CITY OF DOVER

DOVER PLANNING BOARD – AGENDA

Meeting Type:	Regular Meeting
Meeting Location:	Council Chambers, City Hall, 288 Central Avenue, Dover, NH 03820
Meeting Date:	**Tuesday, January 27, 2026**
Meeting Time:	**7:00 pm**

1. **CITIZENS' FORUM**
2. **APPROVAL OF THE PRIOR MINUTES**
   - January 13, 2026 Regular Meeting Minutes
3. **OLD BUSINESS**
4. **NEW BUSINESS**
   A. Consideration and acceptance of a Conditional Use Permit for Hawkins Family Revocable Trust, Assessor's Map 30, Lot 89, zoned CBD-M, located at 33 Sixth Street. (Proposal is to remodel the interior of the existing structure and utilize it as a two-unit residential building, where residential units are not allowed by right due to the lot size.) *(COND-2025-0028) (*This item was continued from the December 9, 2025 Planning Board Meeting)*
   B. Consideration and acceptance of a Conditional Use Permit for Hawkins Family Revocable Trust, Assessor's Map 30, Lot 89, zoned CBD-M, located at 33 Sixth Street. (Proposal is to remodel the interior of the existing structure and utilize it solely for residential use, where a commercial use on the ground floor is required.) *(COND-2025-0033) (*This item was continued from the December 9, 2025 Planning Board Meeting)*
   C. Consideration and acceptance of a Conditional Use Permit for Sibylle J. Carlson Trust, Assessor's Map 31, Lot 46, zoned CBD-G, located at 18 Fifth Street. (Proposal is to convert the first-floor office space to a residential unit.) *(COND-2026-0001)
   D. Consideration and acceptance of a Lot Line Adjustment for JSR, LLC, Assessor's Map D, Lots 11-5 & 11-5-SND, zoned IT, located at Venture Drive. *(LOTA-2025-0013)
   E. Consideration and acceptance of a Lot Line Adjustment for Frances L. Hoginski Living Revocable Trust and Karen Wendell & Doyle F. Skeels, Assessor's Map L, Lots 95-X and 95-Z, zoned R-20, located at Dover Point Road. *(LOTA-2025-0014)
   F. ~~Consideration and acceptance of a Minor Subdivision for Diversified Building and Maintenance, LLC, Assessor's Map 25, Lot 46, zoned R-12 & G, located at 6 Granite Street. (Proposal is for a minor subdivision creating one (1) new lot.) *(SUBM-2025-0008)~~ *(This item has requested to be continued to the February 10, 2026 Planning Board meeting.)*
   G. Consideration and acceptance of a Transfer of Development Rights (TDR), Assessor's Map 4, Lot 68, zoned RM-U, located at 15 New York Street. (Proposal is to request one (1) unit through TDR, resulting in a total of three (3) residential units, with one unit restricted to HUD Fair Market Rental Rates.) *(TRAN-2026-0001)
   H. Consideration and acceptance Site Review for 5 Sherman Street, LLC, Assessor's Map 19, Lot 8, zoned R-12, located at 103 Court Street. (Proposal is to maintain an existing single-family dwelling and construct four (4) new single-family homes for a total of five (5) dwelling units with two (2) of the new single-family homes size-restricted to 1,400 square feet each.) (SITE-2024-0012)
5. **STAFF COMMENT**
6. **MEMBER COMMENTS**
7. **ADJOURNMENT**

*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. 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 Planning Board, 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.

DOVER PLANNING BOARD – MINUTES

CITY OF DOVER

Meeting Type:	Regular Meeting
Meeting Location:	Council Chambers, City Hall, 288 Central Ave, Dover, NH.
Meeting Date:	**Tuesday, January 13, 2026**
Meeting Time:	**7:00 pm**

Members Present: Gina Cruikshank (Chair), Ken Mavrogeorge, George DeBoer, Jeff Sanborn, Devon Dunn, Kyle Pimental, Tom Clark, Richard Robison (Councilor)
Members Not Present (excused): Doug Glennon (Vice-Chair), Melina Gambino (Alternate), Eric Salovitch (Alternate), Tyler Allen (Alternate), April Richer (Councilor)
Staff Present: Donna Benton, Planning Director

G. Cruikshank (Chair) called the meeting to order at 7:03pm, noted that Kyle Pimental will be Vice Chairing and that Councilor Richer is the new Council Representative. As she is not present tonight, her alternate, Councilor Richard Robison will sit.

1. CITIZENS' FORUM

Citizens Forum Open
No one spoke
Citizens Forum Closed

2. APPROVAL OF THE PRIOR MINUTES

- December 9, 2025 Regular Meeting Minutes

Motion: T. Clark moved to approve the regular meeting minutes of December 9, 2025 as submitted. Seconded by: K. Mavrogeorge. Vote: 6-0-1 with K. Pimental abstaining

3. OLD BUSINESS

4. NEW BUSINESS

A. Election of Officers

T. Clark nominated G. Cruikshank as Chair and D. Glennon as Vice Chair. G. DeBoer seconded.

Motion: T. Clark moved that the nominations be closed and the staff cast one ballot (based upon those nominations). Seconded by: K. Pimental. Vote: U/A

B. Consideration and acceptance of an Extension Request for Westfield, LLC, Assessor's Map G, Lot 2, zoned CM, located at Littleworth Road. (Proposal is a request for extension of approval for a Site Plan [SITE-2025-0007].) *(WAIV-2025-0013)

D. Benton explained that the Planning Board conditionally approved a Site Plan (SITE-2025-0007) and Conditional Use Permit (COND-2025-0013) on July 22, 2025, for the construction of a 26,880± square foot light industrial building and associated wetland buffer impacts on a currently vacant property on Littleworth Road (Assessor's Map G, Lot 2).

Per §153-8A, *"The applicant shall submit to the Planning and Community Development Department an electronic copy and five copies of the final site development plan for the Planning Board Chair's signature within 90 days of receipt of final site plan approval by the Planning Board. The Director of Planning and Community Development may grant one ninety-day extension if circumstances arise beyond the control of the applicant…Any additional extensions can only be granted by the Planning Board."*

On October 15, 2025, I as the Director of Planning and Community Development granted a ninety-day extension to allow the applicant additional time to respond to NHDES comments on their Alteration of Terrain (AoT) permit application.

The extension established a new expiration date of January 18, 2027, to complete the conditions of approval prior to plan signing.

Per their request, the applicant remains in communication with NHDES to complete their AoT application and is requesting an additional extension in order to obtain an approved AoT permit and satisfy the remaining conditions of approval.

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

Public hearing opened.
Lisa Nugent, 69 Littleworth Rd asked if it's public record what the DES concerns are about the application.
Public hearing closed.

Staff is not aware what the exact concerns are of NHDES. The City conditions the approval on DES approval before moving forward.

STAFF RECOMMENDATION –
With the above taken into consideration, the Planning Department recommends that the Planning Board vote to grant the Extension Request for Site Plan (SITE-2025-0007) with the same conditions of approval as outlined in the original Notice of Decision, with a revised deadline for receipt of final plans of January 13, 2027. This recommendation is also made with the understanding that no extension is required for the related Conditional Use Permit (CUP), as it does not have an expiration date.

Motion: T. Clark moved to approve the extension request with the original conditions. Seconded by K. Pimental.
Board and staff discussed that if significant changes came back from AoT, the item would come back before the board. If only minor changes are needed, the Planning Director can approve administratively.
Vote: U/A

C. Discussion and possible adoption of the updated Land Use Chapter of the Master Plan.*
D. Benton noted an overview of the chapter was given at the meet and greet gathering earlier tonight. Steven Whitman of Resilience Planning and Design who was the consultant for the update gave a presentation to the board. He thanked the Planning Department staff and his own team for all of the work they did.
He gave an overview of the planning process, an outline of the chapter and some highlights of the chapter.

D. Benton explained the matrix which has been filled in by staff and provided to the board. The board can adopt the chapter tonight, or take more time to review the matrix and provide feedback and table the item to the next meeting. She also thanked Erin Bassegio from the Planning Department, the Steering Committee and Steve Whitman and his staff from Resilience Planning and Design.

K. Pimental noted the look and feel of the last two chapters are a vast improvement upon the previous versions. It is impressive to produce an entire land use chapter with all the photos included condensed into 29 pages. He asked if the TDR subcommittee is waiting for this information.
D. Benton noted the subcommittee has seen a draft of the land use map and will have access to this finalized version at their next meeting.

D. Dunn asked about tracking of transportation and priorities noted in the chapter.

Public Hearing opened
No one spoke

Public Hearing Closed.
G. DeBoer asked Mr. Whitman if trends and counts will be considered when the transportation chapter is reviewed.
Board members wanted a bit more time to review the document.
D. Benton asked if after review anyone has suggested edits, please send them to staff at least two weeks prior to the meeting.

Motion: D. Dunn moved to continue the item to the February 10th meeting. Seconded by K. Mavrogeorge. Vote: U/A

D. A Public Hearing for the purpose of receiving public input regarding the City's draft CDBG FY27 Action Plan. The Action Plan identifies activities seeking funding from Dover's anticipated FY27 CDBG award. The Planning Board's decision serves as a recommendation to the City Council.*

D. Benton introduced Dave Carpenter, Community Development Planner to present this year's action plan. He explained the program elements and how much funding each category is allotted and how many applicants have applied for each category.

Public Hearing opened
Bob Arnold, Community Action highlighted the request for funds for a weatherization assistance program.

Anna Kay Vorsteg, Crossroads explained the request for funds towards operations and AC splits.

Deanna Strand, Dover Adult Learning Center of Strafford County explained the fund request for high school equivalency testing program.
Public hearing closed

K. Pimental asked for further explanations about the public facility projects presented which D. Carpenter provided. He also gave feedback to encourage outreach in the neighborhoods to receive feedback on what is needed for the parks. K. Mavrogeorge gave expanded information about ongoing plans.

G. DeBoer asked about the factors that determine how much money is available which D. Carpenter addressed.

R. Robison asked about funding considerations when the City may be providing an applicant funds through multiple City funding sources which D. Carpenter addressed.

Motion: T. Clark moved to recommend the City Council adopt the CDBG FY27 Action Plan. Seconded by: D. Dunn. Vote: U/A

E. Discussion with Strafford Regional Planning Commission about Regional Plan.*
D. Benton noted the SRPC is working on a regional plan, provided questions to the board which were in the board packets and are here tonight to receive feedback.
Mark Davie, SRPC explained what they are working on for their plans, and that they are interested in learning how their region has changed since the last planning session. He asked for feedback from the board members on the questions they are asking all the communities.

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K. Pimental noted he is the Assistant Director of SRPC, wished to participate in the conversation as a Dover resident, but offered to recuse himself if anyone on the board preferred. No one requested this.
Feedback how to describe Dover's identity:

- Small, but with large city amenities
- Unique compared to the other more rural towns in the county
- An evolving city- continuing growth- possibly outgrowing itself
- A town feel with big city aspirations
- Well-balanced and well located to many opportunities

Feedback on Dover's role in the community:

- Innovation in land-use planning
- Often the towns believe the cities should solve problems such as housing

Feedback on Dover's priorities on housing, transportation, economic development, land use:

- Transportation
  - More schedule options on Amtrak
  - More walkable
  - Access to public transportation so people can walk
  - Connectivity within the City and to outer communities
  - More sidewalks
  - Use what we have
- Housing
  - Density
  - Housing and transportation need to work together when developing large projects, transportation should be confirmed ahead of time during the planning process
- Land use
  - Diversity
- Economic development
  - Welcome businesses to the City
- Other
  - Public safety
  - Education
  - Natural resources- waterways- need protection

Feedback on what progress Dover has made with these priorities

- Capital Improvements plan
- Established boards and committees continually looking at problems, solutions and projects
- The City is innovative

Feedback on what we're most excited about:

- Many projects nearing completion
- Waterfront project- housing, commercial waterway transportation in and out and park connectivity
- Mixed use approach

Public hearing opened
No one spoke
Public hearing closed

F. Discussion of Land Use Amendments/Goal Setting.

DRAFT

D Benton handed out a list and highlighted potential amendment topics that staff has compiled based on board feedback, public feedback, or RSA changes. Prior to drafting amendment language, the list is presented to the board for discussion and feedback.

Feedback:

- Storm water language amendments

5. STAFF COMMENT

- Thanks to the Planning staff for attending tonight and for all of their work and efforts this past year
- There are new Floodplain Insurance Risk Maps available for viewing online. If people have questions or disagree with the new maps, they can reach out to the Planning Department and it can help explain the process for potentially appealing the new maps.
- TRCs since last meeting:
  - On November 20: Site Plan for Summit Land Development, LLC (Owners: 16 Industrial Park, LLC), Assessor's Map G, Lot 4, zoned CM, located at 14 Industrial Park Road. (Proposal is to construct a 14,560 s.f. warehouse and a 6,200 s.f. addition to the existing building) (SITE-2025-0017)
  - On December 4th Site Plan Amendment for Jones & Beach Engineering (Owners: The Dover Condominium & Essential Properties, LLC), Assessor's Map 38 & 37, Lots 6-A & 24, zoned C, located at 851-888 & 829-833 Central Avenue. (Proposal is to convert former department store to Traene fitness facility consisting of 10 pickleball courts and fitness areas with a 24' wide driveway connection between the two parcels.) (WAIV-2025-0012) *[This item was previously heard by the Planning Technical Review Committee on November 6, 2025.]*
  - On December 18: Site Plan for JSR, LLC, Assessor's Map D, Lot 11-5, zoned IT, located at Venture Drive. (Proposal is to construct an approximately 10,080 s.f. building with four (4) contractor bays and office space with associated parking and stormwater management. (SITE-2025-0019)
- Upcoming TRCs:
  - On January 15: Site Plan for Mechanic Street Realty Trust, Assessor's Map 24, Lot 101, zoned CBD-G, located at 9 11 Mechanic Street. (Proposal is to construct an 8,750 s.f., five (5) story mixed-use building, with commercial space on the first floor.) (SITE-2025-0003) and
  - Site Plan for 5 Sherman Street, LLC, Assessor's Map 39, Lot 75, zoned R-12/G, located at 21 Old Rochester Road. (Proposal is to construct two-family dwellings plus a single family home and keep the existing home for a total of twenty-three (23) HUD restricted units. (SITE-2025-0019)
  - On January 22, Site Plan for Mechanic Street Realty Trust, Assessor's Map 24, Lot 101, zoned CBD-G, located at 9 11 Mechanic Street. (Proposal is to construct an 8,750 s.f., five (5) story mixed-use building, with commercial space on the first floor.) (SITE-2025-0003)

6. MEMBER COMMENTS

- Signed CUP for Sadddle Trail Drive lot N/8-1-9
- Signed LLA for 280A Dover Point Rd and Dover Point Road

7. ADJOURNMENT

Motion: K. Mavrogeorge moved to adjourn at 9:41pm. Seconded by G. DeBoer. Vote: U/A

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9CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #COND-2025-0028

Application Type:	Conditional Use Permit
Applicant(s):	Hawkins Family Revocable Trust
Owner(s):	Hawkins Family Revocable Trust
Location:	33 Sixth St. (Tax Map 30, Lot 89)
Meeting Date:	January 27, 2026

INTENT: Proposal is for a Conditional Use Permit (CUP) to remodel the interior of the existing structure and utilize it as a two-unit residential building, where residential units are not allowed by right due to the lot size.

AGENDA ITEM #: 4-A

FILE: COND-2025-0028

LOTS/UNITS PROPOSED: Two (2) residential units

OWNER/APPLICANT: Hawkins Family Revocable Trust

LOCATION: 33 Sixth St. (Tax Map 30, Lot 89)

SQUARE FOOTAGE: 4,043± s.f.

ZONING DISTRICT: Central Business District Mixed-Use Sub-District (CBD-MU)

EXISTING LAND USE: Commercial (currently vacant)

PROPOSED LAND USE: Residential

SURROUNDING LAND USE: Commercial, Residential

WAIVERS REQUESTED: N/A

ZBA ACTION: N/A

PERMITS REQUIRED: Two City of Dover Conditional Use Permits (CUP) for two residential units and for a residential use on the ground floor.

TECHNICAL REVIEW COMMITTEE: N/A

CONSERVATION COMMISSION: N/A

NOTICES SENT: Abutter notices were sent by certified mail to all abutters.

ATTACHMENTS: Site Plan, Application Materials

Summary of Request and Background

Proposal is to remodel the interior of the existing structure at 33 Sixth St. and utilize it as a two-unit residential building. To do so, the applicant is requesting a CUP for relief from allowed residential density to permit two residential units. An additional CUP (COND-2025-0033) is also being requested to utilize the structure solely for residential use, where a commercial or non-residential use on the ground floor is required.

The structure is legally nonconforming in its placement on the lot and residential use is permitted in the CBD-MU Zoning District, and ground-floor residential is only allowed if it already exists. The district allows up to 10 units at a density of 5,000 square feet per unit. The subject property is approximately 4,043 square feet and therefore does not meet the minimum lot area required for any permitted residential density.

Within the Central Business District Mixed-Use Sub-District (CBD-MU), conditional use approval may be granted by the Planning Board to adjust certain zoning standards, provided that the proposed project complies with the criteria in §170-20B(2), as outlined below.

Consistency with Land Use Regulations – Non-Environmental CUP Criteria

Chapter 170-19.B.2 outlines the criteria for granting a Conditional Use Permit for relief. Staff feels this proposal meets those criteria which include:

(a) That both public and private buildings and landscaping shall contribute to the physical definition of rights-of-way as civic spaces.
(b) That development shall adequately accommodate automobiles, while respecting the pedestrian and the spatial form of public areas.
(c) That the design of streets and buildings shall reinforce safe environments, but not at the expense of accessibility.
(d) That architecture and landscape design shall grow from local climate, topography, history, and building practice.
(e) That buildings shall provide their inhabitants with a clear sense of geography and climate through energy-efficient methods via a mixture of elements including windows, floor plan, and public and private space.
(f) That encourage civic buildings and other public gathering places be provided as locations that reinforce community identity and activity.
(g) That civic buildings shall be distinctive and appropriate to a role more important than the other buildings that constitute the fabric of the City.
(h) That the preservation and renewal of historic buildings shall be facilitated.
(i) That the harmonious and orderly evolution of urban areas shall be advanced by the proposed building and/or use.
(j) That if the relief is granted, the surrounding neighborhood is not negatively impacted.

Staff feels that the applicant has met the stated criteria. The applicant is not proposing any changes to the exterior of the existing structure or the surrounding streetscape, and the proposal is consistent with the surrounding residential density. The applicant is showing three parking spaces, or 1.5 parking spaces per unit, and has provided turning templates to display how vehicles would be able to turn around within the space to avoid backing onto Sixth Street, which would present a safety concern.

Consistency with Land Use Regulations – CBD CUP Criteria
Chapter 170-20.B.2 outlines the criteria for granting a Conditional Use Permit for relief within the Central Business District. Staff feels this proposal meets those criteria which include:

(a) The requested use shall be compatible with abutting uses and the surrounding neighborhood.
(b) The requested use will not create undue traffic congestion, or unduly impair pedestrian safety.
(c) The requested use will not result in objectionable noise or odor which would constitute a nuisance.

Planning Staff feels that the applicant has adequately shown compliance with the criteria as specified in §170-20.B.2. Two residential units may be compatible with the immediate surrounding area which includes primarily residential uses but also some commercial uses. In other cases, when asking to not have commercial on the ground floor as the zoning requires, the residential unit would be restricted to HUD Fair Market rentals.

STAFF RECOMMENDATION:
The Planning Department recommends that the Planning Board vote to accept the application and determine it not to have regional impact, open a public hearing, close the public hearing, make the necessary and supporting findings of fact, and vote to approve the Conditional Use Permit with the following subsequent conditions of approval:

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

1. Provide physical and digital copies of plan set for final Planning Board signature which additionally shall include:
    a. Permit File #COND-2025-0033;
    b. Owner's signatures;
    c. Professional stamps and signatures;
    d. Add note to the plan indicating that one of the units will be restricted to HUD Fair Market rents.
2. Work with the Planning Department to endorse a development agreement per Chapter 170-20B(3) and then record at SCRD. The development agreement shall indicate that one of the two units shall be deed restricted to the HUD Fair Market rent.

COND-2025-0028 33 SIXTH STREET



Property Information

Location	33 SIXTH ST
Owner	HAWKINS MATTHEW & ASHLEY TRUSTEES
Land Use	307C
Zoning Code	CBD-M
Property Id	30089-000000

MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

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

Geometry updated 10/30/2023
Data updated Daily

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

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

Permit Type	Conditional Use	**Project:**		**App Date:**	10/27/2025
Work Class:	Non-Environmental	**District:**	None	**Exp Date:**	NOT AVAILABLE
Status:	In Review	**Square Feet:**	0.00	**Completed:**	NOT COMPLETED
Valuation:	$0.00	**Assigned To:**	Blonigen, Rachel	**Approval Expire Date:**	
Description:	See attached narrative.				

Parcel:	30089-000000 Main	**Address:**	33 Sixth St Dover, NH Main	**Zone:**	RM-U(Residential - Urban Density)

Plan Preparer
Kevin McEneaney
Business: (603) 742-0911

Applicant
Francis X Bruton
601 Central Ave
Dover, NH 03820
Business: (603) 749-4529

Owner
Matthew and Ashley Hawkins, Trustees
Mobile: (603) 661-5175

Permit Custom Fields

Select Permit Type	Central Business District - Mixed Use	General Purpose	Alteration / Addition	Project Zone	Mixed Use
What is the parcel zoned?	CBD-M	New Change in Impervious/Paved Area (sq ft)	0	Work	See attached narrative.
permitstatefed	See attached narrative.				

Attachment File Name	Added On	Added By	Attachment Group	Notes
Signature_Francis_Bruton_10/27/2025.jpg	10/27/2025 16:16	Bruton, Francis		Uploaded via CSS
Permit Snapshot Report.pdf	10/27/2025 16:17	Service, EnerGov		Attached by IO - ATTACH: Initial Permit Snapshot

Invoice No.	Fee	Fee Amount	Amount Paid
INV-2025014385	Planning General Application Fee	$200.00	$0.00
	Total for Invoice INV-2025014385	$200.00	$0.00
	Grand Total for Permit	**$200.00**	**$0.00**

Workflow Step / Action Name	Action Type	Start Date	End Date
Review v.1			10/28/2025 9:56
Confirm application complete v.1	Generic Action		10/28/2025 9:56
~~Conditional Use Review v.1~~	Receive Submittal		10/28/2025 9:56
Planning Board v.1		10/28/2025 9:56	
Planning Board Agenda v.1	Task	10/28/2025 9:56	
Invoice for Notices v.1	Task		
Send Notices v.1	Task		
Planner Creates Staff Recommendations v.1	Permit Activity		
Distribute Planning Board Materials v.1	Task		
Planning Board Hearing v.1	Hold Hearing		
Planning Board Decision v.1	Permit Activity		
NOD Sent to Applicant v.1	Create Report		
Issue Permit v.1			
Verify Fees Prior to Permit v.1	Generic Action		
Issue and Review Permit v.1	Generic Action		
Print and Email Permit v.1	Generic Action		
Plans uploaded to Treeno v.1	Generic Action		

Internal Notification of Plan Completion v.1	Generic Action
Recording v.1	Task

City of Dover, New Hampshire
CONDITIONAL USE PERMIT APPLICATION

[Revision Date: October 19, 2020]

RECEIVED
Planning Office
OCT 28 2025
Dover, New Hampshire

Office Use Only	Project #:		Date Received:	
	Amount Paid:		Time Received:	

APPLICANT AND OWNER INFORMATION

Name of Applicant: Matthew Hawkins & Ashley Hawkins, Trustees Hawkins Family Revocable Trust Telephone # (603) 661-5175

Address of Applicant: 4 Ross Road, Rollinsford, NH 03869

E-Mail Address: matthewahawkins@gmail.com [Matt Hawkins]

Name of Property Owner (if different from applicant): Same Telephone #

Address of Property Owner:

PROPERTY INFORMATION

Assessor's Map # 30 Lot(s) # 89

Address of Property: 33 Sixth Street, Dover, NH

Zoning District(s) CBD-MU Overlay District(s)

Existing Use of Property: The property was the previous location of the ABC Lock & Key business.

CONDITIONAL USE PERMIT INFORMATION

Type of Conditional Use Permit (Check All That Apply):

☐ Conservation District	☐ RCM Use Overlay District	☐ Gateway District
☐ Groundwater Protection	☐ Off-Street Parking and Loading	☐ Alternative Treatment Center
☐ Wetland Protection District	☒ Central Business District	☐ Heritage Residential District

Describe Proposed Use or Activity That Requires Conditional Use Permit and Describe Any Impacts:

See attached narrative.

List Any Associated State or Federal Permits That Have Been or Will Be Applied For and Indicate Their Status: _____

_____

Name of Professional That Prepared Plans: **Kevin M. McEneaney, LLS**

Address **Civilworks New England, 181 Watson Rd., Dover, NH 03820** Telephone #: **(603) 749-0443**

Professional License #: **661** E-mail address: **kevin@surveynh.com**

SIGNATURES

I/We hereby submit this application to the City of Dover Planning Board and attest that to the best of my knowledge all of the information on this application form and in the accompanying application materials and documentation is true and accurate. As applicant or as agent, I attest that I am duly authorized to act in this capacity.

Signature of Property Owner: _____ Trustees Date: 10.25.25
Matthew Hawkins & Ashley Hawkins, Trustees

Signature of Applicant (if different from owner): _____ Date: _____

Signature of Agent: _____ Date: _____

AUTHORIZATION TO ENTER SUBJECT PROPERTY

I, and my successors, hereby authorize members of the Dover Planning 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: _____ Trustees Date: 10.25.25
Matthew Hawkins & Ashley Hawkins, Trustees

CITY OF DOVER CONDITIONAL USE
LIST OF ABUTTERS

Pursuant to RSA 676:4, the State Law of New Hampshire, the City of Dover is required to notify the applicant, abutters (including holders of conservation easements), and any professional whose seal is on the plan, of the public hearing by certified mail, return receipt requested. Staff will provide the abutter information, while the applicant must provide accurate contact information for the owner, applicant and professional agents representing the project.

Owner:

TAX MAP	LOT #	PROPERTY OWNER	MAILING ADDRESS
30	89	Hawkins Family Revocable Trust	4 Ross Road, Rollinsford, NH 03869

Applicant (if different from owner):

APPLICANT NAME	APPLICANT COMPANY	MAILING ADDRESS
SAME		

Surveyor and/or Engineer/Professional Agent:

NAME	COMPANY	MAILING ADDRESS
Kevin McEneaney	Civilworks New England	181 Watson Road, Dover, NH 03820
Francis X. Bruton, III	Bruton & Berube, PLLC	601 Central Ave., Dover, NH 03820

Conservation Easement Holder:

TAX MAP	LOT #	NAME OF EASEMENT HOLDER	MAILING ADDRESS

Project Narrative

Hawkins Family Revocable Trust
Property Address: 33 Sixth Street, Dover
Tax Map: Map 30, Lot 89
Zoning District: CDB-MU

The property in question is located at 33 Sixth Street, Dover, New Hampshire and is shown on the Dover Tax Maps at Map 30, Lot 89. The structure on the parcel is currently used as a two-unit structure with a commercial unit and a single residential unit. The structure lies entirely within the CBD-MU zoning district. Although there is an existing commercial use, the use was essentially used as a home occupation as ABC Lock, where the operator would travel to all appointments and did not utilize the commercial use as a retail use. As such, the property has been predominantly utilized as residential.

The Applicant's intent is to remodel the interior of the structure, with no external impact, to utilize the structure as a two-unit residential structure. The units are intended to be offered to disabled U.S. military veterans. Although the foregoing is the intention of the Applicant, the Applicant cannot offer a restriction in perpetuity as to such tenant as any such restriction may in fact result in extended vacancies that could be filled should a veteran applicant not qualify for the housing under the Applicants credit requirements. The units will comply with NH RSA 674:16, VII as to parking regulations which require one (1) space per unit. In this instance, each unit will have two (2) actual spaces, based upon tandem parking.

Per Attachment 15, within the Dover Zoning Ordinance, the CBD-MU zone permits up to 10 units on one parcel, with such density allowed at 5,000 sf lot size per unit. The lot size in this case is 4,043 sf. Within the CBD-MU zoning district the density regulations are permitted to be adjusted with the grant of a conditional use permit, pursuant to Section 170-20B.

The Applicant would like to provide for additional necessary housing in Dover with the creation of an additional residential unit. As such, the Applicant seeks a conditional use permit to allow density for each unit to be roughly 2,021 SF of parcel area. In addition, the zone requires commercial use on the first floor, unless there is an existing residential use of the existing structure. Planning Staff has indicated that the entire use would have to be used as all residential in order to permit additional residential use, without the need for a conditional use permit from this requirement as well. As such, the Applicant seeks a conditional use permit for the entire structure (which is only one story) to be used as all residential use on the first floor. As noted above, the structure has essentially been used as all residential.

Section 170-20B Conditional Use Permit Requirements:

The provisions of Section 170-20B incorporate the provisions of Section 170-19, which are also addressed:

Section 170-19 and Section 170-20B - Conditional Use Criteria:

(1) Conditional use approval for relief from the standards herein may be granted by the Planning Board (RSA 674:21, II) after proper public notice and public hearing provided that the proposed project complies with the following standards:

(a) That both public and private buildings and landscaping shall contribute to the physical definition of rights-of-way as civic spaces. ***The exterior appearance of the existing structure will not be modified, and the previous and existing use was essentially all residential.***

(b) That development shall adequately accommodate automobiles, while respecting the pedestrian and the spatial form of public areas. ***The parking spaces required for the two dwelling units comply with, and exceed, NH RSA 674:16, VII.***

(c) That the design of streets and buildings shall reinforce safe environments, but not at the expense of accessibility. ***There will be no change in the existing design of streets and buildings , and the previous and existing use was essentially all residential.***

(d) That architecture and landscape design shall grow from local climate, topography, history, and building practice. ***There will be no change in the existing design of streets and buildings.***

(e) That buildings shall provide their inhabitants with a clear sense of geography and climate through energy-efficient methods via a mixture of elements including windows, floor plan, and public and private space. ***There will be no change in the existing design of streets and buildings.***

(f) That encourages civic buildings and other public gathering places be provided as locations that reinforce community identity and activity. ***There will be no change in the existing design of streets and buildings. The addition of an additional unit within the same structure that exists now, which has one residential unit, and the previous and existing use was essentially all residential, will help address the needs for more housing in Dover and thus reinforce community identity and activity.***

(g) That civic buildings shall be distinctive and appropriate to a role more important than the other buildings that constitute the fabric of the City. ***There will be no change in the existing design of streets and buildings.***

(h) That the preservation and renewal of historic buildings shall be facilitated. ***There will be no change in the existing design of streets and buildings.***

(i) That the harmonious and orderly evolution of urban areas shall be advanced by the proposed building and/or use. ***There will be no change in the existing design of streets and buildings. The addition of a residential unit within the same structure that has one residential unit, and the previous and existing use was essentially all residential, will advance the harmonious and orderly evolution of this urban area by the proposed use set forth herein.***

(j) That if the relief is granted, the surrounding neighborhood is not negatively impacted. ***There will be no negative impact to the existing neighborhood with the addition of one residential unit within an existing residential structure, and the previous and existing use was essentially all residential.***

(2) Conditional use approval for relief from the use standards herein may be granted by the Planning Board (RSA 674:21, II) after proper public notice and public hearing provided that the proposed project complies with the following standards:

(a) The requested use shall be compatible with abutting uses and the surrounding neighborhood. ***There will be no change in the existing design of streets and buildings. There will be no negative impact to the existing neighborhood with the addition of one residential unit within an existing structure with one residential unit, and the previous and existing use was essentially all residential.***

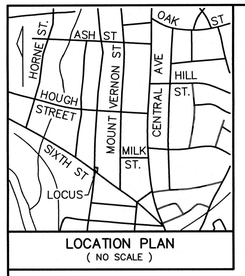
(b) The requested use will not create undue traffic congestion or unduly impair pedestrian safety. ***The addition of one residential unit, within the structure of an existing single residential unit, and the previous and existing use was essentially all residential, with no exterior modification will have no negative impact to the existing neighborhood.***

(c) The requested use will not result in objectionable noise or odor which would constitute a nuisance. ***The addition of one residential unit, within the structure with an existing single residential unit, and the previous and existing use was essentially all residential, with no exterior modification, will not result in objectionable noise or odor.***

(3) Conditional use approval shall be subject to a formal agreement between the Planning Board and the applicant. Said agreement shall be recorded at the Strafford County Registry of Deeds. ***The Applicant is willing to sign such an agreement for recording with the Strafford County Registry of Deeds.***

COND-2025-0028 **33 SIXTH STREET**

Property ID	Location	Owner 1	Owner 2	Owner Address 1	City	State	Zip
31083-000000	32 SIXTH ST	BULLOCK BERNARD A	C/O BM BULLOCK PROPERTY MANAGEMENT LLC	PO BOX 588	EXETER	NH	03833
31084-000000	42 SIXTH ST	LEDDY ALEXIA TRUSTEE	444 OWLS REVOCABLE TRUST	154 WASHINGTON RD	RYE	NH	03870-2442
30092-000000	4 MOUNT VERNON ST	KAROUTAS PAUL TRUSTEE	KAROUTAS PAUL LIVING REVOCABLE TRUST	3 KENNEDY CIRCLE	DOVER	NH	03820
30086-000000	51 GROVE ST	SULLIVAN MICHAEL B &	SULLIVAN SARA C	51 GROVE ST	DOVER	NH	03820
31085-000000	46 SIXTH ST	VITKO THOMAS J & SUZANNE M TRUSTEES	VITKO ANCESTRAL GRANTOR TRUST	186 BACK RD	DOVER	NH	03820
30090-000000	25 SIXTH ST	D & P PROPERTIES LLC		23 LAREDO LN	EAST ROCHESTER	NH	03868
30094-000000	12 MOUNT VERNON ST	12 MT VERNON ST LLC		72 FOYES LANE	KITTERY	ME	03905
30085-000000	53 GROVE ST	O BRIEN LOUISE J		PO BOX 2801	SEABROOK	NH	03874
30088-001000	SIXTH ST	HAWKINS MATTHEW & ASHLEY TRUSTEES	HAWKINS FAMILY REVOCABLE TRUST	PO BOX 308	DOVER	NH	03821-0308
30087-000000	49 GROVE ST	DRAKE JAMES T TRUSTEE	DRAKE JAMES T 2019 REVOCABLE TRUST	49 GROVE STREET	DOVER	NH	03820
30093-000000	8 MOUNT VERNON ST	WILSON PERRY K		PO BOX 1105	DOVER	NH	03821
31099-000000	56 SIXTH ST	MHC 155 (DOVER NH) LLC	C/O EXTRA SPACE MANAGEMENT INC	PO BOX 4900	SCOTTSDALE	AZ	85261
31099-A00000	40 GROVE ST	ROSALIND REAL ESTATE LLC		3 GRANITE STREET	CAMBRIDGE	MA	02139
30071-000000	39 SIXTH ST	FORBES KRISTEN K		39 SIXTH ST	DOVER	NH	03820
30070-000000	41 SIXTH ST	PERREAULT RICHARD J III &	PERREAULT HEATHER L	78 PORTLAND AVE	DOVER	NH	03820-3541
30088-000000	31 SIXTH ST	HAWKINS MATTHEW & ASHLEY TRUSTEES	HAWKINS FAMILY REVOCABLE TRUST	PO BOX 308	DOVER	NH	03821-0308
30072-000000	37 SIXTH ST	PROPERTY BROTHERS LLC		PO BOX 801	NEWCASTLE	NH	03854
31086-000000	41 GROVE ST	HELLO GROVE LLC		PO BOX 504	PORTSMOUTH	NH	03802
30073-000000	56 GROVE ST	WOOD GEOFFREY J &	WOOD CHRISTINA A	123 PORTSMOUTH AVE	STRATHAM	NH	03885-2420
30089-000000	33 SIXTH ST	HAWKINS MATTHEW & ASHLEY TRUSTEES	HAWKINS FAMILY REVOCABLE TRUST	4 ROSS RD	ROLLINSFORD	NH	03869
		BRUTON & BERUBE, PLLC	FRANCIS BRUTON	601 CENTRAL AVENUE	DOVER	NH	03820
		MCENEANEY SURVEY ASSOCIATES	KEVIN MCENEANEY	PO BOX 1166	DOVER	NH	03821



LOCATION PLAN
(NO SCALE)

30 / 88

HAWKINS FAMILY REVOCABLE TRUST
ASHLEY & MATTHEW HAWKINS TRUSTEES
P.O. BOX 308
DOVER, NH 03821
4702/548

PAVED DRIVE & PARKING AREA

RETAINING WALL

ABUTTERS LINE (TYP.)

I.R.(fnd)

NAD 83 - GPS OBS NH STATE PLANE

CONCRETE SIDEWALK

S74°16'42"E 66.42'

I.R.(fnd)

OHU

SMH
RIM = 53.37'

30 / 88-1

HAWKINS FAMILY REVOCABLE TRUST
ASHLEY & MATTHEW HAWKINS TRUSTEES
P.O. BOX 308
DOVER, NH 03821
4702/548

S14°29'40"W 76.00'

BLOCK RETAINING WALL

PROPOSED PARKING

GROVE STREET
{PUBLIC; 50' WIDE R.O.W.}

N07°50'47"E 53.33'

SINGLE STORY WOOD FRAMED STRUCTURE

30 / 89

PARCEL AREA
4,043 S.F.
0.093 Ac.

CHAIN-LINK FENCE

30 / 72

PROPERTY BROTHER LLC
P.O. BOX 801
NEWCASTLE, NH 03854
4567/824

CB
RIM = 53.16'

VGC

GV

FLAG POLE

65.00'
N53°24'44"W

I.R.(fnd)

M.N.(tbs)

CONCRETE SIDEWALK

CONCRETE SIDEWALK

CONCRETE SIDEWALK

DMH
RIM = 53.39'

PAVED DRIVE

CB
RIM = 53.95'

VGC

SWL

OHU

DYL

SMH
RIM = 54.24'

SIXTH STREET
{PUBLIC; 66' WIDE R.O.W.}

CB
RIM = 53.14'

CB
RIM = 55.15'

TAC-MAT

TAC-MAT

30 / 99

MHC 155 (DOVER NH) LLC
C/O EXTRA SPACE MANAGEMENT INC.
P.O. BOX 71870 6890 S 2300 E
SALT LAKE CITY UT 84171
4992/307

31 / 85

VITKO ANCESTRAL GRANTOR TRUST
THOMAS J. & SUZANNE M. VITKO TRUSTEES
186 BACK ROAD
DOVER, NH 03820
5098/390

LEGEND

M.N.(tbs) O – MAGNETIC NAIL (TO BE SET)
I.R.(fnd) O – IRON ROD W/ I.D. CAP #661 (FOUND)
DYL – DOUBLE YELLOW LINE
SWL – SINGLE WHITE LINE
VGC – VERTICAL GRANITE CURB
⊗ – BOLLARD
OHU – OVERHEAD UTILITIES
Ⓢ SMH – SEWER MANHOLE
□ CB – CATCH BASIN
Ⓓ DMH – DRAIN MANHOLE
WV – WATER GATE VALVE
GV – GAS VALVE
S.F. – SQUARE FEET
Ac. – ACRE
(TYP.) – TYPICAL
± – MORE OR LESS
ø – DIAMETER
S.C.R.D. – STRAFFORD COUNTY REGISTRY OF DEEDS
UP 410/5 – UTILITY POLE W/ I.D. Nos.

REFERENCE PLANS:

1.) MINOR SUBDIVISION OF LAND PREPARED FOR THE HAWKINS FAMILY REVOCABLE TRUST, TAX MAP 30, LOT No. 88, 31 SIXTH STREET & GROVE STREET, CITY of DOVER, COUNTY of STRAFFORD, STATE of NEW HAMPSHIRE; BY: THIS OFFICE; SCALE: 1" = 20'; DATED: MARCH 18, 2020 RECORDED S.C.R.D. PLAN #12208.
2.) PLAN OF LAND PREPARED FOR CRAIG AND LAURA FAHEY, TAX MAP 30, LOT NO. 92, 4 MOUNT VERNON STREET, DOVER, STRAFFORD COUNTY, NEW HAMPSHIRE. SCALE: 1" = 20'; DATED: OCTOBER 20, 2000. BY: MCENEANEY SURVEY ASSOCIATES, INC. RECORDED S.C.R.D. PLAN #52–63.

NOTES:

1.) OWNER OF RECORD:
THE HAWKINS FAMILY REVOCABLE TRUST
MATHEW HAWKINS & ASHLEY HAWKINS TRUSTEES
P.O. BOX 308
DOVER, NEW HAMPSHIRE 03820
S.C.R.D. VOLUME 5286, PAGE 710

2.) 31 / 64 – DENOTES TAX MAP AND PARCEL NUMBER.

3.) PARCEL AREA = 4,043 S.F. / 0.093 Ac.

4.) THE INTENT OF THIS PLAN IS TO DEPICT THE PARCEL BOUNDARY AND EXISTING SITE CONDITIONS AS OF OCTOBER 10, 2025.

5.) ZONING DISTRICT: CENTRAL BUSINESS DISTRICT – MIXED–USE SUB DISTRICT

CBD–M

DIMENSIONAL REQUIREMENTS:

MINIMUM LOT SIZE	= N/A
MINIMUM LOT COVERAGE	= 75 PERCENT – 100 PERCENT
MINIMUM FRONTAGE BUILD–OUT	= 80 PERCENT
BUILDING SETBACK REQUIREMENTS:	
FRONT PRIMARY BUILD–TO LINE	= 0 FEET MIN. – 0 FEET MAX.
FRONT SECONDARY BUILD–TO LINE	= 0 FEET MIN. – 0 FEET MAX.
SIDE SETBACK	= 10 FEET MIN. – 25 FEET MAX.
REAR SETBACK	= 0 FEET MIN. – 25 FEET MAX.
MAXIMUM BUILDING HEIGHT	= 5 STORY MAX, 3 STORY MIN.

6.) THE SUBJECT PARCEL IS OUTSIDE OF THE 0.2 PERCENT ANNUAL CHANCE FLOODPLAIN AS SHOWN ON FLOOD INSURANCE RATE MAP NUMBER 33017C0310E; EFFECTIVE DATE SEPTEMBER 30, 2015.

7.) BASIS OF BEARING IS NH STATE PLANE (NAD83) BASED ON GPS OBSERVATION DATED OCTOBER 10, 2025. VERTICAL DATUM IS NAVD88 BASED ON GPS OBSERVATION DATED OCTOBER 10, 2025.

8.) PROPERTY LINE INFORMATION HAS BEEN OBTAINED FROM A SURVEY PERFORMED BY MCENEANEY SURVEY ASSOCIATES OF NEW ENGLAND ON OCTOBER 10, 2025, WITH AN ERROR NOT GREATER THAN 1 IN 10,000.

NO.	DATE	DESCRIPTION	BY	CHK
		REVISIONS		
1	12/5/25	ADD PROPOSED PARKING	KJF	KMM

1269	SUBDIVISION	25–07	64–65
PROJECT NO	TYPE	FIELDBOOK & PAGES	

EXISTING CONDITIONS PLAN
PREPARED FOR
THE HAWKINS FAMILY REVOCABLE TRUST
TAX MAP 30, LOT No. 89
33 SIXTH STREET
CITY of DOVER
COUNTY of STRAFFORD
STATE of NEW HAMPSHIRE

DRAWN BY: JJH	FILE: M:>1269\DWG\1269ec–2025
SCALE: 1" = 10'	DATE: OCTOBER 16, 2025

10 5 0 5 10 20 30 40

"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."

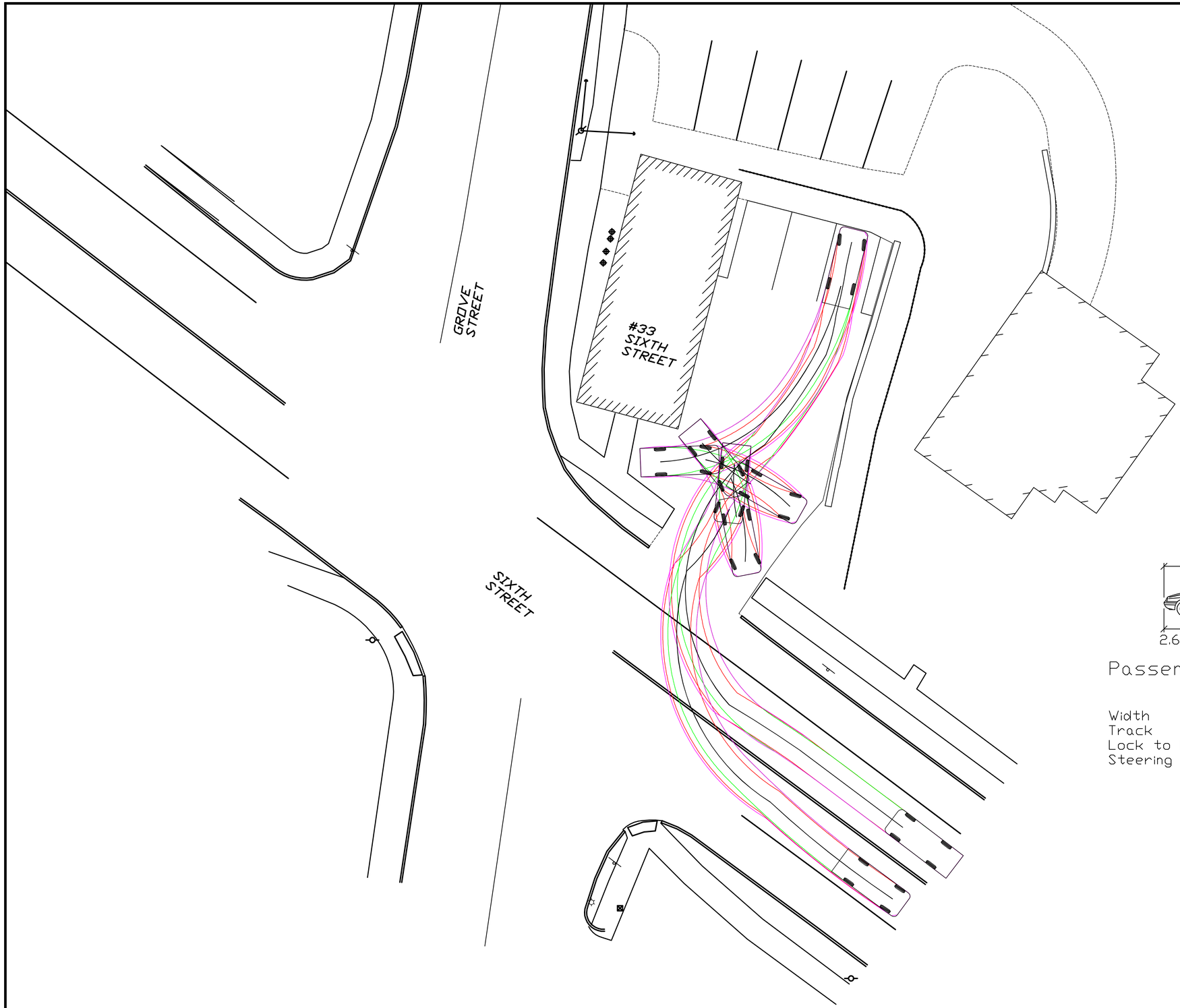
STATE OF NEW HAMPSHIRE – LICENSED LAND SURVEYOR – No. 661 KEVIN M. McENEANEY – SIGNATURE

McEneaney Survey Associates of NEW ENGLAND

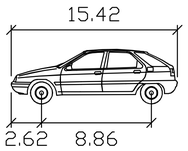
P.O. Box 1166 – 181 WATSON ROAD
DOVER, NH 03820 (603) 742–0911

SURVEYING – PLANNING – CONSULTING

12/5/2025 09:06:55 File: M:\1269\SURVEY\Drawings\1269 ec - 2025.dwg Layout: 22x34







Passenger car

	feet
Width	: 5.58
Track	: 5.58
Lock to Lock Time	: 6.0
Steering Angle	: 21.5

GRAPHIC SCALE

10 0 5 10 20 40

(IN FEET)

NOT FOR CONSTRUCTION FOR PERMIT USE ONLY

CIVILWORKS NEW ENGLAND
CIVIL & WATERFRONT ENGINEERING
181 Watson Road, PO Box 1166
Dover, New Hampshire 03821
603.749.0443

NO.	REVISION	APP'D	DATE

DATE: 1-14-2026
SCALE: 1" = 10'
DRAWN BY: XX
DESIGN BY: XX
APPROVED BY:XX
PROJECT NO:xx
FILE: XXX

TURNING TEMPLATE 1

XXX
CLIENT
NAME
ADDRESS

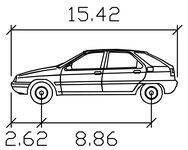
HAWKINS TRUST
33 SIXTH STREET
DOVER, NH 03820

C-X

GROVE STREET

#33 SIXTH STREET

SIXTH STREET



Passenger car

	feet
Width	: 5.58
Track	: 5.58
Lock to Lock Time	: 6.0
Steering Angle	: 21.5

GRAPHIC SCALE

10 0 5 10 20 40

(IN FEET)

NOT FOR CONSTRUCTION FOR PERMIT USE ONLY

CIVILWORKS NEW ENGLAND
CIVIL & WATERFRONT ENGINEERING
181 Watson Road, PO Box 1166
Dover, New Hampshire 03821
603.749.0443

NO.	REVISION	APP'D	DATE

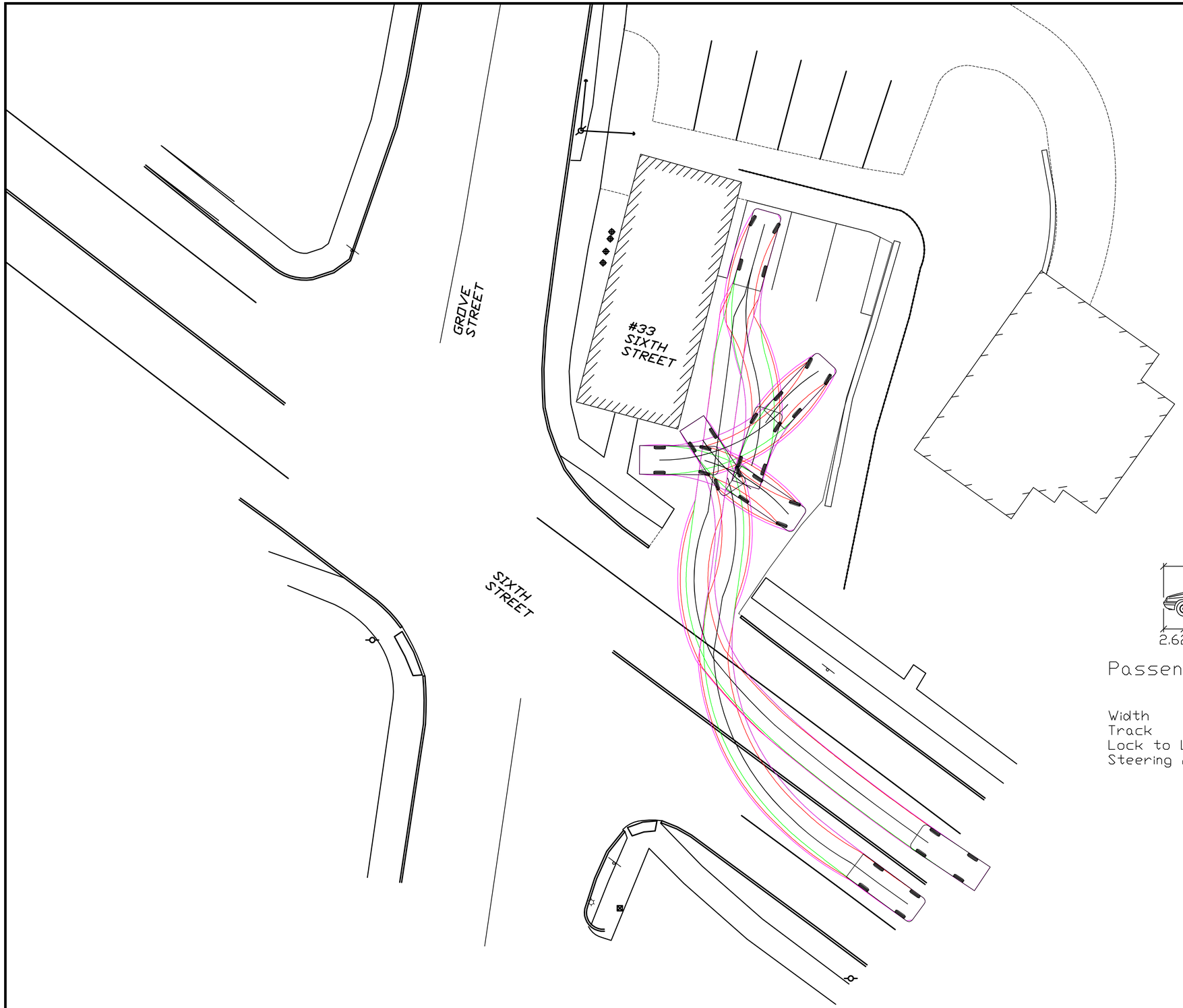
DATE: 1-14-2026
SCALE: 1" = 10'
DRAWN BY: XX
DESIGN BY: XX
APPROVED BY:XX
PROJECT NO:xx
FILE: XXX

TURNING TEMPLATE 2

XXX
CLIENT
NAME
ADDRESS

HAWKINS TRUST
33 SIXTH STREET
DOVER, NH 03820

C-X





Passenger car

	feet
Width	: 5.58
Track	: 5.58
Lock to Lock Time	: 6.0
Steering Angle	: 21.5

GRAPHIC SCALE

10 0 5 10 20 40

(IN FEET)

NOT FOR CONSTRUCTION FOR PERMIT USE ONLY

CIVILWORKS NEW ENGLAND
CIVIL & WATERFRONT ENGINEERING
181 Watson Road, PO Box 1166
Dover, New Hampshire 03821
603.749.0443

NO.	REVISION	APP'D	DATE

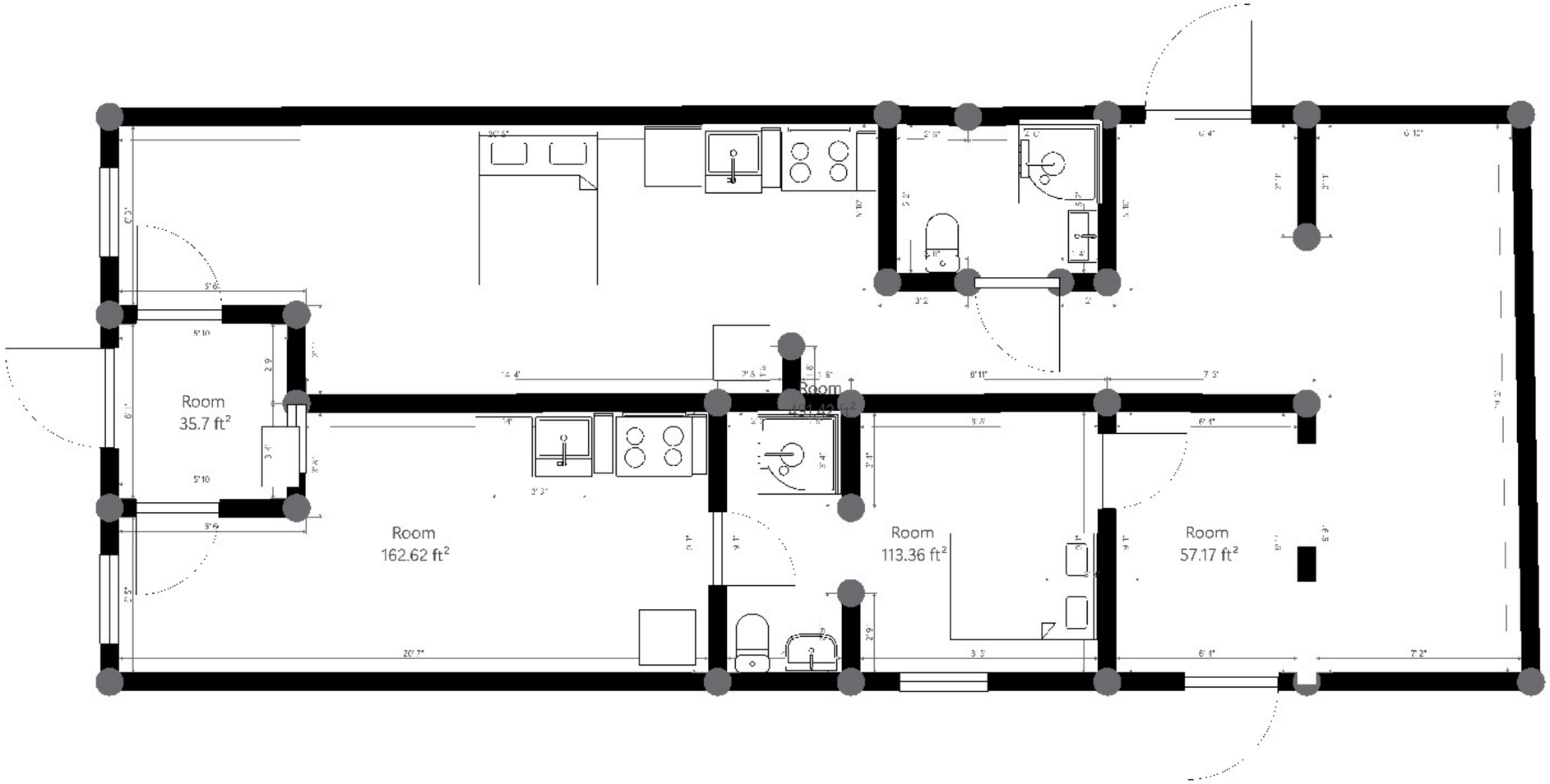
DATE: 1-14-2026
SCALE: 1" = 10'
DRAWN BY: XX
DESIGN BY: XX
APPROVED BY:XX
PROJECT NO:xx
FILE: XXX

TURNING TEMPLATE 3

XXX
CLIENT
NAME
ADDRESS

HAWKINS TRUST
33 SIXTH STREET
DOVER, NH 03820

C-X


Room
35.7 ft²
Room
162.62 ft²
Room
113.36 ft²
Room
57.17 ft²

9CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #COND-2025-0033

Application Type:	Conditional Use Permit
Applicant(s):	Hawkins Family Revocable Trust
Owner(s):	Hawkins Family Revocable Trust
Location:	33 Sixth St. (Tax Map 30, Lot 89)
Meeting Date:	January 27, 2026

INTENT: Proposal is for a Conditional Use Permit (CUP) to remodel the interior of the existing structure and utilize it solely for residential use, where a commercial or non-residential use on the ground floor is required.

AGENDA ITEM #: 4-B

FILE: COND-2025-0033

LOTS/UNITS PROPOSED: Two (2) residential units

OWNER/APPLICANT: Hawkins Family Revocable Trust

LOCATION: 33 Sixth St. (Tax Map 30, Lot 89)

SQUARE FOOTAGE: 4,043± s.f.

ZONING DISTRICT: Central Business District Mixed-Use Sub-District (CBD-MU)

EXISTING LAND USE: Commercial (currently vacant)

PROPOSED LAND USE: Residential

SURROUNDING LAND USE: Commercial, Residential

WAIVERS REQUESTED: N/A

ZBA ACTION: N/A

PERMITS REQUIRED: Two City of Dover Conditional Use Permits (CUP) for two residential units and for a residential use on the ground floor.

TECHNICAL REVIEW COMMITTEE: N/A

CONSERVATION COMMISSION: N/A

NOTICES SENT: Abutter notices were sent by certified mail to all abutters.

ATTACHMENTS: Site Plan, Application Materials

Summary of Request and Background

Proposal is to remodel the interior of the existing structure at 33 Sixth St. and utilize it as a two-unit residential building. To do so, the applicant is proposing a CUP for relief to use the structure for residential use, where a commercial or non-residential use on the ground floor is required. An additional CUP (COND-2025-0028) is also being requested to utilize it as a two-unit residential building, where residential units are not allowed by right due to the lot size.

The structure is legally nonconforming in its placement on the lot and residential use is permitted in the CBD-MU Zoning District, but ground-floor residential is only allowed if it already exists. There is currently no legal residential use within the existing structure. While the applicant states that the building had been used for both residential and commercial purposes, any previous residential unit was not legally established.

Within the Central Business District Mixed-Use Sub-District (CBD-MU), conditional use approval may be granted by the Planning Board to adjust certain zoning standards, provided that the proposed project complies with the criteria in §170-20B(2), as outlined below.

Consistency with Land Use Regulations – Non-Environmental CUP Criteria

Chapter 170-19.B.2 outlines the criteria for granting a Conditional Use Permit for relief. Staff feels this proposal meets those criteria which include:

(a) That both public and private buildings and landscaping shall contribute to the physical definition of rights-of-way as civic spaces.
(b) That development shall adequately accommodate automobiles, while respecting the pedestrian and the spatial form of public areas.
(c) That the design of streets and buildings shall reinforce safe environments, but not at the expense of accessibility.
(d) That architecture and landscape design shall grow from local climate, topography, history, and building practice.
(e) That buildings shall provide their inhabitants with a clear sense of geography and climate through energy-efficient methods via a mixture of elements including windows, floor plan, and public and private space.
(f) That encourage civic buildings and other public gathering places be provided as locations that reinforce community identity and activity.
(g) That civic buildings shall be distinctive and appropriate to a role more important than the other buildings that constitute the fabric of the City.
(h) That the preservation and renewal of historic buildings shall be facilitated.
(i) That the harmonious and orderly evolution of urban areas shall be advanced by the proposed building and/or use.
(j) That if the relief is granted, the surrounding neighborhood is not negatively impacted.

Staff feels that the applicant have met the stated criteria if the additional unit is to be deed restricted to be restricted to HUD Fair Market rental rates. The applicant is not proposing any changes to the exterior of the existing structure or the surrounding streetscape, and the proposal is consistent with the surrounding residential density. The applicant is showing three parking spaces, or 1.5 parking spaces per unit, and has provided turning templates to display how vehicles would be able to turn around within the space to avoid backing onto Sixth Street, which would present a safety concern.

Consistency with Land Use Regulations – CBD- CUP Criteria
Chapter 170-20.B.2 outlines the criteria for granting a Conditional Use Permit for relief within the Central Business District. Staff feels this proposal meets those criteria which include:

(a) The requested use shall be compatible with abutting uses and the surrounding neighborhood.
(b) The requested use will not create undue traffic congestion, or unduly impair pedestrian safety.
(c) The requested use will not result in objectionable noise or odor which would constitute a nuisance.

Planning Staff feels that the applicant has adequately shown compliance with the criteria as specified in §170-20.B.2. The proposed use is compatible with surrounding residential uses provided the extra unit is HUD Fair Market rent restricted. Staff notes there are commercial users in the vicinity.

STAFF RECOMMENDATION:
The Planning Department recommends that the Planning Board vote to accept the application and determine it not to have regional impact, open a public hearing, close the public hearing, make the necessary and supporting findings of fact, and vote to approve the Conditional Use Permit with the following subsequent conditions of approval:

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

1. Provide physical and digital copies of plan set for final Planning Board signature which additionally shall include:
    a. Permit File #COND-2025-0033;
    b. Owner's signatures;
    c. Professional stamps and signatures;
    d. Add note to the plan indicating that one of the units will be restricted to HUD Fair Market rents.
2. Work with the Planning Department to endorse a development agreement per Chapter 170-20B(3) and then record at SCRD. The development agreement shall indicate that one of the two units shall be deed restricted to the HUD Fair Market rent.

COND-2025-0033 33 SIXTH STREET



Property Information

Location	33 SIXTH ST
Owner	HAWKINS MATTHEW & ASHLEY TRUSTEES
Land Use	307C
Zoning Code	CBD-M
Property Id	30089-000000

MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

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

Geometry updated 10/30/2023
Data updated Daily

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

PERMIT SNAPSHOT REPORT COND-2025-0033
FOR CITY OF DOVER, N.H.

Permit Type	Conditional Use	**Project:**		**App Date:**	11/19/2025
Work Class:	Non-Environmental	**District:**	None	**Exp Date:**	NOT AVAILABLE
Status:	Fees Paid	**Square Feet:**	0.00	**Completed:**	NOT COMPLETED
Valuation:	$0.00	**Assigned To:**	Blonigen, Rachel	**Approval Expire Date:**	

Description: To utilize the existing structure solely for residential use, where a commercial or non-residential use on the ground floor is required.

Parcel: 30089-000000 Main	**Address:** 33 Sixth St Main Dover, 03820	**Zone:** RM-U(Residential - Urban Density)

Plan Preparer	Applicant	Owner
McEneaney Survey Associates P.O. Box 1166 DOVER, NH 03821 Business: (603) 742-0911	Francis X Bruton 601 Central Ave Dover, NH 03820 Business: (603) 749-4529	Matt Hawkins PO Box 308 Dover, NH 03821 Business: (603) 661-5175 Mobile: (603) 661-5175

Permit Custom Fields

Select Permit Type	Central Business District - Mixed Use	General Purpose	Alteration / Addition	Project Zone	Mixed Use
What is the parcel zoned?	CBD-M	New Change in Impervious/Paved Area (sq ft)	0	Work	Remodel the interior of the structure with no external impact, to utilize the structure as a two-unit residential structure.

Attachment File Name	Added On	Added By	Attachment Group	Notes
Permit Snapshot Report.pdf	11/19/2025 13:26	Service, EnerGov		Attached by IO - ATTACH: Initial Permit Snapshot
2025.12.09_PlanningBoard.Agenda.pdf	11/26/2025 10:21	Blonigen, Rachel		PB Agenda

Invoice No.	Fee	Fee Amount	Amount Paid
INV-2025014673	Planning General Application Fee	$200.00	$200.00
	Total for Invoice INV-2025014673	**$200.00**	**$200.00**
INV-2025014707	Planning Legal Notice	$120.00	$120.00
	Total for Invoice INV-2025014707	**$120.00**	**$120.00**
	Grand Total for Permit	**$320.00**	**$320.00**

Activity Type	Activity Number	Name	Workflow Action Name	User	Created On
Recommendation to Planning Board (Permit)			Planner Creates Staff Recommendations v.1.00	Rachel Blonigen	11/26/2025

Workflow Step / Action Name	Action Type	Start Date	End Date
Review v.1			11/21/2025 11:04
Confirm application complete v.1	Generic Action		11/21/2025 11:04
~~Conditional Use Review v.1~~	Receive Submittal		11/21/2025 11:04
Planning Board v.1		11/21/2025 11:05	
Planning Board Agenda v.1	Task	11/21/2025 11:05	11/26/2025 10:23
Invoice for Notices v.1	Task	11/26/2025 10:23	11/26/2025 10:23
Send Notices v.1	Task	11/26/2025 10:27	11/26/2025 10:27
Planner Creates Staff Recommendations v.1	Permit Activity	11/26/2025 10:27	
Distribute Planning Board Materials v.1	Task		
Planning Board Hearing v.1	Hold Hearing		
Planning Board Decision v.1	Permit Activity		

NOD Sent to Applicant v.1	Create Report
Issue Permit v.1	
Verify Fees Prior to Permit v.1	Generic Action
Issue and Review Permit v.1	Generic Action
Print and Email Permit v.1	Generic Action
Plans uploaded to Treeno v.1	Generic Action
Internal Notification of Plan Completion v.1	Generic Action
Recording v.1	Task

COND-2025-0033 **33 SIXTH STREET**

Property ID	Location	Owner 1	Owner 2	Owner Address 1	City	State	Zip
31083-000000	32 SIXTH ST	BULLOCK BERNARD A	C/O BM BULLOCK PROPERTY MANAGEMENT LLC	PO BOX 588	EXETER	NH	03833
31084-000000	42 SIXTH ST	LEDDY ALEXIA TRUSTEE	444 OWLS REVOCABLE TRUST	154 WASHINGTON RD	RYE	NH	03870-2442
30086-000000	51 GROVE ST	SULLIVAN MICHAEL B &	SULLIVAN SARA C	51 GROVE ST	DOVER	NH	03820
30092-000000	4 MOUNT VERNON ST	KAROUTAS PAUL TRUSTEE	KAROUTAS PAUL LIVING REVOCABLE TRUST	3 KENNEDY CIRCLE	DOVER	NH	03820
30094-000000	12 MOUNT VERNON ST	12 MT VERNON ST LLC		72 FOYES LANE	KITTERY	ME	03905
30090-000000	25 SIXTH ST	D & P PROPERTIES LLC		23 LAREDO LN	EAST ROCHESTER	NH	03868
30085-000000	53 GROVE ST	O BRIEN LOUISE J		PO BOX 2801	SEABROOK	NH	03874
31085-000000	46 SIXTH ST	VITKO THOMAS J & SUZANNE M TRUSTEES	VITKO ANCESTRAL GRANTOR TRUST	186 BACK RD	DOVER	NH	03820
30088-001000	SIXTH ST	HAWKINS MATTHEW & ASHLEY TRUSTEES	HAWKINS FAMILY REVOCABLE TRUST	PO BOX 308	DOVER	NH	03821-0308
31099-A00000	40 GROVE ST	ROSALIND REAL ESTATE LLC		3 GRANITE STREET	CAMBRIDGE	MA	02139
30071-000000	39 SIXTH ST	FORBES KRISTEN K		39 SIXTH ST	DOVER	NH	03820
30072-000000	37 SIXTH ST	PROPERTY BROTHERS LLC		PO BOX 801	NEWCASTLE	NH	03854
31086-000000	41 GROVE ST	HELLO GROVE LLC		PO BOX 504	PORTSMOUTH	NH	03802
30073-000000	56 GROVE ST	WOOD GEOFFREY J &	WOOD CHRISTINA A	123 PORTSMOUTH AVE	STRATHAM	NH	03885-2420
30070-000000	41 SIXTH ST	PERREAULT RICHARD J III &	PERREAULT HEATHER L	78 PORTLAND AVE	DOVER	NH	03820-3541
30087-000000	49 GROVE ST	DRAKE JAMES T TRUSTEE	DRAKE JAMES T 2019 REVOCABLE TRUST	49 GROVE STREET	DOVER	NH	03820
30093-000000	8 MOUNT VERNON ST	WILSON PERRY K		PO BOX 1105	DOVER	NH	03821
30088-000000	31 SIXTH ST	HAWKINS MATTHEW & ASHLEY TRUSTEES	HAWKINS FAMILY REVOCABLE TRUST	PO BOX 308	DOVER	NH	03821-0308
31099-000000	56 SIXTH ST	MHC 155 (DOVER NH) LLC	C/O EXTRA SPACE MANAGEMENT INC	PO BOX 4900	SCOTTSDALE	AZ	85261
30089-000000	33 SIXTH ST	HAWKINS MATTHEW & ASHLEY TRUSTEES	HAWKINS FAMILY REVOCABLE TRUST	4 ROSS RD	ROLLINSFORD	NH	03869
		MCENEANEY SURVEY ASSOCIATES	KEVIN MCENEANEY, LLC	PO BOX 1166	DOVER	NH	03821
		BRUTON & BERUBE, PPLC	FRANCIS X. BRUTON, PLLC	601 CENTRAL AVENUE	DOVER	NH	03820

Project Narrative

Hawkins Family Revocable Trust
Property Address: 33 Sixth Street, Dover
Tax Map: Map 30, Lot 89
Zoning District: CDB-MU

The property in question is located at 33 Sixth Street, Dover, New Hampshire and is shown on the Dover Tax Maps at Map 30, Lot 89. The structure on the parcel is currently used as a two-unit structure with a commercial unit and a single residential unit. The structure lies entirely within the CBD-MU zoning district. Although there is an existing commercial use, the use was essentially used as a home occupation as ABC Lock, where the operator would travel to all appointments and did not utilize the commercial use as a retail use. As such, the property has been predominantly utilized as residential.

The Applicant's intent is to remodel the interior of the structure, with no external impact, to utilize the structure as a two-unit residential structure. The units are intended to be offered to disabled U.S. military veterans. Although the foregoing is the intention of the Applicant, the Applicant cannot offer a restriction in perpetuity as to such tenant as any such restriction may in fact result in extended vacancies that could be filled should a veteran applicant not qualify for the housing under the Applicants credit requirements. The units will comply with NH RSA 674:16, VII as to parking regulations which require one (1) space per unit. In this instance, each unit will have two (2) actual spaces, based upon tandem parking.

Per Attachment 15, within the Dover Zoning Ordinance, the CBD-MU zone permits up to 10 units on one parcel, with such density allowed at 5,000 sf lot size per unit. The lot size in this case is 4,043 sf. Within the CBD-MU zoning district the density regulations are permitted to be adjusted with the grant of a conditional use permit, pursuant to Section 170-20B.

The Applicant would like to provide for additional necessary housing in Dover with the creation of an additional residential unit. As such, the Applicant seeks a conditional use permit to allow density for each unit to be roughly 2,021 SF of parcel area. In addition, the zone requires commercial use on the first floor, unless there is an existing residential use of the existing structure. Planning Staff has indicated that the entire use would have to be used as all residential in order to permit additional residential use, without the need for a conditional use permit from this requirement as well. As such, the Applicant seeks a conditional use permit for the entire structure (which is only one story) to be used as all residential use on the first floor. As noted above, the structure has essentially been used as all residential.

Section 170-20B Conditional Use Permit Requirements:

The provisions of Section 170-20B incorporate the provisions of Section 170-19, which are also addressed:

Section 170-19 and Section 170-20B - Conditional Use Criteria:

(1) Conditional use approval for relief from the standards herein may be granted by the Planning Board (RSA 674:21, II) after proper public notice and public hearing provided that the proposed project complies with the following standards:

(a) That both public and private buildings and landscaping shall contribute to the physical definition of rights-of-way as civic spaces. ***The exterior appearance of the existing structure will not be modified, and the previous and existing use was essentially all residential.***

(b) That development shall adequately accommodate automobiles, while respecting the pedestrian and the spatial form of public areas. ***The parking spaces required for the two dwelling units comply with, and exceed, NH RSA 674:16, VII.***

(c) That the design of streets and buildings shall reinforce safe environments, but not at the expense of accessibility. ***There will be no change in the existing design of streets and buildings , and the previous and existing use was essentially all residential.***

(d) That architecture and landscape design shall grow from local climate, topography, history, and building practice. ***There will be no change in the existing design of streets and buildings.***

(e) That buildings shall provide their inhabitants with a clear sense of geography and climate through energy-efficient methods via a mixture of elements including windows, floor plan, and public and private space. ***There will be no change in the existing design of streets and buildings.***

(f) That encourages civic buildings and other public gathering places be provided as locations that reinforce community identity and activity. ***There will be no change in the existing design of streets and buildings. The addition of an additional unit within the same structure that exists now, which has one residential unit, and the previous and existing use was essentially all residential, will help address the needs for more housing in Dover and thus reinforce community identity and activity.***

(g) That civic buildings shall be distinctive and appropriate to a role more important than the other buildings that constitute the fabric of the City. ***There will be no change in the existing design of streets and buildings.***

(h) That the preservation and renewal of historic buildings shall be facilitated. ***There will be no change in the existing design of streets and buildings.***

(i) That the harmonious and orderly evolution of urban areas shall be advanced by the proposed building and/or use. ***There will be no change in the existing design of streets and buildings. The addition of a residential unit within the same structure that has one residential unit, and the previous and existing use was essentially all residential, will advance the harmonious and orderly evolution of this urban area by the proposed use set forth herein.***

(j) That if the relief is granted, the surrounding neighborhood is not negatively impacted. ***There will be no negative impact to the existing neighborhood with the addition of one residential unit within an existing residential structure, and the previous and existing use was essentially all residential.***

(2) Conditional use approval for relief from the use standards herein may be granted by the Planning Board (RSA 674:21, II) after proper public notice and public hearing provided that the proposed project complies with the following standards:

(a) The requested use shall be compatible with abutting uses and the surrounding neighborhood. ***There will be no change in the existing design of streets and buildings. There will be no negative impact to the existing neighborhood with the addition of one residential unit within an existing structure with one residential unit, and the previous and existing use was essentially all residential.***

(b) The requested use will not create undue traffic congestion or unduly impair pedestrian safety. ***The addition of one residential unit, within the structure of an existing single residential unit, and the previous and existing use was essentially all residential, with no exterior modification will have no negative impact to the existing neighborhood.***

(c) The requested use will not result in objectionable noise or odor which would constitute a nuisance. ***The addition of one residential unit, within the structure with an existing single residential unit, and the previous and existing use was essentially all residential, with no exterior modification, will not result in objectionable noise or odor.***

(3) Conditional use approval shall be subject to a formal agreement between the Planning Board and the applicant. Said agreement shall be recorded at the Strafford County Registry of Deeds. ***The Applicant is willing to sign such an agreement for recording with the Strafford County Registry of Deeds.***

CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #COND-2026-0001

Application Type:	Conditional Use Permit
Applicant(s):	Jacob Valley
Owner(s):	Sibylle J. Carlson Trust
Location:	18 Fifth St. (Assessor's Map 31, Lot 46)
Meeting Date:	January 27, 2026

INTENT: Proposal is for a Conditional Use Permit (CUP) to allow the conversion of first-floor office space to a residential unit within the Central Business District General Sub-District (CBD-G), where commercial use is required. The applicant would like to propose another unit on the second floor.

