



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, October 14, 2025**
Meeting Time: **7:00 pm**

Members Present: Gina Cruikshank (Chair), Doug Glennon (Vice-Chair), Ken Mavrogeorge, Tom Clark, Jeff Sanborn, Tyler Allen (Alternate), and Devon Dunn (Alternate)

Members Not Present (excused): Kyle Pimental, Fergus Cullen (Councilor), Melina Gambino, Eric Salovitch (Alternate) George DeBoer

Staff Present: Donna Benton, Planning Director

G. Cruikshank (Chair) called the meeting to order at 7:00p.m. and went through the rules for Citizen's Forum and Public hearings and noted that Devon Dunn would be sitting for Kyle Pimental and Tyler Allen would be sitting for Melina Gambino.

1. CITIZENS' FORUM

Citizens Forum Open

No one spoke

Citizens Forum Closed

2. APPROVAL OF THE PRIOR MINUTES

- September 23, 2025 Regular Meeting Minutes

Motion: D. Glennon moved to approve the regular meeting minutes of October 14, 2025. Seconded by: K. Mavrogeorge. Vote: U/A

3. OLD BUSINESS

4. NEW BUSINESS

- A. Consideration and acceptance of a Conditional Use Permit for Tina M. Sawtelle Assessor's Map B, Lot 1-C, zoned R-40, located at 476 Sixth Street. (Proposal seeks to allow overlapping impacts to wetland buffers and the Conservation District for an expansion of an existing single-family home with approx. 181 s.f. of permanent wetland buffer impacts and approx. 554 s.f. of temporary buffer disturbance.) *(COND-2025-0014)

D. Benton explained that the applicant is proposing renovations and an expansion of a single-family home at 476 Sixth Street.

In 2023, the Planning Board approved a proposal to construct a larger addition to the existing single-family home that would have created 773 square feet of overlapping impacts to the wetland buffer and Conservation District. That approved project did not take place and the applicant is now proposing a smaller addition and enclosure of an existing deck area that would create approximately 181 square feet of permanent overlapping impacts to the wetland buffer and Conservation District.

The Technical Review Committee was not required to review the plan but the Conservation Commission reviewed and endorsed the application at their August 11, 2025 meeting.

Ali Deshardon, Red Fox Architects represented the application and explained the proposed addition is smaller than the addition that was previously submitted.

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



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Public hearing opened.

No one spoke

Public hearing closed.

Consistency with Land Use Regulations – Conditional Use Permit, Wetland Protection District

The Wetlands Protection District ordinance §170-28.F provides for Conditional Use Permits to allow impacts to the Wetlands Protection District if standards related to demonstration that no practicable alternative is available, impact avoidance was considered, impacts were minimized, mitigation has been sought, and approval of the wetlands impact from NHDES Wetlands Bureau has been granted.

Staff finds the applicant has met all the criteria in §170-28.F. The project is limited to existing features, with no relocation possible, and impacts are minimized by not using full foundations. Sediment and erosion controls are included. There are no direct wetland impacts meaning no mitigation or NHDES permitting is needed. The Conservation Commission reviewed and endorsed the application.

The Planning Department recommends the Planning Board make findings, and vote to approve the application with the following subsequent conditions:

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

1. Submit a final site plan to the Planning Department that includes:
 - 1.1. LLS and CWS stamp and signature.
 - 1.2. Owner's signature.

Motion: D. Glennon moved to approve the Conditional Use Permit with the subsequent conditions.
Seconded by T. Allen. Vote: U/A

- B. Consideration and acceptance of an Amendment to a previously approved TDR Subdivision/Site Plan for 5 Sherman Street, LLC (Owners: 5 Sherman Street, LLC, Cory J. Wright and Shelby K. Cheever, & Jameson and Caitlin Lassar), Assessor's Map H, Lots 50-3, 50-8, and 46-1. Zoned R-40, located at 10 and 11 Banner Drive and 9 Sophie Drive. (Proposal seeks to amend the 1,400-square-foot size restriction for the subject properties as set in the previously approved plans [P21-87].)
*(WAIV-2025-0011)

D. Benton explained that the application is an amendment to the previously approved TDR Subdivision/Site Plan (P21-87). Homeowners of three of the twelve single-family homes on Sophie and Banner Drives are proposing to amend the 1,400-square-foot size restriction to allow the basements at the subject properties to be finished.

As the units were originally approved with size restrictions through the TDR and subdivision approvals, any change requires a Planning Board amendment. The engineer has submitted revised plans, and if approved, the restriction would also need to be removed from the homeowners' deeds.

Robert Baldwin, 5 Sherman St represented the application and explained the request of three new homeowners to finish the basement levels. There is an egress door already constructed and there are no proposed changes to the footprint of the properties. All work will be interior.

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



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Public hearing opened.

Jameson Lassar, 9 Sophie Dr reiterated he is not requesting any additional square footage or structural expansion- only to finish the basement within the existing footprint. He explained details of the proposal.

Public hearing closed.

D. Benton explained for the board the restrictions put in place when the TDR was approved and what changes need to occur if the size restriction is released by the board including deed and condo doc updates and payment of the additional TDR fees. Those conditions are outlined in the staff conditions, should the board decide to grant the relief.

