

CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers, City Hall, 288 Central Ave, Dover, NH.
Meeting Date: **Tuesday, September 9, 2025**
Meeting Time: **7:00 pm**

Members Present: Gina Cruikshank (Chair), Doug Glennon (Vice-Chair), Tom Clark, George DeBoer, Fergus Cullen (Councillor), Devon Dunn (Alternate)

Members Not Present (excused): Melina Gambino, Kyle Pimental, Ken Mavrogeorge, Eric Salovitch (Alternate), Jeff Sanborn, Tyler Allen (Alternate)

Staff Present: Donna Benton, Planning Director, Abby Galloway-Burke, Assistant City Planner, and Paul Crouser, Assistant City Planner/Zoning Administrator.

G. Cruikshank (Chair) called the meeting to order at 7:00p.m. and noted D. Dunn will sit for K. Mavrogeorge and items A, B and C will not be heard tonight. She also noted items G and H will not have a public hearing, so comments need to be given during Citizens' Forum. She explained the process for Citizen's Forum.

1. CITIZENS' FORUM

Citizens Forum Open

Liz Goldman, 44 Rutland St is on the school board and Transportation Commission, but is speaking tonight as a resident informed by participation in those groups. One of the goals of the Transportation Commission is to make Dover a walkable city. She wondered if there could be preferential zoning for neighborhood grocery stores. She spoke about the effect of housing and real estate on the school board and school system/costs.

Citizens Forum Closed

2. APPROVAL OF THE PRIOR MINUTES

- August 26, 2025 Regular Meeting Minutes

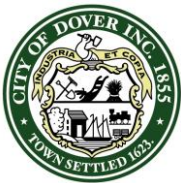
Motion: G. DeBoer moved to approve the regular meeting minutes of August 26, 2025. Seconded by: F. Cullen. Vote: U/A.

3. OLD BUSINESS

4. NEW BUSINESS

- A. Consideration and acceptance of a Conditional Use Permit for the City of Dover, Assessor's Map H, Lot 12, zoned R-20, located 25 Alumni Drive. (Proposal is for approximately 378 s.f. of permanent impacts within the 50' wetland buffer as a result of the proposed renovation of the Dover High School Athletic Complex.) *(COND-2025-0018)
- B. Consideration and acceptance of a Conditional Use Permit for the City of Dover, Assessor's Map H, Lot 12, zoned R-20, located at 25 Alumni Drive. (Proposal seeks to allow relief from the Secondary Groundwater Protection District for development that creates more than 20% impervious surface for the proposed renovation of the Dover High School Athletic Complex.) *(COND-2025-0020)
- C. Consideration and acceptance of Site Plan Amendment for the City of Dover, Assessor's Map H, Lot 12, zoned R-20, located at 25 Alumni Drive. (Proposal is for the reconstruction of the Dover High School Athletic Complex.) *(WAIV-2025-0010)

The Vice-Chair announced that the applicant requested that Items A, B, and C be continued to the September 23, 2025 Planning Board Meeting.



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Motion: F. Cullen moved to continue these items to the September 23, 2025 Regular Planning Board meeting at 7pm in this room. Seconded by: D. Dunn. Vote: U/A
The Vice-Chair announced Items D & E would be heard together.

- D. Consideration and acceptance of a Conditional Use Permit for Liberty Mutual Insurance Co, c/o Brady Sullivan Properties, LLC, Assessor's Map E, Lot 24, zoned IT, located at 50, 100, and 150 Liberty Way. (Proposal is to establish a Residential Commercial Mixed-Use (RCM) Overlay District.) *(COND-2025-0021)
- E. Consideration and acceptance of Site Plan for Liberty Mutual Insurance Co, c/o Brady Sullivan Properties, LLC, Assessor's Map E, Lot 24, zoned IT, located at 150 Liberty Way. (Proposal is for the conversion of the existing office building into a mixed-used building with office, commercial, and residential units.)*(SITE-2025-0008)

D. Benton explained that the Applicant has submitted two related requests for the Liberty Mutual property on Liberty Way.

