commercial Construction Costs – 2023
USPAP 2024/2025 - 2024

Recent Seminars:

Residential Building Systems- 2021
2021-2022 NH Market Insights- 2021
Implications for Appraisers of Conservation Easement Appraisals- 2022
NH's Housing Market & Covid: What a Long, Strange Road It's Been!- 2022
Current Residential & Commercial Valuation Concerns- 2022
Commercial Real Estate Markets in Turbulent Times- 2023
NH in a Time of Virus: Are We in Recovery? An Economist's View- 2023
Dealing with Atypical Properties or Assignment Conditions- 2023
15 Takeaways from Your Colleagues Legal Misfortunes- 2023
Basics of PV Solar Valuation - 2024
Valuation of Small Lodging Properties – 2024
US, NH & VT Economies – 2024
Market Outlook for NH Commercial Real Estate - 2024

Appointments:

Board of Directors – New Hampshire Chapter of the Appraisal
Institute - 1991 to 1993; 2000 to 2010, 2015-2018 & 2020-2020-
2023
Vice President - New Hampshire Chapter of the Appraisal Institute – 2011-2012 & 2019
& 2024
President – New Hampshire Chapter of the Appraisal Institute – 2013 & 2014 & 2025

Experience:

Review Chairperson – New Hampshire Chapter of the Appraisal
Institute – 1994 to 2010

Licenses:

N.H. Certified General Appraiser #NHCG -52, Expires 4/30/2027

Partial List of Clients:

Banks:

Androscoggin Bank
Granite Bank
Federal Savings Bank
Sovereign Bank
Eastern Bank
Century Bank
TD Bank
Kennebunk Savings Bank
Northeast Federal Credit Union
Profile Bank
Peoples United Bank
Key Bank
Optima Bank and Trust
Provident Bank

Attorneys:

John Colliander
Karyn Forbes
Michael Donahue
Richard Krans
Simone Massy
Samuel Reid
Daniel Schwartz
Robert Shaines
William Shaheen
Steve Soloman
Gerald Giles
Ralph Woodman
Gayle Braley
Fred Forman

Others:

City of Dover
Town of Durham
University of New Hampshire
Wentworth-Douglass
The Homemakers
Strafford Health Alliance
Goss International
Chad Kageleiry
Gary Levy
Stan Robbins
Daniel Philbrick
Keith Frizzell
Chuck Cressy
John Proulx



State of New Hampshire
OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION

Real Estate Appraisers Board

Pursuant to RSA 310:8, I - this is to certify that

Brian W White

is licensed to practice as a(n)

Certified General Appraiser

LICENSE NO. NHCg-52
EXPIRATION DATE: 04/30/2027

ADDENDA

PHOTOGRAPHS OF THE SUBJECT PROPERTY



STREET SCENE – FRONT OF THE SUBJECT PROPERTY – CENTRAL PORTION
Looking West on Knox Marsh Road - (7/25)



STREET SCENE – FRONT OF THE SUBJECT PROPERTY – CENTRAL PORTION
Looking East on Knox Marsh Road - (7/25)

PHOTOGRAPHS OF THE SUBJECT PROPERTY



STREET SCENE – FRONT OF THE SUBJECT PROPERTY – EASTERN PORTION
Looking East on Knox Marsh Road - (7/25)



STREET SCENE – FRONT OF THE SUBJECT PROPERTY – WESTERN PORTION
Looking East on Knox Marsh Road - (7/25)

PHOTOGRAPHS OF THE SUBJECT PROPERTY



FRONT OF THE SUBJECT PROPERTY – EASTERN PORTION
Looking North toward Single-family Residence - (7/25)



FRONT OF THE SUBJECT PROPERTY – CENTRAL PORTION
Looking Northwest from Knox Marsh Road - (7/25)

PHOTOGRAPHS OF THE SUBJECT PROPERTY



FRONT OF THE SUBJECT PROPERTY – WESTERN PORTION
Looking Northeast from Knox Marsh Road - (7/25)



FRONT OF THE SUBJECT PROPERTY – CENTRAL
Future location of Entry Drive looking North from Knox Marsh Road - (7/25)

PHOTOGRAPHS OF THE SUBJECT PROPERTY



STREET SCENE – REAR OF THE PROPERTY – SUMNER DRIVE CUL-DE-SAC
Looking Southwest from COAST property - (7/25)



STREET SCENE – REAR OF THE PROPERTY
Looking Southeast from COAST property - (7/25)

PHOTOGRAPHS OF THE SUBJECT PROPERTY



NEIGHBORING PROPERTIES – CROSSHILL HOUSING & HUNTINGTON EXCHANGE
Looking South from Knox Marsh Road - (7/25)



NEIGHBORING PROPERTY – 7 SUMNER DRIVE
Looking Northwest from Knox Marsh Road - (7/25)

PHOTOGRAPHS OF THE SUBJECT PROPERTY



NEIGHBORING PROPERTY – 26 KNOX MARSH ROAD
Looking Southwest from Knox Marsh Road - (7/25)



NEIGHBORING PROPERTY – 93 KNOX MARSH ROAD
Looking North from Knox Marsh Road - (7/25)

