

CITY OF DOVER

ZONING BOARD OF ADJUSTMENT - AGENDA

REVISED

Meeting Type: Regular Meeting
Meeting Location: Council Chambers, City Hall, 288 Central Avenue, Dover, NH 03820
Meeting Date: **Thursday, November 20, 2025**
Meeting Time: **7:00 pm**

1. ATTENDANCE

2. APPROVAL OF THE PRIOR MINUTES

- October 16, 2025 Regular Meeting Minutes

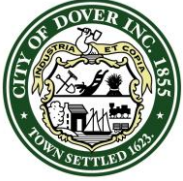
3. HEARINGS

- A. ~~ZONE-2025-0036~~** Applicant: Dev Atma Khalsa (Owner: The Gurubhai Khalsa Trust) Page Avenue, Tax Map 37, Lot 52, located in the Medium Density Residential District (R-12), requests a Variance from **Section 170-12(B)**, to construct a single-family dwelling with an attached garage 15' from the rear lot line where 30' is allowed. *This item has been continued to the December 18, 2025 Zoning Board of Adjustment meeting.*
- B. ~~ZONE-2025-0037~~** Applicant: 25 Dover Point, LLC, 28 Dover Point Road, Tax Map 6, Lot 26, located in the Medium Density Residential District (R-12), requests a Variance from **Section 170-11(D)** to allow for the construction of a commercial building within a residential zoning district. *This item has been continued to the December 18, 2025 Zoning Board of Adjustment meeting.*
- C. ~~ZONE-2025-0037B~~** Applicant: 25 Dover Point, LLC, 28 Dover Point Road, Tax Map 6, Lot 26, located in the Medium Density Residential District (R-12), requests a Variance from **Section 170-12(B)**, to permit a front setback of 78.1' where the front build-to-line requires a max of 25'. *This item has been continued to the December 18, 2025 Zoning Board of Adjustment meeting.*
- D. ~~ZONE-2025-0037C~~** Applicant: 25 Dover Point, LLC, 28 Dover Point Road, Tax Map 6, Lot 26, located in the Medium Density Residential District (R-12), requests a Variance from **Section 170-15(D)**, to allow for a commercial property closer than 150' from a residential structure within a residential zone. *This item has been continued to the December 18, 2025 Zoning Board of Adjustment meeting.*
- E. ~~ZONE-2025-0038~~** Applicant: Fergus Cullen, 18 Pearson Drive, Tax Map L, Lot 46-M, located in the Low Density Residential District (R-20), requests a variance from Section 170-11(B) and 170-12(B), to allow for the construction of an addition to an existing single-family home to create a two-family dwelling where the minimum lot area for such a project requires 30,000 s.f. of lot area, whereas the existing lot has only 17,224 s.f.

4. OTHER BUSINESS

5. ADJOURN

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



CITY OF DOVER

ZONING BOARD OF ADJUSTMENT - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers, City Hall – 288 Central Ave., Dover, NH 03820
Meeting Date: Thursday, October 16, 2025
Meeting Time: 7:00 pm

1. ATTENDANCE

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

Members Not Present: Nicholas Couturier

Staff Present: Paul R. Crouser (Zoning Administrator)

Chair Prior called the meeting to order at 7PM.

2. APPROVAL OF MEETING MINUTES OF SEPTEMBER 18, 2025

Motion: J.Brown moved to approve the minutes of September 18, 2025 as submitted. Seconded by H.Hamer. Vote: U/A

Chair Prior explained the hearing process.

3. HEARINGS

A. ZONE-2025-0031 Applicant: Lassel Architects (Owner: Katrine B. & John M. MacGregor) 50 Mount Vernon Street, Tax Map 30, Lot 150, located in the Urban Density Multi-Residential District (RM-U), requests a Special Exception via Section 170-12(B), RMU Table of Uses, to, following the conversion of an existing 3-unit home to a 2-unit home, construct a 2-unit addition for an increased from 3-units to 4-units total.

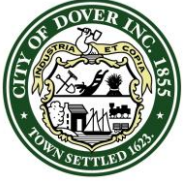
The property seeking this Special Exception request is located at 50 Mount Vernon St. within the RM-U Zoning District. The parcel is approximately 14,810.40 s.f. in area and currently holds three (3) existing dwelling units. The Applicant seeks to raze the existing detached garage and a portion of the existing 3-dwelling structure and subsequently construct an addition to the structure, with the intent of redistributing the units such that two (2) will remain within the existing portion of the structure, with the third and fourth (new unit) being housed within the addition. To support the tenants of the overall development, the Applicant is also proposing to expand the available parking by providing two (2) garage spaces on the first floor of the addition, with six (6) additional spaces being available in a parking lot on the property.

Sarah Hourihane, Lassel Architects represented the application.

Morin arrived at this time.

The Chair noted there are six members present, but five will be voting on the matter. Hamer will sit for Couturier.

Ms. Hourihane explained the proposal to demolish a garage, eliminate one of the existing units in the structure, build an addition to house two additional units for a total of four units on site. She addressed maintaining the curb cut, narrowing the driveway for added parking spaces and parking within the garage. The proposal includes a revised parking plan with two spaces in a garage and four spaces outdoors. Parking areas and structures will meet setbacks. The design will maintain the character of the existing structure.



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Ms. Hourihane addressed questions from the board. No units are currently expected to be rented at HUD rates.

Public Hearing opened.

Mark Makowski, 44 Mount Vernon St, abutter, has an existing garage a foot from his property line and is concerned about the proposed fence location.

Sam Hewitt, 5 Maple St commented on the staff memo and site plan provided in the packet.

No sign was posted in advance of the meeting at the property therefore, the item should not be heard. He noted several other procedural issues the board should consider before voting.

The applicant addressed questions from the board relating to availability of the open space calculation document, the sign being posted at the site, and proposed fence location in relation to existing abutting garage.

P. Crouser confirmed the latest packet with the open space calculation does not appear to have been uploaded to the website, though it was received to the office, was reviewed by staff, and meets the criteria.

Planning Department input: Sign posting is procedural; it is not statutorily required. It was posted during the initial meeting process. Regarding open space calculations, P. Crouser used GIS and measured each one and came up with an average of 64% with a range from 41% to 82%. For the subject property, his calculations were not substantially different than what the applicant provided. (65%)
Staff believes the applicant has met all requirements.

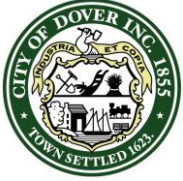
He addressed public comments by noting screening is not specified by regulation. The applicant can choose vegetation or a fence etc. The applicant is also not required to work with the abutter on placement of the fence as long as it's on their property, but it appears they are willing to work with the abutter on this matter.

He addressed other criteria including parking, noting the recent legislative change to require only one parking space per unit is more than met in the proposal. Setback regulations are met. HUD fair market rate is not applicable in this case.

Amendments to the ordinance were adopted last week by City Council, one of which now states that Chapter 153.14 rules get triggered at the will of the Planning Director and this application does not rise to that requirement.

The board members and staff discussed the proposed parking in relation to the new state standard.

Motion: Onufry moved to grant the special exception.



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It was further clarified that state statute took effect in September regarding the change to parking requirements. It was only last week that the City was able to formally adopt the change within the ordinance, but the change was already in effect as soon as the state mandated the change to take effect.

Brown seconded. Vote: All in favor with Hamer opposed.

4. OTHER BUSINESS

None

5. ADJOURN

Motion: Sillitta moved to adjourn at 7:28pm. Onufry seconded. Vote: U/A

DRAFT

-----Original Message-----

From: Dev Atma Khalsa <aife1234@gmail.com>

Sent: Friday, November 14, 2025 12:26 PM

To: Crouser, Paul <P.Crouser@doover.nh.gov>

Subject: Page Lot Variance

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

Hi Mr. Crouser,

Based on our conversation, I don't have any problem pushing the variance meeting to December.

Thank you !

Dev Atma Khalsa

Sent from my iPhone

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

Hi Rachel:

Attached please find a letter from FX requesting that this matter be continued due to the number of members available.

Sincerely,

Meaghan A. Sherrill
Assistant to Francis X. Bruton, III, Esquire
Bruton & Berube, PLLC
601 Central Avenue
Dover, New Hampshire 03820

P: (603) 749-4529

F: (603) 343-2986

<http://www.brutonlaw.com>



PLEASE NOTE OUR OFFICE HOURS ARE MONDAY THROUGH THURSDAY FROM 8:30 AM TO 5:00 PM AND FRIDAY FROM 8:30 AM TO 12:00 PM.

IMPORTANT PRIVACY NOTICE: The information contained in this transmission and any accompanying documents or attachments is private, confidential and may be subject to the attorney-client privilege and/or the work product doctrine. It may also be private and/or confidential information protected under state and federal laws. As such, it is intended only for the recipient(s) listed above. If you are neither the intended recipient(s) nor a person responsible for the delivery of this transmission to the intended recipient(s), you are hereby notified that any unauthorized disclosure, distribution or copying of this transmission, or any action taken or omitted to be taken in reliance on it, is strictly prohibited. If you have received this transmission in error, please destroy the original transmission immediately and notify Bruton & Berube, PLLC at (603) 749-4529.

FRANCIS X. BRUTON, III
CATHERINE A. BERUBE
JOSHUA P. LANZETTA

OF COUNSEL
JAMES H. SCHULTE

Bruton & Berube, PLLC

ATTORNEYS AT LAW

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Dover, NH 03820

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www.brutonlaw.com

November 18, 2025

VIA HAND DELIVERY

Chris Prior, Chair
Dover Zoning Board of Adjustment
City of Dover
288 Central Avenue
Dover, NH 03820

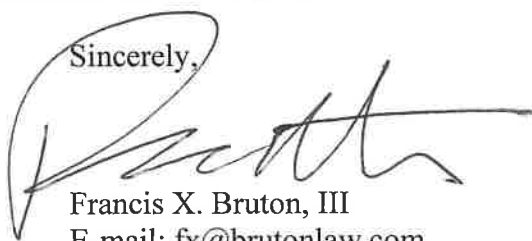
**RE: Owner/Applicant: 25 Dover Point, LLC
28 Dover Point Road, Dover, NH
Tax Map K, Lot 26**

Dear Chair Prior:

We understand that there will only be four (4) Board members present for the Zoning Board of Adjustment meeting of November 20th. As such, please accept this correspondence as the Applicant's request to continue its application until the Zoning Board of Adjustment meeting of December 18, 2025.

Should there be any questions regarding the above, please do not hesitate to contact us.