The first application is for a Conditional Use Permit to establish a Residential Commercial Mixed-Use (RCM) Overlay District for the site, which is currently an office complex with three buildings. This CUP sets the framework for a long-term master plan that would allow for a mix of office, residential, and commercial uses. While no direct environmental impacts are proposed at this time, the Conservation Commission reviewed the conceptual yield plan with hypothetical environmental impacts in order to assist in determining a realistic yield plan. The applicant's yield plan proposes 245 residential units as the base density for this site. Any future development phases will still require detailed site plan review.

The second application is the Phase One site plan for 150 Liberty Way. This proposal would adapt one of the existing office buildings into a mixed-use building with 245 residential units and approximately 39,000 square feet of commercial space on the first floor. The plan also proposes the removal of 97 parking spaces for new resident amenities and designates ten parking spaces for Community Trail users.

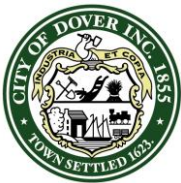
The applicant is requesting five waivers as part of the site plan application related to the project's location and proposed adaptation of an existing building on a portion of the site including full-site survey details, lighting, landscape, and stormwater/erosion control plans, and a colored rendering from the public right-of-way.

Together, these applications represent the first step in the proposed redevelopment of the Liberty Mutual campus into a mixed-use property while ensuring that future phases remain subject to detailed review.

FX Bruton, Bruton & Berube, PLLC, represented the application along with Tom Zajac, IMEG, Brian White for property values, Jeff Dirk for traffic analysis, Mark Fougere for fiscal impact and Chris Lewis, Brady Sullivan.

FX Bruton described the site location and existing conditions and explained the proposal to renovate 150 Liberty Way into residential units on floors 2-4 and partial commercial/residential on the first floor.

He explained the timeline thus far for the project, the RCM district proposal, the proposed unit count for 245 units without any TDR and potential future plans for other phases for a total of up to 500 units. The applicant is happy to involve the public in the various processes for feedback.



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He described that the change of use would result in less people on site- from 1200-1700 previous employees to 300-400 residents. He addressed reduction of parking and addition of recreation areas. The Community trail will have enhanced access and added parking area. The emergency access will be paved.

Mr. Bruton noted several reports included in the application packet. He noted other topics that have been reviewed for impact such as storm water management, utilities, driveways, lighting, landscaping, drainage, ground water and trash.

He highlighted the waivers being sought for the change of use proposal and gave some commercial use options that may go into the commercial spaces.

He answered questions from the board relating to: units will be rentals, this building will be market rate, future phases may include lower rates as part of possible TDR request, access to the community: bus route, sidewalks, cross-walk, recreation area is for residents and commercial tenants, commercial uses are open to all public.

Staff addressed the approval of RCM zoning on this parcel is through the Planning Board approval of the CUP based on the applicant meeting the RCM criteria.

The applicant addressed additional comments and questions relating to traffic calming measures within the site, property tax value and impact, development agreement, RCM district examples, permitted uses in the RCM for the commercial areas.

Motion: G. DeBoer moved to accept the applications and declared no regional impact. Seconded by: D. Dunn. Vote: U/A

Public hearing opened.

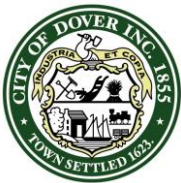
Sandy Potter, 6 Nye Ln expressed concerns about the existing site lighting and is curious about the construction schedule. She is happy to have the property revitalized but is concerned about the overuse of the community trail in that area and the possible effects on the river. She would like to see some affordable units at this location.

Elizabeth Bratter, 16 St John St is concerned about the environment with all of the grass over there and prefers the use of self-sustaining materials that don't need to be watered. She is also concerned about the pickle ball court near the water due to the noise. It is a very disturbing noise and carries very easily over the water. She didn't hear anything about solar or EV chargers which she would like to see there. She is concerned there won't be enough parking if they remove the portion proposed. Many people work from home therefore the cars are there all day and not available for commercial users.