AERIAL VIEW

City of Dover, NH

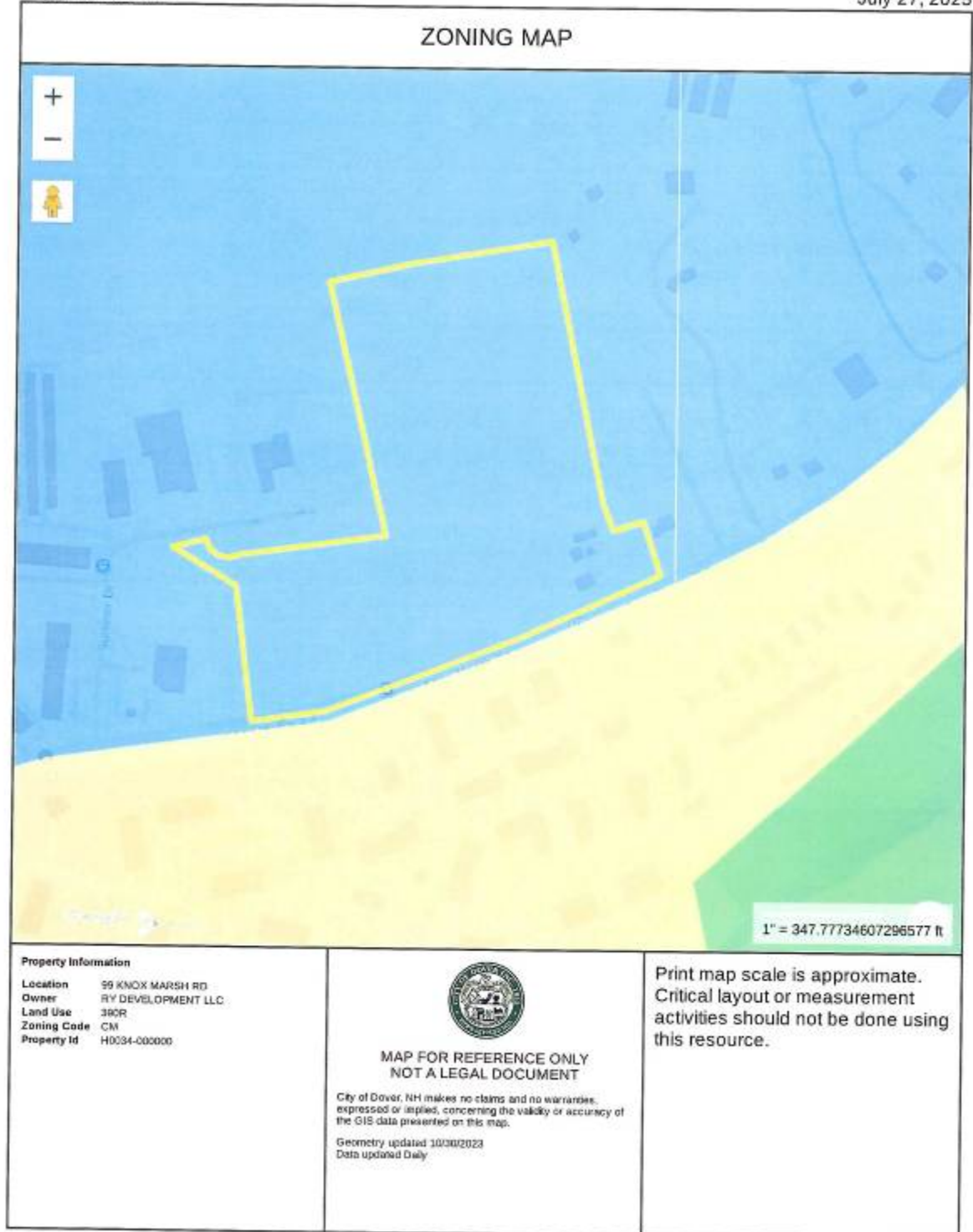
July 27, 2025



ZONING MAP

City of Dover, NH

July 27, 2025



Map Theme Legends

Zoning

Zoning Districts

	R-40 Rural Residential
	R-20 Low-Density Residential
	R-12 Medium-Density Residential
	HR Heritage Residential
	RM-SU Suburban Density Residential
	RM-U Urban Density Residential
	C Commercial
	IT Innovative Technology
	CM Commercial Manufacturing
	CBD Central Business District
	G Gateway
	CWD Cochecho Waterfront District
	H Hospital
	O Office
	LBW Little Bay Waterfront

Sub-Districts

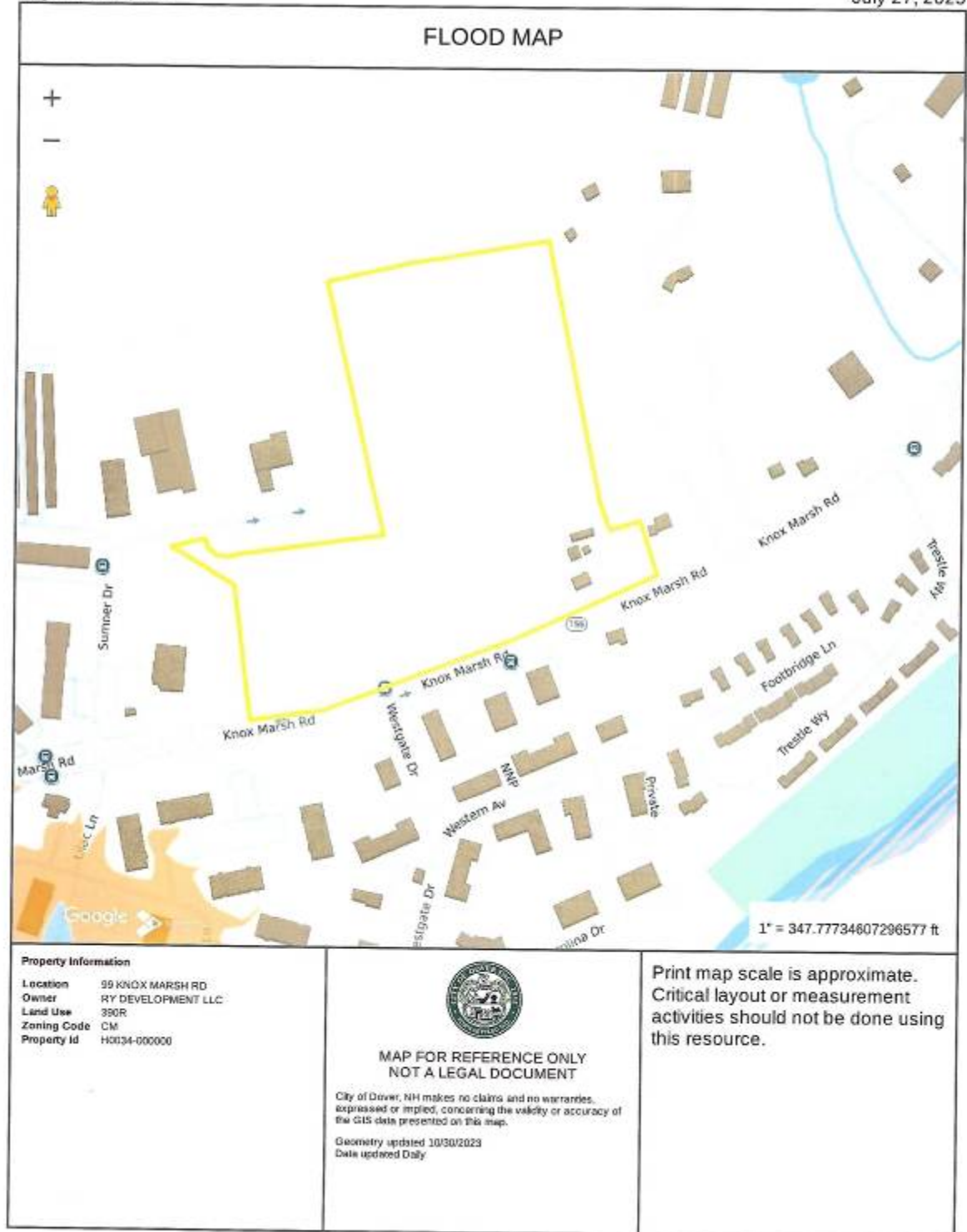
	General Sub-District
	Mixed Use Sub-District
	Residential Sub-District
	Transit-Oriented Development Sub-District

City of Dover

FLOOD MAP

City of Dover, NH

July 27, 2025



Map Theme Legends

FEMA Flood Zones

Flood Hazard Zones

-  1% Annual Chance Flood Hazard
-  Regulatory Floodway
-  Special Floodway
-  Area of Undetermined Flood Hazard
-  0.2% Annual Chance Flood Hazard
-  Future Conditions 1% Annual Chance Flood Hazard
-  Area with Reduced Risk Due to Levee
-  Area with Risk Due to Levee