AGENDA ITEM #: 4-C

FILE: COND-2026-0001

LOTS/UNITS PROPOSED: Two total residential units being proposed. One on ground floor.

OWNER: Sibylle J. Carlson Trust

APPLICANT: Jacob Valley

LOCATION: 18 Fifth St. (Assessor's Map 31, Lot 46)

ACREAGE: 0.09± ac. (3,920± s.f.)

ZONING DISTRICT: Central Business District General Sub-District (CBD-G)

EXISTING LAND USE: Office

PROPOSED LAND USE: Residential

SURROUNDING LAND USE: Residential, Commercial

WAIVERS REQUESTED: N/A

ZBA ACTION: N/A

PERMITS REQUIRED: One City of Dover Conditional Use Permit (CUP) for a residential use on the ground floor.

NOTICES SENT: Abutter notices were sent by certified mail to all abutters.

TECHNICAL REVIEW COMMITTEE: N/A

CONSERVATION COMMISSION: N/A

ATTACHMENTS: Aerial images, Application Materials

Summary of Request and Background

Proposal is to remodel the interior of the existing structure at 18 Fifth St. The applicant is proposing a CUP for relief to use the structure for residential use, where a commercial or non-residential use on the ground floor is required.

The structure has most recently been used as office space with no residential units. The applicant is proposing two residential units: one located on the first floor, which requires relief for its use, and a second unit on the second floor, which is permitted by right.

While the property is located within the Central Business District General Sub-District (CBD-G), it directly abuts the CBD Residential Sub-District (CBD-R), which does not require a first-floor non-residential use and is primarily composed of residential properties of varying densities.

Within the CBD-G, conditional use approval may be granted by the Planning Board to adjust certain zoning standards, provided that the proposed project complies with the criteria in §170-20B(2), as outlined below.

Consistency with Land Use Regulations – Non-Environmental CUP Criteria

Chapter 170-19.B.2 outlines the criteria for granting a Conditional Use Permit for relief. Staff feels this proposal meets those criteria which include:

(a) That both public and private buildings and landscaping shall contribute to the physical definition of rights-of-way as civic spaces.
(b) That development shall adequately accommodate automobiles, while respecting the pedestrian and the spatial form of public areas.
(c) That the design of streets and buildings shall reinforce safe environments, but not at the expense of accessibility.
(d) That architecture and landscape design shall grow from local climate, topography, history, and building practice.
(e) That buildings shall provide their inhabitants with a clear sense of geography and climate through energy-efficient methods via a mixture of elements including windows, floor plan, and public and private space.
(f) That encourage civic buildings and other public gathering places be provided as locations that reinforce community identity and activity.
(g) That civic buildings shall be distinctive and appropriate to a role more important than the other buildings that constitute the fabric of the City.
(h) That the preservation and renewal of historic buildings shall be facilitated.
(i) That the harmonious and orderly evolution of urban areas shall be advanced by the proposed building and/or use.
(j) That if the relief is granted, the surrounding neighborhood is not negatively impacted.

CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #COND-2026-0001

Application Type:	Conditional Use Permit
Applicant(s):	Jacob Valley
Owner(s):	Sibylle J. Carlson Trust
Location:	18 Fifth St. (Assessor's Map 31, Lot 46)
Meeting Date:	January 27, 2026

Staff feels that the applicant has met the stated criteria. The applicant is not proposing any changes to the exterior of the existing structure or accessway. The applicant proposes to use the existing driveway and parking lot for vehicle access, which can accommodate up to four parking spaces, and does not propose any alterations to public streets or pedestrian areas. While interior improvements are proposed, the exterior of the building, built around 1900, will remain in character with the surrounding neighborhood.

Consistency with Land Use Regulations – CBD- CUP Criteria

Chapter 170-20.B.2 outlines the criteria for granting a Conditional Use Permit for relief within the Central Business District. Staff feels this proposal meets those criteria which include:

(a) The requested use shall be compatible with abutting uses and the surrounding neighborhood.

(b) The requested use will not create undue traffic congestion, or unduly impair pedestrian safety.

(c) The requested use will not result in objectionable noise or odor which would constitute a nuisance.

Planning Staff feels that the applicant has adequately shown compliance with the criteria as specified in §170-20.B.2. The applicant has described the abutting uses as primarily residential and has provided up to four parking spaces for the units with enough area to turn around without backing onto Fifth Street.

STAFF RECOMMENDATION:

The Planning Department recommends that the Planning Board vote to accept the application and determine it not to have regional impact, open a public hearing, close the public hearing, make the necessary and supporting findings of fact, and vote to approve the Conditional Use Permit with the following subsequent condition of approval:

Subsequent Condition to Be Met Prior to Issuance of a Conditional Use Permit:

1. Work with the Planning Department to endorse a development agreement per Chapter 170-20B(3) and then record at SCRD.

COND-2026-0001 18 FIFTH STREET



Property Information

Location	18 FIFTH ST
Owner	CARLSON SIBYLLE J TRUSTEE
Land Use	340C
Zoning Code	CBD-G
Property Id	31046-000000

MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

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

Geometry updated 10/30/2023
Data updated Daily

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

PERMIT SNAPSHOT REPORT COND-2026-0001
FOR CITY OF DOVER, N.H.

Permit Type Conditional Use
Work Class: Non-Environmental
Status: In Review
Valuation: $0.00

Project:
District: None
Square Feet: 0.00
Assigned To: Blonigen, Rachel

App Date: 01/06/2026
Exp Date: NOT AVAILABLE
Completed: NOT COMPLETED
Approval Expire Date:

Description: Convert the first floor commercial space to a three bedroom residential unit. Owner would live on second floor apartment building.

Parcel: 31046-000000 Main

Address: 18 Fifth St Main
Dover, 03820

Zone: CBD-G(Central Business District - Genera
CBD-R(Central Business District - Reside

Plan Preparer	Applicant	Owner
Jacob Valley	Jacob Valley	Jennifer Carlson
28 MOUNT VERNON STREET	28 MOUNT VERNON STREET	
Dover, NH 03820	Dover, NH 03820	
Home: (603) 988-2739	Home: (603) 988-2739	
Business: (603) 988-2739	Business: (603) 988-2739	
Mobile: (603) 988-2739	Mobile: (603) 988-2739	

Permit Custom Fields

Select Permit Type	Central Business District - General	General Purpose	Alteration / Addition	Project Zone	Mixed Use
What is the parcel zoned?	CBD-G	New Change in Impervious/Paved Area (sq ft)	0	Work	convert first floor commercial space to residential unit

Attachment File Name	Added On	Added By	Attachment Group	Notes
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Workflow Step / Action Name	Action Type	Start Date	End Date
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Confirm application complete v.1	Generic Action		01/06/2026 12:37
Conditional Use Review v.1	Receive Submittal		
Planning Board v.1			
Planning Board Agenda v.1	Task		
Invoice for Notices v.1	Task		
Send Notices v.1	Task		
Planner Creates Staff Recommendations v.1	Permit Activity		
Distribute Planning Board Materials v.1	Task		
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NOD Sent to Applicant v.1	Create Report		
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Issue and Review Permit v.1	Generic Action		
Print and Email Permit v.1	Generic Action		

Plans uploaded to Treeno v.1	Generic Action
Internal Notification of Plan Completion v.1	Generic Action
Recording v.1	Task

City of Dover, New Hampshire
CONDITIONAL USE PERMIT APPLICATION

[Revision Date: October 19, 2020]

RECEIVED
Planning Office
JAN 05 2026
Dover, New Hampshire

Office Use Only	Project #:		Date Received:	JAN 05 2026
	Amount Paid:		Time Received:	

APPLICANT AND OWNER INFORMATION

Name of Applicant: Jacob Valley Telephone # 603-969-9147

Address of Applicant: 28 Mount Vernon Street, Dover, NH 03820

E-Mail Address: jacob_valley@yahoo.com

Name of Property Owner (if different from applicant): Jennifer K. Carlson, Trustee, Sibylle J. Carlson Trust Telephone #

Address of Property Owner: 18 Fifth Street, Dover, NH 03820

PROPERTY INFORMATION

Assessor's Map # 31 Lot(s) # 46

Address of Property: 18 Fifth Street, Dover, NH 03820

Zoning District(s) CDB Overlay District(s) n/a

Existing Use of Property: Property is current used for commerical on the first floor and residential on the second.

CONDITIONAL USE PERMIT INFORMATION

Type of Conditional Use Permit (Check All That Apply):

☐ Conservation District	☐ RCM Use Overlay District	☐ Gateway District
☐ Groundwater Protection	☐ Off-Street Parking and Loading	☐ Alternative Treatment Center
☐ Wetland Protection District	☑ Central Business District	☐ Heritage Residential District

Describe Proposed Use or Activity That Requires Conditional Use Permit and Describe Any Impacts:

The first floor is currently zoned commercial. We are requesting a conditional use permit to convert this into a three bedroom, residential unit that would be available for rent. As the new owner, I will be living on the second floor in the apartment currently zoned for residential use.

List Any Associated State or Federal Permits That Have Been or Will Be Applied For and Indicate Their Status: n/a

Name of Professional That Prepared Plans: Plans for the instalation of a full bathroom and kitchen for the first floor will be forthcoming once approved and city permits for contruction will be submitted.

Address _____ Telephone #: _____

Professional License #: _____ E-mail address: _____

SIGNATURES

I/We hereby submit this application to the City of Dover Planning Board and attest that to the best of my knowledge all of the information on this application form and in the accompanying application materials and documentation is true and accurate. As applicant or as agent, I attest that I am duly authorized to act in this capacity.

Signature of Property Owner: _____ Date: _____

Signature of Applicant (if different from owner): Jacob Valley Date: 1/2/2026

Signature of Agent: _____ Date: _____

AUTHORIZATION TO ENTER SUBJECT PROPERTY

I, and my successors, hereby authorize members of the Dover Planning 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: _____

Please see attached email from property owner granting permission for the application.

CITY OF DOVER CONDITIONAL USE
LIST OF ABUTTERS

Pursuant to RSA 676:4, the State Law of New Hampshire, the City of Dover is required to notify the applicant, abutters (including holders of conservation easements), and any professional whose seal is on the plan, of the public hearing by certified mail, return receipt requested. Staff will provide the abutter information, while the applicant must provide accurate contact information for the owner, applicant and professional agents representing the project.

Owner:

TAX MAP	LOT #	PROPERTY OWNER	MAILING ADDRESS
31	46	Jennifer K. Carlson Trustee, Sibylle J. Carlson Trust	18 Fifth Street, Dover, NH 03820

Applicant (if different from owner):

APPLICANT NAME	APPLICANT COMPANY	MAILING ADDRESS
Jacob Valley	N/A	28 Mount Vernon Street, Dover, NH 03820

Surveyor and/or Engineer/Professional Agent:

NAME	COMPANY	MAILING ADDRESS

Conservation Easement Holder:

TAX MAP	LOT #	NAME OF EASEMENT HOLDER	MAILING ADDRESS

Glidden, Jean

From: Jennifer K. Carlson <carlson.jennifer.k@gmail.com>
Sent: Wednesday, December 17, 2025 1:42 PM
To: Glidden, Jean
Cc: Tim Braseth; Andy Ward
Subject: 18 Fifth Street - Permission for Change of Use Permit

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

Hi Jean,

Please let this email serve as permission for the below:

> I (Jennifer K. Carlson, Trustee, Sibylle J. Carlson Trust) owner of 18 Fifth Street/Map 31 Lot 46 grants permission to the applicant (Jacob Christopher Valley, Christopher Alan Valley and their agents and representatives) permission to apply for a Change of Use permit.

Please let me know if you need anything further from me.

Regards,
Jennifer K. Carlson
Trustee, Sibylle J. Carlson Trust

SUBSTITUTION OF TRUSTEE

AND ACCEPTANCE

JENNIFER K. CARLSON ("Trustee"), as Trustee of that certain Indenture of Trust known as *The Sibylle J. Carlson Trust dated February 24, 2000* (the "Trust"), hereby executes this Substitution of Trustee and Acceptance, effective as of December 14, 2014.

RECITALS

A. SIBYLLE J. CARLSON, sole Grantor, was original Trustee of the Trust.

B. SIBYLLE J. CARLSON died December 13, 2014.

C. Under Article 7, paragraph B of the Trust, JENNIFER K. CARLSON is designated to serve as sole Trustee of the Trust, upon the death of SIBYLLE J. CARLSON.

SUBSTITUTION OF TRUSTEE AND ACCEPTANCE

NOW, THEREFORE, JENNIFER K. CARLSON declares as follows:

1. SIBYLLE J. CARLSON, deceased, is no longer Trustee of the Trust.

2. JENNIFER K. CARLSON hereby accepts appointment and agrees to serve as Trustee of the Trust, together with all duties, powers, rights and obligations of a Trustee under the Trust.

3. Except as set forth herein, the Trust shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, JENNIFER K. CARLSON has executed this Substitution of Trustee and Acceptance as of the date set forth above.

JENNIFER K. CARLSON, Trustee

STATE OF NEW HAMPSHIRE)
) ss.
County of Strafford .)

On this date of 12/17/, 2014, before me Jaganath Lamsal the undersigned officer, personally appeared JENNIFER K. CARLSON, individually and as Trustee, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that she executed the same.

Notary Public/Justice of the Peace

My Commission Expires: oct 26 2016.



Certification of Trust

for

THE SIBYLLE J. CARLSON TRUST

I, JENNIFER K. CARLSON, as Trustee of The *Sibylle J. Carlson Trust dated February 24, 2000* (the "Trust"), hereby certify the Trust and provide the following information about the Trust pursuant to New Hampshire RSA 564-B:10-1013:

1. The Trust exists, and the instrument creating the Trust was signed on February 24, 2000.
2. The Grantor of the Trust was SIBYLLE J. CARLSON.
3. The Trust is irrevocable as of the date of the Grantor's death, December 13, 2014. The Tax ID number for the Trust is: 47-6711664
4. The Trustee of the Trust is JENNIFER K. CARLSON, and the Trustee's address is 6 Stark Ave., Dover, NH 03820.
5. The Trustee is given broad powers, including the power, subject to the Trustee's fiduciary obligations, to have all the rights, power and privileges which an absolute owner of the same property would have.
6. The Trustee shall have the authority to sign or authenticate documents on behalf of the Trust.
7. Pursuant to New Hampshire RSA 564-B:10-1012, a person (other than a beneficiary) who in good faith deals with a trustee is not required to inquire into the extent of the trustee's powers or the propriety of their exercise; and a person who in good faith delivers assets to the Trustee need not ensure their proper application
8. Pursuant to New Hampshire RSA 564-B:10-1013, a person who acts in reliance upon this Certification of Trust without knowledge that the representations contained in it are incorrect is not liable to any person for so acting and may assume without inquiry the existence of the facts contained in this Certification of Trust
9. The Trustee shall take title to trust property as follows: JENNIFER K. CARLSON, as Trustee of The Sibylle J. Carlson Trust dated February 24, 2000.
10. The Trust has not been revoked, modified or amended in any manner that would cause the representations contained in this Certification of Trust to be incorrect.

IN WITNESS WHEREOF:

I, the undersigned Trustee, hereby certify the foregoing statements to be true and correct.

Signed and dated on December 17, 2014.

JENNIFER K. CARLSON
Trustee

CERTIFICATE OF ACKNOWLEDGEMENT OF NOTARY PUBLIC

STATE OF NEW HAMPSHIRE)
) ss.
County of Strafford.)

On December 17, 2014, before me Jaganath Lamsal, the undersigned officer, personally appeared JENNIFER K. CARLSON, known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to this Certification of Trust and acknowledged to me that the Trustee executed the same in the Trustee's authorized capacity as Trustee, and that by the Trustee's signature on this Certification of Trust the person or the entity upon behalf of which the person acted, executed this Certification of Trust.

WITNESS my hand and official seal.

Notary Public/Justice of the Peace
My Commission Expires:

JAGANATH LAMSAL
MY COMMISSION EXPIRES OCT. 26, 2016
NOTARY PUBLIC
NEW HAMPSHIRE

COND-2026-0001 **18 FIFTH STREET**

Property ID	Location	Owner 1	Owner 2	Owner Address 1	City	State	Zip
31068-000000	19 FIFTH ST	WITHAM MARTHA A		19 FIFTH ST	DOVER	NH	03820-2948
31072-000000	8 LINCOLN ST	VU MINH D TRUSTEE	VU MINH D REVOCABLE TRUST OF 2018	379 OCEAN RD	PORTSMOUTH	NH	03801
31043-000000	23 FOURTH ST	NITSCHELM ANDREW A &	NITSCHELM KRISTA D	8 HIGHLANDER DR	NORTH HAMPTON	NH	03862-2101
31045-000000	16 FIFTH ST	TAPP ROOT INVESTMENTS LLC		39 SOUTH MAIN ST #215	ROCHESTER	NH	03867
31069-000000	17 FIFTH ST	H & H CHESTNUT PROPERTIES LLC		11 CHESTNUT ST	DOVER	NH	03820
31027-000000	14 FOURTH ST	FISCHER BRIAN J		46 NORTH RIVER RD	LEE	NH	03861-6401
31044-000000	19 CHESTNUT ST	MAHANNA GREGORY SCOTT JR &	FORBES ROBERT ALAN	3 PHEASANT LN	PORTSMOUTH	NH	03801
05015-000000	9 FIFTH ST	FIVE POINTS DEVELOPMENT LLC		340 CENTRAL AVE STE 202	DOVER	NH	03820
31070-000000	11 CHESTNUT ST	H & H CHESTNUT PROPERTIES LLC		11 CHESTNUT ST	DOVER	NH	03820
31071-000000	9 CHESTNUT ST	CARSWELL WILLIAM H II & SANDRA TRUSTEES	CARSWELL FAMILY 2018 REVOCABLE TRUST	16 CONSTITUTION WAY	DOVER	NH	03820
05001-000012	12 CHESTNUT ST	PAPAIOANNOU IOANNIS &	TSIMPIDA GARYFELLA	PO BOX 2268	DOVER	NH	03821
05001-000000	12 CHESTNUT ST	FULL CIRCLE CONDOMINIUMS C/O MOUZOURAKIS	KING OF THE MOUNTAIN PROPERTIES LLC	18 MICA POINT RD	BARRINGTON	NH	03825-3301
05001-000016	16 CHESTNUT ST	PAPAIOANNOU IOANNIS &	TSIMPIDA GARYFALIA	PO BOX 2268	DOVER	NH	03821
31028-000000	24 FOURTH ST	ROWELL ANNE K		11 PLUMER LN	LEE	NH	03861-6209
31041-000000	31 FOURTH ST	BENCKS AARON	BENCKS DOUGLAS	33 B FOURTH ST	DOVER	NH	03820
05014-000000	10 SIXTH ST	KUS EVAN		10 SIXTH ST APT 2	DOVER	NH	03820
05003-000000	11 FOURTH ST	21 FOURTH STREET LLC		280 A DOVER POINT RD	DOVER	NH	03820
31024-000000	25 THIRD ST	ROMAN CATHOLIC BISHOP		153 ASH ST	MANCHESTER	NH	03104
31040-000000	35 FOURTH ST	NORTH EAST HOTEL SUPPLY LLC		35 FOURTH ST	DOVER	NH	03820
31047-000000	20 FIFTH ST	RDL LLC		9 CEMETERY RD	SOMERSWORTH	NH	03878
31070-A00000	15 FIFTH ST	H & H CHESTNUT PROPERTIES LLC		PO BOX 978	DOVER	NH	03821
05001-000014	14 CHESTNUT ST	PAPAIOANNOU IOANNIS &	TSIMPIDA GARYFALIA	PO BOX 2268	DOVER	NH	03821
31048-000000	28 FIFTH ST	WEDDE CHRISTOPHER J		1928 METCALF ST #A	HONOLULU	HI	96822-3332
31027-A00000	22 FOURTH ST	FISCHER BRIAN J		46 NORTH RIVER RD	LEE	NH	03861-6401
31067-000000	12 LINCOLN ST	12 LINCOLN ST DOVER LLC		PO BOX 571	GREENLAND	NH	03840
06054-B00000	20 CHESTNUT ST	FORTIN GAIL A		PO BOX 1391	DOVER	NH	03821
31042-000000	27 FOURTH ST	SULLIVAN DREW D		27 29 FOURTH ST	DOVER	NH	03820
31046-000000	18 FIFTH ST	CARLSON SIBYLLE J TRUSTEE	CARLSON SIBYLLE J TRUST	8 ROYSANN WAY	DURHAM	NH	03824
		JACOB VALLEY		28 MOUNT VERNON ST	DOVER	NH	03820

COND-2025-0025

PB 01-07-2026

18 Fifth Street

Conditional Use Application – Response to Criteria Narrative

(1) Conditional Use Approval for Relief from Standards (RSA 674:21, II)

a. That both public and private buildings and landscaping shall contribute to the physical definition of rights-of-way as civic spaces.

Response:

The proposed project is located entirely on private property and will not alter or affect the definition or use of adjacent rights-of-way. No changes will be made to the outside structure.

b. That development shall adequately accommodate automobiles, while respecting the pedestrian and the spatial form of public areas.

Response:

The project will utilize the existing driveway and parking lot for vehicle access and will not alter public streets or pedestrian areas. No new traffic circulation patterns are proposed. The lot currently has space for four vehicles giving more than adequate parking for tenants.

c. That the design of streets and buildings shall reinforce safe environments, but not at the expense of accessibility.

Response:

N/A – no new buildings are being constructed

d. That architecture and landscape design shall grow from local climate, topography, history, and building practice.

Response:

N/A – no new buildings are being constructed.

e. That buildings shall provide their inhabitants with a clear sense of geography and climate through energy-efficient methods via a mixture of elements including windows, floor plan, and public and private space.

Response:

N/A – the current structure will remain – internal improvements such as new windows and upgrades internally are planned.

f. That civic buildings and other public gathering places be provided as locations that reinforce community identity and activity.

Response:

Not applicable — the proposal involves a multi-family residential structure and does not include or impact any civic or public gathering facilities.

g. That civic buildings shall be distinctive and appropriate to a role more important than the other buildings that constitute the fabric of the City.

Response:

Not applicable — the proposal involves a multi-family residential structure and does not include or impact any civic buildings.

h. That the preservation and renewal of historic buildings shall be facilitated.

Response:

The current structure will remain externally unchanged.

i. That the harmonious and orderly evolution of urban areas shall be advanced by the proposed building and/or use.

Response:

The proposal will be harmonious with the surrounding area and simply adds an additional residential unit in the current structure.

j. That if relief is granted, the surrounding neighborhood is not negatively impacted.

Response:

The surrounding neighborhood will not be negatively impacted. Driveway access will remain unchanged, and the proposed structure is consistent with the character, scale, and use of existing residential development in the area.

(2) Conditional Use Approval for Relief from Use Standards (RSA 674:21, II)

a. The requested use shall be compatible with abutting uses and the surrounding neighborhood.

Response:

The requested residential use is compatible with abutting properties and consistent with the established neighborhood character of surrounding residential development.

b. The requested use will not create undue traffic congestion or unduly impair pedestrian safety.

Response:

The proposed multi-family dwelling will not generate additional traffic or affect pedestrian safety. Access will continue via the existing driveway and potentially reduce vehicle congestion as this will only be used by residents and guests and no longer be used for commercial purposes.

c. The requested use will not result in objectionable noise or odor which would constitute a nuisance.

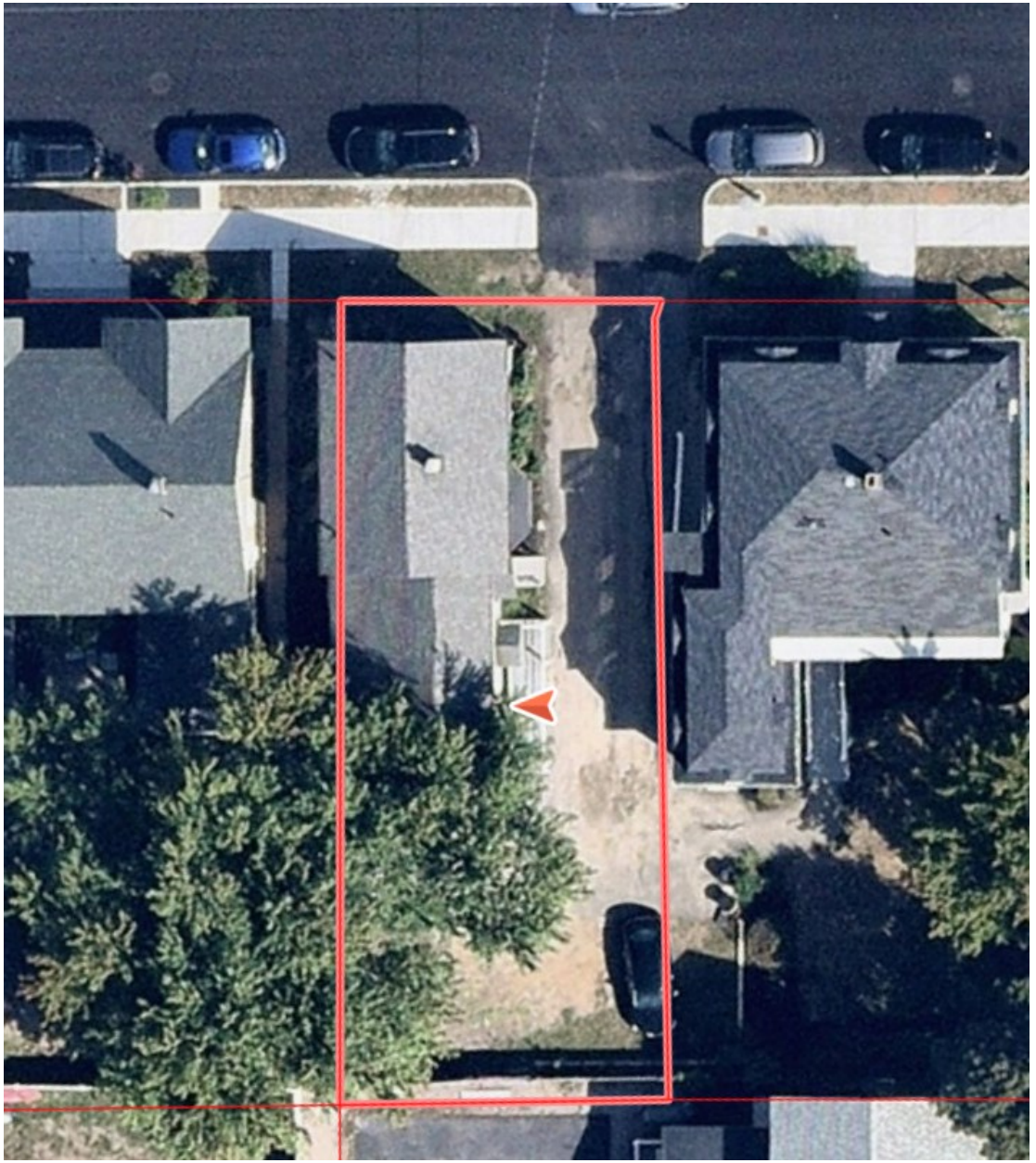
Response:

The requested use will not result in objectionable noise or odor that would constitute a nuisance.

The residential use is consistent with normal neighborhood activity levels and will potentially reduce objectional noise with the reduction of foot traffic to the structure.







CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #LOTA-2025-0013

Application Type:	Lot Line Adjustment	
Applicant(s):	JSR, LLC	
Owner(s):	JSR, LLC (both parcels)	
Location:	Venture Drive	(Tax Map D, Lot 11-5)
	Venture Drive	(Tax Map D, Lot 11-5-SND)
Meeting Date:	January 27, 2026	

INTENT: Proposal is to revise the lot lines for two abutting vacant parcels located near the intersection of Quality Way and Venture Drive

AGENDA ITEM #: 4-D

FILE: LOTA-2025-0013

APPLICANT(S): JSR, LLC

OWNER(S): JSR, LLC (for both parcels)

LOTS/UNITS PROPOSED: Two (2) existing lots (no change)

ACREAGE:

Existing/Proposed

Lot 11-5= ±43,314 s.f. (~0.99 ac.) / ±43,314 s.f. (~0.99 ac.)
Lot 11-5-SND = ±43,517 sf. (~1.0 ac.) / ±43,517 sf. (~1.0 ac.)

ZONING DISTRICT: IT (Innovative Technology)

EXISTING/PROPOSED USE:
Lot 11-5: Vacant / Commercial
Lot 11-5-SND: Vacant / Vacant (no change)

SURROUNDING USE: Commercial

ZBA ACTION: N/A

PERMITS / WAIVERS REQUIRED:
N/A

APPLICATION IS COMPLETE: Yes

REGIONAL IMPACT: No

NOTICES SENT: Abutter notices were sent by certified mail for this meeting.

ATTACHMENTS: Application, Lot Line Revision Plan

Summary of Request and Background
The applicant is requesting to complete a lot line adjustment between two parcels, swapping a combined 10,446 s.f. between the two across three areas along their shared boundary line. Due to the layout of the usable spaces outside of the 50' wetland buffer, a lot line revision is proposed between 11-5 and 11-5-SND to swap an equal amount of land between the two lots.

This same lot line adjustment (LLA) was previously approved by Planning Board on 12/14/2022 but has since expired due to the significant time required to finalize the LLA amongst all parties involved.

Because the proposed LLA also adjusts the boundaries of a conservation easement, it required authorization from multiple entities including the Dover Conservation Commission, Southeast Land Trust (easement holder), Dover Business and Industrial Development Authority, the City Council, and the NH Charitable Trust Director.

Previously, the applicant was conditionally approved for this LLA, a wetland buffer CUP, and Site Plan Review to construct an approximately 10,080 square foot contractor storage bay/office facility consisting of four (4) separate bays with office space.

Consistency with Land Use Regulations
§157-17 of the Land Subdivision Regulations of the City Code provides for the adjustment of existing lot lines between two or more lots. This plan is consistent with those regulations as the proposed plan does not exacerbate any existing nonconformity, nor does it create any additional buildable lot.

STAFF RECOMMENDATION:
The Planning Department therefore recommends the Planning Board accept the application, open the public hearing, make findings, and vote to approve the application with the following subsequent conditions:

Subsequent Conditions to Be Met Prior to Signing of Plans:

1. Provide physical and digital copies (including CAD) of complete plan set for recording at Strafford County Registry of Deeds which additionally shall include:
    a. Planning File Number LOTA-2025-0013
    b. The owner's signatures
    c. The LLS stamp and signature
    d. Add proposed conservation easement area

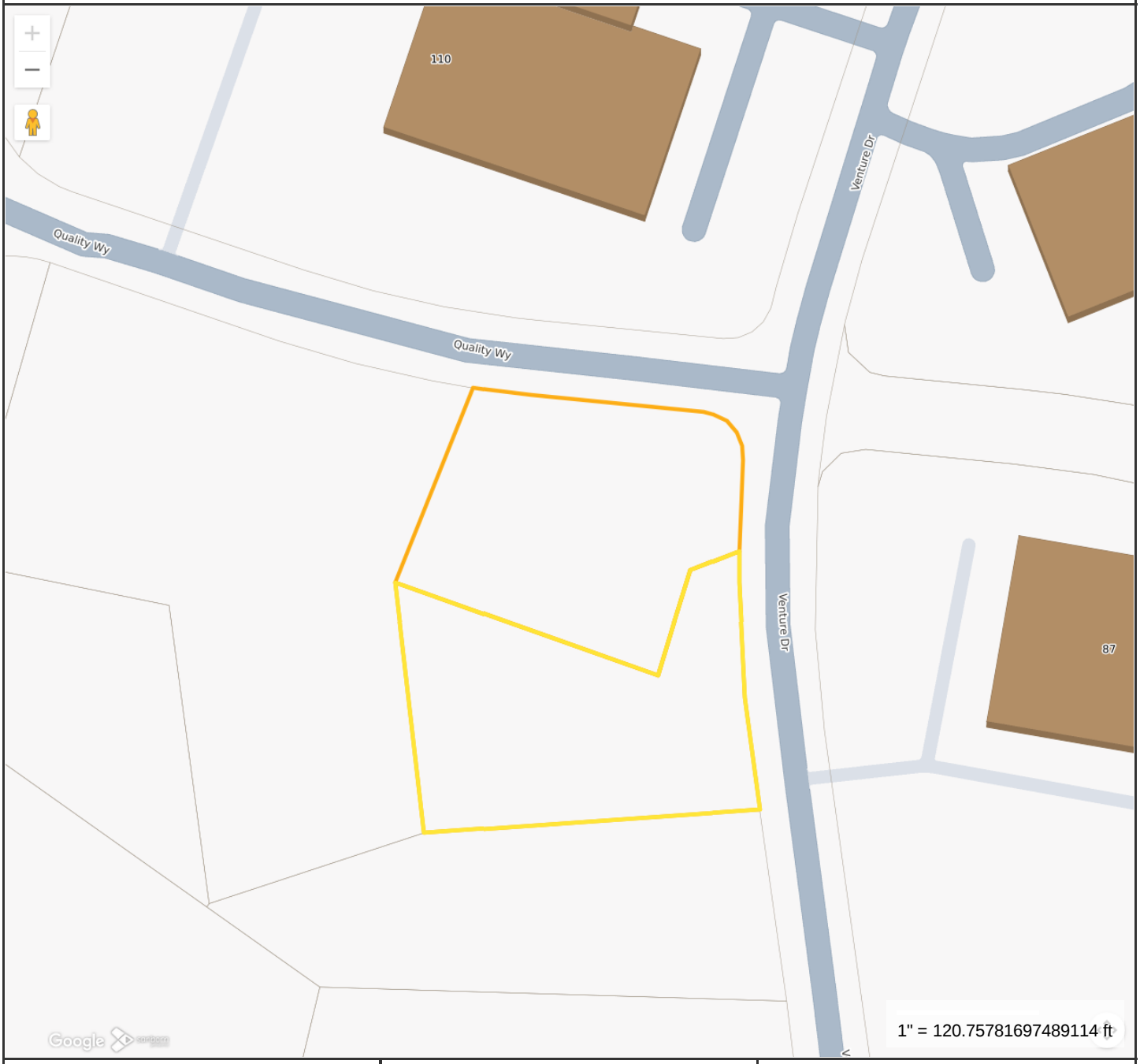
CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #LOTA-2025-0013

Application Type:	Lot Line Adjustment	
Applicant(s):	JSR, LLC	
Owner(s):	JSR, LLC (both parcels)	
Location:	Venture Drive	(Tax Map D, Lot 11-5)
	Venture Drive	(Tax Map D, Lot 11-5-SND)
Meeting Date:	January 27, 2026	

e. Developer must seek and receive written approvals of the Conservation Commission, City Council, and the NH Charitable Trust Director concerning amendment of conservation easement area.
f. City Council and Southeast Land Trust (SELT) acknowledge in writing proposed change to sending areas and conservation easement.

LOTA-2025-0013 VENTURE DRIVE



Property Information

Location	VENTURE DR
Owner	JSR LLC
Land Use	442V
Zoning Code	IT
Property Id	D0011-005SND

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.

PLAN SNAPSHOT REPORT LOTA-2025-0013
FOR CITY OF DOVER, N.H.

Plan Type: Lot Adjustment
Work Class: Lot Line Adjustment
Status: Fees Due
Valuation: $0.00
Project:
District: None
Square Feet: 0.00
Assigned To: Blonigen, Rachel
App Date: 12/01/2025
Exp Date: 02/04/2026
Completed: NOT COMPLETED
Approval Expire Date:

Description: Lot line adjustment proposed between Tax Map D, Lot 11-5 & 11-5SND for the creation of a viable building lot on Lot 11-5.

Parcel:	Address:	Zone:
D0011-005SND	Venture Dr Dover, NH	IT(Non-Residential - Innovative Technolo
D0011-005000 Main	Venture Dr Dover, NH Main	

Applicant
Berry Surveying & Engineering
335 Second Crown Point Road
Barrington, NH 03825
Business: (603) 332-2863
Mobile: (603) 781-3403

Surveyor
Kenneth Berry
Home: (603) 332-2863
Business: (603) 332-2863
Mobile: (603) 332-2863

Wetlands Scientist
Deidra Benjamin
Home: (603) 332-2863

Owner
JSR LLC
Business: (978) 979-2170

Applicant
JSR LLC
Business: (978) 979-2170

Plan Custom Fields

Number of Parcels Involved	2	Parcel Map/Lot	Tax Map D, Lot 11-5	Proposed Parcel Size (sqft)	43314
Parcel Zoning	IT	Existing Parcel Size (Ac)	0.99	Address of First Property	Venture Drive
Existing Parcel Size (sqft)	43124.4	Owner Name	JSR, LLC	Deed Book	4980
Deed Page	632	Owner Address	17 Fosters Drive, Dover, NH 03820	Deed Date	November 19, 2021
Owner Phone	1-978-979-2170	Parcel Feedback		Address of Second Property	Venture Drive
Address of Third Property		Parcel 2 Map/Lot	Tax Map D, Lot 11-5SND	Parcel 3 Map/Lot	
Second Property Owner Name	SAME	Third Property Owner Name		Second Property Owner Address	SAME
Third Property Owner Address		Second Property Owner Phone	SAME	Third Property Owner Phone	
First Easement Holder Name		Second Easement Holder Name		First Easement Holder Address	
Second Easement Holder Address		First Easement Holder Phone		Second Easement Holder Phone	

Attachment File Name	Added On	Added By	Attachment Group	Notes
Signature_Chris_Berry_12/1/2025.jpg	12/01/2025 11:22	Berry, Chris		Uploaded via CSS

Invoice No.	Fee	Fee Amount	Amount Paid
INV-2025014764	Planning Lot Line Adjustment Fee	$200.00	$0.00
	Planning Lot Line Adjustment Application Fee	$200.00	$0.00
	Total for Invoice INV-2025014764	$400.00	$0.00
	Grand Total for Plan	**$400.00**	**$0.00**

Workflow Step / Action Name	Action Type	Start Date	End Date
Review v.1		12/03/2025 10:37	12/03/2025 10:37

PLAN SNAPSHOT REPORT (LOTA-2025-0013)

Confirm application complete v.1	Generic Action	12/03/2025 10:37
Planning Board v.1		12/03/2025 10:37
Planning Board Agenda v.1	Task	12/03/2025 10:37
Invoice for Notices v.1	Task	
Send Notices v.1	Task	
Planner Creates Staff Recommendations v.1	Plan Activity	
Distribute Planning Board Materials v.1	Task	
Planning Board Hearing v.1	Hold Hearing	
Planning Board Decision v.1	Plan Activity	
NOD Sent to Applicant v.1	Create Report	
Final Plan v.1		
Land Use Plan Final Review v.1	Receive Submittal	
Land Use Plan Stamped and Signed v.1	Generic Action	
Recording v.1	Task	
Document Archival v.1	Generic Action	
Internal Notification of Plan 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
MINOR LOT LINE ADJUSTMENT APPLICATION

[Revision Date: June 4, 2019]

Office Use Only	Project #:		Date Received:	
	Amount Paid:		Time Received:	

APPLICANT INFORMATION

Name of Applicant: JSR LLC Telephone # 1-978-979-2170

Address of Applicant: 17 Fosters Drive, Dover, NH 03820

FIRST PROPERTY OWNER AND PARCEL INFORMATION

Name of 1st Property Owner (*if different from applicant*): Same Telephone #_____

Address of 1st Property Owner: _____

Address of Property: Quality Way and Venture Drive

Assessor's Map # D Lot(s) # 11-5

Property Deed: Book 4980 Page: 63

Zoning District(s) IT Overlay District(s) Wetlands Protection

Size of Existing Parcel (sq. ft.): 43,314 Size of Proposed Parcel (sq. ft.): 43,314

SECOND PROPERTY OWNER AND PARCEL INFORMATION

Name of 2nd Property Owner (*if different from applicant*): Same Telephone #_____

Address of 2nd Property Owner: _____

Address of Property: _____

Assessor's Map # D Lot(s) # 11-5SND

Property Deed: Book 4980 Page: 63

Zoning District(s) IT Overlay District(s) Wetlands Protection

Size of Existing Parcel (sq. ft.): 43,517 Size of Proposed Parcel (sq. ft.): 43,517

THIRD PROPERTY OWNER AND PARCEL INFORMATION

Name of 3rd Property Owner (*if different from applicant*): _____ Telephone #_____

Address of 3rd Property Owner: _____

Address of Property: _____

Assessor's Map # _____ Lot(s) # _____

Property Deed: Book _____ Page: _____

Zoning District(s) _____ Overlay District(s) _____

Size of Existing Parcel (sq. ft.): _____ Size of Proposed Parcel (sq. ft.): _____

[Use additional application form if more than two lots are being adjusted]

SURVEYOR INFORMATION

Name of Surveyor and Company (Licensed in N.H.) Berry Surveying & Engineering
Kenneth A. Berry, LLS
Christopher R. Berry PM

Address 335 Second Crown Point Road, Barrington, NH 03820 Telephone #: 603-332-2863
k.berry@berrysurveying.com

Professional License #: 805 E-mail address: crberry@metrocast.net

CONSERVATION EASEMENT HOLDER (s)

Name of Easement Holder: _____ Telephone #_____

Address Easement Holder: _____

Name of 2nd Easement Holder: _____ Telephone #_____

Address 2nd Easement Holder: _____

SIGNATURES

I/We hereby submit this application to the City of Dover Planning Board and attest that to the best of my knowledge all of the information on this application form and in the accompanying application materials and documentation is true and accurate. As applicant or as agent, I attest that I am duly authorized to act in this capacity.

Signature of First Property Owner: _____ Date: 12-1-25

Signature of Second Property Owner: _____ Date: _____

Signature of Applicant (*if different from owner*): _____ Date: _____

Signature of Agent: _____ Date: 12-1-25

AUTHORIZATION TO ENTER SUBJECT PROPERTY

I hereby authorize members of the Dover Planning 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: 12-1-25

CITY OF DOVER MINOR LOT LINE ADJUSTMENT LIST OF ABUTTERS

Pursuant to RSA 676:4, the State Law of New Hampshire, the City of Dover is required to notify the applicant, abutters (including holders of conservation easements), and any professional whose seal is on the plan, of the public hearing by certified mail, return receipt requested. Staff will provide the abutter information, while the applicant must provide accurate contact information for the owner, applicant and professional agents representing the project.

Owner:

TAX MAP	LOT #	PROPERTY OWNER	MAILING ADDRESS

Applicant (if different from owner):

APPLICANT NAME	APPLICANT COMPANY	MAILING ADDRESS

Surveyor and/or Engineer/Professional Agent:

NAME	COMPANY	MAILING ADDRESS

Conservation Easement Holder:

TAX MAP	LOT #	NAME OF EASEMENT HOLDER	MAILING ADDRESS

City of Dover, New Hampshire
LOT LINE ADJUSTMENT SUBMISSION CHECKLIST

[Revision Date: June 4, 2019]

This review checklist is intended to assist the applicant in the planning process of preparing a Subdivision application for Planning Board action. The size of the project will determine the types of information required for review, therefore, a **pre-application conference** with the Planning Department to determine the list of items that must be completed is strongly encouraged.

Plan Review Fees are due along with three (3) full size and twelve (12) half size (11x17), folded, copies of the plan set and materials, 3 weeks prior to the Planning Board meeting. Abutter/Notice Fees will be invoiced and are due 28 hours prior to Planning Board.

The applicant is cautioned that this checklist is only a guide and is not intended to be a complete list of all subdivision requirements. Please refer to the Subdivision Regulations for full details.

APPLICANT: JSR, LLC File Number: _____

PROPERTY LOCATION: Quality Way and Venture Drive Tax Map: D Lot: 11-5 and Lot: 11-5SND

	Where/How Provided	Reviewed
1. Completed and signed Application form	X	
2. Plan Review Fees are provided	X	
3. Electronic copy of the surveyed plat layout	X	
4. Electronic copy of supplementary materials and application	X	
5. Fifteen copies of LLA plan w/scale of not less than 1"=50' or 1"=100' for larger adjustments. Plans shall contain the following items as appropriate:	X	
Location map at appropriate scale	X	
Planning File #	X	
Date, north arrow and scale	X	
Names of all abutting property owners	X	
Name and address of owners	X	
Signature & stamp of NH licensed land surveyor	X	
Zoning District boundaries, including any special or overlay districts	X	
Location of Conservation District areas	X	
Location, names and widths of existing and streets, including pavement widths, grades, curbs and crosswalks	X	
Location and widths of existing & proposed easements & right of ways	X	
Existing and proposed property lines with dimensions and bearings tied into Dover's Geographic Information System coordinate system	X	
Existing and proposed lot areas in square feet	X	
Existing and proposed buildings and structure locations	X	
Minimum building setbacks or build to lines on all lots	X	
Map and lot numbers for existing and proposed lots as assigned by Tax Assessor	X	
Location, material and size of existing and proposed permanent monuments	X	
All applicable Dover Common Subdivision notes	X	

REVIEWED BY: _____ DATE_____

CITY OF DOVER, NEW HAMPSHIRE
PLANNING APPLICATION OWNER AUTHORIZATION

OWNER AUTHORIZATION

I/We hereby submit this application to the City of Dover / City of Dover Planning Board and attest that to the best of my knowledge all of the information on this application form and in the accompanying application materials and documentation is true and accurate. As applicant or as agent, I attest that I am duly authorized to act in this capacity.

Property Owner Name: JSR, LLC

Signature(s) of Property Owner(s): _____ Date: 2025-12-01

Signature of Applicant: _____ Date: 2025-12-01
if different from owner

AUTHORIZATION TO ENTER SUBJECT PROPERTY

I/We hereby submit this application to the City of Dover Planning Board and attest that to the best of my knowledge all of the information on this application form and in the accompanying application materials and documentation is true and accurate. As applicant or as agent, I attest that I am duly authorized to act in this capacity..

Property Owner Name: JSR, LLC

Signature(s) of Property Owner(s): _____ Date: 2025-12-01

Signature of Applicant: _____ Date: 2025-12-01
if different from owner

IF SIGN PERMIT, SIGN PERMIT APPLICATION INFORMATION

If the sign permit applicant is not the property owner, this form must be completed and included as part of application submission.

I have read this application and state that, to the best of my knowledge, the information provided is true and that the proposed sign(s) will comply with all applicable regulations in Section 170-32 of the Zoning Ordinance of the City of Dover and shall conform to the submitted materials and designs. Furthermore, after 90 days, any application still waiting information will be denied.

Address of Sign Location: _____

Sign Permit Application Type:
(check one)

- ☐ Permanent Sign
- ☐ Temporary Sign
- ☐ Community Sign

LOTA-2025-0013 **VENTURE DRIVE**

Property ID	Location	Owner 1	Owner 2	Owner Address 1	City	State	Zip
D0011-003000	111 VENTURE DR	111 VENTURE DRIVE LLC		PO BOX 790	BURLINGTON	VT	05402
D0011-007SN1	QUALITY WY	WEAVE FILTRATION LLC		100 TRI CITY RD UNIT 117	SOMERSWORTH	NH	03878
D0011-002000	46 VENTURE DR	46 VENTURE DRIVE PROPERTIES LLC		910 DAY HILL RD	WINDSOR	CT	06095
D0013-003000	27 PRODUCTION DR	SARNIA PROPERTIES INC		1 HAVEN COURT	PORTSMOUTH	NH	03801
D0011-004000	110 VENTURE DR	QUALITY WAY LLC		PO BOX 1788	ORLEANS	MA	02653-1788
D0011-006000	QUALITY WY	Q LLC		110 VENTURE DR	DOVER	NH	03820
D0014-004000	87 VENTURE DR	VYGON CORPORATION	ADVANCED MEDICAL INC	2750 MORRIS RD #A200	LANSDALE	PA	19446-6083
D0014-000000	VENTURE DR	DOVER BUSINESS & IND DEV AUTHORITY		288 CENTRAL AVE	DOVER	NH	03820
D0011-006SND	QUALITY WY	DOVER BUSINESS & IND DEV AUTHORITY	F/K/A DOVER IND DEV AUTHORITY	288 CENTRAL AV	DOVER	NH	03820
D0011-005SND	VENTURE DR	JSR LLC		17 FOSTERS DR	DOVER	NH	03820
D0011-005000	VENTURE DR	JSR LLC		17 FOSTERS DR	DOVER	NH	03820
		BERRY SURVEYING & ENGINEERING	CHRIS BERRY	335 SECOND CROWN PO	BARRINGTON	NH	03825

DEIDRA L.BENJAMIN, CWS

STATE OF NEW HAMPSHIRE
DEIDRA L BENJAMIN
No. 295
CERTIFIED WETLAND SCIENTIST

WETLAND NOTE:

WETLANDS WERE DELINEATED BY DEIDRA L. BENJAMIN, CWS, IN THE SUMMER OF 2021 USING THE FOLLOWING CRITERIA:

1. USACE. REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL: NORTHCENTRAL AND NORTHEAST REGION. VERSION 2.0. U.S. ARMY ENGINEER RESEARCH AND DEVELOPMENT CENTER. 2012. VICKSBURG, MS.

2. USACE. CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL. ENVIRONMENTAL LABORATORY. 1987. VICKSBURG, MS.

3. UNITED STATES DEPARTMENT OF AGRICULTURE, NATURAL RESOURCES CONSERVATION SERVICE. 2018. FIELD INDICATORS OF HYDRIC SOILS IN THE UNITED STATES, VERSION 8.2. L.M. VASILAS, G.W. HURT, AND J.F. BERKOWITZ (EDS.). USDA, NRCS, IN COOPERATION WITH THE NATIONAL TECHNICAL COMMITTEE FOR HYDRIC SOILS.

4. NEW ENGLAND HYDRIC SOIL TECHNICAL COMMITTEE. FIELD INDICATORS FOR IDENTIFYING HYDRIC SOILS IN NEW ENGLAND. VERSION 4. NEW ENGLAND INTERSTATE WATER POLLUTION CONTROL COMMISSION. 2019. LOWELL, MA.

5. U.S. ARMY CORPS OF ENGINEERS 2019. NATIONAL WETLAND PLANT LIST, VERSION 3.3. HTTP://WETLAND-PLANTS.USACE.ARMY.MIL/

PLAN REFERENCES:

1.) "SUBDIVISION PLAN DOVER INDUSTRIAL DEVELOPMENT AUTHORITY SIXTH STREET / LONG HILL ROAD EXT. DOVER, NEW HAMPSHIRE" BY: TERRASCAN ENGINEERS SURVEYORS DATED: JANUARY 17, 1992 S.C.R.D. PLAN 41-91

2.) "LOT LINE ADJUST PLAN PREPARED FOR WHITE ENTERPRISES AND DOVER INDUSTRIAL DEVELOPMENT AUTHORITY LONGHILL ROAD, DOVER, NH" BY: MCENEANEY SURVEY ASSOCIATES DATED: JULY 3, 1991 S.C.R.D. PLAN 39-38

3.) "SUBDIVISION PLAN DOVER INDUSTRIAL DEVELOPMENT AUTHORITY SIXTH STREET / LONG HILL ROAD EXT. DOVER, NEW HAMPSHIRE" BY: TERRASCAN ENGINEERS SURVEYORS DATED: JANUARY 17, 1992 S.C.R.D. PLAN 41-92

4.) "SUBDIVISION OF LAND PREPARED FOR DOVER INDUSTRIAL DEVELOPMENT AUTHORITY VENTURE DRIVE DOVER, NEW HAMPSHIRE" BY: MCENEANEY SURVEY ASSOCIATES INC. DATED: AUGUST 4, 1994 S.C.R.D. PLAN # 45-32

5.) "SUBDIVISION OF LAND PREPARED FOR DOVER INDUSTRIAL DEVELOPMENT AUTHORITY TAX MAP H, LOT NO. 11-1 VENTURE DRIVE DOVER, STRAFFORD COUNTY NEW HAMPSHIRE" BY: MCENEANEY SURVEY ASSOCIATES INC. DATED: FEBRUARY 25, 2005 S.C.R.D. PLAN # 79-87

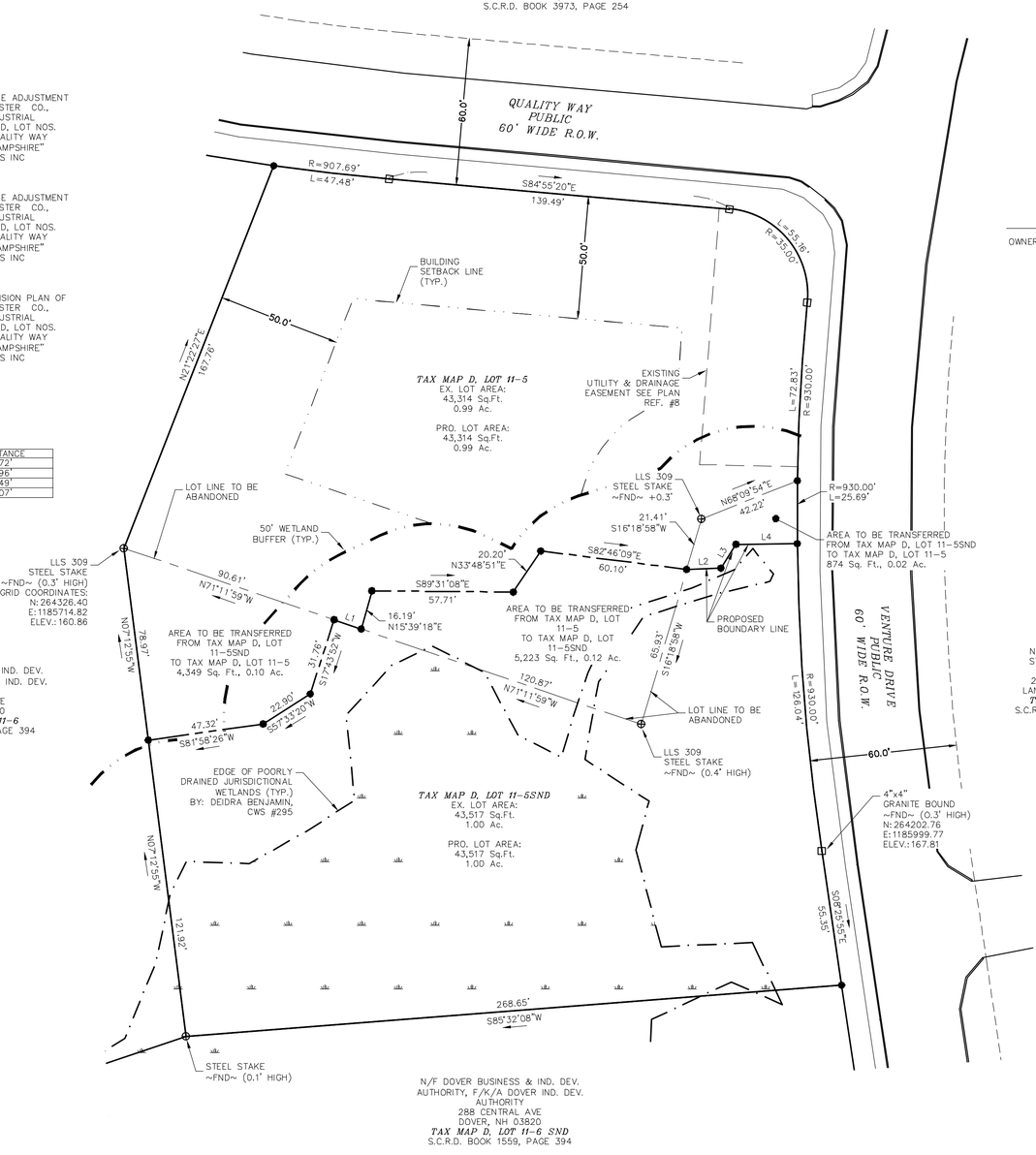
PLAN REFERENCES:

6.) "AMENDED SUBDIVISION AND LOT LINE ADJUSTMENT PLAN PREPARED FOR GEORGE J. FOSTER CO., INC. AND DOVER BUSINESS AND INDUSTRIAL DEVELOPMENT AUTHORITY TAX MAP D, LOT NOS. 9A & 11-1 VENTURE DRIVE AND QUALITY WAY DOVER, STRAFFORD COUNTY NEW HAMPSHIRE" BY: MCENEANEY SURVEY ASSOCIATES INC DATED: FEBRUARY 14, 2006 S.C.R.D. PLAN 85-99

7.) "AMENDED SUBDIVISION AND LOT LINE ADJUSTMENT PLAN PREPARED FOR GEORGE J. FOSTER CO., INC. AND DOVER BUSINESS AND INDUSTRIAL DEVELOPMENT AUTHORITY TAX MAP D, LOT NOS. 9A & 11-1 VENTURE DRIVE AND QUALITY WAY DOVER, STRAFFORD COUNTY NEW HAMPSHIRE" BY: MCENEANEY SURVEY ASSOCIATES INC DATED: FEBRUARY 14, 2006 S.C.R.D. PLAN 85-100

8.) "LOT LINE ADJUSTMENT AND SUBDIVISION PLAN OF LAND PREPARED FOR GEORGE J. FOSTER CO., INC. AND DOVER BUSINESS AND INDUSTRIAL DEVELOPMENT AUTHORITY TAX MAP D, LOT NOS. 9A & 11-1 VENTURE DRIVE AND QUALITY WAY DOVER, STRAFFORD COUNTY NEW HAMPSHIRE" BY: MCENEANEY SURVEY ASSOCIATES INC DATED: JUNE 12, 2006 S.C.R.D. PLAN 86-73

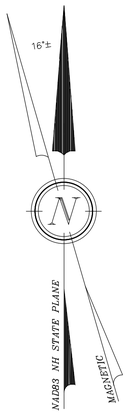
LINE	BEARING	DISTANCE
L1	N71°11'59"W	11.72'
L2	N87°42'08"E	13.96'
L3	N32°16'10"E	11.49'
L4	N89°20'00"E	25.07'



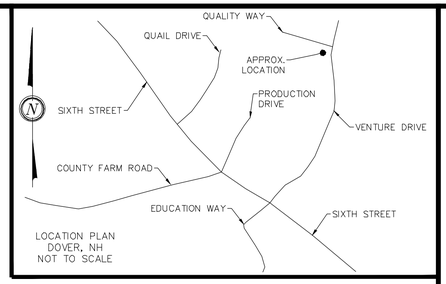
LEGEND:

- ● 3/4" REBAR W/ ID CAP ~TBS~
- ⊡ GRANITE BOUND ~FND OR TBS~
- ⊕ STEEL STAKE ~FND~
- PROPOSED BOUNDARY LINE
- LOT LINE TO BE ABANDONED
- BUILDING SETBACK LINE
- POORLY DRAINED WETLANDS
- 50' WETLAND BUFFER

FND FOUND
TYP TYPICAL
TBS TO BE SET
S.C.R.D. STRAFFORD COUNTY REGISTRY OF DEEDS



OWNER



NOTES:

1.) OWNER: JSR, LLC
17 FOSTERS DRIVE
DOVER, NH 03820

A.) TAX MAP D, LOT 11-5

B.) EXISTING LOT AREA: 43,314 Sq.Ft., 0.99 Ac.
PROPOSED LOT AREA: 43,314 Sq.Ft., 0.99 Ac.

C.) S.C.R.D. BOOK 4980, PAGE 632

2.) OWNER: JSR, LLC
17 FOSTERS DRIVE
DOVER, NH 03820

A.) TAX MAP D, LOT 11-5SND

B.) EXISTING LOT AREA: 43,517 Sq.Ft., 1.00 Ac.
PROPOSED LOT AREA: 43,517 Sq.Ft., 1.00 Ac.

C.) S.C.R.D. BOOK 4980, PAGE 63

3.) ZONING: IT - INNOVATIVE TECHNOLOGY
SETBACKS
FRONT ~ 50'
SIDE ~ 50'
REAR ~ 50'
MIN. LOT SIZE: 2 ACRES
MIN. FRONTAGE: 200'
MAX. LOT COVERAGE: 33%
MAX. BUILDING HEIGHT: 55'

4.) THE INTENT OF THIS PLAN IS TO REVISE THE BOUNDARY LINES OF TAX MAP D, LOT 11-5 & 11-5SND. THIS IS AN EQUAL LAND SWAP AND BOTH LOTS WILL HAVE THE SAME LOT AREA AS THE EXISTING.

5.) I HEREBY CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS PROPERTY DOES NOT FALL WITHIN THE FLOOD PLAIN FLOOD HAZARD REF: FEMA COMMUNITY #330145, MAP 33017C0310E, DATED: SEPTEMBER 30, 2015.

6.) VERTICAL DATUM BASED ON NAVD88 ELEVATIONS. HORIZONTAL DATUM BASED ON NAD83 STATE PLANE. COORDINATES GATHERED USING CARLSON BRX7 SURVEY GRADE GPS RECEIVERS.

7.) THE BOUNDARY LINES SHOWN ON THIS PLAN ARE THE RESULT OF A CLOSED TRAVERSE PERFORMED BY THIS OFFICE IN AUGUST OF 2021 WITH AN ERROR OF CLOSURE BETTER THAN 1 PART IN 10,000.

8.) THIS SITE IS SERVICED BY MUNICIPAL SEWER AND WATER.

9.) AN EASEMENT IS PROVIDED TO THE CITY TO MAINTAIN THE POTABLE DRINKING WATER QUALITY THROUGH THE HYDRANT FLUSHING PROGRAM, WHICH INCLUDES PROVIDING ACCESS TO THE WATER CURB BOXES.

10.) PRIOR TO ANY DEEDING PROOF OF CONSERVATION COMMISSION APPROVAL, CITY COUNCIL APPROVAL, AND NH CHARITABLE TRUST DIRECTOR APPROVAL IS TO BE PROVIDED TO THE PLANNING DEPARTMENT.

GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.

DOVER APPROVAL

I CERTIFY THAT THIS PLAT EXCEEDS THE MINIMUM REQUIREMENT FOR ACCURACY AND COMPLETENESS OF THE STATE OF N.H. AND THE CITY OF DOVER, N.H. -1:10,000-

KENNETH A. BERRY L.L.S. 805 DATE

DOVER FILE #

REVISION	DATE	DESCRIPTION

LOT LINE REVISION
LAND OF
JSR, LLC
VENTURE DRIVE & QUALITY WAY
DOVER, N.H.
TAX MAP D, LOTS 11-5 & 11-5SND

BERRY SURVEYING & ENGINEERING
335 SECOND CROWN POINT ROAD
BARRINGTON, NH 03825 (603)332-2863

SCALE : 1 IN. EQUALS 30 FT.
DATE : APRIL 1, 2025
FILE NO. : DB 2021 - 134

STATE OF NEW HAMPSHIRE
No. 805
KENNETH A. BERRY
LICENSED LAND SURVEYOR
SIGNATURE

NOT FOR CONSTRUCTION

CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #LOTA-2025-0014

Application Type:	Lot Line Adjustment	
Applicant(s):	Edward W. Hoginski	
Owner(s):	Hoginski Frances L. Living Trust	(Map L, Lot 95-X)
	Doyle F. Skeels & Karen Wendell	(Map L, Lot 95-Z)
Location:	Dover Point Road	(Map L, Lot 95-X)
	Dover Point Road	(Map L, Lot 95-Z)
Meeting Date:	January 27, 2026	

INTENT: Proposal is to revise the lot lines for two abutting vacant parcels located along Dover Point Road

AGENDA ITEM #: 4-E

FILE: LOTA-2025-0014

APPLICANT(S): Edward W. Hoginski

OWNER(S):
Hoginski Frances L. Living Trust (Map L, Lot 95-X)
Doyle F. Skeels & Karen Wendell (Map L, Lot 95-Z)

LOTS/UNITS PROPOSED: Two (2) existing lots (no change)

ACREAGE:

Existing/Proposed

Lot 95-X= ±34,352 s.f. (0.789 ac.) / ±21,852 s.f. (0.502 ac.)
Lot 95-Z = ±43,974 sf. (1.001 ac.) / ±56,474 sf. (1.297 ac.)

ZONING DISTRICT: R-20 (Low Density Residential)

EXISTING/PROPOSED USE:
Residential / Residential (no change)

SURROUNDING USE: Residential

ZBA ACTION: N/A

PERMITS / WAIVERS REQUIRED:
N/A

APPLICATION IS COMPLETE: Yes

REGIONAL IMPACT: No

NOTICES SENT: Abutter notices were sent by certified mail for this meeting.

ATTACHMENTS: Application, Lot Line Revision Plan

Summary of Request and Background
The applicant is requesting to complete a lot line adjustment between two vacant residential parcels along Dover Point Road by adding approximately 12,500 square feet from Lot 95-X to Lot 95-Z.

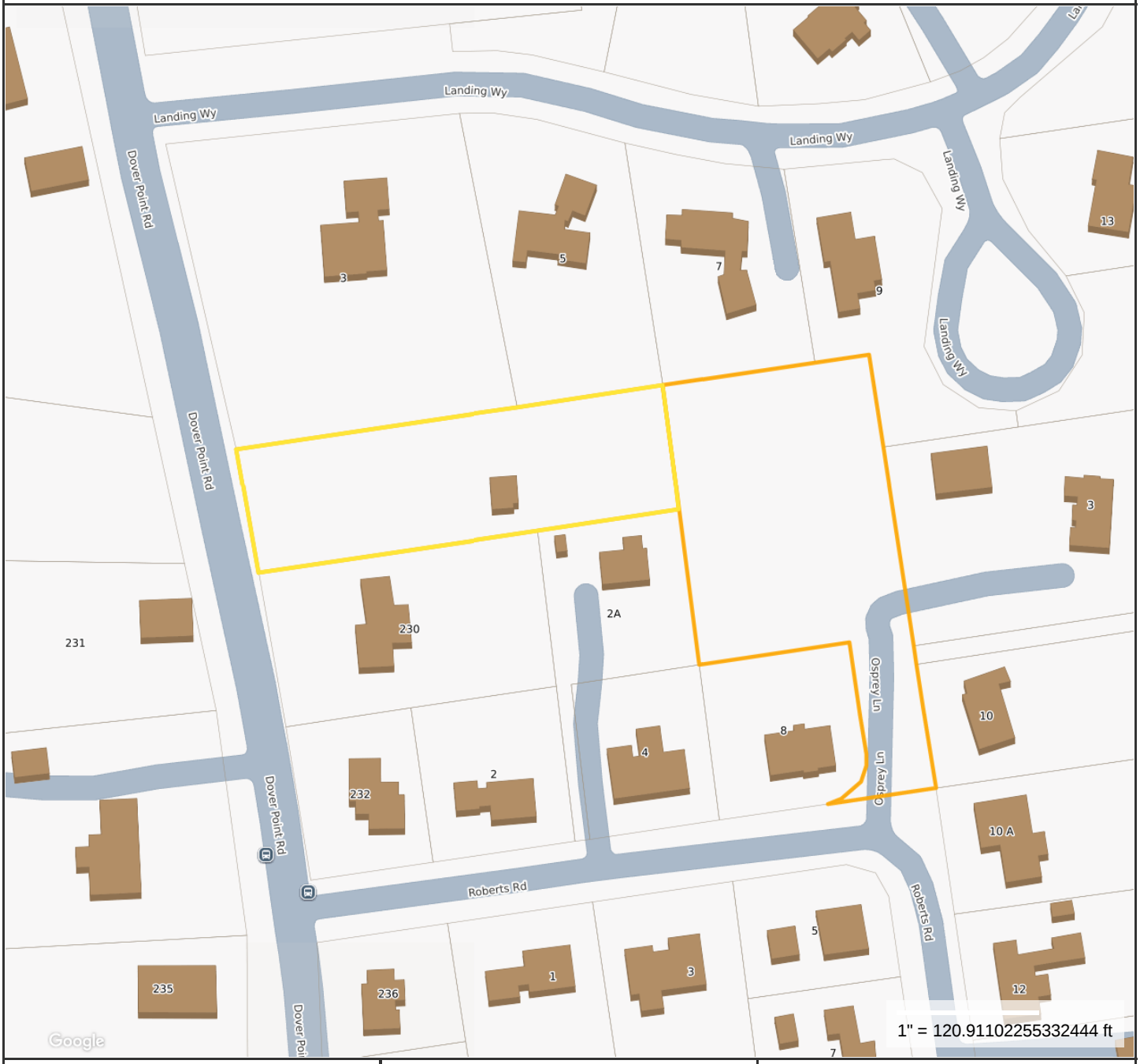
Consistency with Land Use Regulations
§157-17 of the Land Subdivision Regulations of the City Code provides for the adjustment of existing lot lines between two or more lots. This plan is consistent with those regulations as both lots, post adjustment, remain compliant with the minimum lot size within the R-20 and as frontage values for each parcel are remaining unchanged, there is no increase in nonconformity.

STAFF RECOMMENDATION:
The Planning Department therefore recommends the Planning Board accept the application, open the public hearing, make findings, and vote to approve the application with the following subsequent conditions:

Subsequent Conditions to Be Met Prior to Signing of Plans:

1. Provide physical and digital copies (including CAD) of complete plan set for recording at Strafford County Registry of Deeds which additionally shall include:
    a. Planning File Number LOTA-2025-0014
    b. The owner's signatures
    c. The LLS stamp and signature
    d. Correct plan ROW reference from note 6 to 7

LOTA-2025-0014 DOVER POINT ROAD



Property Information

Location	DOVER POINT RD
Owner	HOGINSKI FRANCES L TRUSTEE
Land Use	109V
Zoning Code	R-20
Property Id	L0095-X00000

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.

PLAN SNAPSHOT REPORT LOTA-2025-0014
FOR CITY OF DOVER, N.H.

Plan Type:	Lot Adjustment	**Project:**		**App Date:**	12/31/2025
Work Class:	Lot Line Adjustment	**District:**	None	**Exp Date:**	03/06/2026
Status:	In Review	**Square Feet:**	0.00	**Completed:**	NOT COMPLETED
Valuation:	$0.00	**Assigned To:**	Blonigen, Rachel	**Approval Expire Date:**	

Description: To adjust property lines between lots L 95-X and L 95-Z.

Parcel:		**Address:**		**Zone:**
L0095-Z00000		Dover Point Rd Dover, NH		
L0095-X00000	Main	Dover Point Rd Dover, NH	Main	

Owner
Edward Hoginski
Home: (603) 475-4193

Owner
F. Doyle Skeels
Home: (603) 661-6269

Applicant
McEneaney Survey Associates
P.O. Box 1166
DOVER, NH 03821
Business: (603) 742-0911

Plan Custom Fields

Number of Parcels Involved	2	Parcel Map/Lot	L/95X	Proposed Parcel Size (sqft)	21852
Parcel Zoning	Low Density Residential	Existing Parcel Size (Ac)	0.789	Address of First Property	
Existing Parcel Size (sqft)	34368.8	Owner Name	Frances L. Hoginski	Deed Book	2196
Deed Page	382	Owner Address	230 Dover Point Road	Deed Date	
Owner Phone		Parcel Feedback		Address of Second Property	
Address of Third Property		Parcel 2 Map/Lot	L/95Z	Parcel 3 Map/Lot	
Second Property Owner Name	F. Doyle Skeels	Third Property Owner Name		Second Property Owner Address	3 Osprey Lane
Third Property Owner Address		Second Property Owner Phone		Third Property Owner Phone	
First Easement Holder Name		Second Easement Holder Name		First Easement Holder Address	
Second Easement Holder Address		First Easement Holder Phone		Second Easement Holder Phone	

Attachment File Name	Added On	Added By	Attachment Group	Notes
Signature_Kevin_McEneaney_12/31/2025.jpg	12/31/2025 13:53	McEneaney, Kevin		Uploaded via CSS

Invoice No.	Fee	Fee Amount	Amount Paid
INV-2025015072	Planning Lot Line Adjustment Application Fee	$200.00	$200.00
	Planning Lot Line Adjustment Fee	$200.00	$200.00
	Total for Invoice INV-2025015072	$400.00	$400.00
	Grand Total for Plan	**$400.00**	**$400.00**

Workflow Step / Action Name	Action Type	Start Date	End Date
Review v.1		01/05/2026 12:49	01/05/2026 12:49
Confirm application complete v.1	Generic Action		01/05/2026 12:49
Planning Board v.1		01/05/2026 12:49	
Planning Board Agenda v.1	Task	01/05/2026 12:49	

Invoice for Notices v.1	Task
Send Notices v.1	Task
Planner Creates Staff Recommendations v.1	Plan Activity
Distribute Planning Board Materials v.1	Task
Planning Board Hearing v.1	Hold Hearing
Planning Board Decision v.1	Plan Activity
NOD Sent to Applicant v.1	Create Report
Final Plan v.1	
Land Use Plan Final Review v.1	Receive Submittal
Land Use Plan Stamped and Signed v.1	Generic Action
Recording v.1	Task
Document Archival v.1	Generic Action
Internal Notification of Plan 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
MINOR LOT LINE ADJUSTMENT APPLICATION

[Revision Date: June 4, 2019]

Office Use Only	Project #:		Date Received:	
	Amount Paid:		Time Received:	

APPLICANT INFORMATION

Name of Applicant: Edward W. Hoginski Telephone # 603-475-4193

Address of Applicant: 230 Dover Point Road Dover, NH 03820

FIRST PROPERTY OWNER AND PARCEL INFORMATION

Name of 1st Property Owner (*if different from applicant*): _____ Telephone #_____

Address of 1st Property Owner: _____

Address of Property: Dover Point Road

Assessor's Map # L Lot(s) # 95-X

Property Deed: Book 2196 Page: 382

Zoning District(s) R-20 Low Density Residential Overlay District(s) _____

Size of Existing Parcel (sq. ft.): 34,352 Size of Proposed Parcel (sq. ft.): 21,852

SECOND PROPERTY OWNER AND PARCEL INFORMATION

Name of 2nd Property Owner (*if different from applicant*): F. Doyle Skeels & Karen Wendell Telephone #_____

Address of 2nd Property Owner: 3 Osprey Lane Dover, NH 03820

Address of Property: Dover Point Road

Assessor's Map # L Lot(s) # 95-Z

Property Deed: Book 4925 Page: 937

Zoning District(s) R-20 Low Density Residential Overlay District(s) _____

Size of Existing Parcel (sq. ft.): 43,974 Size of Proposed Parcel (sq. ft.): 56,474

THIRD PROPERTY OWNER AND PARCEL INFORMATION

Name of 3rd Property Owner (*if different from applicant*): _____ Telephone #_____

Address of 3rd Property Owner: _____

Address of Property: _____

Assessor's Map # _____ Lot(s) # _____

Property Deed: Book _____ Page: _____

Zoning District(s) _____ Overlay District(s) _____

Size of Existing Parcel (sq. ft.): _____ Size of Proposed Parcel (sq. ft.): _____

[Use additional application form if more than two lots are being adjusted]

SURVEYOR INFORMATION

Name of Surveyor and Company (Licensed in N.H.) Kevin McEneaney - McEneaney Survey Associates

Address P.O. Box 1166 Dover, NH 03821 Telephone #: 603-742-0911

Professional License #: NH LLS # 661 E-mail address: kevin@surveynh.com

CONSERVATION EASEMENT HOLDER (s)

Name of Easement Holder: _____ Telephone #_____

Address Easement Holder: _____

Name of 2nd Easement Holder: _____ Telephone #_____

Address 2nd Easement Holder: _____

SIGNATURES

I/We hereby submit this application to the City of Dover Planning Board and attest that to the best of my knowledge all of the information on this application form and in the accompanying application materials and documentation is true and accurate. As applicant or as agent, I attest that I am duly authorized to act in this capacity.