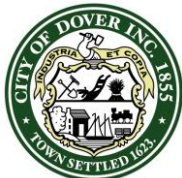
Sincerely,



Francis X. Bruton, III
E-mail: fx@brutonlaw.com

FXB/mas
Enclosures

cc: 25 Dover Point, LLC
Civilworks New England



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, November 20, 2025
Meeting Time:	7:00 pm

INTENT: The applicant requests a Variance from **Sections 170-11(B) and 170-12(B)**, to allow for the construction of an addition to an existing single-family home, to create a two-family dwelling where the minimum lot area for such a project requires 30,000 s.f. of lot area, whereas the existing lot has only 17,224 s.f.

UNITS PROPOSED: 2

AGENDA ITEM: 3-C

ZONING DISTRICT: Low Density Residential (R-20) District

FILE: ZONE-2025-0038

APPLICANT: Fergus Cullen

OWNERS: Fergus Cullen

LOCATION: 18 Pearson Dr. (Tax Map L, Lot 46-M)

ACREAGE: ±17,224 s.f. No change in lot area

EXISTING LAND USE: Residential

PROPOSED LAND USE: Residential

SURROUNDING LAND USE: Residential

PREVIOUS ZBA ACTION: None

PLANNING BOARD APPROVAL REQ.: No

ATTACHMENTS: Application, Proposed Site Plan

STAFF RECOMMENDATION: Staff supports this variance request without conditions.

BACKGROUND INFORMATION

The property seeking this variance request is an approximately ±17,224 s.f. lot located at the end of Pearson Dr. within the R-20 District. The parcel is currently nonconforming both in terms of area and frontage, having less than 20,000 s.f. of lot area and having less than 125' of frontage. This lot is the only lot on the street that has the front lot line setback where the right of way is wider.

The property currently houses a dilapidated single-family home with detached garage. The Applicant seeks to demolish the detached garage and renovate the existing single-family home while also constructing an addition to the rear consisting of two garages and an additional dwelling unit.

While the conversion of a single-family home to a duplex requires only 4,000 s.f. of lot area per dwelling unit, the scope of construction and expansion of floor area in this proposal closer aligns with the construction of a two-family dwelling, which requires 30,000 s.f. total (15K per) where the subject parcel contains 17,224 s.f., thus necessitating variance relief from footnote 7.

STAFF RECOMMENDATION

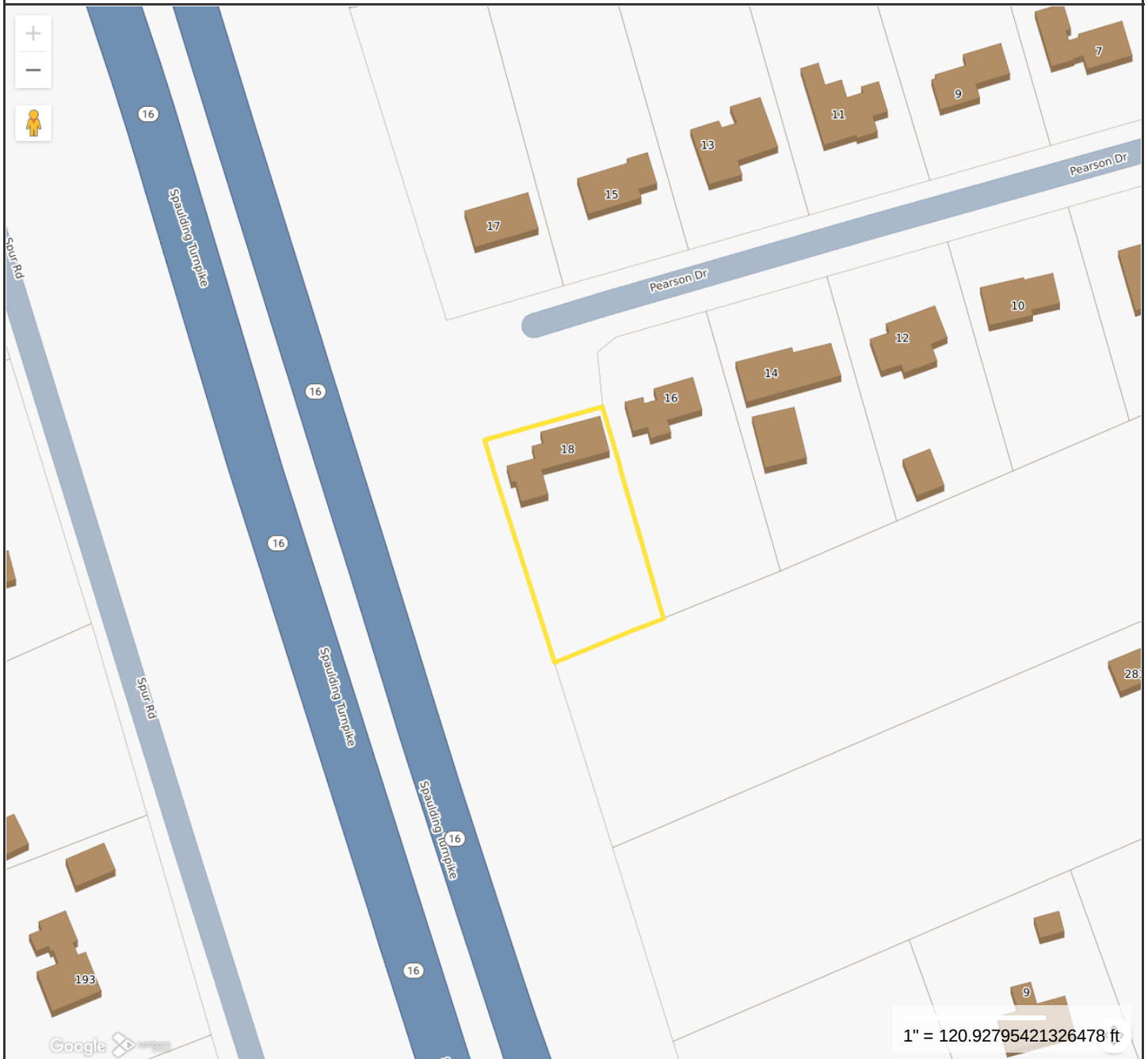
Staff believes the Applicant's request for relief is reasonable given the lot's dimensional nonconformities and proximity to the Spaulding Turnpike, as well as this project's lack of abutter impact.

Staff also wishes to call attention to preexisting ambiguity present in the zoning ordinance relative to conversions of structures vs. the creations of new ones. Neither are defined within the existing zoning ordinance, relying instead on discretionary determinations made by staff to differentiate. Though this issue is in the process of being remedied, in the meantime, there is nothing preventing a property owner from creating a large, seemingly-benign addition to their single-family home, and at a later date, "converting" that space into a second dwelling unit.

The Applicant, in this case, has taken a cooperative, good-faith approach with Staff to ensure that regulations and their intent are abided by.

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, namely the lot's dimensional nonconformities, lack of abutter impact, and the conversion/creation ambiguity highlighted above, Staff recommends the granting of this variance request without conditions.

ZONE-2025-0038 18 PEARSON DRIVE

**Property Information**

Location 18 PEARSON DR
Owner CULLEN FERGUS
Land Use 101R
Zoning Code R-20
Property Id L0046-M00000

**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

City of Dover, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 10/30/2023
Data updated Daily

Print map scale is approximate.
Critical layout or measurement
activities should not be done using
this resource.



PERMIT SNAPSHOT REPORT ZONE-2025-0038 FOR CITY OF DOVER, N.H.

Permit Type Zoning	Project:	App Date: 10/30/2025
Work Class: Variance	District: None	Exp Date: NOT AVAILABLE
Status: In Review	Square Feet: 0.00	Completed: NOT COMPLETED
Valuation: \$0.00	Assigned To: Crouser, Paul	Approval
Description: Conversion to a duplex.		Expire Date:

Parcel: L0046-M00000	Main	Address: 18 Pearson Dr	Main	Zone: R-20(Residential - Low Density)
		Dover, 03820		

Plan Preparer	Owner	Applicant
McEaney Survey	Fergus Cullen	Fergus Cullen
Associates	152 Boxwood Ln	152 Boxwood Ln
P.O. Box 1166	Dover, NH 03820	Dover, NH 03820
DOVER, NH 03821	Business: (603) 520-5450	Business: (603) 520-5450
Business: (603) 742-0911		

Permit Custom Fields

Number of Variances Requested: 1	ZoneVariPlanDirectionsLast one left.	ZoneVariPlanSummary Conversion to a duplex.
ZoneVariAppealSect 170-11; 170-14	ZoneVariAppealSectDe The plan is to demo the existing garage, convert the existing 3/1 ranch to a 3/2.5 cape, and build a second, semi-attached 3/2.5 cape in the rear, connected by a divided two-car garage. The front unit will be 2,154 sq feet and the rear unit will be 1,968 sq feet (4,122 total) more than double the assessed value of the property, generating at least \$10,000 a year in additional property tax revenue for the city	What is the parcel zoned? R-20
ZoneVariAppeal1Publica Interest a) Dover's Master Plan calls for the creation of additional housing units. b) Cleaning up this problem property is in the interest of the neighborhood and of the city. c) Removing the garage, which sits on the City's utility easement, is in the public interest. d) Cleaning up the deed or deeds to clarify ownership of and maintenance responsibilities for the driveway and yard is in the interest of the City and the property owner (i.e.: Who is responsible for mowing the lawn? If the driveway needs to be repaved, who pays for that?) e) The proposed use will		ZoneVariAppeal2Ordin anceSpirit a) Footnote 6 establishes a minimum of 4,000 square feet per living unit. At 17,224 square feet, this lot has 8,612 square feet per unit and meets this condition. b) The proposed design of the duplex meets the criteria listed in both Footnote 6 and Footnote 7: "Two family dwellings shall be designed to look like single-family dwellings (i.e., the two-family dwelling should not look like it was designed to occupy more than 1 family). At a minimum, this shall mean that only 1 entrance shall be visible from a public street, and only 1 driveway shall exist with no on-street parking

PERMIT SNAPSHOT REPORT (ZONE-2025-0038)

required for residents.”
c) The proposed design will be more in compliance with setback and easements than the existing structure. The new proposed unit will meet the side setbacks on the left, with the only direct residential abutter. By removing the existing garage, the resulting structure will no longer have any building on the City's utility easement.