Cross-Sections



Base Flood Elevations



Limit of Moderate Wave Action

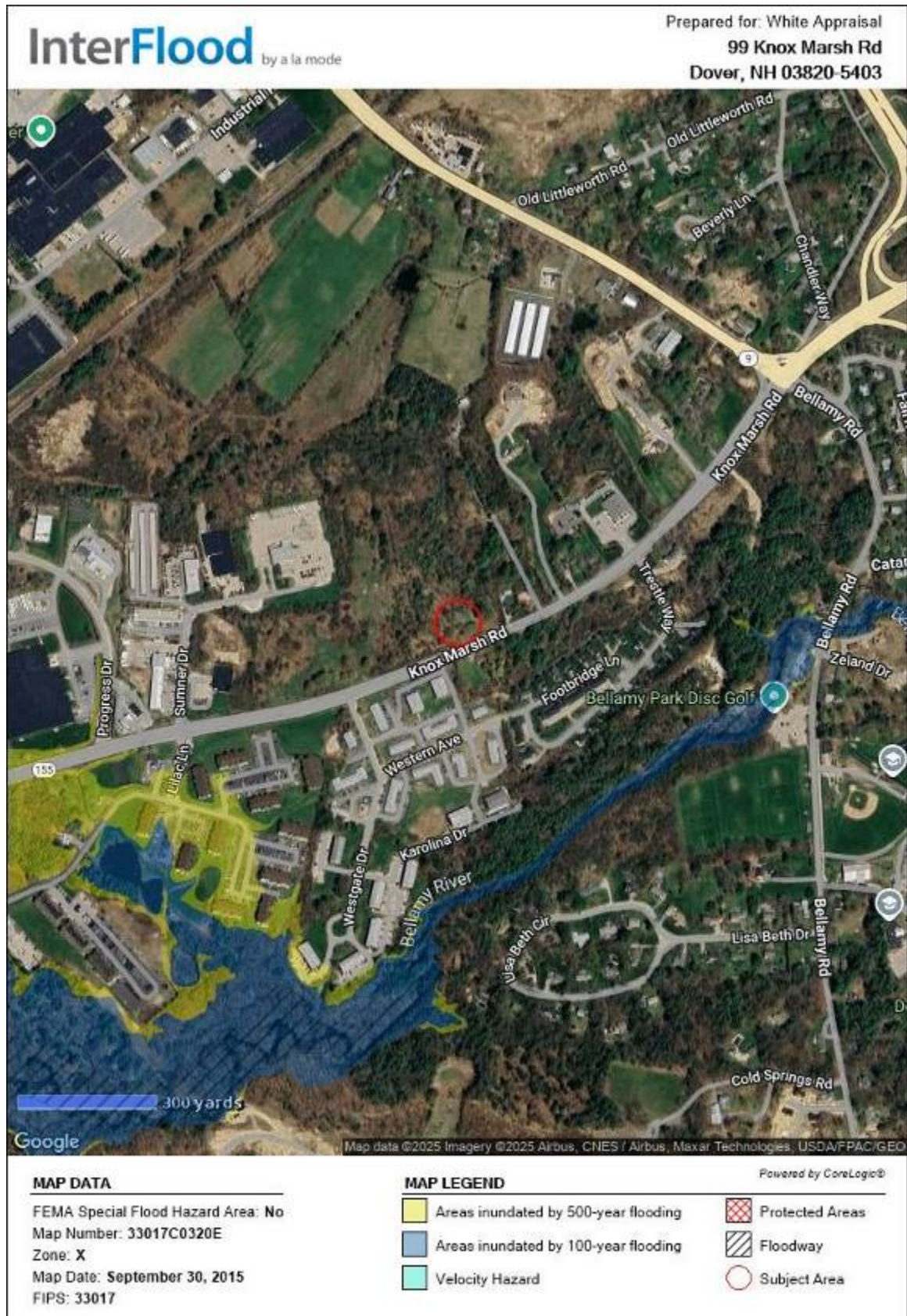


Flood Hazard Boundaries

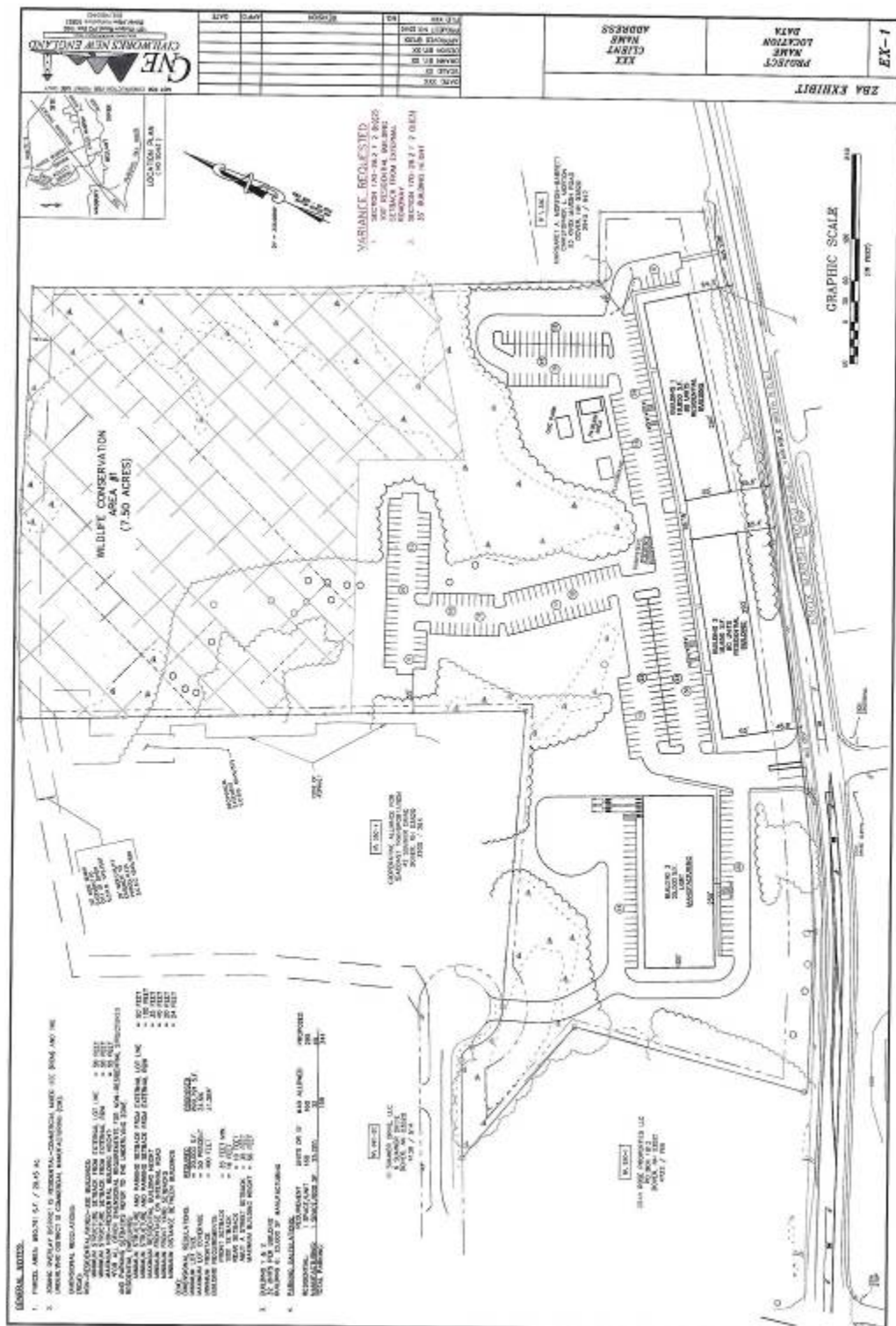
-  Limit Lines
-  SFHA / Flood Zone Boundary

Visit FEMA for [Flood Map Products](#).