Signature of First Property Owner: Edward Krogniewicz Date: _____

Signature of Second Property Owner: [signature] Date: 12/11/2025

Signature of Applicant (*if different from owner*): _____ Date: _____

Signature of Agent: _____ Date: _____

AUTHORIZATION TO ENTER SUBJECT PROPERTY

I hereby authorize members of the Dover Planning 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: Edward Krogniewicz Date: _____

CITY OF DOVER MINOR LOT LINE ADJUSTMENT
LIST OF ABUTTERS

Pursuant to RSA 676:4, the State Law of New Hampshire, the City of Dover is required to notify the applicant, abutters (including holders of conservation easements), and any professional whose seal is on the plan, of the public hearing by certified mail, return receipt requested. Staff will provide the abutter information, while the applicant must provide accurate contact information for the owner, applicant and professional agents representing the project.

Owner:

TAX MAP	LOT #	PROPERTY OWNER	MAILING ADDRESS
L	95Z	F. Doyle Skeels & Karen Wendell	3 Osprey Lane Dover, NH 03820

Applicant (if different from owner):

APPLICANT NAME	APPLICANT COMPANY	MAILING ADDRESS
Edward W. Hoginski		230 Dover Point Road Dover, NH 03820

Surveyor and/or Engineer/Professional Agent:

NAME	COMPANY	MAILING ADDRESS
Kevin McEneaney	McEneaney Survey Associates	P.O. Box 1166 Dover, NH 03821

Conservation Easement Holder:

TAX MAP	LOT #	NAME OF EASEMENT HOLDER	MAILING ADDRESS

PLANNING BOARD FEE SCHEDULE/INVOICE

(Revised July 24, 2023)

Below are the fees associated with plan review and are subject to a nonrefundable application fee to cover administrative expenses. Please complete the information below and provide payment with your application submittal. **Plan review fees shall be paid prior to technical review committee (TRC) being scheduled.** For plans not requiring TRC review, **fees are due 21 days prior** to the Planning Board meeting. Staff will coordinate abutter/notice fees, which will be invoiced and must be paid 28 hours before the Planning Board meeting for an application to be heard. Fees shall be paid by cash or check made payable to "City of Dover".

A. Plan Review Fees

1. Application fee for the following (SELECT ALL THAT APPLY):

- ☐ SUBDIVISION Application fee $200.00 + $150.00 x # _____ new lots created = $_____
- ☑ LOT LINE ADJUSTMENT Application fee $200.00 + $100.00 X # _2_ of lots involved = $400.00
- ☐ TRANSFER OF DEVELOPMENT RIGHTS Application fee $200.00 = $_____
- ☐ SITE REVIEW – RESIDENTIAL Application fee $200.00+ $100.00 x # __ per dwelling unit =$_____
- ☐ SITE REVIEW – NON-RESIDENTIAL Application fee $200.00 + (not to exceed $10,000)
  - New construction $.15 sq. ft. x # _____ sq. ft.= $_____
  - Additions (new floor space) $.10 per sq. ft. x # _____sq. ft.= $_____
- ☐ MOTEL/HOTEL $35.00 x # ___ per lodging unit= $_____
- ☐ CHANGE OF USE Application fee $200.00 + (not to exceed $5,000)
  - Existing floor spaces $.10 per sq. ft. x # _____ sq. ft. = $_____
- ☐ CONDITIONAL USE PERMIT Application fee $200.00 x # _____ per Application = $_____
- ☐ GRAVEL PIT/ EXCAVATIONS
  - Application fee $50.00= $_____
  - Permit fee $75.00= $_____
- ☐ EXTENSIONS/AMENDMENTS/WAIVERS FOR AN APPROVED PLAN Application fee $200.00 = $_____
- ☐ REQUEST FOR REZONING Application fee $200.00 = $_____
- ☐ DRIVEWAY WAIVER Application fee $200.00 = $_____
- ☐ **TOTAL IMPERVIOUS PAVED AREA** (for new development, roadways or additions to existing parking lots, (not to exceed $10,000)) Application fee of $200.00 is N/A if it is part of a Site Review or Subdivision Plan. $200.00 + $.07 per sq. ft. x # _____ sq. ft. = $_____

SUBTOTAL PLAN REVIEW FEE = $400.00

AND

B. Abutter Notification/Mailing Labels - this office will create and print the abutter list and provide labels in triplicate for each abutter. The applicant/owner will review the list for accuracy and provide to us the engineer, architect, licensed land surveyor (LLS), licensed landscape architect (LLA) and/or soil scientist whose professional seal appears on the plan with names and addresses for notices.

- ☐ Applicant & Owner, engineer, architect, LLS, LLA and/or soil scientist
  - Certified letters fee # _____ of x $10.00= $_____
- ☐ Certified letters fee: # of abutters _____ X $10.00= $_____
- ☐ First Class Mail fee (for individual owner of units within a condominium or other collective form of ownership): # of abutters _____ X $1.00= $_____
- ☐ Creating/Printing Abutter Labels in triplicate per sheet _____ x $10.00= $_____

C. Foster's newspaper public notice fee $120.00 x # _____ applications = $_____

SUBTOTAL = $_____

TOTAL INVOICE AMOUNT = $_____

PLAN REVIEW FEE COLLECTED/PAID = $ _____

BALANCE DUE = $ _____

The amount due must be paid 28 hours prior to the Planning Board Meeting, to be heard.

City of Dover, New Hampshire
LOT LINE ADJUSTMENT SUBMISSION CHECKLIST

[Revision Date: June 4, 2019]

This review checklist is intended to assist the applicant in the planning process of preparing a Subdivision application for Planning Board action. The size of the project will determine the types of information required for review, therefore, a **pre-application conference** with the Planning Department to determine the list of items that must be completed is strongly encouraged.

Plan Review Fees are due along with three (3) full size and twelve (12) half size (11x17), folded, copies of the plan set and materials, 3 weeks prior to the Planning Board meeting. Abutter/Notice Fees will be invoiced and are due 28 hours prior to Planning Board.

The applicant is cautioned that this checklist is only a guide and is not intended to be a complete list of all subdivision requirements. Please refer to the Subdivision Regulations for full details.

APPLICANT: Edward W. Hoginski File Number: _____

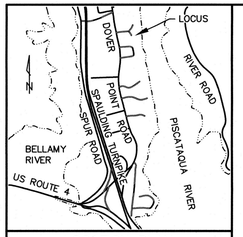
PROPERTY LOCATION: Dover Point Road Tax Map: L Lot: 95X and Lot: 95Z

	Where/How Provided	Reviewed
1. Completed and signed Application form	☑	
2. Plan Review Fees are provided	☑	
3. Electronic copy of the surveyed plat layout	☑	
4. Electronic copy of supplementary materials and application	☑	
5. Fifteen copies of LLA plan w/scale of not less than 1"=50' or 1"=100' for larger adjustments. Plans shall contain the following items as appropriate:	☑	
Location map at appropriate scale	☑	
Planning File #	☑	
Date, north arrow and scale	☑	
Names of all abutting property owners	☑	
Name and address of owners	☑	
Signature & stamp of NH licensed land surveyor	☑	
Zoning District boundaries, including any special or overlay districts	☑	
Location of Conservation District areas	☐ N/A	
Location, names and widths of existing and streets, including pavement widths, grades, curbs and crosswalks	☑	
Location and widths of existing & proposed easements & right of ways	☑	
Existing and proposed property lines with dimensions and bearings tied into Dover's Geographic Information System coordinate system	☑	
Existing and proposed lot areas in square feet	☑	
Existing and proposed buildings and structure locations	☑	
Minimum building setbacks or build to lines on all lots	☑	
Map and lot numbers for existing and proposed lots as assigned by Tax Assessor	☑	
Location, material and size of existing and proposed permanent monuments	☑	
All applicable Dover Common Subdivision notes	☑	

REVIEWED BY: _____ DATE_____

LOTA-2025-0014 **DOVER POINT ROAD**

Property ID	Location	Owner 1	Owner 2	Owner Address 1	City	State	Zip
L0027-000000	227 DOVER POINT RD	MANHA FRANK N JR & PATRICIA REV TRUSTS	MANHA FRANK N JR AND PATRICIA G TRUSTEES	227 DOVER POINT ROAD	DOVER	NH	03820
L0095-01M000	13 LANDING WY	PETER JILL Z & BRYAN D TRUSTEES	PETER JILL Z REVOCABLE TRUST	13 LANDING WY	DOVER	NH	03820
L0095-H00000	232 DOVER POINT RD	BALL DAVID P		232 DOVER POINT RD	DOVER	NH	03820-4665
L0095-01E000	9 LANDING WY	BLAHUT LAWRENCE A &	BLAHUT NANCY E	9 LANDING WAY	DOVER	NH	03820
L0095-D00000	12 ROBERTS RD	KELLEY ERIN D & ELBERT W JR TRUSTEES &	DUFFY JAMES AND DUFFY THOM & DIANE 33%	29 BAY VIEW RD	DOVER	NH	03820
L0095-E00000	10 ROBERTS RD	SCHULTZ ANN D TRUSTEE	SCHULTZ ANN REVOCABLE TRUST	10 ROBERTS RD	DOVER	NH	03820
L0095-V00000	7 ROBERTS RD	GOBBI PATRICK T &	GOBBI JUDITH H	7 ROBERTS RD	DOVER	NH	03820
L0095-01F000	5 LANDING WY	TARR SCOTT MICHAEL		5 LANDING WAY	DOVER	NH	03820
L0095-B00000	3 ROBERTS RD	LA BORIE DEREK S		3 ROBERTS RD	DOVER	NH	03820
L0095-K00000	2 ROBERTS RD	BURDETT JOHN D &	BURDETT LAUREN M	2 ROBERTS RD	DOVER	NH	03820
L0071-001000	DOVER POINT RD	GONYE STEPHEN &	GONYE SUSAN	PO BOX 2354	MASHPEE	MA	02649
L0095-Z00001	3 OSPREY LN	WENDELL KAREN &	SKEELS F DOYLE	3 OSPREY LN	DOVER	NH	03820-9127
L0095-P00000	4 ROBERTS RD	ZAMMIT JOSEPH V		4 ROBERTS RD	DOVER	NH	03820-4624
L0071-D00000	233 DOVER POINT RD	HALLER SUSAN E	HALLER HAROLD E	233 DOVER POINT ROAD	DOVER	NH	03820
L0095-G00000	2A ROBERTS RD	HOGINSKI EDWARD W LIVING REVOCABLE TRUST	HOGINSKI EDWARD W TRUSTEE	230 DOVER POINT RD	DOVER	NH	03820
L0095-Y00000	DOVER POINT RD	WENDELL KAREN &	SKEELS F DOYLE	3 OSPREY LN	DOVER	NH	03820
L0095-01J000	7 LANDING WY	SHIEMBOB E & B FAMILY LIVING TRUST	SHIEMBOB EDWARD H AND BARBARA K TRUSTEES	7 LANDING WY	DOVER	NH	03820
L0095-01K000	11 LANDING WY	FEDERLEIN FREDERIC H &	FEDERLEIN DEBORAH	11 LANDING WY	DOVER	NH	03820
L0095-L00000	10 ROBERTS RD	TOLAND PAUL J JR & GEORGE NANCY A TRUTEES	TOLAND PAUL JR & GEORGE NANCY REV TRUST	10 A ROBERTS RD	DOVER	NH	03820
L0095-000000	3 LANDING WY	DOWNEY SARAH		3 LANDING WY	DOVER	NH	03820
L0071-000000	231 DOVER POINT RD	SINKEWICH MICHAEL P		231 DOVER POINT RD	DOVER	NH	03820
L0095-F00000	5 ROBERTS RD	GOSS JUSTIN W		5 ROBERTS RD	DOVER	NH	03820
L0095-M00000	8 ROBERTS RD	BURBY JACQUELYN R		8 ROBERTS RD	DOVER	NH	03820
L0095-S00000	230 DOVER POINT RD	HOGINSKI FRANCES L TRUSTEE	HOGINSKI FRANCES L LIVING REV TRUST	230 DOVER POINT ROAD	DOVER	NH	03820
L0095-X00000	DOVER POINT RD	HOGINSKI FRANCES L TRUSTEE	HOGINSKI FRANCES L LIVING REV TRUST	230 DOVER POINT ROAD	DOVER	NH	03820
L0095-Z00000	DOVER POINT RD	WENDELL KAREN &	SKEELS F DOYLE	3 OSPREY LN	DOVER	NH	03820
		MCENEANEY SURVEY ASSOCIATES	KEVIN MCENEANEY	P.O. BOX 1166	DOVER	NH	03821



LOCATION PLAN
(NO SCALE)

REFERENCE PLANS:

1.) PLAN OF PROPOSED SUBDIVISION OF LAND OF HELEN SNOOK, DOVER POINT ROAD, DOVER, N.H. SCALE: 1" = 50'; DATED: JULY 1982; BY: RICHARD P. TOWLE. RECORDED S.C.R.D. PLAN 23A–63.

2.) PLAN OF LOTS – RIVER KNOLL ESTATES – FOR MATT R. AND HELEN WILLIAMS, JR., DOVER POINT ROAD, DOVER, NEW HAMPSHIRE 03820. SCALE: 1" = 50'; DATED: 9 NOV., 84, REVISED THROUGH 4/29/85; BY: ROARING BROOK CONSULTANTS. RECORDED S.C.R.D. PLAN 27–55.

3.) PLAN SHOWING LAND OWNED BY MRS. HELEN C. SNOOK, DOVER POINT ROAD, DOVER, NH; SCALE: 1" = 40'; DATED: MAY 9, 1953, RETRACED AND REVISED FROM A PLAN DATED APRIL 2, 1949; PLAN RETRACED 11/13/62; LOT #27 SURVEYED BY K. MOORE FEB. 22, 1972; BY: HAROLD HERSEY; RECORDED S.C.R.D. POCKET #4, FOLDER #4, PLAN #44.

4.) PLAN SHOWING LAND OWNED BY MRS. HELEN C. SNOOK, DOVER POINT ROAD, DOVER, NH; SCALE: 1" = 40'; DATED: MAY 9, 1953, RETRACED AND REVISED FROM A PLAN DATED APRIL 2, 1949, REVISED THROUGH JUNE 24, 1955; BY: HAROLD G. HERSEY. RECORDED S.C.R.D. PLAN 4, POCKET 8, FOLDER 2.

5.) PLAN OF LAND PREPARED FOR LEO & BEATRICE BOSSE IRREVOCABLE TRUST TAX MAP L, LOT No. 95L, 10A ROBERTS ROAD CITY of DOVER, COUNTY of STRAFFORD, STATE of NEW HAMPSHIRE. SCALE: 1" = 20'; DATED: JUNE 2, 2009; BY: McENEANEY SURVEY ASSOCIATES, INC. RECORDED S.C.R.D. PLAN 104–75.

6.) PLAN OF LIMITED SUBDIVISION FOR EDWARD W. & FRANCES D. HOGINSKI, ROBERTS ROAD, DOVER, NEW HAMPSHIRE. SCALE: 1" = 50'; DATED: JULY 1983, REVISED THROUGH 10/17/83; BY: K.E. MOORE. RECORDED S.C.R.D. PLAN 22–101.

LEGEND

G.B.(fnd) – GRANITE BOUND FOUND
I.P.(fnd) – IRON PIPE FOUND
I.R.(fnd) – IRON ROD FOUND
I.R.(set) – IRON ROD SET
-o- – UTILITY POLE
↓ – GUY WIRE
☼ – LAMP POST
S.F. – SQUARE FEET
Ac. – ACRE
(TYP.) – TYPICAL
± – MORE OR LESS
ø – DIAMETER
S.C.R.D. – STRAFFORD COUNTY REGISTRY OF DEEDS

NOTES:

1.) OWNER OF RECORD:

L / 95Z — KAREN WENDELL
F. DOYLE SKEELS
3 OSPREY LANE
DOVER, NEW HAMPSHIRE 03820
S.C.R.D. VOLUME 4925, PAGE 937

L / 95X — FRANCES L. HOGINSKI LIVING REVOCABLE TRUST OF 2000
FRANCES L. HOGINSKI, TRUSTEE
230 DOVER POINT ROAD
DOVER, NEW HAMPSHIRE 03820
S.C.R.D. VOLUME 2196, PAGE 382

2.) L / 95X – DENOTES TAX MAP AND PARCEL NUMBER.

3.) THE INTENT OF THIS PLAN IS TO ADJUST THE COMMON LOT LINE BETWEEN THE TWO PARCELS AS SHOWN. PARCEL A (12,500 S.F.) IS TO BE ADDED TO PARCEL L/95Z.

LOT	ORIGINAL AREA	NEW AREA
L/95X	34,352 S.F. / 0.789 Ac.	21,852 S.F. / 0.502 Ac.
L/95Z	43,974 S.F. / 1.001 Ac.	56,474 S.F. / 1.297 Ac.

5.) ZONING DISTRICT IS LOW DENSITY RESIDENTIAL (R–20) DISTRICT.

DIMENSIONAL REQUIREMENTS:

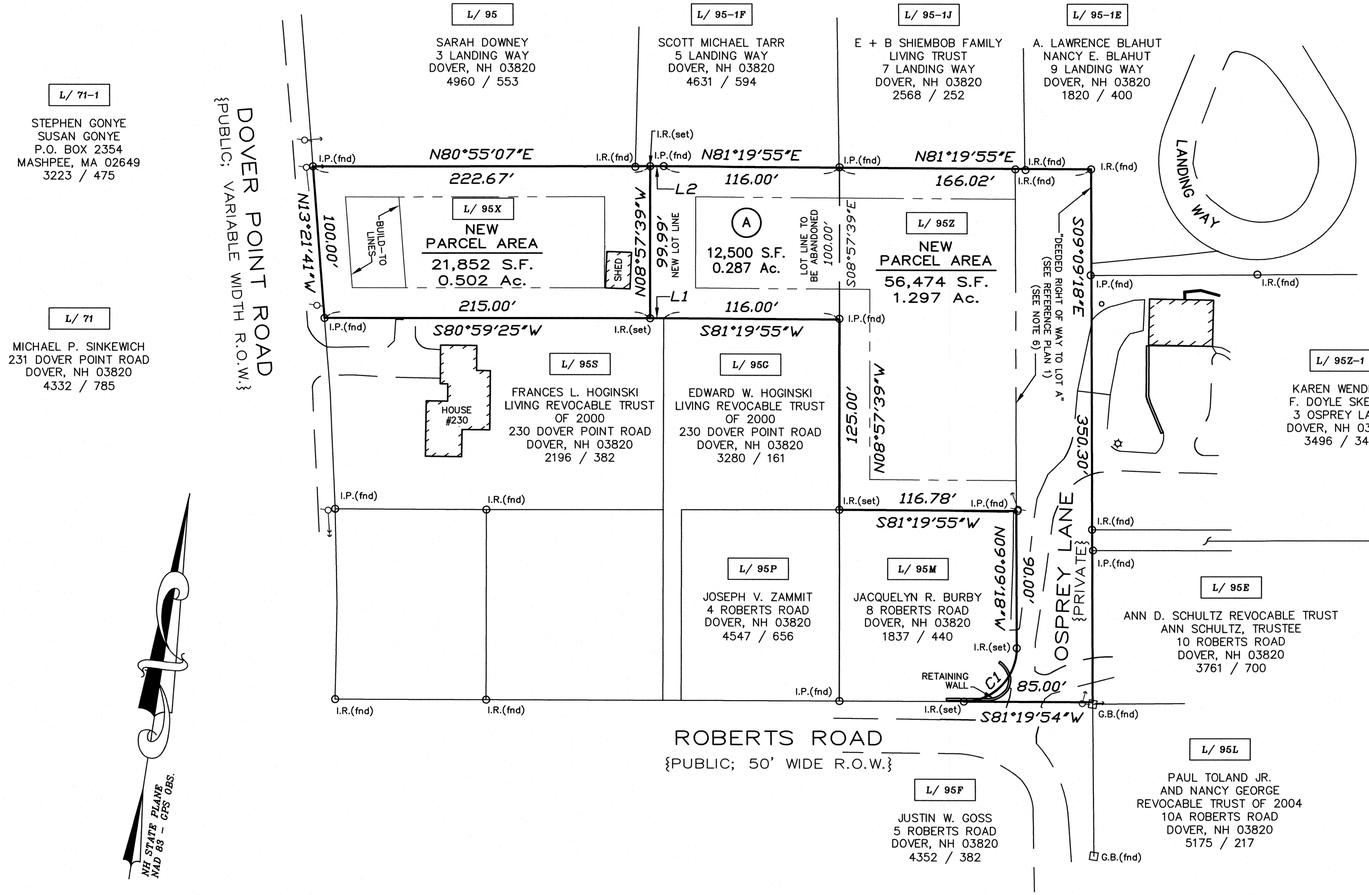
MINIMUM LOT SIZE	= 20,000 S.F.
MINIMUM LOT COVERAGE	= 30 PERCENT
MINIMUM FRONTAGE	= 125 FEET
ACCESSORY STRUCTURES	= 10 FEET

BUILDING SETBACK REQUIREMENTS:

FRONT BUILD TO LINE	= 20–35 FEET
SIDE SETBACK	= 20 FEET
REAR SETBACK	= 30 FEET
MAXIMUM BUILDING HEIGHT	= 35 FEET

6.) BASIS OF BEARING IS NH STATE PLANE (NAD83) BASED ON GPS OBSERVATION DATED SEPTEMBER 27, 2022. VERTICAL DATUM IS NAVD88 BASED ON GPS OBSERVATION DATED SEPTEMBER 27, 2022.

7.) PARCEL L/95Z IS SUBJECT TO A RIGHT OF WAY IN COMMON WITH OTHERS OVER THAT PORTION OF THE PARCEL SHOWN ON REFERENCE PLAN No. 6 AS "DEEDED RIGHT OF WAY TO LOT 'A'". PARCELS L/95Y & L/95Z–1 ARE BENEFITED BY THIS RIGHT OF WAY.



No.	Bearing	Distance
L1	S80°59'25"W	9.00'
L2	N80°55'07"E	9.00'

No.	Central Angle	Radius	Arc Length	Chord Length	Chord Bearing
C1	90°00'00"	35.00'	54.98'	49.50'	N35°50'42"E

NO.	DATE	DESCRIPTION	BY	CHK
		REVISIONS		

25024	LLADJ	
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."

LOT LINE ADJUSTMENT PLAN

PREPARED FOR

FRANCES L. HOGINSKI LIVING REVOCABLE TRUST OF 2000

AND

KAREN WENDELL AND F. DOYLE SKEELES

TAX MAP L, LOT Nos. 95X & 95Z

DOVER POINT ROAD AND OSPREY LANE

CITY OF DOVER

COUNTY of STRAFFORD

STATE of NEW HAMPSHIRE

DOVER PLANNING FILE No.

DRAWN BY: KJF	FILE: P\25204\S\D\25204 LLADJ
SCALE: 1" = 50'	DATE: DECEMBER 5, 2025

50 25 0 25 50 100 150 200

STATE OF NEW HAMPSHIRE — No. 661 — KEVIN M. McENEANEY — LICENSED LAND SURVEYOR

McEneaney Survey Associates of NEW ENGLAND

P.O. Box 1166 – 181 WATSON ROAD
DOVER, NH 03821 (603) 742–0911

SURVEYING – PLANNING – CONSULTING

12/11/2025 11:51:58 File: P:\25204 - 230 Dover Point Road Dover NH \ Hoginski\Survey\Drawings\25204 LLADJ.dwg Layout: 22x34

CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #TRAN-2026-0001

Application Type:	Transfer of Development Rights
Applicant(s):	Laine Major
Owner(s):	Laine Major c/o Portsmouth Architects
Location:	15 New York St. (Assessor's Map 4, Lot 68)
Meeting Date:	January 27, 2026

INTENT: Proposal is to request one (1) unit through Transfer of Development Rights (TDR), resulting in a total of three (3) residential units, with one unit restricted to HUD Fair Market Rental Rates.

AGENDA ITEM #: 4-G

FILE: TRAN-2026-0001

LOTS/UNITS PROPOSED: Three (3) total units, with one (1) unit being proposed through TDR

OWNER: Laine Major

APPLICANT: Laine Major c/o Portsmouth Architects

ACREAGE: 0.06± ac. (2,790± s.f.)

ZONING DISTRICT: Urban Density Multi-Residential (RM-U)

EXISTING LAND USE: Residential

PROPOSED LAND USE: Residential

SURROUNDING LAND USE: Residential, Commercial

WAIVERS REQUESTED: None.

ZBA ACTION: None.

PERMITS REQUIRED: None.

TECHNICAL REVIEW COMMITTEE: N/A

CONSERVATION COMMISSION: N/A

APPLICATION IS COMPLETE: Yes

REGIONAL IMPACT: No

NOTICES SENT: Abutter notices were sent by certified mail to all abutters.

ATTACHMENTS: TDR Plan, Application Materials.

Summary of Request and Background:
The applicant is proposing to purchase one residential unit through TDR, that will be deed-restricted to HUD Fair Market rental rates, for a project total of three residential units.

The subject parcel, 15 New York St., (Tax Map 4, Lot 68), is within the Urban Density Multi-Residential (RM-U) District. The RM-U District allows for a mix of commercial and residential uses.

The site previously held a two-and-a-half-story, two-unit residential structure that was destroyed by fire in August 2024. The structure was determined beyond repair and subsequently demolished in April 2025. Based on current zoning, the previous structure could not be built in the same manner and, while planning for reconstruction, a third residential unit was proposed.

Per §170-29G(3)(b), in mixed-use or multi-family districts, the base density is to be derived from the underlying zoning. Therefore, the subject property is allowed a two-family dwelling or conversion to a two-family dwelling by right. In the RM-U District, up to a three or four family structure is allowed by Special Exception but the applicant does not meet all criteria for a Special Exception. Therefore, the base density was determined as two residential units with one unit being required through TDR.

Staff has reviewed the proposal and supplied a TDR memo to the applicant.

Review by the Technical Review Committee was not required for this project.

Consistency with Land Use Regulations - TDR
§170-29 provides for additional density to be purchased through Transfer of Development Rights, provided that four criteria are met: The proposal is consistent with the Master Plan; is compatible with the land uses on neighboring lots; is created on property served by public water and sanitary sewer; and not seeking permitted relief caused by additional density.

Staff notes that the applicant has displayed consistency within the Master Plan but specifically cited current allowable uses within the RM-U District which includes a three-unit dwelling by Special Exception.

The applicant described the project site and proposal within the context of the RM-U District and the neighboring lots. The applicant accurately pointed out that many properties on New York Street are also nonconforming with respect to current zoning.

The driveway is proposed in nearly the same footprint as the previous layout and is being described as providing tandem parking for three vehicles which would be defined as one parking space.

See reverse →

CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #TRAN-2026-0001

Application Type:	Transfer of Development Rights
Applicant(s):	Laine Major
Owner(s):	Laine Major c/o Portsmouth Architects
Location:	15 New York St. (Assessor's Map 4, Lot 68)
Meeting Date:	January 27, 2026

The supplemental narrative on parking for this proposal points to the bus stops within a block of this property and the existing reliance on on-street parking along New York Street but the Planning Department would like to see adequate off-street parking.

The proposal includes an approximate development ratio of 1 unit per ±930 square feet (three units). The immediately adjacent properties have a slightly lower density, with an average ratio of one unit per approximately 1,367 square feet of developable land.

This pattern is consistent with the broader neighborhood, which includes primarily smaller lots with densities ranging from two to ten units.

The lot is served by municipal water and sewer services and no environmental relief is required as proposed.

STAFF RECOMMENDATION - TDR:
The Planning Department recommends the Planning Board accept the application, open the public hearing, make findings, and vote on the TDR request or request further information. Should the Board vote to grant the TDR request, staff recommend it does so with the following subsequent conditions:

Subsequent Conditions to be Met Prior to Granting TDR:

1. Payment of TDR fees;
2. Payment of water/sewer investment fees at time of request for service;
3. Deed restriction for HUD Fair Market Rent Restriction;
4. The applicant provide justification and the Planning Board agrees that one parking space is adequate for three units or the applicant find further off-street parking via a private agreement provided to staff or a long-term permit from the City at the development parking rate set by City Council annually.
5. Revise and submit plan set to include:
   - 5.1. Owners' signatures;
   - 5.2. Surveyed plan signed and stamped by a LLA;
   - 5.3. Architectural renderings and floorplans by a licensed architect;
   - 5.4. Utility information
   - 5.5. The following notes:
     - 5.5.1. "One residential unit purchased through Transfer of Development Rights shall be restricted to HUD Fair Market rental rates for the Portsmouth-Rochester, NH HUD Metro Area."
     - 5.5.2. "This site plan uses the Transfer of Development Rights ordinance which allows for relief to the setbacks, lot area, frontage, density and intensity of the development. The Board granted TDR relief to purchase up to one unit for a maximum total of three units on the subject lot."
6. Work with the Planning Department to endorse a development agreement per Chapter 170-20B(3) and then record at SCRD. The development agreement shall indicate that one of the three units shall be deed restricted to the HUD Fair Market Rental rates.

To: Portsmouth Architects
From: Donna Benton, AICP
Cc: Laine Major
Date: January 21, 2026
Re: TDR 15 New York St.

ISSUE:
In February 2020, the Board recommended amendments to the Transfer of Development Rights (TDR) Ordinance. In June 2020, the Planning Board approved the amendments and on July 22, 2020, the City Council ratified them. One element is the requirement for staff to draft a review statement on the need for a sketch plan. Since then the criteria for TDR has also been amended.

INTENT:
This memo will serve as part of the staff report.

GOALS:
Provide background on balancing development vs. conservation needs and current housing shortage, and describe the TDR applications in Dover.

Background
On behalf of your client, you submitted a TDR plan for a project of three residential units total, one of which is proposed to be purchased via TDR and deed-restricted to HUD Fair Market rental rates.

The subject parcel, Assessor's Map 4, Lot 68, is within the Urban Density Multi-Residential (RM-U) District. The RM-U District allows for a mix of commercial and residential uses.

The site previously held a two-and-a-half-story, two-unit residential structure that was destroyed by fire in August 2024. The structure was determined beyond repair and subsequently demolished in April 2025. Based on current zoning, the previous structure could not be built in the same manner and, while planning for reconstruction, a third residential unit was proposed.

Per §170-29G(3)(b), in mixed-use or multi-family districts, the base density shall be derived from the underlying zoning. Therefore, the subject property is allowed a two-family dwelling or conversion to a two-family dwelling by right. In the RM-U District, up to a three or four family structure is allowed by Special Exception. As the applicant does not meet all criteria for a Special Exception, one extra residential unit was determined to be required through TDR for a total of three units on site.

Staff performed this review based upon the information below, and is now providing the required staff report (Chapter 170-29 E.(4)a).

Project Information

Project:	15 New York St., TDR
Where:	15 New York St. (Assessor's Map 4, Lot 68)
What:	Three units total. One unit is being requested to be purchased through TDR.
Acres:	0.06± ac. (2,790± s.f.)
Zone:	RM-U District
Public Water:	Lot is served by municipal water.
Public Sewer:	Lot is served by municipal sewer.
Units:	Three total units are proposed, staff considers two units to be the base density requiring the applicant to purchase one TDR unit.
Relief:	As proposed, no environmental relief would be required.

Staff Comment
When reviewing projects, review the context, discuss options with the applicant, and advise on the feasibility of requesting the purchase or exchange before or after designing a fully laid out plan.

In reviewing this project, we note:

- Traffic
  - New York Street primarily serves neighborhood traffic but also serves as a connector between two arterial roads: Central Avenue and Broadway.
  - There is continuous sidewalk connectivity from New York Street to all major destinations in the downtown area.

- Layout/topography
    - The lot is currently vacant, as the two-unit structure was demolished in April 2025.
    - The subject property is within the RM-U Zoning District and directly abuts the Central Business District General and Residential Sub-Districts.
    - The abutting property on each side boundary line are each two-family dwellings with varying residential densities found along the rest of the street.
    - The subject property is well connected with easy access to COAST bus stops and a walkable surrounding area.
    - The proposed structure has a similar footprint as the previous structure and is proposed to have similar massing and layout as the neighboring properties.

- Environmental
    - The lot is vacant but was previously developed and is surrounded by dense development.

Staff Recommendation

Staff notes that the applicant has displayed consistency within the Master Plan but specifically cited current allowable uses within the RM-U District which includes a three-unit dwelling by Special Exception.

The applicant described the project site and proposal within the context of the RM-U District and the neighboring lots. The applicant accurately pointed out that many properties on New York Street are also nonconforming with respect to current zoning.

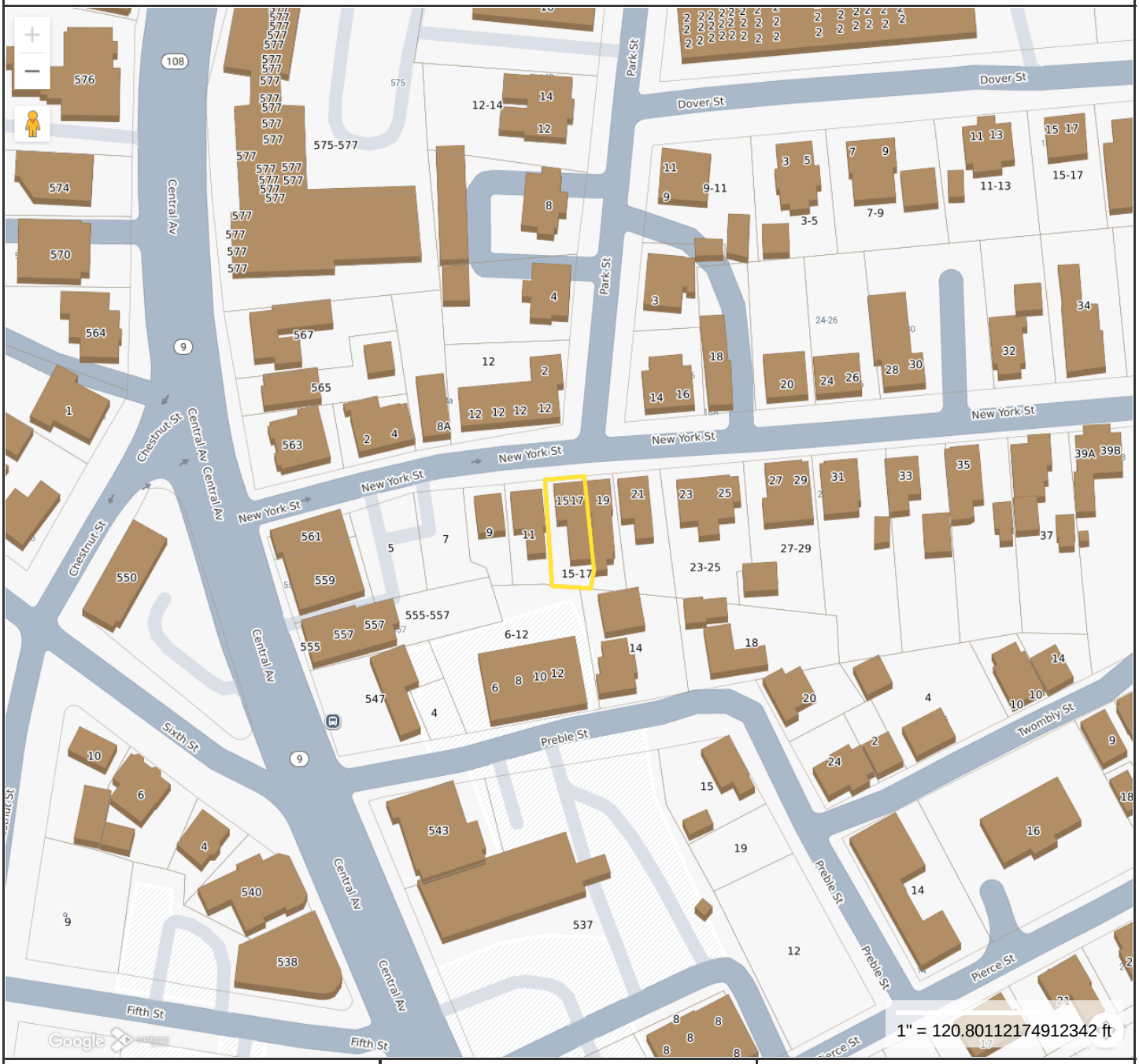
The proposal includes an approximate development ratio of 1 unit per ±930 square feet (three units). The immediately adjacent properties have a slightly lower density, with an average ratio of one unit per approximately 1,367 square feet of developable land. This pattern is consistent with the broader neighborhood, which includes primarily smaller lots with densities ranging from two to ten units.

The driveway is proposed in nearly the same footprint as the previous layout and is being described as providing tandem parking for three vehicles. The City of Dover recognizes tandem parking spaces are determined to be a single parking space. Therefore the off-site parking would fall under definition for one parking space not three. Staff is not convinced one off street parking space is adequate for three units and would encourage the applicant to provide justification to the Planning Board. The supplemental narrative on parking for this proposal points to the bus stops within a block of this property and the existing reliance on on-street parking along New York Street.

The lot is served by municipal water and sewer services and no environmental relief is required as proposed.

Finally, staff appreciates that the proposal includes a restriction to HUD Fair Market rental rates.

TRAN-2026-0001 15 NEW YORK STREET



Property Information

Location	15 NEW YORK ST
Owner	MAJOR LAINE ELISABETH
Land Use	104R
Zoning Code	RM-U
Property Id	04068-000000

MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

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

Geometry updated 10/30/2023
Data updated Daily

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

PLAN SNAPSHOT REPORT TRAN-2026-0001
FOR CITY OF DOVER, N.H.

Plan Type:	Transfer	**Project:**		**App Date:**	01/06/2026
Work Class:	Transfer of Development Rights	**District:**	None	**Exp Date:**	03/12/2026
Status:	In Review	**Square Feet:**	0.00	**Completed:**	NOT COMPLETED
Valuation:	$0.00	**Assigned To:**	Blonigen, Rachel	**Approval Expire Date:**	

Description: Increase the density from the existing 2 residential units to 3 units, which is permitted in the underlining zone with a special exception.

Parcel: 04068-000000 Main	**Address:** 15 New York St Main Dover, NH	**Zone:** RM-U(Residential - Urban Density)

Applicant	Owner	Owner Agent
Mark Gianniny	Laine Major	Larry Dukes
4 Market St	14 Kensington Rd	18 Elwyn rd
Portsmouth, NH 03801	Hampton Falls, NH 03844	Rye, NH 03870
Home: (603) 430-0274	Home: (207) 450-8054	Business: (603) 957-8292
Business: (603) 430-0274	Business: (207) 450-8054	Mobile: (603) 957-8292
	Mobile: (207) 450-8054	

Plan Custom Fields

Parcel Map/Lot	Map 4, Lot 68	Parcel Zoning Overlay		Parcel Zoning	RM-U
trandevdetail	Increase the density from the existing 2 residential units to 3 units, which is permitted in the underlining zone with a special exception. See attached narrative for further description.	Deed Book	5062	Deed Page	731
Property Address	15-17 New York Street	Deed Date	2022-09-08	Owner Name	Laine Major
Existing Parcel Size (Ac)	0.06	Owner Address	14 Kensington Rd , Hampton Falls, NH 03844	Owner Phone	
Existing Parcel Size (sqft)	2613.6	Owner EMail	lainemajor@gmail.com	Parcel Feedback	
Reference Plan ID Number:	04068-000000	Request Type	Purchase, Residential	trandevpermits	N/A
Project Zone	Residential	New Change in Impervious/Paved Area (sq ft)	-209	Quantity of Non-Restricted Units	0
Relief Sought	Frontage, Lot Size, Setback, Unit increase	Quantity of HUD Restricted Units	1	Quantity of 1,000 sq ft Units	0

Attachment File Name	Added On	Added By	Attachment Group	Notes
15 NY St -Abutters-spreadsheet.pdf	01/06/2026 11:33	Gianniny, Mark		Uploaded via Dover, NH - Permits Plans Licensing
Signature_Mark_Gianniny_1/6/2026.jpg	01/06/2026 11:33	Gianniny, Mark		Uploaded via CSS

Invoice No.	Fee	Fee Amount	Amount Paid
INV-2026000053	Planning Transfer of Dev Rights Application Fee	$200.00	$0.00
	Total for Invoice INV-2026000053	**$200.00**	**$0.00**
	Grand Total for Plan	**$200.00**	**$0.00**

Workflow Step / Action Name	Action Type	Start Date	End Date
Review v.1		01/06/2026 12:34	
Confirm application complete v.1	Generic Action		01/06/2026 12:34
Technical Review Committee Meeting Agenda v.1	Task		
Land Use Plan Technical Review v.1	Receive Submittal		

PLAN SNAPSHOT REPORT (TRAN-2026-0001)

Technical Review Committee Meeting v.1	Hold Meeting
Planning Board v.1	
Planning Board Agenda v.1	Task
Invoice for Notices v.1	Task
Send Notices v.1	Task
Planner Creates Staff Recommendations v.1	Plan Activity
Distribute Planning Board Materials v.1	Task
Planning Board Hearing v.1	Hold Hearing
Planning Board Decision v.1	Plan Activity
NOD Sent to Applicant v.1	Create Report
Final Plan v.1	
Land Use Plan Stamped and Signed v.1	Generic Action
Recording v.1	Task
Document Archival v.1	Generic Action
Internal Notification of Plan Completion v.1	Generic Action
Building Official Notifies Address v.1	Generic Action
Pre-Con Meeting v.1	Hold Meeting
Create/Link to Records v.1	
Create / Link to Permit - Building Major v.1	Create Sub Permit
Create / Link to Permit - Site Work, Construction v.1	Create Sub Permit

TRAN-2026-0001 **15 NEW YORK STREET**

Property ID	Location	Owner 1	Owner 2	Owner Address 1	City	State	Zip
04039-000000	4 PREBLE ST	TDL GAS & FOOD CORP		547 CENTRAL AVE	DOVER	NH	03820
04067-000000	19 NEW YORK ST	THOMPSON ALEXA-MARIE	NASON ANDREW	48 DOROTHY DR	EPPING	NH	03042
04041-000000	14 PREBLE ST	AK PROPERTIES LLC		39 CHERRYWOOD DR	NASHUA	NH	03062-3079
04043-000000	20 PREBLE ST	CULLEN RICHARD A	CULLEN PAMELA J	20 PREBLE STREET	DOVER	NH	03820
04065-A00000	27 NEW YORK ST	DEGNON REBECCA J &		640 SUNCOOK VALLEY RD #1	ALTON	NH	03809
04069-000000	11 NEW YORK ST	DASS VASANT T		14 OLD DOVER RD	ROCHESTER	NH	03867
04070-000000	9 NEW YORK ST	MASK & MONSTERS LLC	ATTN CHRIS WYSKIEL	561 CENTRAL AVENUE	DOVER	NH	03820
27006-000000	565 CENTRAL AV	DIMAMBRO BRIAN &	DIMAMBRO MEREDITH	567 CENTRAL AV	DOVER	NH	03820
27034-000000	3 PARK ST	COTE NATHAN M		19 OAK HILL DR	DOVER	NH	03820
27009-000000	8 NEW YORK ST	DIMAMBRO BRIAN D &	DIMAMBRO MEREDITH	567 CENTRAL AVE	DOVER	NH	03820
27012-000000	4 PARK ST	PALMER WILLIAM R &	PALMER PATRICIA	4 PARK STREET	DOVER	NH	03820
27005-000000	567 CENTRAL AV	DIMAMBRO BRIAN &	DIMAMBRO MEREDITH	567 CENTRAL AVE	DOVER	NH	03820
27038-000000	24 NEW YORK ST	LE TRI		19 LAUREL LN	SOMERSWORTH	NH	03878
27007-000000	563 CENTRAL AV	STRAFFORD SCATTERED SITE LIMITED		105 LOUDON RD UNIT 1	CONCORD	NH	03301
04030-000000	537 CENTRAL AV	PEOPLE'S UNITED BANK	C/O M&T BANK ATTN: CORP SERVICES-FSU DPT	ONE M&T PLAZA - 18TH FL	BUFFALO	NY	14203
04073-000000	561 CENTRAL AV	MASK 561 CENTRAL LLC		561 CENTRAL AVENUE	DOVER	NH	03820
04075-000000	555 CENTRAL AV	BRATTER MYLES S & ELIZABETH A TRUSTEES	BRATTER FAMILY REVOCABLE TRUST	177 BARTLETT ST	PORTSMOUTH	NH	03801
04076-000000	547 CENTRAL AV	TDL GAS & FOOD CORP		547 CENTRAL AVE	DOVER	NH	03820
04065-000000	23 NEW YORK ST	NELB MOORE STEPHANIE		319 MCKINLEY RD	PORTSMOUTH	NH	03801
27035-000000	14-16 NEW YORK ST	KAPSTAD CHRISTIAN JAMES		11 TWOMBLY ST	DOVER	NH	03820
27013-000000	8 PARK ST	KINGDOM PROPERTIES LLC		PO BOX 730	SOMERSWORTH	NH	03878
27036-000000	18 NEW YORK ST	SHERPA LAKPA		9 A CHANDLER WAY	DOVER	NH	03820
27037-000000	20 NEW YORK ST	TREMBLAY SAWYER JOSEPH		22 NEW YORK ST	DOVER	NH	03820
04074-000000	559 CENTRAL AV	MASK 561 CENTRAL LLC		561 CENTRAL AVENUE	DOVER	NH	03820
04066-000000	21 NEW YORK ST	TURNER EDWIN III	TURNER KAREN	21 NEW YORK STREET	DOVER	NH	03820
04029-000000	543 CENTRAL AV	PEOPLE'S UNITED BANK	C/O M&T BANK ATTN: CORP SERVICES-FSU DPT	ONE M&T PLAZA - 18TH FL	BUFFALO	NY	14203
27011-000000	12 NEW YORK ST	JAD INVESTMENTS LLC	C/O JESSE A DEGEORGE	61 WINDSOR ROAD	MEDFORD	MA	02155
04040-000000	6 PREBLE ST	FAKHOURYS LLC		547 CENTRAL AVE	DOVER	NH	03820
04072-000000	5 NEW YORK ST	MASK 561 CENTRAL LLC		561 CENTRAL AVENUE	DOVER	NH	03820
27008-000000	4 NEW YORK ST	GRIMES-GRUCZKA THADDEUS A		2 NEW YORK ST	DOVER	NH	03820
04026-000000	15 PREBLE ST	STERGIOU GEORGE T JR		15 PREBLE STREET	DOVER	NH	03820
04042-000000	18 PREBLE ST	LAMBERT DEREK		18 PREBLE ST	DOVER	NH	03820
27004-A00000	575 CENTRAL AV	BRADLEY COMMONS LIMITED PARTNERSHIP		PO BOX 127	PORTSMOUTH	NH	03802
04071-000000	7 NEW YORK ST	MASK 561 CENTRAL LLC		561 CENTRAL AVENUE	DOVER	NH	03820
27033-000000	9 PARK ST	9-11 PARK STREET LLC		11 COURT ST STE 100	EXETER	NH	03833
04064-000000	31 NEW YORK ST	PAQUETTE BRENDAN		136 POST RD	NORTH HAMPTON	NH	03862
04068-000000	15 NEW YORK ST	MAJOR LAINE ELISABETH		15 NEW YORK ST	DOVER	NH	03820
		PORTSMOUTH ARCHITECTS	MARK GIANNINY	4 MARKET STREET	PORTSMOUTH	NH	03801

January 5, 2026

Dover Planning Department
Attention: Donna Benton, Director of Planning and Community Development
288 Central Avenue
Dover, NH 03820

Re: Residential Transfer of Development (TDR)
Transfer of Development Rights Narrative
15-17 New York St, Dover, NH
Tax Map 4, Lot 68

Dear Mrs. Benton:

On behalf of our client, Laine Major, owner of the property at 15 New York Street, Dover, New Hampshire, and Portsmouth Architects, we respectfully submit a proposed Residential Transfer of Development Rights (TDR) site plan request for one additional residential unit on the property, along with relief associated with existing site nonconformities.

Background and General Narrative

The existing structure at 15–17 New York Street was destroyed by fire on August 18, 2024. While there were no injuries, the fire resulted in the displacement of both the owner-occupant and a tenant household. The structure was determined to be beyond repair and was subsequently demolished with City approval under demolition permit BLDM-2025-0054, dated April 29, 2025.



Former structure

The former structure consisted of a 2½-story duplex (two-family dwelling) located on a nonconforming lot. The proposed replacement structure will be of similar massing and footprint, while adding a third residential unit on the third floor. The first and second floors will each contain one dwelling unit. The proposed third unit will be restricted to HUD affordability rates, while the two former units would remain market rate.

TDR Criteria

Chapter 170-29.G.(8) lays out the criteria which the Planning Board should consider when determining the appropriateness of the increase in density and intensity on individual project sites. These include:

- Consistency with the Master Plan.
- Compatibility with the land uses on neighboring lot.
- Is property served by public water and sanitary sewer.
- Any relief sought should not be caused by the additional density.

Consistency with the Master Plan:

The subject parcel is located within the RM-U (Urban) zoning district of the City of Dover. Within this district, a three-family dwelling is permitted by Special Exception. Due to the site's existing nonconformities, the parcel does not meet all criteria required for approval of a Special Exception without additional relief. As such, relief is required either through variances for specific dimensional items or through approval under the TDR provisions.

It is important to note that a use permitted by Special Exception is considered a permitted use, supporting the appropriateness of the request for one additional residential unit.

Compatibility with the land uses on neighboring lot:

The surrounding neighborhood along New York Street and Park Street consists predominantly of multifamily residential structures, including Colonial and New Englander style buildings. Immediate abutters to the east and west are both duplexes, and the building directly across the street is a five-unit multifamily structure.

Many properties in the neighborhood are nonconforming with respect to frontage, setbacks, and lot coverage. The proposed redevelopment will maintain the existing nonconformities without increasing their degree and will result in a slight improvement to overall lot coverage.

It is our assessment that the proposed use is appropriate for the site, compatible with surrounding properties, and consistent with the existing neighborhood pattern. The project will also restore residential housing stock lost due to a casualty event and may help encourage reinvestment and modernization within the neighborhood.

Public Sewer and Water:

The proposed project will be served by existing municipal water and sanitary sewer infrastructure.

Any relief sought should not be caused by the additional density:

No relief is requested as a result of the proposed additional residential unit beyond the increase in unit count itself. All other relief relates solely to pre-existing nonconforming conditions, which are not being expanded or intensified by the proposed redevelopment.

Zoning Table

Ordinance	Required	Existing	Proposed	Notes
Min Lot Size	10,000 SF	2,616.6 SF	2,616.6 SF	Existing nonconforming
Max Lot Coverage	1,046 SF (40% Max)	2,246 SF (86%)	2,037 SF (78%)	Existing nonconforming/ Reduced
Min Lot Frontage	80'-0"	33.5'	33.5'	Existing nonconforming
Front Setback	8'-9"	5.95'	5.95'	Existing nonconforming
Side Setback - West	6'-0"	9.52'	9.52'	
Side Setback - East	6'-0"	1.92'	1.92'	Existing nonconforming
Rear Setback	15'-0"	16.58'	16.58'	
Building Height	40'-0"	>40'-0"	33.19'	
Dwelling Unit Count	2	2	3	Special exception/TDR
Parking Count	1/unit = 3	3	3	

Please don't hesitate to reach out if you have any questions or comments.

Regards,



Mark Gianniny, AIA
Principal

Attachments:
Abutters list
Permit drawing set

Cc: Laine Major, Owner
Larry Dukes, Owners Rep
Alex Ross, Ross Engineering

PORTSMOUTH ARCHITECTS
Brought to you by McHENRY ARCHITECTURE

January 21, 2026

Dover Planning Department
Attention: Donna Benton, Director of Planning and Community Development
288 Central Avenue
Dover, NH 03820

Re: Residential Transfer of Development (TDR)
Transfer of Development Rights – Off Street Parking
15-17 New York St, Dover, NH
Tax Map 4, Lot 68

Dear Mrs. Benton:

At the request of the Planning Department, we are providing additional information regarding the off-street parking and transportation options serving the property.

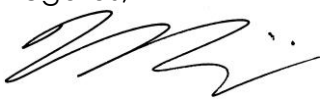
The existing development includes a single driveway with tandem parking that accommodates three (3) vehicles for off-street parking. The proposed redevelopment will continue to utilize this same parking arrangement to meet the intent of the zoning ordinance by providing all three required parking spaces entirely on-site. The tandem configuration is appropriate for the scale and use of the project and ensures that required parking is accommodated without reliance on on-street parking.

In addition to on-site parking, the project site is well served by existing public and active transportation infrastructure. Two public bus stops are located within one block of the property along Main Street and Chestnut Street, providing convenient access to local and regional transit. The rail station is located approximately three blocks from the site, further supporting reduced automobile dependency. The surrounding area is also served by established sidewalks connecting to downtown amenities, and the street network is suitable for bicycle travel.

The surrounding neighborhood relies heavily on on-street parking, as many abutting properties do not have driveways or off-street parking. This property benefits from an existing driveway and the ability to provide the required parking spaces off-street. Together, the provision of on-site tandem parking and proximity to public transportation, pedestrian infrastructure, and downtown services supports a multimodal approach to transportation consistent with the intent of the zoning ordinance and the City's planning goals.

Please do not hesitate to reach out if you have any questions or require additional information.

Regards,



Mark Gianniny, AIA
Principal

Cc: Laine Major, Owner
Larry Dukes, Owners Rep
Alex Ross, Ross Engineering

Gmail **Larry Dukes <planet241q@gmail.com>**

15-17 New York St Neighborhood Parking

Larry Dukes <planet241q@gmail.com> Tue, Jan 20, 2026 at 6:22 PM
Draft To: "Crouser, Paul" <P.Crouser@dover.nh.gov>

Printed Time

Due to the amount of photos the letter V will be used to explain from the direction vehicles other residents one are constantly parked

8 attachments

Afternoon Photos 2:30pmt



IMG_20260120_075921261.jpg
2463K

V-Corner Park St to Central Ave



IMG_20260120_075932002.jpg
1739K

V - Park to Central Ave

Jan 20 230+



IMG_20260120_152829883.jpg
3352K

V - Dover St



IMG_20260120_152502794_HDR.jpg
3725K

V - On St Parking
Central Ave



IMG_20260120_152549732_HDR.jpg
3833K

V - Park St - New York St
2

Jan 20 2:30pm



IMG_20260120_155736190.jpg
2862K

V- Central Ave
Bus Tranport
3 blocks from Location



IMG_20260120_152808337.jpg
3132K

V- Park Corner - Central Ave
From Location 1 block



IMG_20260120_152719140.jpg
3219K

V- New York - Central Ave
1½ block past Location

Gmail

Larry Dukes <planet241q@gmail.com>

15-17 New York St Neighborhood Parking

Larry Dukes <planet241q@gmail.com> Tue, Jan 20, 2026 at 6:39 PM
To: "Crouser, Paul" <P.Crouser@dover.nh.gov>

Printed

2:30 pm

[Quoted text hidden]

7 attachments



IMG_20260120_075831384.jpg
2947K

V-Dove St - Towards Broadway - From Corner of Park/Dover



IMG_20260120_075910025.jpg
2281K

V - Neighors Home Next Door to Location

Jan/20/2026



IMG_20260120_075904617.jpg
2366K

V-Neighors Home
Across from Corner
of Park St Intersection



IMG_20260120_075842562_MP.jpg
2217K

V-Park St 1 Home
From Intersection Near
St



IMG_20260120_075853921.jpg
3474K

Afternoon - 2:30pm
1/20/2026



IMG_20260120_075829457.jpg
2889K
V- Park St to Dover St Corner Towards Broadway



IMG_20260120_075805638.jpg
3501K
V-

Jan20 2:30 pm



IMG_20260120_075443148_HDR.jpg
1439K
V - Central Ave - Park St



IMG_20260120_075556082.jpg
1163K
V - Central - Ham St



IMG_20260120_075716976.jpg
3992K
V - East St - New York St

Gmail

Larry Dukes
<planet241q@gmail.com>

15-17 New York St Neighborhood Parking

Larry Dukes Tue, Jan 20, 2026 at 7:10 PM
<planet241q@gmail.com>
To: "Crouser, Paul" <P.Crouser@dover.nh.gov>

[Quoted text hidden]

2:30pm

7 attachments



IMG_20260120_075350488.jpg
1011K

Park St

Jan 20 2:30pm



IMG_20260120_075556082.jpg
1163K
V- Ham St - Park St



IMG_20260120_075415007_HDR.jpg
2449K
V- East St - New York



IMG_20260120_075615779.jpg
1494K
Ham St



IMG_20260120_075443148_HDR.jpg
1439K V- Dover St - Park St



IMG_20260120_075530566_HDR.jpg
1391K
V- Park St - From Dover



IMG_20260120_075509425_HDR.jpg
2064K
V- Dover St - Park St

Gmail

Larry Dukes
<planet241q@gmail.com>

15-17 New York St Neighborhood Parking

Larry Dukes
<planet241q@gmail.com>
To: "Crouser, Paul" <P.Crouser@dover.nh.gov>

Tue, Jan 20, 2026 at 7:14 PM

[Quoted text hidden]

7 attachments



IMG_20260120_075350488.jpg
1011K
V— Ham St



IMG_20260120_075415007_HDR.jpg
2449K
V- East St



IMG_20260120_075231844.jpg
1283K

V-East St



IMG_20260120_075509425_HDR.jpg

2064K

V- DoverSt - ParkSt



IMG_20260120_075443148_HDR.jpg

1439K

V-DoverSt - ParkSt



IMG_20260120_075212294.jpg
1419K
V- New York St - Broadway



IMG_20260120_075244733.jpg
1466K

Jan20 230pm+



IMG_20260120_075509425_HDR.jpg
2064K
V-Dover St – New York St



IMG_20260120_075530566_HDR.jpg
1391K
V- Dove St – ~~New York St~~ Park St
Facing

Gmail **Larry Dukes <planet241q@gmail.com>**

15-17 New York St Neighborhood Parking

Larry Dukes <planet241q@gmail.com> Tue, Jan 20, 2026 at 6:48 PM
To: "Crouser, Paul" <P.Crouser@dover.nh.gov>

Printed Time

[Quoted text hidden]

After Noon 2:30pm+

7 attachments



IMG_20260120_075615779.jpg
1494K



IMG_20260120_075627372.jpg
1492K

Gmail

Larry Dukes <planet241q@gmail.com>

15-17 New York St Neighborhood Parking

Larry Dukes <planet241q@gmail.com> Tue, Jan 20, 2026 at 7:46 PM
To: "Crouser, Paul" <P.Crouser@dover.nh.gov>

Printed Tim

[Quoted text hidden]

Jan 18

6 attachments



IMG_20260120_075055343.jpg
1786K
V- Central Ave - New York St Corner 50ft before COAST Bus Location



Jan 18 2026

IMG_20260118_112200087_HDR.jpg
2909K
V- New York St Neighbor Right Side of Location

Jan 18



IMG_20260118_112041584_HDR.jpg
3025K
V- Intersection



IMG_20260118_112131305_HDR.jpg
4170K



IMG_20260118_112143364_HDR.jpg
3935K
V- New York St Neighborhood

Gmail

Larry Dukes <planet241q@gmail.com>

15-17 New York St Neighborhood Parking

Larry Dukes <planet241q@gmail.com> Tue, Jan 20, 2026 at 7:54 PM
To: "Crouser, Paul" <P.Crouser@dover.nh.gov>

Printed

[Quoted text hidden]

Jan 18

6 attachments



IMG_20260118_112041584_HDR.jpg
3025K



IMG_20260118_111934860_HDR.jpg
3319K

Sixth St AREA

Jan 18



IMG_20260118_112143364_HDR.jpg
3935K



IMG_20260118_112004662_HDR.jpg
4830K
V- Preamble/Townsbly St



IMG_20260118_112200087_HDR.jpg
2909K
V- New York St
Neigh



Jan 18

IMG_20260118_112131305_HDR.jpg
4170K

Gmail

Larry Dukes <planet241q@gmail.com>

15-17 New York St Neighborhood Parking

Larry Dukes <planet241q@gmail.com> Tue, Jan 20, 2026 at 8:09 PM
To: "Crouser, Paul" <P.Crouser@dover.nh.gov>

Printed on

[Quoted text hidden]

Jan 18

6 attachments



IMG_20260118_111934860_HDR.jpg
3319K



IMG_20260118_112041584_HDR.jpg
3025K

Jan 18



IMG_20260118_111715947_HDR.jpg
3738K
V- Location Corner of Parks



IMG_20260118_111837848_HDR.jpg
3537K
V- Twambly St



IMG_20260118_112004662_HDR.jpg
4830K



Jan 18

IMG_20260118_111856180_HDR.jpg
3559K

Gmail

Larry Dukes <planet241q@gmail.com>

15-17 New York St Neighborhood Parking

Larry Dukes <planet241q@gmail.com> Tue, Jan 20, 2026 at ~~8:20 PM~~
To: "Crouser, Paul" <P.Crouser@dover.nh.gov>

[Quoted text hidden]

Jan 18

5 attachments



IMG_20260118_111625816_HDR.jpg
3164K

V - PARK St



IMG_20260118_111625816_HDR.jpg
3164K

V - PARK St

Scen 18



IMG_20260118_111837848_HDR.jpg
3537K

V- Twambly St



IMG_20260118_111715947_HDR.jpg
3738K

V- Location
Corner Park - New York



IMG_20260118_111638787_HDR.jpg
3073K

V- Park St

Gmail **Larry Dukes <planet241q@gmail.com>**

15-17 New York St Neighborhood Parking

Larry Dukes <planet241q@gmail.com> Tue, Jan 20, 2026 at 8:26 PM
To: "Crouser, Paul" <P.Crouser@dover.nh.gov>

[Quoted text hidden]

5 attachments

Jan 18



IMG_20260118_111616369_HDR.jpg
2508K

V- PARK St



IMG_20260118_111341463_HDR.jpg
3258K

V- New York St

Jan 18



IMG_20260118_111544533_HDR.jpg
2634K
V- Park St - Dover St



IMG_20260118_111411192_HDR.jpg
2764K
V New York St



IMG_20260118_111609947_HDR.jpg
3508K
V- Park St - Dover St

Gmail **Larry Dukes <planet241q@gmail.com>**

15-17 New York St Neighborhood Parking

Larry Dukes <planet241q@gmail.com> Tue, Jan 20, 2026 at 8:30 PM
To: "Crouser, Paul" <P.Crouser@dover.nh.gov>

[Quoted text hidden]

5 attachments

Jan 18



IMG_20260118_111544533_HDR.jpg
2634K

V- Dover St



IMG_20260118_111341463_HDR.jpg
3258K

V- New York St location

Gmail

Larry Dukes <planet241q@gmail.com>

15-17 New York St Neighborhood Parking

Larry Dukes <planet241q@gmail.com> Tue, Jan 20, 2026 at 8:50 PM
To: "Crouser, Paul" <P.Crouser@dover.nh.gov>

[Quoted text hidden]

Jan 18

7 attachments



IMG_20260118_111155987.jpg
1838K
V- NewYork-CentralAve



IMG_20260118_110815162.jpg
1904K
V-ParkSt - NewYorkSt Location



Jan 18

IMG_20260118_112228487_HDR.jpg
3887K



Jan 18

IMG_20260118_111127339.jpg
1865K

V- New York St



IMG_20260118_111041377.jpg
1929K

V – New York St



IMG_20260118_111308998_HDR.jpg
3538K

V – New York St Location

Jan 18



IMG_20260118_111254802_HDR.jpg
3343K

1



IMG_20260118_111313829_HDR.jpg
3589K

V- Dover St

Gmail

Larry Dukes <planet241q@gmail.com>

15-17 New York St Neighborhood Parking

Larry Dukes <planet241q@gmail.com> Wed, Jan 21, 2026 at 6:09 AM
To: "Crouser, Paul" <P.Crouser@dover.nh.gov>

[Quoted text hidden]

Jan 20

6 attachments



IMG_20260120_155841013.jpg
1765K

V- Bus Stop Central Ave 1 Blockaway



IMG_20260120_155838097.jpg
1848K

V- Bus Stop Central Ave



JAN [redacted] 20

IMG_20260120_152456735_HDR.jpg
3756K

V- Central Ave and New York St



JAN [redacted] 20

IMG_20260120_152719140.jpg
3219K
V- Up New York St to Central Ave



IMG_20260120_155736190.jpg
2862K
V- Central Ave App 3 block to Coast Bus Stop



IMG_20260120_153623332_HDR.jpg
3237K
V- City Parking 1½ block away

MULTI-FAMILY RECONSTRUCTION

15 NEW YORK STREET
DOVER, NH 03820

PERMIT SET (REVISION 1 - 01/05/2026)

ARCHITECT:

Portsmouth Architects
4 Market Street
Portsmouth, New Hampshire 03801

Phone: (603) 430-0274

CIVIL ENGINEER:

Ross Engineering
650 Islington St, 2nd Floor
Portsmouth, New Hampshire 03801

Phone: (603) 433-7560

STRUCTURAL ENGINEER:

Ross Engineering
650 Islington St, 2nd Floor
Portsmouth, New Hampshire 03801

Phone: (603) 433-7560

GENERAL CONTRACTOR:

TBD

Phone:

M/E/P ENGINEER:

DESIGN - BUILD BY GC

Phone:

CONSTRUCTION MANAGER:

Larry Dukes
18 Elwyn Rd
Rye, New Hampshire 03870

Email: blacksheepsq2@yahoo.com

ABBREVIATIONS

A
AB ANCHOR BOLT
ABV ABOVE
ABR AIR BARRIER
ACOUST ACOUSTICAL
ACT ACOUSTIC CEILING TILE
ADA AMERICAN DISABILITIES ACT
ADH ADHESIVE
ADJ ADJUSTABLE
AFF ABOVE FINISHED FLOOR
AGG AGGREGATE
AHR ANCHOR, ANCHORAGE
ALT ALTERNATE
ALUM ALUMINUM
ANOD ANODIZED
AP ACCESS PANEL
APPROX APPROXIMATE
ARCH ARCHITECTURAL
ASB ASBESTOS
ASPH ASPHALT
AUTO AUTOMATIC
A/V AUDIO VISUAL

B
BD BOARD
BEL BELOW
BET BETWEEN
BEY BEYOND
BIT BITUMINOUS
BKSPL BACKSPLASH
BLDG BUILDING
BLK BLOCK
BLKG BLOCKING
BM BEAM
BOT BOTTOM
BPL BEARING PLATE
BR BEDROOM
BRCG BRACING
BRG BEARING
BRK BRICK
BRZ BRONZE
BS BOTH SIDES
BSMT BASEMENT
BVL BEVELED
BW BOTH WAYS
BYND BEYOND

C
C CHANNEL
CAB CABINET
CAP CAPACITY
CEM CEMENT
CER CERAMIC
CI CAST IRON
CIP CAST IN PLACE
CIPC CAST IN PLACE CONCRETE
CG CORNER GUARD
CHNL CHANNEL
CJ CONTROL JOINT
CK CAULKING
CLG CEILING
CLO CLOSET
CLOS CLOSURE
CLR CLEAR
CMU CONCRETE MASONRY UNIT
CNTR COUNTER
COL COLUMN
COMPR COMPRESSIBLE
CONC CONCRETE
CONST CONSTRUCTION
CONT CONTINUOUS
CPT CARPET
CSK COUNTERSINK
CSMT CASEMENT
CT CERAMIC TILE
CTR CENTER
CTYD COURTYARD

D
DBL DOUBLE
DEMO DEMOLISH
DEPT DEPARTMENT
DET DETAIL
DF DRINKING FOUNTAIN
DIA DIAMETER
DIAG DIAGONAL
DIM DIMENSION
DISP DISPENSER
DN DOWN
DR DOOR
DS DOWNSPOUT
DWG DRAWING

E
E EAST
EA EACH
EL ELEVATION
ELEC ELECTRICAL
ELEV ELEVATOR
EMER EMERGENCY
ENCL ENCLOSE
EP ELECTRICAL PANEL
EQ EQUAL
EQUIP EQUIPMENT
EXG EXISTING
EXH EXHAUST
EXP EXPOSED OR EXPANSION
EXPJT EXPANSION JOINT
EXT EXTERIOR

F
F FACE
FBO FURNISHED BY OTHERS
FD FLOOR DRAIN
FE FIRE EXTINGUISHER
FEC FIRE EXTINGUISHER CABINET
FF FINISH FACE
FIN FINISHED
FIXT FIXTURE
FL FLOOR
FLEX FLEXIBLE
FLG FLASHING
FLUOR FLUORESCENT
FM FILLED METAL
FND FOUNDATION
FO FACE OF
FOC FACE OF CONCRETE
FOS FACE OF STUD
FPRF FIREPROOFING
FR FRAMING
FT FEET
FTG FOOTING
FURR FURRED

G
GA GAUGE
GALV GALVANIZED
GL GLASS
GLZ GLAZING
GR GRADE
GT GROUT
GYP GYPSUM
GWB GYPSUM WALL BOARD

H
H HIGH
HC HOLLOW CORE
HD HAND OR HEAD
HDBD HARDBOARD
HDR HEADER
HDW HARDWARE
HM HOLLOW METAL
HOR HORIZONTIAL
HP HIGH POINT
HR HOUR
HT HEIGHT
HVAC HEATING/VENTILATING/AIR CONDITIONING
HWD HARDWOOD

I
ICF INSULATED CONCRETE FORMS
ID INSIDE DIAMETER
ILO IN LIEU OF
IN INCHES
INCL INCLUDED
INS INSULATED
INT INTERIOR
IR IMPACT RESISTANT

J
JF JOINT FILLER
JMB JAMB
JST JOIST
JT JOINT

K
KIT KITCHEN
KO KNOCKOUT

L
L LENGTH
LAB LABORATORY
LAM LAMINATE
LAV LAVATORY
LBL LABEL
LG LONG
LH LEFT-HAND
LL LIVE LOAD
LO LOW
LOC LOCATION
LT LIGHT

M
MAX MAXIMUM
MBR MASTER BEDROOM
MC MEDICINE CABINET
MECH MECHANICAL
MEMB MEMBRANE
MET METAL
MFR MANUFACTURER
MIN MINIMUM
MIR MIRROR
MISC MISCELLANEOUS
MO MASONRY OPENING
MR MOISTURE RESISTANT
MT METAL THRESHOLD
MTD MOUNTED
MTG MOUNTING
MTL MATERIAL OR METAL
MULL MULLION

N
N NORTH
NA NOT APPLICABLE
NAT NATURAL
NIC NOT IN CONTRACT
NO NUMBER
NOM NOMINAL
NR NOT REQUIRED
NRC NOISE REDUCTION COEFFICIENT
NTS NOT TO SCALE

O
OA OVERALL
OC ON CENTER
OD OUTSIDE DIAMETER
OFF OFFICE
OH OVERHEAD
OPNG OPENING
OPP OPPOSITE
OPPH OPPOSITE HAND
OZ OUNCE

P
PAR PARALLEL
PBD PARTICLEBOARD
PCC PRE-CAST CONCRETE
PED PEDESTAL
PL PROPERTY LINE
PLAM PLASTIC LAMINATE
PLAS PLASTER
PLUMB PLUMBING
PNL PANEL
PNT PAINT/PAINTED
PR PAIR
PRES PRESSURE
PT PRESSURE TREATED
PTN PARTITION
PVC POLYVINYL CHLORIDE
PVG PAVING
PVMT PAVEMENT
PWD PLYWOOD

R
R RISER
RAD RADIUS
RB RESILIENT BASE
RBR RUBBER
RBT RABBET
RCP REFLECTED CEILING PLAN
RD ROOF DRAIN
REBAR REINFORCING BARS
REC RECESSED
REF REFERENCE
REINF REINFORCED
REQD REQUIRED
RESIL RESILIENT
REV REVISION
RH RIGHT-HAND
RLG RAILING
RM ROOM
RO ROUGH OPEING
RVL REVEAL
RVS REVERSE SIDE

S
S SOUTH OR SILL
SC SOLID CORE
SCH SCHEDULE
SECT SECTION
SH SHELF
SHT SHEET
SHTHG SHEATHING
SHWR SHOWER
SIM SIMILIAR
SL SLID
SLV SLEEVE
SNT SEALANT
SPC SPACER
SPEC SPECIFIED OR SPECIFICATION
SPK SPRINKLER
SQ SQUARE
SS STAINLESS STEEL
SSD SEE STRUCTURAL DRAWINGS
STA STATION
STC SOUND TRANSMISSION COEFFICIENT
STD STANDARD
STL STEEL
STOR STORAGE
STR STRAIGHT
STRUC STRUCTURAL
SUSP SUSPENDED
SYM SYMMETRICAL
SYS SYSTEM

T
T TREAD
TB TOWEL BAR
T&B TOP AND BOTTOM
T&G TONGUE AND GROOVE
TEL TELEPHONE
TEMP TEMPORARY
TH THRESHOLD
THK THICKNESS
TLT TOILET
TO TOP OF
TOC TOP OF CONCRETE
TOL TOLERANCE
TOS TOP OF STEEL
TOP TOP OF PLATE
TOW TOP OF WALL
TP TOILET PAPER DISPENSER
TR TRANSOM
TS TOP OF SLAB
TYP TYPICAL

U
UC UNDERCOUNTER
UNO UNLESS NOTED OTHERWISE
US UNDERSIDE

V
VAL VALANCE
VARN VARNISH
VB VAPOR BARRIER
VCT VINYL COMPOSITION TILE
VERT VERTICAL
VEST VESTIBULE
VIF VERIFY IN FIELD
VNL VINYL
VNR VENEER
VP VISION PANEL

W
W WEST
W/ WITH
W/O WITHOUT
WW WALL TO WALL
WB WOOD BASE
WC WATER CLOSET
WD WOOD
WL WALL
WM WIRE MESH
WP WATERPROOFING
WS WATERSTOP
WWF WELDED WIRE FABRIC

SYMBOLS
3D THREE DIMENSIONAL
& AND
@ AT
+/- PLUS OR MINUS

MATERIAL KEY

- CONTINUOUS LUMBER
- NON-CONTINUOUS LUMBER
- BATT INSULATION
- RIGID INSULATION
- SPRAY FOAM CLOSED CELL INSULATION
- CONCRETE MASONRY UNITS
- CONCRETE
- EARTH
- METAL
- GYPSUM, PLASTER, MORTAR, GROUT, ETC.
- PLYWOOD
- FINISHED WOOD
- BRICK
- COURSE GRAVEL
- STONE

GRAPHIC KEY

- : EXISTING
- [- - - - -] : TO BE REMOVED
- : PROPOSED

ARCHITECTURAL SYMBOLS

- 1 Ref / -Ref 1 / A101 — SHEET NO
- 1 Ref / -Ref 1 — INTERIOR ELEVATION NO
- 1 Ref — SECTION DETAIL NO
- SIM / 1 / A101 — SHEET NO
- DETAIL NO
- SIM / 1 / A101 — SHEET NO
- FLOOR ELEVATION MARKER
- 101 — DOOR NUMBER

Room name — ROOM NUMBER

- 1t — WINDOW TYPE
- 1t — WALL TYPE
- 1 / A101 — MATCHLINE REFERENCE
- 1 — KEYNOTE
- A — EQUIPMENT / FURNITURE TAG
- LT-# — LIGHT FIXTURE TAG
- A — LETTER: ROOF TYPE TAG NUMBER: FLOOR/CEILING ASSEMBLY TAG

GENERAL NOTES

1. WORK INCLUDED IN THIS CONTRACT SHALL CONFORM TO THE STATE, NATIONAL, AND OTHER CODES AND ORDINANCES THAT APPLY TO THIS PROJECT.
2. DO NOT SCALE DRAWINGS OR DIMENSIONS. FOR MISSING DIMENSIONS OR DIMENSIONAL CONFLICTS, CONTACT THE ARCHITECT IMMEDIATELY BEFORE CONTINUING WITH THE WORK.
3. BRING ANY DISCREPANCIES IN THESE PLANS TO THE ARCHITECT'S ATTENTION IMMEDIATELY.
4. REFER TO MECHANICAL, ELECTRICAL, PLUMBING AND FIRE PROTECTION DRAWINGS AND SPECIFICATIONS FOR LOCATIONS OF ALL BLOCK OUTS, INSERTS, OPENINGS, CURBS, BASES, AND PADS THAT ARE NOT DIMENSIONED OR SHOWN ON ARCHITECTURAL OR STRUCTURAL DRAWINGS, TYP.
5. STRUCTURAL STEEL, MECHANICAL, ELECTRICAL, PLUMBING, AND FIRE PROTECTION DRAWINGS AND SPECIFICATIONS SHALL BE PROVIDED AND ARE THE RESPONSIBILITY OF THEIR RESPECTIVE SUBCONTRACTORS AND THEIR DESIGN BUILD ENGINEER.
6. DIMENSIONS ARE FROM FACE OF FRAMING TO FACE OF FRAMING UNLESS NOTED OTHERWISE. DIMENSIONS INDICATED AS "CLEAR" SHALL MAINTAIN A CLEAR OPENING WIDTH FROM FACE OF FINISHES. DIMENSIONS TO EXISTING CONSTRUCTION ARE TO FACE OF FINISH UNLESS NOTED OTHERWISE.
7. WORK FROM GIVEN DIMENSIONS AND LARGE SCALE DETAILS ONLY. DO NOT SCALE DRAWINGS.
8. ROOM NUMBERS ON PLANS ARE FOR REFERENCE ONLY AND MAY NOT CORRESPOND TO ACTUAL ROOM NUMBERS AT THE SITE.
9. BEFORE PENETRATING JOISTS, BEAMS, OR OTHER STRUCTURAL MEMBERS, OBTAIN APPROVAL FROM THE ARCHITECT.
10. THE LOCATION OF DOOR OPENINGS NOT DIMENSIONED SHALL BE 6" FROM ADJACENT WALL (FACE OF FRAMING TO ROUGH OPENING).
11. PROVIDE BLOCKING BEHIND SURFACE APPLIED FIXTURES, TRIM, GRAB BARS, SHELVING, CHAIR RAILS, PICTURE RAILS, WOOD TRIM AND BASE, AND OTHER ACCESSORIES WHEN MOUNTED ON STUD WALLS.
12. WHERE WALLS OR INFILLS ABUT OR INTERSECT EXISTING WALLS, TAPE AND FINISH JOINTS AT INTERSECTIONS SMOOTH AND CONTINUOUS. USE METAL TRIM WHERE GYPSUM BOARD INTERSECTS OTHER MATERIALS.
13. PERMITS ARE THE RESPONSIBILITY OF THE CONTRACTOR AND SHALL BE COORDINATED WITH PHASING AND WITH THE LOCAL BUILDING COMMISSIONER.
14. DURING THE ENTIRE CONTRACT PERIOD, MAINTAIN THE CONSTRUCTION SITE IN A SECURE, NEAT CLEAN, AND SAFE MANNER.
15. DISPOSE OF AND/OR RECYCLE CONSTRUCTION DEBRIS FROM THE PROJECT SITE AS REQUIRED BY THE CONTRACT AND AS INSTRUCTED BY THE OWNER. OBTAIN DISPOSAL PERMITS AS REQUIRED.
16. PROVIDE AND COORDINATE TEMPORARY UTILITY CONNECTIONS WITH THE OWNER.
17. WORK SHALL BE COMPLETED IN COMPLIANCE WITH INDUSTRY STANDARDS AND PERFORMED IN A WORKMANLIKE PROFESSIONAL MANNER.