Skylar Anderson, Glenwood Ave, abutter, is concerned about area 5 and the view of parking lot and commercial uses too close to the road. Would prefer them further back.

Sean LaRose, 390 Sixth St, abutter, is concerned about the second plan for the restaurant and 5-story structure too close to the road. The area has lots of wildlife and he and the new residents would prefer to see that than a restaurant. He is in favor of the project.

Matt Hawkins, property owner in Dover, is in favor of the plan. This applicant has done great work around the City and they should be supported to get this project done.



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An email was received by the office and summarized below:

Brian Stern, Tolend Road, opposes Items 4-D and 4-E. Stern states that he is concerned about potential spot zoning and what he believes is an inadequate assessment of impacts on nearby residential properties and the environment, and would request conditions if it were to be approved such as fencing, designated recreational areas, activity restrictions, signage, and riverbank protections.

Public hearing closed.

Mr. Bruton addressed public comment:

- Light shields are no problem
- Happy to hear the feedback and they will be asking for more feedback in the future
- Storage facilities will be provided for electric bike storage for residents
- Community trail access was suggested by staff
- Recreation location area
- Parking proposed and recent changes to state parking regulations

Staff addressed public comment:

- Community trail maintenance
- Construction schedule regulations

G. DeBoer asked the applicant to address the accusations of illegal spot-zoning in the letter submitted.

Staff answered questions from the board relating to TRC discussions.

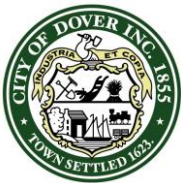
F. Cullen asked the applicant to be as creative as possible with this lot since a lot this size will not come up again. We should be maximizing its potential, and he encouraged that to occur with future phases. Other accommodations to consider: senior living, industrial space, market rate along with other diverse housing options such as affordable units and ownership opportunities.

STAFF RECOMMENDATION – Conditional Use Permit, RCM

The Residential-Commercial Mixed-Use Overlay District ordinance §170-32.B provides for Conditional Use Permits to establish said overlay if the applicant demonstrates compliance with site design guidelines, provides evidence that the project will not negatively impact surrounding properties, and provides a fiscal impact analysis proving the project is cost-neutral to the city now and in 10 years, with final approval formalized through a recorded agreement with the applicant and the Planning Board.

Staff finds that the applicant has met the criteria under §170-32.B. The proposal is primarily an adaptive reuse of the existing Liberty Mutual campus, with new development set back from the public right-of-way on Sixth Street. No changes have been proposed to lighting, landscaping, or building facades. Staff also notes there's an excess of on-site parking with overall activity expected to be less than the site's historic office use. The applicant's fiscal impact analysis projects a positive impact, taking into account projected impacts to schools and public safety. Finally, a draft Development Agreement has been provided, which would be formalized and recorded with the Strafford County Registry of Deeds with Planning Board approval.

The Planning Department recommends the Planning Board make the necessary and supporting findings of fact, and to approve the Conditional Use Permit with the following subsequent conditions, as the plans meet the standards outlined:



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Conditions to Be Met Prior to the Issuance of Conditional Use Permit:

1. The owner's signatures shall be added to the final plat submitted for signature.
2. A Development Agreement be executed between the Planning Board and the applicant and be recorded at SCRD. The submitted Development Agreement shall also include the applicant's assurance of site plan applications to be submitted consisting of non-residential components within the 5-year CUP timeline, a charrette for the overall site, and a survey for entire lot.

Motion: G. DeBoer moved to approve the Conditional Use Permit. Seconded by F. Cullen. Vote: U/A

STAFF RECOMMENDATION - Waivers/Relief:

§153-21 of the Site Plan Review Regulations state the "Planning Board may waive specific provisions of these regulations. The Planning Board may only grant a waiver if the Planning Board finds, by majority vote, that:

- (1) Strict conformity would pose an unnecessary hardship to the applicant and the waiver would not be contrary to the spirit and intent of the regulations; or
- (2) Specific circumstances relative to the subdivision, or conditions of the land in such site plan, indicate that the waiver will properly carry out the spirit and intent of the regulations."