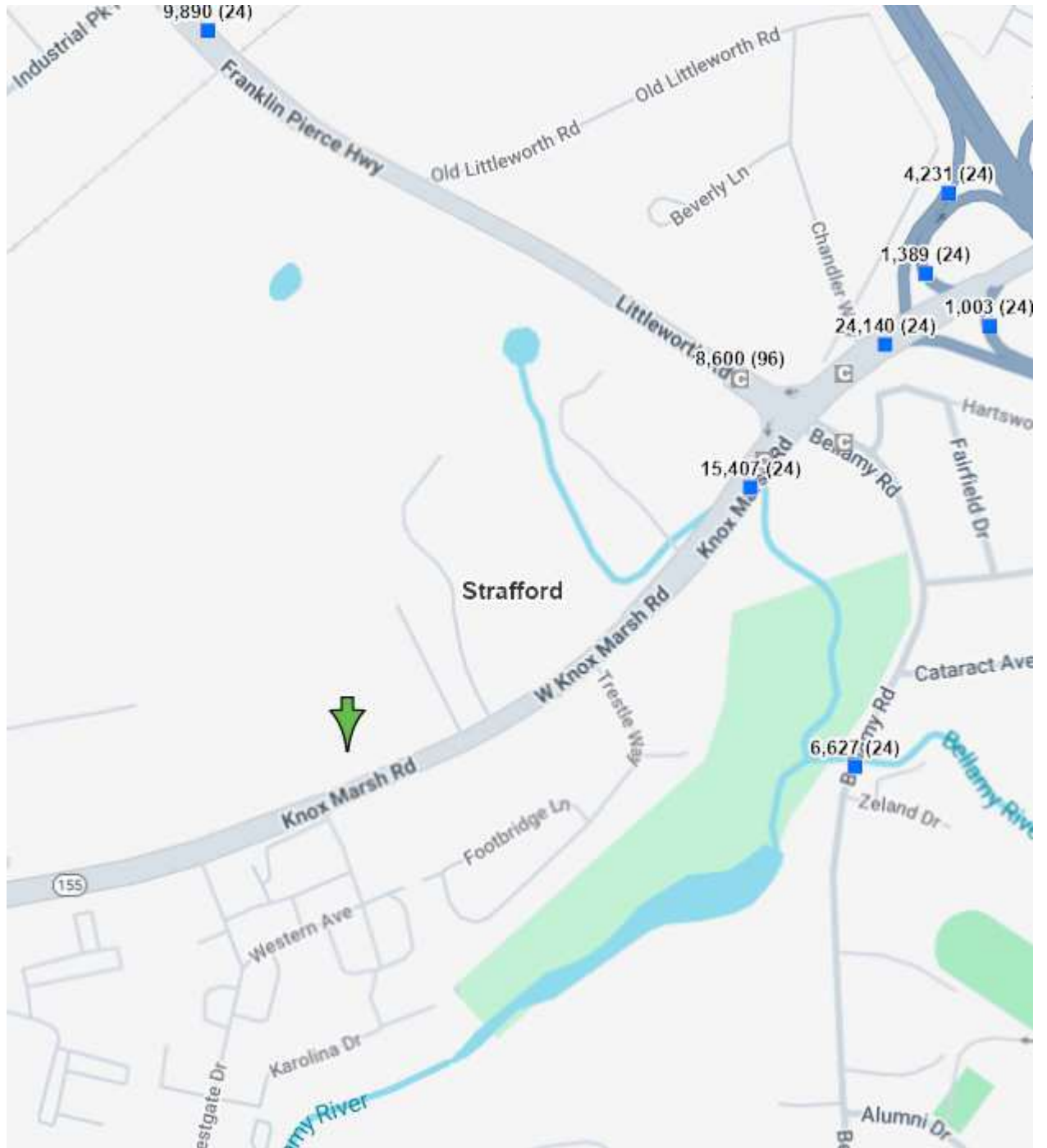
FLOOD MAP



SITE PLAN



NH-DOT TRAFFIC COUNT MAP



Residential Property Record Card - Dover, New Hampshire

Property Location:
99 Knox Marsh Rd

Parcel ID: H0034-000000

Use: 390

Card 1 of 1

Current Owner
Ry Development Llc
290 Heritage Ave Ste 1
Portsmouth Nh 03801

Map Block No. H-34-0-0

Class: C

Notes
Comm Land - Abandoned Dwlg
Misimproved
Posted
24-Aq Nhd In Transition

Deed Info:
5051753-07/27/2022
Zoning: CM
Neighborhood: 301
Living Units: 1
Street/Road: Public

Assessment Information:
Assessed Value: * Prior
Land: 1,189,300 1,189,300
Building: 18,700 16,400
Total: 1,208,000 1,205,700
Assessed Information:
Value: 1,208,000

Previous Owner History
Name
Sampson Supermarkets Inc
Batchelder Doris

Deed
1645/573
00827/0355

Date
11/23/1992

Entrances Information
Date
07/30/2012
01/22/2004
08/31/2022

Time
C
C
S

ID
BL
RC
SH

Actv
Entry Gained
Unoccupied
Est-See Note

Entrance Code
2
2
9

Type
2
2
9

Validity
08
9

Sales History
Book/Page
5051/753
1645/573

Date
07/27/2022
11/23/1992

Price
1,099,000
1,885,050

Permit Information
Date
07/27/2022
11/23/1992

Permit #
07/27/2022
11/23/1992

Price
1,099,000
1,885,050

Purpose
0
0

% Comp.
0
0

Land Information
Type
Primary
Secondary
Residual
Waste

Size
2 0
4 0
9.46 0
5 0

Grade
2 0
4 0
9.46 0
5 0

Influence Factor 1, 2 and %
Shape/Size
Shape/Size
Shape/Size
Shape/Size

Value
645,000
280,500
261,270
2,500

Total Acres for this Parcel
20.46

Total Land Value
1,189,300

Out Building Information
Type
Garage-Unf Attic

Qty
1
0
0
0
0
0

Year
1960
0
0
0
0
0

Size1
24
0
0
0
0
0

Size2
26
0
0
0
0
0

Grade
C
0
0
0
0
0

Cond
P
0
0
0
0
0

%Good
2%
0%
0%
0%
0%
0%

Value
1,130
0
0
0
0
0

Total OBY for this card
1,130

Inspection witness by:

April 1, 2024 Assessment

univers
(7.5.2.4)

Printed Mon, Nov 18, 2024

Property Location:
59 Knox Marsh Rd

Residential Property Record Card - Dover, New Hampshire

Parcel ID: H0034-000000

Map Block No. H-34-0-0

Class: C Use: 390 Card 1 of 1

Dwelling Information		Replacement Costs	
Style:	Colonial	Base Price:	331,940
Condo Style:		Additions:	26,700
Exterior Walls:	Alum/Vinyl	Unfinished Area:	0
Story Height:	2.0	Basement:	0
Attic:	Unfin	Attic:	19,320
Interior/Exterior:	Same	Plumbing:	9,440
Basement:	Full	Heating A/C Adj.:	0
Basmt Garage:	1	FBLA:	0
Rec Room size:	0 0	Rec Room:	0
FBLA size:	0 0	Fire Place:	14,060
Unfinished Area:	0	Basement Garage:	6,330
WB Fireplace:	Stacks 1 Openings 1	Exterior Trim:	0
MTL Fireplace:	Stacks 0 Openings 0	Subtotal:	406,790
Heating Type:	Basic	Grade Factor:	1.06
Fuel:		C & D Factor:	0.00
Heating System:		Total RCN:	439,330
Year Built:	1938	Percent Good:	0.40
Eff. Yr Built:	0	Eco Depr:	-90
Ground Flr Area:	936	Func Depr:	0
Tot Living Area:	1872	Under Constn %:	0
Basement Area:	1118	Market Adj.:	0.00
Grade:	C+	Total RCNLD:	17,600
Condition:	Vary Poor		
CDU:	VP		
Building Notes:		Addition Information	
		Low	1st 2nd 3rd Area Points
		50	12 182 25700
Rooms:	Low 1st 2nd 3rd Tot		
Bedrooms:	0 0 0 0 8		
Full Baths:	0 0 0 0 2		
Half Baths:	0 0 0 0 0		
Add'l Fixtures:	0 0 0 0 0		



Descriptor/Area

A: UA/2Ft/B

936 sqft

B: EFP/B

182 sqft

ZONING

170 Attachment 8

City of Dover

Commercial Manufacturing (CM) District

[Added 7-22-2020 by Ord. No. 2020.07.08-007; amended 10-13-2021 by Ord. No. 2021.09.08-006; 9-14-2022 by Ord. No. 2022.08.10-010; 8-9-2023 by Ord. No. 2023.07.12-008]

Permitted Uses [9]