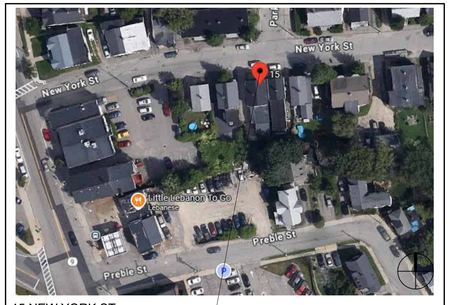
DIMENSION KEY

- XX' - XX" — DIMENSION FROM FINISH FACE TO FINISH FACE
- XX' - XX" — DIMENSION FROM FACE OF STUD TO FACE OF STUD

SHEET LIST

Sheet Number	Sheet Name
GENERAL INFORMATION	
T1	ABBREVIATIONS, LEGENDS, GENERAL NOTES AND LIST OF DRAWINGS
T2	GENERAL CODE REVIEW
T3	GENERAL SPECIFICATIONS
T4	ACCESSIBILITY AND STANDARD MOUNTING HEIGHTS
CIVIL DRAWINGS	
C1	SITE PLAN
STRUCTURAL DRAWINGS	
S1	FOUNDATION
S2	FOUNDATION SECTIONS
S3	2nd & 3rd FLOOR FRAMING
S4	ROOF FRAMING
S5	SECTIONS
S6	SECTIONS
S7	LEDGER DETAILS
S8	NOTES
ARCHITECTURAL DRAWINGS	
A000	WALL, FLOOR, AND ROOF TYPES & BASEMENT PLAN
A101	FIRST & SECOND FLOOR PLANS
A102	THIRD FLOOR & ROOF PLAN
A103	ENLARGED STAIR PLANS
A121	REFLECTED CEILING PLANS
A122	REFLECTED CEILING PLANS
A201	EXTERIOR ELEVATIONS
A301	BUILDING SECTION
A401	WALL SECTION DETAILS
A501	DETAILS & INTERIOR ELEVATIONS
A601	DOOR & WINDOW SCHEDULES

NOTE: NOT ALL SHEETS INCLUDED WITH TDR APPLICATION



15 NEW YORK ST
DOVER, NH 03820

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MULTI-FAMILY RECONSTRUCTION
OWNER: LAINE MAJOR
15 NEW YORK STREET
DOVER, NH 03820

PORTSMOUTH ARCHITECTS
brought to you by McHENRY ARCHITECTURE
4 MARKET STREET
PORTSMOUTH, NEW HAMPSHIRE
603.430.0274

PERMIT SET ONLY

No.	Description	Date
1	Revision 1	01/05/2026

Project Name: MULTI-FAMILY RECONSTRUCTION

Drawing Name: ABBREVIATIONS, LEGENDS, GENERAL NOTES AND LIST OF DRAWINGS

Project Number:	25031-15
Date:	10/27/25
Drawn By:	MB
Checked By:	MG

T1

Scale: NOT TO SCALE

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1/6/2026 10:34:53 AM

GENERAL CODE COMPLIANCE REVIEW

15 NEW YORK STREET
DOVER, NH 03820

PROJECT DATA:

DESCRIPTION: RECONSTRUCTION OF A MULTI-FAMILY STRUCTURE THAT WAS DESTROYED BY FIRE.

ZONING: URBAN DENSITY MULTI-RESIDENTIAL DISTRICT (RM-U)

STATE BUILDING CODE:

2021INTERNATIONAL BUILDING CODE (2021 IBC) WITH NEW HAMPSHIRE AMENDMENTS

LIFE SAFETY AND FIRE CODE:

2021 NATIONAL FIRE PROTECTION AGENCY 101 (NFPA 101) AMENDED BY SAF-FMO300

2021 FIRE CODE NFPA 1 AMENDED BY SAF-FMO300

STATE ENERGY CODE:

2018 INTERNATIONAL ENERGY CONSERVATION CODE (2018 IECC) WITH NEW HAMPSHIRE AMENDMENTS

STATE MECHANICAL CODE:

2021 INTERNATIONAL MECHANICAL CODE (2021 IMC) WITH NEW HAMPSHIRE AMENDMENTS

STATE ELECTRICAL CODE:

2020 NATIONAL ELECTRICAL CODE (NEC 2020 NFPA70) WITH NEW HAMPSHIRE AMENDMENTS

STATE PLUMBING CODE:

2021 INTERNATIONAL PLUMBING CODE (2021 IPC) WITH NEW HAMPSHIRE AMENDMENTS

EXISTING BUILDING CODE:

2021 INTERNATIONAL EXISTING BUILDING CODE (2021 IEBC) WITH NEW HAMPSHIRE AMENDMENTS

STATE ACCESSIBILITY CODE:

THE ARCHITECTURAL BARRIER FREE DESIGN CODE FOR THE STATE OF NEW HAMPSHIRE

A117.1, 2017

CODE REVIEW

INTERNATIONAL RESIDENTIAL CODE 2021
BUILDING PLANNING (CHAPTER 3)

1) EXTERIOR WALL OPENING/FIRE-RESISTANCE RATING REQUIREMENTS (R302.1):	EXTERIOR WALL < 5' FROM PROPERTY LINE - 1 HOUR; EXTERIOR WALLS >5' FROM PROPERTY ADJACENT LINES - 0 HOUR
2) DWELLING UNIT PENETRATIONS (R302.4):	COMPLIANT: MIN. 1/2 HOUR RATING BETWEEN UNITS WITH NFPA 13D SPRINKLER SYSTEM
3) GARAGE PENETRATIONS (R302.5):	NOT APPLICABLE
4) DWELLING UNIT/GARAGE (R302.6):	NOT APPLICABLE
5) HABITABLE SPACE NATURAL LIGHT COMPLIANT (R303.1):	COMPLIANT: ALL HABITABLE ROOMS SHALL HAVE A AGGREGATE GLAZING AREA OF NOT LESS THAN 8% OF THE FLOOR AREA OF THE ROOM.
6) HABITABLE SPACE VENTILATION COMPLIANT (R303.1):	COMPLIANT: ALL HABITABLE ROOMS MUST HAVE A MINIMUM OPERABILITY OF 4% OF THE FLOOR AREA OF THE ROOM.
7) BATHROOMS AND TOILET ROOMS COMPLIANT (R303.3):	COMPLIANT: 3SF MIN. GLAZING WITH 50% OPERABILITY OR ARTIFICIAL LIGHTING AND MECHANICAL VENTILATION (REFER TO R303.3, IRC 2015)
8) MINIMUM SPACE DIMENSIONS COMPLIANT (R304.3):	COMPLIANT: NO HABITABLE ROOM MAY BE LESS THAN 70 SF, HABITABLE ROOMS MAY NOT HAVE A HORIZONTAL DIMENSION LESS THAN 7'-0" EXCEPT KITCHENS
9) MINIMUM CEILING HEIGHTS COMPLIANT (R305.1):	COMPLIANT: 7 FEET MINIMUM,SLOPED CEILINGS MAY HAVE 50% LESS THAN 7 FEET BUT NOT LESS THAN 5 FEET, BATHROOMS AND NOT HABITABLE BASEMENT SPACE MAY BE 6'-8" AND CEILING OBSTRUCTIONS CAN COME WITHIN 6'-4" OF THE FINISH FLOOR
10) TOILET, BATH & SHOWER SPACE FIXTURE COMPLIANT (R307.1)	COMPLIANT: REFER TO FIGURE R307.1, IRC 2018 AND 1/T2
11) BATHTUB & SHOWER SPACE WALL & FLOOR SURFACES COMPLIANT (R307.2):	COMPLIANT: ALL BATHTUB AND SHOWER WALLS TO HAVE 6'-0" MINIMUM HEIGHT ABOVE FINISH FLOOR OF A NONABSORBENT SURFACE
12) GLAZING REQUIREMENT FOR HAZARDOUS LOCATIONS COMPLIANT (R308.4):	COMPLIANT: GC TO VERIFY ALL HAZARDOUS LOCATIONS GLAZING THAT MEETS THE REQUIREMENTS FOR A HAZARDOUS LOCATION PER SECTION R308.4, IRC 2018 SHALL BE TEMPERED.
13) SKYLIGHT & SLOPED GLAZING PERMITTED MATERIALS COMPLIANT (R308.6.2):	COMPLIANT: LAMINATED GLASS WITH A MINIMUM 0.015-INCH POLYVINYL BUTYRAL INTERLAYER FOR GLASS PANES 16 SF OR LESS IN AREA LOCATED SUCH THAT THE HIGHEST POINT OF THE GLASS IS NOT MORE THAN 12 FEET ABOVE A WALKING SURFACE OR OTHER ACCESSIBLE AREA; FOR HIGHER OR LARGER SIZES THE MINIMUM INTERLAYER THICKNESS SHALL BE 0.030-INCH, FULLY TEMPERED GLASS, HEAT-STRENGTHENED GLASS, WIRED GLASS OR APPROVED RIGID PLASTICS
14) SKYLIGHT CURBS COMPLIANT (R308.6.8):	COMPLIANT: SKYLIGHTS ON ROOF PITCHES FLATTER THAN 3"/12" SHALL BE MOUNTED ON A 4" CURB ABOVE THE ROOF PLANE UNLESS OTHERWISE SPECIFIED IN MANUFACTURERS INSTRUCTIONS
15) GARAGE FLOORS SURFACE (R309.1)	NOT APPLICABLE
16) EMERGENCY ESCAPE AND RESCUE OPENING COMPLIANT (R310.1):	COMPLIANT: BASEMENTS (EXCEPT UNDER 200 SF AND ONLY USED TO HOUSE MECHANICAL EQUIPMENT), HABITABLE ATTICS, AND EVERY SLEEPING ROOM SHALL HAVE AT LEAST ONE OPERABLE EMERGENCY ESCAPE AND RESCUE OPENING. DIMENSIONAL REQUIREMENTS: SILL: NOT MORE THAN 44" ABOVE FLOOR NET CLEAR OPENING: GREATER THAN 5.7 SF, GRADE LEVEL WINDOWS ALLOWED TO HAVE 5 SF MINIMUM OPENING: 24" HIGH BY 20" WIDTH OMITT WHEN PROTECTED BY A SPRINKLER SYSTEM, EXCEPTION 4.
17) EMERGENCY ESCAPE WINDOWS UNDER DECKS AND PORCHES (R310.2.4):	NOT APPLICABLE: REFER TO IRC 2018 R310.2.4
18) EGRESS DOOR COMPLIANT (R311.2):	COMPLIANT: AT LEAST ONE EGRESS DOOR SHALL BE PROVIDED FOR EACH DWELLING UNIT, MUST BE SIDE HINGED AND READILY OPERABLE FROM INSIDE DWELLING UNIT AND OPEN 90" MIN. DIMENSIONAL REQUIREMENTS: CLEAR WIDTH: 32" MINIMUM CLEAR HEIGHT: 78" MINIMUM
19) LANDINGS AT EXTERIOR DOORS COMPLIANT (R311.3):	COMPLIANT: THERE SHALL BE A LANDING ON EACH SIDE OF ALL EXTERIOR DOORS, THE WIDTH SHALL NOT BE LESS THAN THE DOOR IT SERVES. THE LANDING SHALL NOT BE LESS THAN 36" IN THE DIRECTION OF TRAVEL, THE LANDING SHALL NOT BE MORE THAN 7 3/4" BELOW THE TOP OF THE THRESHOLD, SLOPES SHALL NOT EXCEED 1/4" OVER 12", LANDINGS OR FINISHED FLOORS AT REQUIRED EGRESS DOORS SHALL NOT BE MORE THAN 1 1/2" LOWER THAN THE TOP OF THE THRESHOLD
20) HALLWAY WIDTH COMPLIANT (R311.6):	COMPLIANT: HALLWAYS SHALL NOT BE LESS THAN 36"
21) STAIRWAY WIDTH COMPLIANT (R311.7):	COMPLIANT: STAIRWAYS SHALL NOT BE LESS THAN 36" WIDE, HANDRAILS SHALL NOT PROJECT MORE THAN 4.5" ON EITHER SIDE WITH A CLEAR STAIR WIDTH OF NOT LESS THAN 31 1/2" INCHES IF A HANDRAIL IS INSTALLED ON ONE SIDE AND 27" IF A HANDRAIL IN INSTALLED ON BOTH SIDES.
22) STAIRWAY HEADROOM COMPLIANT (R311.7.2):	COMPLIANT: THE HEADROOM OF ALL STAIRS SHALL NOT BE LESS THAN 6'-8"
23) STAIR RISER HEIGHT AND TREAD DEPTH COMPLIANT (R311.7.5):	COMPLIANT: THE MAXIMUM RISER HEIGHT SHALL BE 7 3/4" AND THE MINIMUM TREAD DEPTH SHALL BE 10".
24) STAIR VERTICAL RISE (R311.7.3)	COMPLIANT: FLIGHT OF STAIRS SHALL NOT EXCEED 151" BETWEEN LANDINGS OR FLOOR LEVELS
25) HANDRAILS COMPLIANT (R311.7.8):	COMPLIANT: HANDRAILS SHALL BE PROVIDED ON AT LEAST ONE SIDE OF EACH CONTINUOUS RUN OF TREADS OR FLIGHTS WITH 4 OR MORE RISERS. THEY SHALL BE NOT LOWER THAN 34" ABOVE A TREADS NOSING OR BELOW 38" OF A TREADS NOSING. HANDRAILS TO NOT PROJECT MORE THAN 4 1/1". MUIST PROVIDE 1 1/2" CLEAR BETWEEN WALL AND RAIL. SHALL BE CONTINUOUS FROM START TO END AND TERMINATE AT A NEWEL POST OR RETURNED ONTO WALL, REFER TO R311.7.8.5 FOR GRIP SIZES.
26) GUARD COMPLIANT (R312.1.1):	COMPLIANT: REQUIRED ALONG OPEN-SIDED WALKING SURFACES (STAIRS, RAMPS AND LANDINGS LOCATED MORE THAN 30" VERTICALLY TO ANY FLOOR OR GRADE AT ANY POINT WITHIN 36" HORIZONTALLY. OPENINGS IN GUARD RAILS SHALL NOT ALLOW A 4" DIAMETER SPHERE TO PASS THROUGH.
27) PROTECTION OF WOOD AGAINST DECAY COMPLIANT (R317.1):	COMPLIANT: ALL WOOD THAT MEETS THE REQUIREMENTS OF R317.1, IRC 2015 SHALL BE PROTECTED FROM DECAY
28) GROUND CONTACT OF WOOD-BASED PRODUCTS COMPLIANT (R317.1.2):	COMPLIANT: ALL WOOD IN DIRECT CONTACT WITH THE GROUND, EMBEDDED IN CONCRETE IN DIRECT CONTACT WITH THE GROUND, OF EMBEDDED IN CONCRETE EXPOSED TO THE WEATHER THAT SUPPORTS PERMANENT STRUCTURES INTENDED FOR HUMAN OCCUPANCY SHALL BE APPROVED PRESSURE-PRESERVATIVE-TREATED WOOD SUITABLE FOR GROUND CONTACT USE

NFPA 101- 2021: LIFE SAFETY CODE
ONE- AND TWO-FAMILY DWELLINGS (CHAPTER 24)

1) PRIMARY MEANS OF ESCAPE (24.2.2.2):	COMPLIANT: THE PRIMARY MEANS OF ESCAPE SHALL BE A DOOR, STAIRWAY, OR RAMP PROVIDING A MEANS OF UNOBSTRUCTED TRAVEL TO THE OUTSIDE OF THE DWELLING UNIT AT STREET OR THE FINISHED GROUND LEVEL
2) SECONDARY MEANS OF ESCAPE (24.2.2.3):	COMPLIANT: REFER TO 21.2.2.3, NFPA 101
3) TWO PRIMARY MEANS OF ESCAPE (2,000 SF+/STORY) (24.2.2.4):	NOT APPLICABLE: EVERY STORY LESS THAN 2,000 SF - EVERY STORY GREATER THAN 2,000 SF IN AREA WITHIN THE DWELLING UNIT SHALL BE PROVIDED WITH TWO PRIMARY MEANS OF ESCAPE REMOTELY LOCATED FROM EACH OTHER
4) ARRANGEMENT OF MEANS OF ESCAPE (24.2.3):	COMPLIANT: ANY REQUIRED PATH OF TRAVEL IN A MEANS OF EGRESS FROM ANY ROOM TO THE OUTSIDE SHALL NOT PASS THROUGH ANOTHER ROOM OR BATHROOM OF OTHER SPACE SUBJECT TO LOCKING.
5) DOORS (24.2.4):	COMPLIANT: DOORS IN THE PATH OF TRAVEL OF A MEANS OF ESCAPE SHALL NOT BE LESS THAN 28" WIDE. BATHROOM AND DOORS SERVING A ROOM NOT EXCEEDING 70 SF SHALL NOT BE LESS THAN 24" WIDE. DOORS SHALL NOT BE LESS THAN 6'-6" IN HEIGHT. CLOSET DOOR LATCHES SHALL BE SUCH CHILDREN CAN OPEN THE DOOR FROM INSIDE THE CLOSET. ALL BATHROOM DOORS SHALL BE DESIGNED TO ALLOW OPENING FROM OUTSIDE DURING AND EMERGENCY WHEN LOCKED. DOORS SHALL BE SWINGING OR SLIDING, REFER TO 24.2.4.8 FOR FLOOR LEVELS
6) STAIRS (24.2.5):	COMPLIANT: THE CLEAR WIDTH OF STAIRS AND PORCHES SHALL NOT BE LESS THAN 36"
7) GUARDS AND HANDRAILS (24.2.5):	COMPLIANT: REFER TO SECTION 7.2.2.4, NFPA 101 FOR HANDRAIL/GUARDRAIL SPECIFICATIONS
8) HALLWAYS (24.2.6):	COMPLIANT: HALLWAYS SHALL NOT HAVE A CLEAR WIDTH LESS THAN 36" AND SHALL NOT BE LESS THAT 7' - 0" IN HEIGHT WITH CLEARANCE UNDER PROJECTIONS OF 6' - 8"
9) INTERIOR FINISH (10.2 + 24.3.3):	COMPLIANT: INTERIOR WALL AND CEILING FINISH MATERIALS COMPLYING WITH SECTION 10.2, NFPA 101 SHALL BE CLASS A, CLASS B, OR CLASS C.
10) DETECTION, ALARM, AND COMMUNICATION SYSTEMS (24.3.4):	COMPLIANT: SMOKE ALARMS SHALL BE INSTALLED IN ACCORDANCE WITH 9.6.2.10, NFPA 101 IN ALL SLEEPING ROOMS, OUTSIDE EACH SEPARATE SLEEPING AREA IN THE IMMEDIATE VICINITY OF THE SLEEPING ROOMS, ON EACH LEVEL OF THE DWELLING UNIT INCLUDING BASEMENTS.
10) DETECTION, ALARM, AND COMMUNICATION SYSTEMS (A.24.3.4.1.1):	COMPLIANT: ALL FLOORS GREATER THAN 1000 SF SMOKE ALARMS ARE TO BE INSTALLED AS FOLLOWS: 1. ALL POINTS ON THE CEILING ARE TO HAVE A SMOKE ALARM WITHIN A DISTANCE OF 30 SF, MEASURED ALONG A PATH OF TRAVEL,OR TO HAVE ONE SMOKE ALARM PER 500 SF OF FLOOR AREA. 2. GREAT ROOMS WITH VAULTED CEILINGS, SMOKE ALARMS LOCATED ON THE UPPER FLOOR THAT ARE INTENDED TO PROTECT THE AFOREMENTIONED AREA ARE PERMITTED TO BE CONSIDERED AS PART OF THE LOWER FLOORS PROTECTION SCHEME USED TO MEET THE REQUIREMENTS OF A.24.3.4.1.1(1)
12) CARBON MONOXIDE ALARM AND DETECTION (24.3.4.2):	COMPLIANT: CARBON MONOXIDE DETECTORS SHALL BE INSTALLED OUTSIDE OF EACH SEPARATE DWELLING UNIT SLEEPING AREA IN THE IMMEDIATE VICINITY OF THE SLEEPING ROOMS AND ON EVERY OCCUPIABLE LEVEL OF A DWELLING UNIT INCLUDING BASEMENTS AND EXCLUDING ATTICS AND CRAWL SPACES.

BUILDING INFORMATION	
BASEMENT AREA	1,350 SF
FIRST FLOOR AREA	1,384 SF + 171 SF DECK
SECOND FLOOR AREA	1,384 SF + 171 SF DECK
THIRD FLOOR AREA	1,384 SF + 171 SF DECK
TOTAL GROSS AREA	5,502 SF
PERIMETER	164'-6" +/-
NUMBER OF STORIES ABOVE GRADE	THREE STORY
BUILDING HEIGHT	32'-8" +/-
CONSTRUCTION TYPE	TYPE 5B (COMBUSTIBLE / NON COMBUSTIBLE) (SECTION 601, IBC 2018)
SPRINKLER SYSTEM	YES, NFPA 13D
OCCUPANCY USE GROUP	(R-3) RESIDENTIAL (CHAPTER 3, IBC 2018)
HEIGHT AND AREA LIMITATIONS	
BASIC HEIGHT LIMITATIONS	3 STORIES, 40'-0" (TABLE 504.3/504.4, IBC 2018)
BASIC AREA LIMITATIONS	UNLIMITED (TABLE 506.2, IBC 2018)

LIFE SAFETY LEGEND

- FIRE - EGRESS
- FIRE - 1/2Hr Sep.
- FIRE - 1Hr Sep.
- FIRE - Smoke Sep.

FIRE SPRINKLER NOTES

1. CONTRACTOR TO DESIGN AND PROVIDE **NFPA 13D** COMPLIANT FIRE SPRINKLER SYSTEM. THE DESIGN SHALL INCLUDE DRAWINGS AND ENGINEERING CALCULATIONS STAMPED BY A PROFESSIONAL ENGINEER LICENSED IN NEW HAMPSHIRE.
2. SYSTEM SHALL MEET ALL STATE AND LOCAL CODES. COORDINATE SYSTEM WITH DESIGN DOCUMENTS.

FIRE EXTINGUISHER NOTES

1. REFER TO IBC 2021 SECTION 906 AND NFPA 10
2. REFER TO SHEET T4 FOR MOUNTING AND WEIGHT LIMITS, REFER TO DIAGRAMS BELOW FOR GENERAL LOCATIONS OF FIRE EXTINGUISHERS
3. CLASS 2-A FIRE EXTINGUISHERS TO BE USED UNLESS OTHERWISE NOTED
4. FIRE EXTINGUISHERS SHALL BE LOCATED IN CONSPICUOUS LOCATIONS, READILY ACCESSIBLE, AND READY FOR IMMEDIATE USE ALONG NORMAL PATHS OF TRAVEL
   A. TRAVEL DISTANCE TO THE CLOSEST FIRE EXTINGUISHER SHALL BE LESS THAN 75'

INTERNATIONAL ENERGY CONSERVATION CODE

INTERNATIONAL ENERGY CONSERVATION CODE
(IECC 2018)
INSULATION AND FENESTRATION REQUIREMENTS
BY COMPONENT - TABLE R402.1.2

CLIMATE ZONE 5	
FENESTRATION U-FACTOR	U-0.30
SKYLIGHT U-FACTOR	U-0.55
CEILING R-VALUE	R-49
WOOD FRAME WALL R-VALUE	R-20 CAVITY R-13 CAVITY + R-5 CONTINUOUS
MASS WALL R-VALUE	R-13/R-17[1]
FLOOR R-VALUE	R-30 OR FILL CAVITY TO R-19 MIN.[1]
BASEMENT WALL R-VALUE	R-15/R-19[1]
SLAB R-VALUE & DEPTH	R-10 / 2 FT
CRAWL SPACE WALL R-VALUE	R-15/R-19[1]

1. SEE TABLE R402.1.2 IN IECC 2018

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MULTI-FAMILY RECONSTRUCTION
OWNER: LAINE MAJOR
15 NEW YORK STREET
DOVER, NH 03820

PORTSMOUTH ARCHITECTS
brought to you by McHENRY ARCHITECTURE
4 MARKET STREET
PORTSMOUTH, NEW HAMPSHIRE
603.430.0274

PERMIT SET ONLY

No.	Description	Date
1	Revision 1	01/05/2026

Project Name: MULTI-FAMILY RECONSTRUCTION

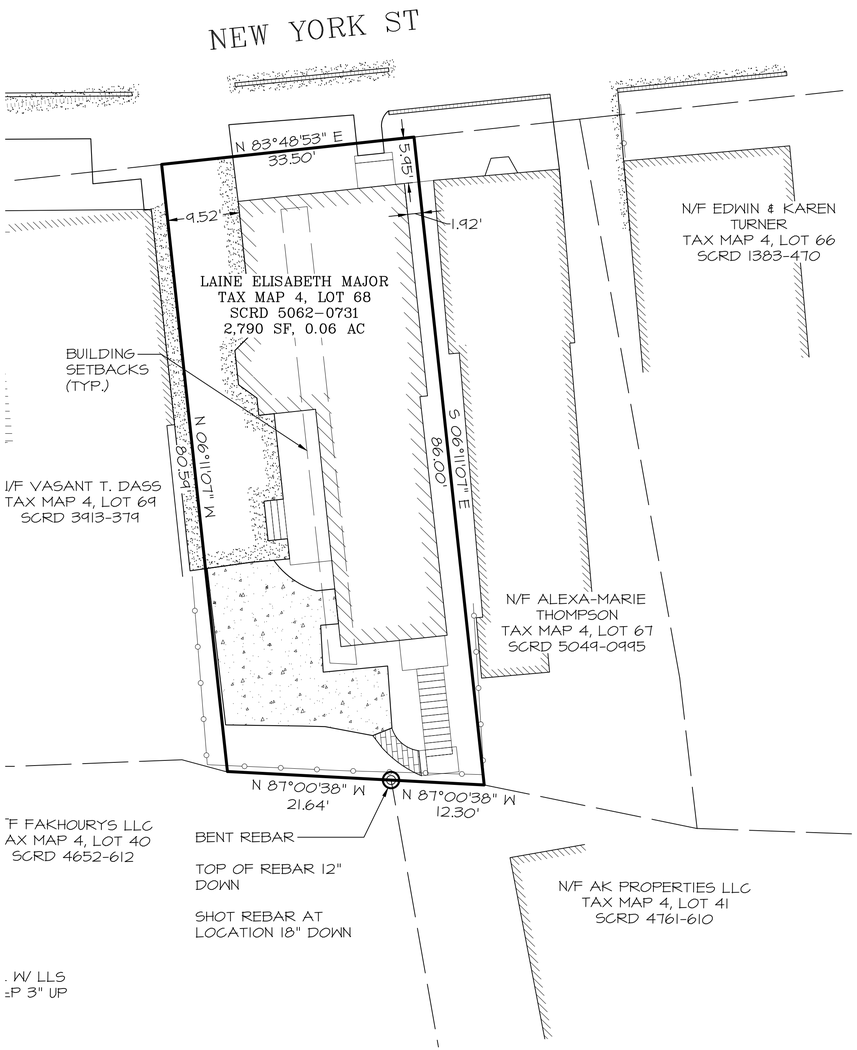
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Project Number:	25031-15
Date:	10/27/25
Drawn By:	MB
Checked By:	MG

T2

Scale: AS INDICATED

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NOTES

1) OWNER OF RECORD:
LAINE ELISABETH MAJOR
TAX MAP 4, LOT 68
15-17 NEW YORK ST
DOVER, NH 03820
SCRD: 5062-731
AREA: 2,790 SF, 0.06 ACRES

2) BASIS OF BEARING IS HELD FROM PLAN REF. #1.

3) PARCEL IS IN THE MULTI RESIDENTIAL (RM-U) DISTRICT:
MINIMUM LOT SIZE.....10,000 SF
MINIMUM FRONTAGE.....80 FT
SETBACKS:
FRONT.....7.6 FT*
SIDE.....15 FT
REAR.....15 FT
MAXIMUM BUILDING HEIGHT.....40 FT
MAXIMUM LOT COVERAGE.....40%

* - AS PER THE DOVER ZONING ORDINANCE, FOOTNOTE 3 OF THE URBAN DENSITY MULTI RESIDENTIAL (RM-U) DISTRICT REGULATIONS SUMMARY, THE FRONT SETBACK SHALL BE THE AVERAGE FRONT SETBACKS OF ALL LOTS WITHIN THE SAME ZONE LOCATED ON THE SAME SIDE OF THE STREET, 250' IN EACH DIRECTION FROM THE CENTER OF THE FRONT LOT LINE. STRUCTURES MAY BE CONSTRUCTED WITHIN 5 FT PLUS OR MINUS OF THIS FRONT SETBACK.

THE RM-U ZONE EXTENDS TO LOT 70 TO THE WEST OF LOT 68. LOTS TO THE EAST OF LOT 68 ARE ENTIRELY WITHIN THE RM-U ZONE. THE AVERAGE SETBACKS OF ALL LOTS WITHIN THE RM-U ZONE ON THE SAME SIDE OF NEW YORK ST AND WITHIN 250' FROM THE CENTER OF THE FRONT LOT LINE ARE LISTED BELOW.

LOT 64 - 8.0 FT
LOT 65A - 7.6 FT
LOT 65 - 13.1 FT
LOT 66 - 6.5 FT
LOT 67 - 6.0 FT
LOT 69 - 5.8 FT
LOT 70 - 6.1 FT
TOTAL (7 LOTS) - 53.1 FT
AVERAGE DISTANCE = 53.1 / 7 = 7.6 FT

4) THE PARCEL IS NOT WITHIN A SPECIAL HAZARD FEMA FLOOD ZONE, AS PER FLOOD INSURANCE RATE MAP #33017C0330E, PANEL 330 OF 405, DATED SEPTEMBER 30, 2015. VERTICAL DATUM IS NAVD 1988.



LOCUS PLAN
N.T.S.

LEGEND

MONUMENT FOUND
CHAIN LINK FENCE

REFERENCE PLANS

1) " EXISTING CONDITIONS PLAN AMER FAKHOURY & MICHELINE ELIAS" BY TRITECH ENGINEERING CORPORATION. DATED JANUARY 24, 2019. NOT RECORDED.

2) "CONDOMINIUM SITE PLAN 45 NEW YORK STREET TAX MAP 4 - LOT 59 FOR MR. ROBERT TRENT 21 EAGLE COURT GREENLAND, N.H. 03840" BY ROARING BROOK CONSULTANTS INC. DATED NOVEMBER 21, 2005. SCRD 83-47

2) "PLAN OF LAND AT 45 NEW YORK STREET DOVER, N.H. FOR DANIEL PHILBRICK 153 PORTLAND ST. DOVER, N.H. 03820" BY CIVILWORKS INC. DATED MAY 5, 1986. SCRD 29-69

3) "PLAN OF LOTS, FOR ROBERT & LORETTA LABRIE" BY G.L. DAVIS ASSOCIATES ENGINEERS. DATED JULY 1959. SCRD 772-223

GRAPHIC SCALE
10 0 5 10 20 40
(IN FEET)
SCALE: 1" = 10'

STATE OF NEW HAMPSHIRE
R. ALEX ROSS No. 9409 LICENSED
PROFESSIONAL ENGINEER

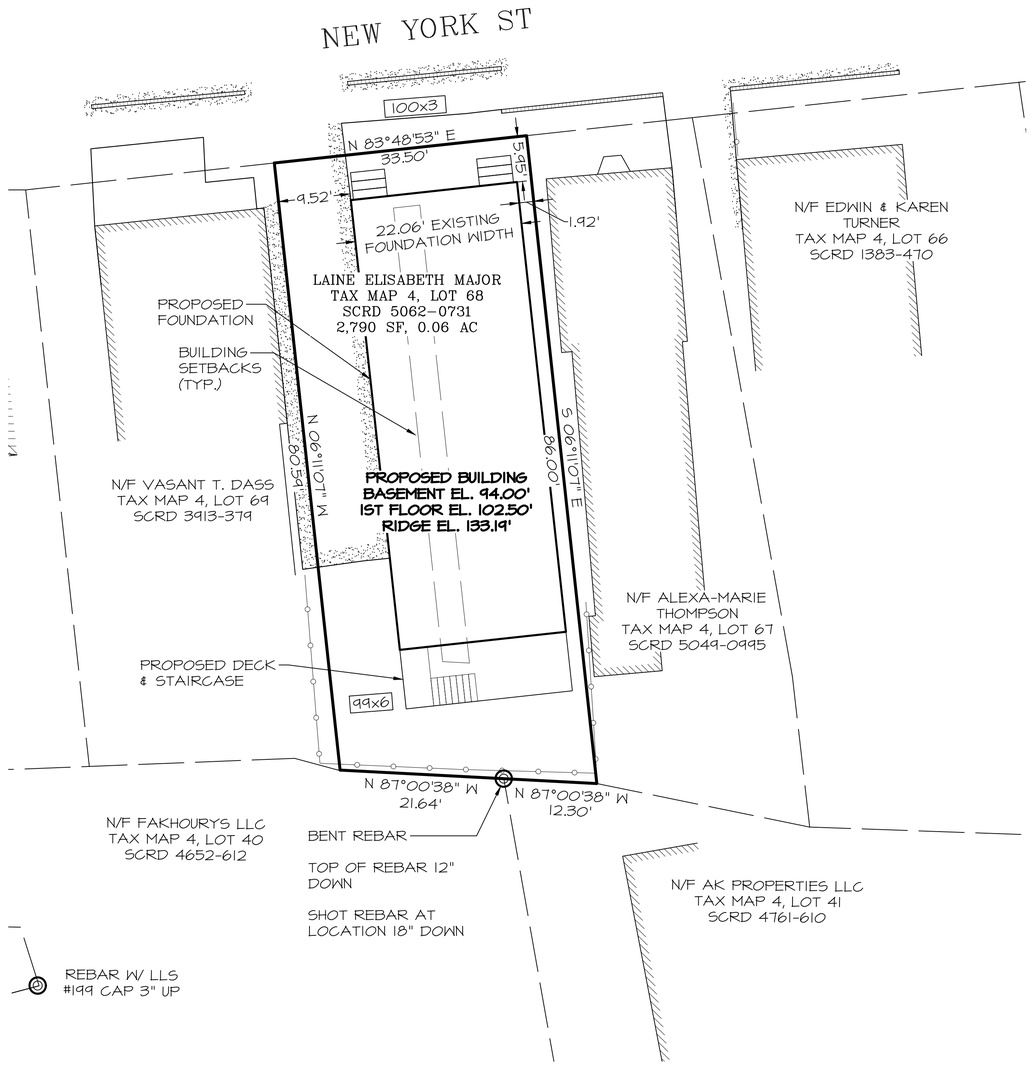
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SCALE	1" = 10'	
CHECKED	A.ROSS	
DRAWN	D.D.D.	

ROSS ENGINEERING, LLC
Civil/Structural Engineering & Surveying
909 Islington St.
Portsmouth, NH 03801
(603) 433-7560

CLIENT
LARRY DUKES

TITLE
EXISTING CONDITIONS PLAN
15-17 NEW YORK ST
DOVER, NH 03820
TAX MAP 4, LOT 68

JOB NUMBER	DWG. NO.	ISSUE
24-103	1 OF 2	1



NOTES

1) OWNER OF RECORD:
LAINE ELISABETH MAJOR
TAX MAP 4, LOT 68
15-17 NEW YORK ST
DOVER, NH 03820
SCRD: 5062-731
AREA: 2,790 SF, 0.06 ACRES

2) BASIS OF BEARING

3) PARCEL IS IN THE MULTI RESIDENTIAL (RM-U) DISTRICT:
MINIMUM LOT SIZE.....10,000 SF
MINIMUM FRONTAGE.....80 FT
SETBACKS:
FRONT.....7.6 FT
SIDE.....15 FT
REAR.....15 FT
MAXIMUM BUILDING HEIGHT.....40 FT
MAXIMUM LOT COVERAGE.....40%

4) LOT COVERAGES:
EXISTING
HOUSE.....1097 SF
PORCH.....110 SF
STAIRS & LANDINGS.....113 SF
ASPHALT.....521 SF
CONCRETE.....366 SF
WALKWAY.....16 SF
TOTAL.....2223 SF
LOT COVERAGE 2223/ 2790 = 79.7%

PROPOSED
HOUSE.....1317 SF
REAR DECK & STAIRCASE.....173 SF
FRONT STAIRS.....32 SF
ASPHALT.....528 SF
TOTAL.....2050 SF
LOT COVERAGE 2050 / 2790 = 73.5%

5) BUILDING HEIGHT
AS PER THE DOVER ZONING ORDINANCE, HEIGHT OF BUILDING IS THE VERTICAL DISTANCE MEASURED FROM THE AVERAGE GRADE LEVEL ADJOINING THE BUILDING TO THE HIGHEST LEVEL OF THE ROOF SURFACE OR PARAPET, WHICHEVER IS GREATER.

THE AVERAGE GRADE WAS FOUND TO BE 100.00'
THE HIGHEST POINT ON THE ROOF IS PROPOSED TO BE 133.19'.

BUILDING HEIGHT = 133.19' - 100.00' = 33.19' < 40'

LEGEND

- MONUMENT FOUND
- 100x00 SPOT ELEVATION
- CHAIN LINK FENCE
- VERTICAL GRANITE CURB

GRAPHIC SCALE
10 0 5 10 20 40
(IN FEET)
SCALE: 1" = 10'

ISS.	DATE	DESCRIPTION OF ISSUE
1	11/25/2025	FOR REVIEW

SCALE 1" = 10'
CHECKED A.ROSS
DRAWN D.D.D.

ROSS ENGINEERING, LLC
Civil/Structural Engineering
& Surveying
909 Islington St.
Portsmouth, NH 03801
(603) 433-7560

CLIENT
LARRY DUKES

TITLE

SITE PLAN

15-17 NEW YORK ST
DOVER, NH 03820
TAX MAP 4, LOT 68

R. ALEX ROSS No. 9400 - STATE OF NEW HAMPSHIRE - LICENSED PROFESSIONAL ENGINEER

JOB NUMBER	DWG. NO.	ISSUE
24-103	2 OF 2	1

SEE NOTE 2

NOTES

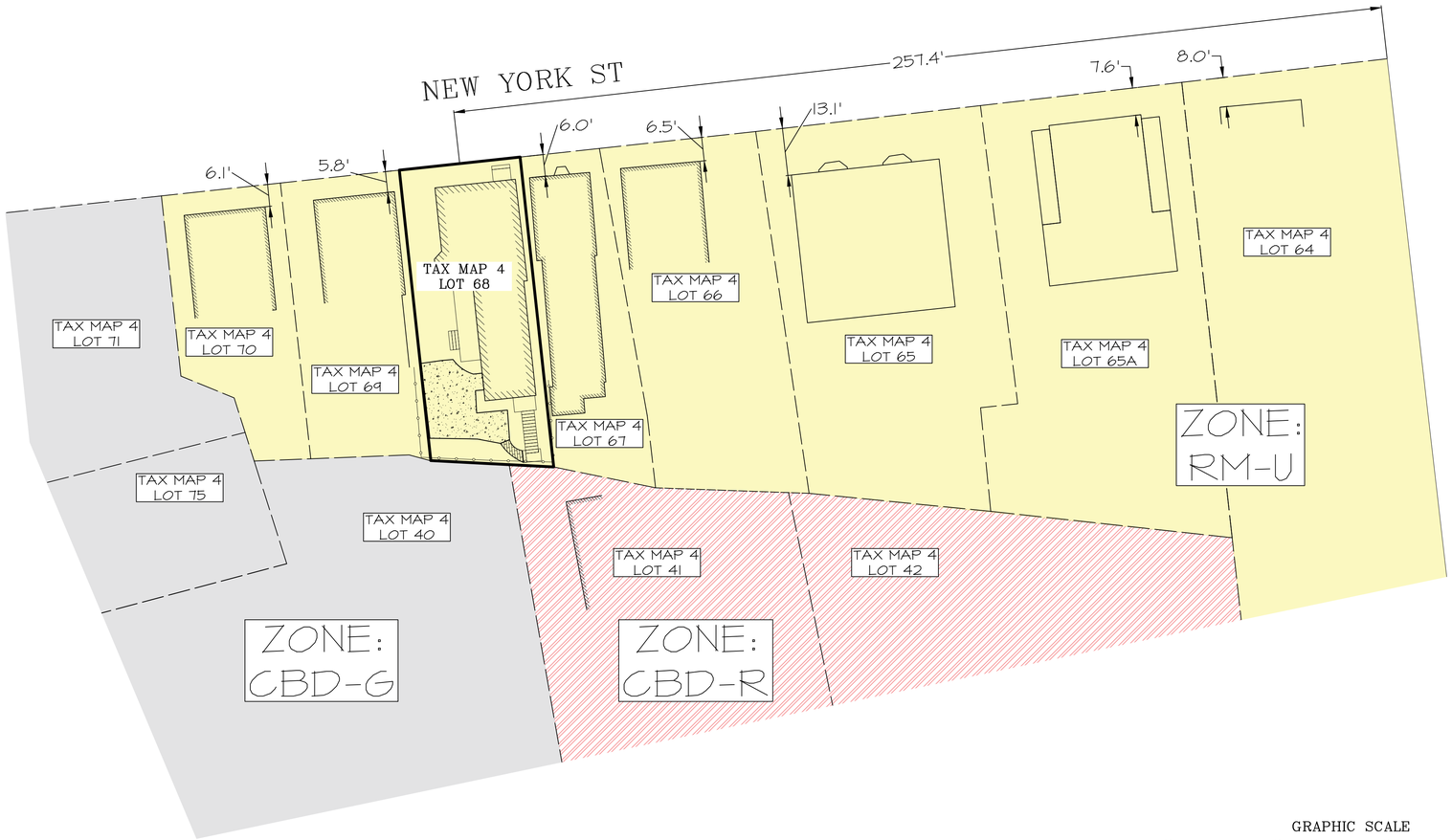
1) AS PER THE DOVER ZONING ORDINANCE, FOOTNOTE 3 OF THE URBAN DENSITY MULTI RESIDENTIAL (RM-U) DISTRICT REGULATIONS SUMMARY, THE FRONT SETBACK SHALL BE THE AVERAGE FRONT SETBACKS OF ALL LOTS WITHIN THE SAME ZONE LOCATED ON THE SAME SIDE OF THE STREET, 250' IN EACH DIRECTION FROM THE CENTER OF THE FRONT LOT LINE. STRUCTURES MAY BE CONSTRUCTED WITHIN 5 FT PLUS OR MINUS OF THIS FRONT SETBACK.

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LOT 65 - 13.1 FT
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LOT 69 - 5.8 FT
LOT 70 - 6.1 FT
TOTAL (7 LOTS) - 53.1 FT
AVERAGE DISTANCE = 53.1 / 7 = 7.6 FT



LOCUS PLAN
N.T.S.



GRAPHIC SCALE
20 0 10 20 40 80
(IN FEET)
SCALE: 1" = 20'

ISS.	DATE	DESCRIPTION OF ISSUE
1	11/25/2025	FOR REVIEW

SCALE 1" = 20'
CHECKED A.ROSS
DRAWN D.D.D.

ROSS ENGINEERING, LLC
Civil/Structural Engineering & Surveying
909 Islington St.
Portsmouth, NH 03801
(603) 433-7560

CLIENT
LARRY DUKES

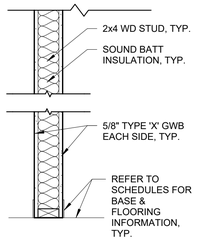
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FRONT SETBACK WORKSHEET

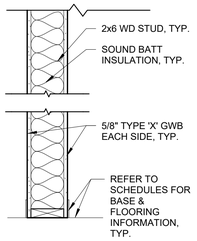
15-17 NEW YORK ST
DOVER, NH 03820
TAX MAP 4, LOT 68

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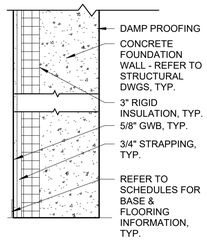
WALL TYPES



NA TYP. INTERIOR WALL
NOT RATED

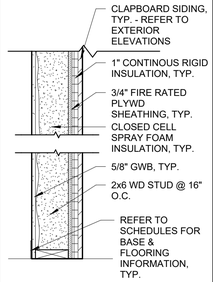


NB TYP. INTERIOR WALL
NOT RATED



OPTION: PLACE RIGID INSULATION ON EXTERIOR SIDE OF FOUNDATION

NC TYP. FOUNDATION WALL
NOT RATED

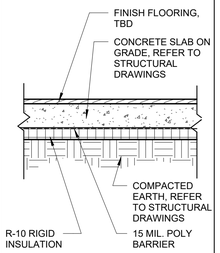


1D TYP. EXTERIOR WALL
1-HR RATED, UL U305

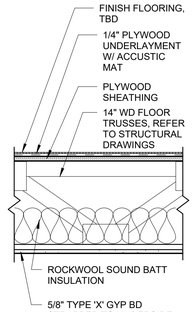
1A TYP. INTERIOR WALL
1 HR RATED - UL U305

1B TYP. INTERIOR WALL
1 HR RATED - UL U305

FLOOR TYPES

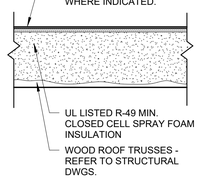


1 TYP. SLAB ON GRADE



2 TYP. WD TRUSS FLOOR
1/2-HOUR RATED, UL L521

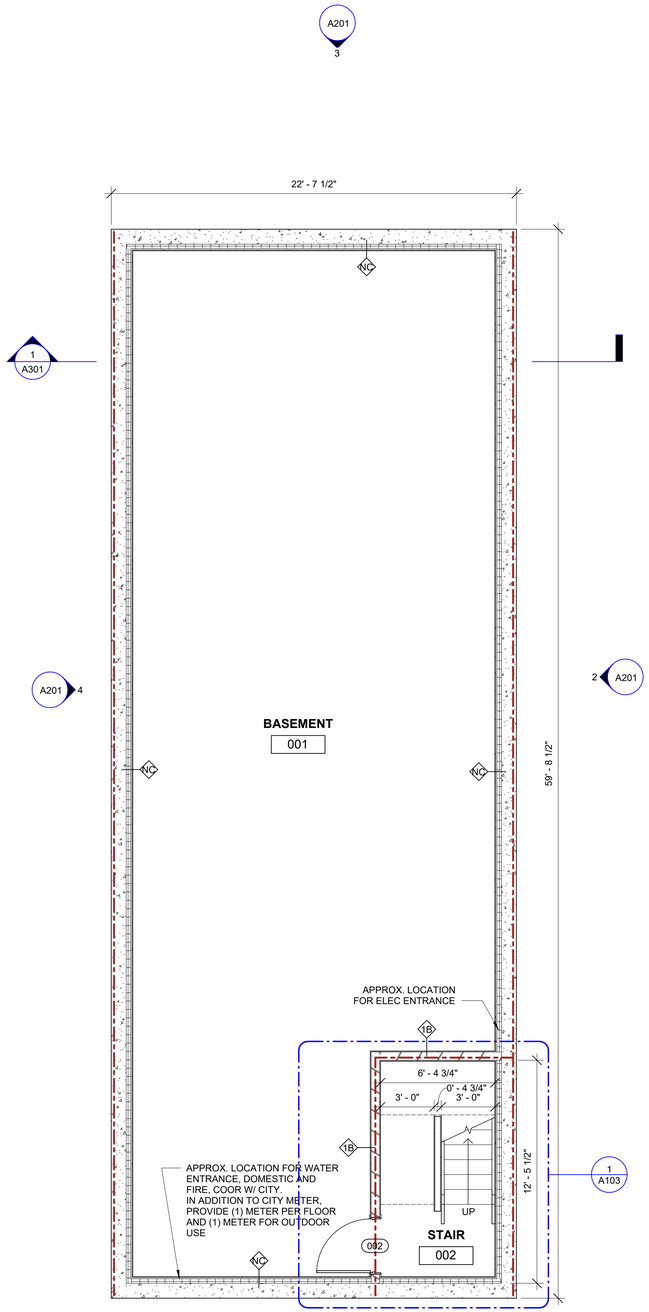
ROOF TYPES



A TYP. ASPHALT SHINGLE
WITH INSULATION

WALL AND FLOOR TYPE NOTES

1. ALL TRIM/SIDING SHOWN FOR GRAPHIC REPRESENTATION ONLY. REFER TO EXTERIOR ELEVATIONS FOR SPECIFICATIONS AND ACTUAL MATERIALS.
2. ALL NEW WALLS TO EXTEND TO THE UNDERSIDE OF DECK OR FRAMING ABOVE.
3. RATED WALL SYSTEMS TO HAVE CONTINUOUS SEALANT AT BASE AND TOP OF WALL.
4. PROVIDE 5/8" TYPE 'X' GYPSUM BOARD AT RATED WALL PARTITIONS.
5. PROVIDE 1/2" CEMENTITIOUS BACKER BOARD AT SHOWERS STALLS.
6. PROVIDE 5/8" MOISTURE RESISTANT (MR) GYPSUM BOARD IN TOILET ROOMS.
7. PROVIDE FIRESTOPPING AT PENETRATIONS IN FIRE RATED WALLS AND FLOORS. PROVIDE FIRESTOPPING WHERE FIRE RATED ASSEMBLIES ABUT OTHER CONSTRUCTION.
8. PENETRATIONS IN FIRE RESISTANCE RATED ASSEMBLIES SHALL BE PROTECTED BY AN APPROVED PENETRATION FIRESTOP SYSTEM INSTALLED AS TESTED IN ACCORDANCE WITH ASTM E814 OR UL 1479. THE CITY OF DOVER WILL REQUIRE A SUBMITTAL PACKAGE AND SITE INSPECTIONS OF ALL PENETRATION ASSEMBLIES.
9. GC TO ENSURE ALIGNMENT OF ALL NEW AND EXISTING FLOOR ASSEMBLIES.



1
A201

1 BASEMENT
1/4" = 1'-0"

GRAPHIC SCALE(S)

1/4" = 1' - 0"

0 1' 5' 10' 15'

PLAN NORTH

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MULTI-FAMILY RECONSTRUCTION

OWNER: LAINE MAJOR
15 NEW YORK STREET
DOVER, NH 03820

PORTSMOUTH ARCHITECTS
brought to you by McHENRY ARCHITECTURE
4 MARKET STREET
PORTSMOUTH, NEW HAMPSHIRE
603.430.0274

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No.	Description	Date

Project Name:
MULTI-FAMILY RECONSTRUCTION

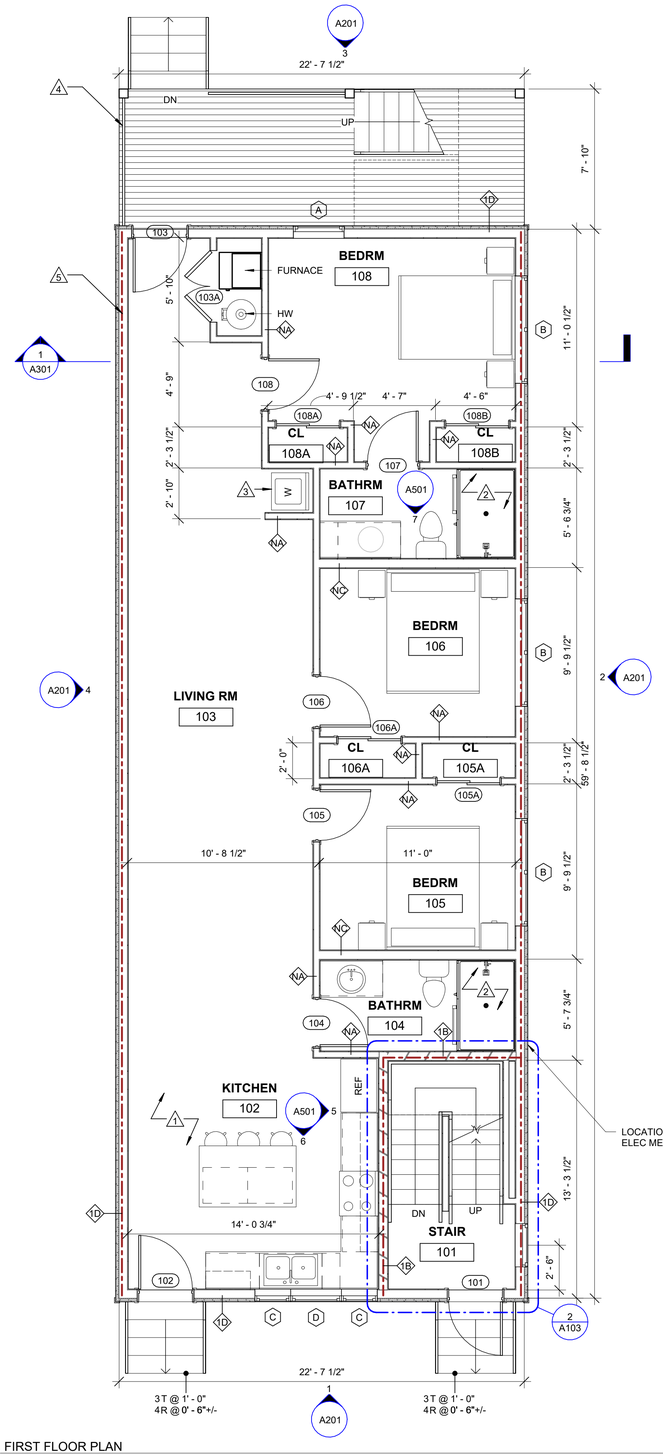
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Project Number:	25031-15
Date:	10/27/25
Drawn By:	MB
Checked By:	MG

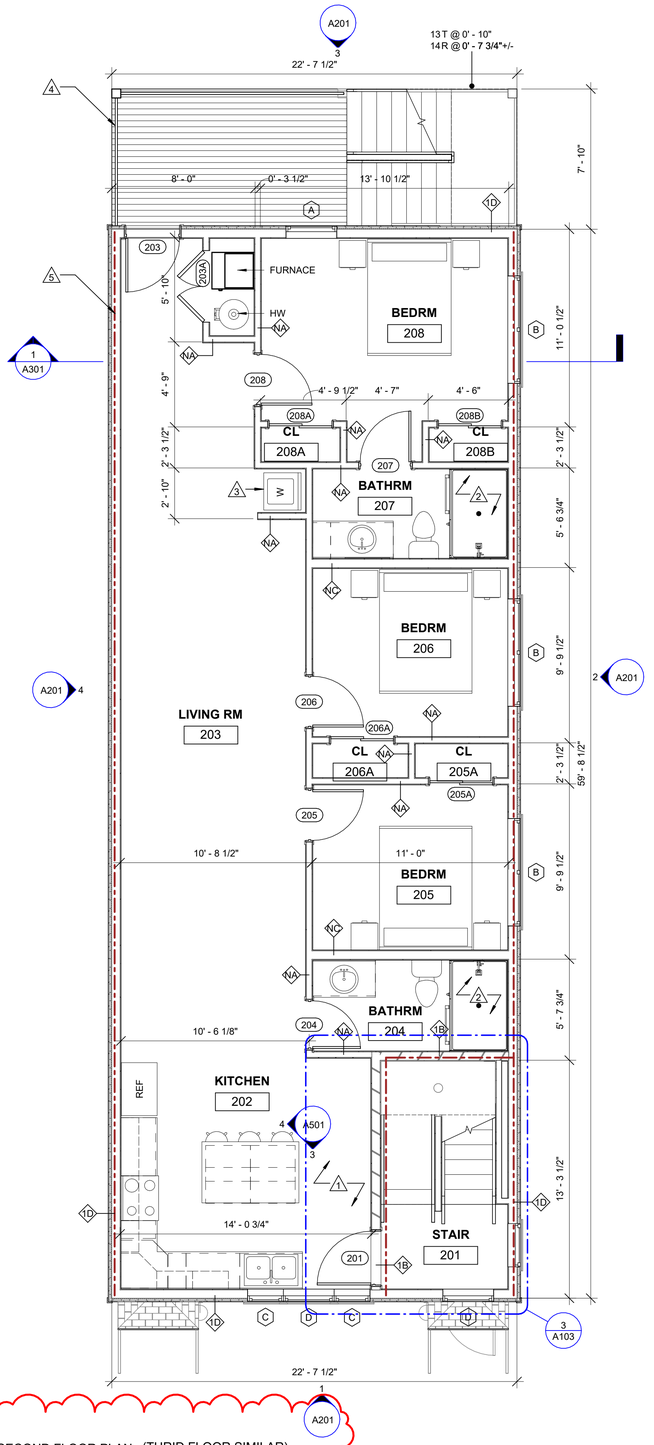
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1 FIRST FLOOR PLAN
1/4" = 1'-0"



2 SECOND FLOOR PLAN (THRID FLOOR SIMILAR)
1/4" = 1'-0"

GENERAL SHEET NOTES

1. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR COORDINATING ALL MECHANICAL, ELECTRICAL, PLUMBING, AND FIRE PROTECTION.
2. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR COORDINATING BUILDING STRUCTURE AND FRAMING.
3. ALL CASEWORK, APPLIANCES, AND PLUMBING ILLUSTRATED ARE SHOWN FOR DESIGN INTENT. GC TO COORDINATE ALL FINAL SIZES AND LOCATIONS PRIOR TO CONSTRUCTION. ALL NECESSARY CODE REQUIRED CLEARANCES ARE TO BE MAINTAINED IF MODIFICATIONS ARE MADE.
4. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR COORDINATING ALL INTERIOR FINISHES.
5. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR COORDINATING ALL ENVELOPE PENETRATIONS. PROVIDE FLASHING PER INDUSTRY STANDARDS AND INSTALL PER MANUFACTURER'S SPECIFICATIONS.

KEYNOTES

1. GC TO COORDINATE KITCHEN DESIGN, FINISHES, APPLIANCES, PLUMBING AND ELECTRICAL WITH OWNER. CASEWORK AND APPLIANCES SHOWN ARE FOR REFERENCE ONLY, TBD.
2. GC TO COORDINATE BATHROOM DESIGN, FINISHES, CASEWORK, PLUMBING, APPLIANCES AND SELECTIONS WITH OWNER.
3. PROVIDE WASHER AND DRYER HOOK UP AT CLOSET. GC TO COORDINATE SHELVING AND HANGING RODS WITH OWNER.
4. AZEK DECK BOARDS ON 2X PT WOOD FRAMING. DECK RAILINGS TO BE TIMBERTECH ALUMINUM DECK RAIL - REFER TO EXTERIOR ELEVATION SCHEDULE.
5. RED DASHED LINE REPRESENTS 1 HOUR FIRE RATED WALL WITHIN 5'-0" OF PROPERTY LINE. REFER TO WALL SECTION AND WALL TYPES.
6. SHADED AREA INDICATES AREA OF ROOF, EAVE AND RAKE TO BE 1 HOUR RATED, 5'-0" MIN. FROM PROPERTY LINE.

GRAPHIC SCALE(S)

1/4" = 1' - 0" 0 1' 5' 10' 15'

PLAN NORTH

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MULTI-FAMILY RECONSTRUCTION

OWNER: LAINE MAJOR
15 NEW YORK STREET
DOVER, NH 03820

PORTSMOUTH ARCHITECTS
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No.	Description	Date
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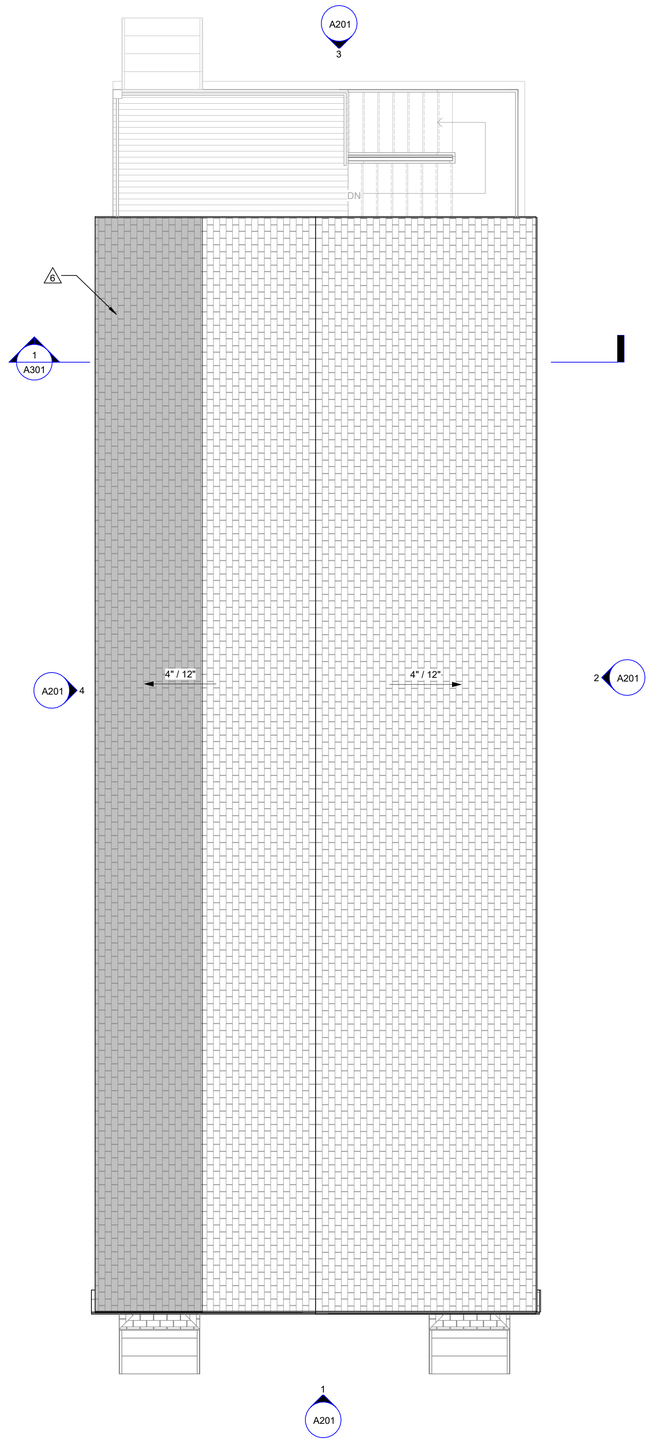
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Date:	10/27/25
Drawn By:	MB
Checked By:	MG
Scale:	1/4" = 1'-0"

A101

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2 ROOF PLAN
1/4" = 1'-0"

GENERAL SHEET NOTES

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5. RED DASHED LINE REPRESENTS 1 HOUR FIRE RATED WALL WITHIN 5'-0" OF PROPERTY LINE. REFER TO WALL SECTION AND WALL TYPES.
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GRAPHIC SCALE(S)

1/4" = 1' - 0" 0 1' 5' 10' 15'

PLAN NORTH

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MULTI-FAMILY RECONSTRUCTION

OWNER: LAINE MAJOR
15 NEW YORK STREET
DOVER, NH 03820

PORTSMOUTH ARCHITECTS
brought to you by McHENRY ARCHITECTURE
4 MARKET STREET
PORTSMOUTH, NEW HAMPSHIRE
603.430.0274

PERMIT SET ONLY

No.	Description	Date

Project Name:
MULTI-FAMILY RECONSTRUCTION

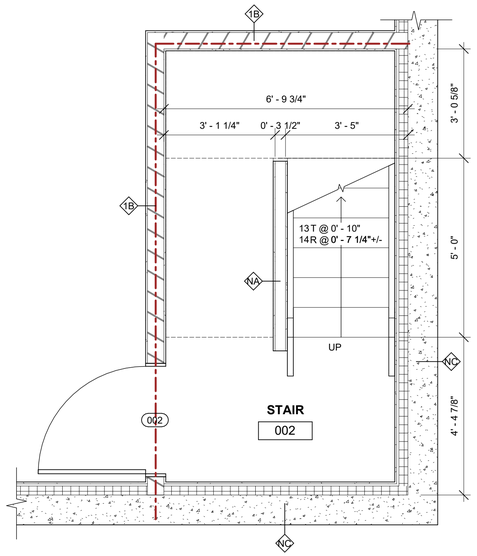
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THIRD FLOOR & ROOF PLAN

Project Number:	25031-15
Date:	10/27/25
Drawn By:	MB
Checked By:	MG

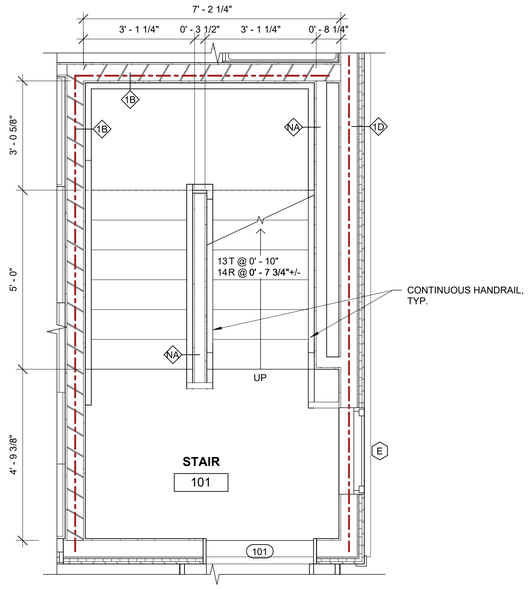
A102

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

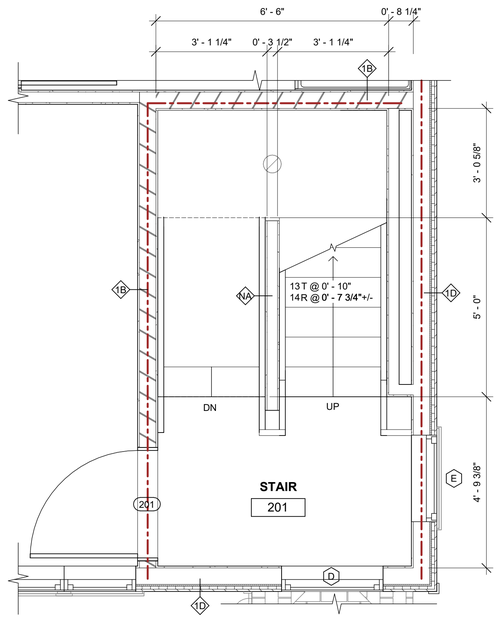
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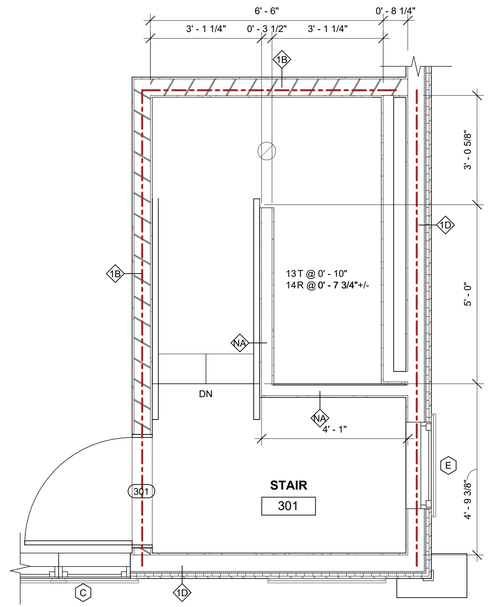
1 BASEMENT - ENLARGED STAIR
1/2" = 1'-0"



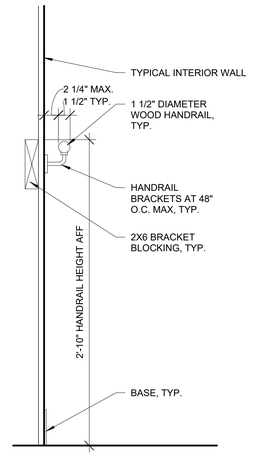
2 FIRST FLOOR - ENLARGED STAIR
1/2" = 1'-0"



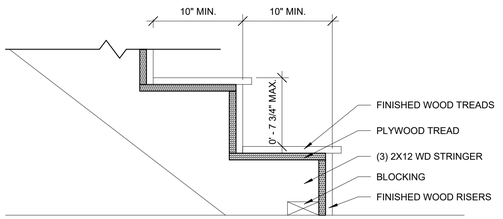
3 SECOND FLOOR - ENLARGED STAIR
1/2" = 1'-0"



4 THIRD FLOOR - ENLARGED STAIR
1/2" = 1'-0"



TYPICAL INTERIOR HANDRAIL DETAIL
1 1/2" = 1'-0"



TYPICAL WOOD STAIR DETAIL FOR RESIDENTIAL UNITS
1 1/2" = 1'-0"

GENERAL SHEET NOTES

1. GUARD DESIGNS SHOWN ARE SCHEMATICS FOR INFORMATIONAL PURPOSE. SEE DRAWINGS FOR MORE INFORMATION ON GUARDS SPECIFIC TO THE PROJECT.
2. GUARDS NOT REQUIRED WHERE STAIR OR LANDING IS 30" OR LESS ABOVE GRADE OR FLOOR BELOW. HANDRAILS ARE STILL REQUIRED.
3. HANDRAIL MAY BE 42" ABOVE NOSING OR LANDING WHEN IT IS PART OF A GUARD (SEE GUARD 3).
4. HANDRAILS REQUIRED BOTH SIDES OF STAIRS AND MUST RETURN TO WALL, GUARD, OR FLOOR.
5. HANDRAILS TO BE CONTINUOUS AT INSIDE CORNERS OR DOGLEG OR SWITCHBACK STAIRS.
6. 12" LEVEL HANDRAIL EXTENSION REQUIRED AT STAIRS WHICH ARE PART OF A REQUIRED ACCESSIBLE ROUTE (TYPICALLY BUILDINGS WITHOUT ELEVATORS - SEE DRAWINGS).
7. TOLERANCE BETWEEN LARGEST AND SMALLEST TREAD AND LARGEST AND SMALLEST RISER TO BE 3/8" MAX. IN ANY FLIGHT OF STAIRS.
8. OPEN RISERS ARE NOT PERMITTED.
9. DEPTH OF LANDINGS TO BE MINIMUM AS DEEP AS THE MINIMUM REQUIRED WIDTH OF THE STAIR EXCEPT LANDINGS IN STRAIGHT RUN STAIRS NEED NOT EXCEED 48".
10. MAXIMUM STAIR RISE BETWEEN LANDINGS TO BE 12'-0".
11. ALL STAIRS, INCLUDING TEMPORARY STAIRS USED DURING CONSTRUCTION, SHALL BE SECURELY CONNECTED TO ADJACENT FRAMING AT ALL TIMES.
12. VARIATION IN EXCESS OF 3/16" IN THE DEPTH OF ADJACENT TREADS OR IN THE HEIGHT OF ADJACENT RISERS IS PROHIBITED IN ACCORDANCE WITH SECTION 7.2.2.3.6.1 OF THE 2021 EDITION OF THE NFPA 101 LIFE SAFETY CODE.
13. PROVIDE STAIRWAY IDENTIFICATION PER SECTION 7.2.2.5.4 OF THE 2021 EDITION OF THE NFPA 101 LIFE SAFETY CODE.