ZoneVariAppeal3Subst a) Duplex conversions are permitted by right in this zone.
antialJustice

ZoneVariAppeal4Prope a) This has been something of a problem property, and an eyesore. It has been neglected and in disrepair for many years. It has a troubled, court-involved history. The property was purchased out of court receivership after it was seized in an effort to recover assets related to fraud and theft by a former owner. Cleaning up this property will improve the neighborhood.
rtyValue

ZoneVariAppeal5A1Un The following special conditions of the property distinguish it from other properties in the area:
NecHardship
a) This is a legal, nonconforming lot with a legal, nonconforming structure. Because the existing structure is just five feet off the front and left property lines, other designs for a permitted-by-right duplex conversion (such as having a front-entry vestibule showing one front door) were not viable.
b) The property is immediately adjacent to the Spaulding Turnpike. Despite being separated from the highway by a sound barrier, it is subject to 24/7/365 noise.
c) The 98-foot wide property is encumbered by a 30-foot wide utility easement.
d) The property is affected by the city's ownership of its driveway and front yard, responsibility for which is vague and unclear

ZoneVariAppeal5A2No a) The ordinance allows a duplex conversion by right, subject to the conditions laid out in Footnote 6.
FairRelate
The purpose of Footnote 7 in intended to govern new construction and not conversions. Footnote 6 should prevail in this case.

Attachment File Name	Added On	Added By	Attachment Group	Notes
Permit Snapshot Report.pdf	10/30/2025 13:35	Service, EnerGov		Attached by IO - ATTACH: Initial Permit Snapshot

Invoice No.	Fee	Fee Amount	Amount Paid
NOT INVOICED	Planning Zoning Variance Application Fee	\$200.00	\$0.00
Total for Invoice NOT INVOICED		\$200.00	\$0.00
Grand Total for Permit		\$200.00	\$0.00

PERMIT SNAPSHOT REPORT (ZONE-2025-0038)

Submittal Name	Status	Received Date	Due Date	Complete Date	Resubmit	Completed
Planning Permit Application Review v.1	In Review	10/30/2025	11/27/2025		No	No
Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Zoning Administrator	Planning	Crouser, Paul	In Review	10/30/2025	11/27/2025	

Workflow Step / Action Name	Action Type	Start Date	End Date
Review v.1		10/30/2025	0:00
Confirm application complete v.1	Generic Action		10/30/2025 13:35
Planning Permit Application Review v.1	Receive Submittal	10/30/2025	13:35
Zoning Board v.1			
Zoning Board Agenda v.1	Task		
Invoice for Notices v.1	Task		
Send Notices v.1	Task		
Zoning Administrator Creates Staff Recommendations v.1	Task		
Distribute Zoning Board Materials v.1	Task		
Zoning Board Hearing v.1	Hold Hearing		
Zoning Board Decision v.1	Permit Activity		
NOD Sent to Applicant v.1	Create Report		
Final Plan v.1			
Document Archival v.1	Generic Action		
Internal Notification of Permit Completion v.1	Generic Action		
Create/Link to Records v.1			
Create / Link to Permit - Building Major v.1	Create Sub Permit		



City of Dover, New Hampshire
ZONING BOARD OF ADJUSTMENT APPLICATION

[Revised June 7, 2022]

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

APPLICANT/PROPERTY OWNER INFORMATION

APPLICANT: _____ Fergus Cullen
152 Boxwood Ln
Dover, NH 03820
Phone # 603 520 5450
Address of Applicant: _____
E-Mail Address: FERGUS @ FERGUSCULLEN.COM

PROPERTY OWNER (if different from applicant): _____
Address: _____ Phone # _____
E-Mail Address: _____

PROPERTY/PARCEL INFORMATION

Address: 18 PEARSON DR
Brief Directions: LAST ON LEFT

Zoning District: R-20 Assessor's Map # L0046 Lot(s) # M0000

TYPE OF APPEAL: (Please check one)

☒ Variance	<u>170-11</u>
_____ Physical Disability Variance (RSA 674:33-V)	from Section <u>170-14</u> of the Zoning Ordinance
_____ Special Exception	from Section _____ of the Zoning Ordinance
_____ Appeal of Administrative Decision	per Section _____ of the Zoning Ordinance
_____ Equitable Waiver	regarding Section _____ of the Zoning Ordinance
	per Section _____ of the Zoning Ordinance

DESCRIBE BRIEFLY YOUR PLANS FOR THE PROPERTY:

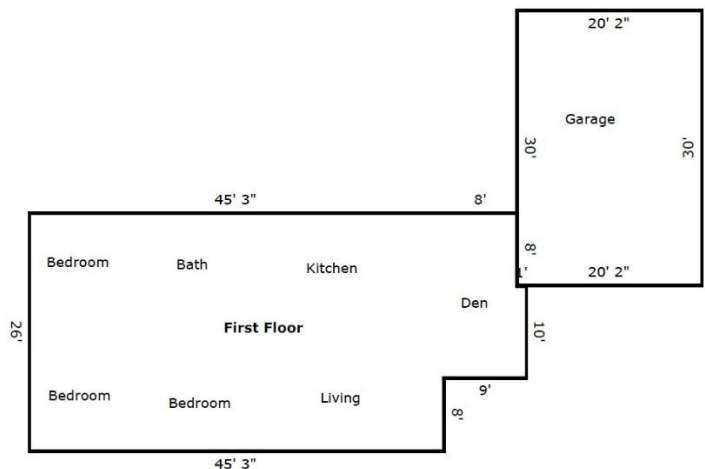
CONVERSION TO DUPLEX

18 Pearson Drive, Dover NH

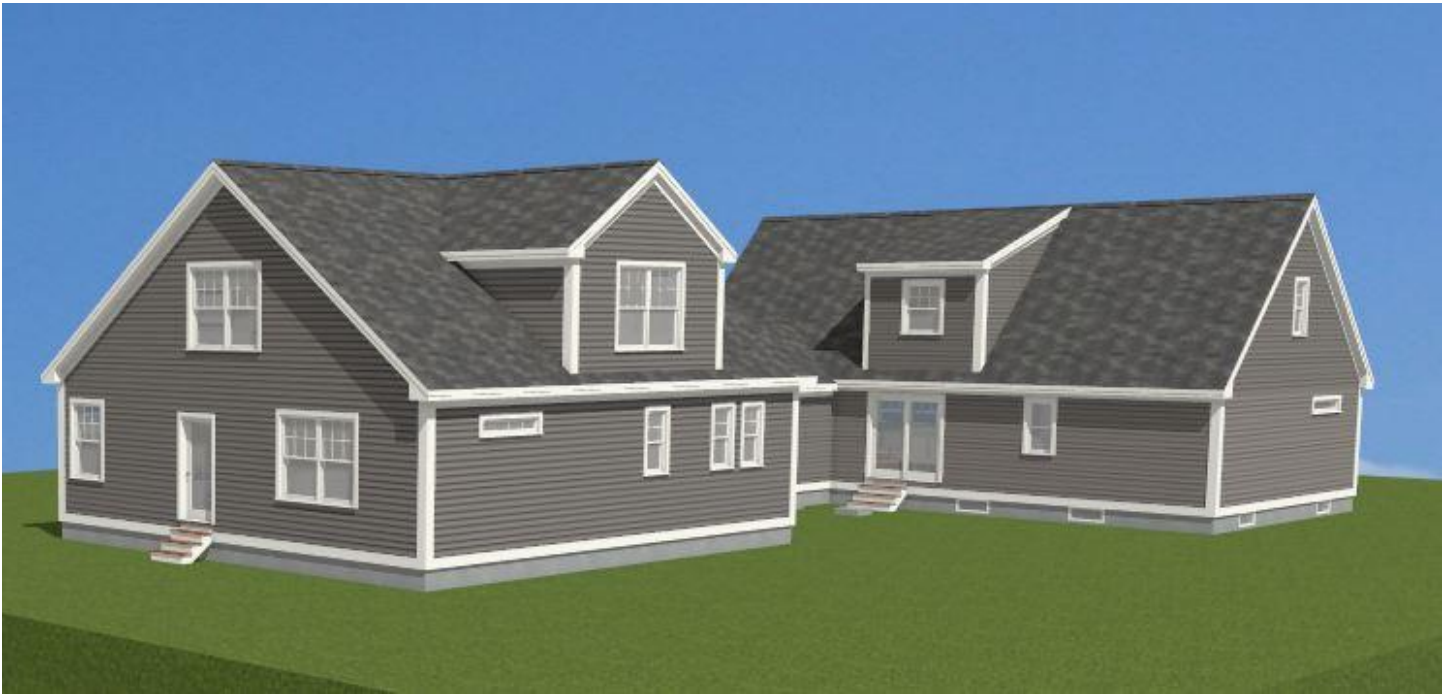
SUMMARY: This is a 17,200 sq ft lot (.394 acres), zoned R-20, with an existing 3 bedroom, 1 bath single family home that has fallen into disrepair. It is a legal, non-conforming lot with a legal, non-conforming structure. Built in 1965, the existing structure is 26x45 (1,170 sq feet) with a full basement, a 9x15 mudroom, and an attached 20x30 garage. The lot is serviced by city water & sewer.

We propose a to-the-studs renovation on the existing home and converting the property into a duplex. The plan is to demo the existing garage, convert the existing 3/1 ranch to a 3/2.5 cape, and build a second, semi-attached 3/2.5 cape in the rear, connected by a divided two-car garage. The front unit will be 2,154 sq feet and the rear unit will be 1,968 sq feet (4,122 total).

EXISTING:



AFTER RENOVATION & CONSTRUCTION:



LEGAL, NON-CONFORMING: The lot and existing structure do not conform with R-20 because

- A) The lot is less than 20,000 sq feet (it is 17,224)
- B) The lot has less than 125 feet of frontage (it is 98.05)
- C) The structure does not meet the 20-35 foot build-to line in front (it is 5 feet)
- D) The structure does not meet the 20-foot side setback on the left (it is 5 feet)

UNIQUE CHARACTERISTICS: The owner believes this non-compliance is historically related to it abutting the Spaulding Turnpike (opened 1957) and the need for the driveway to be used as an emergency vehicle and snowplow turnaround.

This property is at the end of a dead-end street on Dover Point. It abuts the Spaulding Turnpike and is directly next to where the old, token basket toll booth used to be. The new high-speed toll station has been relocated about 200 meters north. The property is now separated from the highway by a sound barrier. There is also a chain link fence on the property line.

What looks like the driveway and front yard of the home is in fact owned by the City of Dover. This is used for emergency vehicle and snow-plow turnaround. It is NOT an easement.

The property is subject to a 30-foot-wide utility easement on the right. The existing garage is on this easement.



View of the right side of the property, showing the sound barrier, chain-link fence, and part of the utility easement.

RELEVANT ZONING SECTIONS:

170-11 B: “Uses permitted by right, with conditions imposed. A use listed in the Tables of Use and Dimensional Regulations by District and denoted with a numerical reference number (footnote) indicates a use that is permitted by right only when in compliance with certain imposed conditions.”