- Adult day care
- Child-care facility
- Commercial recreation
- Eating and drinking establishment [5]
- Establishments for the manufacture, assembly, services and repair of the products listed below and other uses of a similar nature:
 - ◊ Drugs
 - ◊ Office, computing and accounting machines
 - ◊ Radio and television receiving equipment; communication equipment
 - ◊ Electronic components and engineering, laboratory, scientific and research instruments and associated equipment
 - ◊ Measuring and controlling instruments
 - ◊ Optical instruments and lenses
 - ◊ Surgical, medical and dental instruments and supplies
 - ◊ Photographic equipment and supplies
 - ◊ Electrotherapeutic, electro-medical and X-ray apparatus
- Farm [6]
- Fuel, oil, or gas storage
- Helicopter take offs and landings [7]
- Hotel/motel
- Industry
- Light industry
- Office
- Open storage [8]
- Personal service establishment
- Public utility
- Publishing facility
- Research institutions
- Retail sale of agricultural or farm products raised on site
- Trucking terminal
- Warehousing
- Wholesaling

Uses Permitted by Special Exception

- Auto service
- Vehicle refueling and recharging station

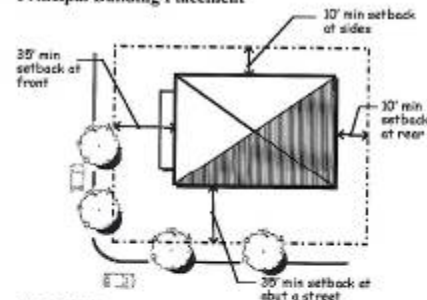
Uses Permitted by Conditional Use

- Alternative treatment center
- Self-service storage facility

Dimensional Regulations [1] [2]

Lot	
Minimum lot size	20,000 sf
Maximum lot coverage	50%
Minimum frontage	100 ft
Principal Building	
Front setback [3]	35 ft
Abut a street setback	35 ft
Side setback	10 ft
Rear setback	10 ft
Outbuilding/Accessory Use	
Front setback	35 ft
Abut a street setback	35 ft
Side setback	10 ft
Rear setback	10 ft
Building Height	
Principal building [4]	50 ft max
Outbuilding/accessory use	40 ft max

Principal Building Placement



Sign Regulations

Size	CM District
Total signs permitted	2 [per tenancy, and is for lot (excluding development identification signs)]
Total area permitted	1 sf for each 100 sf of leased space (if less than 700 sf of leased space, then 6 sf max)
Type	
Freestanding	Permitted, provided that the principal building is set back

170 Attachment 8:1

Supp 14, Apr 2024

DOVER CODE

	at least 35 ft (max size 100 sf, max ht 30 ft)
Projecting	Permitted
Wall/awning	Permitted
Temporary	Permitted

Footnotes

- [1] Refer to §§ 170-13, 170-14 and 170-27D for exceptions to lot size, frontage and setback requirements.
- [2] All land containing wetlands shall not be counted in determining the gross land area of a lot for the purposes of minimum lot size or minimum density requirements for residential uses. The minimum non-wetland portion of any newly created lot shall be contiguous. For the purposes of this calculation, wetlands shall include areas that meet the definition of wetland in the New Hampshire Code of Administrative Rules Env-Wt 101.113 and the 1987 Federal Manual for Identifying Jurisdictional Wetlands. Wetland buffers shall only be allowed to count for 40% of the minimum lot size required.
- [3] The maximum building heights may be increased to 75 feet provided the following conditions are met:
 - A. The additional building height above 50 feet is necessary to meet an industrial function.
 - B. The building is located a minimum of 150 feet from a residential district.
 - C. The Planning Board has granted preliminary approval to the development proposal containing the taller building.
 - D. The building is for a permitted use, and not one granted by special exception, conditional use permit or variance.
- [5] If the eating and drinking establishment has drive-in services, said service shall be set back either 150 feet from a residential abutting lot line or 200 feet from the abutting residential structure whichever is greater.
- [6] Shall not include the raising and sale of farm animals; the breeding, boarding, and training of equines, and equine riding instruction; the commercial raising, harvesting, and sale of freshwater fish or other aquaculture products; and/or the breeding of poultry or game birds.
- [7] Helicopter take offs and landings are allowed subject to the following conditions:
 - A. There shall be a distance of 1,000 feet between any existing residential structure and any proposed helicopter landing pad.
 - B. Except in the case of an emergency, no helicopter take offs or landings shall occur between the hours of 9:00 p.m. and 7:00 a.m.
 - C. The facility shall be accessory to the principal use located on the lot.
 - D. All facilities shall be located and designed so that the operation thereof will not adversely

affect adjacent residential areas, particularly with respect to noise levels.

- [8] Provided that safety precautions be implemented so to prevent the endangerment of people and property adjacent to said storage. Screening, of at least 6 feet in height, of all open storage shall be accomplished through use of a fence, wall or vegetal (evergreens) material.
- [9] Solar/green roof standard:
 - All buildings must be solar ready.
 - Commercial and mixed-use buildings that are 25,000 square feet or more must also incorporate solar panels and/or a green roof on at least 30% of the roof area.

Special Exception Criteria [see § 170-59C(3) for additional regulations]

Vehicle refueling and recharging and auto service stations:

- A. The use of land for vehicle refueling/recharging station may only be permitted upon the determination that the property values of adjacent land will not be compromised. Any vehicle refueling/recharging station which discontinues operations for a period in excess of 180 days shall be required to file a new application for a special exception with the Zoning Board of Adjustment. Such conditions may include, but need not be limited to, the provision of adequate and properly maintained screening around land so used.
- B. If petroleum based, the minimum lot size shall be 80,000 square feet, the minimum lot width shall be 150 feet. Thirty-three percent of the subject parcel shall be open/green space.
- C. The total permitted sign area shall not exceed 100 square feet, inclusive of the canopy and fueling equipment, and any signage for retail or eating or drinking uses.
- D. No fuel storage tanks may be constructed or enlarged closer than 100 feet to any Conservation District, and 200 feet to a secondary groundwater protection zone.
- E. Year-round consistent screening no less than 5 feet in height shall be provided from the street or any abutting residential structure to the pumps. The building may act as the screening.
- F. Hours of operations shall be limited to 6:00 a.m. to 9:00 p.m.
- G. If a drive-in thru service is proposed, the facility shall be set back either 50 feet from a residential abutting lot or 100 feet from the abutting residential structure, whichever is greater, and shall also be screened consistent with Subsection E above.

ZONING

Conditional Use Permit Criteria

An alternative treatment center, as defined in RSA 126-X:1, I, shall be allowed if a conditional use permit is granted by the Planning Board upon a finding that the following criteria are met:

- A. An alternative treatment center shall not be located within 1,000 feet of the property line of a public or private elementary or secondary school or designated drug-free school zone.
- B. The alternative treatment center shall be located in a permanent building and may not be located in a trailer, manufactured home, cargo container, or any structure that has axles with wheels. Drive-in services are prohibited.
- C. Hours of operation shall be limited to 9:00 a.m. to 9:00 p.m., Monday through Friday, and 10:00 a.m. to 6:00 p.m. on Saturday and Sunday.
- D. The alternative treatment center shall provide for the proper disposal of cannabis remnants or by-products, which remnants or by-products shall not be placed in the facility's exterior refuse containers.
- E. The applicant shall provide a detailed narrative and floor plan, as well as any other relevant documentation, describing how the alternative treatment center shall be secured. The security plan must take into account the measures that will be taken to ensure the safe delivery of any product to the facility (including permitted times for delivery), how the product will be secured on site, and how patient transactions will be facilitated in order to ensure safety. The security plan shall be reviewed and approved by the City of Dover Police Department.
- F. The use of cannabis on the premises is prohibited.
- G. The alternative treatment center shall emit no cannabis-related fumes, vapors or odors which can be smelled or otherwise perceived from beyond the lot lines of the property where the facility is located.