GRAPHIC SCALE(S)

1/2" = 1' - 0" 0 6" 1' 2' 3' 4' 5'

1 1/2" = 1' - 0" 0 3" 6" 9" 1' 2'

PLAN NORTH

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MULTI-FAMILY RECONSTRUCTION

OWNER: LAINE MAJOR
15 NEW YORK STREET
DOVER, NH 03820

PORTSMOUTH ARCHITECTS
brought to you by McHENRY ARCHITECTURE
4 MARKET STREET
PORTSMOUTH, NEW HAMPSHIRE
603.430.0274

PERMIT SET ONLY

No.	Description	Date

Project Name:
MULTI-FAMILY RECONSTRUCTION

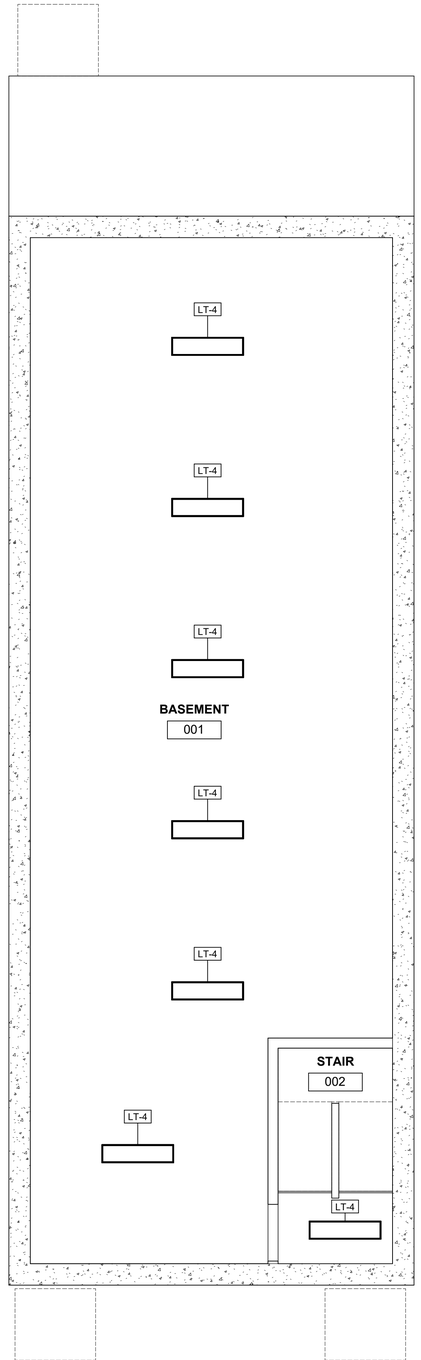
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ENLARGED STAIR PLANS

Project Number:	25031-15
Date:	10/27/25
Drawn By:	MB
Checked By:	MG

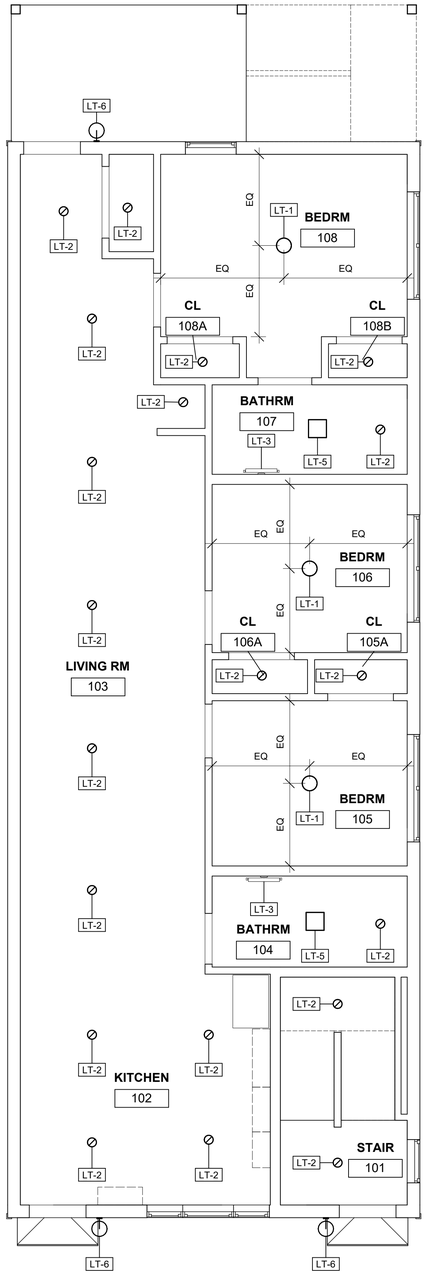
A103

Scale: AS INDICATED

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1 BASEMENT REFLECTED CEILING PLAN
1/4" = 1'-0"



2 FIRST FLOOR REFLECTED CEILING PLAN
1/4" = 1'-0"

GENERAL SHEET NOTES

LIGHTING NOTES

1. LIGHTING LAYOUT TO BE USED AS BASIS OF DESIGN. COORDINATE ALL LOCATIONS AND FIXTURE TYPES WITH OWNER.
2. ALL LIGHTS NOT DIMENSIONED TO BE CENTERED IN SPACE. COORDINATE EXACT LOCATION OF ALL CEILING ITEMS NOT DIMENSIONED ON THIS OR OTHER DRAWINGS IN THE FIELD WITH ARCHITECT.
3. PROVIDE UNDERCABINET LIGHTS AT ALL KITCHEN CABINETRY- MIN. 2 FIXTURES PER UNIT.
4. PROVIDE ALL EMERGENCY LIGHTING AS REQUIRED PER CODE.
5. PROVIDE SECURITY AND NIGHT LIGHTING AS REQUIRED.
6. GC TO PROVIDE CUT SHEETS OF ALL PROPOSED FIXTURES TO OWNER AND ARCHITECT FOR APPROVAL PRIOR TO PURCHASE AND INSTALLATION.
7. ALL INTERIOR FIXTURES TO HAVE US26D FINISH. ALL EXTERIOR FIXTURES TO HAVE BRONZE FINISH.
8. FIELD VERIFY ALL SOFFIT SIZES THAT ARE REQUIRED IN ORDER TO CONCEAL MECHANICAL DUCTWORK.
9. CEILINGS TO BE 5/8" TYPE 'X' GWB ATTACHED TO UNDERSIDE OF STRUCTURE, TYP. U.N.O.
10. GC TO COORDINATE SPRINKLER HEAD LOCATIONS WITH LIGHTS AND DIFFUSERS.
11. ALL COLOR TEMPERATURES TO BE 2700K OR 3000K FOR ALL FIXTURES UNLESS OTHERWISE NOTED, CONFIRM WITH ARCHITECT AND OWNER.
12. ALL LIGHT FIXTURES TO BE ELV DIMMABLE, UNLESS OTHERWISE NOTED.
13. ALL LAMPS TO HAVE A COLOR RENDERING INDEX (CRI) OF 90 OR GREATER.

SMOKE ALARM AND CARBON MONOXIDE ALARM NOTES

1. SMOKE ALARMS ARE NOT REQUIRED INHABITABLE ATTICS OR CRAWL SPACES.
2. SMOKE ALARMS SHALL BE PLACED IN EACH SLEEPING ROOM.
3. SMOKE ALARMS SHALL BE INSTALLED OUTSIDE EACH SLEEPING ROOM IN THE IMMEDIATE VICINITY OF THE BEDROOM.
4. SMOKE ALARMS THAT ARE LOCATED WITHIN 6 TO 20 FEET OF A COOKING APPLIANCE MUST BE PHOTOELECTRIC AND SHALL NOT BE PLACED WITHIN 6 FEET OF SUCH APPLIANCE.
5. SMOKE AND CARBON MONOXIDE ALARMS SHALL BE INTERCONNECTED WITHIN INDIVIDUAL DWELLING UNITS.
6. SMOKE AND CARBON MONOXIDE ALARMS SHALL BE HARD WIRED WITH A BATTERY BACKUP..
7. SMOKE AND CARBON MONOXIDE ALARMS SHALL BE LOCATED NOT LESS THAN 3' AWAY FROM OPENINGS TO BATHROOMS.

LEGEND

TYPE LT-1 - CEILING MOUNTED FIXTURE

TYPE LT-2 - RECESSED CAN DOWNLIGHT, WET RATED AT SHOWERS

TYPE LT-3 - VANITY WALL SCONCE

TYPE LT-4 - CEILING MOUNTED UTILITARIAN FIXTURE

TYPE LT-5 - CEILING MOUNTED LIGHT/FAN COMBO

TYPE LT-6 - WALL MOUNTED EXTERIOR LIGHT

LIGHT FIXTURE LEGEND

GYP BD CEILING

CEILING TYPES

GRAPHIC SCALE(S)

1/4" = 1' - 0" 0 1' 5' 10' 15'

PLAN NORTH

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MULTI-FAMILY RECONSTRUCTION

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15 NEW YORK STREET
DOVER, NH 03820

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PORTSMOUTH, NEW HAMPSHIRE
603.430.0274

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No.	Description	Date

Project Name:
MULTI-FAMILY RECONSTRUCTION

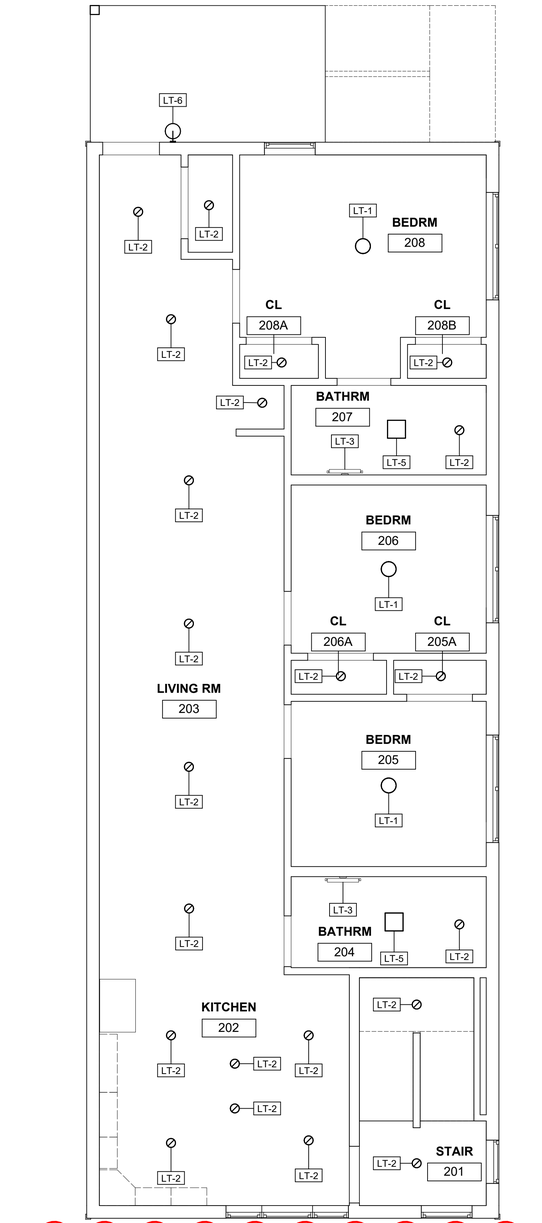
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Project Number:	25031-15
Date:	10/27/25
Drawn By:	MB
Checked By:	MG

A121

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

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1 SECOND FLOOR REFLECTED CEILING PLAN (THRID FLOOR SIMILAR)
1/4" = 1'-0"

GENERAL SHEET NOTES

LIGHTING NOTES

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TYPE LT-3 - VANITY WALL SCONCE

TYPE LT-4 - CEILING MOUNTED UTILITARIAN FIXTURE

TYPE LT-5 - CEILING MOUNTED LIGHT/FAN COMBO

TYPE LT-6 - WALL MOUNTED EXTERIOR LIGHT

LIGHT FIXTURE LEGEND

GYP BD CEILING

CEILING TYPES

GRAPHIC SCALE(S)

1/4" = 1' - 0"

0 1' 5' 10' 15'

PLAN NORTH

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DOVER, NH 03820

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603.430.0274

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No.	Description	Date
1	Revision 1	01/05/2026

Project Name:
MULTI-FAMILY RECONSTRUCTION

Drawing Name:
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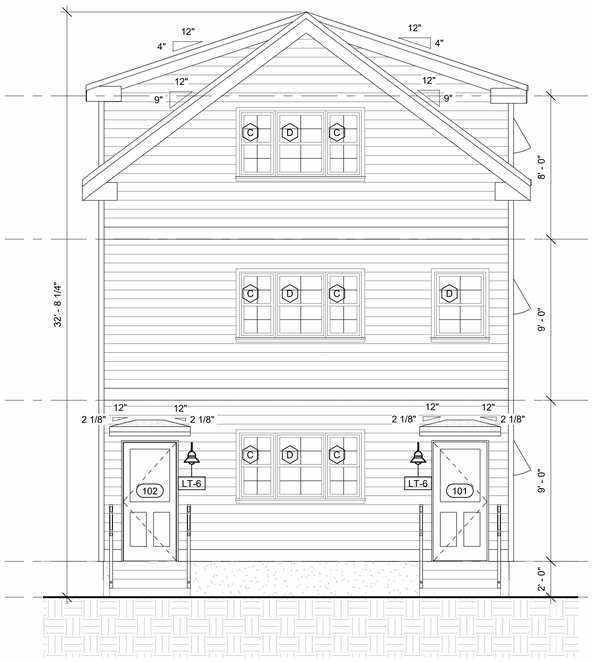
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Date:	10/27/25
Drawn By:	MB
Checked By:	MG

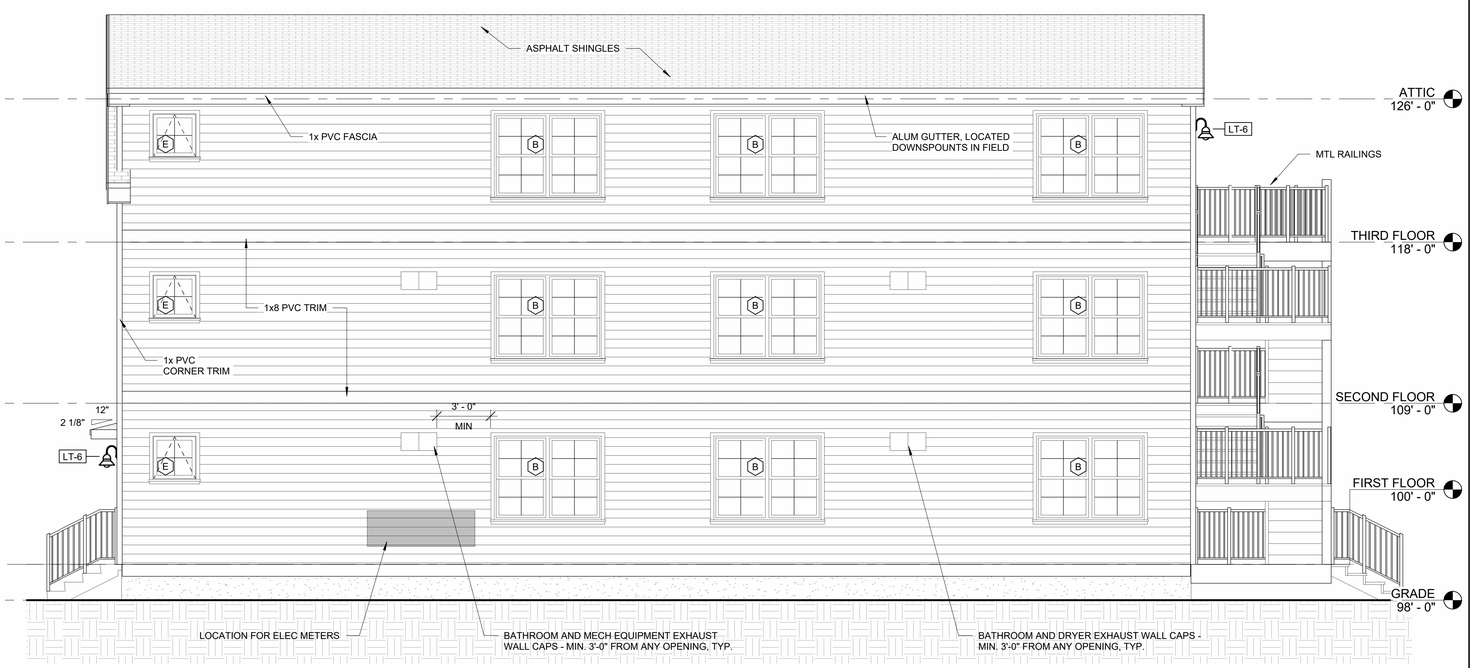
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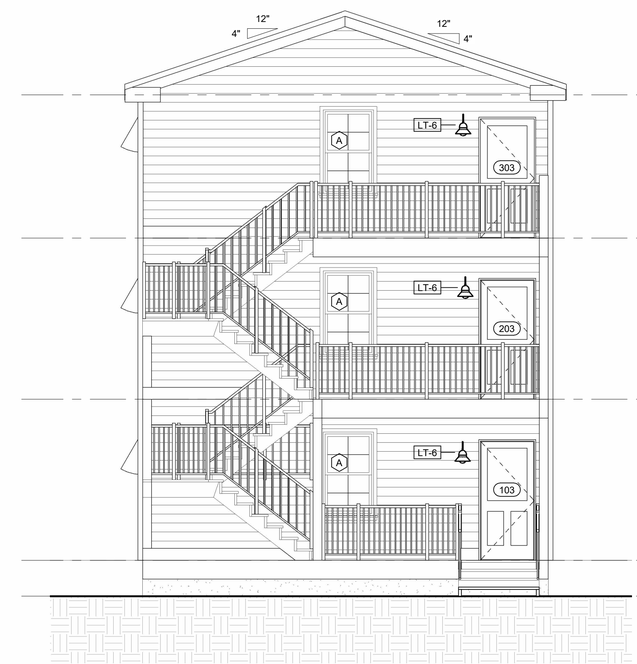
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EXTERIOR FINISH SCHEDULE			
NAME	MANUFACTURER	DESCRIPTION / COLOR	COMMENTS
TRIM	AZEK	CLASSIC WHITE TRIM	OR EQUAL CLASS A COMPOSITE TRIM
ASPHALT SHINGLES	CERTAINTEED	LANDMARK SHINGLES, COLOR BY OWNER	OR EQUAL, CLASS A
CLAPBOARD SIDING - RATED SIDE	JAMES HARDIE	HARDIE PLANK - SMOOTH, COLOR BY OWNER	4" EXPOSURE, CLASS A
ALUM GUTTER & DOWNSPOUT		K-STYL, WHITE	CONNECT TO FOUNDATION DRAIN
DECKING	TIMBERTECH	COMPOSIT DECKING, COLOR SELECTED BY OWNER	
RAILINGS	TIMBERTECH	FULTON, COLOR SELECTED BY OWNER	METAIL RAILING SYSTEM

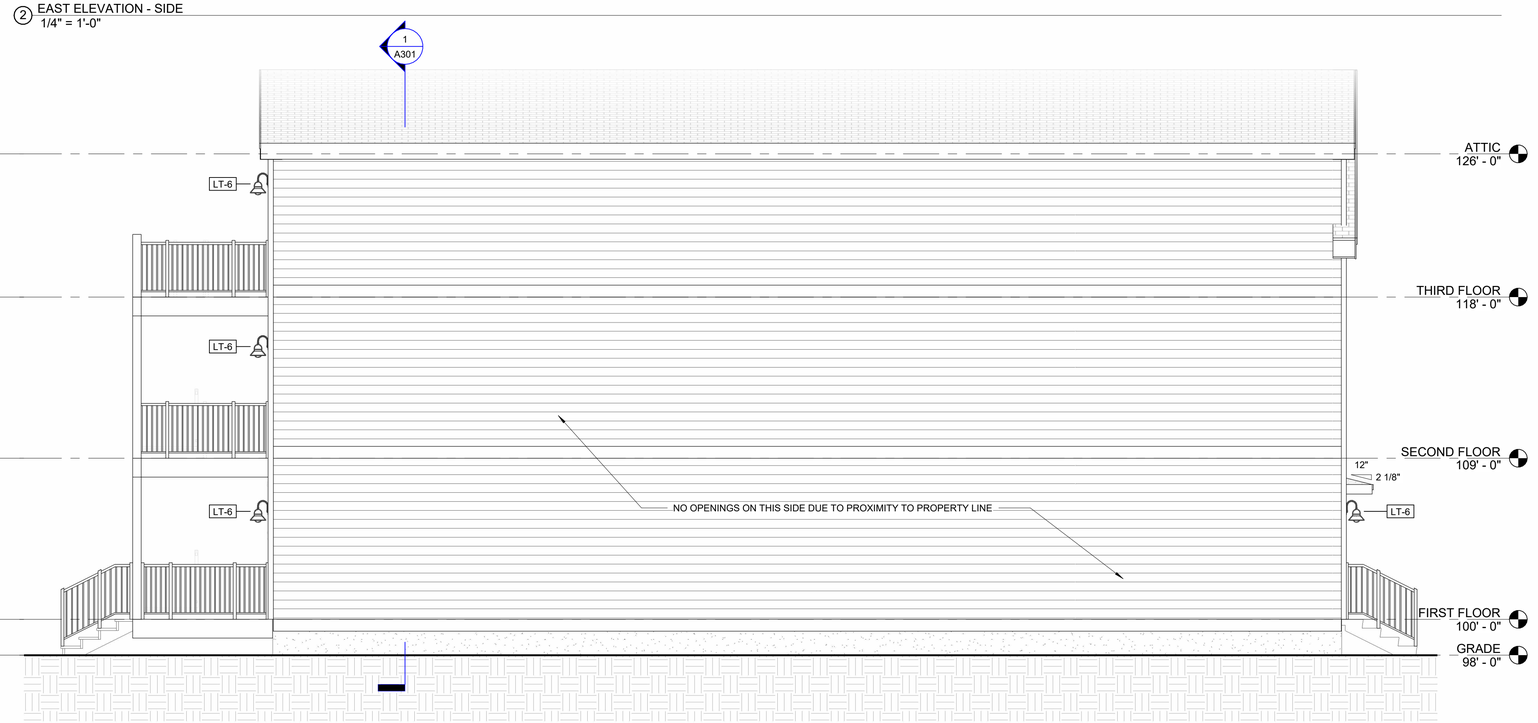




1 SOUTH ELEVATION - FRONT
1/4" = 1'-0"



2 EAST ELEVATION - SIDE
1/4" = 1'-0"



3 NORTH ELEVATION - BACK
1/4" = 1'-0"

4 WEST ELEVATION - PL SIDE
1/4" = 1'-0"

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PORTSMOUTH, NEW HAMPSHIRE
603.430.0274

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No.	Description	Date

Project Name:
MULTI-FAMILY RECONSTRUCTION

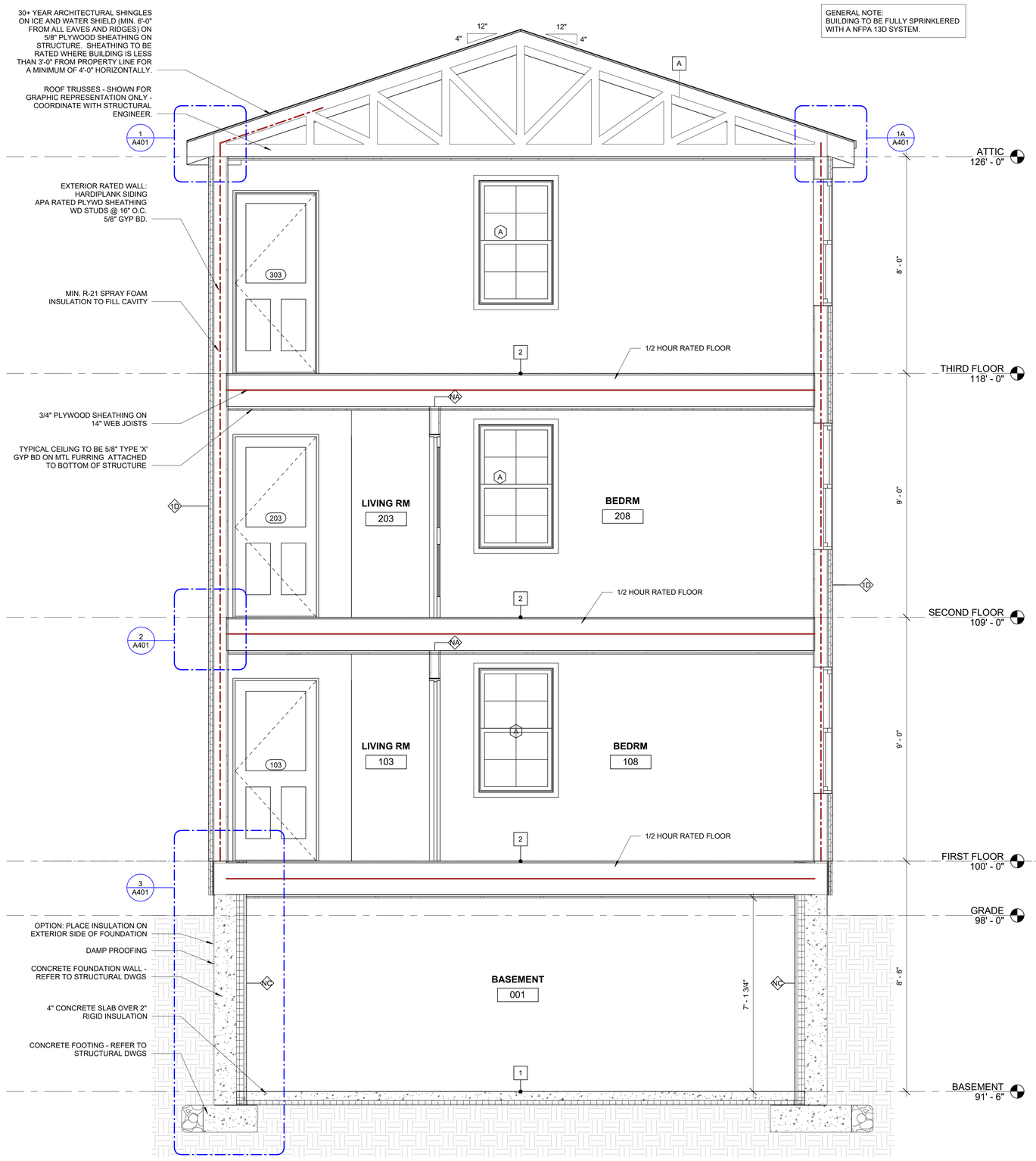
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EXTERIOR ELEVATIONS

Project Number:	25031-15
Date:	10/27/25
Drawn By:	MB
Checked By:	MG

A201

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

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1 TYPICAL BUILDING SECTION
1/2" = 1'-0"

GRAPHIC SCALE(S)

1/2" = 1' - 0" 0 6" 1' 2' 3' 4' 5'

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MULTI-FAMILY RECONSTRUCTION

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No.	Description	Date

Project Name:
MULTI-FAMILY RECONSTRUCTION

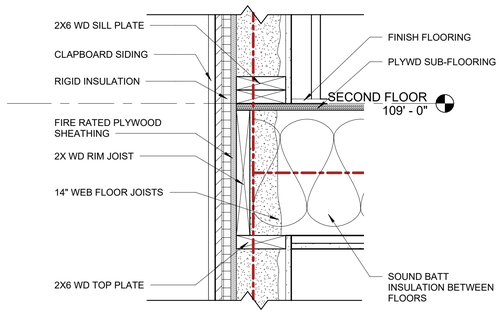
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Project Number:	25031-15
Date:	10/27/25
Drawn By:	MB
Checked By:	MG

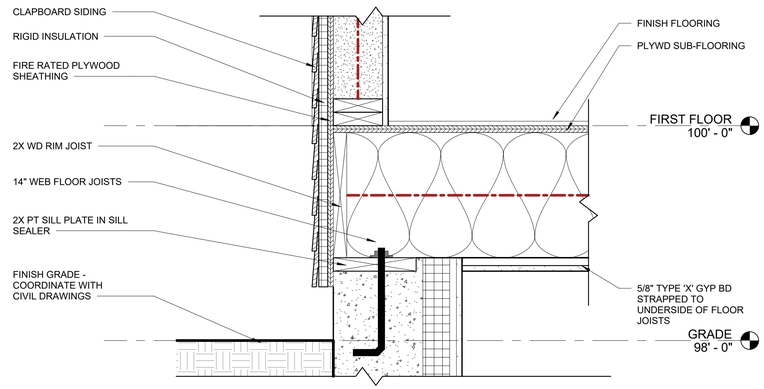
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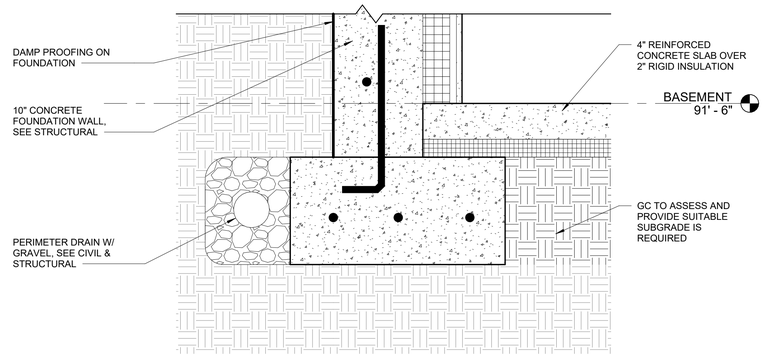
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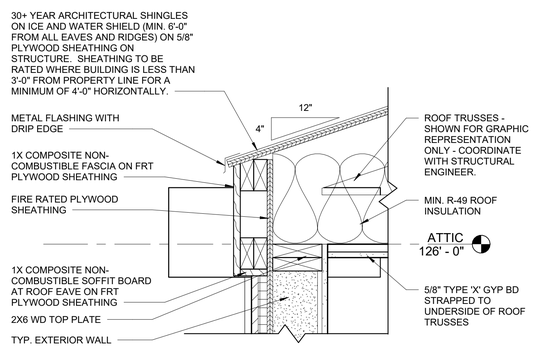


2 TYPICAL DETAIL AT WALL/FLOOR INTERSECTION
1 1/2" = 1'-0"

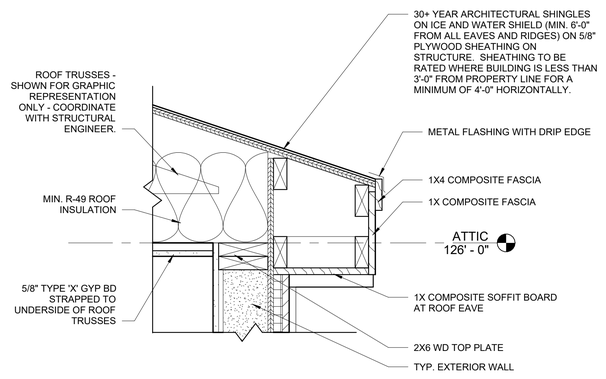




3 TYPICAL DETAIL AT FOUNDATION WALL
1 1/2" = 1'-0"



1 ROOF EDGE DETAIL AT FIRE RATED WALL
1 1/2" = 1'-0"



1A ROOF EDGE DETAIL AT NON-RATED SIDE
1 1/2" = 1'-0"

GRAPHIC SCALE(S)

1 1/2" = 1' - 0" 0 3" 6" 9" 1' 2'

PLAN NORTH

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MULTI-FAMILY RECONSTRUCTION

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DOVER, NH 03820

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No.	Description	Date

Project Name:
MULTI-FAMILY RECONSTRUCTION

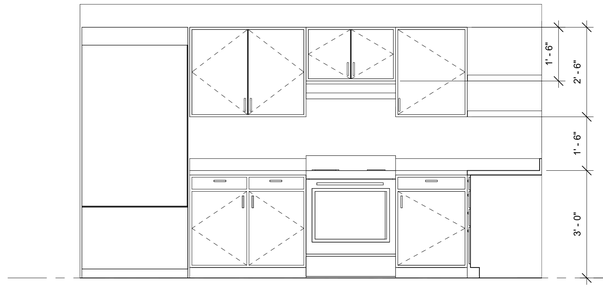
Drawing Name:
WALL SECTION DETAILS

Project Number:	25031-15
Date:	10/27/25
Drawn By:	MB
Checked By:	MG

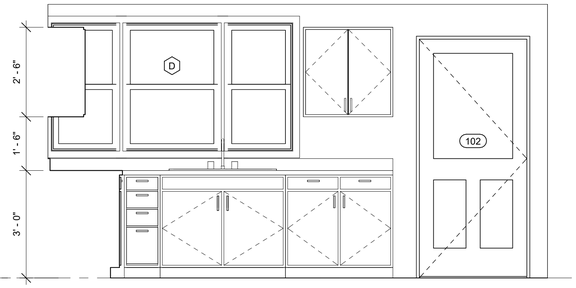
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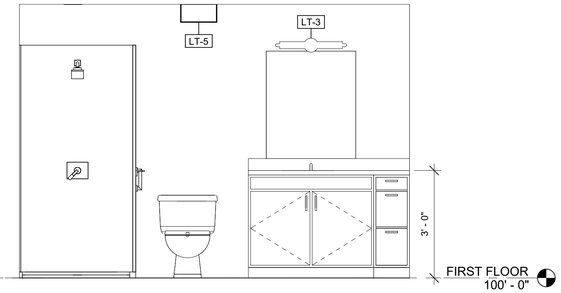
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1/6/2026 10:35:03 AM



5 KITCHEN 102 INT ELEV 1-B
1/2" = 1'-0"



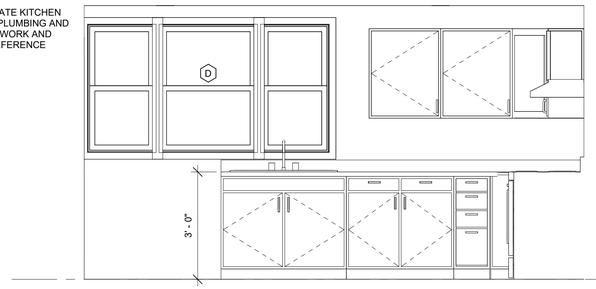
6 KITCHEN 102 INT ELEV 1-C
1/2" = 1'-0"



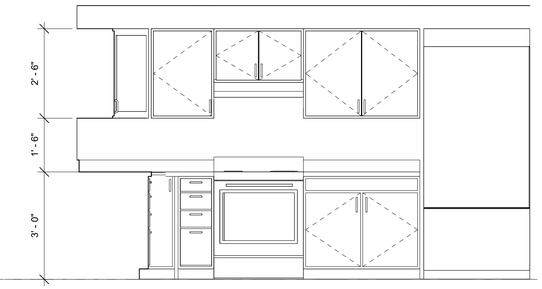
7 BATHROOM 107 INT ELEV 1-C
1/2" = 1'-0"

FIRST FLOOR
100' - 0"

GENERAL NOTE: GC TO COORDINATE KITCHEN DESIGN, FINISHES, APPLIANCES, PLUMBING AND ELECTRICAL WITH OWNER. CASEWORK AND APPLIANCES SHOWN ARE FOR REFERENCE ONLY, TBD.

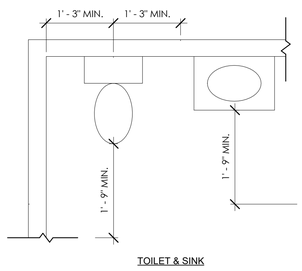


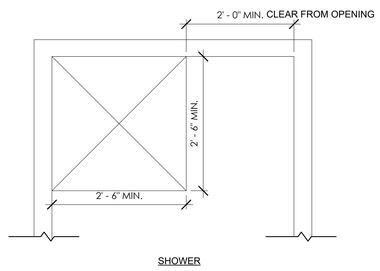
3 KITCHEN 202 INT ELEV 1-C
1/2" = 1'-0"



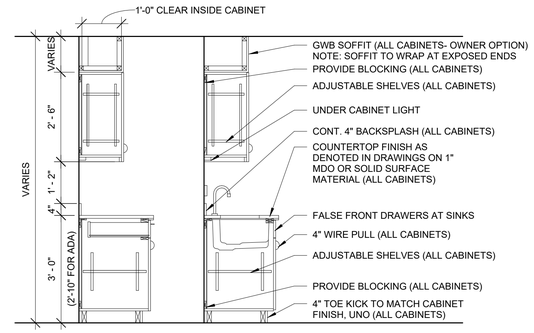
4 KITCHEN 202 INT ELEV 1-D
1/2" = 1'-0"

SECOND FLOOR
109' - 0"





1 TYPICAL TOILET, BATH & SHOWER FIXTURE SPACING
3/4" = 1'-0"



2 TYPICAL CABINETRY DETAILS
1/2" = 1'-0"

GRAPHIC SCALE(S)

3/4" = 1' - 0" 0 6" 1' 2' 3' 4' 5'

1/2" = 1' - 0" 0 6" 1' 2' 3' 4' 5'

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MULTI-FAMILY RECONSTRUCTION

OWNER: LAINE MAJOR
15 NEW YORK STREET
DOVER, NH 03820

PORTSMOUTH ARCHITECTS
brought to you by McHENRY ARCHITECTURE
4 MARKET STREET
PORTSMOUTH, NEW HAMPSHIRE
603.430.0274

PERMIT SET ONLY

No.	Description	Date

Project Name:
MULTI-FAMILY RECONSTRUCTION

Drawing Name:
DETAILS & INTERIOR ELEVATIONS

Project Number:	25031-15
Date:	10/27/25
Drawn By:	MM
Checked By:	MG

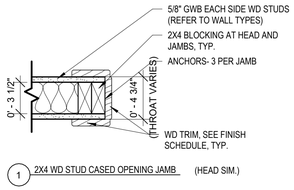
A501

Scale: AS INDICATED

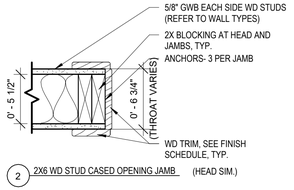
Z:\Active Project Files\25031-15 NY ST DOVER\Dwgs\4-CD\25031-15 NYS DOVER-CD-REV01.rvt
1/6/2026 10:35:03 AM

DOOR TYPES

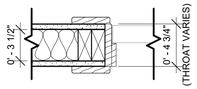
TYPE A:	TYPE B:	TYPE C:	TYPE D:
SINGLE TWO PANEL WOOD DOOR	SINGLE ENTRY DOOR WITH HALF GLASS BY THERMATRU	DOUBLE TWO PANEL SLIDING WOOD DOOR	SINGLE TWO PANEL WOOD DOOR - RATED



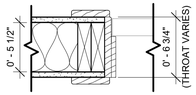
1 2X4 WD STUD CASED OPENING JAMB (HEAD SIM.)



2 2X6 WD STUD CASED OPENING JAMB (HEAD SIM.)



3 2X4 WD STUD DOOR JAMB



4 2X6 WD STUD DOOR JAMB

1 INTERIOR DOOR DETAILS
1 1/2" = 1'-0"

DOOR SCHEDULE

Mark	Size		Door			Function	Frame			Fire Rating	Comments
	Height	Width	Type Mark	Material	Finish		Frame Type	Frame Material	Frame Finish		
002	6' - 8"	3' - 0"	D	WOOD	PNT	Interior		WOOD	PNT	45 MIN	SPRING HINGE
101	6' - 8"	3' - 0"	B	FIBERGLASS	PNT	Exterior		WOOD	PNT		
102	6' - 8"	3' - 0"	B	FIBERGLASS	PNT	Exterior		WOOD	PNT		
103	6' - 8"	3' - 0"	B	FIBERGLASS	PNT	Exterior		WOOD	PNT		
103A	6' - 8"	4' - 0"	E	WOOD	PNT	Interior		WOOD	PNT		
104	6' - 8"	2' - 8"	A	WOOD	PNT	Interior		WOOD	PNT		
105	6' - 8"	2' - 10"	A	WOOD	PNT	Interior		WOOD	PNT		
105A	6' - 8"	3' - 6"	C	WOOD	PNT	Interior		WOOD	PNT		
106	6' - 8"	2' - 10"	A	WOOD	PNT	Interior		WOOD	PNT		
106A	6' - 8"	3' - 6"	C	WOOD	PNT	Interior		WOOD	PNT		
107	6' - 8"	2' - 10"	A	WOOD	PNT	Interior		WOOD	PNT		
108	6' - 8"	2' - 10"	A	WOOD	PNT	Interior		WOOD	PNT		
108A	6' - 8"	3' - 6"	C	WOOD	PNT	Interior		WOOD	PNT		
108B	6' - 8"	3' - 6"	C	WOOD	PNT	Interior		WOOD	PNT		
201	6' - 8"	3' - 0"	D	WOOD	PNT	Interior		WOOD	PNT	45 MIN	SPRING HINGE
203	6' - 8"	3' - 0"	B	FIBERGLASS	PNT	Exterior		WOOD	PNT		
203A	6' - 8"	4' - 0"	E	WOOD	PNT	Interior		WOOD	PNT		
204	6' - 8"	2' - 8"	A	WOOD	PNT	Interior		WOOD	PNT		
205	6' - 8"	2' - 10"	A	WOOD	PNT	Interior		WOOD	PNT		
205A	6' - 8"	3' - 6"	C	WOOD	PNT	Interior		WOOD	PNT		
206	6' - 8"	2' - 10"	A	WOOD	PNT	Interior		WOOD	PNT		
206A	6' - 8"	3' - 6"	C	WOOD	PNT	Interior		WOOD	PNT		
207	6' - 8"	2' - 10"	A	WOOD	PNT	Interior		WOOD	PNT		
208	6' - 8"	2' - 10"	A	WOOD	PNT	Interior		WOOD	PNT		
208A	6' - 8"	3' - 6"	C	WOOD	PNT	Interior		WOOD	PNT		
208B	6' - 8"	3' - 6"	C	WOOD	PNT	Interior		WOOD	PNT		
301	6' - 8"	3' - 0"	D	WOOD	PNT	Interior		WOOD	PNT	45 MIN	SPRING HINGE
303	6' - 8"	3' - 0"	B	FIBERGLASS	PNT	Exterior		WOOD	PNT		

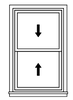
WINDOW SCHEDULE

Type Mark	Width	Height
A	2' - 10"	4' - 8"
B	6' - 0"	4' - 8"
C	2' - 0"	3' - 8"
D	2' - 10"	3' - 8"
E	2' - 5"	2' - 5"

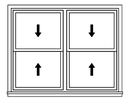
WINDOW NOTES

1. WINDOW MANUFACTURER TO VERIFY ALL WINDOW SIZES IN FIELD.
2. PROVIDE PAINTED WOOD SILL, APRON, AND TRIM AT ALL WINDOWS, TYP. TRIM TO MATCH EXISTING PROFILES, TYP.
3. ALL WINDOWS TO BE LOW-E ARGON FILLED.
4. ALL WINDOW HARDWARE TO BE PROVIDED.
5. PROVIDE INSECT SCREENS AT ALL WINDOWS.
6. RESIDENTIAL HABITABLE ROOM EGRESS SIZE WINDOWS TO MEET MINIMUM 5.7 SF CLEARANCE. 20" MIN WIDE BY 24" MIN HIGH, SILL HEIGHT TO BE LESS THAN 44".
7. ALL WINDOWS WITHIN 18" OF THE FINISHED FLOOR TO BE TEMPERED, TYP.
8. PROVIDE ALL NEW WINDOWS AND GLASS TYPES AS INDICATED ON THE DRAWINGS, COMPLETE WITH ALL STANDARD HARDWARE AND NOTED OPTIONS. CONFIRM TEMPERED GLASS LOCATIONS BEFORE ORDERING.
9. INSTALL ALL DOORS AND WINDOWS IN ACCORDANCE WITH NWWDA GUIDELINES, MANUFACTURER'S RECOMMENDATIONS, AND AS DETAILED. PROVIDE METAL DRIP CAPS AT HEADS AND FABRIC FLASHING AT JAMBS AND SILLS OF ALL EXTERIOR DOOR AND WINDOW FRAMES.

WINDOW TYPES



TYPE A: 2 LITE ALUMINUM CLAD WOOD DOUBLE HUNG WINDOW



TYPE B: PAIR 2 LITE ALUMINUM CLAD WOOD DOUBLE HUNG WINDOW



TYPE C: 2 LITE ALUMINUM CLAD WOOD DOUBLE HUNG WINDOW



TYPE D: 2 LITE ALUMINUM CLAD WOOD DOUBLE HUNG WINDOW



TYPE E: ALUMINUM CLAD WOOD AWNING WINDOW

NOTES:
1. WINDOW TYPES C & D TO BE MULLED TOGETHER.

DOOR NOTES

1. ALL DOOR HARDWARE TO BE US-26D.
2. PROVIDE MIN. 3 HINGES PER DOOR.
3. INSTALL ALL DOORS PER DOOR MANUFACTURER'S SPECIFICATIONS. DOORS TO BE INSTALLED 4" (MIN) TO 6" (TYP) FROM ADJACENT FINISH FACE OR CENTERED IN OPENING, U.N.O., TYP.
4. PROVIDE ALL NEW DOORS AND RELATED HARDWARE OF TYPES AND SIZES AS INDICATED ON THE DRAWINGS. APPLY SEALER TO ALL SURFACES, EDGES, MORTISES, ETC. OF ALL WOOD DOORS.
5. HARDWARE DESIGN SHALL BE AS APPROVED BY THE OWNER AND THE ARCHITECT. PROVIDE ALL HARDWARE NECESSARY FOR THE PROPER OPERATION OF ALL WORK ON THIS PROJECT. REFER TO THE DRAWINGS FOR HARDWARE FUNCTIONS. CONFIRM DOOR KEYING AND SECURITY WITH THE OWNER.
6. PROVIDE COMPLETE WEATHERSTRIPPING FOR ALL NEW EXTERIOR DOORS OF NEOPRENE BULB/ ALUMINUM STRIP AT HEAD AND JAMBS AND VINYL SWEEP/ ALUMINUM STRIP AT BOTTOM.
7. PROVIDE ALL NEW WINDOWS AND GLASS TYPES AS INDICATED ON THE DRAWINGS, COMPLETE WITH ALL STANDARD HARDWARE AND NOTED OPTIONS. CONFIRM TEMPERED GLASS LOCATIONS BEFORE ORDERING.
8. INSTALL ALL DOORS AND WINDOWS IN ACCORDANCE WITH NWWDA GUIDELINES, MANUFACTURER'S RECOMMENDATIONS, AND AS DETAILED. PROVIDE METAL DRIP CAPS AT HEADS AND FABRIC FLASHING AT JAMBS AND SILLS OF ALL EXTERIOR DOOR AND WINDOW FRAMES.
9. SELECTED DOOR SUBCONTRACTOR SHALL MEET WITH GC AND ARCHITECT TO VERIFY ALL DOORS AND HARDWARE SETS PRIOR TO PURCHASE AND INSTALLATION.
10. LEGAL EXITS SHALL NOT BE BLOCKED AT ANY TIME. ALL DOOR HARDWARE MUST COMPLY WITH SECTION 30.2.2.2.2 OF THE 2009 EDITION OF THE NFPA 101 LIFE SAFETY CODE.
11. MAXIMUM EFFORT TO OPERATE DOORS SHALL NOT EXCEED THE FOLLOWING:
    INTERIOR DOORS: 5 POUNDS.
    EXTERIOR DOORS: 8.5 POUNDS.
    FIRE DOORS: 15 POUNDS.
12. COORDINATE DOOR HARDWARE WITH OWNER.
13. PROVIDE SPRING HINGES AND LATCHING LOCKSET @ RATED DOOR LOCATIONS.

MULTI-FAMILY RECONSTRUCTION

OWNER: LAINE MAJOR
15 NEW YORK STREET
DOVER, NH 03820

PORTSMOUTH ARCHITECTS
brought to you by McHENRY ARCHITECTURE
4 MARKET STREET
PORTSMOUTH, NEW HAMPSHIRE
603.430.0274

PERMIT SET ONLY

No.	Description	Date

Project Name:
MULTI-FAMILY RECONSTRUCTION

Drawing Name:
DOOR & WINDOW SCHEDULES

Project Number:	25031-15
Date:	10/27/25
Drawn By:	MB
Checked By:	MG

A601

Scale: NOT TO SCALE

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CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #SITE-2024-0012

Application Type:	Site Review
Applicant(s):	5 Sherman Street, LLC
Owner(s):	5 Sherman Street, LLC
Location:	103 Court St. (Assessor's Map 19, Lot 8)
Meeting Date:	January 27, 2026

INTENT: Proposal is to maintain an existing single-family dwelling and construct four (4) new single-family homes for a total of five (5) dwelling units with two (2) of the new single family homes size-restricted to 1,400 square feet each.

[A previous version of this item was reviewed by the Technical Review Committee on September 5, 2024, September 26, 2024, and November 14, 2024 and was also heard and tabled by the Planning Board on January 28, 2025]

AGENDA ITEM #: 4-H

FILE: SITE-2024-0012

APPLICANT/OWNER: 5 Sherman Street, LLC

LOCATION: 103 Court St. (Assessor's Map 19, Lot 8)

LOTS/UNITS PROPOSED: Five (5) units including one (1) existing unit, two (2) additional units allowed per base density, and two (2) TDR units *(TDR approved previously on January 28, 2025)*

ACREAGE: ±1.20 ac.

ZONING DISTRICT: R-12

EXISTING USE: Residential

PROPOSED USE: Residential

SURROUNDING USE: Residential, Cemetery

WAIVERS REQUESTED: §153-14.D.6(a) and §153-14.D.6(b), requiring an aisle width of 22' or 24', where an aisle width of 20' is being proposed.

ZBA ACTION: None.

PERMITS REQUIRED: None.

CONSERVATION COMMISSION: N/A

TECHNICAL REVIEW COMMITTEE: Reviewed on Nov. 13th, 2025

NOTICES SENT: Abutter notices were sent by certified mail to all abutters.

ATTACHMENTS: Application materials including site plan.

Summary of Request and Background

The applicant is proposing a residential project consisting of five (5) residential units. The proposal includes reconstruction of the existing single-family dwelling and the construction of four, single-family cottages, two of which would be size-restricted.

The Planning Board last heard and tabled this item at its January 28, 2025 regular meeting. At that same meeting, the Board conditionally approved the related TDR application (TRAN-2024-0011) for the purchase of up to two additional units, resulting in a total potential development of up to five residential units.

Two waivers are being proposed as part of this project related to the requirements for a drive aisle width of 22'-24', where an aisle width of 20' is being proposed.

The Technical Review Committee reviewed the application at their November 13, 2025 meeting. Part of the TRC discussion and review focused on updated application materials reflecting the revised site plan proposal, including a traffic impact memo, condominium association documents, water and sewer demand, and stormwater analysis. *(minutes attached)*

The Planning Board has received a request from an abutter to defer action on this proposal based on the pending Supreme court case (No. 2025-0686) which is a second appeal of the TDR conditional approval. However, review of a site plan application is permitted and required under State law and the Code of the City of Dover and the Supreme Court did not issue a stay. The Planning Board retains jurisdiction to review and act on applications before the Board and if this site plan is heard, the appellant would have another opportunity to appeal.

Summary of Waiver Requests:

The applicant is seeking two waivers as part of this proposal. The waivers are from the following:

1. §153-14.D.6(a), relief requested from required parking lot design standard of 22' aisle width.
2. §153-14.D.6(b), relief requested from required two-way accessway width of 24'.

Consistency with Land Use Regulations –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 waivers meets criterion (1) and waiving such standards and requirements is not contrary to the spirit or intent of the ordinance as the applicant is looking to decrease impervious surface and maintain as much distance to the abutter.

STAFF RECOMMENDATION - Waivers/Relief:

The Planning Department recommends that the Planning Board accept the applications as complete, note they are not of regional impact, hold a public hearing, 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: §153-14.D.6(a), required parking lot design standard of 22' aisle width. §153-14.D.6(b), required two-way accessway width of 24'.

Consistency with Land Use Regulations – Site Plan

§153-13 of the Site Review Regulations of the City Code provides for site review by the Planning Board of new construction of various types. This plan is consistent with those regulations.

STAFF RECOMMENDATION:

The Planning Department recommends that the Planning Board makes the necessary and supporting findings of fact, and vote to approve the site plan with the following subsequent conditions:

Subsequent Conditions to be Met Prior to Signing of Plans:

1. All conditions associated with TRAN-2024-0011 have been met (save for this site plan approval);
2. Provide physical and digital copies (including CAD) of complete plan set for final Planning Board signature which additionally shall include:
   2.1. Permit File #SITE-2024-0012;
   2.2. Owner's signatures;
   2.3. Professional stamps and signatures;
3. Submit condominium association documents to the Planning Department for review, ensuring that provisions for maintenance of the stormwater system, roadway, sidewalks, roof, and limited common areas are included, along with reserve and surety calculation;
   3.1. Condominium association documents should note that the stop sign, and any other development signage would be privately owned and maintained by the association;
   3.2. Condominium association costs should reflect a comparison between future fund values and present-value costs.
   3.3. Condominium association documents should include the size restriction for the TDR units.

Subsequent Condition to Be Met Prior to Construction:

4. A preconstruction meeting must be held with City staff;
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;
6. The applicant shall provide documentation demonstrating that utility costs associated with work within the public right-of-way, to be installed as part of the City's Court Street Reconstruction project, have been received from the City.

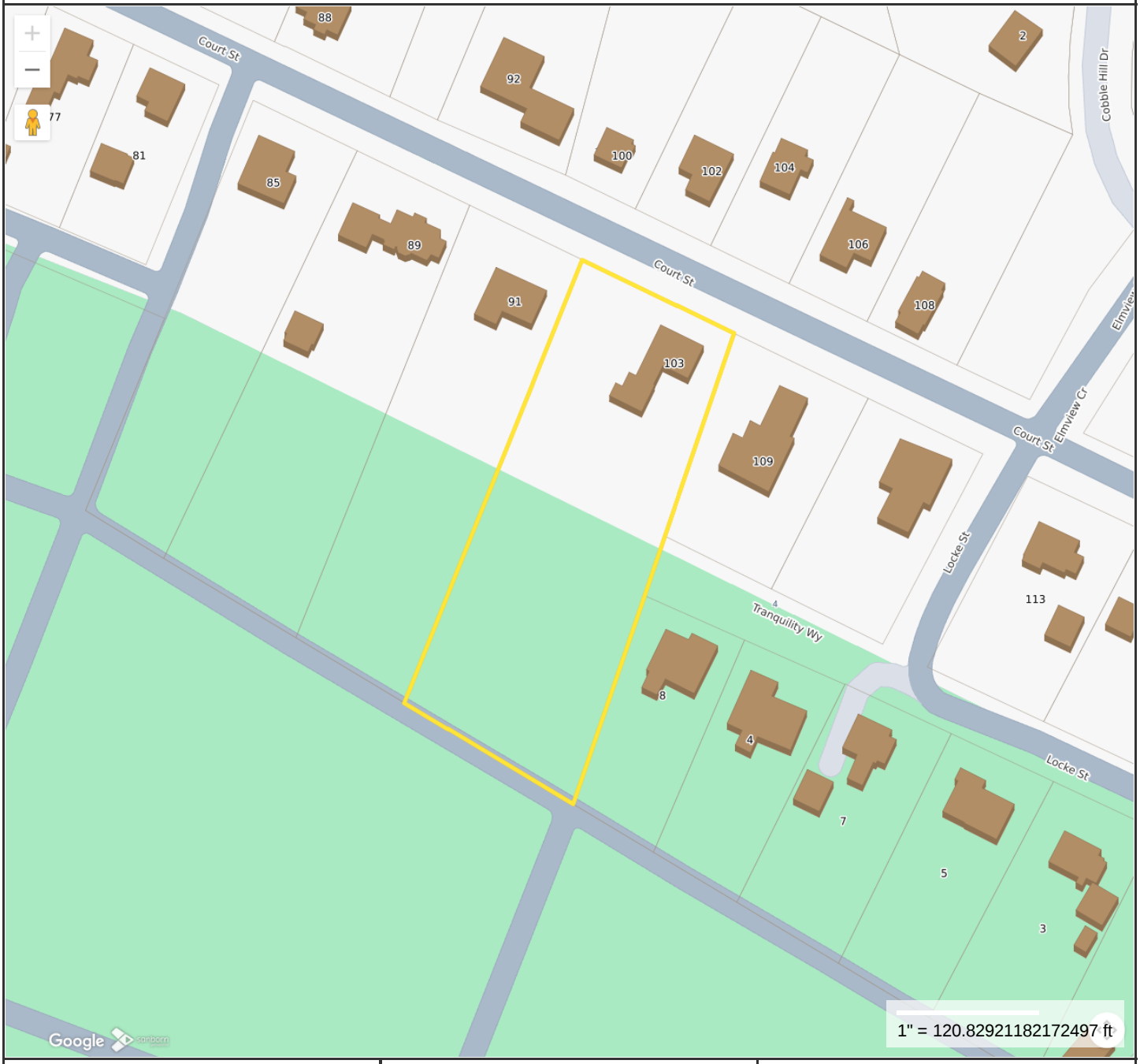
Subsequent Condition to Be Met Prior to Building Permit:

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

Subsequent Conditions to Be Met Prior to Occupancy:

8. Issuance of Certificate of Occupancy;
9. Surety or other form of security acceptable to the City is provided for any unfinished work;
10. 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.

SITE-2024-0012 103 COURT STREET



Property Information

Location	103 COURT ST
Owner	5 SHERMAN STREET LLC
Land Use	101R
Zoning Code	R-12
Property Id	19008-000000

MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

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

Geometry updated 10/30/2023
Data updated Daily

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

PLAN SNAPSHOT REPORT SITE-2024-0012
FOR CITY OF DOVER, N.H.

Plan Type:	Site Plan - Major	**Project:**		**App Date:**	08/15/2024
Work Class:	New Construction	**District:**	None	**Exp Date:**	NOT AVAILABLE
Status:	In Review	**Square Feet:**	0.00	**Completed:**	01/13/2025
Valuation:	$0.00	**Assigned To:**	Blonigen, Rachel	**Approval Expire Date:**	01/12/2030

Description: The applicant proposes utilizing the City of Dover Transfer of Development Rights (TDR) regulations to redevelop Map 19 Lot 8. The proposal calls for the existing home to remain, the construction of a duplex and the construction of four (4) new single-family homes for a total of seven (7) units. The TDR Base Density Calculation provide for Base Density of three (3) units, therefore, four (4) of these units will be obtained under the TDR regulations. The existing house is proposed to remain and will be an unrestricted unit. The (2) two units located in the duplex building will be dead restricted to a Fair Market Rent (FMR) set by Housing Urban Development (HUD). The four (4) new single-family homes will be size restricted to a maximum of 1400 squarefeet of total living space per unit. The TDR application still requests relief from thirty (30) foot buffer requirement. The Landscape Design provides for new screening as mitigation for this relief.

Parcel:	19008-000000	Main	**Address:** 103 Court St Dover, NH	Main

Zone: R-12(Residential - Medium Density)

Engineer
Tritech Engineering Corp.
755 Central Avenue
Dover, NH 03820
Business: (603) 742-8107

Surveyor
Tritech Engineering Corp.
755 Central Avenue
Dover, NH 03820
Business: (603) 742-8107

Applicant
Robert Baldwin
242 CENTRAL AV
DOVER, 03820
Home: (603) 986-2373
Business: (603) 986-2373
Mobile: (603) 986-2373

Applicant
Tritech Engineering Corp.
755 Central Avenue
Dover, NH 03820
Business: (603) 742-8107

Plan Custom Fields

Total2	0	Total3	0	Total	0
Total5	0	Total4	0	Total6	7
Total7	0	Total9	0	Total8	0
Street Classification Type	Municipal	Recording Number		Net Change in # Parking Spaces (+/-)	16
Water Service	Municipal	Sewer Service	Municipal	Deed Book	5172
Total Acres (GIS)	1.19	Deed Page	55	Total SQFT	51836.4
Deed Date	03/15/2024	Proposed Property Use	The applicant proposes utilizing the City of Dover Transfer Development Rights (TDR) regulations to redevelop Map 19 Lot 8. The proposal calls for the conversion of the existing home into a duplex, the construction of an additional duplex and the construction of five (5) new single-family homes for a total of nine (9) units. The TDR Base Density Calculation provide for a Base Density of three (3)units, therefore, six (6) of these units will be obtained under the TDR regulations. The four (4) units located in the two (2) duplex buildings will be deed restricted to a Fair Market Rent (FMR) set by Housing Urban Development (HUD). The five (5) new single-family homes with be size restricted to maximum of 1400 square feet of total living space per unit. The TDR application also request relief from the thirty (30) foot buffer requirement and relief from the thirty (30) foot rear setback requirement. The Landscape Design provides for new screening as mitigation for this relief.		

PLAN SNAPSHOT REPORT (SITE-2024-0012)

Area of Parcel to be Developed (SQFT)	52000	Number of Parking Spaces Existing	2	Number of Parking Spaces Proposed	18
Number of Employees Total	0	Number of Employees in Max Shift	0	Distance to City Water	20
Distance to City Sewer	20	Type of Building to be Built	Wood Frame	Estimated Construction Value	1600000.00
Refuse Removal	Private	Is there an existing Conservation Easement?	No	Existing Conservation Easement Details	
Total of Impact Fees to be Assessed	0.00	TotalImpactFeeSDTOD	0.00	Sub Total Residential	0.00
TotalImpactFeeTHTOD	0.00	TotalImpactFee23FTOD	0.00	TotalImpactFeeA4TOD	0.00
TotalImpactFeeMHTOD	0.00	TotalImpactFeeADUTOD	0.00	TotalImpactFeeAONRTOD	0.00
TotalImpactFeeAR55TOD	0.00	TotalImpactFeeAR62TOD	0.00	TotalImpactFeeRIRCTOD	0.00
Sub Total Non-Residential	0.00	TotalImpactFeeOCSTOD	0.00	TotalImpactFeeITWCTOD	0.00
TotalImpactFeeNHALTOD	0.00	TotalImpactFeeOIUTOD	0.00	TotalImpactFeeAFAOTOD	0.00

Attachment File Name	Added On	Added By	Attachment Group	Notes
Signature_Robert_Stowell_8/15/2024.jpg	08/15/2024 11:52	Stowell, Robert		Uploaded via CSS
2024.09.05_PlanningTechnicalReviewCommittee.Agenda.pdf	08/27/2024 11:29	Blonigen, Rachel		TRC Agenda
2024.09.26_PlanningTechnicalReviewCommittee.Agenda.pdf	09/12/2024 16:14	Blonigen, Rachel		TRC Agenda
2024.09.26_PlanningTechnicalReviewCommittee.103Court_SITE-2024-0012.pdf	10/04/2024 12:06	Blonigen, Rachel		Approved TRC Minutes
2024.11.14_PlanningTechnicalReviewCommittee.Agenda.pdf	11/01/2024 11:51	Blonigen, Rachel		TRC Agenda
2024.09.05_PlanningTechnicalReviewCommittee.103Court_SITE-2024-0012.pdf	11/01/2024 11:54	Blonigen, Rachel		Approved TRC Minutes
2024.11.14_PlanningTechnicalReviewCommittee.103Court_SITE-2024-0012.pdf	11/22/2024 15:11	Blonigen, Rachel		Approved TRC Minutes
PB12-10-2024 SITE-2024-0012.pdf	12/06/2024 11:12	Blonigen, Rachel		Staff Memo
2024.12.10_PlanningBoard.Agenda.rev2.pdf	12/20/2024 9:01	Blonigen, Rachel		PB Agenda
PB12-10-2024 SITE-2024-0012.pdf	12/20/2024 9:01	Blonigen, Rachel		Staff Memo
Plan Detailed Report.pdf	01/13/2025 16:12	Service, EnerGov	Available Online	Attached by EnerGov's IO Automation Service (ATTACH: Attach copy of Notice of Decision)
2025.01.11_PlanningBoard.SW.Agenda.pdf	01/22/2025 14:41	Blonigen, Rachel		SW PB Agenda
2025.01.11_PlanningBoard.Minutes.draft.pdf	01/22/2025 14:42	Blonigen, Rachel		Draft PB Minutes
100 Court Street Abutter 2025.01.17.pdf	01/23/2025 11:48	Blonigen, Rachel		Abutter Email
H. Hamer submission 2025.01.14 PB meeting_0001.pdf	01/23/2025 11:48	Blonigen, Rachel		Abutter Correspondence
PB01-28-2025 SITE-2024-0012.pdf	01/24/2025 11:38	Blonigen, Rachel		Staff Memo
2024.12.10_PlanningBoard.Minutes.pdf	01/29/2025 16:50	Blonigen, Rachel		Final PB Minutes
2025.01.28 PlanningBoard.Minutes.pdf	03/18/2025 16:02	Blonigen, Rachel		Final PB Minutes
2025.11.13_PlanningTechnicalReviewCommittee.Agenda.pdf	10/27/2025 17:10	Blonigen, Rachel		TRC Agenda
2025.11.13_PlanningTechnicalReviewCommittee.103Court_SITE-2024-0012.pdf	11/17/2025 10:40	Blonigen, Rachel		Draft TRC Minutes
2025.11.13_PlanningTechnicalReviewCommittee.103Court_SITE-2024-0012.pdf	11/17/2025 10:46	Blonigen, Rachel		Draft TRC Minutes

PLAN SNAPSHOT REPORT (SITE-2024-0012)

2025.11.13_PlanningTechnicalReviewCommittee.103Court_SITE-2024-0012.pdf	11/20/2025 13:11	Blonigen, Rachel	Approved TRC Minutes

Note	Created By	Date and Time Created
1. Applicant Emailed TRC Agenda- RLB	Rachel Blonigen	11/01/2024 12:01
2. Impervious Paved Area found in TRAN-2024-0011	Rachel Blonigen	11/07/2024 10:27
3. No abutter notices for 2nd PB meeting as this was continued from the previous PB meeting on 12/10/2024.	Rachel Blonigen	01/15/2025 10:40
4. Workflow not working in Tyler- Clarify accessible charging and signage for TRC on 11/13/25	Jim Maxfield	11/13/2025 9:11
5. Resubmit for PB	Rachel Blonigen	11/17/2025 10:44

Invoice No.	Fee		Fee Amount	Amount Paid
INV-00008987	Planning General Application Fee		$200.00	$200.00
		Total for Invoice INV-00008987	$200.00	$200.00
INV-00010224	Planning Residential Fee		$700.00	$700.00
	Planning Public Notice in Newspaper		$120.00	$120.00
		Total for Invoice INV-00010224	$820.00	$820.00
		Grand Total for Plan	**$1,020.00**	**$1,020.00**

Activity Type	Activity Number	Name	Workflow Action Name	User	Created On
Recommendation to Planning Board	RCMND-000093-2024		Planner Creates Staff Recommendations v.1.00	Rachel Blonigen	12/06/2024

Activity Custom Fields

Agenda Item	4-H	Application Complete?	Yes	Summary Request & Background	INTENT: Project proposes the purchase of four (4) units through the Transfer of Development Rights (TDR) for a total of seven (7) units, where three (3) units are allowed by right, to include the renovation of the existing single-family home and the construction of a duplex and four (4) size-restricted, single-family cottages. AGENDA ITEM #: 4-H FILE: SITE-2024-0012 APPLICANT/OWNER: 5 Sherman Street, LLC LOCATION: 103 Court St. (Assessor's Map 19, Lot 8) LOTS/UNITS PROPOSED: Four (4) TDR units, Seven (7) units total (the TDR application being heard during this same meeting) ACREAGE: ±1.20 ac. ZONING DISTRICT: R-12 EXISTING USE: Residential PROPOSED USE: Residential SURROUNDING USE: Residential, Cemetery PERMITS: None WAIVERS REQUESTED: §153-14.D.6(a) and §153-14.D.6(b), requiring an aisle width of 22' or 24', where an aisle width of 20'

is being proposed.
(Note the applicant is also requesting partial relief of the 30' buffer)
ZBA ACTION: None
CONSERVATION COMMISSION: N/A
TRC: Reviewed on 09/06/2024, 09/26/2024 and 11/14/2024
ATTACHMENTS: Application materials including site plan.

Summary of Request and Background
The applicant is proposing a residential project consisting of seven (7) residential units by purchasing four (4) units through TDR. The proposal includes reconstruction of the existing single-family dwelling and the construction of a duplex and four (4) size-restricted, single-family cottages.
The base density for the parcel was determined to be three units and the additional four units are to be ruled on at the same meeting by the Planning Board.
The Technical Review Committee reviewed the application at their September 6 and 26, 2024 and November 7, 2024. meetings. (minutes attached)
Consistency with Land Use Regulations – Site Plan
§153-4 of the Site Review Regulations of the City Code provides for site review by the Planning Board of new construction of various types. This plan is consistent with those regulations.

STAFF RECOMMENDATION- Site Plan:
The Planning Department understands changes to the plan may still be needed and could be subsequent conditions of approval or made before the Board votes on the TDR request. The Planning Department also recognizes the public comments received so far and recommends the Planning Board accept the application, open the public hearing, and provide the applicant any feedback based on the application, presentation, and public hearing and then table the item to a date certain.

Planning Board Decision	DEC-000004-2025	Planning Board Decision v.1.00	Rachel Blonigen	01/13/2025

Activity Custom Fields

Documents	Provide one PDF, one CAD and two paper plan sets.	Planning Board Decision	Tabled	Planning Board Decision2	Site and parcel walk-through scheduled for January 11, 2025.

Recommendation to Planning Board	RCMND-000009-2025	Planner Creates Staff Recommendations v.1.00	Rachel Blonigen	01/24/2025

Activity Custom Fields

Agenda Item	4-C	Application Complete?	Yes	Summary Request & Background	INTENT: Project proposes the purchase of two (2) size-restricted (1,400 s.f.) units through the Transfer of Development Rights (TDR) for a total of five (5) units, where three (3) units are allowed by right via single-family base density calculation, to include the renovation of the existing single-family home and the construction of four (4) single-family cottages (two would be size restricted) along with parking, landscaping and utilities. AGENDA ITEM #: 4-C FILE: SITE-2024-0012 APPLICANT/OWNER: 5 Sherman Street, LLC LOCATION: 103 Court St. (Assessor's Map 19, Lot 8) LOTS/UNITS PROPOSED: Two (2) TDR units, Five (5) units total (the TDR application being heard during this same meeting) ACREAGE: ±1.20 ac. ZONING DISTRICT: R-12 EXISTING USE: Residential PROPOSED USE: Residential SURROUNDING USE: Residential, Cemetery PERMITS: None WAIVERS REQUESTED: §153-14.D.6(b), requiring an aisle width of 24', where an aisle width of 20' is being proposed. ZBA ACTION: None CONSERVATION COMMISSION: N/A TRC: Reviewed on 09/06/2024, 09/26/2024 and 11/14/2024 (Subsequent TRC Review Required prior to Planning Board Review) NOTICES: Abutter notices went out for the December meeting ATTACHMENTS: Application materials including site plan. Summary of Request and Background The applicant is proposing a residential project consisting of five (5)

residential units by purchasing two (2) units through TDR. The proposal includes reconstruction of the existing single-family dwelling and the construction four (4), single-family cottages, two of which would be size restricted.
The base density for the parcel was determined to be three units and the additional two (2) units are to be ruled on by this Board (TRAN-2024-0011)
The Technical Review Committee reviewed the application at their September 6 and 26, 2024 and November 7, 2024. Meetings, with a subsequent TRC review required due to substantial plan changes. (minutes previously attached for December meeting)
Consistency with Land Use Regulations – Site Plan
§153-4 of the Site Review Regulations of the City Code provides for site review by the Planning Board of new construction of various types. Staff feels based on the design and location of this project that site plan review by TRC and the Planning Board is still required even with the reduction to 4 new units. While this plan currently does not meet the requirements of a site plan, the applicant is seeking to continue this site review item to a future meeting so that the Technical Review Committee can review a full revised site plan set and revised stormwater plans and then come back for Planning Board review should the Planning Board vote on the TDR request.

STAFF RECOMMENDATION- Site Plan:
The Planning Department recognizes that the proposed plan has been scaled-back to reduce density and improve visual screening, per Planning Board and abutter request. The TDR application associated with this site plan, TRAN-2024-0011, is to be reviewed and possibly voted on this meeting, with the applicant seeking to continue this item to a future Planning Board meeting, pending the TDR application's approval. As such, staff recommends the Planning Board should continue the site plan item.

Hearing Type	Location	Scheduled Date	Status	Subject
Planning Board Hearing v.1	Council Chambers	12/10/2024	Complete	Site Review
Planning Board Hearing v.1	Council Chambers	01/28/2025	Scheduled	Site Review

Comments: Tabled

Meeting Type	Location	Scheduled Date	Subject
Technical Review Committee Meeting v.1	City Hall, Second Floor Conference Room	09/05/2024	Technical Review Committee Meeting

Comments: Requires 2nd TRC

Submittal Name	Status	Received Date	Due Date	Complete Date	Resubmit	Completed
Land Use Plan Technical Review v.1	Requires Re-submit	08/27/2024	09/05/2024	09/06/2024	Yes	Yes

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Business Development	Business Development	Burdin, James	Requires Re-submit	08/27/2024	09/24/2024	09/06/2024

Comments: -Should duplex "B" units be relabeled as 3 & 4?
-The combination of architectural styles and use of the cottage court layout add visual interest to the site and maintain the look and feel of traditional New England development.
-Proximity of this site to RM-U zoning district mitigates the impacts of the extra density.