Discussion occurred about the request. T. Clark is not in favor of the request given all the applicant had to comply with to receive the initial TDR, it doesn't seem right that after the fact they can get a waiver from what was required.

Chair Cruikshank agrees with T. Clark noting the point of the TDR was small units/ affordable housing. This project was approved based on the restricted footprint that was proposed by the owner/ developer.

Following a question by the board, Mr. Lassar explained there is no boiler in the basement. There are mini-splits as heat sources in the home, and none in the basement. His home over the first two winters has reached as low as 39 degrees. He is concerned about the piping potentially reaching freezing temperatures in the future.

K. Mavrogeorge does not have a problem with the request. A single-family home should be allowed to finish their basement.

Discussion continued regarding the 1400 square foot restriction and the explanation that that is a financial benefit to the developer. If they restrict the size, they pay less TDR fee. The application here is to expand the square footage and pay the additional fee required for going over the restricted square footage which allowed for a lesser fee originally.

Additionally, the Chair noted the TDR projects are described as affordable at the smaller size and once the lower level is finished, it will increase the property value and potentially not fit into the affordable housing category.

The applicant noted allowing the expansion will allow families to stay in the community and for the house to grow with their needs.

Daniel Mariotti, 10 Banner Dr, applicant, noted the purchase price really doesn't fall in the 'affordable housing' category anyway being over \$600,000 for a 1400 sq ft home. Additionally, adding below grade finish does not change the square feet of living area, unless Dover follows a different procedure than most other Cities and Towns.

Consistency with Land Use Regulations – TDR Subdivision Amendment

The plan is consistent with §157-15 of the City of Dover's Land Subdivision Regulations, which provides for subdivision of existing lots and §170-29 of the City of Dover's Zoning Ordinance which provides for additional density to be purchased through Transfer of Development Rights, provided all criteria are met.



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Further, the applicant states that the request is driven by a practical need for additional living space but the proposed changes will not affect the exterior appearance, building footprint, impervious surface, or visible height of the homes.

The Planning Department recommends the Planning Board make findings, and vote to approve the amendment with the following subsequent conditions:

Subsequent Conditions to be Met Prior to Signing of Plans:

1. Revise and update Development Agreement, to be reviewed by the Planning Department, and re-recorded at the Strafford County Registry of Deeds (SCRD);
2. Revise and update the condominium owners' association (COA) documents in accordance with the amendment process outlined in the COA documents, and re-recorded at the SCR. Proof of compliance, including meeting minutes and recording information, shall be submitted to the Planning Department;
3. The applicant shall pay the City of Dover the difference in TDR fees to reflect the unrestricted rate per unit;
4. Provide physical and digital copies (including CAD) of revised plan sheets for final Planning Board signature which additionally shall include:
 - 4.1. Planning File #WAIV-2025-0011;
 - 4.2. Owner or designee signature(s);
 - 4.3. Professional stamps and signatures; and
 - 4.4. Revised note to specify all units affected by the removal of the size-restriction and to clarify the intent is to finish the basements and not expand upon the footprint.

Motion: K. Mavrogeorge moved to approve the Amendment with the subsequent conditions. Seconded by T. Allen. Vote: 5-2 with Clark and Cruikshank opposed

The Vice-Chair announced Items C & D would be heard together.

- C. Consideration and possible posting on the proposed Amendments regarding Chapter 153 (Site Plan Regulations) in relation to the requirements of NH House Bill 413 regarding vesting period for approved plans. The full text of the amendments is available in the Planning Department and at www.dover.nh.gov located under meeting materials and on the Planning Department page*.
- D. Consideration and possible posting on the proposed Amendments regarding Chapter 157 (Land Subdivision Regulations) in relation to the requirements of NH House Bill 413 regarding vesting period for approved plans. The full text of the amendments is available in the Planning Department and at www.dover.nh.gov located under meeting materials and on the Planning Department page*.

D. Benton provided an overview of the updated proposed amendments, purpose for updates, and timeline and steps in the process.

K. Mavrogeorge inquired if this is retroactive and D. Benton noted she will check.

Feedback was given by D. Glennon regarding only having to notify abutters on the first request for extension.

Feedback was given by K. Mavrogeorge relating to section 157-23 A to align the lookback years to the NH DES standards.



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Public hearing opened.

No one spoke

Public hearing closed.

Motion: T. Clark moved to post the proposed amendments. Seconded by: D. Dunn. Vote: U/A

5. STAFF COMMENT

- CIP Meeting tomorrow night. Then regular meeting on October 28th.
- Zoning amendments were adopted by City Council last week.
- TRC items since last meeting:
 - October 2nd: Site Plan proposal for a 2,500 square foot Comcast Switching Facility at 200 Sixth Street.
 - October 9th: Site Plan proposal for a childcare facility at 914 Central Avenue.
- Upcoming TRC items:
 - October 16th: 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 14 residential units on the upper three floors.

6. MEMBER COMMENTS

- Member comments
 - D. Glennon
 - Will be away for the October 28th meeting
- The Chair signed the following:
 - TDR Site Plan for 1 Cold Springs Road.

7. ADJOURNMENT

Motion: K. Mavrogeorge moved to adjourn at 7:46 p.m. Seconded by T. Allen. Vote: U/A