170 Attachment 2:2, Permitted Uses: “Conversion of existing dwelling to accommodate not more than 2 units [6]”

Footnote 6: “Any dwelling unit may be converted, not replaced, provided that the lot shall contain at least 4,000 square feet per dwelling unit and a minimum floor area of 500 square feet per dwelling unit. Two family dwellings shall be designed to look like single-family dwellings (i.e., the two-family dwelling should not look like it was designed to occupy more than 1 family). At a minimum, this shall mean that only 1 entrance shall be visible from a public street, and only 1 driveway shall exist with no on-street parking required for residents.”

Footnote 7: “Two-family dwellings are permitted on lots with a density of 15,000 square feet per dwelling unit. The structures shall be designed to look like single family dwellings (i.e., the two-family dwelling should not look like it was designed to occupy more than 1 family). At a minimum, this shall mean that only 1 entrance shall be visible from a public street, and only 1 driveway shall exist with no on-street parking required for residents. Single family density shall be used for TDR. If two-family density is used, a two-family unit shall be built.”

170-14: Nonconforming Lots: “In any district, structures which are allowed by right, but not structures that are allowed by special exception, may be erected on any nonconforming lot of record even though such lot fails to meet the requirements for area, width or frontage provided that:

A. The lot has been duly recorded at the Strafford County Registry of Deeds on or before the effective date of adoption of this chapter.

B. Should the lot be less than 5,000 square feet and not have a minimum width of 50 feet, it may be developed as long as the home constructed is no larger than 1,000 square feet in total living space.

C. If the lot has a land area of at least 5,000 square feet and a minimum width of 50 feet, a home constructed may be larger than 1,001 square feet in total living space.

D. In either case, the following side yard restrictions shall apply:

(1) A lot with a width of 110 feet or less and greater than 75 feet shall have a minimum side yard of 10 feet.

(2) A lot with a width of less than 75 feet shall have a minimum side yard of six feet.

VARIANCE REQUIREMENTS:

A. A variance is requested from Sections(s) 170-11 and 170-14 of the Zoning Ordinance to permit:

Conversion to a duplex. A duplex conversion is permitted by right in the R-20 zone, subject to conditions. That notwithstanding, the applicant has filed a variance application because this is a legal, non-conforming lot with a legal, non-conforming existing structure, and due to ambiguity between Footnotes 6 and 7, which could be interpreted as inconsistent and contradictory. Footnote 6, regarding conversions, allows this proposed use based on 4,000 square feet per unit. Footnote 7, which the applicant believes is intended to apply to new construction, requires 15,000 square feet per unit, which this lot does not meet. Because this is a conversion, Footnote 6 should prevail.

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

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

- a) *Dover's Master Plan calls for the creation of additional housing units.*
- b) *Cleaning up this problem property is in the interest of the neighborhood and of the city.*
- c) *Removing the garage, which sits on the City's utility easement, is in the public interest.*
- d) *Cleaning up the deed or deeds to clarify ownership of and maintenance responsibilities for the driveway and yard is in the interest of the City and the property owner (i.e.: Who is responsible for mowing the lawn? If the driveway needs to be repaved, who pays for that?)*
- e) *The proposed use will more than double the assessed value of the property, generating at least \$10,000 a year in additional property tax revenue for the city.*

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

- a) *Footnote 6 establishes a minimum of 4,000 square feet per living unit. At 17,224 square feet, this lot has 8,612 square feet per unit and meets this condition.*
- b) *The proposed design of the duplex meets the criteria listed in both Footnote 6 and Footnote 7: "Two family dwellings shall be designed to look like single-family dwellings (i.e., the two-family dwelling should not look like it was designed to occupy more than 1 family). At a minimum, this shall mean that only 1 entrance shall be visible from a public street, and only 1 driveway shall exist with no on-street parking required for residents."*
- c) *The proposed design will be more in compliance with setback and easements than the existing structure. The new proposed unit will meet the side setbacks on the left, with the only direct residential abutter. By removing the existing garage, the resulting structure will no longer have any building on the City's utility easement.*

3. Granting the variance would do substantial justice because:

- a) *Duplex conversions are permitted by right in this zone.*

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

- a) *This has been something of a problem property, and an eyesore. It has been neglected and in disrepair for many years. It has a troubled, court-involved history. The property was purchased out of court receivership after it was seized in an effort to recover assets related to fraud and theft by a former owner. Cleaning up this property will improve the neighborhood.*

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:

- a) This is a legal, nonconforming lot with a legal, nonconforming structure. Because the existing structure is just five feet off the front and left property lines, other designs for a permitted-by-right duplex conversion (such as having a front-entry vestibule showing one front door) were not viable.*
- b) The property is immediately adjacent to the Spaulding Turnpike. Despite being separated from the highway by a sound barrier, it is subject to 24/7/365 noise.*
- c) The 98-foot wide property is encumbered by a 30-foot wide utility easement.*
- d) The property is affected by the city's ownership of its driveway and front yard, responsibility for which is vague and unclear.*

(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:

- a) The ordinance allows a duplex conversion by right, subject to the conditions laid out in Footnote 6. The purpose of Footnote 7 is intended to govern new construction and not conversions. Footnote 6 should prevail in this case.*

SIGNATURE PAGE

THIS SECTION OF THE APPLICATION MUST BE COMPLETED BY ALL APPLICANTS

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

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



Signature of Applicant*



Signature of Owner*

*Both Signatures Required

FERRUS CULLEN

AUTHORIZATION TO ENTER SUBJECT PROPERTY

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

Signature of Property Owner:  _____ Date: 10/30/25

ZONE-2025-0038

18 PEARSON DRIVE

Property ID	Location	Owner 1	Owner 2	Owner Address 1	City	State	Zip
L0046-K00000	17 PEARSON DR	HILL NADINE D &	GEMAS TIMOTHY	17 PEARSON DR	DOVER	NH	03820
L0046-S00000	12 PEARSON DR	CARROLL LINDA J		12 PEARSON DRIVE	DOVER	NH	03820
L0047-000000	281 DOVER POINT RD	SILVER-MCADAM PAMELA REVOCABLE TRUST	SILVER-MCADAM PAMELA AND SILVER L TRUSTE	14 PEARSON DRIVE	DOVER	NH	03820
L0046-P00000	16 PEARSON DR	LYNCH COLIN	LEWIS KEITH	16 PEARSON DR	DOVER	NH	03820
L0046-R00000	15 PEARSON DR	HANSON JONATHAN B	HANSON LEIGHA M	15 PEARSON DR	DOVER	NH	03820-4621
L0046-D00000	13 PEARSON DR	TAYLOR THOMAS	TAYLOR SHEILA	13 PEARSON DRIVE	DOVER	NH	03820
L0046-N00000	14 PEARSON DR	SILVER LEONARD A TRUSTEE	SILVER LEONARD A REVOCABLE TRUST	6 PEARSON DRIVE	DOVER	NH	03820
L0048-A00100	DOVER POINT RD	PARADIS COREY M		283A DOVER POINT RD	DOVER	NH	03820
L0046-M00000	18 PEARSON DR	CULLEN FERGUS		152 BOXWOOD LN	DOVER	NH	03820
		MCENEANEY SURVEY ASSOCIATES	KEVIN MCENEANY	PO BOX 1166	DOVER	NH	03820

6/10/2025

Add/Reno - 18 Pearson Drive

Dover NH (6/10/2025)

NOTE: To scale as noted only if printed on 11x17 paper with "no scaling" (do not "Fit").



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603-431-9559

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Dear Builders and Home Buyers,

In addition to our Terms and Conditions (the "Terms"), please be aware of the following:

This design may not yet have Construction Drawings (as defined in the Terms), and is, therefore, only available as a Design Drawing (as defined in the Terms and together with Construction Drawings, "Drawings"). It is possible that during the conversion of a Design Drawing to a final Construction Drawing, changes may be necessary including, but not limited to, dimensional changes. Please see Plan Data Explained on www.artform.us to understand room sizes, dimensions and other data provided. We are not responsible for typographical errors.

Art Form Architecture ("Art Form") requires that our home designs be built substantially as designed. Art Form will not be obligated by or liable for use of this design with markups as part of any builder agreement. While we attempt to accommodate where possible and reasonable, and where the changes do not denigrate our design, any and all changes to Drawings must be approved in writing by Art Form. It is recommended that you have your Drawing updated by Art Form prior to attaching any Drawing to any builder agreement. Art Form shall not be responsible for the misuse of or unauthorized alterations to any of its Drawings.

Facade Changes:

- To maintain design integrity, we pay particular attention to features on the front facade, including but not limited to door surrounds, window casings, finished porch column sizes, and roof friezes. While we may allow builders to add their own flare to aesthetic elements, we don't allow our designs to be stripped of critical details. Any such alterations require the express written consent of Art Form.
- Increasing ceiling heights usually requires adjustments to window sizes and other exterior elements.

Floor plan layout and/or Structural Changes:

- Structural changes always require the express written consent of Art Form
- If you wish to move or remove walls or structural elements (such as removal of posts, increases in house size, ceiling height changes, addition of dormers, etc), please do not assume it can be done without other additional changes (even if the builder or lumber yard says you can).

Add/Reno - 18 Pearson Drive

Dover NH (6/10/2025)