Submittal Name	Status	Received Date	Due Date	Complete Date	Resubmit	Completed
Land Use Plan Technical Review v.1	Approved	11/17/2025	12/15/2025	11/17/2025	No	Yes

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Business Development	Business Development	Burdin, James	Approved	11/17/2025	12/15/2025	11/17/2025

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
City Engineer	Community Services - Engineering	Semprini, Jillian	Approved	11/17/2025	12/15/2025	11/17/2025

Submittal Name	Status	Received Date	Due Date	Complete Date	Resubmit	Completed
Land Use Plan Technical Review v.1	Requires Re-submit	08/27/2024	09/05/2024	09/06/2024	Yes	Yes

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
City Engineer	Community Services - Engineering	Mavrogeorge, Kenneth	Requires Re-submit	08/27/2024	09/05/2024	09/06/2024

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Planning	Planning	Bassegio, Erin	Requires Re-submit	08/27/2024	09/24/2024	09/06/2024

Submittal Name	Status	Received Date	Due Date	Complete Date	Resubmit	Completed
Land Use Plan Technical Review v.1	Approved	11/17/2025	12/15/2025	11/17/2025	No	Yes

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Planning	Planning	Bassegio, Erin	Approved	11/17/2025	12/15/2025	11/17/2025

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Zoning Administrator	Planning	Crouser, Paul	Approved	11/17/2025	12/15/2025	11/17/2025

Submittal Name	Status	Received Date	Due Date	Complete Date	Resubmit	Completed
Land Use Plan Technical Review v.1	Requires Re-submit	08/27/2024	09/05/2024	09/06/2024	Yes	Yes

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Zoning Administrator	Planning	Crouser, Paul	Requires Re-submit	08/27/2024	09/05/2024	09/06/2024

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
IS Building Official	Planning / Inspection Services	Maxfield, Jim	Requires Re-submit	08/27/2024	09/05/2024	08/28/2024

Comments: Provide street name for the proposed priivate roadway

Submittal Name	Status	Received Date	Due Date	Complete Date	Resubmit	Completed
Land Use Plan Technical Review v.1	Approved	11/17/2025	12/15/2025	11/17/2025	No	Yes

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
IS Building Official	Planning / Inspection Services	Maxfield, Jim	Approved	11/17/2025	12/15/2025	11/17/2025

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Traffic	Police	Mitrushi, Alex	Approved	11/17/2025	12/15/2025	11/17/2025

Submittal Name	Status	Received Date	Due Date	Complete Date	Resubmit	Completed
Land Use Plan Technical Review v.1	Requires Re-submit	08/27/2024	09/05/2024	09/06/2024	Yes	Yes

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Traffic	Police	Speidel, Marn	Requires Re-submit	08/27/2024	09/05/2024	09/06/2024

Submittal Name	Status	Received Date	Due Date	Complete Date	Resubmit	Completed
Land Use Plan Technical Review v.2	Requires Re-submit	09/12/2024	09/25/2024	11/01/2024	Yes	Yes

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Business Development	Business Development	Burdin, James	Requires Re-submit	09/12/2024	10/10/2024	09/26/2024

Comments: • The narrative says that the design is context-sensitive with the neighborhood and consistent with the master plan, but doesn't provide much analysis to support the claims. The following information would make it easier to evaluate compatible density vs. overdevelopment:
o Define the "surrounding area" for the purposes of evaluating density and visual character
o Provide density comparisons between the proposed development and surrounding area (units/acre, building massing, lot coverage, presence of duplexes, prevailing setbacks and/or separation of buildings, etc.)
o The narrative cites goals to increase housing supply, but has limited discussion of the Master Plan's vision for the future of this area in Dover.
• Many structures/areas of disturbance are within the TDR 30' no-cut-no-disturb area/still do not appear to have a visual buffer in place. If requesting a waiver, data suggestions above would also be important for evaluating waiver.
• Is there an opportunity to adapt the rear wing of the existing house or build the new duplex within the same footprint? If that is a viable solution it may improve both the architectural consistency and free up space to lessen buffer impacts.
• Review RSA 289:3 III for compliance – "no new construction, excavation, or building" within 25' of the boundary of an established cemetery.
• Plan orientation is not consistent across all sheets (e.g. both Court Street and the Cemetery appear on plan left on different sheets) – it is confusing the way it flips.

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
City Engineer	Community Services - Engineering	Mavrogeorge, Kenneth	Requires Re-submit	09/12/2024	09/25/2024	11/01/2024

Comments: Project: SITE-2024-0012
TRC Meeting: 2024.09.20
Reviewer: Kenneth Mavrogeorge, PE – City Engineer
Checked by: Engineering Staff
General Comment:
- Condo Docs are provided. Please revise to include maintenance of private sewer and water systems.
- HOA fee breakdown:
o Show cost of routine pavement maintenance (crack sealing, striping, etc.).
o Is $1800 per year in maintenance for catch basin cleanings and basin O&M too low?
o $15000 for fence repair in year 30 seems low.
SP-7:
- Drainage trench does not meet City standards. Stone bedding and backfill are required.
SP-11:
- Sewer manhole detail is not consistent with the City standard. City of Dover uses plastic steps in SMHs.
SP-12:
- Sewer trench details need to show stone bedding and backfill above pipe to match the City standard.
TR-1:
- Fire truck movement into the site crosses over the curbing. Please revise.

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Planning	Planning	Bassegio, Erin	Requires Re-submit	09/12/2024	10/10/2024	11/01/2024

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Zoning Administrator	Planning	Crouser, Paul	Requires Re-submit	09/12/2024	09/25/2024	11/01/2024

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
IS Building Official	Planning / Inspection Services	Maxfield, Jim	Requires Re-submit	09/12/2024	09/25/2024	11/01/2024

Comments: Farm Gate Drive is an acceptable private Drive name

Fire Department Comments:
TRC Fire Department Comments: 103 Court St.
Yard hydrant is no longer an issue as it has been changed to a fire service hydrant on a 6” main.
Truck 1 turning template is not within the confines of the curbed area in two locations and appears to get into a walkway in another.

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Traffic	Police	Speidel, Marn	Requires Re-submit	09/12/2024	09/25/2024	11/01/2024

Submittal Name	Status	Received Date	Due Date	Complete Date	Resubmit	Completed
Land Use Plan Technical Review v.3	Approved	11/01/2024	11/14/2024	12/06/2024	No	Yes

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Business Development	Business Development	Burdin, James	Approved	11/01/2024	11/29/2024	11/18/2024

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
City Engineer	Community Services - Engineering	Mavrogeorge, Kenneth	Approved	11/01/2024	11/14/2024	11/18/2024

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Planning	Planning	Bassegio, Erin	Approved	11/01/2024	11/29/2024	11/18/2024

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Zoning Administrator	Planning	Crouser, Paul	Approved	11/01/2024	11/14/2024	11/18/2024

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
IS Building Official	Planning / Inspection Services	Maxfield, Jim	Approved	11/01/2024	11/14/2024	11/05/2024

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Traffic	Police	Speidel, Marn	Approved	11/01/2024	11/14/2024	11/18/2024

Workflow Step / Action Name	Action Type	Start Date	End Date
Review v.1		08/16/2024 9:52	12/06/2024 11:13
Confirm application complete v.1	Generic Action		08/16/2024 9:52
Confirm application complete v.1	Generic Action		10/27/2025 14:48
Technical Review Committee Meeting Agenda v.1	Task	08/16/2024 9:52	08/27/2024 11:29
Technical Review Committee Meeting Agenda v.1	Task	10/27/2025 14:47	11/17/2025 10:43
Land Use Plan Technical Review v.1	Receive Submittal	08/27/2024 0:00	09/06/2024 13:17
Land Use Plan Technical Review v.1	Receive Submittal	11/17/2025 0:00	11/17/2025 10:44
Land Use Plan Technical Review v.2	Receive Submittal	09/12/2024 0:00	11/01/2024 11:37
Land Use Plan Technical Review v.3	Receive Submittal	11/01/2024 0:00	12/06/2024 11:13
Technical Review Committee Meeting v.1	Hold Meeting	08/27/2024 11:29	09/06/2024 13:17
Technical Review Committee Meeting v.1	Hold Meeting	11/17/2025 10:43	11/17/2025 10:44
Planning Board v.1		01/13/2025 16:12	11/17/2025 10:44

Planning Board Agenda v.1	Task	01/13/2025 16:12	01/24/2025 11:34
Planning Board Agenda v.1	Task	12/06/2024 11:13	12/06/2024 11:16
Planning Board Agenda v.1	Task	01/06/2026 10:27	
Invoice for Notices v.1	Task		
Invoice for Notices v.1	Task	01/24/2025 11:34	01/24/2025 11:35
Invoice for Notices v.1	Task	12/06/2024 11:13	12/06/2024 11:16
Send Notices v.1	Task	12/06/2024 11:14	12/06/2024 11:16
Send Notices v.1	Task		01/24/2025 11:35
Send Notices v.1	Task		
Planner Creates Staff Recommendations v.1	Plan Activity		
Planner Creates Staff Recommendations v.1	Plan Activity	01/24/2025 11:35	01/24/2025 11:36
Planner Creates Staff Recommendations v.1	Plan Activity	12/06/2024 11:15	12/06/2024 11:16
Distribute Planning Board Materials v.1	Task	12/06/2024 11:16	12/06/2024 11:16
Distribute Planning Board Materials v.1	Task	01/24/2025 11:36	01/24/2025 11:37
Distribute Planning Board Materials v.1	Task		
Planning Board Hearing v.1	Hold Hearing	12/06/2024 11:16	01/13/2025 16:12
Planning Board Hearing v.1	Hold Hearing	01/24/2025 11:37	06/24/2025 11:39
Planning Board Hearing v.1	Hold Hearing		
~~Planning Board Decision v.1~~	Plan Activity		11/17/2025 10:44
Planning Board Decision v.1	Plan Activity	01/13/2025 16:11	01/13/2025 16:12
Planning Board Decision v.1	Plan Activity		
NOD Sent to Applicant v.1	Create Report		01/13/2025 16:12
~~NOD Sent to Applicant v.1~~	Create Report		11/17/2025 10:44
NOD Sent to Applicant v.1	Create Report		
Final Plan v.1			
Land Use Plan Stamped and Signed v.1	Generic Action		
Recording v.1	Task		
Document Archival v.1	Generic Action		
Internal Notification of Plan Completion v.1	Generic Action		
Building Official Notifies Address v.1	Generic Action		
Pre-Con Meeting v.1	Hold Meeting		
Create/Link to Records v.1			
Create / Link to Permit - Building Major v.1	Create Sub Permit		
Create / Link to Permit - Site Work, Construction v.1	Create Sub Permit		

Docusign Envelope ID: 18053744-57D7-428D-A298-FAD5F12C0972

City of Dover, New Hampshire
SITE REVIEW APPLICATION

[Revision Date: July 1, 2021]

Office Use Only	Project #:		Date Received:	
	Amount Paid:		Time Received:	

APPLICANT AND OWNER INFORMATION

Name of Applicant: 5 Sherman Street, LLC Telephone #_____

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

E-Mail Address: robert@centralfallsrealty.com

Name of Property Owner (*if different from applicant*): _____ Telephone #_____

Address of Property Owner: _____

PROPERTY INFORMATION

Address of Property: 103 Court Street Dover, NH 03820

Assessor's Map # 19 Lot(s) # 8

Zoning District(s) R-12 Overlay District(s) N/A

Size of Parcel: 52,241 sq. ft. 1.199 ac. Property Deed: Book 5172 Page: 55

Existing Use of Property: Single Family Residence

SITE PLAN INFORMATION

Describe Proposed Use: Existing single family and 4 detatched single family cottage units

Area of Parcel to be Developed: 52,000 sq. ft.

If Multi-family Residential: Number of Units 4 & Buildings Proposed 4

If lodging: Number of Units _____ & number of Buildings _____

Number of Parking Spaces: Existing 2 Proposed 11

Highway Access (check where applicable): X City Street ____ State Highway

Number of Employees Total: N/A In Maximum Shift: N/A

Disposition of Parcel:

Building Footprint Varies sq. ft.

Total Building Area Varies sq. ft.

Paved Area 9,370 sq. ft.

Building Setbacks:

Front Yard 15 ft.

Rear Yard 30 ft.

Side Yard: Right 15 ft. Left 15 ft.

Docusign Envelope ID: 18053744-57D7-428D-A298-FAD5F12C0972

City Water? X Yes ___ No How far is city water from the property? At Property

City Sewer? X Yes ___ No How far is city sewer from the property? At Property

TRANSFER OF DEVELOPMENT RIGHTS INFORMATION

Type of TRANSFER OF DEVELOPMENT RIGHT REQUEST (Check All That Apply):

□ Residential ☒ Residential (reduced size) □ Industrial | ☒ Purchase □ Land Preservation

Relief sought (Check All That Apply):

□ Lot Size □ Frontage □ Setback ☒ 30' Buffer ☒ Increase by 2 units

Describe Proposed Use or Activity that requires TDR; describe any impacts and document mitigation:

TDR was approved by the Dover Planning Board on January 28th 2025.

BUILDING INFORMATION

Type of Building to be Built: Wood Frame

Height of Building: Varies Finished Floor Elevation: Varies

Number of Seats (where applicable) N/A

Estimated value of construction: $900,000 Refuse removal: Public/Private (circle one)

WAIVER REQUESTS

Site Review Regulations section(s) to be waived: 153-14.D.6(a) & (c)

Justification for waiver request(s) (*attach additional sheets as needed*):

See attachment.

Docusign Envelope ID: 18053744-57D7-428D-A298-FAD5F12C0972

SURVEYOR INFORMATION

Name of Surveyor and Company (Licensed in N.H.) Robert Stowell; Tritech Engineering Corp.

Address 755 Central Ave. Dover, NH Telephone #: 603 742 8107

Professional License #: 884 E-mail address: rjs@tritecheng.com

ENGINEER INFORMATION

Name of Engineer and Company (Licensed in N.H.) Robert Stowell; Tritech Engineering Corp.

Address 755 Central Ave. Dover, NH Telephone #: 603 742 8107

Professional License #: 884 E-mail address: rjs@tritecheng.com

ARCHITECT INFORMATION

Name of Architect and Company (Licensed in N.H.) _____

Address _____ Telephone #: _____

Professional License #: _____ E-mail address: _____

LANDSCAPE ARCHITECT INFORMATION

Name of Landscape Architect and Company (Licensed in N.H.) Romy N. Maurer; Terrain Planning & Design

Address 311 Kost Hill Rd. Hopkinton, NH 03229 Telephone #: 603 746 3512

Professional License #: 086 E-mail address: romy@terrainplanning.com

SOIL SCIENTIST INFORMATION

Name of Soil Scientist and Company (Licensed in N.H.) Michael Mariano; Highland Soil Services

Address 75 Prospect St. Somersworth, NH Telephone #: 609 692 4457

Professional License #: 76 E-mail address: highlandsoilservices@comcast.net

CONSERVATION EASEMENT HOLDER

Name of Easement Holder: _____ Telephone #_____

Address Easement Holder: _____

Docusign Envelope ID: 18053744-57D7-428D-A298-FAD5F12C0972

SIGNATURES

I/We hereby submit this application to the City of Dover Planning Board and attest that to the best of my knowledge all of the information on this application form and in the accompanying application materials and documentation is true and accurate. Furthermore, I/we submit that the existing conditions sheet of the plan represents the lot in question, and that no alteration of the site shall take place during Planning Board review up to and including the pre-construction meeting. As applicant or as agent, I attest that I am duly authorized to act in this capacity.

Signature of Property Owner: _____ Date: _____

Signature of Applicant (*if different from owner*): _____ Date: _____

Signature of Agent: _____, PRESIDENT Date: 08/15/24

AUTHORIZATION TO ENTER SUBJECT PROPERTY

I, and my successors, hereby authorize members of the Dover Planning 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: _____

AUTHORIZATION TO COMPLETE THE PROJECT ON SUBJECT PROPERTY

I, and my successors, hereby the City of Dover or its assigns to enter my property for the purpose of completing the site work as required by the approved plan should the letter or credit or other surety be called. It is understood that these individuals must use all reasonable care, courtesy, and diligence when on the property.

Signature of Property Owner: _____ Date: _____

Signature of Applicant (*if different from owner*): _____ Date: _____

CERTIFICATION OF FEES

I, and my successors, hereby certify that I understand that the City of Dover collects impact fees, utility investment fees and inspection fees for projects developed in Dover. Said fees must be paid before a Certificate of Occupancy can be obtained for a structure, unless a different payment schedule is agreed to by the applicant and the City prior to approvals being issued by the Dover Planning Board. Additionally, should the property be in "Current Use" it will be subject to the Land Use Change Tax.

Signature of Property Owner: DocuSigned by: Robert Baldwin 05223773E15540A... Date: _____

Signature of Applicant (*if different from owner*): _____ Date: _____

Docusign Envelope ID: 18053744-57D7-428D-A298-FAD5F12C0972

CITY OF DOVER SITE REVIEW
LIST OF ABUTTERS

Pursuant to RSA 676:4, the State Law of New Hampshire, the City of Dover is required to notify the applicant, abutters (including holders of conservation easements), and any professional whose seal is on the plan, of the public hearing by certified mail, return receipt requested. Staff will provide the abutter information, while the applicant must provide accurate contact information for the owner, applicant and professional agents representing the project.

Owner:

TAX MAP	LOT #	PROPERTY OWNER	MAILING ADDRESS
19	8	5 Sherman Street, LLC	242 Central Ave. Dover, NH 03820

Applicant (if different from owner):

APPLICANT NAME	APPLICANT COMPANY	MAILING ADDRESS
Robert Baldwin	5 Sherman Street, LLC	242 Central Ave. Dover, NH 03820

Surveyor and/or Engineer/Professional Agent:

NAME	COMPANY	MAILING ADDRESS
Robert J. Stowell	Tritech Engineering Corp.	755 Central Ave. Dover, NH 03820
Michael Mariano	Highland Soil Services	75 Prospect St. Somersworth, NH 03878
Romy N. Maurer	Terrain Planning & Design	311 Kost Hill Rd. Hopkinton, NH 03229

Conservation Easement Holder:

TAX MAP	LOT #	NAME OF EASEMENT HOLDER	MAILING ADDRESS

Docusign Envelope ID: 18053744-57D7-428D-A298-FAD5F12C0972

PLANNING BOARD FEE SCHEDULE/INVOICE

(Revised July 24, 2023)

Below are the fees associated with plan review and are subject to a nonrefundable application fee to cover administrative expenses. Please complete the information below and provide payment with your application submittal. **Plan review fees shall be paid prior to technical review committee (TRC) being scheduled.** For plans not requiring TRC review, **fees are due 21 days prior** to the Planning Board meeting. Staff will coordinate abutter/notice fees, which will be invoiced and must be paid 28 hours before the Planning Board meeting for an application to be heard. Fees shall be paid by cash or check made payable to "City of Dover".

A. Plan Review Fees

1. Application fee for the following (SELECT ALL THAT APPLY):

- ☐ SUBDIVISION Application fee $200.00 + $150.00 x # _____ new lots created = $_____
- ☐ LOT LINE ADJUSTMENT Application fee $200.00 + $100.00 X # ___ of lots involved = $_____
- ☐ TRANSFER OF DEVELOPMENT RIGHTS Application fee $200.00 = $_____
- ☒ SITE REVIEW – RESIDENTIAL Application fee $200.00+ $100.00 x # 4 per dwelling unit = $ 600.00
- ☐ SITE REVIEW – NON-RESIDENTIAL Application fee $200.00 + (not to exceed $10,000)
  - New construction $.15 sq. ft. x # _____ sq. ft.= $_____
  - Additions (new floor space) $.10 per sq. ft. x # _____sq. ft.= $_____
- ☐ MOTEL/HOTEL $35.00 x # ___ per lodging unit= $_____
- ☐ CHANGE OF USE Application fee $200.00 + (not to exceed $5,000)
  - Existing floor spaces $.10 per sq. ft. x # _____ sq. ft. = $_____
- ☐ CONDITIONAL USE PERMIT Application fee $200.00 x # _____ per Application = $_____
- ☐ GRAVEL PIT/ EXCAVATIONS
  - Application fee $50.00= $_____
  - Permit fee $75.00= $_____
- ☐ EXTENSIONS/AMENDMENTS/WAIVERS FOR AN APPROVED PLAN Application fee $200.00 = $_____
- ☐ REQUEST FOR REZONING Application fee $200.00 = $_____
- ☐ DRIVEWAY WAIVER Application fee $200.00 = $_____
- ☒ **TOTAL IMPERVIOUS PAVED AREA** (for new development, roadways or additions to existing parking lots, (not to exceed $10,000)) Application fee of $200.00 is N/A if it is part of a Site Review or Subdivision Plan. $200.00 + $.07 per sq. ft. x # 9,370 sq. ft. = $ 856

SUBTOTAL PLAN REVIEW FEE = $ 1456

AND

B. Abutter Notification/Mailing Labels - this office will create and print the abutter list and provide labels in triplicate for each abutter. The applicant/owner will review the list for accuracy and provide to us the engineer, architect, licensed land surveyor (LLS), licensed landscape architect (LLA) and/or soil scientist whose professional seal appears on the plan with names and addresses for notices.

- ☐ Applicant & Owner, engineer, architect, LLS, LLA and/or soil scientist
  - Certified letters fee # _____ of x $10.00= $_____
- ☐ Certified letters fee: # of abutters _____ X $10.00= $_____
- ☐ First Class Mail fee (for individual owner of units within a condominium or other collective form of ownership): # of abutters _____ X $1.00= $_____
- ☐ Creating/Printing Abutter Labels in triplicate per sheet _____ x $10.00= $_____

C. Foster's newspaper public notice fee $120.00 x # _____ applications = $_____

SUBTOTAL = $_____

TOTAL INVOICE AMOUNT = $_____

PLAN REVIEW FEE COLLECTED/PAID = $ _____

BALANCE DUE = $ _____

The amount due must be paid 28 hours prior to the Planning Board Meeting, to be heard.

Docusign Envelope ID: 18053744-57D7-428D-A298-FAD5F12C0972

City of Dover, New Hampshire
SITE PLAN REVIEW SUBMISSION CHECKLIST

[Revision Date: June 4, 2019]

This site plan review checklist, as required by Chapter 153-6-B(2), should be completed by the applicant. It is intended to assist the applicant in the planning process of preparing a Site Plan Review application for Planning Board action. The size of the project will determine the types of information required for review, therefore, a **pre-application conference** with the Planning Department to determine the list of items that must be completed is strongly encouraged.

The first step would be to appear before the Technical Review Committee, to apply, eight (8) folded copies of the site plan with scale of not less than 1"=50' or 1" =100' for larger site plans, need to be provided, along with payment of plan review fees.

Two weeks prior to Planning Board, three (3) full size and twelve (12) half size (11x17), folded, copies of the plan set and materials, including response to TRC comments, will be due. Abutter/Notice Fees will be invoiced and need to be paid 28 hours prior to the Planning Board meeting.

The applicant is cautioned that this checklist is only a guide and is not intended to be a complete list of all site plan review requirements. Please refer to the Site Plan Review Regulations for full details.

APPLICANT: 5 Sherman Street, LLC File Number: _____

PROJECT TITLE: 103 Court Street

PROPERTY LOCATION: 103 Court St. Dover, NH Tax Map: 19 Lot: 8

	Where/How Provided	Reviewed
1. Completed and signed Application form	Attached	
2. Plan Review Fees are provided	Hand Delivered	
3. Electronic copy of the engineered/surveyed plan layout	Via Portal	
4. Electronic copy of supplementary materials and application	Via Portal	
5. Traffic Impact Assessment and Analysis (Standard or Advanced)	Attached	
6. Waiver requests to the Site Plan Review Regulations, with written justification	N/A	
7. Conditional Use Permit applications	N/A	
8. A colored rendering of the streetscape that will be created along the existing public right-of-way	Architectural Plans	
9. A colored architectural plan showing all sides of buildings	Architectural Plans	
10. Folded copies of site plan w/scale of not less than 1"=50' or 1"=100' for larger site plans, for TRC. Plans shall contain the following items as appropriate:	Attached	
Location map at appropriate scale	Sheet Ex-1 Locus Map	
Proposed Project name and title and Planning File #	Title Block	
Date, north arrow and scale	Shown	
Names of all abutting property owners	Shown	
Name and address of owners and/or applicants	Shown	
Signature & stamp of NH licensed land surveyor and/or engineer	Shown on Applicable Sheets	
Zoning District boundaries, including any special or overlay districts	Sheet SP-1	
Location of Conservation District areas	N/A	
Location, names and widths of existing and proposed streets, including pavement widths, grades, curbs and crosswalks	Sheet SP-1	
Location and widths of existing & proposed easements & right of ways	Sheet SP-1	
Location and width of existing and proposed access/egress ways	Sheet SP-1	

Docusign Envelope ID: 18053744-57D7-428D-A298-FAD5F12C0972

	Explain How Provided	Reviewed
Depict pedestrian walkways and accessible access	Sheet SP-1	
Existing and proposed property lines with dimensions and bearings tied into Dover's Geographic Information System coordinate system	Shown All Plans	
Existing and proposed topographic information at two foot intervals	Shown All Plans	
Existing and proposed buildings and structure locations	Sheet SP-1	
Minimum building setbacks or build to lines on all lots	Sheet SP-1	
Location and size of existing and proposed electric, telephone, gas cable and other underground utilities	Sheet SP-3	
Existing and proposed water lines and fire hydrants, including materials and capacity needed	Sheet SP-3	
Location and materials of sanitary sewage facilities within project site and projected additional peak hour sewer load	Sheet L-3	
Existing and proposed stormwater lines and facilities	Sheet L-1 & SP-5	
Lighting plan depicting all existing and proposed exterior light fixtures and a lighting level analysis for parking lots	Sheet L-1	
Location of Flood Hazard Zone	N/A	
Location of all bodies of water and watercourses	N/A	
Location of wetlands and buffers	N/A	
Neighborhood plan with aerial underlay showing how project relates to abutting uses within the plan set	Sheet T-2	
Existing natural features and/or significant vegetation on property	Sheet EX-1	
Depict existing contours up to 100 ft. beyond project limits	Sheet EX-1	
Landscape plan depicting existing and proposed landscaping, prepared by a licensed Professional Landscape Architect	Sheet LA-1	
Location of parking layout delineating spaces and arrangement; note addressing maximum required spaces	Sheet SP-1	
Location, material and size of existing and proposed pavement area	Sheet SP-1	
Location of proposed fire lanes	Sheet SP-2	
Specify finished floor elevations of buildings	Sheet SP-4	
Location of solid waste disposal facilities (dumpster, pad and screening, etc.), including required screening	N/A - Private Pickup	
Depict all service, storage, loading bays and utility areas	N/A	
All applicable Dover Common Site Plan notes	Sheet SN-1	
11. Additional Information if appropriate		
Stormwater Management Plan depicting the existing & proposed storm drainage system and engineered drainage analysis	Drainage Report	
Stormwater Management System Operation and Maintenance Plan	Stormwater Mgmt., Maintenance & Insp. Plan	
Letter to Serve from Public and Private Utilities	Pending	
Erosion and Sedimentation Control Plan	Drainage Report	
Landscape Operation and Maintenance Plan	Sheet LA-1	
Proposed restrictive covenants or homeowners association documents	Pending	
Dates and permit numbers of all required state and federal permits	Pending	
If wetland buffer, indicate placards locations, as applicable	N/A	
Depict test boring locations, groundwater elevations and soil profiles and/or soils types call-outs	Sheet SSS-1	
Location of proposed drive-in facilities	N/A	
Provide additional exhibits/technical data determined appropriate by the Planning Board or its staff as required	N/A	

REVIEWED BY: _____ DATE_____ TRC DATE_____

SITE-2024-0012 **103 COURT STREET**

Property ID	Location	Owner 1	Owner 2	Owner Address 1	City	State	Zip
20112-A00000	100 COURT ST	O GRADY LISA		100 COURT STREET	DOVER	NH	03820
20113-000000	104 COURT ST	CHANGING PLACES LLC		210 TOLEND RD	DOVER	NH	03820
21001-000000	108 COURT ST	MILLER SYLVIA P & BRAULT NANCY A TTS	MILLER SYLVIA P REVOCABLE TRUST	108 COURT STREET	DOVER	NH	03820
19052-001000	131 CENTRAL AV	CITY OF DOVER		288 CENTRAL AVE	DOVER	NH	03820
19007-001000	111 COURT ST	GOLDRICH BENJAMIN TRUSTEE	GOLDRICH BENJAMIN F REV TRUST	111 COURT ST	DOVER	NH	03820
19007-004000	8 TRANQUILITY WAY	RILEY JEANNETTE E	TORRENS KATHLEEN	8 TRANQUILITY WAY	DOVER	NH	03820
20113-001000	102 COURT ST	CARPENTER CONSTANCE ANN		102 COURT ST	DOVER	NH	03820
19007-000000	109 COURT ST	MCENEANEY KEVIN		109 COURT ST	DOVER	NH	03820
20096-000000	31 UNION ST	DOVER HOUSING AUTHORITY		62 WHITTIER STREET	DOVER	NH	03820
19006-000000	7 LOCKE ST	GALKOWSKI PAIGE HARTMAN		7 LOCKE ST	DOVER	NH	03820
20113-002000	106 COURT ST	WEIR ROBERT C &	WEIR DIANE	106 COURT ST	DOVER	NH	03820
19009-A00000	91 COURT ST	HAMER HILARY ANN		91 COURT ST	DOVER	NH	03820
19009-000000	89 COURT ST	MAMIGONIAN CYNTHIA L		89 COURT ST	DOVER	NH	03820
20112-000000	92 COURT ST	ERDMANN RICHARD		92 COURT ST	DOVER	NH	03820
19008-000000	103 COURT ST	5 SHERMAN STREET LLC		242 CENTRAL AVE	DOVER	NH	03820
		TRITECH EINGINEERING CORP	ROBERT STOWELL	755 CENTRAL AVE	DOVER	NH	03820
		TERRAIN PLANNING & DESIGN	ROMY N MAURER	311 KOST HILL ROAD	HOPKIN	NH	03229
		HIGHLAND SOIL SERVICES	MICHAEL MARIANO	75 PROSPECT STREE	SOMERS	NH	03878

CITY OF DOVER

TECHNICAL REVIEW COMMITTEE MINUTES – SITE-2024-0012

Application Type:	Site Review
Applicant(s):	5 Sherman Street, LLC
Owner(s):	5 Sherman Street, LLC
Location:	103 Court St. (Assessor's Map 19, Lot 8)
Date:	November 13, 2025

INTENT: Proposal is to maintain an existing single-family dwelling and construct four (4) new single-family homes for a total of five (5) dwelling units with two (2) of the new single family homes size-restricted to 1,400 square feet each.

[A previous version of this item was reviewed by the Technical Review Committee on September 5, 2024, September 26, 2024, and November 14, 2024 and was also heard and tabled by the Planning Board on January 28, 2025]

UNITS PROPOSED: Five (5) units including one (1) existing unit, two (2) additional units allowed per base density, and two (2) TDR units

AGENDA ITEM #: 1

ACREAGE: 1.20± ac.

ZONING DISTRICT: R-12

EXISTING LAND USE: Residential

PROPOSED LAND USE: Residential

SURROUNDING LAND USE: Residential, Cemetery

ZBA ACTION: None.

PERMITS REQUIRED: None.

WAIVERS REQUESTED: §153-14.D.6(a) and §153-14.D.6(b), requiring an aisle width of 22' or 24', where an aisle width of 20' is being proposed.

ATTENDANCE:
Donna Benton, Planning
Paul Crouser, Zoning
Jill Semprini, Engineering
Jim Maxfield, Inspection Services
Alex Mitrushi, Police Department
James Burdin, Business Development
Tom Clark, Planning Board

Others:
Erin Bassegio, City Planner
Rob Baldwin, Applicant/Owner
John O'Neill, Owner
Bob Stowell, Tritech Engineering

Approval of minutes from November 6, 2025:
T. Clark moved to approve the November 6, 2024 minutes. Seconded by J. Burdin. Vote: U/A.

PLAN REVIEW:
Planning:

- Reminder: Water and sewer investment fees
- Revise and submit updated application materials like COA documents, reserve calculation, traffic impact memo, etc.
- Revise and submit updated waiver requests.
- Revise plan set to:
  - Change no parking fire lane pavement marking to appropriate signage.
  - Add leader note about distance from cemetery meeting RSA 289:3.III.
- Snow storage areas still seem a bit inadequate.
- Will existing plants be left as is in 25' cemetery setback area?
- Do you have updated architectural renderings?

Engineering:

- SP-3 Applicant to confirm if 6" water main is sufficient for hydrant flow and domestic services. Applicant to coordinate water main installation with CS during Court Street Reconstruction.
- SP-3 Cottage #4 water shutoff not shown.
- SP-3 drawing shows 6" tee between hydrant and cottage #5. Clarify connection details.
- SP-3 note W-11 - Court St Reconstruction project to only replace 1" water service to curb stop at ROW at sidewalk. Any other water service work required will be responsibility of property owner.
- SP-3 note S-5 should reference SDR 35 PVC material.
- SP-4 P-13 pipe invert appears to daylight in YD#1. Clarify YD#1 design elevations and show section.
- SP-4 YD#1 not shown in Drainage Structure Table.

section. P-10 is also not shown in the cross section. Confirm structure naming; Bio #1, Bio #101, and OS#1.
- Applicant to update City standard details with latest.
- SP-10 Detail 10 missing material type and reinforcing details.
- SP-11 Internal Drop detail to show core and boot at inlet pipe
- SP-11 manhole invert must be rebuilt. Drop shall not drop onto shelf.
- Missing yard drain detail.
- TDR Narrative should be revised to account for 5 single family units being proposed. Narrative discusses adding a barn and addition of 9 units, 4 of which would be designated affordable housing, which may no longer be the case.
- Water and Sewer demand shows duplex and prior design.
- Stormwater analysis – proposed analysis has not been updated for the revised site plan layout.

Police:
- No comments.

Inspection Services:
- Clarify accessible charging station and signage for new configuration.

Fire Department:
- N/A

Business Development:
- The revised concept simplifies the site layout and appears to be more compatible with surrounding development.

Planning Board:
- N/A

Next Steps: Revise plans per comments above and resubmit for Planning Board.

Meeting paused at: 10:43 a.m.

TRITECH
ENGINEERING CORPORATION

755 Central Avenue
Dover, New Hampshire 03820

Telephone 603.742.8107
Facsimile 603.742.3830

January 6, 2026

PLANNING DEPARTMENT
RECEIVED
JAN 06 2026
DOVER, NEW HAMPSHIRE

Donna Benton, AICP
Director of Planning & Community Development
City of Dover, Planning Department
288 Central Avenue
Dover, New Hampshire 03820

Subject: Technical Review Committee Response Letter
103 COURT STREET
Dover Tax Map 19 Lot 8
103 Court Street
Dover, New Hampshire
Job No. 24101
City of Dover Planning # Site-2024-0012

Dear Donna:

At their meeting on November 13, 2025, the Dover Technical Review Committee (TRC) offered the following comments. Our response to each of their comments are identified in blue text.

PLANNING

- Reminder: Water and sewer investment fees.

  The Applicant is aware of this requirement.

- Revise and submit updated application materials like COA documents, reserve calculation, traffic impact memo, etc.

  Updated materials including site review application, site development plan set, color renderings and streetscape, traffic assessment memorandum, water and sewer demand and COA documents are enclosed.

- Revise and submit updated waiver requests.

  The waiver request is enclosed.

- Revise plan set to:
  - Change no parking fire lane pavement marking to appropriate signage.

    No parking fire land pavement markings have been revised to the appropriate signage. Note C-21 on Sheet Sp-2 references Detail on Sheet Sp-11.

  - Add leader note about distance from cemetery meeting RSA 289:3.III.

    Note 14 on Sheet Sp-1 references the 25' setback from Pine Hill Cemetery meeting RSA 289:3.III.

- Snow storage areas still seem a bit inadequate.

  There is 9,730 sq. ft. of proposed pavement. A total of 1,625 sq. ft. of snow storage is proposed which is more than the recommended 1 sq. ft. of storage per 10 sq. ft. of proposed pavement.

Will existing plants be left as is in 25' cemetery setback area?

Yes, the 25' cemetery setback will remain in an undisturbed condition per Sheet LA-1.

- Do you have updated architectural renderings?

  Updated architectural renderings are attached.

ENGINEERING

- SP-3 Applicant to confirm if 6" water main is sufficient for hydrant flow and domestic services. Applicant to coordinate water main installation with CS during Court Street Reconstruction.

  The 6" water main is adequate for the hydrant flow and the domestic flow for four new units is insignificant. The proposed units are not sprinkled. The Applicant will coordinate with CS during Court Street reconstruction per Water Note 5 and Sewer Note 1 on Sheet SP-3 and Drainage Note 1 on Sheet SP-5.

- SP-3 Cottage #4 water shutoff not shown.

  The water shutoff for cottage #4 has been added to Sheet SP-3.

- SP-3 drawing shows 6" tee between hydrant and Cottage #5. Clarify connection details.

  Water connection details have been clarified.

- SP-3 note W-11 – Court St Reconstruction project to only replace 1" water service to curb stop at ROW at sidewalk. Any other water service work required will be responsibility of property owner.

  Note W-11 on Sheet SP-3 has been revised and Note W-12 has been added to clarify that the Court Street reconstruction project will only replace 1" water service to curb stop and water service work will be the responsibility of the property owner.

- SP-3 note S-5 should reference SDR 35 PVC material.

  Note S-5 on Sheet SP-3 has been revised to clarify pipe material as PVC.

- SP-4 P-13 pipe invert appears to daylight in YD#1. Clarify YD#1 design elevations and show section.

  Contour labels on Sheet SP-4 have been corrected and pipe P-13 does not daylight.

- SP-4 YD#1 not shown in Drainage Structure Table.

  YD #1 has been added to the Drainage Structure Table on Sheet SP-4.

- SP-5 Bio-Retention cross section is not a true cross section; location of OS#1 is inconsistent between plan and cross section. P-10 is also not shown in the cross section. Confirm structure naming; Bio #1, Bio #101, and OS #1.

  The Bioretention cross-section on sheet SP-5 has been revised to be consistent with plan view. P-10 has been added to the profile on Sheet C-1. Structure names have been revised to match.

- Applicant to update City standard details with latest.

  All Dover standard details have been updated to the latest versions.

- SP-10 Detail 10 missing material type and reinforcing details.

  The concrete pad Detail 10 on Sheet SP-10 has been revised to add the material type and reinforcing details.

- SP-11 Internal Drop detail to show core and boot at inlet pipe.

  Note S-1 on Sheet Sp-3 references core and boot for the new invert.

- SP-11 manhole invert must be rebuilt. Drop shall not drop onto shelf.

  Note S-1 on Sheet Sp-3 references the invert to be rebuilt and the drop does not drop onto the shelf.

- Missing yard drain detail.

  ADS Nyloplast drain basin and grate details have been added as Detail 3 on Sheet SP-6.

- TDR Narrative should be revised to account for 5 single family units being proposed. Narrative discusses adding a barn and addition of 9 units, 4 of which would be designated affordable housing, which may no longer be the case.

  The TDR request has been approved by the Planning Board. All other documents have been updated to the current unit count.

- Water and Sewer demand shows duplex and prior design.

  Water and sewer demand has been revised for 4 cottage units.

- Stormwater analysis – proposed analysis has not been updated for the revised site plan layout.

  The revised storm water analysis is enclosed.

INSPECTION SERVICES

- Clarify accessible charging station and signage for new configuration.

  Accessible charging station and signage has been revised for the new configuration.

Project Submittal

Attached please find the supporting documentation:

- Seven (7) Copies of this Technical Review Committee Submittal Letter.
- Seven (7) Copies of the Updated Site Review Application.
- One (1) Copy of the Full-Size Updated Site Development Plan set.
- Six (6) Copies of the Half Size Updated Site Development Plan set.
- Seven (7) Copies of the Updated Color Renderings and Streetscape.
- Seven (7) Copies of the Waiver Request (driveway width).
- Seven (7) Copies of the Updated Traffic Assessment Memorandum.
- Seven (7) Copies of the Updated Water & Sewer Demand.
- Seven (7) Copies of the Landscaping O & M Plan.
- Seven (7) Copies of the Updated Homeowners Association (COA) documents.
- Seven (7) Copies of the Trash Management Protocol.
- Two (2) Copies of the Stormwater Analysis

We look forward to meeting with the Planning Board at their January 27th meeting and discussing these revised development plans.

Please advise should you have any questions.

Very truly yours,
TRITECH ENGINEERING CORP.

Robert J. Stowell, P.E., L.L.S.
President

RJS / cmp
Enclosures
\\24101_TRC_RspnsLtr01-06-25.docx

TEPP LLC TRANSPORTATION ENGINEERING, PLANNING, AND POLICY

93 Stiles Road, Suite 201, Salem, New Hampshire 03079 USA
800 Turnpike Street, Suite 300, North Andover, Massachusetts 01845 USA
Phone (603) 212-9133 and Fax (603) 226-4108
Email tepp@teppllc.com and Web www.teppllc.com

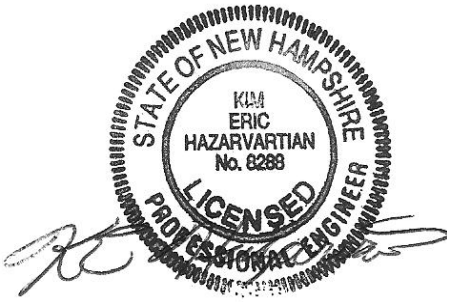
MEMORANDUM

Ref: 1711

Subject: Traffic-Assessment Memorandum
103 Court Street
Dover, New Hampshire

From: Kim Eric Hazarvartian, Ph.D., P.E., PTOE
Principal
keh@teppllc.com

Date: December 16, 2025



INTRODUCTION

Tritech Engineering Corporation has retained TEPP LLC to prepare this traffic-assessment memorandum (TAM). This TAM regards the proposed redevelopment at 103 Court Street in the City of Dover, New Hampshire.

This TAM includes:

- existing site description
- proposed project description
- road description
- public transit
- sight distances
- trip generation
- trip distribution/assignment
- potential traffic impacts

This TAM concludes that:

- relevant sight distances at the Court Street/proposed driveway intersection will be adequate
- the proposed project is not anticipated to add significant new traffic to the area

EXISTING SITE DESCRIPTION

The site:

- is along the south side of Court Street
- has an area of about 1.19 acres
- includes one single-family-detached house
- has one driveway along the south side of Court Street
- is bounded on the north by Court Street
- is bounded on the south by a cemetery
- is bounded on the east and west by residential development

PROPOSED PROJECT DESCRIPTION

The project will:

- retain the existing house
- remove the existing driveway
- add four cottage dwelling units
- provide a relocated driveway

ROAD DESCRIPTION

Court Street:

- is an east-west collector street under the jurisdiction of the City of Dover
- provides connections, to and from the west with Central Avenue, an arterial street, and with central Dover
- provides connections, to and from the east, with Middle Road, a collector street, and with eastern and southern Dover
- has a horizontal alignment with minor-to-moderate curvature
- has a vertical alignment with minor grades
- has a speed limit of 30 miles per hour
- has asphalt-cement-concrete pavement in overall good condition
- has one travel lane per direction
- has pavement markings including double-yellow lines, separating traffic directions, and single-white edge lines
- near the site, has utility poles on the south side, including one pole with a luminaire along the site frontage

PUBLIC TRANSIT

Scheduled public transit is not available within one-quarter mile of the project site.

SIGHT DISTANCES

Tritech Engineering Corporation states that relevant sight distances at the Court Street/proposed driveway intersection will be over 400 feet in both directions along Court Street. These sight distances are appropriate.

TRIP GENERATION

The Institute of Transportation Engineers (ITE) publishes trip-generation information in the authoritative *Trip Generation Manual*.[1] This information is based on empirical data for a variety of land uses including land use 210, single-family-detached housing, based on dwelling units.[2]

Table 1 shows changes in calculated weekday vehicle-trips due to the project as:

- daily, 45 (total of in and out)
- AM-street-peak hour, 3 (1 in and 2 out)
- PM-street-peak hour, 4 (2 in and 2 out)

Table 1. Calculated trip generation.

	Weekday Vehicle-Trips[a]						
		AM-Street-Peak Hour			PM-Street-Peak Hour		
	Daily	Total	In	Out	Total	In	Out
Detached (1 Dwelling Unit)	9	1	0	1	1	1	0
Detached (5 Delling Units)	45	4	1	3	5	3	2
Differences Due to Project	36	3	1	2	4	2	2

[a] Based on ITE, *Trip Generation Manual*, land use 210, single-family-detached housing.

[1] ITE, *Trip Generation Manual*, 12th Edition (Washington DC, August 2025).

[2] ITE, *Trip Generation Manual*, Volume 3, pages 230 to 248.

TRIP DISTRIBUTION/ASSIGNMENT

Calculated trip generation is so low that area traffic operations will not be sensitive to trip distribution/assignment. Trips will be split along Court Street to/from the east and west and further split beyond the eastern and western termini of Court Street.

POTENTIAL TRAFFIC IMPACTS

ITE suggests that land developments generating at least 100 peak-hour vehicle trips, in the busier direction, are candidates for consideration of traffic impact analysis.[3] Tabulated peak-hour trip generation of the project is well below this national ITE threshold. The project is not anticipated to add significant new traffic to the area.

CONCLUSION

This TAM concludes that.

- relevant sight distances at the Court Street/proposed driveway intersection will be adequate
- the proposed project is not anticipated to add significant new traffic to the area

[3] ITE, *Manual of Transportation Engineering Studies* (Prentice Hall: Englewood Cliffs, New Jersey, 2000), page 144.

Water and Sewer Demand &
Pipe Analysis Summary

for

FARM GATE DRIVE

103 Court Street
Dover, New Hampshire
December 2025

Water and Sewer Demand for Farm Gate Drive Dover, NH

4 Proposed 3 Bedroom Cottages:

4 Cottages X 3 Bedrooms each x 150 gal/day per BDR =

1,800 gal/day

Estimated Design Flow = **1,800 gal/day**

**This design flow rate is based on NHDES Env.Wq 1008.03 Table 1008-1 Unit Design Flow Figures*

Infiltration

Pipe Infiltration

300 gal. per inch diameter of pipe per mile per day

89 feet of 6" services
89 / 5,280 = 0.01686 miles
300 GDP x 6in x 0.01686mi = **30.3 gal/day** (services)

367 feet of new 8" sewer main
367 / 5,280 = 0.06951 miles
300 GDP x 8in x 0.06951mi = **166.8 gal/day**

TOTAL = **197.1 gal/day**

Manholes Infiltration

1 GPD per vertical foot of manholes
2 new manholes x 10.96 vertical feet = **21.92 gal/day**

Total From Infiltration = 219.0 gal/day

Total Estimated Flow = **2,019 gallons/day**

STORMWATER ANALYSIS

and

Erosion & Sediment Control Plan

NARRATIVE

for

103 COURT STREET

103 Court Street
Dover, New Hampshire

August 2024
October 2024
October 2025

PREPARED FOR

5 SHERMAN STREET, LLC

242 CENTRAL AVE
DOVER, NEW HAMPSHIRE 03820

PREPARED BY

TRITECH ENGINEERING CORPORATION

755 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820

STORMWATER ANALYSIS

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SECTION I

NARRATIVE

STORMWATER ANALYSIS

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1. PROJECT DESCRIPTION

The attached Site Plans are for 5 Sherman Street, LLC and show the development of an approximately 1.199-acre parcel with an existing single family house. This site is located on the Southern side of Court Street in Dover, New Hampshire. The site is identified on Dover Property as Map 19 Lot 8.

The development of this site will include the renovation of the single family existing house as well as the construction of 4 single family size restricted cottage homes. These homes will be constructed under the TDR ordinance. 3 base units and the purchase of 2 size restricted units. The development will include associated infrastructure such as an access road, all utilities, and stormwater management.

Included in the stormwater management system is the construction of a Bioretention Area. The Bioretention Area is shown on the construction plans and provide permanent stormwater quality and quantity treatment, prior to the stormwater exiting the site.

Proposed site development details are shown on the Site Plan and Construction Plans for 5 Sherman Street, LLC as prepared by Tritech Engineering Corporation. Site and Construction plans are based upon an actual on-ground survey performed by Tritech Engineering Corporation, and on-site Wetland & Site Specific Soil delineation performed by Highland Soil Services.

2. METHODOLOGY

This stormwater runoff analysis and drainage design was accomplished using SCS TR-20 Methodology a third party computer software program was used in the facilitation of this analysis. This software is HydroCAD Stormwater Modeling System Version 10.20-7a, by Applied Microcomputer Systems. Analysis and design were performed for the Two-Year, Ten-Year, Twenty-Five Year and Fifty Year Storm Events.

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3. STORMWATER HYDROLOGIC REVIEW

EXISTING CONDITIONS

Table A – Existing Conditions (2, 10, 25, and 50-year storm events)

Watershed	**Pre Development Volume (af)**	**Pre-Development Peak Flows (cfs)**			
Analysis Point	**2-yr**	**2-yr**	**10-yr**	**25-yr**	**50-yr**
1	0.111	0.90	2.17	3.27	4.37

DEVELOPED CONDITIONS

Table B – Developed Conditions (2, 10, 25, and 50-year storm events)

Watershed	**Post Development Volume (af)**	**Post Development Peak Flows (cfs)**			
Analysis Point	**2-yr**	**2-yr**	**10-yr**	**25-yr**	**50-yr**
1	0.167	0.80	2.13	3.06	4.21

HYDROLOGIC COMPARISON

Table C – Pre/Post Development Comparison (2, 10, 25, and 50-year storm events)

Watershed	**Pre/Post Development Volume (af)**	**Pre/Post Development Peak Flows (cfs)**			
Analysis Point	**2-yr**	**2-yr**	**10-yr**	**25-yr**	**50-yr**
1	0.111/**0.167**	0.90/**0.80**	2.17/**2.13**	3.27/**3.06**	4.37/**4.21**

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4. STORMWATER RUNOFF QUALITY

Stormwater runoff from the site is collected in a system of open drainage swales, yard drains and catch basins, pretreated via deep sump catch basins and stormtech chambers, and treated, detained, and infiltrated via the Bioretention area.

5. CONCLUSIONS

Treatment of drainage occurs in deep sump catch basins, stormtech chambers and a Bioretention Practice. This Stormwater Management System effectively treats and detains the runoff from the Site Development, while maintaining the down gradient water quality through treatment.

The development of this project will result in no adverse impacts to downstream properties.

6. SOIL TYPES

Soils consist almost entirely of moderately well drained silty marine deposits. There is a small area of similar soils that are somewhat poorly drained in the NW corner and some well drained to somewhat excessively drained sandy outwash at the southerly property line. The existing house sets on a small leveled area of urban land.

7. RAINFALL DATA

As part of the 2007 Alteration of Terrain rules update, New Hampshire began using “extreme precipitation” in lieu of the previously accepted standard UDSA SCS rainfall distribution.

We have used the interactive web tool for extreme precipitation analysis published by Cornell University. On March 7, 2024, we submitted our site location (longitude 70.868° West, Latitude 43.187° North). A table with the resulting rainfall data is provided in the appendix.

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8. WETLANDS & SITE SPECIFIC SOILS MAP

Highland Soil Services, Michael Mariano, Certified Wetland #183 and Soil Scientist #76, conducted an onsite wetlands delineation investigation of the subject parcel. There are no wetlands located on the site. Highland Soil Services also completed a site-specific soil survey, the results of which are depicted on sheet SSS-1, D-1, & D-2

9. ADJACENT AREAS

The site is zoned R-12. The site is bounded to the north by Court Street, to the south by Pine Hill Cemetery and to the east and west by residential properties.

10. CRITICAL AREAS

Anywhere on the site that existing vegetation is to be removed will require immediate erosion control treatment.

11. EXISTING CONDITIONS

The site is currently a single family residential property.

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12. EROSION AND SEDIMENT CONTROL PRACTICES

Erosion and sediment control practices will include the use of permanent grass ditches, vegetated filter strips, & Silt Soxx. All erosion control practices will be constructed and maintained according to the minimum standards and specifications contained in the "Erosion and Sediment Control Design Handbook for Developing Areas of New Hampshire".

A. Erosion and Sediment Control Measures

1. The erosion control procedures shall conform to Section 645 of the "Standard Specifications for Road and Bridge Construction" of the NH DOT, and the "Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire.
2. During Construction and thereafter, erosion control measures are to be implemented as noted. The smallest practical area of land should be exposed at any one time during development.
3. During grading operations, install hay bale barriers at 50 foot intervals in drainage swales and at drain inlets where shown. Barriers are to be maintained and cleaned until disturbed areas are stabilized.
4. Any disturbed areas which are to be left temporarily, and which will be regarded later during construction shall be machine hay mulched and seeded with rye grass to prevent erosion.
5. Silt Soxx shall be periodically inspected during the life of the project and after each storm. All damaged Silt Soxx shall be repaired. Sediment deposits shall periodically be removed.
6. Avoid the use of future open spaces (loam and seed areas) wherever possible during the construction. Construction traffic shall use the roadbeds of future roads and parking areas.
7. Topsoil required for the establishment of vegetation shall be stock piled in amounts necessary to complete finished grading of all exposed areas.
8. Areas to be filled shall be cleared, grubbed, and stripped of topsoil to remove trees, vegetation, roots or other objectionable material. Stumps shall be disposed by grinding or fill in an approved facility.
9. All fills shall be placed and compacted to reduce erosion, slippage settlement, subsidence or other related problems.
10. All fill shall be placed and compacted in layers not to exceed 8 inches in thickness.

11. Frozen material or soft, mucky or highly compressible material shall not be incorporated into fills.
12. Fill material shall not be placed on a frozen foundation subgrade.
13. Disturbed areas shall be seeded immediately following finished grading.
14. At no time shall any disturbed area remain unstabilized for longer than thirty days. All areas where construction is not completed within thirty days of the initial disturbance shall be machine hay mulched and seeded with rye grass to prevent erosion.
15. Dewatering: Where groundwater is encountered during excavation, the contractor shall use a mechanical pump, pumping the water to a Dirt Bag™ or equivalent prior to discharge. Alternate systems must meet applicable sections of the 2017 CGP and NHDES requirements, and be approved by Tritech. Avoid allowing water to flow over disturbed or newly vegetated areas.

B. Vegetative Practice

1. All disturbed areas shall be loamed (4") and limed. Lime shall be thoroughly incorporated into the loam layer at a rate of 2 tons per acre.
2. Fertilizer shall be spread on the top layer of loam and worked into the surface. Fertilizer application rate shall be 500 pounds per acre of 10-20-20 fertilizers.
3. Seed shall be 48 lbs. per acre, SCS mixture "C".
   Immediately before seeding, the soil shall be lightly raked. One half the seed shall be sown in one direction and the other half at right angles to the original direction. It shall be lightly raked into the soil to a depth not over 1/4 inch and rolled with a hand roller weighing not over 100 pounds per linear foot of width.
4. Hay mulch shall be applied immediately after seeding at a rate of 1.5 to 2 tons per acre and shall be held in place using appropriate techniques from the Erosion and Sediment Control Handbook.
5. The surface shall be watered and kept moist with a fine spray as required, without washing away the soil, until the grass is well established. Any areas which are not satisfactorily covered with grass shall be reseeded, and all noxious weeds removed.

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13. CONSTRUCTION SEQUENCE

A. Do not begin construction until all local, state and federal permits have been applied for and received.

B. Install Silt Soxx and hay bale barriers necessary to control erosion and prevent sediment contamination of wetlands prior to any earth moving activities.

C. Cut and remove all trees, shrubs, saplings, brush, vines and other debris and rubbish as required. Remove unsuitable materials as required.

D. Care shall be taken to preserve the infiltration capacity of the infiltrating soil. See the New Hampshire Stormwater Manual for additional information.

E. Construct Stormwater Bioretention Basin #1. Do not direct runoff to the practice until the practice and contributing areas are fully stabilized.

F. Construction of buildings, driveways, parking, & utilities.

G. Loam and seed disturbed areas in accordance with vegetative practice and general construction notes. Cut and fill slopes shall be seeded immediately after their construction.

H. Land leveling operations for buildings and other structures shall be completed along with off road storm sewer systems and utilities.

I. Maintain disturbed areas as necessary.

14. MAINTENANCE

During the period of construction and/or until long term vegetation is established:

A. Seeded areas will be fertilized and reseeded as necessary to insure vegetative establishment.

B. The ditches will be checked after each significant rainfall and cleaned of sediment as needed to retain flow capacity.

C. The ditches will be checked weekly and repaired when necessary until adequate vegetation is established.

D. The silt fence barriers will be checked regularly. Necessary repairs will be made to correct undermining or deterioration of the structures.

CITY OF DOVER

SITE DEVELOPMENT DESIGN CRITERIA

Site Review Regulations §153-14A – Stormwater Management

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for

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A. Stormwater management, erosion control and flood hazards.

(1) Purpose and objective. These regulations establish standards to manage the discharge of runoff to the City of Dover's municipal storm sewer system and water bodies, in a manner compliant with the requirements of state and federal law, including provisions of the federal stormwater management legislation for municipal separate storm sewer systems (MS4), as amended. These provisions and standards are implemented for the purpose of:

(a) Managing stormwater runoff to protect water quality and quantity.

The projects stormwater analysis, design, plans and supporting documentation have been prepared in accordance with The City of Dover Site Review Regulations, the NH Stormwater Manual (December 2008) where incorporated by reference, the NHDES Alteration of Terrain regulations were incorporated by reference, the EPA NPDES Construction General Permit (2022 CGP) regulations were incorporated by reference and Accepted Engineering Practice.

The project design provides for storm attenuation, stormwater treatment and groundwater recharge in accordance with these regulations and standards.

(b) Minimizing the contribution of a pollutant for which a water body is impaired to the maximum extent practicable (MEP).

The project utilizes the appropriate BMPs to compensate for the pollutant that may be generated by new development to the maximum extent practicable.

(c) Causing no discharge of runoff to an adjacent property in excess of runoff discharge in the existing developed or undeveloped condition.

The proposed development post construction runoff does not exceed pre construction conditions. The proposed development directs all stormwater runoff to the City of Dover closed stormwater system.

(d) Encouraging the use of low-impact development (LID) strategies.

The project utilizes a bioretention practice for stormwater treatment as well as an infiltration practice for groundwater recharge.

(2) Applicability of the stormwater standards.

(a) All projects requiring site plan or major subdivision approval shall be subject to the following set of stormwater standards according to the amount and type of disturbance. Applicability is as follows:

[1] The minimum protections and management standards shall apply to all projects.

This narrative is prepared in conjunction with a Site Plan Review application for which the "new development standards" apply to the stormwater management and site design of the proposed development.

---

[2] The stormwater management for new development standards shall apply to any project that results in a contiguous land disturbance of more than 20,000 square feet or creates more than 4,000 square feet of new impervious area.

This narrative is prepared in conjunction with a Site Plan Review application for which the "new development standards" apply to the stormwater management and site design of the proposed development.

[3] The stormwater management for redevelopment standards shall apply to any project that results in a contiguous land disturbance of more than 20,000 square feet or creates more than 4,000 square feet of new impervious area where the existing land use has been previously developed as commercial, industrial, institutional, governmental, recreational, or multifamily.

The proposed project does not meet the standards for a "redevelopment" project.

(b) All projects of such magnitude as to require a permit from the National Pollutant Discharge Elimination System (NPDES) Program or the New Hampshire Department of Environmental Services (NHDES) Alteration of Terrain (AoT) Program shall also comply with the standards of the Environmental Protection Agency (EPA) and/or NHDES permits and this section, whereas the stricter standards shall apply.

As this project proposes disturbance of less than 100,000 square feet but more than one (1) acre it does not require a NH DES Alteration of Terrain (AoT) permit but will require the submittal of a Notice of Intent (NOI) application with the EPA as required by National Pollutant Discharge Elimination System (NPDES) Construction General Permit (CGP).

(3) Design standards.

(a) Minimum protections and management standards.

[1] Where applicable, all development must comply with the EPA Phase II Stormwater Rules and the City's MS4 permit, as amended.

The project complies with the City's design and stormwater requirements.

[2] Existing surface waters, including ponds, rivers, perennial and intermittent streams (natural or channelized), and wetlands (including vernal pools), shall be protected by the minimum buffer setback as specified in Chapter 170, Zoning, § 170-27.1. Stormwater and erosion and sediment control best management practices (BMPs) shall be located outside the specified buffer zone unless otherwise approved by the Planning Board.

The subject property does not contain surface waters, wetlands or associated buffer setback.

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[3] Low-impact development (LID) site planning and design strategies shall be used to the MEP in order to reduce the generation of the stormwater runoff volume for both new and redevelopment projects. An owner/applicant must document why LID strategies are not appropriate if not used to manage stormwater.

LID strategies were implemented to the maximum extent practicable. The project utilizes a bioretention practice for stormwater treatment as well as an infiltration practice for groundwater recharge.

[4] All proposed stormwater practices and measures shall be installed and maintained in accordance with manufacturers' specifications and performance specifications outlined in the New Hampshire Stormwater Management Manual Volume 2 (December 2008 or current revision) a copy of which can be found on The NHDES website.

The project stormwater BMPs are designed in accordance with New Hampshire Stormwater Manual Volume 2 current version (December 2008 revision 1.0).

[5] All storage facilities for fuel, chemicals, chemical or industrial wastes, and biodegradable raw materials shall meet the regulations of the NHDES, including but not limited to those involving underground storage tanks, aboveground storage tanks, hazardous waste, and best management practices for groundwater protection (Part Env Wq 401).

The project does not propose the storage of the referenced materials onsite.

[6] Salt and other deicing materials shall be stored under cover or located such that no direct discharges to receiving waters are possible. Snow storage areas shall be located such that no direct discharges to receiving waters are possible. See the NHDES guidance fact sheet on road salt and snow disposal.

The project does not provide for the storage of deicing materials onsite.

[7] The use of sodium-chloride-based materials for winter maintenance shall be the minimum necessary for safety. The use of sodium-chloride-based materials is discouraged within the groundwater protection districts.

The project Stormwater Management, Maintenance & Inspection Plan requires the implementation of a salt minimization plan that also requires the owner or operator to track salt usage onsite through a quantity usage log.

[8] Impervious surfaces for parking areas and roads shall be minimized to the extent possible.

The project design has minimized the impervious areas to the maximum extent possible. The number of parking spaces, travel way widths and vehicle maneuvering areas have been minimized for this specific project/use.

[9] Stormwater runoff from new impervious surfaces shall be directed to a best management practice for flow mitigation, treatment and/or infiltration.

The project design utilizes a bioretention practice for stormwater treatment & flow mitigation as well as an infiltration practice for groundwater recharge & flow mitigation.

(b) Stormwater management for new development.

[1] Runoff of impervious surfaces shall be treated to provide 80% removal of total suspended solids (TSS) and 50% removal of both total nitrogen and phosphorus. Removal rates shall be determined using approved manufacturer's pollutant removal efficiency analysis or the pollutant removal efficiencies outlined in the New Hampshire Stormwater Management Manual Volume 1, Appendix E (December 2008 or current revision), a copy of which is available from the NHDES website.

The project design utilizes a bioretention practice for treatment of impervious areas. This bioretention practice system provides 90% removal of TSS and 65% removal of total nitrogen and phosphorous per the NH Stormwater Manual.

[2] Rainfall amount shall be based on current extreme precipitation estimates obtained from the Northeast Regional Climate Center.

The project stormwater analysis and design utilizes the NRCC extreme precipitation.

[3] Measures shall be taken to control the post-development peak rate runoff so that it does not exceed predevelopment runoff for the two-, ten-, twenty-five- and fifty-year, twenty-four-hour storm events.

The proposed design mitigates post development peak rate runoff of the two-year, ten-year, twenty-five-year and the fifty-year in a 24-Hour storm event.

[4] Measures shall be taken to control the post-development surface water runoff volume so that it does not exceed predevelopment runoff for the two-, ten-, twenty-five- and fifty-year, twenty-four-hour storm events. For sites where infiltration/recharge is limited or not practicable, the owner/applicant must demonstrate that the project will not cause or contribute to flooding or functional impairments to streets, adjacent properties, and downstream properties.

The site was evaluated for the inclusion of infiltration practices however the Boxford soil characteristics and depth to seasonal high-water tables, prevented incorporating infiltration practices for much of the site including the bioretention practice. The subject property does contain a limited amount of Windsor Soil at the upper limits of the project. The roof drains from Cottage #4 and the runoff from yard surrounding this unit are directed to an underground Stormtech system to maximize the infiltration where it is practical. The increase in volume is within the 0.1-acre foot NHDES allowance and will not cause functional impairments to the closed drainage system in Court Street.

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[5] Infiltration rates for designing groundwater recharge practices shall be determined in accordance with Section Env-Wq 1504.14.

On August 7, 2024 Tritech performed on-site infiltration testing using Geulph Permeameter in accordance with NHDES Analysis Method. The analysis of this data determined the K_{sat} value to be used in the HydroCAD Stormwater Model.

We performed this testing at two locations on the property. One being located within Stormtech #2 adjacent to Test Pit #3 which determined a 9 in/hr. K_{sat} value to be used in the HydroCAD stormwater model. The second test was performed adjacent to Test Pit #2. The results at this second location indicated that infiltration is not practical in the Boxford Soil.

The Infiltration in our analysis and design was limited the area of Windsor Soil adjacent to Pine Hill Cemetery.

[6] Stormwater conveyance practices shall be sized appropriately to convey the ten-year, twenty-four-hour storm event without overtopping or causing flooding on the property.

The project's Stormwater infrastructure is designed to convey a 50-year, 24-hour storm event without overtopping and does not cause flooding on the property. See Stormwater Analysis.

[7] For large projects adding greater than or equal to 10 acres of impervious cover, or projects located in known areas of flooding concern, or specifically within areas with a 1% chance of being inundated by water in any given year, the owner/applicant shall submit a supplementary report that describes how the project will not increase the future flooding potential and complies with the AoT requirements pertaining to floodplain impacts as described in Section Env-Wq 1503.09, regardless of whether an AoT permit is required.

The project does not add 10 acres or greater of impervious cover and is not located in a federally designated floodplain.

[8] The design of the stormwater management systems shall take into account upstream and upgradient runoff that flows onto, over, or through the site to be developed or redeveloped and provide for this contribution of runoff.

The project involves very little upstream or upgradient runoff, however, the project stormwater calculations, stormwater infrastructure design and site grading all accounted for this runoff.

[9] Seasonal high-water table elevations must be accounted for in all BMP design criteria.

A Site-Specific Soil Plan, Sheet SSS-1, is included in our Site Development Plan Set and Stormwater Analysis. This plan was prepared by Michael Mariano of Highland Soil Service. In conjunction with this plan preparation Mr. Mariano logged seven (7) test pits on the subject property. The ESHWT and overall soil types factor into the placement and design of the project BMPs.

[10] Access for maintenance of stormwater facilities must be included as part of the design, where necessary. Access easements may be required.

Stormwater facilities are included on site and the site will be solely owned by the applicant. Stormwater access easements are not required for this project.

[11] Plantings in treatment areas shall be native grasses, shrubs and/or other native plants in sufficient numbers and density to prevent soil erosion and to achieve water - quality treatment.

Sheets La-1 & La-2 were prepared by Romy Maurer a licensed Landscape Architect with Terrain Planning & Design, LLC. We have also provided a Landscape Operation & Maintenance Plan to ensure the functionality of the BMPs.

(c) Stormwater management for redevelopment. In order to determine the stormwater requirements for redevelopment projects, the percentage of the site covered by existing impervious areas must be calculated. Stormwater requirements for redevelopment will vary based upon the amount of site surface area that is covered by existing impervious surfaces.

The project does not meet requirements to be classified as redevelopment project, therefore this section in not applicable.

[1] For sites meeting the definition of a redevelopment project and having less than 40% existing impervious surface coverage, the stormwater management requirements will be the same as new development projects, with the important distinction that the applicant can meet those requirements either on site or at an approved off-site location (i.e., off- site mitigation). The applicant must satisfactorily demonstrate that impervious area reduction, LID strategies and BMPs have been implemented on site to the MEP.

[2] For sites meeting the definition of a redevelopment project and having more than 40% existing impervious surface coverage, stormwater shall be managed in accordance with one or more of the following techniques, listed in order of preference:

[a] Implement measures on site that result in mitigation and treatment of at least 30% of the existing impervious cover as well as 50% of the additional proposed impervious surfaces and pavement areas through the application of LID; or

[b] Implement other LID techniques on site to the MEP to provide mitigation and treatment for at least 50% of the entire site area.

[3] The owner/applicant may utilize off-site mitigation to meet the redevelopment requirements when the following standards have been met.

[a] The owner/applicant shall demonstrate, to the satisfaction of the Planning Board, that on-site treatment has been implemented to the MEP.

[b] The owner/applicant shall find an approved, off-site location within the same watershed as the project site or within the drainage area of the same receiving water body.

[c] Off-site mitigation shall be equivalent to no less than the total area of pervious cover not treated on site.

[d] The owner/applicant shall submit a full design of the proposed off-site measures for review and approval.

[e] The owner/applicant must also demonstrate that there is no downstream drainage or flooding impact as a result of not providing on-site management.

(d) Erosion control standards during construction. The following standards shall be applied in project planning and shall be implemented prior to and during construction activity:

The plan set includes temporary and permanent sediment and erosion control practice notes and details in support of meeting the erosion control standards.

[1] All proposed measures shall meet, at a minimum, the design standards for best management practices set forth in the New Hampshire Stormwater Management Manual Volume 3 (December 2008 or current revision), a copy of which is available from the NHDES website.

The sediment and erosion control details provided in the plan set are all designed in accordance with the NH Stormwater Manual.

[2] When a project requires a stormwater permit from the EPA Construction General Permit (CGP) Program, copies of the stormwater pollution prevention plan (SWPPP) inspections shall be provided to the Community Services Department.

As this project proposes disturbance of less than 100,000 square feet but more than one (1) acre it does not require a NHDES Alteration of Terrain (AoT) permit but will require the submittal of a Notice of Intent (NOI) application with the EPA as required by National Pollutant Discharge Elimination System (NPDES) Construction General Permit (CGP).

SWPPP inspections will be prepared by a professional engineer registered in the State of New Hampshire or an individual under their direct supervision. The inspection reports shall be submitted to the Community Services Department.

[3] Stripping of vegetation shall be done in a manner that minimizes soil erosion. Whenever practical, natural vegetation shall be retained, protected, or supplemented.

The Erosion & Sediment Control Notes, Detail 12 on Sheet SP-9 in the project plan set indicates that the smallest practical area shall be disturbed during construction.

[4] The area of land disturbance shall be kept to a minimum and be limited to an area only large enough to accommodate construction activities for a particular construction phase.

The Erosion & Sediment Control Notes, Detail 12 on Sheet SP-9 in the project plan set indicates that the smallest practical area shall be disturbed during construction.

[5] Off-site surface water and runoff from undisturbed areas shall be diverted away from disturbed areas where feasible, or measures to convey stormwater through the project area without causing erosion of sediment must be included. The integrity of downstream drainage systems shall be maintained.

The Erosion & Sediment Control Notes, Detail 12 on Sheet SP-9 in the project plan set indicates that stormwater conveyance practices shall be stabilized prior to receiving stormwater runoff.

[6] Appropriate erosion and sediment control measures shall be installed prior to any soil land disturbance and must be reviewed and approved by the Community Services Department.

The Erosion & Sediment Control Notes, Detail 12 on Sheet SP-9 in the project plan set details the Construction Sequencing. Dover scheduling and inspections will be discussed with Community Services prior to the start of construction.

[7] Perimeter site controls shall not be placed within wetland areas, stream channels or wetland buffers.

This project does not propose any work in a wetland or a wetland buffer.

[8] Disturbed soil areas shall be either temporarily or permanently stabilized. In areas where final grading has not occurred, temporary stabilization measures should be in place within seven calendar days for exposed soil areas that are within 100 feet of a surface water body or a wetland and no more than 14 calendar days for all other areas. Permanent stabilization should be in place within three calendar days following completion of final grading of exposed soil areas.

The Erosion & Sediment Control Notes, Detail 12 on Sheet SP-9 in the project plan set identifies this requirement.

[9] All temporary erosion and sediment control measures shall be maintained in functioning condition until final site stabilization is accomplished. A proposed BMP inspection schedule shall be included in the submittal.

The project proposes disturbance more than one (1) acre and will require the submittal of a Notice of Intent (NOI) application with the EPA as required by National Pollutant Discharge Elimination System (NPDES) Construction General Permit (CGP).

SWPPP inspections will be prepared by a professional engineer registered in the State of New Hampshire or an individual under their direct supervision. The inspection reports shall be submitted to the Community Services Department.

The SWPPP Manual identifies the inspection schedule.

[10] Additional temporary stabilization for the winter season consistent with NHDES guidelines shall be in place for disturbed areas that are not permanently stabilized by October 1, or at the discretion of the Community Services Department.

The NHDES AoT winter construction notes are identified in The Erosion & Sediment Control Notes, Detail 12 on Sheet SP-9 in the project plan set.

[11] Special stabilization details shall be provided with the submission for any land disturbance on slopes equal to or steeper than 3:1.

Slopes greater than 3:1 require erosion control matting and/or armoring. Sheet SP-4 notes and associated details are provided in the project plan set.

[12] All temporary erosion and sediment control measures shall be removed after final site stabilization. Trapped sediment and other disturbed soil areas resulting from the removal of temporary measures shall be permanently stabilized within 30 calendar days unless conditions dictate otherwise.

The Erosion & Sediment Control Notes, Detail 12 on Sheet SP-9 in the project plan set identifies this requirement.

[13] For projects proposing to disturb and expose soils in areas of 10 acres or more at one time, a temporary (or permanent) sediment basin must be provided with storage for a calculated volume of runoff from a drainage area from a two-year, twenty-four-hour storm, or equivalent control measures, where attainable, until final stabilization of the site. Alternatively, the sediment basin can be sized to provide 3,600 cubic feet of storage per acre of drainage area until final stabilization of the site. In determining appropriate locations and number of sediment basins needed, the operators may consider such factors as erodibility of site soils, slope lengths, available area on site, construction period and other unique site considerations.

The project does not propose the disturbance of greater than 10 acres of area. A Sediment Trap is not proposed.

[14] Use of temporary sediment basins should avoid any additional vegetation clearing or site land disturbance not otherwise needed for post-construction. Sediment basin locations must be reviewed by the Community Services Department prior to construction and must consider the potential for off-site impacts, including public safety, especially as it relates to sediment movement and/or sediment basin failure, and alternative sediment controls must be used where site limitations preclude a safe design.

A Sediment Trap is not proposed.

(e) Installation and construction inspections. The owner/applicant shall be responsible for inspection requirements as follow:

[1] The Community Services Department or its designated agent shall have access to the site to complete routine inspections.

The owner/applicant is aware of this requirement.

[2] The Community Services Department shall be notified 24 hours prior to installation of a stormwater BMP in order to schedule an inspection. These inspections shall be completed during normal working hours.

The owner/applicant is aware of the Community Services Department inspection scheduling requirements.

[3] The Planning Board or Community Services Department may require the design engineer and/or an independent third party to provide inspection and oversight of the construction of the stormwater management facilities and erosion and sediment control measures at its discretion. Such oversight may be especially important for implementing techniques such as porous pavement or subsurface stormwater infiltration systems. The owner/applicant shall be responsible for all fees associated with third-party inspections.

The owner/applicant is aware of this requirement.

[4] All SWPPP inspections must be conducted by a qualified professional such as a professional engineer (PE), a certified professional in erosion and sediment control (CPESC), a certified erosion sediment and stormwater inspector (CESSWI), or a certified professional in stormwater quality (CPSWQ). Inspection reports shall be submitted to the Community Services Department.

SWPPP inspections will be prepared by a professional engineer registered in the State of New Hampshire or an individual under their direct supervision. The inspection reports shall be submitted to the Community Services Department.

[5] The owner is ultimately responsible for the installation, construction, inspection, and disposition of all stormwater management and erosion control measures required by the provisions of these regulations.

The owner/applicant is aware of this requirement.

(f) Stormwater management plan (SWMP) submittal requirements. At the discretion of the Planning Board or Community Services Department, a technical review by an independent third party may be required of any SWMP prepared under these regulations. Such a review shall be performed by a qualified professional consultant and the expense of which shall be the full responsibility of the owner/applicant.

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[1] For projects requiring minimum protection standards, a plan including the following information shall be submitted:

[a] Description of erosion and sediment control measures as well as sequence for final stabilization of the project site.

The Erosion & Sediment Control Notes, Detail 12 on Sheet SP-9 in the project plan set describes this information.