Planning Staff believes the applicant's rationale for the waiver meets criterion (2) and waiving such standards and requirements will properly carry out the spirit and intent of the regulations. Staff notes that the waiver requests stem from the nature of the proposal. The applicant has submitted project area survey information for the immediate area, is not changing lighting, landscaping, or drainage, and as the building isn't visible from the right-of-way, they've provided a rendering from a more appropriate vantage point, and generally speaking for this phase using existing infrastructure.

The Planning Department recommends that the Planning Board make the necessary and supporting findings of fact, and vote to grant the waivers with the following subsequent condition:

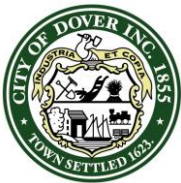
Subsequent Condition to be Met Prior to the Signing of the Plans:

1. Add a note that the Planning Board found the criteria of Chapter 153-21 have been met and the Board approved the following waivers:
 - 1.1. §153-13(A)(4, 5, 7-9, 13) for full-site survey information;
 - 1.2. §153-14E(1)(b) lighting plan;
 - 1.3. §153-13(A)(12) landscape plan;
 - 1.4. §153-13(A)(17) colored rendering from public right-of-way;
 - 1.5. §153-13(A)(18) stormwater/erosion control plan.
2. Add note that light shields will be installed to ensure lights do not shine across the river or onto adjacent private properties

Motion: F. Cullen moved to grant the waiver requests with the subsequent conditions set by staff as it meets criteria for relief. Seconded by: G. DeBoer. Vote: U/A

STAFF RECOMMENDATION- Site Plan:

Chapter 153-13 outlines Site development plan requirements. This plan meets those standards outlined. Therefore, the Planning Department recommends that the Planning Board make the necessary and supporting findings of fact, and vote to approve the Site Plan with the following subsequent conditions:



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Subsequent Conditions to be Met Prior to Signing of Plans:

1. Approval of COND-2025-0021;
2. Provide will serve letters;
3. Provide grease trap and sewer line inspection records to the Engineering Department;
4. Provide physical and digital copies (including CAD) of complete plan set for final Planning Board signature which additionally shall include:
 - 4.1. Owner's signatures;
 - 4.2. Professional stamps and signatures;
 - 4.3. Add note that established landscape operation and maintenance plan will continue to be used, (including not pushing any snow onto the community trail) any changes must be reviewed by the Planning Department;
 - 4.4. Add note that development will comply with pre-treatment industrial program;
 - 4.5. Include total calculation of active and passive recreation spaces;
 - 4.6. Correct sheet numbering on final plans;
 - 4.7. Add note that existing gravel access way will be paved;
 - 4.8. Indicate accessible routes for recreational amenities;
 - 4.9. Indicate mail room area as tenant space;

Subsequent Condition to Be Met Prior to Construction:

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

Subsequent Condition to Be Met Prior to Building Permit:

6. Payment of Water and Sewer Investment Fees if applicable at time of request of service;

Subsequent Conditions to Be Met Prior to Occupancy:

7. Issuance of Certificate of Occupancy;
8. Surety or other form of security acceptable to the City is provided for any unfinished work;
9. Design engineer to submit a construction certification letter to the City ensuring construction was completed in accordance with the plans and specifications approved by the City of Dover.

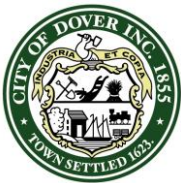
Motion: G. DeBoer moved to approve the Site Plan with the subsequent conditions set by staff. Seconded by D. Glennon. Vote: U/A

- F. Public hearing and possible recommendation of amendments to the City Code, Chapter 170, entitled Zoning. The full text of the amendments is available in Planning Dept. & at www.dover.nh.gov located on the Planning and Community Development webpage.*

D. Benton introduced Paul Crouser, Zoning Administrator, who provided additional information related to some of the proposed amendments.