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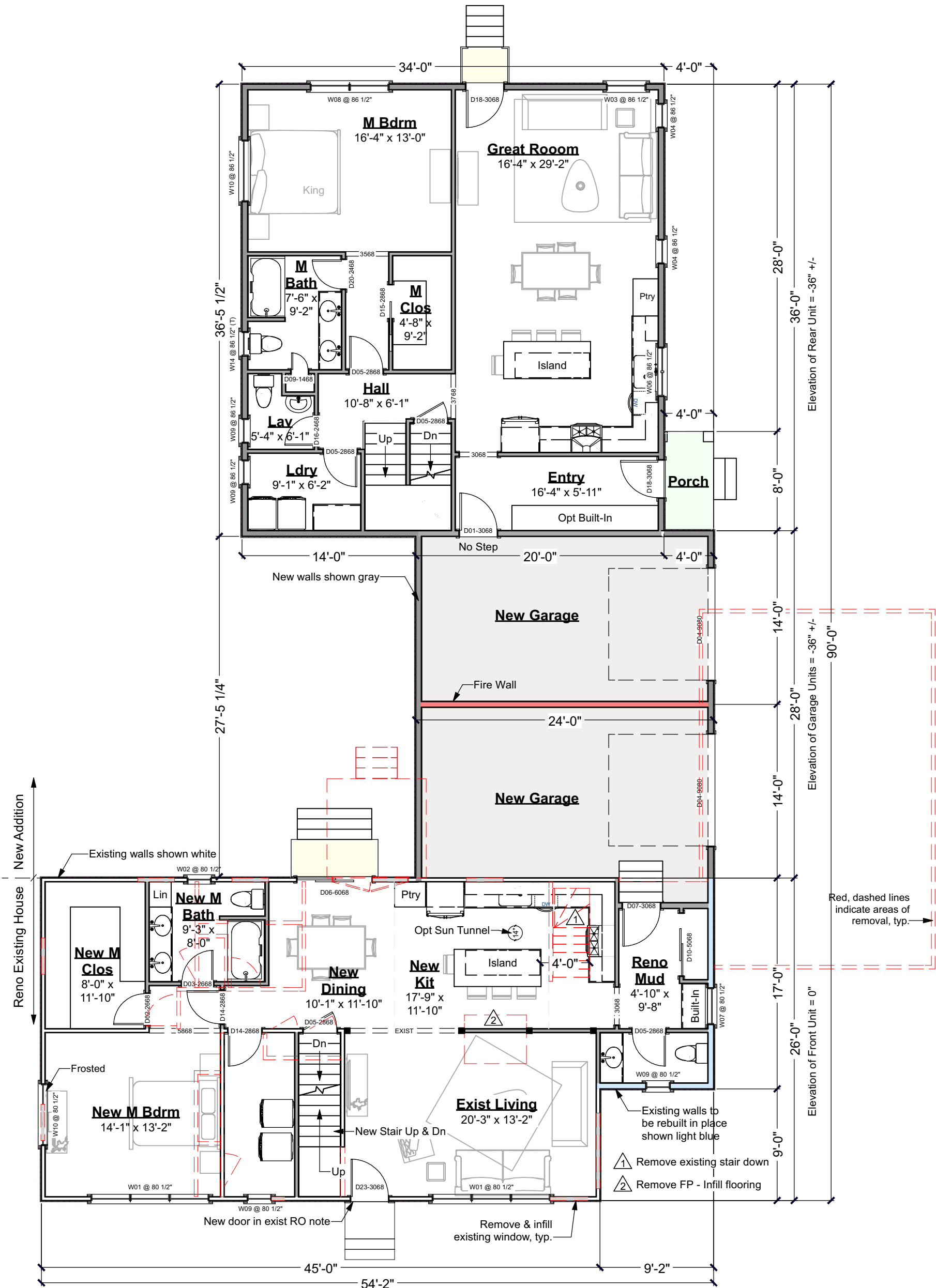


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Living Area This Floor (New Rear Unit): 1240 sq ft
8 ft Ceilings



Living Area This Floor (Reno Front Unit): 1326 sq ft
Existing Ceiling Height to Remain @ Front Unit = 7'-5" +/-

First Floor Plan
Scale: 1/8" = 1'-0"

6/10/2025

Add/Reno - 18 Pearson Drive

Dover NH (6/10/2025)

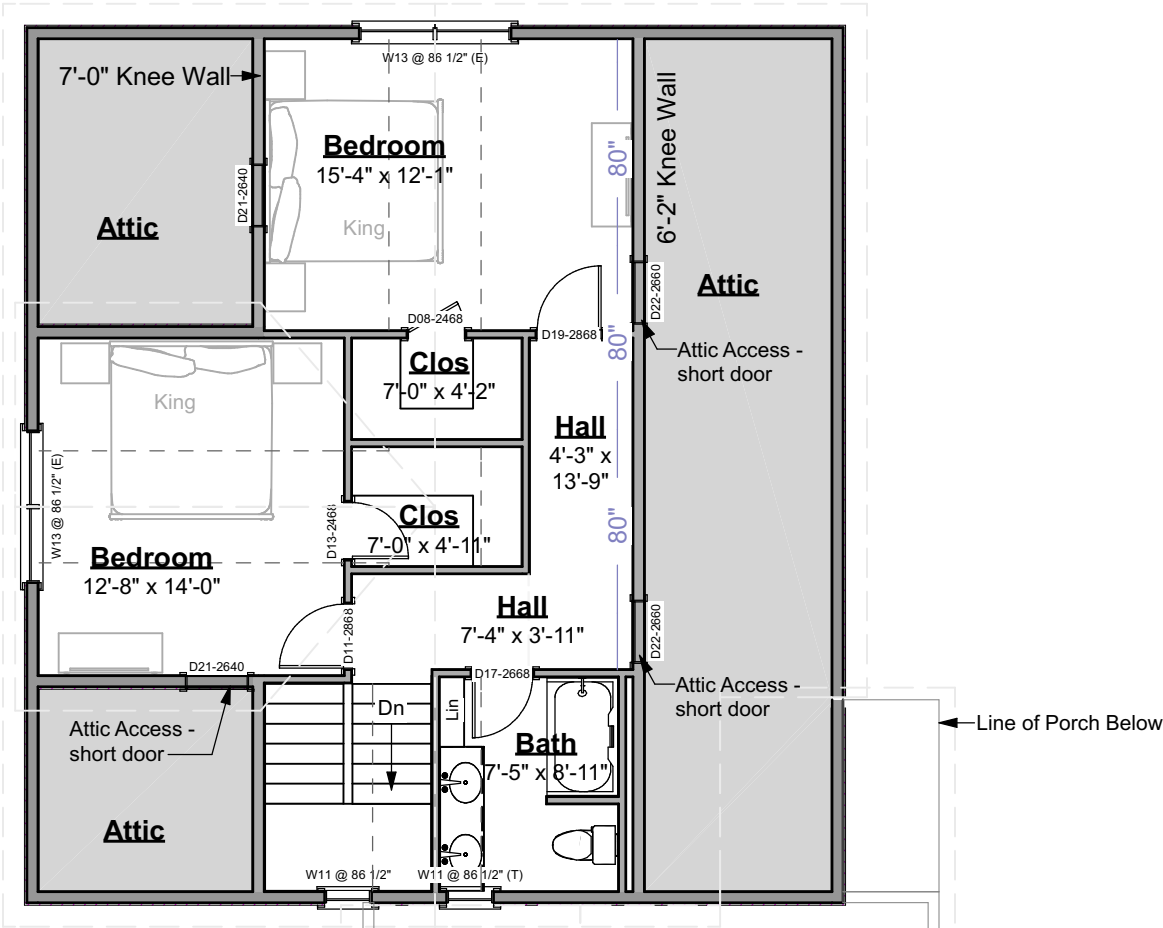
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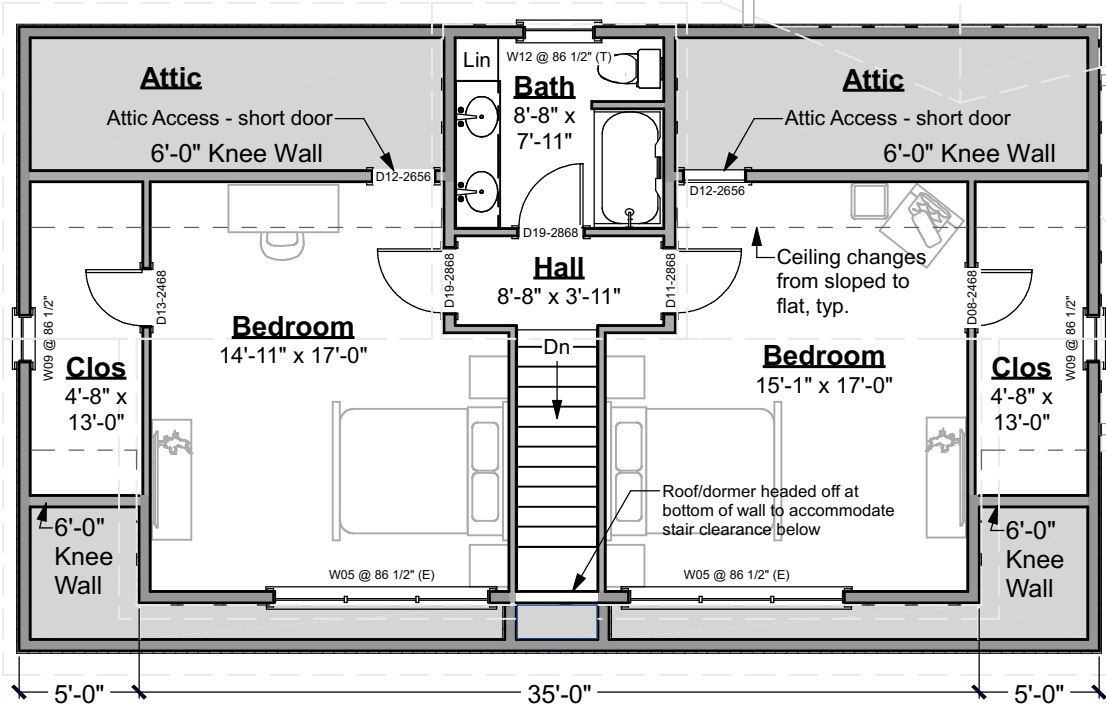
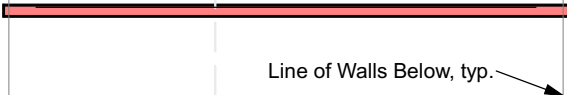
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Living Area This Floor (Rear Unit): 728 sq ft
8 ft Ceilings



Living Area This Floor (Front Unit): 828 sq ft
8 ft Ceilings

New Second Floor Plan
Scale: 1/8" = 1'-0"

6/10/2025

Add/Reno - 18 Pearson Drive

Dover NH (6/10/2025)