Self-service storage facility shall be allowed if a conditional use permit is granted by the Planning Board upon a finding that the following criteria are met:

- A. The minimum front setback shall be double the setbacks required in the district.
- B. No storage unit building which units are externally accessed shall be visible from the street.
- C. Hours of operation shall be limited to 9:00 a.m. to 9:00 p.m., Monday through Friday, and 10:00 a.m. to 6:00 p.m. on Saturday and Sunday.
- D. If adjacent to a residential district or a lot containing a residential use, the facility shall:
 - i. Be limited to a one-story structure with a height no more than 20 feet.
 - ii. Not hold auctions or sales of contents of storage containers.
 - iii. Have screening sufficient to block the view of the buildings from abutting parcels and shall

prohibit lighting from shedding onto abutting parcels.

- E. All setbacks shall be double the setbacks required in the district, not just the front setback.
- F. The architectural design standards of § 153-14L(8)(b) shall be adhered to.

- [1] *Editor's Note: Original § 170-27.2H of the 2013 Code, Conditional uses, which immediately followed this subsection, was repealed 8-22-2018 by Ord. No. 2018.08.08-009.*

§ 170-30. Urban Renewal District.

The regulatory provisions contained in the so-called "Land Use Provisions and Building Requirements" for the Downtown Dover Urban Renewal Project No. 1 shall apply to the project area, as approved by the Dover City Council.

§ 170-31. Riverfront Residential Overlay District.

- A. Purpose. The purpose of this section is to promote the public health, safety and general welfare by protecting the shorelands which are valuable and fragile natural resources essential to maintain the integrity of public waters. By adopting this section, the City is striving to avoid uncoordinated, unplanned and piecemeal development of shorelands which could significantly impact public waters.
- B. Location of district. The Riverfront Residential Overlay District is an overlay district that includes all land located within 250 feet of the reference line (as defined by RSA 483-B:4, XVII) of any tidal water body or tidal river in a single-family residential district (R-12, R-20, and R-40).
- C. Minimum lot size requirement. The minimum lot size for a lot within the Riverfront Residential Overlay District shall be three times the minimum lot size required by § 170-12, Applicability of Table of Dimensional Regulations by District, for the underlying zoning district, but land classified as wetlands can be included for up to 50% of the minimum lot area required in this district.
- D. Minimum shoreland frontage requirement. Any new lot created within the district shall provide a minimum of 150 feet of river shoreland frontage per dwelling unit for lots dependent on septic systems and a minimum of 100 feet of river shoreland frontage per dwelling unit for lots served by municipal sewer.
- E. Existing lots. Existing lots of record are exempt from the provisions of this section. Only lots subdivided after the posting of this section shall be subject to its provisions.
- F. Other provisions. Reference is hereby made to RSA 483-B, the Comprehensive Shoreland Protection Act, the provisions of which apply. It is intended that the more restrictive law shall apply. In all cases where the Riverfront Residential Overlay District is overlain over other local zoning districts, the more restrictive regulations shall apply.

§ 170-32. Residential-Commercial Mixed-Use (RCM) Overlay District.

[Amended 7-22-2020 by Ord. No. 2020.07.08-006; 7-22-2020 by Ord. No. 2020.07.08-007]

- A. Purpose and intent.
 - (1) The Residential-Commercial Mixed-Use Overlay District is designed as an overlay district that allows a mixture of residential use and commercial uses on one parcel. In order for a developer to utilize these regulations, the Planning Board shall have granted a conditional use permit. The district includes options which enable and encourage greater flexibility in the design of residential housing with commercial projects. The overlay permits development of large tracts of land on a development-plan basis which allows flexibility in internal road design, with reduced dwelling lot sizes and modified dimensional requirements.

- (2) The mixed residential and commercial uses are intended to be complementary to one another and to create a sense of community between the mixed uses. Housing and commercial uses can be developed to provide appropriate use of land, facilitate the economical and efficient provision of public services, promote open space conservation, protect the natural and scenic attributes of the land, and expand opportunities for the development of housing outside the traditional residential developments.
- B. Conditional use permit.
- (1) Conditional use approval may be granted by the Planning Board (RSA 674:21, II) after proper public notice and public hearing, provided that the proposed project complies with the following standards:
 - (a) The applicant demonstrates that the development complies with the design guidelines that are outlined in § 153-16 of the Site Review Regulations. These guidelines encourage a context-sensitive development, which encourages components that act as one project and not as two adjacent projects.
 - (b) The applicant demonstrates that the development poses no detrimental effects on surrounding properties. Potential areas of impact that need to be analyzed include, but are not limited to, vehicular traffic, noise, property value, visual blight, natural resources degradation, light pollution, and offensive emissions such as dust, odor, or smoke.
 - (c) The applicant shall submit a fiscal impact analysis as defined in § 157-21C(1)(b) of the Land Subdivision Regulations. The analysis shall demonstrate that the project is at least a cost-neutral project for the City at present and 10 years from the occupation.
 - (2) Conditional use approval shall be subject to a formal agreement between the Planning Board and the applicant. Said agreement shall be recorded at the Strafford County Registry of Deeds.
- C. Location. The Residential-Commercial Mixed-Use Overlay District shall include any parcel located within the CM, IT or R-40 Zone which is greater than 20 acres and served by public water and sanitary sewer.
[Amended 10-13-2021 by Ord. No. 2021.09.08-006; amended 8-9-2023 by Ord. No. 2023.07.12-008]
- D. Permitted uses. The following uses are permitted:
- (1) Principal uses.
 - (a) Housing:
 - [1] Single-family dwelling, including the use of manufactured housing.
 - [2] Two-family dwelling.
 - [3] Three- to four-family dwelling.
 - [4] Multifamily dwelling.
 - [5] Manufactured housing parks (permitted outright without a special exception).
 - (b) Public and private utilities.
 - (c) Nonresidential uses as allowed as follows:
 - [1] Any use allowed in the underlying zone.
 - [2] Barber or beauty shop.
 - [3] Bank.
 - [4] Eating/drinking establishments (no drive-through service).

- [5] Bed-and-breakfast.
- [6] Office.
- [7] Retail store.
- [8] Theater.
- [9] Adult day care.
- [10] Nursing homes at a density of one bedroom per 7,500 square feet of land.
- [11] Congregate care facilities at a density of one unit per 7,500 square feet of land.
- [12] Other uses compatible with housing may be approved via conditional use, using the criteria in § 170-20B(2).
- [13] Nonresidential uses in existence at the adoption of this section on adjacent parcels shall be allowed to expand within the development if conceptually shown on the approved plan.

(2) Accessory uses.

- (a) Recreational facilities.
- (b) "Community building," defined as a building used as a place of meeting, recreation or social activity typically for use by the residents of a particular development.
- (c) Maintenance buildings.
- (d) Rental and sales offices.

E. Procedural concepts.

- (1) The developer shall prepare a development plan, which locates the proposed types of nonresidential and residential development, utilities, access roads, and public ways. The parcels comprising the development may be under separate ownership but shall be treated as one development and shall be bound by the approval granted for the entire development plan. If approval is granted, individual lots must be developed as part of the larger development plan and phasing outlined below, and not separately. The development plan must identify the percentage of the nonresidential uses, residential uses and open space. Nonresidential and/or mixed-use uses must comprise at least 55% of the total proposed floor area for the development; residential uses must not exceed 45% of the total proposed floor area for the development. Nonresidential uses within projects located in the CM District must be 90% manufacturing and assembly in nature. A building shall be considered "mixed-use," provided that at least 50% of the floor area of the first floor is reserved as commercial space and provided that such commercial space is located roughly in the front half of the building and extends the length of the building facade. Residential accessory uses (e.g. mechanical, storage, laundry, etc.) are permitted to be located within the back half of the first floor of any mixed-use building.

[Amended 10-13-2021 by Ord. No. 2021.09.08-006]

- (2) A minimum of 20% of the area of the original tract shall be reserved as open space and identified as such on the development plan. Fifty percent of the required open space (as defined in § 157-60) must be usable uplands and reasonably accessible to all property owners or lessees in the project. Any open space provided above 20% may be mixed unsuitable areas and upland.