P. Crouser addressed comments and questions from the board related to amendment topics as follows:

- T. Clark
 - Solar readiness



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Elizabeth Bratter, 16 St. John St addressed several amendment topics:

- Asked for clarification about the solar readiness going away to be corrected
 - If applicants need to provide solar readiness, why not just require full solar since they've already spent the funds
- ADUs
 - Definition questions about detached structure
 - Concerns about ADUs being allowed by right and in existing detached structures
 - Wants them monitored
 - Loss of privacy to abutters
- Personal Services
 - Definition is vague
 - RMU zoning
 - Allowed by right? These are primarily residential zones
 - Suggestions given for more restrictions

D. Benton explained that the letters from the previous meeting were submitted by residents and provided to Board members for review.

Sam Hewitt, 5 Maple St., provided a letter as requested by the Planning Board. Hewitt explained that he objects to the timing and content of certain ordinance amendments. Hewitt argued they appear designed to benefit a project proposed at 9 Maple Street, which he stated was under appeal. Hewitt specifically discussed proposed Amendments 30 and 42 as examples of changes that could pertain to the Maple Street proposal.

Elizabeth Bratter, 16 St John St., provided a letter as requested by the Planning Board. Bratter summarized her comments and requests for clarifications on proposed Amendments 7, 8, 10, 16, 19, 20, 27, 28, 29, 30, 31, 35, 37, 38, 42, and 44.

Eric Leaver, 42 Main St., provided a letter as requested by the Planning Board. Leaver explained he was representing Strong Towns Seacoast and was expressing support for reducing parking minimums in the HR and RM-U districts and requested the elimination of any remaining minimums altogether.

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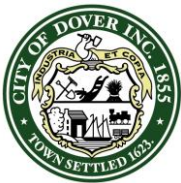
David Read, 50 Cushing St., expressed support for the revision to the definition of Accessory Dwelling Units.

Brian Stern, Tolend Road, questioned proposed Amendment 36 regarding the removal of the word “cumulative” for the cost per acre calculation that dictates TDR fees. Stern argued that the current TDR pricing is vague and urged a temporary moratorium on TDR proposals while the ordinance is being revised.

Public hearing closed.

Staff addressed public comment.

Motion: D. Glennon moved to recommend these amendments to City Council as posted. Seconded by T. Clark. Vote: U/A



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G. Presentation regarding the Housing Committee's Report Recommendations and Action Plan.

D. Benton introduced Abby Galloway-Burke, Assistant City Planner. They both provided a presentation on the background, recommendations and action plan created by the Ad-Hoc Committee to Address Community Housing Needs.

Staff addressed comments and questions from the board relating to the committee which is sunsetting and proposing a commission to take on the next steps. Members weighed in with their opinions on committees and commissions.

H. Tutorial on the Fiscal Housing Calculator.

A. Galloway-Burke provided an overview of the Fiscal Housing Calculator created by the NH Department of Business and Economic Affairs. The tool assists with assessing the fiscal effect of housing development in New Hampshire.

5. STAFF COMMENT

- The Land Use Chapter of the Master Plan continues to be updated. A future land use map has been drafted and we will be asking for resident feedback through a Polco survey and we'll be making the map available for review on the project webpage and in a few physical locations like the Clerk's office.
- TRC items since last meeting:
 - August 28th: Site Plan Amendment for the reconstruction of the Dover High School Athletic Complex.
- Upcoming TRC items:
 - September 11th: Site Plan proposal for the redevelopment of 376 and 378 Central Ave. Proposal is to renovate the commercial spaces on the first floor and to construct 16 residential units, primarily on the upper three floors.

6. MEMBER COMMENTS

- F. Cullen
 - Spoke about a Dover Athletic complex project
- The Chair signed the following:
 - CUP plans for wetland buffer impacts for a garage addition at 28 Cornerstone Dr.
 - TDR subdivision plans for 566 Sixth St.

7. ADJOURNMENT

Motion: D. Glennon to adjourn at 9:13 p.m. Seconded by G. DeBoer. Vote: U/A