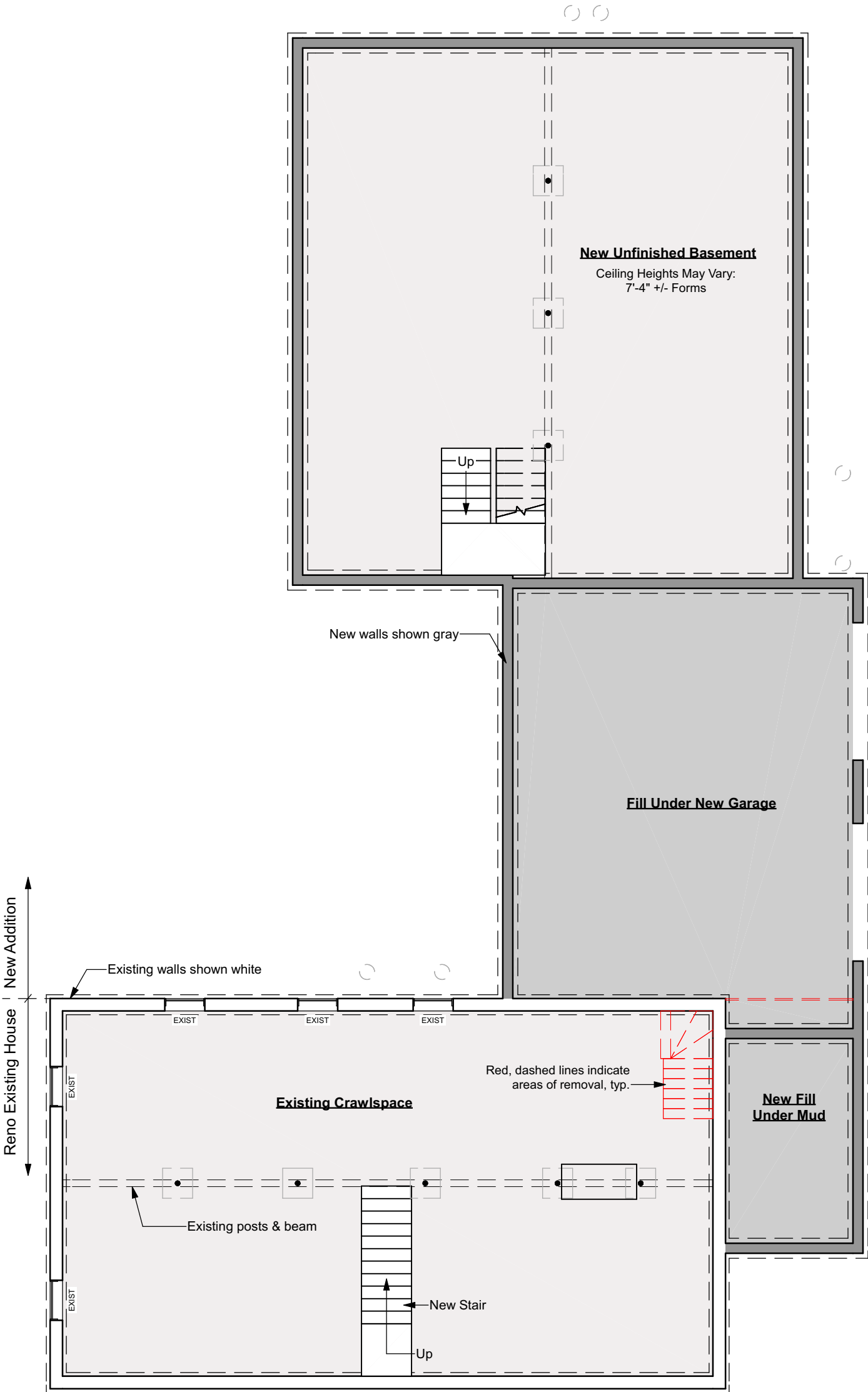
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Foundation Plan
Scale: 1/8" = 1'-0"

6/10/2025

Add/Reno - 18 Pearson Drive

Dover NH (6/10/2025)

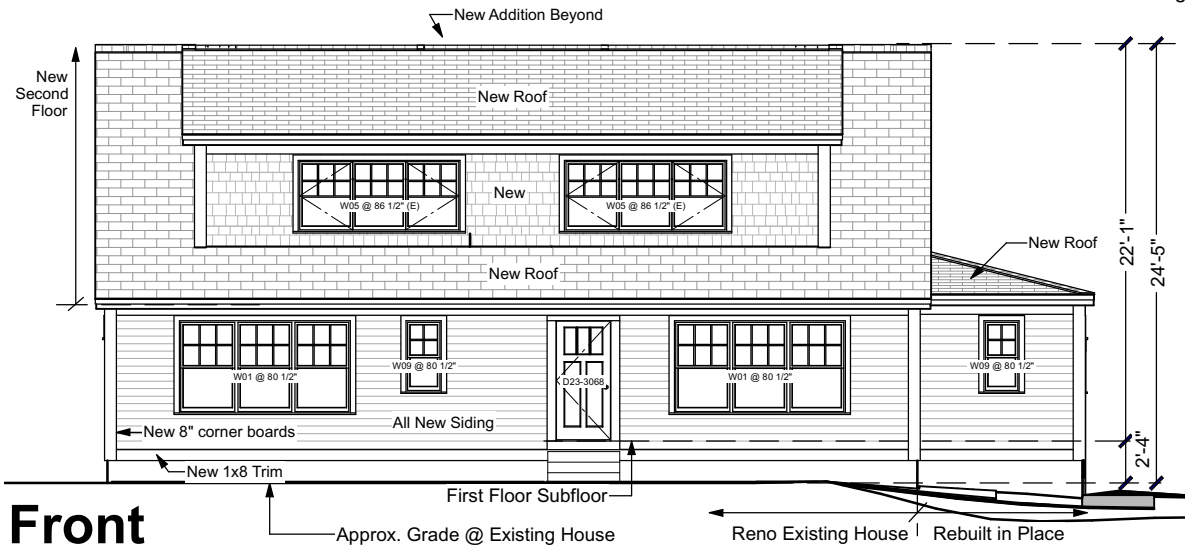
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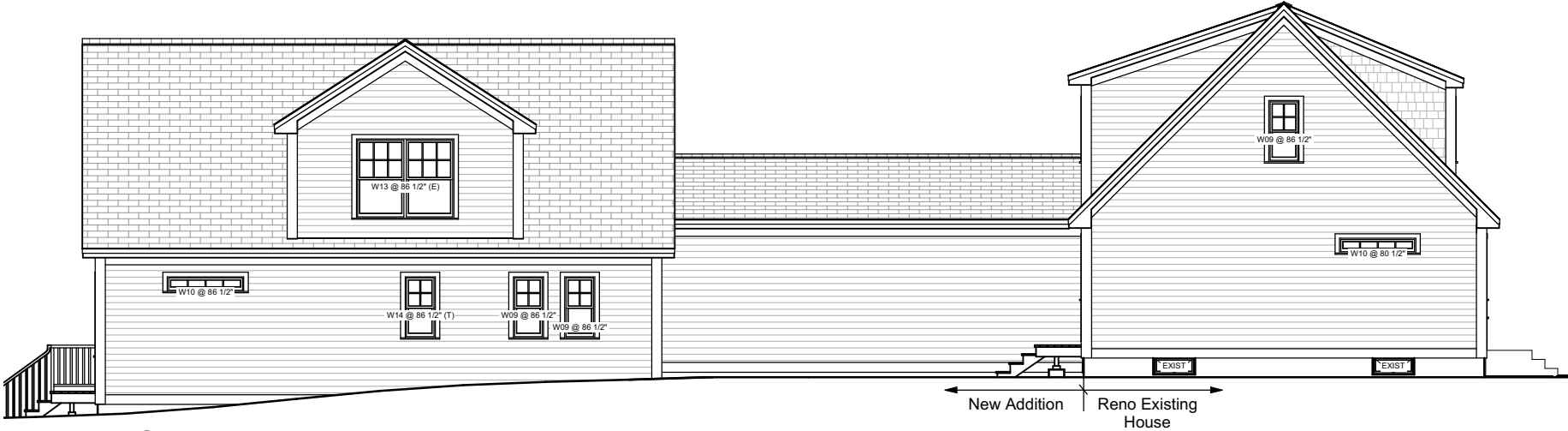
Front



Right



Rear



Left

Elevations

Scale: 3/32" = 1'-0"

6/10/2025

Add/Reno - 18 Pearson Drive

Dover NH (6/10/2025)

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Interior Views

Front Unit

6/10/2025

Add/Reno - 18 Pearson Drive

Dover NH (6/10/2025)

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Interior Views

Rear Unit

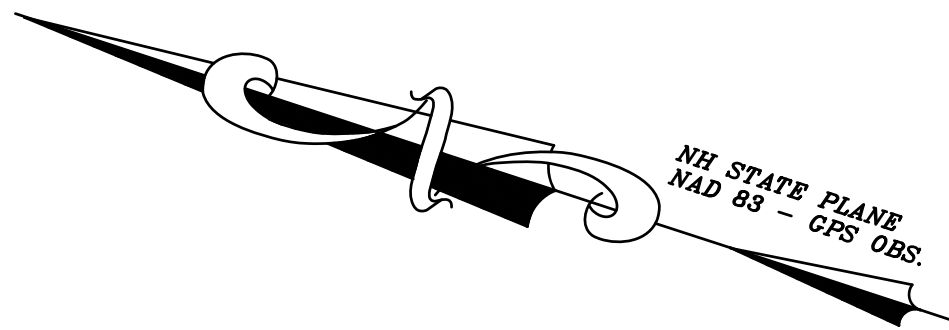
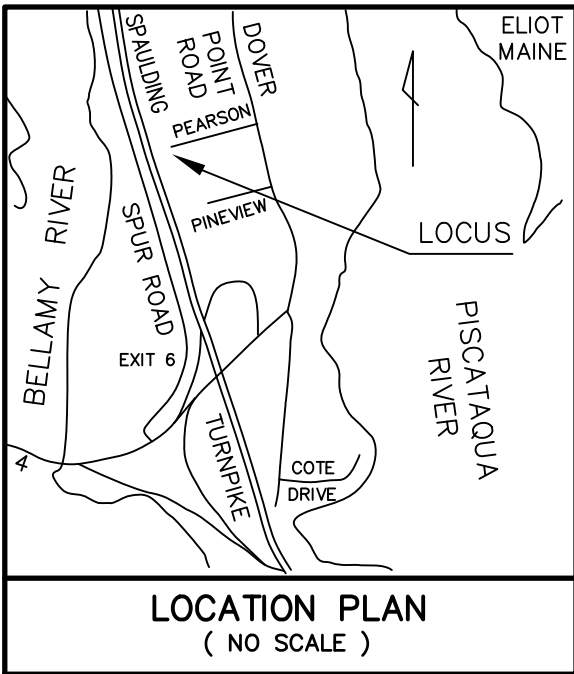
DOOR SCHEDULE							
NUMBER	QTY	FLOOR	SIZE	WIDTH	HEIGHT	TYPE	COMMENTS
D01	1	1	3068 L EX	36"	80"	HINGED	
D02	1	1	2668 L IN	30"	80"	HINGED	
D03	1	1	2668 R IN	30"	80"	HINGED	
D04	2	1	9080	108"	96"	GARAGE	
D05	5	1	2868 L IN	32"	80"	HINGED	
D06	1	1	6068 L EX	72"	80"	SLIDER	
D07	1	1	3068 R IN	36"	80"	HINGED	
D08	2	2	2468 L IN	28"	80"	HINGED	
D09	1	1	1468 L IN	16"	80"	HINGED	
D10	1	1	5068 R IN	60"	80"	SLIDER	
D11	2	2	2868 L IN	32"	80"	HINGED	
D12	2	2	2656 L EX	30"	66"	HINGED	
D13	2	2	2468 R IN	28"	80"	HINGED	
D14	2	1	2868 R IN	32"	80"	HINGED	
D15	1	1	2868 R	32"	80"	POCKET	
D16	1	1	2468 L IN	28"	80"	HINGED	
D17	1	2	2668 R IN	30"	80"	HINGED	
D18	2	1	3068 R EX	36"	80"	HINGED	
D19	3	2	2868 R IN	32"	80"	HINGED	
D20	1	1	2468 R IN	28"	80"	HINGED	
D21	2	2	2640 L EX	30"	48"	HINGED	
D22	2	2	2660 L EX	30"	72"	HINGED	
D23	1	1	3068 L EX	36"	80"	HINGED	NEW DOOR IN EXISTING RO