[Amended 10-13-2021 by Ord. No. 2021.09.08-006]

- (3) Residential uses require that the calculation of permitted density shall be completed through the submission of a yield plan (as defined in § 157-60) applied to the development lot and not individually to the internal dwelling lots.

- (4) For residential development that includes single-family homes over 1,001 square feet of total living area, or three- to four-family, density shall be based upon calculating one unit per 40,000 square feet of contiguous upland, and using 150 feet of frontage on a public roadway.
[Amended 10-13-2021 by Ord. No. 2021.09.08-006]
- (5) For single-family residential homes 1,000 or less square feet of total living area, development, two-family dwellings, or multifamily dwellings, density shall be based upon calculating one unit per 10,000 square feet of contiguous upland, and using 100 feet of frontage on a public roadway.
[Amended 10-13-2021 by Ord. No. 2021.09.08-006]
 - (a) If units are restricted so that the rent of said units conforms to the HUD Fair Market Rent rates, for Dover, published annually by the New Hampshire Housing Finance Authority, there shall be no density for said unit(s).
- (6) The development plan may be phased for a term of five years. The phasing plan shall contain provisions which promote the mixed use of the site consistent with Subsection A. For the purposes of this section, development shall include:
 - (a) Construction of structures;
 - (b) Environmental remediation;
 - (c) Site preparation or demolition;
 - (d) Roadway utility or recreation and common area design and construction; and
 - (e) Bonding or other security for site development.
- (7) The phasing plan shall provide that no more than 50% of the residential development may be occupied prior to completion of between 25% and 50% of the nonresidential structures, as negotiated between the Planning Board and the developer, and included in the conditional use approval.
- (8) Provided that the developer is making reasonable efforts to develop the site, the Planning Board may extend the initial five-year phasing period, provided a request for extension is submitted before the expiration of the initial five-year phasing term.
- (9) Residential development plan guidelines.
 - (a) The developer shall be permitted to allocate permitted density among internal dwelling lots in a flexible and creative manner. The sum total of the permitted density shall not exceed the permitted density of the development lot or legal lot, unless the additional density is derived from § 170-29, Transfer of development rights. Layouts may include individual lots or a cluster of units without lot lines.
 - (b) Dwelling layouts shall be so designed that parking is screened from external roadways by garages, building locations, grading or screening. Major topographical changes or removal of existing trees shall be avoided wherever possible, and water, wetlands, and other scenic views from the external streets shall be preserved as much as possible.
 - (c) Where possible, it is desirable and encouraged to mix residential and nonresidential uses. This may be achieved through situating the buildings close to each other, or through allowing structures to house residential, preferably on the second or above floor, with nonresidential on the first floor. Creativity and flexibility is encouraged, and the development plan may offer another option for mixing uses.
 - (d) All residential development must adhere to architectural design guidelines. Said standards will reflect a New England village motif and include structures with peaked roofs and architectural shingles. The guidelines for this development are included in Chapter 153, Site Review Regulations, § 153-16.

- (e) All manufactured homes shall adhere to the standards outlined in Chapter 101, Manufactured Home Parks, with the exception of §§ 101-3, 101-4, 101-5, 101-6, and 101-7F, which shall be controlled by the provisions hereof and unless noted below. Where there is a difference in the requirements between this overlay district and the provisions of Chapter 101, Manufactured Home Parks, the provisions of the overlay district shall apply.

(10) Nonresidential development plan guidelines.

- (a) The general character of the nonresidential structures within the development lot is intended to be a pedestrian-friendly setting, with emphasis on the natural characteristics of the site. The site design should create a sense of character and cohesiveness through landscaping, facade treatment, and signage.
- (b) The guidelines for this development are included in Chapter 153, Site Review Regulations, § 153-16.

F. Standards and regulations.

- (1) Internal roads. As part of the approval of the conditional use permit, the Planning Board shall determine whether internal roads shall be public or private. If a road is determined to be private, no municipal services shall be provided other than public safety, utilities maintenance, and regulatory services. Unless noted below, roadways shall conform to the street design criteria laid out in the Code.

- (a) Minimum internal right-of-way.

- [1] Maximum residential: 35 feet.
- [2] Maximum nonresidential: 50 feet.

- (b) Minimum pavement width.

- [1] Minimum residential: 20 feet.
- [2] Minimum nonresidential: 28 feet.
- [3] Minimum sidewalk pavement width: five feet.
- [4] Minimum bike/Segway®/golf cart path width: five feet.

- (c) Minimum tangent length at intersections: 75 feet.

- (d) Maximum street angle at intersections: 60°.

- (e) Minimum center-line radius: 100 feet.

- (f) Minimum tangent length between reverse curves: 50 feet.

- (2) Dimensional requirements.

- (a) Nonresidential/mixed-use buildings.

- [1] Minimum structure setback from external lot line: 50 feet. Expanding existing nonresidential uses are not held to this setback.
- [2] Minimum structure setback from external right-of-way: 50 feet.
- [3] Maximum nonresidential building height: 55 feet.
- [4] For all other dimensional requirements for nonresidential structures and parking setbacks refer to the underlying zone.

- (b) Residential dwellings.

- [1] Minimum structure and parking setback from external lot line: 50 feet.

[2] Minimum structure and parking setback from external row: 100 feet.

[3] Maximum residential building height: 35 feet.

[4] Minimum frontage on internal road: 40 feet.

[5] Minimum setbacks:

[a] Front yard setbacks: 20 feet.

[b] Distance between buildings: 24 feet.

(c) There shall be no minimum lot size or frontage for internal lots created.

(3) Parking.

(a) All dwelling units shall require two independently accessible parking spaces per unit, except that the congregate-care and nursing-home requirements shall be as otherwise defined by this chapter. Nonresidential uses shall comply with parking requirements defined by this chapter.

(b) Overnight parking shall not be permitted on internal roadways.

(c) Parking shall be utilized and available to all components of the development plan, through the recording of access and parking easements.

§ 170-33. Groundwater protection.

A. Purpose. The purpose of this section is to promote the public health, safety and general welfare by protecting and preserving the quality of existing and future groundwater supplies from adverse or detrimental land use, development or activities.

B. Location. These regulations shall apply to all lands within the primary and secondary groundwater protection zones. The boundaries of the primary and secondary groundwater protection zones are depicted on maps titled "Groundwater Protection Zones," dated October 6, 1998. These maps shall be on file at the Planning and Community Development Department and the City Clerk's office.^[1]
[Amended 7-22-2020 by Ord. No. 2020.07.08-006]

[1] *Editor's Note: The Groundwater Protection Zones Map is included as an attachment to this chapter.*

C. Applicability.

(1) All land use activities and development conducted within the primary or secondary groundwater protection zones shall be regulated by the standards established herein.

(2) The standards established herein shall constitute the rules of an overlay zone and shall be superimposed over other zoning districts or portions thereof. The provisions herein shall apply in addition to all other applicable ordinances and regulations. In the event of a conflict between any provision herein and any other ordinance or regulation, the more restrictive requirement shall control.

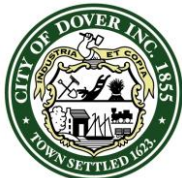
(3) Pursuant to New Hampshire Administrative Rules Part Env-Wq 401, land use activities within a 400-foot radius of a municipal well, the primary groundwater protection zone, shall be subjected to more restrictive standards than the balance of the groundwater protection zones.
[Amended 7-22-2020 by Ord. No. 2020.07.08-006]

(4) Any nonconforming use may continue, and may be maintained and repaired, unless such use is determined to be an imminent hazard to public health and safety by the City Council or the Health Officer.