[b] Proposed changes in impervious cover areas and any changes in pre- and post-development drainage patterns.

The proposed development post construction runoff does not exceed pre construction conditions. The proposed development directs all stormwater runoff to the City of Dover closed stormwater system.

[c] Description of LID proposed measures.

The project utilizes a bioretention practice for stormwater treatment as well as an infiltration practice for groundwater recharge.

[2] For projects requiring new development or redevelopment standards, a drainage report that contains the following items shall be submitted:

[a] Description of construction period and earth movement schedule, including anticipated project start and completion dates, sequence and duration of grading and construction activities, sequence, and timing of installation and/or application of soil erosion and sediment control measures as well as sequence for final stabilization of the project site.

The Erosion & Sediment Control Notes, Detail 12 on Sheet SP-9 in the project plan set describes this information.

[b] Description of the on-site and adjacent wetlands, streams and other water resources, including methods used to identify these resources, and a description of any buffer setbacks that may apply, steep slopes, critical habitat, existing vegetation, areas with a 1% chance of being inundated by water in any given year, and whether any downstream water bodies are listed as impaired according to NHDES's most recent 303(d) list.

The Stormwater Analysis includes the above requirements.

[c] Soils information for proposed disturbed areas shall be delineated by a certified soil scientist. For all other areas that contribute runoff to the project site, soil types may be identified in accordance with Natural Resources Conservation Service (NRCS) countywide soil survey.

A Site-Specific Soil Plan, Sheet SSS-1, is included in our Site Development Plan Set and Stormwater Analysis. This plan was prepared by Michael Mariano of Highland Soil Service. In conjunction with this plan preparation Mr. Mariano logged seven (7) test pits on the subject property. The ESHWT and overall soil types factor into the placement and design of the project BMPs.

[d] Description of existing drainage patterns, receiving water bodies or drainage infrastructure and soil types for recharge potential.

The Stormwater Analysis includes the above requirements.

[e] Watershed area limits, including any off-site and upstream areas contributing flow to shared drainage channels and/or infrastructure.

The Stormwater Analysis includes the above requirements.

[f] Description of proposed changes in impervious cover areas and any changes in pre- and post-development drainage patterns.

The Stormwater Analysis includes the above requirements.

[g] Methods and assumptions used to calculate pre- and post-development runoff volume, peak discharge, and discharge velocity for the specified design storm events.

The Stormwater Analysis includes the above requirements.

[h] Methods and assumptions used to calculate the pollutant load removal.

The Stormwater Analysis includes the above requirements.

[i] Description of LID measures that are proposed to limit the development footprint, preserve existing vegetation and mimic existing hydrology to the extent feasible.

The project utilizes a bioretention practice for stormwater treatment as well as an infiltration practice for groundwater recharge.

[j] If not used, provide rationale why LID measures are not practical for the site.

LID measures have been incorporated in the design of the project.

[k] Describe measures and calculations for proposed practices used to achieve no net increase in runoff volumes leaving the site.

The Stormwater Analysis includes the above requirements.

[l] Provide calculations for the infiltration or exfiltration system.

The Stormwater Analysis includes the above requirements.

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[m] If an increase in post-development runoff volume is anticipated due to limited applicability for LID measures and site constraints, provide an assessment and supporting calculations to demonstrate no adverse impacts to downstream infrastructure, adjacent properties, or aquatic habitat.

The stormwater analysis indicates there will no increase in the post-development runoff volumes.

[n] Descriptions, details, and design criteria and calculations for all structural, nonstructural, permanent, and temporary erosion and sedimentation control measures and BMPs. This information should include seeding mixtures and rates, types of sod, methods of seedbed preparation, expected seeding dates (or limitations on seeding time frames), type and rate of lime and fertilizer application, and type and quantity of mulching for temporary and permanent control facilities.

The Site Development plan set includes the above requirements.

[o] Where proposed changes are anticipated within mapped limits of the areas with a 1% chance of being inundated by water in any given year, provide hydrologic and hydraulic analysis to show no net increase in flood elevations.

No changes are anticipated.

[p] Proposed schedule for the inspection and maintenance of all erosion control measures on site prior to achieving final site stabilization.

The Erosion & Sediment Control Notes, Detail 12 on Sheet SP-9 in the project plan set identifies this requirement.

[q] Describe procedures for removing temporary erosion control measures and removal of accumulated sediment captured by such measures.

The Erosion & Sediment Control Notes, Detail 12 on Sheet SP-9 in the project plan set identifies this requirement.

[r] Any other specific study, calculation, or investigation as requested by the city.

Additional information shall be provided as requested and may include traffic studies, structural designs, sewer designs, geotechnical reports, etc.

[s] Describe procedures to limit and/or optimize the use of deicing materials and minimize off-site increases in chloride levels in adjacent surface water and groundwater.

The Stormwater Management, Maintenance and Inspection Plan requires the implementation of a salt minimization plan that also requires the owner or operator to track salt usage onsite through a quantity usage log.

[t] Provide a maintenance and inspection plan for post-construction monitoring of stormwater BMPs to ensure long-term performance and functionality, including details of who will be responsible for inspections and maintenance, proposed schedule, documentation, submittal procedures and contingency plans if future maintenance is required.

A Stormwater Management, Maintenance and Inspection Plan (M&I) is included in the Stormwater Analysis provided as part of this submittal.

[u] Provide copies of pertinent state and federal permits.

Copies of permits will be provided to the City of Dover, as applicable.

(g) Long-term operation and maintenance. The owner shall be responsible for continued inspection and maintenance requirements.

A Stormwater Management, Maintenance and Inspection Plan (M&I) is included in the Stormwater Analysis provided as part of this submittal.

[1] An operation and maintenance manual shall be created with the following information:

[a] The names of the responsible qualified professionals who will implement the required reporting, inspections, and maintenance activities.

The Owner, Responsible Party, and the Management Company are identified in the Stormwater Management, Maintenance and Inspection Plan.

[b] An inspection checklist, identifying item or BMP, inspection frequency, and components to be inspected. The list shall clearly outline performance thresholds and triggers for maintenance.

Inspection requirements and maintenance thresholds are identified in the Stormwater Management, Maintenance and Inspection Plan.

[c] Snow and ice removal shall be performed by a contractor certified by the "Green SnoPro" Program, or approved equivalent, following best management practices for the application of deicing materials.

The Stormwater Management, Maintenance and Inspection Plan requires the use of a Green SnoPro contractor.

[d] Deicing log to track amount and type of deicing material applied.

The Stormwater Management, Maintenance and Inspection Plan requires the implementation of a salt minimization plan that also requires the owner or operator to track salt usage onsite through a quantity usage log.

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[e] A site plan clearly identifying the locations of all stormwater practices to be inspected and maintained.

The Site Development Plan Set is included as part of the Stormwater Management, Maintenance and Inspection Plan.

[f] Inspection and maintenance log to be submitted to the City of Dover Community Services Department on an annual basis. Documents shall be submitted no later than December 15 of each year.

The Stormwater Management, Maintenance and Inspection Plan identifies this requirement.

[2] The owner of record shall record at the Registry of Deeds documentation sufficient to provide notice to all persons that may acquire any property subject to the requirements and responsibilities described in the approved stormwater management plan. The notice shall comply with the applicable requirements for recording contained in RSA 477 and 478. The notice need not set forth the requirements at length, so long as it is sufficient to provide notice to prospective purchasers of the requirements for maintenance and reporting.

The applicant is aware of this requirement.

STORMWATER ANALYSIS

and

Erosion & Sediment Control Plan

NARRATIVE

for

103 COURT STREET

103 Court Street
Dover, New Hampshire

August 2024
October 2024
October 2025

SECTION II

COMPUTATIONS

N

TRITECH
ENGINEERING CORPORATION

LEGEND

- 2FT GRANIT CONTOUR
- 10FT GRANIT CONTOUR
- SOILS BOUNDARY
- PROPERTY LINE
- SUBCAT BOUNDARY
- FLOW PATH
- (1) SUBCAT LABEL
- 1 ANALYSIS POINT
- TREE LINE
- 915B SITE-SPECIFIC SOIL TYPE LABEL
- ScA NRCS SOIL TYPE LABEL

30 0 15 30 60 120
1"=30'

TRITECH
ENGINEERING CORPORATION
735 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820
TELEPHONE 603 749 9171
FAX 603 749 3830

REVISIONS
DATE: DESCRIPTION:

STATE OF NEW HAMPSHIRE - PROFESSIONAL ENGINEER
ROBERT STOWELL No. 9803 LICENSED

PRE-CONSTRUCTION DRAINAGE PLAN

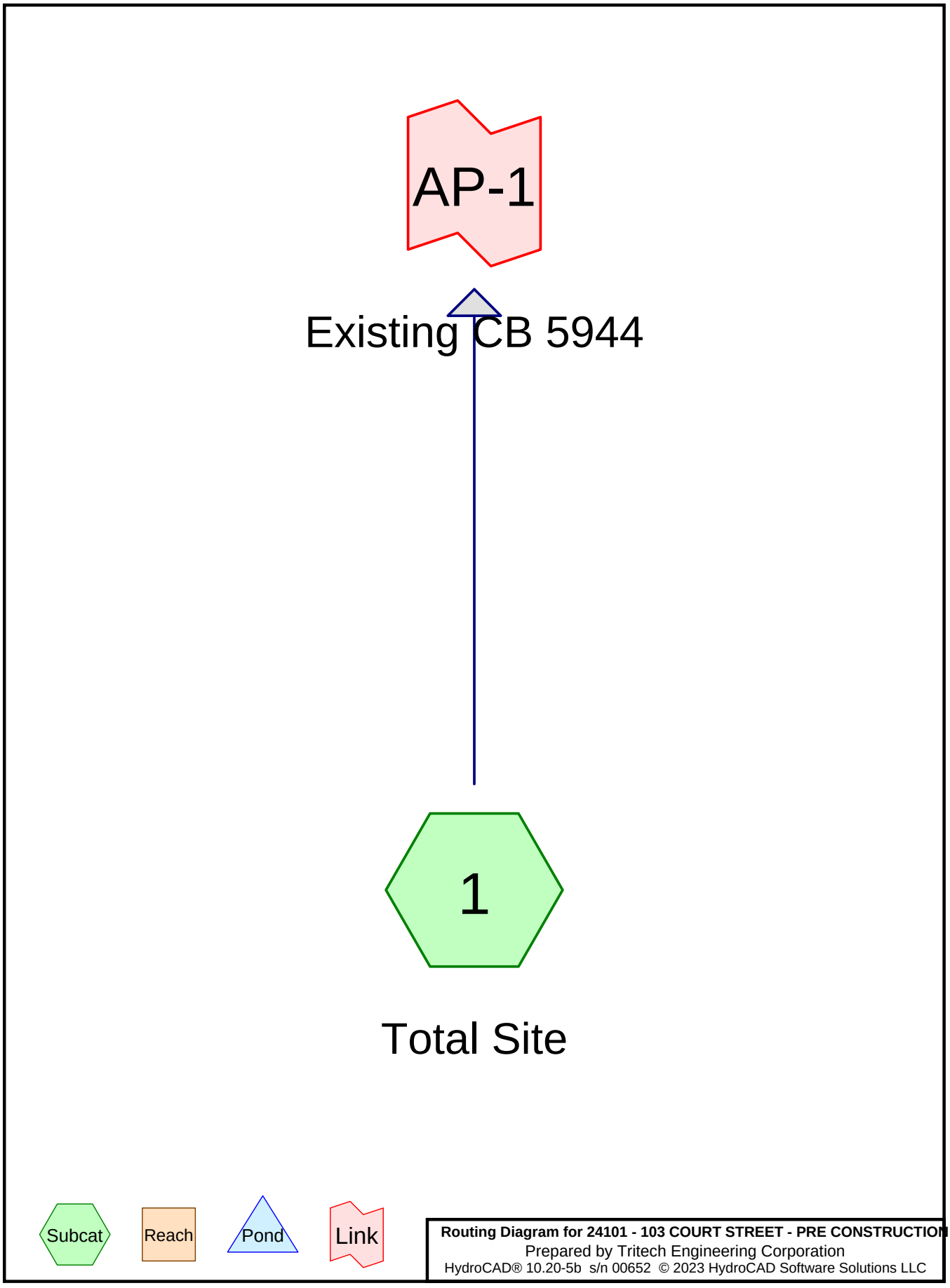
103 COURT STREET

103 COURT STREET
DOVER, NEW HAMPSHIRE
STRAFFORD COUNTY

AUGUST 15, 2024 JOB No. 24101
SCALE: 1" = 30'

SHEET No.

D-1



Routing Diagram for 24101 - 103 COURT STREET - PRE CONSTRUCTION
Prepared by Tritech Engineering Corporation
HydroCAD® 10.20-5b s/n 00652 © 2023 HydroCAD Software Solutions LLC

Area Listing (all nodes)

Area (acres)	CN	Description (subcatchment-numbers)
0.132	74	>75% Grass cover, Good, HSG C (1)
0.062	80	>75% Grass cover, Good, HSG D (1)
0.015	98	Paved parking, HSG A (1)
0.034	98	Paved parking, HSG C (1)
0.017	98	Paved parking, HSG D (1)
0.041	98	Roofs, HSG C (1)
0.060	30	Woods, Good, HSG A (1)
0.103	70	Woods, Good, HSG C (1)
0.044	77	Woods, Good, HSG D (1)
0.038	32	Woods/grass comb., Good, HSG A (1)
0.888	72	Woods/grass comb., Good, HSG C (1)
0.046	79	Woods/grass comb., Good, HSG D (1)
1.479	**72**	**TOTAL AREA**

Soil Listing (all nodes)

Area (acres)	Soil Group	Subcatchment Numbers
0.112	HSG A	1
0.000	HSG B	
1.198	HSG C	1
0.169	HSG D	1
0.000	Other	
1.479		**TOTAL AREA**

Time span=0.00-28.00 hrs, dt=0.01 hrs, 2801 points x 3
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1: Total Site Runoff Area=64,430 sf 7.23% Impervious Runoff Depth=0.90"
Flow Length=435' Tc=23.3 min CN=72 Runoff=0.90 cfs 0.111 af

Link AP-1: Existing CB 5944 Inflow=0.90 cfs 0.111 af
Primary=0.90 cfs 0.111 af

Total Runoff Area = 1.479 ac Runoff Volume = 0.111 af Average Runoff Depth = 0.90"
92.77% Pervious = 1.372 ac 7.23% Impervious = 0.107 ac

Time span=0.00-28.00 hrs, dt=0.01 hrs, 2801 points x 3
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1: Total Site Runoff Area=64,430 sf 7.23% Impervious Runoff Depth=2.01"
Flow Length=435' Tc=23.3 min CN=72 Runoff=2.17 cfs 0.248 af

Link AP-1: Existing CB 5944 Inflow=2.17 cfs 0.248 af
Primary=2.17 cfs 0.248 af

Total Runoff Area = 1.479 ac Runoff Volume = 0.248 af Average Runoff Depth = 2.01"
92.77% Pervious = 1.372 ac 7.23% Impervious = 0.107 ac

Time span=0.00-28.00 hrs, dt=0.01 hrs, 2801 points x 3
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1: Total Site Runoff Area=64,430 sf 7.23% Impervious Runoff Depth=3.00"
Flow Length=435' Tc=23.3 min CN=72 Runoff=3.27 cfs 0.370 af

Link AP-1: Existing CB 5944 Inflow=3.27 cfs 0.370 af
Primary=3.27 cfs 0.370 af

Total Runoff Area = 1.479 ac Runoff Volume = 0.370 af Average Runoff Depth = 3.00"
92.77% Pervious = 1.372 ac 7.23% Impervious = 0.107 ac

Time span=0.00-28.00 hrs, dt=0.01 hrs, 2801 points x 3
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1: Total Site Runoff Area=64,430 sf 7.23% Impervious Runoff Depth=3.99"
Flow Length=435' Tc=23.3 min CN=72 Runoff=4.37 cfs 0.492 af

Link AP-1: Existing CB 5944 Inflow=4.37 cfs 0.492 af
Primary=4.37 cfs 0.492 af

Total Runoff Area = 1.479 ac Runoff Volume = 0.492 af Average Runoff Depth = 3.99"
92.77% Pervious = 1.372 ac 7.23% Impervious = 0.107 ac

Summary for Subcatchment 1: Total Site

Runoff = 2.17 cfs @ 12.34 hrs, Volume= 0.248 af, Depth= 2.01"
Routed to Link AP-1 : Existing CB 5944

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs
Type III 24-hr 10-YR SEACOAST Rainfall=4.76"

Area (sf)	CN	Description
1,498	98	Paved parking, HSG C
1,780	98	Roofs, HSG C
4,497	70	Woods, Good, HSG C
38,680	72	Woods/grass comb., Good, HSG C
5,730	74	>75% Grass cover, Good, HSG C
1,645	32	Woods/grass comb., Good, HSG A
2,600	30	Woods, Good, HSG A
635	98	Paved parking, HSG A
745	98	Paved parking, HSG D
2,010	79	Woods/grass comb., Good, HSG D
2,705	80	>75% Grass cover, Good, HSG D
1,905	77	Woods, Good, HSG D
64,430	72	Weighted Average
59,772		92.77% Pervious Area
4,658		7.23% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.1	5	0.0200	0.75		**Sheet Flow, Sheet Pave** Smooth surfaces n= 0.011 P2= 3.15"
14.4	30	0.0200	0.03		**Sheet Flow, Sheet woods** Woods: Dense underbrush n= 0.800 P2= 3.15"
5.7	65	0.0250	0.19		**Sheet Flow, sheet range** Range n= 0.130 P2= 3.15"
1.9	245	0.0450	2.12		**Shallow Concentrated Flow, SC range** Nearly Bare & Untilled Kv= 10.0 fps
1.2	90	0.0650	1.27		**Shallow Concentrated Flow, SC woods** Woodland Kv= 5.0 fps
23.3	435	Total			

Summary for Link AP-1: Existing CB 5944

Inflow Area = 1.479 ac, 7.23% Impervious, Inflow Depth = 2.01" for 10-YR SEACOAST event
Inflow = 2.17 cfs @ 12.34 hrs, Volume= 0.248 af
Primary = 2.17 cfs @ 12.34 hrs, Volume= 0.248 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs

COURT STREET

KEELTY STREET

LOCKE STREET

LOT #2

HOUSE

GARAGE

PAVED CEMETERY DRIVE

CB 101 CB 102 CB 103 CB 104 CB 105 CB 106

DMH 101 DMH 102 DMH 103 DMH 104

P-1 P-2 P-3 P-4 P-5

101 102 103 104 105 106 107 108 109 110

Y1 Y2 Y3 Y4 Y5

953B 695B 32B 32B 26B 38B

SETBACK (SEE NOTE 2)

N

TRITECH
ENGINEERING CORPORATION

LEGEND

- 25FT GRANIT CONTOUR
- 10FT GRANIT CONTOUR
- SOILS BOUNDARY
- PROPERTY LINE
- SUBCAT BOUNDARY
- FLOW PATH
- (1) SUBCAT LABEL
- 1 ANALYSIS POINT
- TREE LINE
- 915B SITE-SPECIFIC SOIL TYPE LABEL
- ScA NRCS SOIL TYPE LABEL

30 0 15 30 60 120
1"=30'

TRITECH
ENGINEERING CORPORATION
785 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820
TELEPHONE 603 742 8107
FAX 603 742 3630

REVISIONS

DATE:	DESCRIPTION:
9-12-24	REVISED PER TRC COMMENTS
10-21-24	REVISED PER TRC COMMENTS
10-23-25	REVISED PER TDR APPROVAL

STATE OF NEW HAMPSHIRE - ROBERT J. STOWELL No. 9963 - PROFESSIONAL ENGINEER

POST-CONSTRUCTION DRAINAGE PLAN

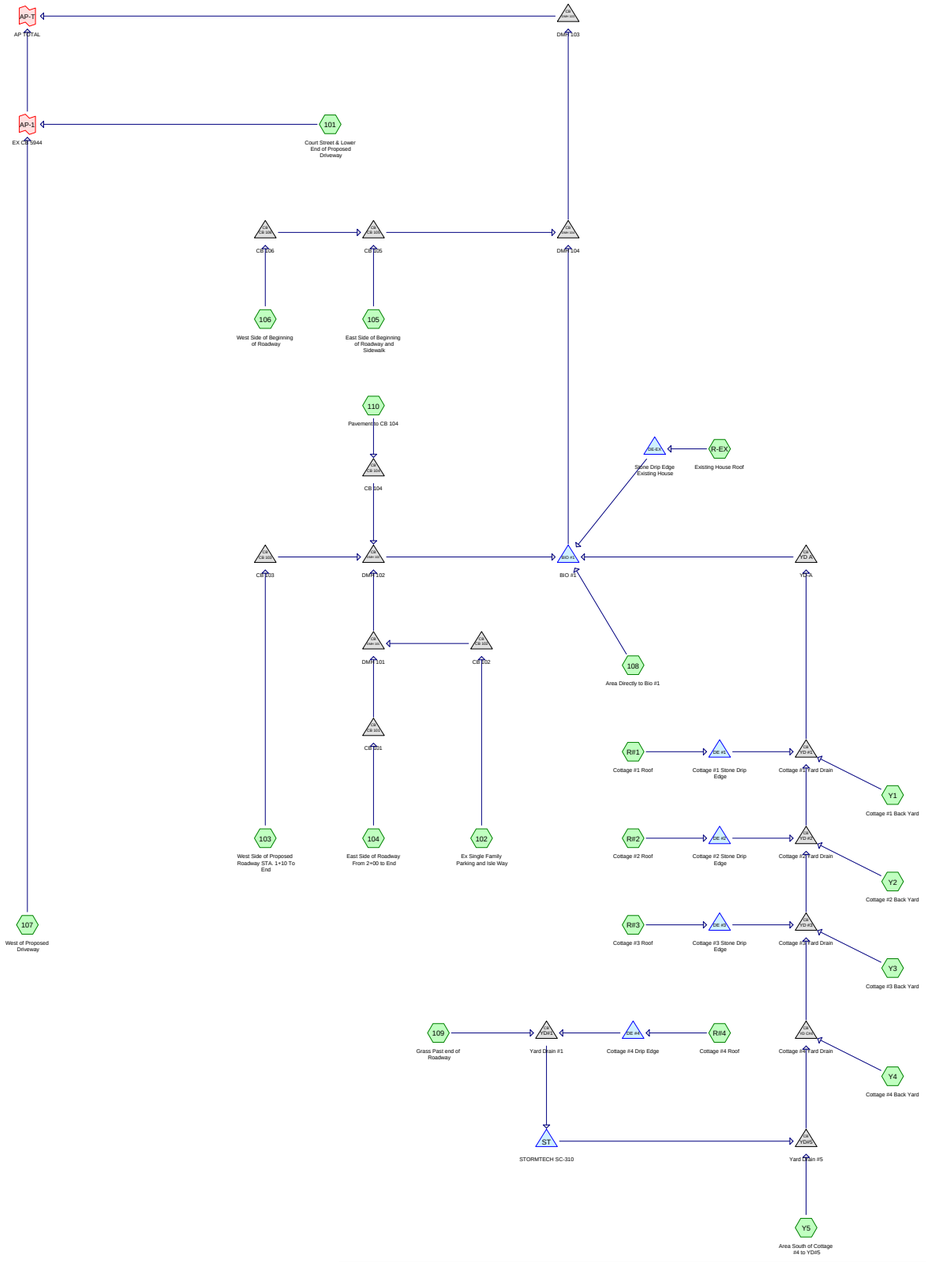
103 COURT STREET

103 COURT STREET
DOVER, NEW HAMPSHIRE
STRAFFORD COUNTY

AUGUST 15, 2024 JOB No. 24101

SHEET No. D-2

(P24-0012)



Subcat

Reach

Pond

Link

Routing Diagram for Court St POST-CONSTRUCTION - REV. PER TRC

Prepared by Tritech Engineering Corporation

HydroCAD® 10.20-7a s/n 00652 © 2025 HydroCAD Software Solutions LLC

Area Listing (all nodes)

Area (acres)	CN	Description (subcatchment-numbers)
0.026	39	>75% Grass cover, Good, HSG A (107, 109, Y5)
0.801	74	>75% Grass cover, Good, HSG C (101, 102, 104, 107, 108, 109, 110, Y1, Y2, Y3, Y4, Y5)
0.103	80	>75% Grass cover, Good, HSG D (107)
0.014	98	Paved parking, HSG A (107, 109, Y5)
0.260	98	Paved parking, HSG C (101, 102, 103, 104, 105, 108, 109, 110)
0.066	98	Paved parking, HSG D (101, 103, 105, 106, 107, 110)
0.096	98	Roofs, HSG C (R#1, R#2, R#3, R#4, R-EX)
0.020	32	Woods/grass comb., Good, HSG A (107, Y5)
0.039	72	Woods/grass comb., Good, HSG C (107, Y5)
0.052	57	Woods/grass comb., Poor, HSG A (109)
0.002	82	Woods/grass comb., Poor, HSG C (109)
1.479	**80**	**TOTAL AREA**

Soil Listing (all nodes)

Area (acres)	Soil Group	Subcatchment Numbers
0.112	HSG A	107, 109, Y5
0.000	HSG B	
1.198	HSG C	101, 102, 103, 104, 105, 107, 108, 109, 110, R#1, R#2, R#3, R#4, R-EX, Y1, Y2, Y3, Y4, Y5
0.169	HSG D	101, 103, 105, 106, 107, 110
0.000	Other	
1.479		**TOTAL AREA**

Time span=0.00-28.00 hrs, dt=0.01 hrs, 2801 points x 2
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 101: Court Street & Lower Runoff Area=5,321 sf 47.47% Impervious Runoff Depth=1.72"
Tc=6.0 min CN=85 Runoff=0.25 cfs 0.017 af

Subcatchment 102: Ex Single Family Runoff Area=2,345 sf 69.85% Impervious Runoff Depth=2.21"
Tc=6.0 min CN=91 Runoff=0.14 cfs 0.010 af

Subcatchment 103: West Side of Proposed Runoff Area=2,255 sf 100.00% Impervious Runoff Depth=2.92"
Tc=6.0 min CN=98 Runoff=0.16 cfs 0.013 af

Subcatchment 104: East Side of Roadway Runoff Area=5,343 sf 65.28% Impervious Runoff Depth=2.12"
Tc=6.0 min CN=90 Runoff=0.30 cfs 0.022 af

Subcatchment 105: East Side of Beginning Runoff Area=1,171 sf 100.00% Impervious Runoff Depth=2.92"
Tc=6.0 min CN=98 Runoff=0.08 cfs 0.007 af

Subcatchment 106: West Side of Beginning Runoff Area=833 sf 100.00% Impervious Runoff Depth=2.92"
Tc=6.0 min CN=98 Runoff=0.06 cfs 0.005 af

Subcatchment 107: West of Proposed Runoff Area=14,075 sf 1.49% Impervious Runoff Depth=1.06"
Flow Length=398' Tc=15.2 min CN=75 Runoff=0.29 cfs 0.029 af

Subcatchment 108: Area Directly to Bio #1 Runoff Area=8,504 sf 2.00% Impervious Runoff Depth=1.00"
Tc=6.0 min CN=74 Runoff=0.22 cfs 0.016 af

Subcatchment 109: Grass Past end of Runoff Area=5,874 sf 8.60% Impervious Runoff Depth=0.62"
Tc=6.0 min CN=66 Runoff=0.08 cfs 0.007 af

Subcatchment 110: Pavement to CB 104 Runoff Area=2,688 sf 71.35% Impervious Runoff Depth=2.21"
Tc=6.0 min CN=91 Runoff=0.16 cfs 0.011 af

Subcatchment R#1: Cottage #1 Roof Runoff Area=810 sf 100.00% Impervious Runoff Depth=2.92"
Tc=6.0 min CN=98 Runoff=0.06 cfs 0.005 af

Subcatchment R#2: Cottage #2 Roof Runoff Area=810 sf 100.00% Impervious Runoff Depth=2.92"
Tc=6.0 min CN=98 Runoff=0.06 cfs 0.005 af

Subcatchment R#3: Cottage #3 Roof Runoff Area=810 sf 100.00% Impervious Runoff Depth=2.92"
Tc=6.0 min CN=98 Runoff=0.06 cfs 0.005 af

Subcatchment R#4: Cottage #4 Roof Runoff Area=810 sf 100.00% Impervious Runoff Depth=2.92"
Tc=6.0 min CN=98 Runoff=0.06 cfs 0.005 af

Subcatchment R-EX: Existing House Roof Runoff Area=946 sf 100.00% Impervious Runoff Depth=2.92"
Tc=6.0 min CN=98 Runoff=0.07 cfs 0.005 af

Subcatchment Y1: Cottage #1 Back Yard Runoff Area=2,610 sf 0.00% Impervious Runoff Depth=1.00"
Tc=6.0 min CN=74 Runoff=0.07 cfs 0.005 af

Subcatchment Y2: Cottage #2 Back Yard Runoff Area=1,725 sf 0.00% Impervious Runoff Depth=1.00"
Tc=6.0 min CN=74 Runoff=0.04 cfs 0.003 af

Subcatchment Y3: Cottage #3 Back Yard Runoff Area=2,470 sf 0.00% Impervious Runoff Depth=1.00"
Tc=6.0 min CN=74 Runoff=0.06 cfs 0.005 af

Subcatchment Y4: Cottage #4 Back Yard Runoff Area=2,985 sf 0.00% Impervious Runoff Depth=1.00"
Tc=6.0 min CN=74 Runoff=0.08 cfs 0.006 af

Subcatchment Y5: Area South of Cottage #4 Runoff Area=2,045 sf 7.09% Impervious Runoff Depth=0.32"
Tc=6.0 min CN=58 Runoff=0.01 cfs 0.001 af

Pond BIO #1: BIO #1 Peak Elev=102.31' Storage=1,353 cf Inflow=1.36 cfs 0.110 af
Outflow=0.33 cfs 0.110 af

Pond CB 101: CB 101 Peak Elev=105.87' Inflow=0.30 cfs 0.022 af
12.0" Round Culvert n=0.012 L=33.0' S=0.0394 '/' Outflow=0.30 cfs 0.022 af

Pond CB 102: CB 102 Peak Elev=104.93' Inflow=0.14 cfs 0.010 af
12.0" Round Culvert n=0.012 L=13.0' S=0.0346 '/' Outflow=0.14 cfs 0.010 af

Pond CB 103: CB 103 Peak Elev=102.66' Inflow=0.16 cfs 0.013 af
12.0" Round Culvert n=0.012 L=16.0' S=0.0062 '/' Outflow=0.16 cfs 0.013 af

Pond CB 104: CB 104 Peak Elev=102.65' Inflow=0.16 cfs 0.011 af
12.0" Round Culvert n=0.012 L=7.0' S=0.0143 '/' Outflow=0.16 cfs 0.011 af

Pond CB 105: CB 105 Peak Elev=97.89' Inflow=0.14 cfs 0.011 af
12.0" Round Culvert n=0.012 L=17.0' S=0.0118 '/' Outflow=0.14 cfs 0.011 af

Pond CB 106: CB 106 Peak Elev=98.12' Inflow=0.06 cfs 0.005 af
12.0" Round Culvert n=0.012 L=16.0' S=0.0125 '/' Outflow=0.06 cfs 0.005 af

Pond DE #1: Cottage #1 Stone Drip Edge Peak Elev=109.87' Storage=20 cf Inflow=0.06 cfs 0.005 af
Outflow=0.03 cfs 0.004 af

Pond DE #2: Cottage #2 Stone Drip Edge Peak Elev=110.87' Storage=20 cf Inflow=0.06 cfs 0.005 af
Outflow=0.03 cfs 0.004 af

Pond DE #3: Cottage #3 Stone Drip Edge Peak Elev=112.37' Storage=20 cf Inflow=0.06 cfs 0.005 af
Outflow=0.03 cfs 0.004 af

Pond DE #4: Cottage #4 Drip Edge Peak Elev=114.87' Storage=20 cf Inflow=0.06 cfs 0.005 af
Outflow=0.03 cfs 0.004 af

Pond DE-EX: Stone Drip Edge Existing House Peak Elev=105.97' Storage=26 cf Inflow=0.07 cfs 0.005 af
Outflow=0.04 cfs 0.005 af

Pond DMH 101: DMH 101 Peak Elev=104.53' Inflow=0.44 cfs 0.032 af
12.0" Round Culvert n=0.012 L=52.0' S=0.0385 '/' Outflow=0.44 cfs 0.032 af

Pond DMH 102: DMH 102 Peak Elev=102.62' Inflow=0.76 cfs 0.056 af
12.0" Round Culvert n=0.012 L=19.0' S=0.0053 '/' Outflow=0.76 cfs 0.056 af

Pond DMH 103: DMH 103 Peak Elev=91.15' Inflow=0.38 cfs 0.121 af
18.0" Round Culvert n=0.013 L=85.0' S=0.0033 '/' Outflow=0.38 cfs 0.121 af

Pond DMH 104: DMH 104 Peak Elev=97.70' Inflow=0.38 cfs 0.121 af
12.0" Round Culvert n=0.012 L=18.0' S=0.0222 '/' Outflow=0.38 cfs 0.121 af

Pond ST: STORMTECH SC-310 Peak Elev=113.97' Storage=50 cf Inflow=0.11 cfs 0.011 af
Discarded=0.06 cfs 0.011 af Primary=0.00 cfs 0.000 af Outflow=0.06 cfs 0.011 af

Pond YD #1: Cottage #1 Yard Drain Peak Elev=107.20' Inflow=0.36 cfs 0.033 af
12.0" Round Culvert n=0.012 L=52.0' S=0.0269 '/' Outflow=0.36 cfs 0.033 af

Pond YD #2: Cottage #2 Yard Drain Peak Elev=109.15' Inflow=0.26 cfs 0.024 af
12.0" Round Culvert n=0.012 L=45.0' S=0.0422 '/' Outflow=0.26 cfs 0.024 af

Pond YD #3: Cottage #3 Yard Drain Peak Elev=110.11' Inflow=0.18 cfs 0.016 af
12.0" Round Culvert n=0.012 L=49.0' S=0.0184 '/' Outflow=0.18 cfs 0.016 af

Pond YD A: YD-A Peak Elev=105.70' Inflow=0.36 cfs 0.033 af
12.0" Round Culvert n=0.012 L=21.0' S=0.0667 '/' Outflow=0.36 cfs 0.033 af

Pond YD C#4: Cottage #4 Yard Drain Peak Elev=111.04' Inflow=0.08 cfs 0.007 af
12.0" Round Culvert n=0.012 L=49.0' S=0.0184 '/' Outflow=0.08 cfs 0.007 af

Pond YD#1: Yard Drain #1 Peak Elev=114.35' Inflow=0.11 cfs 0.011 af
6.0" Round Culvert n=0.012 L=25.0' S=0.0040 '/' Outflow=0.11 cfs 0.011 af

Pond YD#5: Yard Drain #5 Peak Elev=112.94' Inflow=0.01 cfs 0.001 af
12.0" Round Culvert n=0.012 L=51.0' S=0.0373 '/' Outflow=0.01 cfs 0.001 af

Link AP-1: EX CB 5944 Inflow=0.44 cfs 0.046 af
Primary=0.44 cfs 0.046 af

Link AP-T: AP TOTAL Inflow=0.80 cfs 0.167 af
Primary=0.80 cfs 0.167 af

Total Runoff Area = 1.479 ac Runoff Volume = 0.180 af Average Runoff Depth = 1.46"
70.44% Pervious = 1.042 ac 29.56% Impervious = 0.437 ac

Time span=0.00-28.00 hrs, dt=0.01 hrs, 2801 points x 2
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 101: Court Street & Lower Runoff Area=5,321 sf 47.47% Impervious Runoff Depth=3.15"
Tc=6.0 min CN=85 Runoff=0.45 cfs 0.032 af

Subcatchment 102: Ex Single Family Runoff Area=2,345 sf 69.85% Impervious Runoff Depth=3.75"
Tc=6.0 min CN=91 Runoff=0.23 cfs 0.017 af

Subcatchment 103: West Side of Proposed Runoff Area=2,255 sf 100.00% Impervious Runoff Depth=4.52"
Tc=6.0 min CN=98 Runoff=0.24 cfs 0.020 af

Subcatchment 104: East Side of Roadway Runoff Area=5,343 sf 65.28% Impervious Runoff Depth=3.65"
Tc=6.0 min CN=90 Runoff=0.51 cfs 0.037 af

Subcatchment 105: East Side of Beginning Runoff Area=1,171 sf 100.00% Impervious Runoff Depth=4.52"
Tc=6.0 min CN=98 Runoff=0.13 cfs 0.010 af

Subcatchment 106: West Side of Beginning Runoff Area=833 sf 100.00% Impervious Runoff Depth=4.52"
Tc=6.0 min CN=98 Runoff=0.09 cfs 0.007 af

Subcatchment 107: West of Proposed Runoff Area=14,075 sf 1.49% Impervious Runoff Depth=2.26"
Flow Length=398' Tc=15.2 min CN=75 Runoff=0.64 cfs 0.061 af

Subcatchment 108: Area Directly to Bio #1 Runoff Area=8,504 sf 2.00% Impervious Runoff Depth=2.17"
Tc=6.0 min CN=74 Runoff=0.49 cfs 0.035 af

Subcatchment 109: Grass Past end of Runoff Area=5,874 sf 8.60% Impervious Runoff Depth=1.57"
Tc=6.0 min CN=66 Runoff=0.24 cfs 0.018 af

Subcatchment 110: Pavement to CB 104 Runoff Area=2,688 sf 71.35% Impervious Runoff Depth=3.75"
Tc=6.0 min CN=91 Runoff=0.26 cfs 0.019 af

Subcatchment R#1: Cottage #1 Roof Runoff Area=810 sf 100.00% Impervious Runoff Depth=4.52"
Tc=6.0 min CN=98 Runoff=0.09 cfs 0.007 af

Subcatchment R#2: Cottage #2 Roof Runoff Area=810 sf 100.00% Impervious Runoff Depth=4.52"
Tc=6.0 min CN=98 Runoff=0.09 cfs 0.007 af

Subcatchment R#3: Cottage #3 Roof Runoff Area=810 sf 100.00% Impervious Runoff Depth=4.52"
Tc=6.0 min CN=98 Runoff=0.09 cfs 0.007 af

Subcatchment R#4: Cottage #4 Roof Runoff Area=810 sf 100.00% Impervious Runoff Depth=4.52"
Tc=6.0 min CN=98 Runoff=0.09 cfs 0.007 af

Subcatchment R-EX: Existing House Roof Runoff Area=946 sf 100.00% Impervious Runoff Depth=4.52"
Tc=6.0 min CN=98 Runoff=0.10 cfs 0.008 af

Subcatchment Y1: Cottage #1 Back Yard Runoff Area=2,610 sf 0.00% Impervious Runoff Depth=2.17"
Tc=6.0 min CN=74 Runoff=0.15 cfs 0.011 af

Subcatchment Y2: Cottage #2 Back Yard Runoff Area=1,725 sf 0.00% Impervious Runoff Depth=2.17"
Tc=6.0 min CN=74 Runoff=0.10 cfs 0.007 af

Subcatchment Y3: Cottage #3 Back Yard Runoff Area=2,470 sf 0.00% Impervious Runoff Depth=2.17"
Tc=6.0 min CN=74 Runoff=0.14 cfs 0.010 af

Subcatchment Y4: Cottage #4 Back Yard Runoff Area=2,985 sf 0.00% Impervious Runoff Depth=2.17"
Tc=6.0 min CN=74 Runoff=0.17 cfs 0.012 af

Subcatchment Y5: Area South of Cottage #4 Runoff Area=2,045 sf 7.09% Impervious Runoff Depth=1.04"
Tc=6.0 min CN=58 Runoff=0.05 cfs 0.004 af

Pond BIO #1: BIO #1 Peak Elev=102.94' Storage=1,993 cf Inflow=2.49 cfs 0.204 af
Outflow=1.19 cfs 0.204 af

Pond CB 101: CB 101 Peak Elev=105.96' Inflow=0.51 cfs 0.037 af
12.0" Round Culvert n=0.012 L=33.0' S=0.0394 '/' Outflow=0.51 cfs 0.037 af

Pond CB 102: CB 102 Peak Elev=104.98' Inflow=0.23 cfs 0.017 af
12.0" Round Culvert n=0.012 L=13.0' S=0.0346 '/' Outflow=0.23 cfs 0.017 af

Pond CB 103: CB 103 Peak Elev=102.96' Inflow=0.24 cfs 0.020 af
12.0" Round Culvert n=0.012 L=16.0' S=0.0062 '/' Outflow=0.24 cfs 0.020 af

Pond CB 104: CB 104 Peak Elev=102.97' Inflow=0.26 cfs 0.019 af
12.0" Round Culvert n=0.012 L=7.0' S=0.0143 '/' Outflow=0.26 cfs 0.019 af

Pond CB 105: CB 105 Peak Elev=98.01' Inflow=0.21 cfs 0.017 af
12.0" Round Culvert n=0.012 L=17.0' S=0.0118 '/' Outflow=0.21 cfs 0.017 af

Pond CB 106: CB 106 Peak Elev=98.15' Inflow=0.09 cfs 0.007 af
12.0" Round Culvert n=0.012 L=16.0' S=0.0125 '/' Outflow=0.09 cfs 0.007 af

Pond DE #1: Cottage #1 Stone Drip Edge Peak Elev=110.23' Storage=40 cf Inflow=0.09 cfs 0.007 af
Outflow=0.04 cfs 0.007 af

Pond DE #2: Cottage #2 Stone Drip Edge Peak Elev=111.23' Storage=40 cf Inflow=0.09 cfs 0.007 af
Outflow=0.04 cfs 0.007 af

Pond DE #3: Cottage #3 Stone Drip Edge Peak Elev=112.73' Storage=40 cf Inflow=0.09 cfs 0.007 af
Outflow=0.04 cfs 0.007 af

Pond DE #4: Cottage #4 Drip Edge Peak Elev=115.24' Storage=40 cf Inflow=0.09 cfs 0.007 af
Outflow=0.04 cfs 0.007 af

Pond DE-EX: Stone Drip Edge Existing House Peak Elev=106.46' Storage=52 cf Inflow=0.10 cfs 0.008 af
Outflow=0.04 cfs 0.008 af

Pond DMH 101: DMH 101 Peak Elev=104.63' Inflow=0.73 cfs 0.054 af
12.0" Round Culvert n=0.012 L=52.0' S=0.0385 '/' Outflow=0.73 cfs 0.054 af

Pond DMH 102: DMH 102 Peak Elev=102.96' Inflow=1.24 cfs 0.093 af
12.0" Round Culvert n=0.012 L=19.0' S=0.0053 '/' Outflow=1.24 cfs 0.093 af

Pond DMH 103: DMH 103 Peak Elev=91.44' Inflow=1.27 cfs 0.221 af
18.0" Round Culvert n=0.013 L=85.0' S=0.0033 '/' Outflow=1.27 cfs 0.221 af

Pond DMH 104: DMH 104 Peak Elev=97.99' Inflow=1.27 cfs 0.221 af
12.0" Round Culvert n=0.012 L=18.0' S=0.0222 '/' Outflow=1.27 cfs 0.221 af

Pond ST: STORMTECH SC-310 Peak Elev=114.66' Storage=172 cf Inflow=0.27 cfs 0.024 af
Discarded=0.07 cfs 0.023 af Primary=0.07 cfs 0.002 af Outflow=0.15 cfs 0.024 af

Pond YD #1: Cottage #1 Yard Drain Peak Elev=107.33' Inflow=0.73 cfs 0.067 af
12.0" Round Culvert n=0.012 L=52.0' S=0.0269 '/' Outflow=0.73 cfs 0.067 af

Pond YD #2: Cottage #2 Yard Drain Peak Elev=109.27' Inflow=0.54 cfs 0.050 af
12.0" Round Culvert n=0.012 L=45.0' S=0.0422 '/' Outflow=0.54 cfs 0.050 af

Pond YD #3: Cottage #3 Yard Drain Peak Elev=110.21' Inflow=0.40 cfs 0.035 af
12.0" Round Culvert n=0.012 L=49.0' S=0.0184 '/' Outflow=0.40 cfs 0.035 af

Pond YD A: YD-A Peak Elev=105.83' Inflow=0.73 cfs 0.067 af
12.0" Round Culvert n=0.012 L=21.0' S=0.0667 '/' Outflow=0.73 cfs 0.067 af

Pond YD C#4: Cottage #4 Yard Drain Peak Elev=111.13' Inflow=0.22 cfs 0.018 af
12.0" Round Culvert n=0.012 L=49.0' S=0.0184 '/' Outflow=0.22 cfs 0.018 af

Pond YD#1: Yard Drain #1 Peak Elev=114.69' Inflow=0.27 cfs 0.024 af
6.0" Round Culvert n=0.012 L=25.0' S=0.0040 '/' Outflow=0.27 cfs 0.024 af

Pond YD#5: Yard Drain #5 Peak Elev=113.05' Inflow=0.10 cfs 0.006 af
12.0" Round Culvert n=0.012 L=51.0' S=0.0373 '/' Outflow=0.10 cfs 0.006 af

Link AP-1: EX CB 5944 Inflow=0.92 cfs 0.093 af
Primary=0.92 cfs 0.093 af

Link AP-T: AP TOTAL Inflow=2.13 cfs 0.314 af
Primary=2.13 cfs 0.314 af

Total Runoff Area = 1.479 ac Runoff Volume = 0.337 af Average Runoff Depth = 2.73"
70.44% Pervious = 1.042 ac 29.56% Impervious = 0.437 ac

Time span=0.00-28.00 hrs, dt=0.01 hrs, 2801 points x 2
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 101: Court Street & Lower Runoff Area=5,321 sf 47.47% Impervious Runoff Depth=4.31"
Tc=6.0 min CN=85 Runoff=0.61 cfs 0.044 af

Subcatchment 102: Ex Single Family Runoff Area=2,345 sf 69.85% Impervious Runoff Depth=4.97"
Tc=6.0 min CN=91 Runoff=0.30 cfs 0.022 af

Subcatchment 103: West Side of Proposed Runoff Area=2,255 sf 100.00% Impervious Runoff Depth=5.77"
Tc=6.0 min CN=98 Runoff=0.30 cfs 0.025 af

Subcatchment 104: East Side of Roadway Runoff Area=5,343 sf 65.28% Impervious Runoff Depth=4.86"
Tc=6.0 min CN=90 Runoff=0.67 cfs 0.050 af

Subcatchment 105: East Side of Beginning Runoff Area=1,171 sf 100.00% Impervious Runoff Depth=5.77"
Tc=6.0 min CN=98 Runoff=0.16 cfs 0.013 af

Subcatchment 106: West Side of Beginning Runoff Area=833 sf 100.00% Impervious Runoff Depth=5.77"
Tc=6.0 min CN=98 Runoff=0.11 cfs 0.009 af

Subcatchment 107: West of Proposed Runoff Area=14,075 sf 1.49% Impervious Runoff Depth=3.29"
Flow Length=398' Tc=15.2 min CN=75 Runoff=0.94 cfs 0.089 af

Subcatchment 108: Area Directly to Bio #1 Runoff Area=8,504 sf 2.00% Impervious Runoff Depth=3.19"
Tc=6.0 min CN=74 Runoff=0.73 cfs 0.052 af

Subcatchment 109: Grass Past end of Runoff Area=5,874 sf 8.60% Impervious Runoff Depth=2.45"
Tc=6.0 min CN=66 Runoff=0.38 cfs 0.028 af

Subcatchment 110: Pavement to CB 104 Runoff Area=2,688 sf 71.35% Impervious Runoff Depth=4.97"
Tc=6.0 min CN=91 Runoff=0.34 cfs 0.026 af

Subcatchment R#1: Cottage #1 Roof Runoff Area=810 sf 100.00% Impervious Runoff Depth=5.77"
Tc=6.0 min CN=98 Runoff=0.11 cfs 0.009 af

Subcatchment R#2: Cottage #2 Roof Runoff Area=810 sf 100.00% Impervious Runoff Depth=5.77"
Tc=6.0 min CN=98 Runoff=0.11 cfs 0.009 af

Subcatchment R#3: Cottage #3 Roof Runoff Area=810 sf 100.00% Impervious Runoff Depth=5.77"
Tc=6.0 min CN=98 Runoff=0.11 cfs 0.009 af

Subcatchment R#4: Cottage #4 Roof Runoff Area=810 sf 100.00% Impervious Runoff Depth=5.77"
Tc=6.0 min CN=98 Runoff=0.11 cfs 0.009 af

Subcatchment R-EX: Existing House Roof Runoff Area=946 sf 100.00% Impervious Runoff Depth=5.77"
Tc=6.0 min CN=98 Runoff=0.13 cfs 0.010 af

Subcatchment Y1: Cottage #1 Back Yard Runoff Area=2,610 sf 0.00% Impervious Runoff Depth=3.19"
Tc=6.0 min CN=74 Runoff=0.22 cfs 0.016 af

Subcatchment Y2: Cottage #2 Back Yard Runoff Area=1,725 sf 0.00% Impervious Runoff Depth=3.19"
Tc=6.0 min CN=74 Runoff=0.15 cfs 0.011 af

Subcatchment Y3: Cottage #3 Back Yard Runoff Area=2,470 sf 0.00% Impervious Runoff Depth=3.19"
Tc=6.0 min CN=74 Runoff=0.21 cfs 0.015 af

Subcatchment Y4: Cottage #4 Back Yard Runoff Area=2,985 sf 0.00% Impervious Runoff Depth=3.19"
Tc=6.0 min CN=74 Runoff=0.26 cfs 0.018 af

Subcatchment Y5: Area South of Cottage #4 Runoff Area=2,045 sf 7.09% Impervious Runoff Depth=1.76"
Tc=6.0 min CN=58 Runoff=0.09 cfs 0.007 af

Pond BIO #1: BIO #1 Peak Elev=103.53' Storage=2,786 cf Inflow=3.50 cfs 0.285 af
Outflow=1.67 cfs 0.285 af

Pond CB 101: CB 101 Peak Elev=106.01' Inflow=0.67 cfs 0.050 af
12.0" Round Culvert n=0.012 L=33.0' S=0.0394 '/' Outflow=0.67 cfs 0.050 af

Pond CB 102: CB 102 Peak Elev=105.02' Inflow=0.30 cfs 0.022 af
12.0" Round Culvert n=0.012 L=13.0' S=0.0346 '/' Outflow=0.30 cfs 0.022 af

Pond CB 103: CB 103 Peak Elev=103.56' Inflow=0.30 cfs 0.025 af
12.0" Round Culvert n=0.012 L=16.0' S=0.0062 '/' Outflow=0.30 cfs 0.025 af

Pond CB 104: CB 104 Peak Elev=103.56' Inflow=0.34 cfs 0.026 af
12.0" Round Culvert n=0.012 L=7.0' S=0.0143 '/' Outflow=0.34 cfs 0.026 af

Pond CB 105: CB 105 Peak Elev=98.14' Inflow=0.27 cfs 0.022 af
12.0" Round Culvert n=0.012 L=17.0' S=0.0118 '/' Outflow=0.27 cfs 0.022 af

Pond CB 106: CB 106 Peak Elev=98.21' Inflow=0.11 cfs 0.009 af
12.0" Round Culvert n=0.012 L=16.0' S=0.0125 '/' Outflow=0.11 cfs 0.009 af

Pond DE #1: Cottage #1 Stone Drip Edge Peak Elev=110.60' Storage=60 cf Inflow=0.11 cfs 0.009 af
Outflow=0.04 cfs 0.009 af

Pond DE #2: Cottage #2 Stone Drip Edge Peak Elev=111.60' Storage=60 cf Inflow=0.11 cfs 0.009 af
Outflow=0.04 cfs 0.009 af

Pond DE #3: Cottage #3 Stone Drip Edge Peak Elev=113.10' Storage=60 cf Inflow=0.11 cfs 0.009 af
Outflow=0.04 cfs 0.009 af

Pond DE #4: Cottage #4 Drip Edge Peak Elev=115.60' Storage=60 cf Inflow=0.11 cfs 0.009 af
Outflow=0.04 cfs 0.009 af

Pond DE-EX: Stone Drip Edge Existing House Peak Elev=106.93' Storage=78 cf Inflow=0.13 cfs 0.010 af
Outflow=0.04 cfs 0.010 af

Pond DMH 101: DMH 101 Peak Elev=104.70' Inflow=0.96 cfs 0.072 af
12.0" Round Culvert n=0.012 L=52.0' S=0.0385 '/' Outflow=0.96 cfs 0.072 af

Pond DMH 102: DMH 102 Peak Elev=103.56' Inflow=1.61 cfs 0.122 af
12.0" Round Culvert n=0.012 L=19.0' S=0.0053 '/' Outflow=1.61 cfs 0.122 af

Pond DMH 103: DMH 103 Peak Elev=91.58' Inflow=1.78 cfs 0.307 af
18.0" Round Culvert n=0.013 L=85.0' S=0.0033 '/' Outflow=1.78 cfs 0.307 af

Pond DMH 104: DMH 104 Peak Elev=98.13' Inflow=1.78 cfs 0.307 af
12.0" Round Culvert n=0.012 L=18.0' S=0.0222 '/' Outflow=1.78 cfs 0.307 af

Pond ST: STORMTECH SC-310 Peak Elev=114.82' Storage=199 cf Inflow=0.42 cfs 0.036 af
Discarded=0.08 cfs 0.029 af Primary=0.26 cfs 0.007 af Outflow=0.34 cfs 0.036 af

Pond YD #1: Cottage #1 Yard Drain Peak Elev=107.47' Inflow=1.20 cfs 0.100 af
12.0" Round Culvert n=0.012 L=52.0' S=0.0269 '/' Outflow=1.20 cfs 0.100 af

Pond YD #2: Cottage #2 Yard Drain Peak Elev=109.40' Inflow=0.95 cfs 0.075 af
12.0" Round Culvert n=0.012 L=45.0' S=0.0422 '/' Outflow=0.95 cfs 0.075 af

Pond YD #3: Cottage #3 Yard Drain Peak Elev=110.35' Inflow=0.78 cfs 0.056 af
12.0" Round Culvert n=0.012 L=49.0' S=0.0184 '/' Outflow=0.78 cfs 0.056 af

Pond YD A: YD-A Peak Elev=105.97' Inflow=1.20 cfs 0.100 af
12.0" Round Culvert n=0.012 L=21.0' S=0.0667 '/' Outflow=1.20 cfs 0.100 af

Pond YD C#4: Cottage #4 Yard Drain Peak Elev=111.27' Inflow=0.55 cfs 0.032 af
12.0" Round Culvert n=0.012 L=49.0' S=0.0184 '/' Outflow=0.55 cfs 0.032 af

Pond YD#1: Yard Drain #1 Peak Elev=114.99' Inflow=0.42 cfs 0.036 af
6.0" Round Culvert n=0.012 L=25.0' S=0.0040 '/' Outflow=0.42 cfs 0.036 af

Pond YD#5: Yard Drain #5 Peak Elev=113.18' Inflow=0.34 cfs 0.014 af
12.0" Round Culvert n=0.012 L=51.0' S=0.0373 '/' Outflow=0.34 cfs 0.014 af

Link AP-1: EX CB 5944 Inflow=1.32 cfs 0.132 af
Primary=1.32 cfs 0.132 af

Link AP-T: AP TOTAL Inflow=3.06 cfs 0.439 af
Primary=3.06 cfs 0.439 af

Total Runoff Area = 1.479 ac Runoff Volume = 0.469 af Average Runoff Depth = 3.81"
70.44% Pervious = 1.042 ac 29.56% Impervious = 0.437 ac

Time span=0.00-28.00 hrs, dt=0.01 hrs, 2801 points x 2
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 101: Court Street & Lower Runoff Area=5,321 sf 47.47% Impervious Runoff Depth=5.43"
Tc=6.0 min CN=85 Runoff=0.76 cfs 0.055 af

Subcatchment 102: Ex Single Family Runoff Area=2,345 sf 69.85% Impervious Runoff Depth=6.13"
Tc=6.0 min CN=91 Runoff=0.36 cfs 0.027 af

Subcatchment 103: West Side of Proposed Runoff Area=2,255 sf 100.00% Impervious Runoff Depth=6.95"
Tc=6.0 min CN=98 Runoff=0.37 cfs 0.030 af

Subcatchment 104: East Side of Roadway Runoff Area=5,343 sf 65.28% Impervious Runoff Depth=6.01"
Tc=6.0 min CN=90 Runoff=0.81 cfs 0.061 af

Subcatchment 105: East Side of Beginning Runoff Area=1,171 sf 100.00% Impervious Runoff Depth=6.95"
Tc=6.0 min CN=98 Runoff=0.19 cfs 0.016 af

Subcatchment 106: West Side of Beginning Runoff Area=833 sf 100.00% Impervious Runoff Depth=6.95"
Tc=6.0 min CN=98 Runoff=0.13 cfs 0.011 af

Subcatchment 107: West of Proposed Runoff Area=14,075 sf 1.49% Impervious Runoff Depth=4.32"
Flow Length=398' Tc=15.2 min CN=75 Runoff=1.23 cfs 0.116 af

Subcatchment 108: Area Directly to Bio #1 Runoff Area=8,504 sf 2.00% Impervious Runoff Depth=4.21"
Tc=6.0 min CN=74 Runoff=0.96 cfs 0.068 af

Subcatchment 109: Grass Past end of Runoff Area=5,874 sf 8.60% Impervious Runoff Depth=3.35"
Tc=6.0 min CN=66 Runoff=0.53 cfs 0.038 af

Subcatchment 110: Pavement to CB 104 Runoff Area=2,688 sf 71.35% Impervious Runoff Depth=6.13"
Tc=6.0 min CN=91 Runoff=0.41 cfs 0.032 af

Subcatchment R#1: Cottage #1 Roof Runoff Area=810 sf 100.00% Impervious Runoff Depth=6.95"
Tc=6.0 min CN=98 Runoff=0.13 cfs 0.011 af

Subcatchment R#2: Cottage #2 Roof Runoff Area=810 sf 100.00% Impervious Runoff Depth=6.95"
Tc=6.0 min CN=98 Runoff=0.13 cfs 0.011 af

Subcatchment R#3: Cottage #3 Roof Runoff Area=810 sf 100.00% Impervious Runoff Depth=6.95"
Tc=6.0 min CN=98 Runoff=0.13 cfs 0.011 af

Subcatchment R#4: Cottage #4 Roof Runoff Area=810 sf 100.00% Impervious Runoff Depth=6.95"
Tc=6.0 min CN=98 Runoff=0.13 cfs 0.011 af

Subcatchment R-EX: Existing House Roof Runoff Area=946 sf 100.00% Impervious Runoff Depth=6.95"
Tc=6.0 min CN=98 Runoff=0.15 cfs 0.013 af

Subcatchment Y1: Cottage #1 Back Yard Runoff Area=2,610 sf 0.00% Impervious Runoff Depth=4.21"
Tc=6.0 min CN=74 Runoff=0.30 cfs 0.021 af

Subcatchment Y2: Cottage #2 Back Yard Runoff Area=1,725 sf 0.00% Impervious Runoff Depth=4.21"
Tc=6.0 min CN=74 Runoff=0.20 cfs 0.014 af

Subcatchment Y3: Cottage #3 Back Yard Runoff Area=2,470 sf 0.00% Impervious Runoff Depth=4.21"
Tc=6.0 min CN=74 Runoff=0.28 cfs 0.020 af

Subcatchment Y4: Cottage #4 Back Yard Runoff Area=2,985 sf 0.00% Impervious Runoff Depth=4.21"
Tc=6.0 min CN=74 Runoff=0.34 cfs 0.024 af

Subcatchment Y5: Area South of Cottage #4 Runoff Area=2,045 sf 7.09% Impervious Runoff Depth=2.54"
Tc=6.0 min CN=58 Runoff=0.13 cfs 0.010 af

Pond BIO #1: BIO #1 Peak Elev=103.97' Storage=3,569 cf Inflow=4.71 cfs 0.365 af
Outflow=2.49 cfs 0.365 af

Pond CB 101: CB 101 Peak Elev=106.06' Inflow=0.81 cfs 0.061 af
12.0" Round Culvert n=0.012 L=33.0' S=0.0394 '/' Outflow=0.81 cfs 0.061 af

Pond CB 102: CB 102 Peak Elev=105.05' Inflow=0.36 cfs 0.027 af
12.0" Round Culvert n=0.012 L=13.0' S=0.0346 '/' Outflow=0.36 cfs 0.027 af

Pond CB 103: CB 103 Peak Elev=104.03' Inflow=0.37 cfs 0.030 af
12.0" Round Culvert n=0.012 L=16.0' S=0.0062 '/' Outflow=0.37 cfs 0.030 af

Pond CB 104: CB 104 Peak Elev=104.03' Inflow=0.41 cfs 0.032 af
12.0" Round Culvert n=0.012 L=7.0' S=0.0143 '/' Outflow=0.41 cfs 0.032 af

Pond CB 105: CB 105 Peak Elev=98.39' Inflow=0.32 cfs 0.027 af
12.0" Round Culvert n=0.012 L=17.0' S=0.0118 '/' Outflow=0.32 cfs 0.027 af

Pond CB 106: CB 106 Peak Elev=98.39' Inflow=0.13 cfs 0.011 af
12.0" Round Culvert n=0.012 L=16.0' S=0.0125 '/' Outflow=0.13 cfs 0.011 af

Pond DE #1: Cottage #1 Stone Drip Edge Peak Elev=110.99' Storage=81 cf Inflow=0.13 cfs 0.011 af
Outflow=0.05 cfs 0.011 af

Pond DE #2: Cottage #2 Stone Drip Edge Peak Elev=111.99' Storage=81 cf Inflow=0.13 cfs 0.011 af
Outflow=0.05 cfs 0.011 af

Pond DE #3: Cottage #3 Stone Drip Edge Peak Elev=113.49' Storage=81 cf Inflow=0.13 cfs 0.011 af
Outflow=0.05 cfs 0.011 af

Pond DE #4: Cottage #4 Drip Edge Peak Elev=115.99' Storage=81 cf Inflow=0.13 cfs 0.011 af
Outflow=0.05 cfs 0.011 af

Pond DE-EX: Stone Drip Edge Existing House Peak Elev=107.40' Storage=103 cf Inflow=0.15 cfs 0.013 af
Outflow=0.05 cfs 0.012 af

Pond DMH 101: DMH 101 Peak Elev=104.77' Inflow=1.17 cfs 0.089 af
12.0" Round Culvert n=0.012 L=52.0' S=0.0385 '/' Outflow=1.17 cfs 0.089 af

Pond DMH 102: DMH 102 Peak Elev=104.04' Inflow=1.95 cfs 0.150 af
12.0" Round Culvert n=0.012 L=19.0' S=0.0053 '/' Outflow=1.95 cfs 0.150 af

Pond DMH 103: DMH 103 Peak Elev=91.77' Inflow=2.65 cfs 0.391 af
18.0" Round Culvert n=0.013 L=85.0' S=0.0033 '/' Outflow=2.65 cfs 0.391 af

Pond DMH 104: DMH 104 Peak Elev=98.39' Inflow=2.65 cfs 0.391 af
12.0" Round Culvert n=0.012 L=18.0' S=0.0222 '/' Outflow=2.65 cfs 0.391 af

Pond ST: STORMTECH SC-310 Peak Elev=114.97' Storage=221 cf Inflow=0.57 cfs 0.048 af
Discarded=0.08 cfs 0.035 af Primary=0.44 cfs 0.013 af Outflow=0.52 cfs 0.048 af

Pond YD #1: Cottage #1 Yard Drain Peak Elev=107.63' Inflow=1.77 cfs 0.133 af
12.0" Round Culvert n=0.012 L=52.0' S=0.0269 '/' Outflow=1.77 cfs 0.133 af

Pond YD #2: Cottage #2 Yard Drain Peak Elev=109.54' Inflow=1.44 cfs 0.102 af
12.0" Round Culvert n=0.012 L=45.0' S=0.0422 '/' Outflow=1.44 cfs 0.102 af

Pond YD #3: Cottage #3 Yard Drain Peak Elev=110.47' Inflow=1.20 cfs 0.077 af
12.0" Round Culvert n=0.012 L=49.0' S=0.0184 '/' Outflow=1.20 cfs 0.077 af

Pond YD A: YD-A Peak Elev=106.13' Inflow=1.77 cfs 0.133 af
12.0" Round Culvert n=0.012 L=21.0' S=0.0667 '/' Outflow=1.77 cfs 0.133 af

Pond YD C#4: Cottage #4 Yard Drain Peak Elev=111.38' Inflow=0.89 cfs 0.047 af
12.0" Round Culvert n=0.012 L=49.0' S=0.0184 '/' Outflow=0.89 cfs 0.047 af

Pond YD#1: Yard Drain #1 Peak Elev=115.35' Inflow=0.57 cfs 0.048 af
6.0" Round Culvert n=0.012 L=25.0' S=0.0040 '/' Outflow=0.57 cfs 0.048 af

Pond YD#5: Yard Drain #5 Peak Elev=113.28' Inflow=0.57 cfs 0.023 af
12.0" Round Culvert n=0.012 L=51.0' S=0.0373 '/' Outflow=0.57 cfs 0.023 af

Link AP-1: EX CB 5944 Inflow=1.71 cfs 0.172 af
Primary=1.71 cfs 0.172 af

Link AP-T: AP TOTAL Inflow=4.21 cfs 0.563 af
Primary=4.21 cfs 0.563 af

Total Runoff Area = 1.479 ac Runoff Volume = 0.599 af Average Runoff Depth = 4.86"
70.44% Pervious = 1.042 ac 29.56% Impervious = 0.437 ac

Summary for Subcatchment 101: Court Street & Lower End of Proposed Driveway

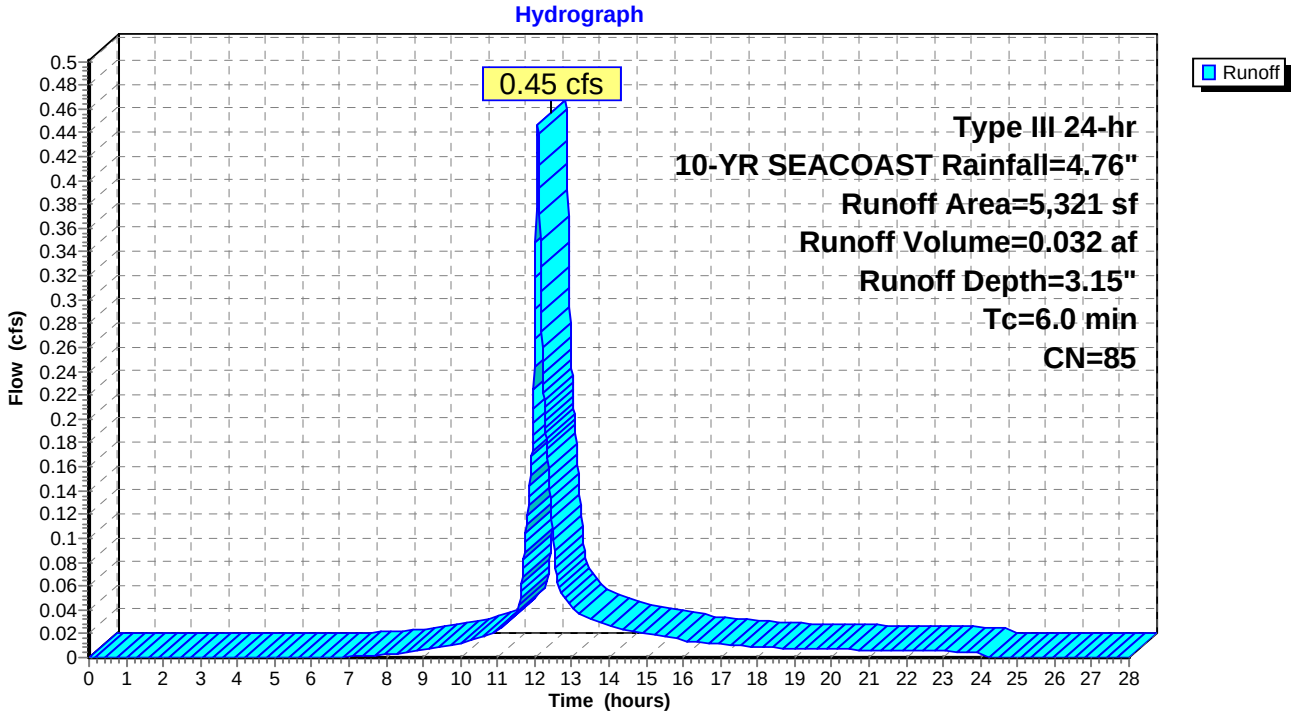
Runoff = 0.45 cfs @ 12.09 hrs, Volume= 0.032 af, Depth= 3.15"
Routed to Link AP-1 : EX CB 5944

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs
Type III 24-hr 10-YR SEACOAST Rainfall=4.76"

Area (sf)	CN	Description
2,795	74	>75% Grass cover, Good, HSG C
1,360	98	Paved parking, HSG C
1,166	98	Paved parking, HSG D
5,321	85	Weighted Average
2,795		52.53% Pervious Area
2,526		47.47% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					**Direct Entry, Min Tc**

Subcatchment 101: Court Street & Lower End of Proposed Driveway



Summary for Subcatchment 102: Ex Single Family Parking and Isle Way

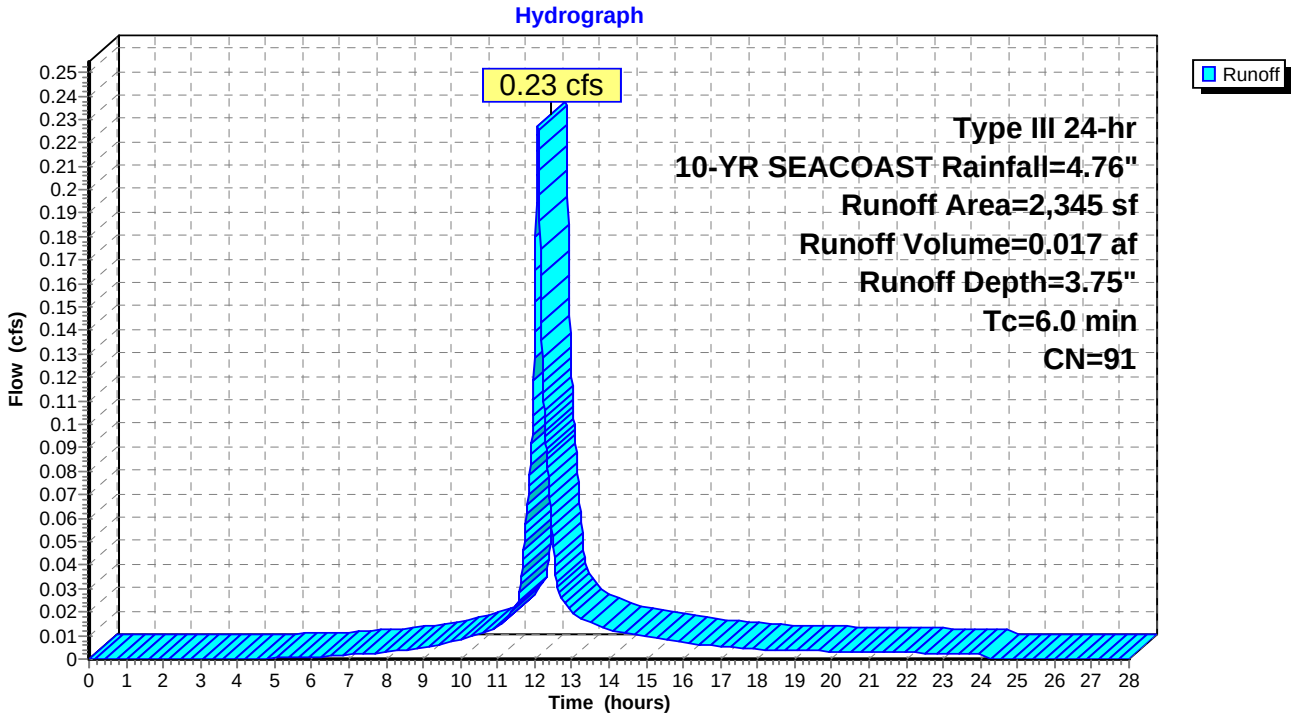
Runoff = 0.23 cfs @ 12.08 hrs, Volume= 0.017 af, Depth= 3.75"
Routed to Pond CB 102 : CB 102

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs
Type III 24-hr 10-YR SEACOAST Rainfall=4.76"

Area (sf)	CN	Description
707	74	>75% Grass cover, Good, HSG C
1,638	98	Paved parking, HSG C
2,345	91	Weighted Average
707		30.15% Pervious Area
1,638		69.85% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					**Direct Entry, Min Tc**

Subcatchment 102: Ex Single Family Parking and Isle Way



Summary for Subcatchment 103: West Side of Proposed Roadway STA. 1+10 To End

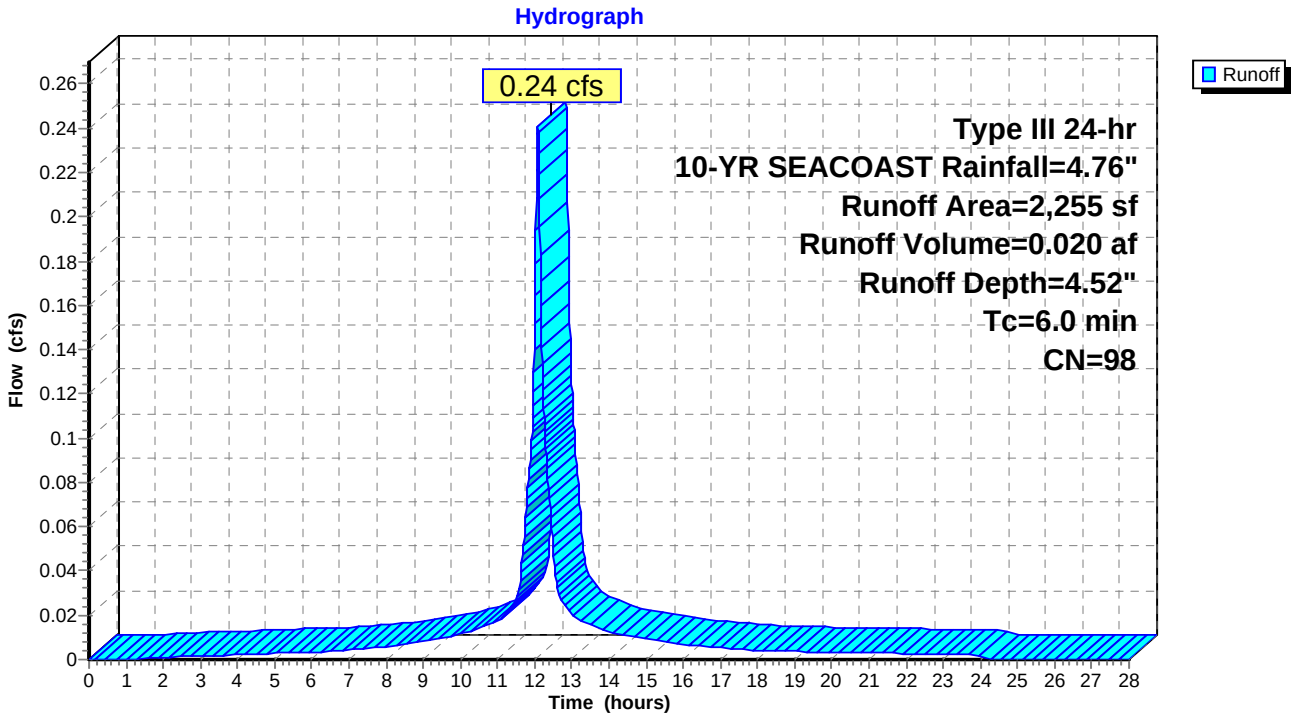
Runoff = 0.24 cfs @ 12.08 hrs, Volume= 0.020 af, Depth= 4.52"
Routed to Pond CB 103 : CB 103