WINDOW SCHEDULE								
NUMBER	QTY	WIDTH	HEIGHT	R/O	EGRESS	TEMPERED	DESCRIPTION	COMMENTS
W01	2	114"	61 1/2"	114 1/2"X62"			MULLED UNIT	
W02	1	23 1/4"	47 1/2"	23 3/4"X48"		YES	DOUBLE HUNG	
W03	1	38"	61 1/2"	38 1/2"X62"			DOUBLE HUNG	
W04	2	23 1/2"	23 1/2"	24"X24"			SINGLE AWNING	
W05	2	108"	47 1/2"	108 1/2"X48"	YES		TRIPLE CASEMENT-LHL/RHR	
W06	1	47 1/2"	47 1/2"	48"X48"			DOUBLE CASEMENT-LHL/RHR	
W07	1	35 1/2"	47 1/2"	36"X48"			DOUBLE HUNG	
W08	1	76"	61 1/2"	76 1/2"X62"			MULLED UNIT	
W09	6	23 1/2"	47 1/2"	24"X48"			DOUBLE HUNG	
W10	2	59 1/2"	11 1/2"	60"X12"			FIXED GLASS	
W11	2	23 1/2"	23 1/2"	24"X24"		YES	SINGLE AWNING	
W12	1	35 1/2"	47 1/2"	36"X48"		YES	DOUBLE HUNG	
W13	2	76"	61 1/2"	76 1/2"X62"	YES		MULLED UNIT	
W14	1	23 1/2"	47 1/2"	24"X48"		YES	DOUBLE HUNG	

Preliminary Door & Window Schedules

Ordering of windows prior to full Construction Documents is at Owner's risk

7/18/2025 12:21:21 File: P:25025 - 18 Pearson Dr Dover NH Bond Cliff Holdings, LLC (Civil)SurveyDrawings25025 EC renodwg Layout EC A/RENO



REFERENCE PLANS:

- 1.) REVISED SUBDIVISION PLAN, LAND OF FREDERICK & AVIS G. PEARSON, DOVER, NH; BY: G. L. DAVIS; SCALE: 1" = 50'; DATED: AUGUST 1955; RECORDED S.C.R.D. POCKET 3, FOLDER 4, PLAN 20.
- 2.) PROPOSED EASEMENTS PLAN, CITY OF DOVER, PINEVIEW DRIVE & PEARSON DRIVE ALONG the SPAULDING TURNPIKE, DOVER, NEW HAMPSHIRE; BY: TRITECH ENGINEERING CORPORATION; SCALE: 1" = 40'; DATED: FEBRUARY 26, 2016; RECORDED S.C.R.D. PLAN 111-23.
- 3.) SUBDIVISION OF LAND PREPARED FOR LAUREL MT. RIDGE, LLC, DOVER POINT ROAD & BELANGER DRIVE, DOVER, NEW HAMPSHIRE; BY MCENEANEY SURVEY ASSOCIATES, INC.; SCALE: 1" = 60'; DATED: OCTOBER 19, 1995; RECORDED S.C.R.D. PLAN 47-41.

NOTES:

- 1.) OWNER OF RECORD:
JASON MILLS,
AS RECEIVER FOR NE COAST TO COUNTRY REALTY INVESTMENTS, LLC
400 THE HILL, SUITE 1
PORTSMOUTH, NEW HAMPSHIRE 03801
S.C.R.D. VOLUME 5228, PAGE 532
- 2.) L / 46-M - DENOTES TAX MAP AND PARCEL NUMBER.
- 3.) PARCEL AREA = 17,224 S.F. / 0.40 Ac.
- 4.) THE INTENT OF THIS PLAN IS TO DEPICT THE PARCEL BOUNDARY AND EXISTING SITE CONDITIONS AS OF MARCH 14, 2025.
- 5.) ZONING DISTRICT: LOW DENSITY RESIDENTIAL

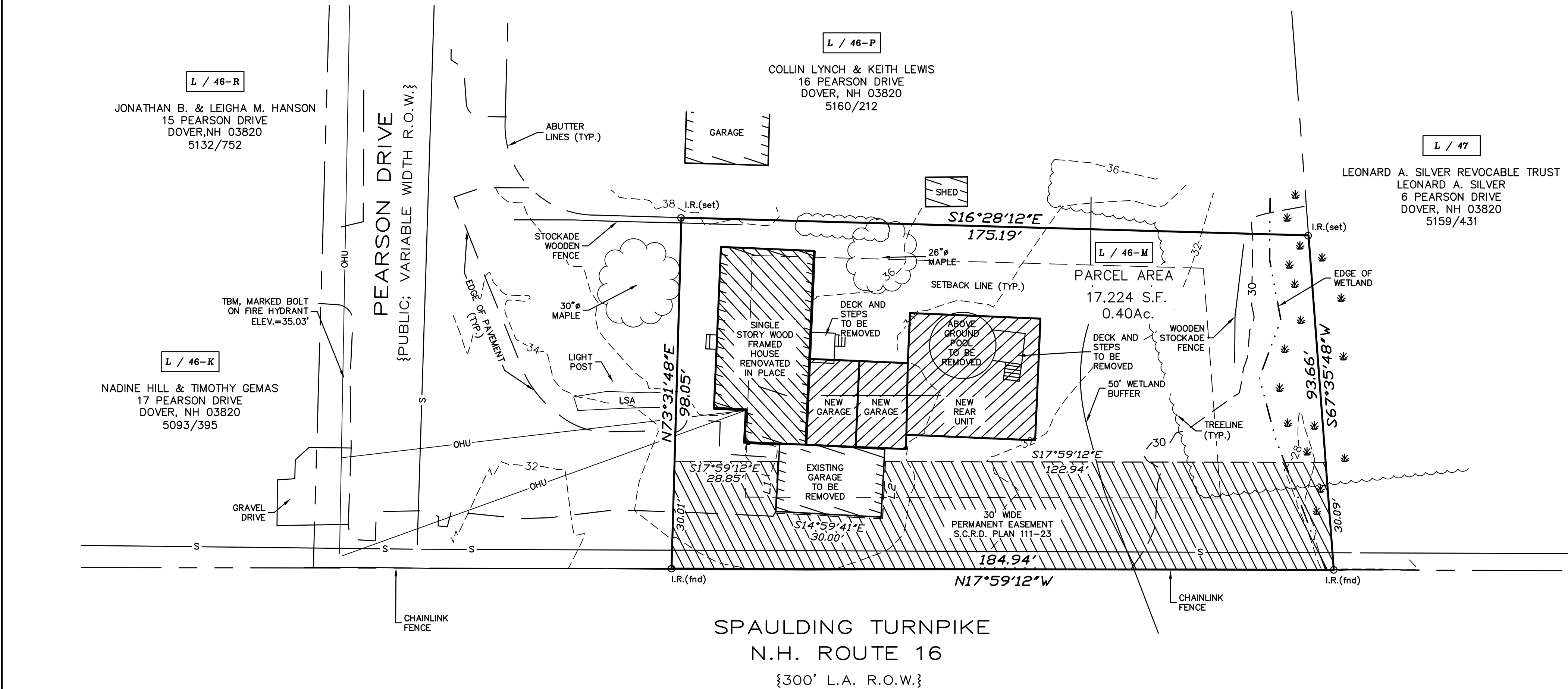
DISTRICT (R-20)
DIMENSIONAL REQUIREMENTS:
MINIMUM LOT SIZE = 20,000 S.F.
MINIMUM LOT COVERAGE = 30 PERCENT
MINIMUM FRONTAGE = 125 FEET
BUILDING SETBACK REQUIREMENTS:
FRONT SETBACK = 20 FT. MIN - 35 FT. MAX*
SIDE SETBACK** = 20 FEET
REAR SETBACK = 30 FEET
MAXIMUM BUILDING HEIGHT = 35 FEET MAXIMUM

*EXPANSION TO, OR RENOVATIONS OF, EXISTING STRUCTURES HAVE A TWENTY FOOT SETBACK.

**NONCONFORMING LOTS

IF THE LOT HAS A LAND AREA OF AT LEAST 5,000 SQUARE FEET AND A MINIMUM WIDTH OF 50 FEET, A HOME CONSTRUCTED MAY BE LARGER THAN 1,001 SQUARE FEET IN TOTAL LIVING SPACE.

A LOT WITH A WIDTH OF 110 FEET OR LESS AND GREATER THAN 75 FEET SHALL HAVE A MINIMUM SIDE YARD OF 10 FEET.
- 6.) THE SUBJECT PARCEL IS OUTSIDE OF THE 0.2 PERCENT ANNUAL CHANCE FLOODPLAIN AS SHOWN ON FLOOD INSURANCE RATE MAP NUMBER 33017C0340E; EFFECTIVE DATE SEPTEMBER 30, 2015.
- 7.) BASIS OF BEARING IS NH STATE PLANE (NAD83) BASED ON GPS OBSERVATION DATED MARCH 14, 2025. VERTICAL DATUM IS NAVD88 BASED ON GPS OBSERVATION DATED MARCH 14, 2025.
- 8.) PROPERTY LINE INFORMATION HAS BEEN OBTAINED FROM A SURVEY PERFORMED BY MCENEANEY SURVEY ASSOCIATES OF NEW ENGLAND ON MARCH 14, 2025. WITH AN ERROR NOT GREATER THAN 1 IN 10,000.
- 9.) THIS PLAN SHOWS ONLY THOSE FEATURES THAT WERE VISUALLY APPARENT ON THE DATE OF THE SURVEY. THE ABSENCE OF SUBSURFACE STRUCTURES, UTILITIES, ETC. FROM THIS PLAN, BUT IN EXISTENCE, IS NOT INTENDED OR IMPLIED.
- 10.) WETLANDS FLAGGED LINE "A" SHOWN WERE DELINEATED BY DAMON E. BURT, N.H.C.W.S. #163 OF FRAGGLE ROCK ENVIRONMENTAL SERVICES, ON MAY 9, 2025 IN ACCORDANCE WITH THE 1987 CORPS. OF ENGINEERS WETLANDS DELINEATION MANUAL AND LOCATED BY THIS OFFICE.
- 11.) PEARSON DRIVE WAS APPROVED BY THE CITY OF DOVER ON SEPTEMBER 11, 1957 RECORDED S.C.R.D. BOOK 679, PAGE 133 AND REFERENCE PLAN #2.