D. Standards and regulations.

ZONE-2025-0028
99 KNOX MARSH ROAD

Property ID	Location	Owner 1	Owner 2	Owner Address 1	City	State	Zip
H0018-000000	70 KNOX MARSH RD	DOVER BUILDING PARTNERS LLC	C/O EVERGREEN MANAGEMENT IN	17 COMMERCE DR	BEDFORD	NH	03110-7059
H0031-000000	30 LITTLEWORTH RD	SOUSANE RUTH K &	QUINLAN NANCY K	30 LITTLEWORTH RD	DOVER	NH	03820
H0033-C00000	93 KNOX MARSH RD	MORTON -BARRETT MARGARET A &	MORTON CHRISTOPHER L	93 KNOX MARSH ROAD	DOVER	NH	03820
H0033-E00000	89 KNOX MARSH RD	QUINLAN DENIS J	QUINLAN NANCY K	89 KNOX MARSH RD	DOVER	NH	03820
H0035-C00001	7 SUMNER DR	GRAY ROSE PROPERTIES LLC		PO BOX 1812	DOVER	NH	03821-1812
H0035-C00004	42 SUMNER DR	COOPERATIVE ALLIANCE FOR	SEACOAST TRANSPORTATION	42 SUMNER DR	DOVER	NH	03820
H0035-C00005	6 SUMNER DR	RAGING SEA DEVELOPMENT LLC		10 SUMNER DR	DOVER	NH	03820
H0035-C0003B	28 SUMNER DR	28 SUMNER DRIVE LLC		6 LONGVIEW CIRCLE	PELHAM	NH	03076
H0035-C0003C	10 SUMNER DR	10 SUMNER DR LLC		6 SUMNER DR	DOVER	NH	03820
H0035-D00000	LILAC LN	LILAC GARDEN LLC		1 LILAC LN OFC	DOVER	NH	03820
H0041-A00000	26 KNOX MARSH RD	GAUTAM YOG		26 KNOX MARSH RD	DOVER	NH	03820-5401
H0041-B00000	2 WESTGATE DR	CROSSHILL HOUSING ASSOCIATES	LIMITED PARTNERSHIP	P.O. BOX 250	NEW IPSWICH	NH	03071
H0041-J00000	86 KNOX MARSH RD	CROSSHILL HOUSING ASSOCIATES	LIMITED PARTNERSHIP	P.O. BOX 250	NEW IPSWICH	NH	03071
H0041-K00000	94 KNOX MARSH RD	CROSSHILL HOUSING ASSOCIATES	LIMITED PARTNERSHIP	P.O. BOX 250	NEW IPSWICH	NH	03071
H0041-L00000	1 WESTGATE DR	CROSSHILL HOUSING ASSOCIATES	LIMITED PARTNERSHIP	P.O. BOX 250	NEW IPSWICH	NH	03071
H035D-016000	1611 LILAC LN	MONUMENT GARDEN LLC		1 LILAC LN OFC	DOVER	NH	03820-5413
H035D-018000	LILAC LN	MONUMENT GARDEN LLC		1 LILAC LN	DOVER	NH	03820
		CIVILWORKS NEW ENGLAND	STEPHEN HAIGHT, P.E.	P.O. BOX 1166	DOVER	NH	03820
		FRAGGLE ROCK ENVIRONMENTAL	DAMON BURT	38 GARLAND ROAD	STRAFFORD	NH	03884
		BRUTON & BERUBE, PLLC	FRANCIS BRUTON	601 CENTRAL AVENUE	DOVER	NH	03820
H0034-000000	99 KNOX MARSH RD	RY DEVELOPMENT LLC		290 HERITAGE AVE STE	PORTSMOUTH	NH	03801



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, August 21, 2025**
Meeting Time: **7:00 pm**

INTENT: The owner of 99 Knox Marsh Road seeks a Variance from Sections 170-32.(E)(1), 170-32(F)(2)(b)(2), 170-32(F)(2)(b)(2), 170-32(E)(5)(a), to allow the development containing a mixed-use project with two (2) buildings, each containing eighty (80) units, for a total of one hundred sixty (160) residential LIHTC apartment units.

UNITS PROPOSED: 160 LIHTC units

AGENDA ITEM: 3-D

ZONING DISTRICT: Commercial Manufacturing (CM) District, RCM Overlay District

FILE: ZONE-2025-0028

APPLICANT: Bruton & Berube, PLLC

OWNERS: Ry Development, LLC

LOCATION: 99 Knox Marsh Road (Tax Map H, Lot 34)

ACREAGE: ±20.46 acres. No change in acreage

EXISTING LAND USE: Vacant lot (contains one abandoned single-family home)

PROPOSED LAND USE: Mixed Use

SURROUNDING LAND USE: Commercial, Mixed Use

PREVIOUS ZBA ACTION: None

PLANNING BOARD APPROVAL REQ.:

Conditional Use Permit for RCM overlay and Site Plan approval required.

ATTACHMENTS: Application, Variance plan

STAFF RECOMMENDATION: Staff endorses this variance request with conditions.

BACKGROUND INFORMATION

The property seeking this variance request is located on a vacant lot 99 Knox Marsh Rd. in order create a mixed-use project with two (2) buildings each containing eighty (80) units, for a total of One Hundred and Sixty (160) residential apartment units, where all units would represent affordable housing as the rents, which are governed by the Low-Income Housing Tax Credit program, will be restricted to those rents published on an annual basis by NHHFA and HUD, with the 60% AMI rent limitations for Multifamily Tax Subsidy Projects.

In order to execute the plan, the Applicant requires the following variances:

- 1) Relief from Section 170-32 (E)(1) that requires Nonresidential and/or mixed use uses must comprise at least 55% of the total proposed floor area for the development; residential uses must not exceed 45% of the total proposed floor area for the development, where 86% residential and 14% nonresidential/mixed-use is proposed (the “45%/55% Variance”);
- 2) Relief from Section 170-32 (F)(2)(b)(2) that requires 100-foot setbacks of structures and parking from an external road (Knox Marsh Road), where 48.8 feet to 64.3 feet are proposed (the “100’ Roadway Variance”);
- 3) Relief from Section 170-32 (F)(2)(b)(3) that restricts building height to 35 feet, where 45 feet is proposed (the “Height Variance”); and
- 4) Relief from Section 170-32 (E)(5)(a) that permits zero density if the residential units conform to the HUD Fair Market Rent rates published by NHHFA, where the units conform to the 60% AMI rent limitations for Multifamily Tax Subsidy Projects published by NHHFA.

STAFF RECOMMENDATION

Staff recommends approval of this variance request with conditions.

In order of individual items of relief sought, Staff replies with the following:

- 1) There is a demonstrated precedent in the recent past of this Board making concessions regarding a structure or development’s overall commercial composition percentage in lieu of affordable housing, or where commercial uses are shown to have historically failed at particular locations. Staff feels the sought relief is reasonable considering the substantial

creation of affordable housing;

- 2) As several neighboring properties are in violation of this setback rule, Staff sees no public benefit in keeping the Applicant beholden to this requirement;
- 3) Staff takes no strong stance either way on the height requirement relief; and
- 4) The request to equate LIHTC-regulated housing units to those units which are restricted to the HUD Fair Market Rent Rate is a reasonable request in Staff's eyes, provided certain restrictions are put into effect to ensure the survival of the affordability component which is the basis of the majority of the relief sought in this application.

Staff therefore 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 with the following conditions:

- 1) After the date of expiration of the owner's (of 99 Knox Marsh Rd.) Land Use Restriction Agreement ("LUMR") with New Hampshire Housing, shall include the extension or recapitalization of the owner's existing LUMR, rents for all 160 units shall not exceed the applicable HUD Fair Market Rent value in perpetuity; and
- 2) Condition one (1) shall be memorialized as a Developer's Agreement with the City of Dover and as a deed restriction to be recorded at the Strafford County Registry of Deeds prior to the issuance of any Certificate of Occupancy for any building on 99 Knox Marsh Rd. or Tax Map H, Lot 34.