LEGEND

- I.R.(tbs) o - IRON ROD W/ I.D. CAP (TO BE SET)
- I.R.(fnd) o - IRON ROD (FOUND)
- UGE - UNDERGROUND ELECTRIC
- OHU - OVERHEAD UTILITIES
- S - SEWER LINE
- ⊙ SMH - SEWER MANHOLE
- CB - CATCH BASIN
- ✱ - WETLAND SYMBOL
- ☆ - LIGHT POST
- WV - WATER GATE VALVE
- LSA - LANDSCAPED AREA
- TBM - TEMPORARY BENCHMARK
- S.F. - SQUARE FEET
- Ac. - ACRE
- (TYP.) - TYPICAL
- ± - MORE OR LESS
- ∅ - DIAMETER
- S.C.R.D. - STRAFFORD COUNTY REGISTRY OF DEEDS
- UP FP 995/5 8 - UTILITY POLE W/ I.D. Nos.
- L.A. - LIMITED ACCESS

NO.	DATE	DESCRIPTION	BY	CHK
REVISIONS				
25025	EXIST. COND. RENO	24-13	55-61	
PROJECT NO	TYPE	FIELDBOOK & PAGES		

"I HEREBY CERTIFY THAT THIS PLAN IS BASED ON AN ACTUAL GROUND SURVEY PERFORMED WITH A TOTAL STATION, BY ME OR THOSE UNDER MY DIRECT SUPERVISION AND THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, SAID SURVEY MEETS OR EXCEEDS THE MINIMUM PRECISION REQUIREMENTS FOR SURVEY CLASSIFICATION "U" AS SET FORTH IN TABLE 500.1 OF THE NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES OF THE BOARD OF LICENSURE FOR LAND SURVEYORS."

EXISTING CONDITIONS
WITH RENOVATIONS PLAN
PREPARED FOR
BOND CLIFF HOLDINGS, LLC
TAX MAP L, LOT No. 46-M
18 PEARSON DRIVE
CITY of DOVER
COUNTY of STRAFFORD
STATE of NEW HAMPSHIRE

DRAWN BY: JJJH

FILE: P:25025\S\DWG\ EC reno

SCALE: 1" = 20'

DATE: JULY 9, 2025

STATE OF
NEW HAMPSHIRE

LAND SURVEYOR

No. 661
KEVIN
M.
MCENEANEY

SIGNATURE

Mceneaney
*S*urvey
*A*ssociates
of NEW ENGLAND

P.O. Box 1166 - 181 WATSON ROAD
DOVER, NH 03820 (603) 742-0911

SURVEYING - PLANNING - CONSULTING

Donna Benton, AICP
Director of Planning and Community Development
City of Dover
288 Central Avenue
Dover, NH 03820

Re: Request for Emergency Meeting - Opposition to Variance ZONE-2025-0038 at 18 Pearson Drive

Dear Ms. Benton:

I am formally requesting an emergency meeting prior to the November 20th ZBA hearing regarding Fergus Cullen's variance application for 18 Pearson Drive. There is strong neighborhood opposition to this variance, and critical issues of inconsistent zoning enforcement, procedural failures, and safety concerns that must be addressed.

Flawed Staff Recommendation Process

Staff's recommendation to approve this variance "without conditions" citing "lack of abutter impact" represents a serious procedural failure. No abutters were contacted to assess impact before this determination. This is not merely an oversight but a fundamental failure of due diligence.

The addition of a rental duplex in a single-family neighborhood obviously creates massive impacts to abutters. The most direct abutter will be essentially fenced in by this massive structure, which already violates required setbacks on a nonconforming lot. To claim "no abutter impact" without investigation demonstrates either incompetence or willful disregard for neighborhood concerns.

Inconsistent Enforcement of Zoning Standards

My property at 283A Dover Point Road, which is nearly 100,000 sq ft, six times larger than 18 Pearson Drive, has a subdivision plan requirement stating it must remain single-family residential. This restriction was imposed by Dover to prevent exactly the type of multi-unit development now being proposed on a much smaller, nonconforming lot.

If Dover now allows a duplex on 17,224 sq ft (barely half the required 30,000 sq ft), it undermines the very restrictions the City placed on properties like mine to preserve neighborhood character. This selective enforcement creates an untenable precedent.

The optics of granting such a significant variance to a sitting city councilman, particularly given past concerns about zoning matters, raises serious questions about fairness and due process that could expose the City to legal challenges. All residents deserve equal treatment under our zoning ordinances, regardless of their position or connections.

Critical Safety Infrastructure Concerns

The submitted plans fail to identify a water main running approximately 8 feet underground. As the first resident of this neighborhood to tap this main, I know Dover Community Services had only approximate knowledge of its location. I will be severely and uniquely impacted if this water line is

damaged during construction. Additionally, the proposed construction will restrict required public access to the water and sewer lines for future maintenance and upgrading.

Additionally, the proposed construction is dangerously close to the high-pressure gas line along the fence line. Unitil must be directly consulted to ensure this large development immediately abutting the fence will not compromise the gas line. Construction without proper identification and protection of these utilities poses serious safety risks.

Variance Criteria Not Met

This variance fails all five required criteria:

1. **Contrary to Public Interest:** Allowing development on a lot with half the required area while restricting larger conforming lots sets an arbitrary and harmful precedent.
2. **Spirit of Ordinance Violated:** Creating the only multi-family dwelling on a street of single-family homes destroys the low-density character the R-20 designation protects.
3. **No Substantial Justice:** There is no justice in allowing one property owner to violate rules that others must follow. The owner was intimately aware of the existing zoning restrictions when purchasing this property. Not only would these have been disclosed during the sale, but he has direct personal and professional relationships with zoning and planning staff, sits on city council, and has previously challenged zoning ordinances on other Dover properties. This extensive knowledge and experience make his hardship claim disingenuous at best.
4. **Diminished Property Values:** While property values may initially rise, this will trigger a multi-family development arms race that prices out the single families who currently live here. Developers will target our neighborhood for profit-driven conversions, destroying the community character and forcing longtime residents to sell. This is not appreciation; it is gentrification and displacement. The very families who chose this neighborhood for its single-family character will be driven out by speculative development. This is an unacceptable outcome that undermines the purpose of R-20 zoning.
5. **No Unnecessary Hardship:** Seeking financial gain through a rental unit is not a hardship, it is opportunism. The property functions perfectly well as a single-family home.

Request for Action

Given the procedural failures, safety concerns, inconsistent enforcement issues, and overwhelming neighborhood opposition, I request:

1. An emergency meeting to properly address these issues
2. Retraction of staff's flawed recommendation pending proper abutter consultation
3. If inadequate time exists, postponement of this agenda item

The implications of this variance and the concerning process surrounding it extend far beyond one property and deserve thorough, transparent consideration.

I await your prompt response.

Sincerely,

Corey Paradis

cc: Paul Crouser, Zoning Administrator

ZoningBoard-All@dover.nh.gov

Michael Joyal, m.joyal@dover.nh.gov

Robert Carrier, r.carrier@dover.nh.gov

Crouser, Paul

From: Tim Gemas <gemas@comcast.net>
Sent: Monday, November 17, 2025 6:17 AM
To: Zoning Board - All
Cc: Nadine Hill
Subject: 18 Pearson Dr.

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

Members of the zoning board,

I feel compelled to share my thoughts on the project currently on the agenda for Pearson Dr. My partner and I are property owners directly across the street from the proposed new construction/ "conversion " project. Please let it be known we are against any and all attempts to bring multi family dwellings into our neighborhood. It is our intention to attend the hearing on the 20th of this month and we are prepared to oppose variance request loudly and publicly.

Thank you
Timothy Gemas
17 Pearson Dr.
Dover NH.

Sent from my iPad

Crouser, Paul

From: Debbie Hecht <diz18@aol.com>
Sent: Tuesday, November 18, 2025 2:43 PM
To: Zoning Board - All
Cc: Colin Lynch; Nadine Hill
Subject: ZBM-Nov. 20

Follow Up Flag: Follow up
Flag Status: Flagged

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

Dear members,

I am writing about the variance requested by Fergus Cullen for 18 Pearson Drive.

This variance is not in keeping with the neighborhood character or the spirit of the ordinance for low density district. In contrast, it enables a residential fill of multi-family homes in an area where there are only single-family homes. This would be the only multi-family lot on Pearson which is a substantial change to the neighborhood.

Mr. Cullen may try to say this project will be for affordable or workforce housing. 18 Pearson is not a good location for affordable or workforce housing, as this part of the city has no social service agencies nearby, no grocery store or other conveniences within walking distance. In addition, there are no sidewalks on Pearson from 18 to Dover Point Rd. Once of Dover Point Rd. there are no sidewalks making it dangerous to walk on.

The request for a variance is significant. The requirement is for 30K square feet and this lot has barely half the requested space. This is a SIGNIFICANT variance, which if granted, could open the entire neighborhood to this kind of development. It could turn Pearson Drive from a historic single-family homes into a mixed development. This is NOT what homeowners invested in when they purchased their homes in a single-family neighborhood.

A property owner seeking to request a variance so they can see a substantial financial gain does not demonstrate an unnecessary hardship. There would be nothing stopping anyone zoned in R20 to now build a second home on their property and sell it pay off their mortgage. Dover is actively working on housing in areas that are zoned for medium density or greater such as the Dover waterfront development. Packing multiply residential units onto a single lot directly contradicts the neighborhood.

I strongly encourage you to deny this variance.

Debbie Hecht

Crouser, Paul

From: mcl275@comcast.net
Sent: Tuesday, November 18, 2025 11:39 AM
To: Zoning Board - All
Cc: ndh.akajoe@gmail.com; Colin Lynch
Subject: Variance for 18 Pearson Drive

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

Pearson Drive has been our neighborhood for forty-one years. It is comprised of single-family homes and long-term residents. The size of the proposed project would change the character and spirit of the neighborhood. First and foremost introducing multi unit housing in a low density zone would be a detrimental change. It would have a negative impact on the surrounding property values.

Secondly, this request ignores the fact that the existing lot is grossly undersized for the enormity of this project. The lot only has 17,224 sq. ft. as opposed to the usual requirement of 30,000 sq. ft. There's no need to make this a multi-unit property in order to make it a profitable investment. This is just a stark disregard of current zoning regulations. Again, this would have a negative impact on the surrounding property values.

Lastly, requesting a variance to increase rental income does not demonstrate unnecessary hardship. Mr. Cullen made the choice to purchase this property knowing his plan was out of compliance. Therefore, we would like the board to deny this request.

Joan and Jay McLaughlin

275 Dover Point Road (Corner of Pearson Drive)