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs
Type III 24-hr 10-YR SEACOAST Rainfall=4.76"

Area (sf)	CN	Description
318	98	Paved parking, HSG D
1,937	98	Paved parking, HSG C
2,255	98	Weighted Average
2,255		100.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					**Direct Entry, Min Tc**

Subcatchment 103: West Side of Proposed Roadway STA. 1+10 To End



Summary for Subcatchment 104: East Side of Roadway From 2+00 to End

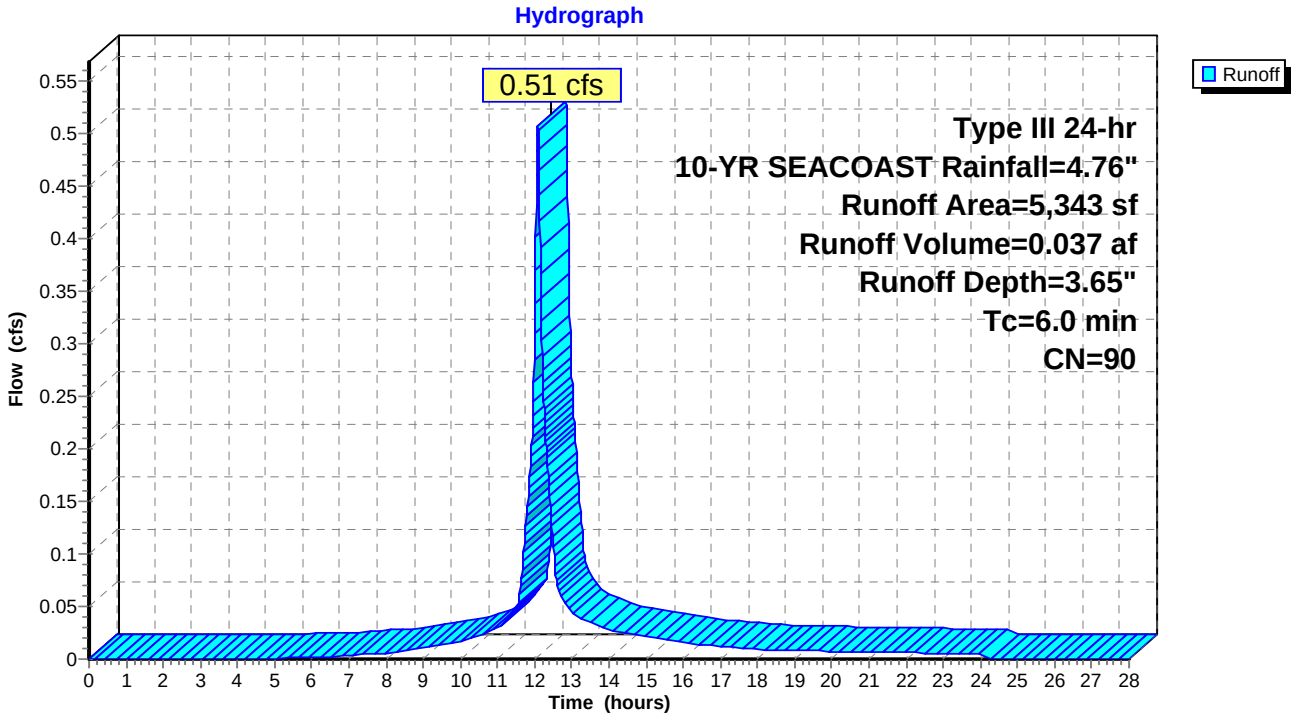
Runoff = 0.51 cfs @ 12.09 hrs, Volume= 0.037 af, Depth= 3.65"
Routed to Pond CB 101 : CB 101

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs
Type III 24-hr 10-YR SEACOAST Rainfall=4.76"

Area (sf)	CN	Description
1,855	74	>75% Grass cover, Good, HSG C
3,488	98	Paved parking, HSG C
5,343	90	Weighted Average
1,855		34.72% Pervious Area
3,488		65.28% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					**Direct Entry, Min Tc**

Subcatchment 104: East Side of Roadway From 2+00 to End



Summary for Subcatchment 105: East Side of Beginning of Roadway and Sidewalk

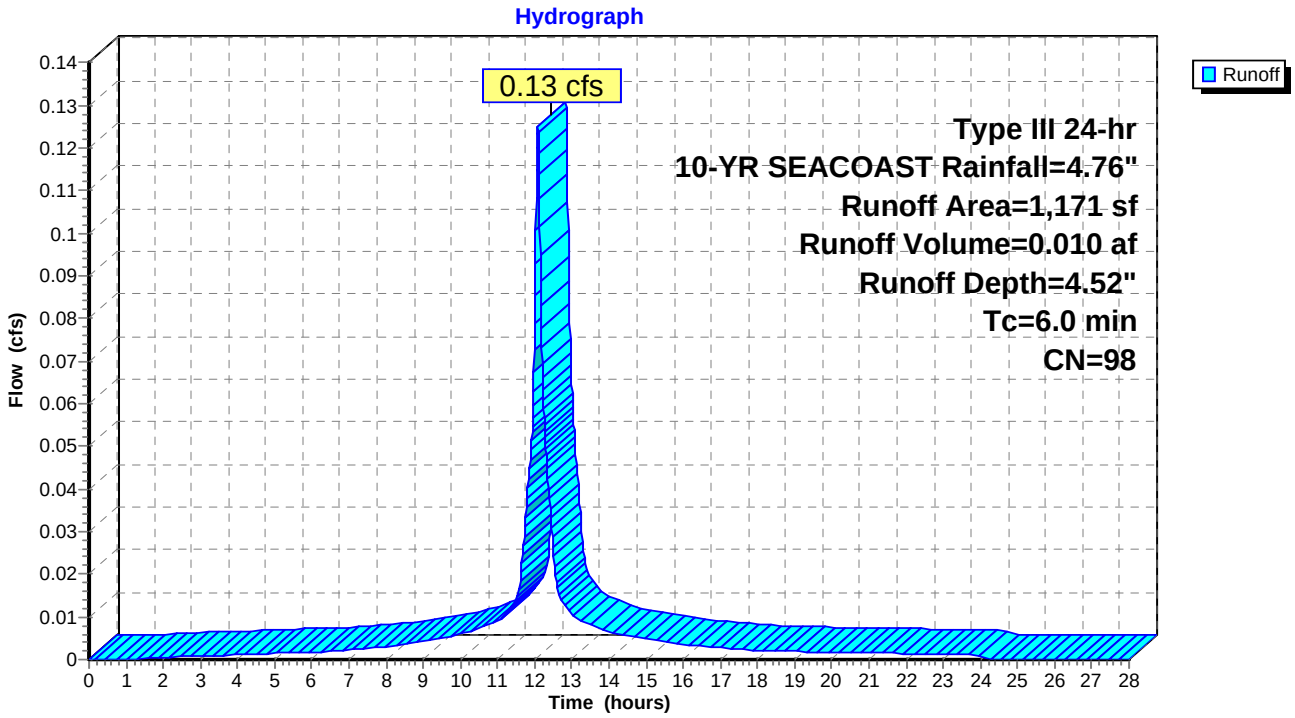
Runoff = 0.13 cfs @ 12.08 hrs, Volume= 0.010 af, Depth= 4.52"
Routed to Pond CB 105 : CB 105

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs
Type III 24-hr 10-YR SEACOAST Rainfall=4.76"

Area (sf)	CN	Description
271	98	Paved parking, HSG D
900	98	Paved parking, HSG C
1,171	98	Weighted Average
1,171		100.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					**Direct Entry, Min Tc**

Subcatchment 105: East Side of Beginning of Roadway and Sidewalk



Summary for Subcatchment 106: West Side of Beginning of Roadway

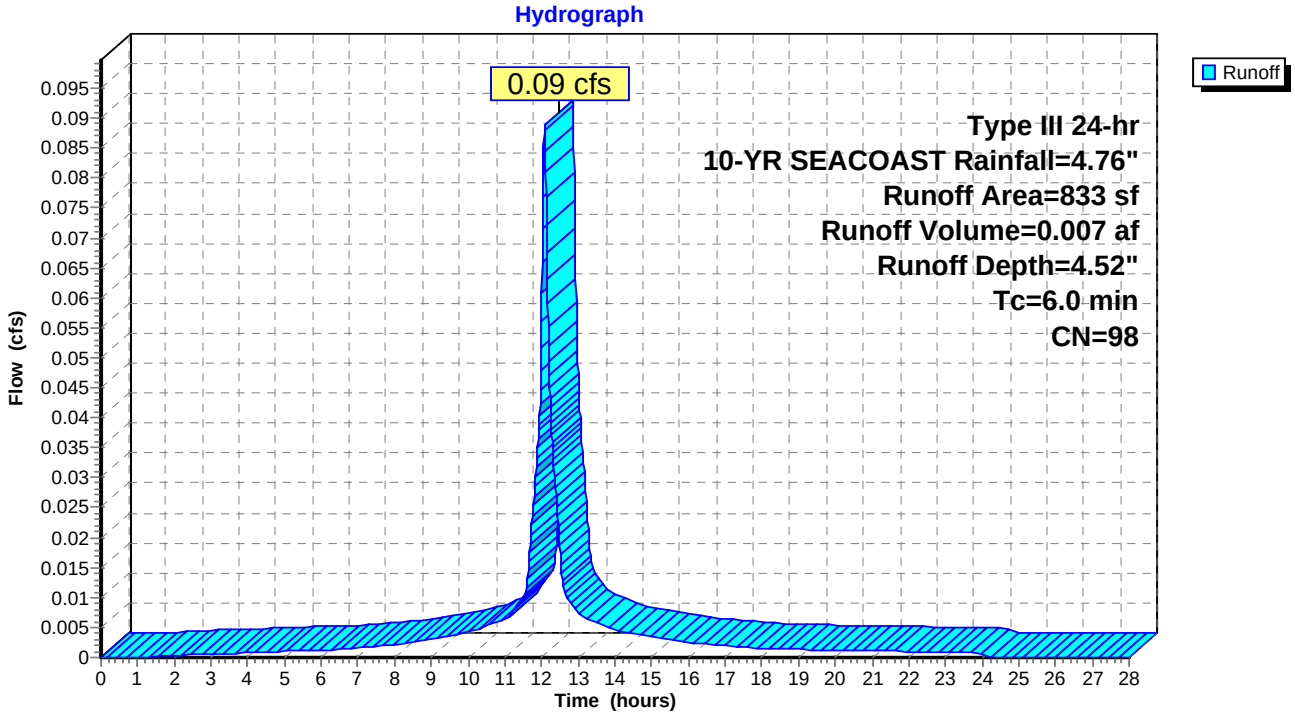
Runoff = 0.09 cfs @ 12.08 hrs, Volume= 0.007 af, Depth= 4.52"
Routed to Pond CB 106 : CB 106

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs
Type III 24-hr 10-YR SEACOAST Rainfall=4.76"

Area (sf)	CN	Description
833	98	Paved parking, HSG D
833		100.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					**Direct Entry, Min Tc**

Subcatchment 106: West Side of Beginning of Roadway



Summary for Subcatchment 107: West of Proposed Driveway

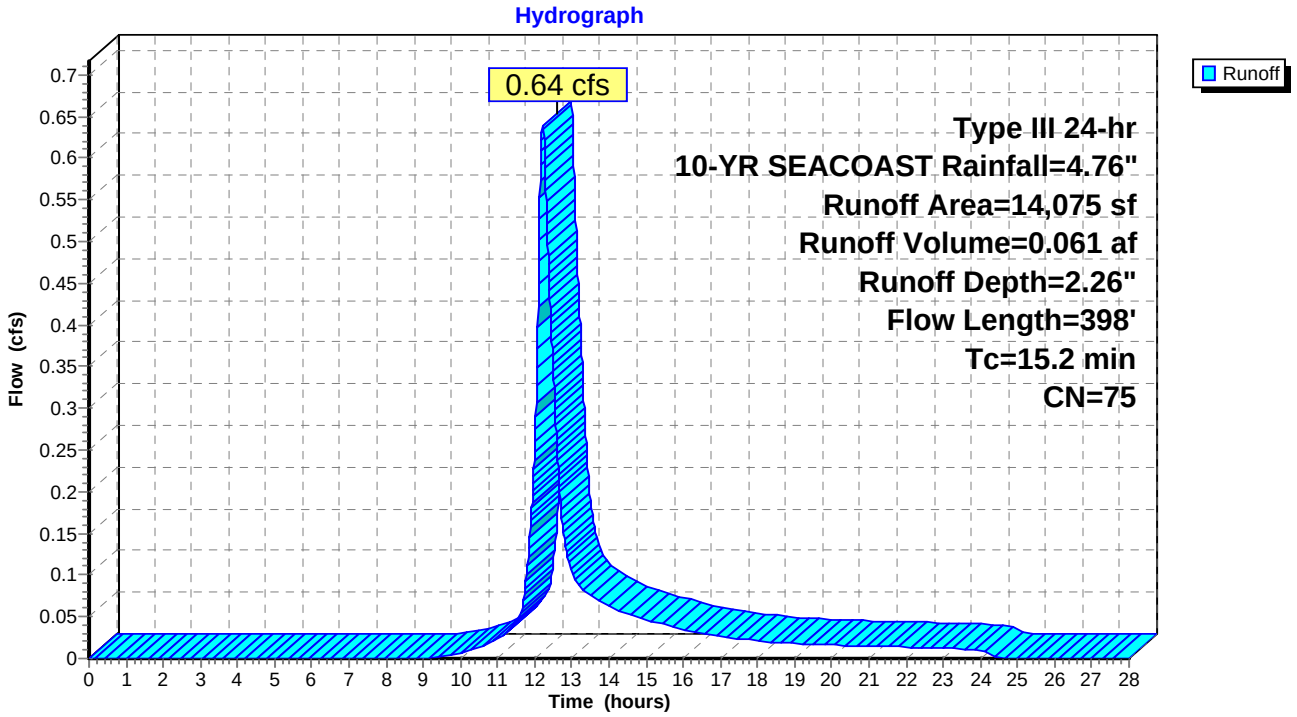
Runoff = 0.64 cfs @ 12.21 hrs, Volume= 0.061 af, Depth= 2.26"
Routed to Link AP-1 : EX CB 5944

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs
Type III 24-hr 10-YR SEACOAST Rainfall=4.76"

Area (sf)	CN	Description
105	98	Paved parking, HSG A
195	39	>75% Grass cover, Good, HSG A
253	32	Woods/grass comb., Good, HSG A
1,270	72	Woods/grass comb., Good, HSG C
7,670	74	>75% Grass cover, Good, HSG C
4,477	80	>75% Grass cover, Good, HSG D
105	98	Paved parking, HSG D
14,075	75	Weighted Average
13,865		98.51% Pervious Area
210		1.49% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.2	8	0.0200	0.82		**Sheet Flow, Sheet Pave** Smooth surfaces n= 0.011 P2= 3.15"
10.9	35	0.0550	0.05		**Sheet Flow, Sheet Brush** Woods: Dense underbrush n= 0.800 P2= 3.15"
0.7	55	0.0350	1.31		**Shallow Concentrated Flow, SC Grass** Short Grass Pasture Kv= 7.0 fps
3.4	300	0.0450	1.48		**Shallow Concentrated Flow, SC Grass** Short Grass Pasture Kv= 7.0 fps
15.2	398	Total			

Subcatchment 107: West of Proposed Driveway



Summary for Subcatchment 108: Area Directly to Bio #1

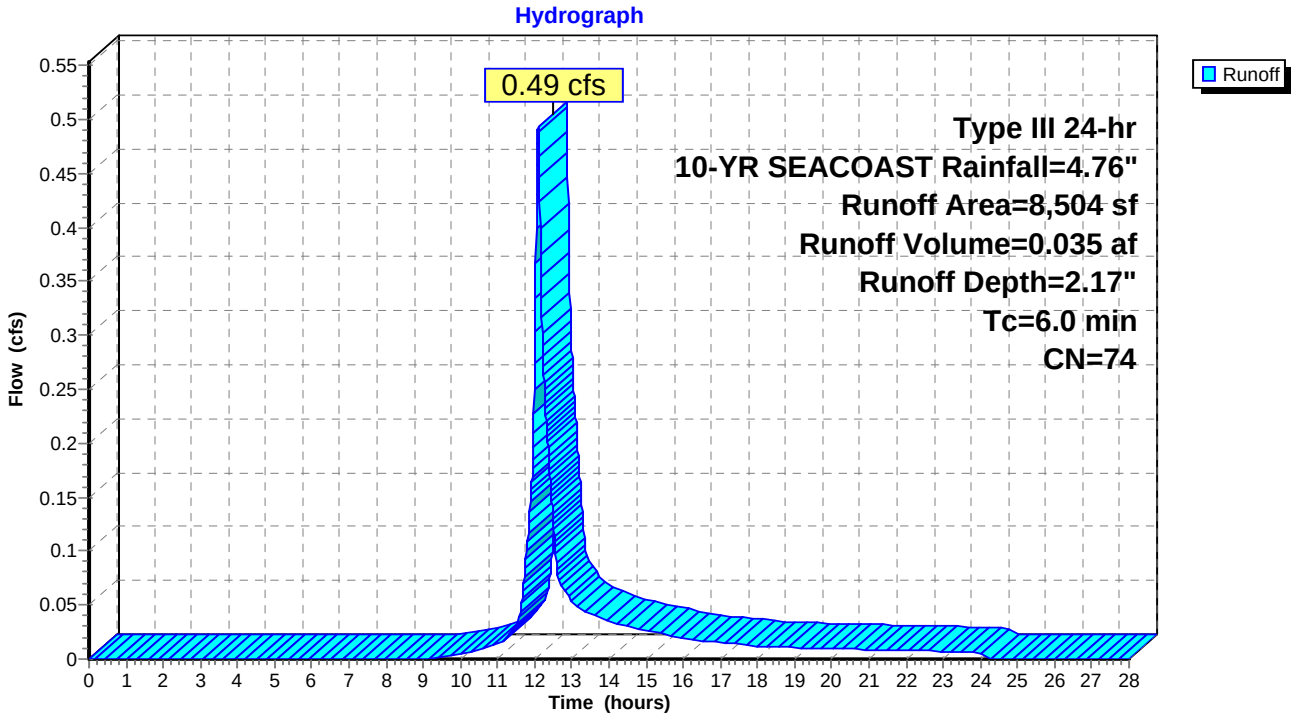
Runoff = 0.49 cfs @ 12.09 hrs, Volume= 0.035 af, Depth= 2.17"
Routed to Pond BIO #1 : BIO #1

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs
Type III 24-hr 10-YR SEACOAST Rainfall=4.76"

Area (sf)	CN	Description
170	98	Paved parking, HSG C
8,334	74	>75% Grass cover, Good, HSG C
8,504	74	Weighted Average
8,334		98.00% Pervious Area
170		2.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					**Direct Entry, Min Tc**

Subcatchment 108: Area Directly to Bio #1



Summary for Subcatchment 109: Grass Past end of Roadway

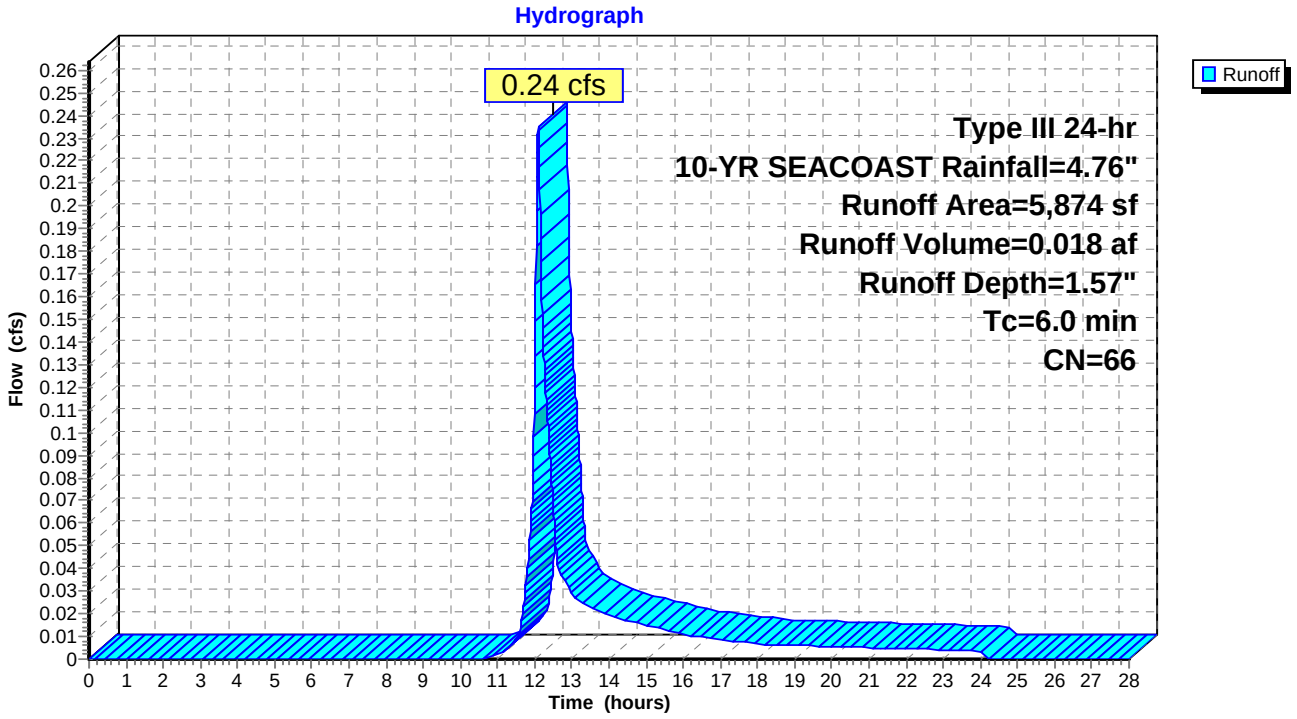
Runoff = 0.24 cfs @ 12.10 hrs, Volume= 0.018 af, Depth= 1.57"
Routed to Pond YD#1 : Yard Drain #1

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs
Type III 24-hr 10-YR SEACOAST Rainfall=4.76"

Area (sf)	CN	Description
380	98	Paved parking, HSG A
2,270	57	Woods/grass comb., Poor, HSG A
634	39	>75% Grass cover, Good, HSG A
2,390	74	>75% Grass cover, Good, HSG C
125	98	Paved parking, HSG C
75	82	Woods/grass comb., Poor, HSG C
5,874	66	Weighted Average
5,369		91.40% Pervious Area
505		8.60% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					**Direct Entry, Min Tc**

Subcatchment 109: Grass Past end of Roadway



Summary for Subcatchment 110: Pavement to CB 104

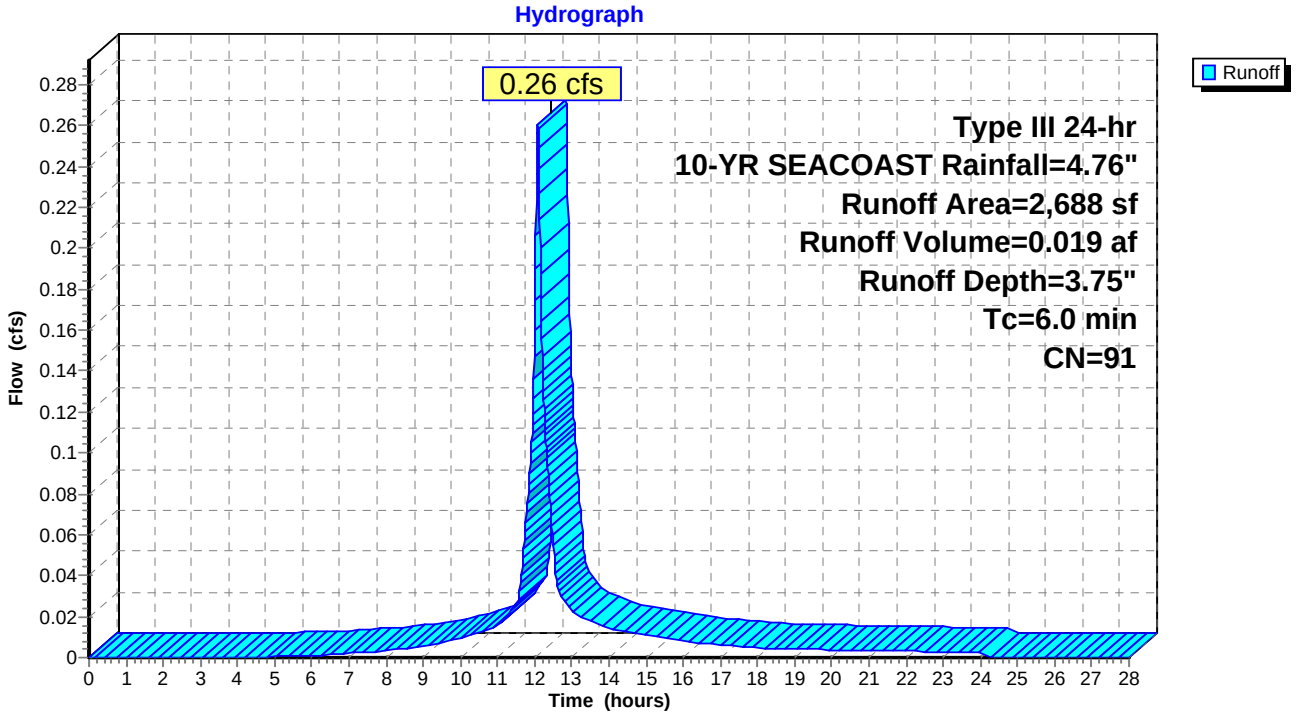
Runoff = 0.26 cfs @ 12.08 hrs, Volume= 0.019 af, Depth= 3.75"
Routed to Pond CB 104 : CB 104

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs
Type III 24-hr 10-YR SEACOAST Rainfall=4.76"

Area (sf)	CN	Description
202	98	Paved parking, HSG D
1,716	98	Paved parking, HSG C
770	74	>75% Grass cover, Good, HSG C
2,688	91	Weighted Average
770		28.65% Pervious Area
1,918		71.35% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					**Direct Entry, Min Tc**

Subcatchment 110: Pavement to CB 104



Summary for Subcatchment R#1: Cottage #1 Roof

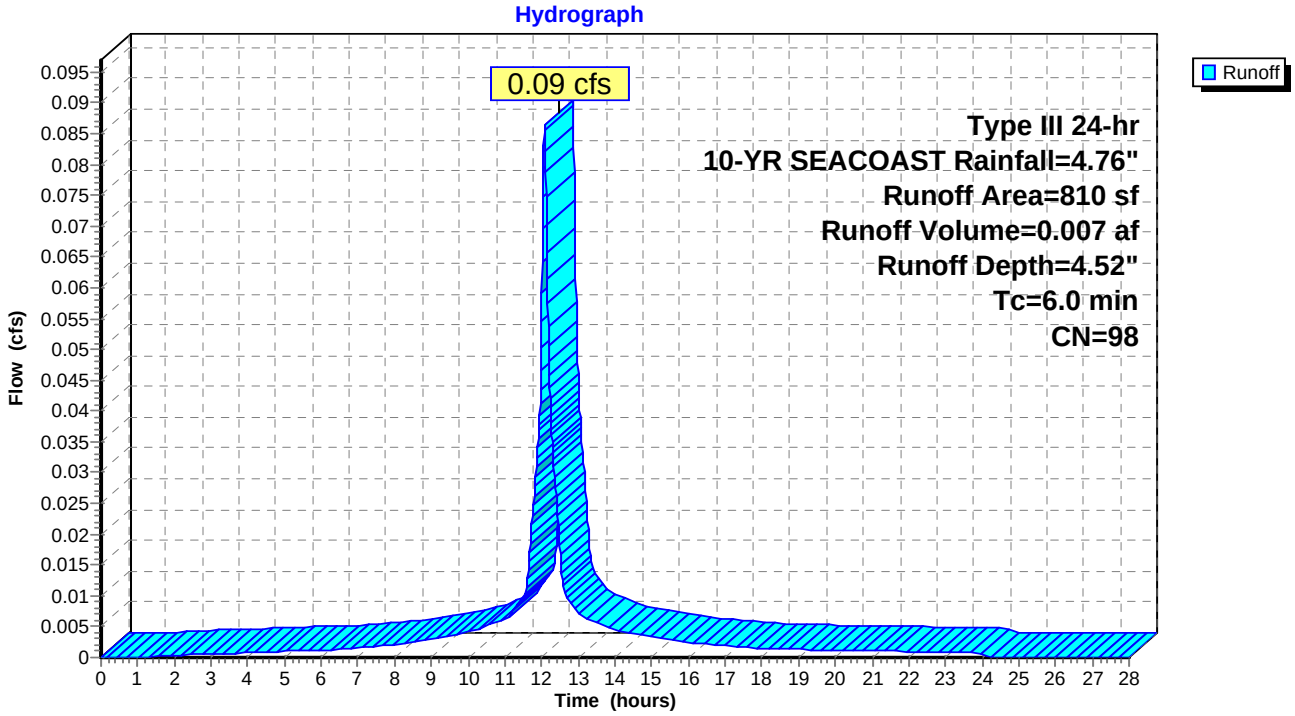
Runoff = 0.09 cfs @ 12.08 hrs, Volume= 0.007 af, Depth= 4.52"
Routed to Pond DE #1 : Cottage #1 Stone Drip Edge

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs
Type III 24-hr 10-YR SEACOAST Rainfall=4.76"

Area (sf)	CN	Description
810	98	Roofs, HSG C
810		100.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					**Direct Entry, Min Tc**

Subcatchment R#1: Cottage #1 Roof



Summary for Subcatchment R#2: Cottage #2 Roof

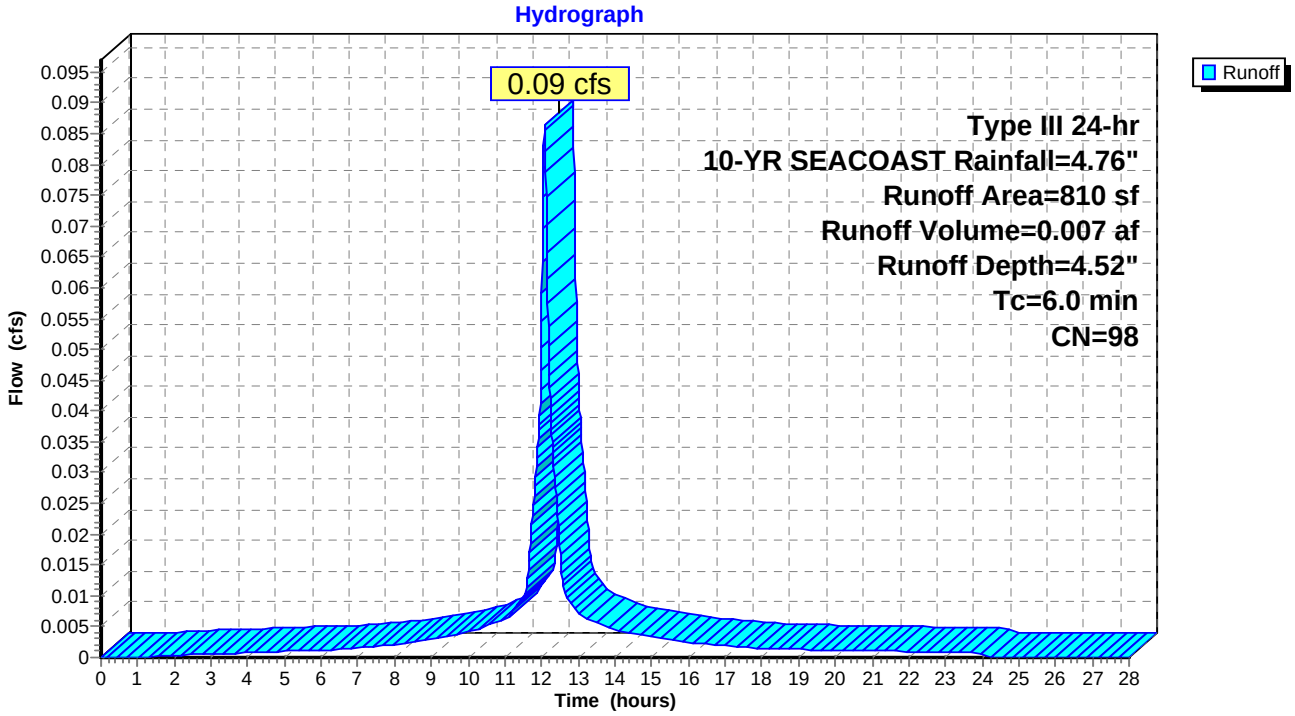
Runoff = 0.09 cfs @ 12.08 hrs, Volume= 0.007 af, Depth= 4.52"
Routed to Pond DE #2 : Cottage #2 Stone Drip Edge

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs
Type III 24-hr 10-YR SEACOAST Rainfall=4.76"

Area (sf)	CN	Description
810	98	Roofs, HSG C
810		100.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					**Direct Entry, Min Tc**

Subcatchment R#2: Cottage #2 Roof



Summary for Subcatchment R#3: Cottage #3 Roof

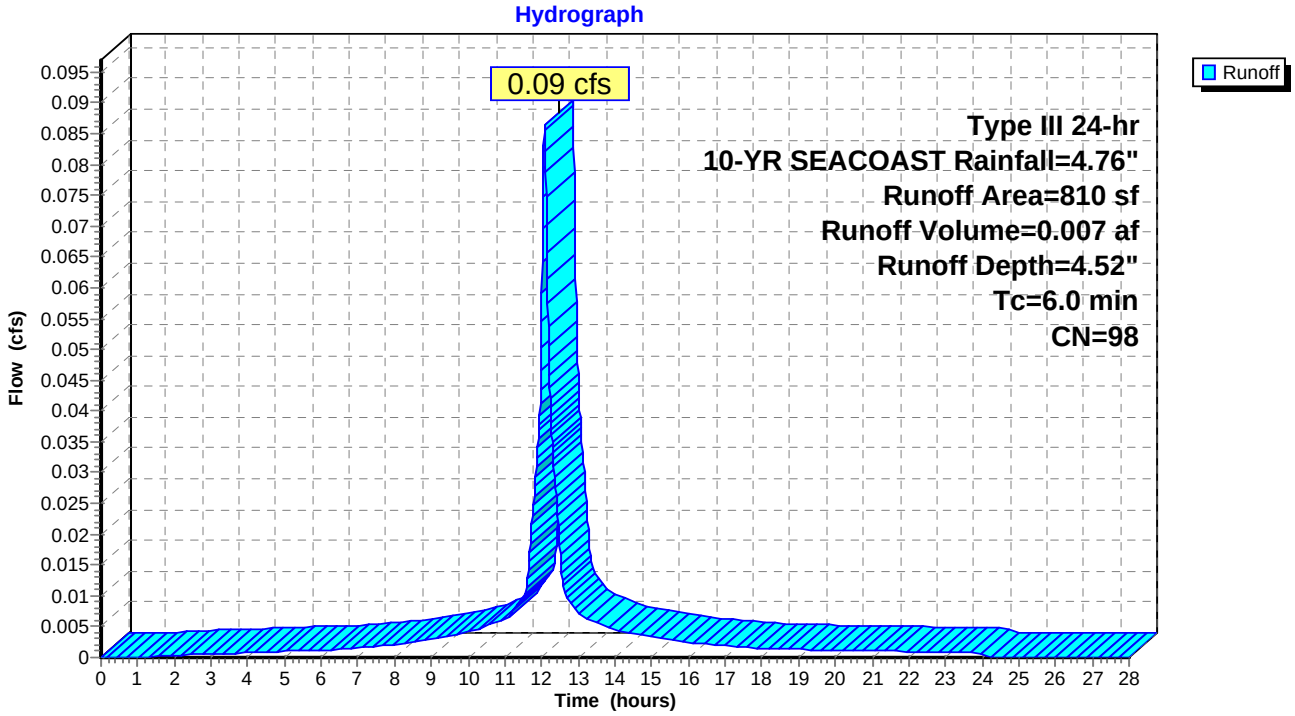
Runoff = 0.09 cfs @ 12.08 hrs, Volume= 0.007 af, Depth= 4.52"
Routed to Pond DE #3 : Cottage #3 Stone Drip Edge

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs
Type III 24-hr 10-YR SEACOAST Rainfall=4.76"

Area (sf)	CN	Description
810	98	Roofs, HSG C
810		100.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					**Direct Entry, Min Tc**

Subcatchment R#3: Cottage #3 Roof



Summary for Subcatchment R#4: Cottage #4 Roof

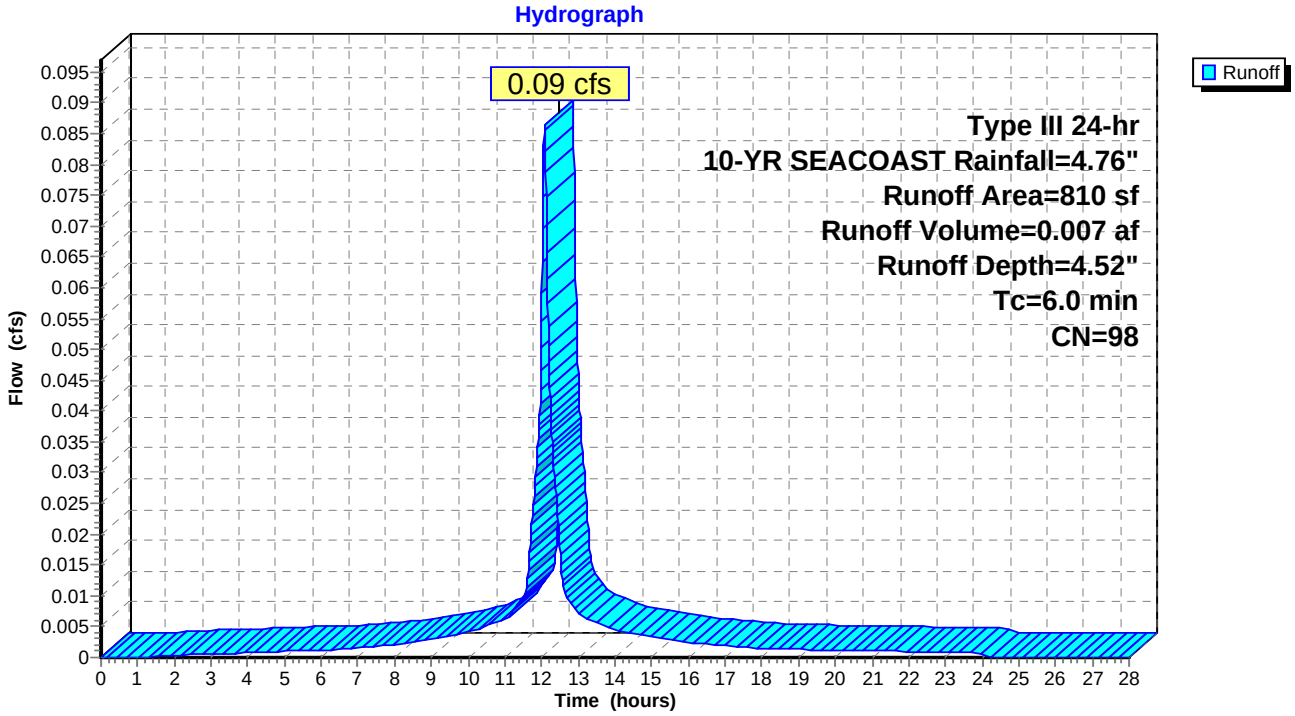
Runoff = 0.09 cfs @ 12.08 hrs, Volume= 0.007 af, Depth= 4.52"
Routed to Pond DE #4 : Cottage #4 Drip Edge

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs
Type III 24-hr 10-YR SEACOAST Rainfall=4.76"

Area (sf)	CN	Description
810	98	Roofs, HSG C
810		100.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					**Direct Entry, Min Tc**

Subcatchment R#4: Cottage #4 Roof



Summary for Subcatchment R-EX: Existing House Roof

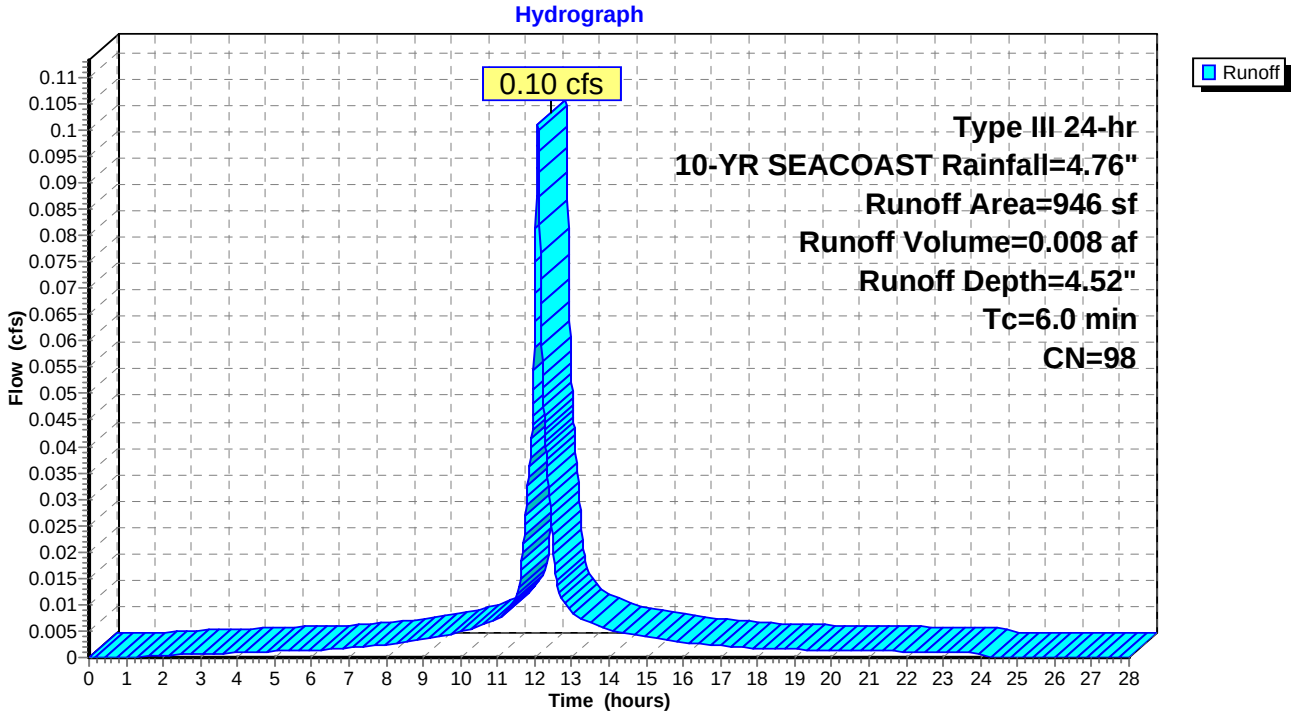
Runoff = 0.10 cfs @ 12.08 hrs, Volume= 0.008 af, Depth= 4.52"
Routed to Pond DE-EX : Stone Drip Edge Existing House

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs
Type III 24-hr 10-YR SEACOAST Rainfall=4.76"

Area (sf)	CN	Description
946	98	Roofs, HSG C
946		100.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					**Direct Entry, Min Tc**

Subcatchment R-EX: Existing House Roof



Summary for Subcatchment Y1: Cottage #1 Back Yard

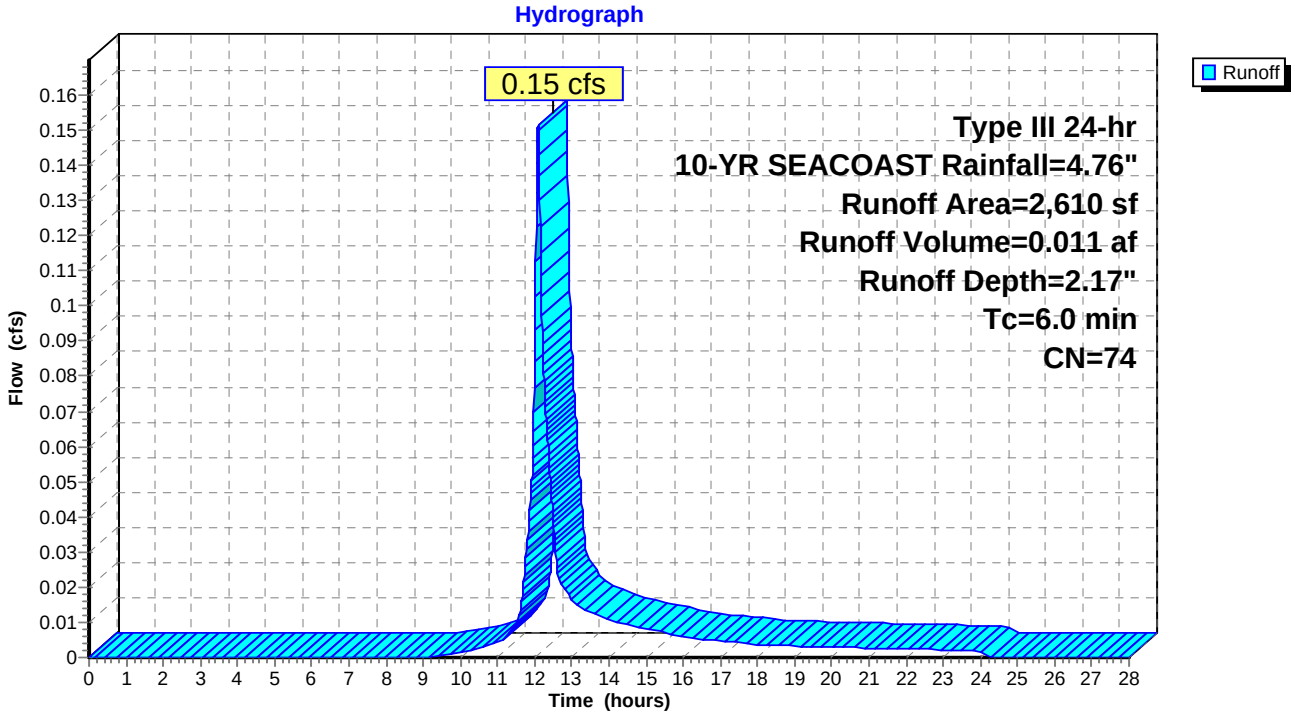
Runoff = 0.15 cfs @ 12.09 hrs, Volume= 0.011 af, Depth= 2.17"
Routed to Pond YD #1 : Cottage #1 Yard Drain

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs
Type III 24-hr 10-YR SEACOAST Rainfall=4.76"

Area (sf)	CN	Description
2,610	74	>75% Grass cover, Good, HSG C
2,610		100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					**Direct Entry, Min Tc**

Subcatchment Y1: Cottage #1 Back Yard



Summary for Subcatchment Y2: Cottage #2 Back Yard

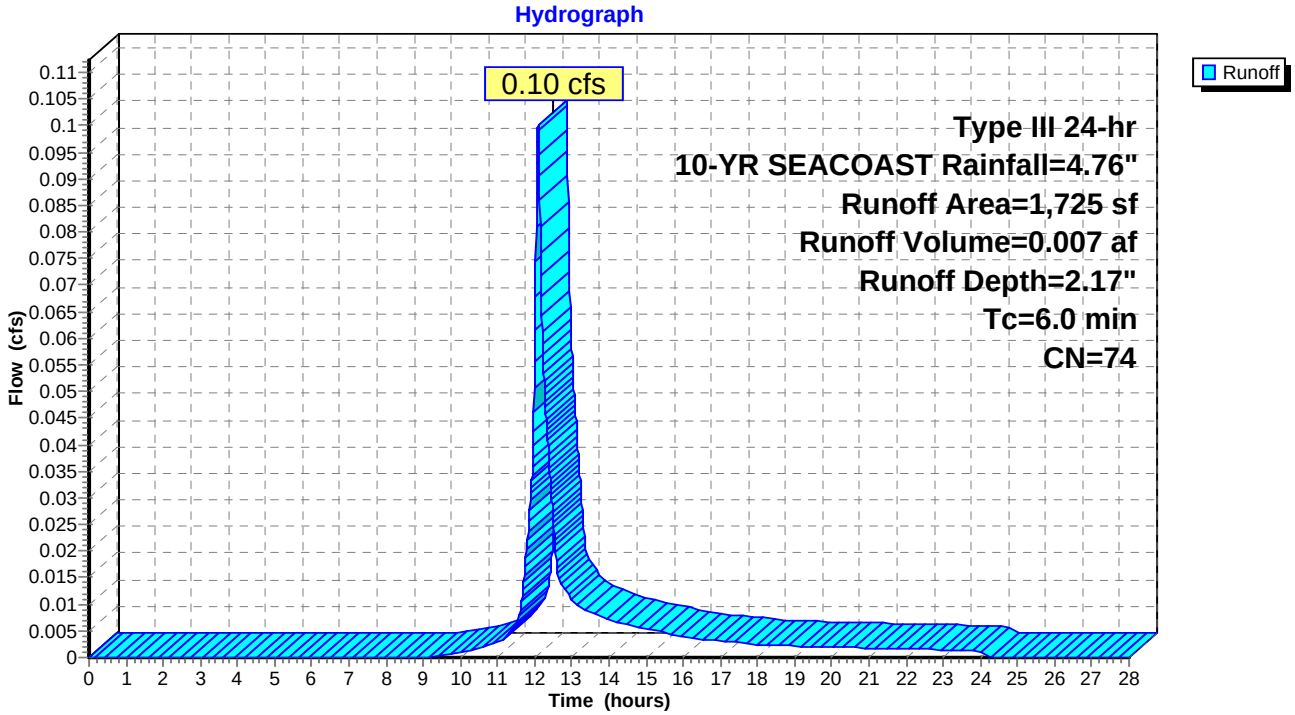
Runoff = 0.10 cfs @ 12.09 hrs, Volume= 0.007 af, Depth= 2.17"
Routed to Pond YD #2 : Cottage #2 Yard Drain

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs
Type III 24-hr 10-YR SEACOAST Rainfall=4.76"

Area (sf)	CN	Description
1,725	74	>75% Grass cover, Good, HSG C
1,725		100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					**Direct Entry, Min Tc**

Subcatchment Y2: Cottage #2 Back Yard



Summary for Subcatchment Y3: Cottage #3 Back Yard

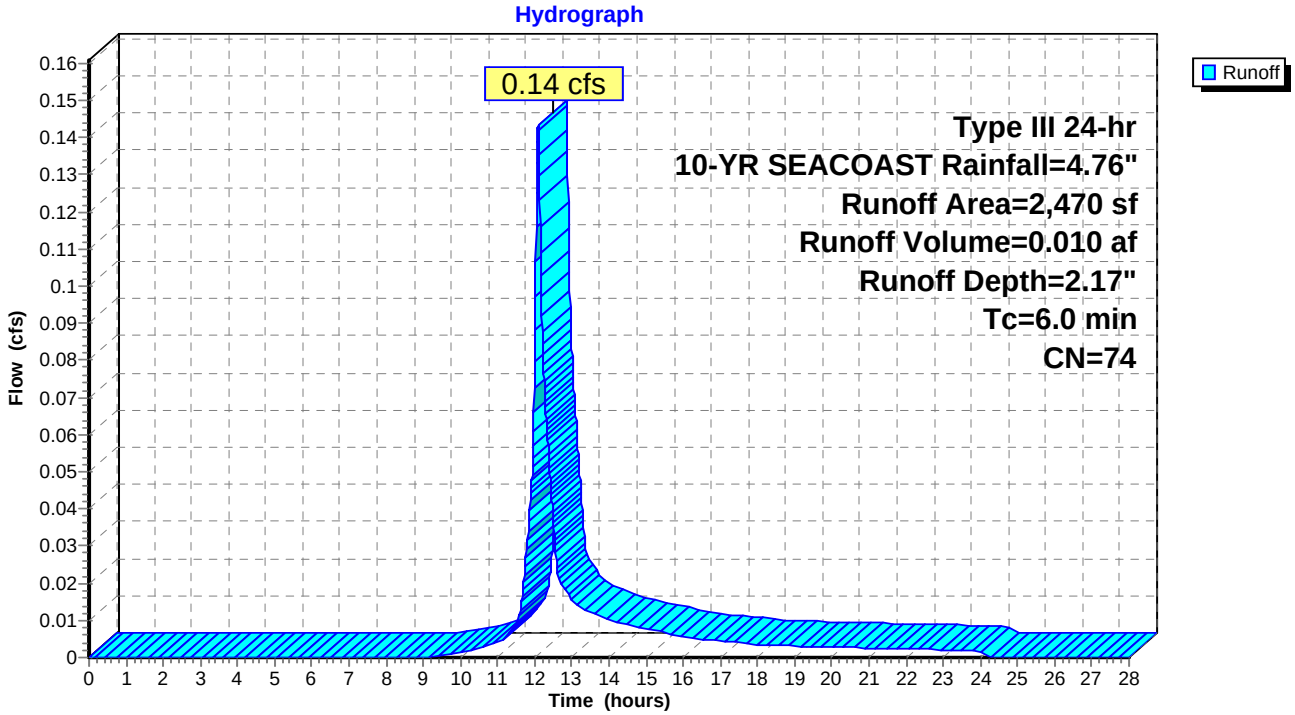
Runoff = 0.14 cfs @ 12.09 hrs, Volume= 0.010 af, Depth= 2.17"
Routed to Pond YD #3 : Cottage #3 Yard Drain

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs
Type III 24-hr 10-YR SEACOAST Rainfall=4.76"

Area (sf)	CN	Description
2,470	74	>75% Grass cover, Good, HSG C
2,470		100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					**Direct Entry, Min Tc**

Subcatchment Y3: Cottage #3 Back Yard



Summary for Subcatchment Y4: Cottage #4 Back Yard

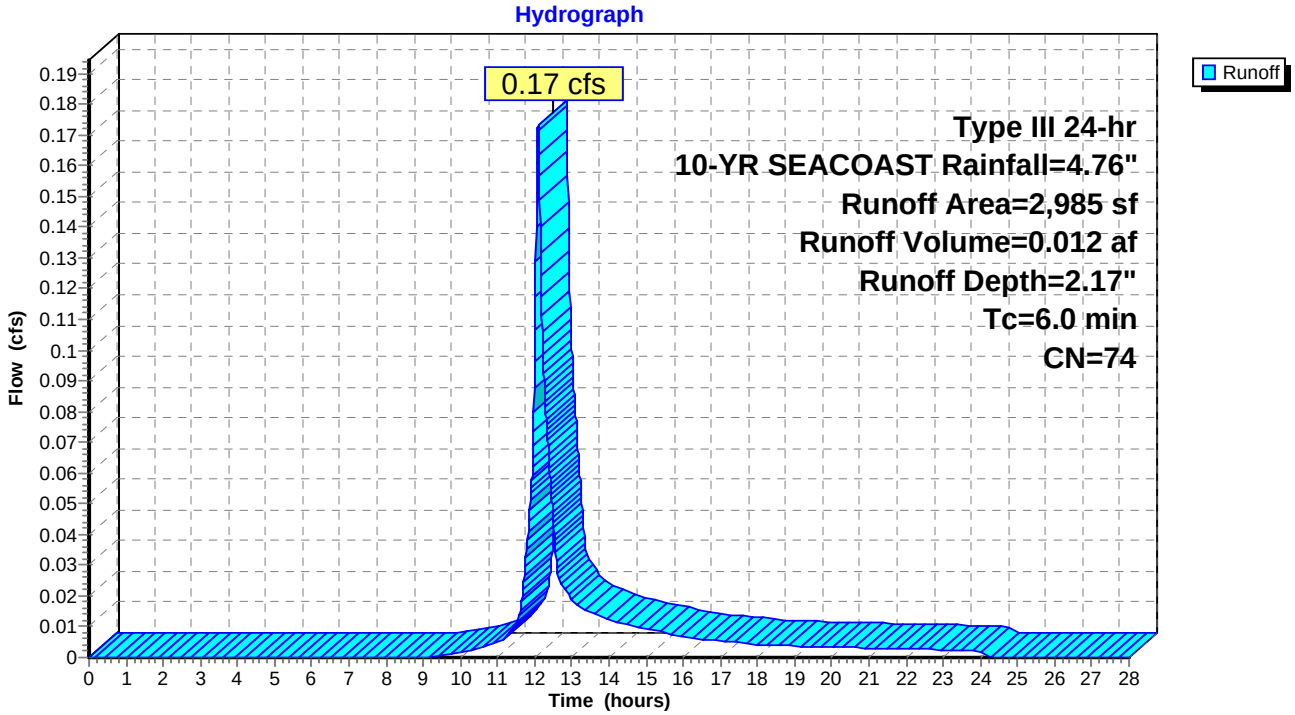
Runoff = 0.17 cfs @ 12.09 hrs, Volume= 0.012 af, Depth= 2.17"
Routed to Pond YD C#4 : Cottage #4 Yard Drain

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs
Type III 24-hr 10-YR SEACOAST Rainfall=4.76"

Area (sf)	CN	Description
2,985	74	>75% Grass cover, Good, HSG C
2,985		100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					**Direct Entry, Min Tc**

Subcatchment Y4: Cottage #4 Back Yard



Summary for Subcatchment Y5: Area South of Cottage #4 to YD#5

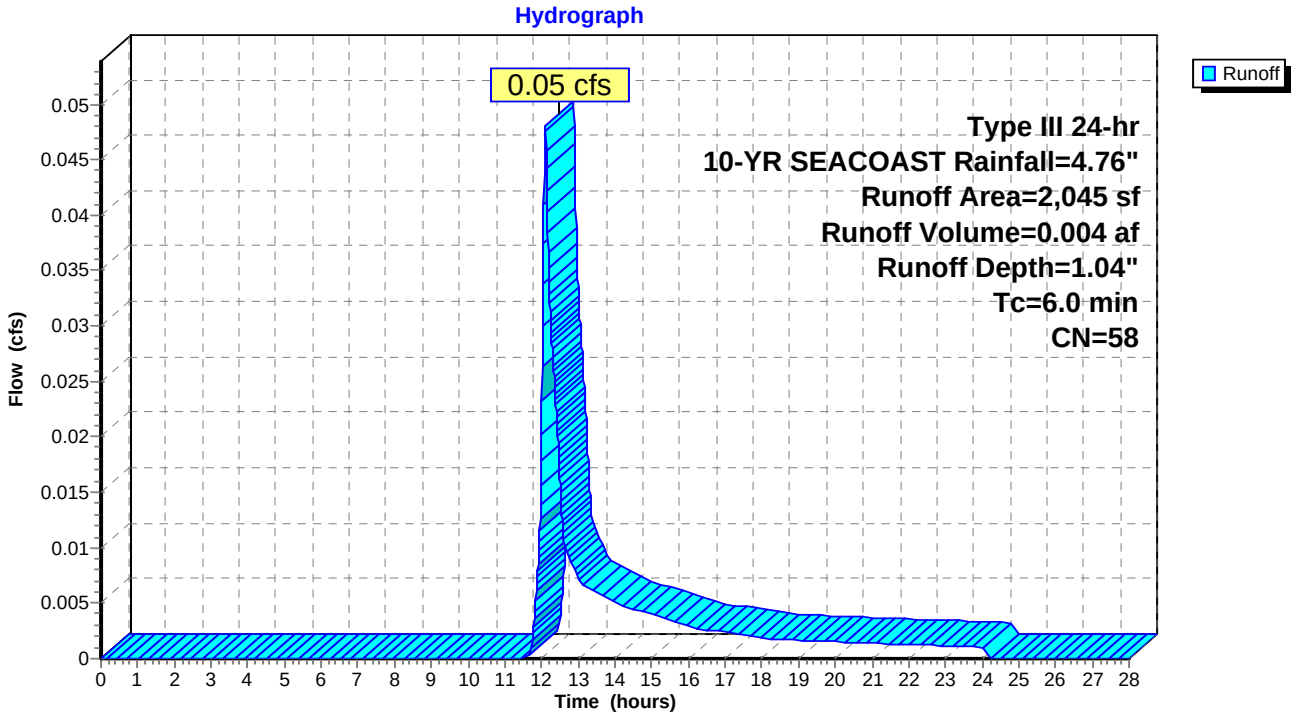
Runoff = 0.05 cfs @ 12.10 hrs, Volume= 0.004 af, Depth= 1.04"
Routed to Pond YD#5 : Yard Drain #5

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs
Type III 24-hr 10-YR SEACOAST Rainfall=4.76"

Area (sf)	CN	Description
300	39	>75% Grass cover, Good, HSG A
598	32	Woods/grass comb., Good, HSG A
145	98	Paved parking, HSG A
565	74	>75% Grass cover, Good, HSG C
437	72	Woods/grass comb., Good, HSG C
2,045	58	Weighted Average
1,900		92.91% Pervious Area
145		7.09% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					**Direct Entry, Min Tc**

Subcatchment Y5: Area South of Cottage #4 to YD#5



Summary for Pond BIO #1: BIO #1

Inflow Area = 0.988 ac, 33.24% Impervious, Inflow Depth = 2.47" for 10-YR SEACOAST event
Inflow = 2.49 cfs @ 12.09 hrs, Volume= 0.204 af
Outflow = 1.19 cfs @ 12.32 hrs, Volume= 0.204 af, Atten= 52%, Lag= 14.1 min
Primary = 1.19 cfs @ 12.32 hrs, Volume= 0.204 af
Routed to Pond DMH 104 : DMH 104

Routing by Dyn-Stor-Ind method, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs / 2
Peak Elev= 102.94' @ 12.32 hrs Surf.Area= 1,128 sf Storage= 1,993 cf
Flood Elev= 104.00' Surf.Area= 2,015 sf Storage= 3,623 cf

Plug-Flow detention time= 35.1 min calculated for 0.204 af (100% of inflow)
Center-of-Mass det. time= 35.1 min (838.5 - 803.4)

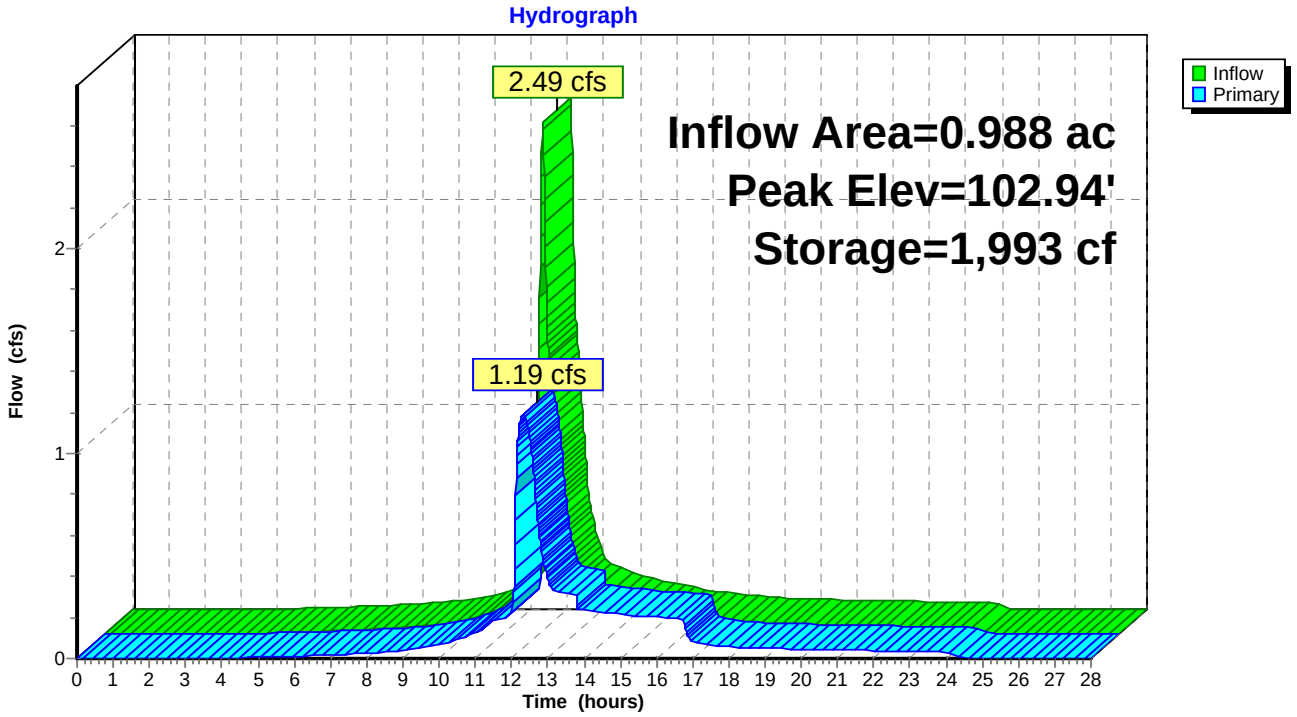
Volume	Invert	Avail.Storage	Storage Description
#1	99.24'	3,623 cf	**Custom Stage Data (Conic)**Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Voids (%)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)	Wet.Area (sq-ft)
99.24	1,350	0.0	0	0	1,350
99.25	1,350	40.0	5	5	1,351
100.49	1,350	40.0	670	675	1,513
100.50	1,350	20.0	3	678	1,514
101.99	1,350	20.0	402	1,080	1,708
102.00	800	100.0	11	1,091	2,258
103.00	1,150	100.0	970	2,060	2,625
104.00	2,015	100.0	1,562	3,623	3,501

Device	Routing	Invert	Outlet Devices
#1	Device 3	99.24'	**6.000 in/hr Exfiltration to Underdrain over Wetted area** Phase-In= 0.10'
#2	Device 3	103.95'	**0.5" x 4.5" Horiz. Orifice/Grate Overflow X 14.00 columns** X 4 rows C= 0.600 Limited to weir flow at low heads
#3	Primary	99.20'	**12.0" Round 12" HDPE (P-8)** L= 65.0' CPP, end-section conforming to fill, Ke= 0.500 Inlet / Outlet Invert= 99.20' / 97.50' S= 0.0262 '/' Cc= 0.900 n= 0.012 Corrugated PP, smooth interior, Flow Area= 0.79 sf
#4	Device 3	102.30'	**9.0" W x 4.0" H Vert. Orifice in the side of OS #1** C= 0.600 Limited to weir flow at low heads

Primary OutFlow Max=1.19 cfs @ 12.32 hrs HW=102.94' TW=97.99' (Dynamic Tailwater)
└**3=12" HDPE (P-8)** (Passes 1.19 cfs of 6.81 cfs potential flow)
├**1=Exfiltration to Underdrain** (Exfiltration Controls 0.36 cfs)
├**2=Orifice/Grate Overflow** (Controls 0.00 cfs)
└**4=Orifice in the side of OS #1** (Orifice Controls 0.82 cfs @ 3.30 fps)

Pond BIO #1: BIO #1



Summary for Pond CB 101: CB 101

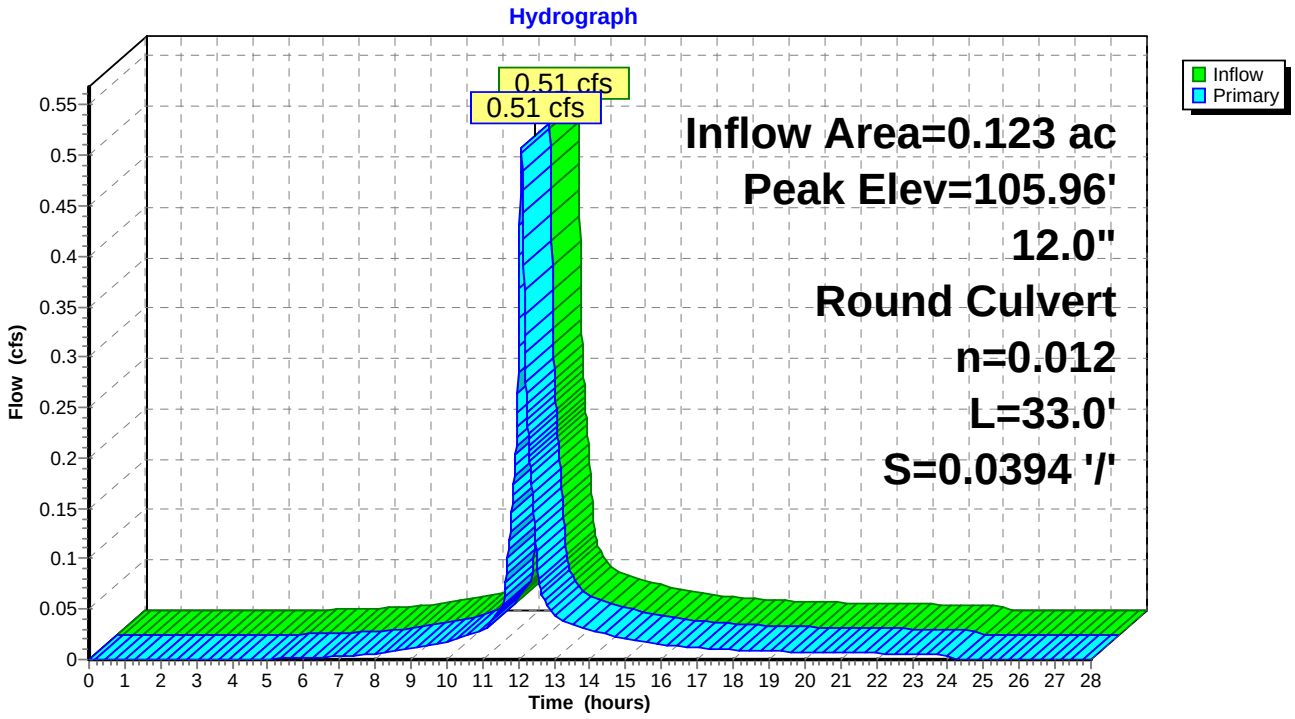
Inflow Area = 0.123 ac, 65.28% Impervious, Inflow Depth = 3.65" for 10-YR SEACOAST event
Inflow = 0.51 cfs @ 12.09 hrs, Volume= 0.037 af
Outflow = 0.51 cfs @ 12.09 hrs, Volume= 0.037 af, Atten= 0%, Lag= 0.0 min
Primary = 0.51 cfs @ 12.09 hrs, Volume= 0.037 af
Routed to Pond DMH 101 : DMH 101

Routing by Dyn-Stor-Ind method, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs / 2
Peak Elev= 105.96' @ 12.09 hrs
Flood Elev= 109.60'

Device	Routing	Invert	Outlet Devices
#1	Primary	105.60'	**12.0" Round P-1** L= 33.0' CPP, end-section conforming to fill, Ke= 0.500 Inlet / Outlet Invert= 105.60' / 104.30' S= 0.0394 '/' Cc= 0.900 n= 0.012 Corrugated PP, smooth interior, Flow Area= 0.79 sf

Primary OutFlow Max=0.51 cfs @ 12.09 hrs HW=105.95' TW=104.63' (Dynamic Tailwater)
1=P-1 (Inlet Controls 0.51 cfs @ 2.03 fps)

Pond CB 101: CB 101



Summary for Pond CB 102: CB 102

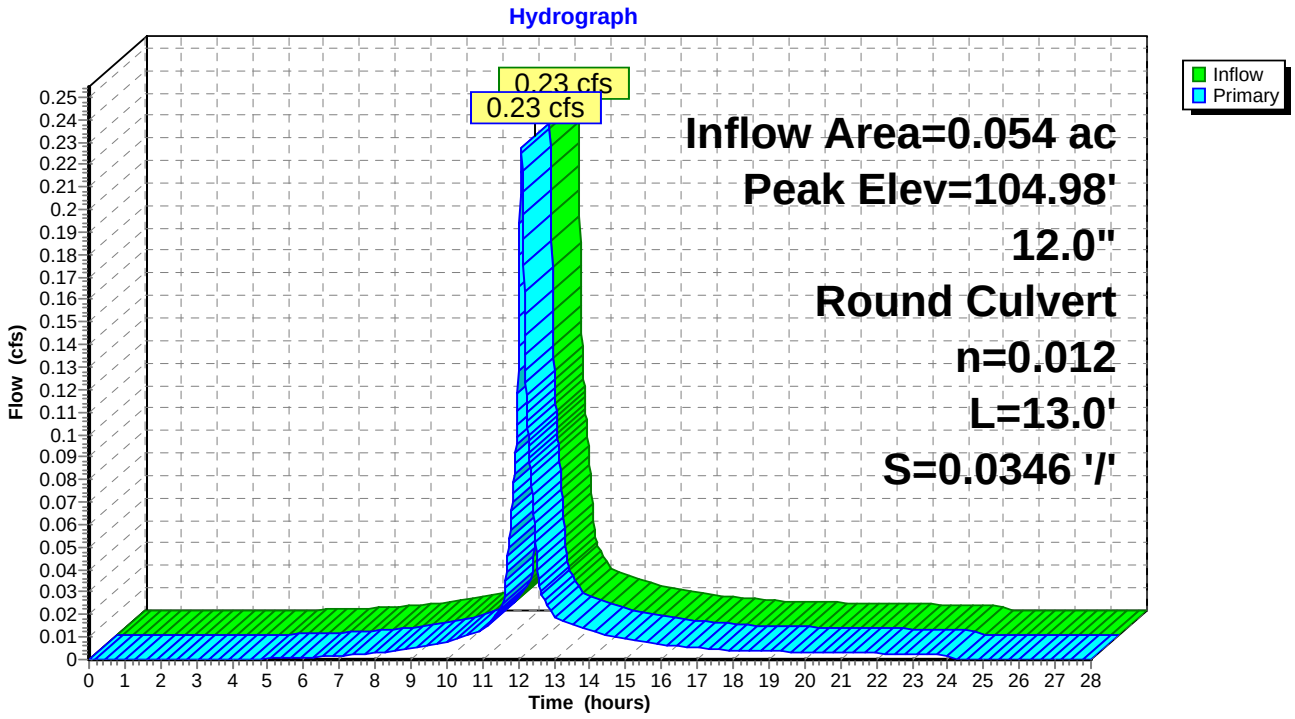
Inflow Area = 0.054 ac, 69.85% Impervious, Inflow Depth = 3.75" for 10-YR SEACOAST event
Inflow = 0.23 cfs @ 12.08 hrs, Volume= 0.017 af
Outflow = 0.23 cfs @ 12.08 hrs, Volume= 0.017 af, Atten= 0%, Lag= 0.0 min
Primary = 0.23 cfs @ 12.08 hrs, Volume= 0.017 af
Routed to Pond DMH 101 : DMH 101

Routing by Dyn-Stor-Ind method, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs / 2
Peak Elev= 104.98' @ 12.08 hrs
Flood Elev= 108.77'

Device	Routing	Invert	Outlet Devices
#1	Primary	104.75'	**12.0" Round P-2** L= 13.0' CPP, end-section conforming to fill, Ke= 0.500 Inlet / Outlet Invert= 104.75' / 104.30' S= 0.0346 '/' Cc= 0.900 n= 0.012 Corrugated PP, smooth interior, Flow Area= 0.79 sf

Primary OutFlow Max=0.23 cfs @ 12.08 hrs HW=104.98' TW=104.63' (Dynamic Tailwater)
1=P-2 (Inlet Controls 0.23 cfs @ 1.64 fps)

Pond CB 102: CB 102



Summary for Pond CB 103: CB 103

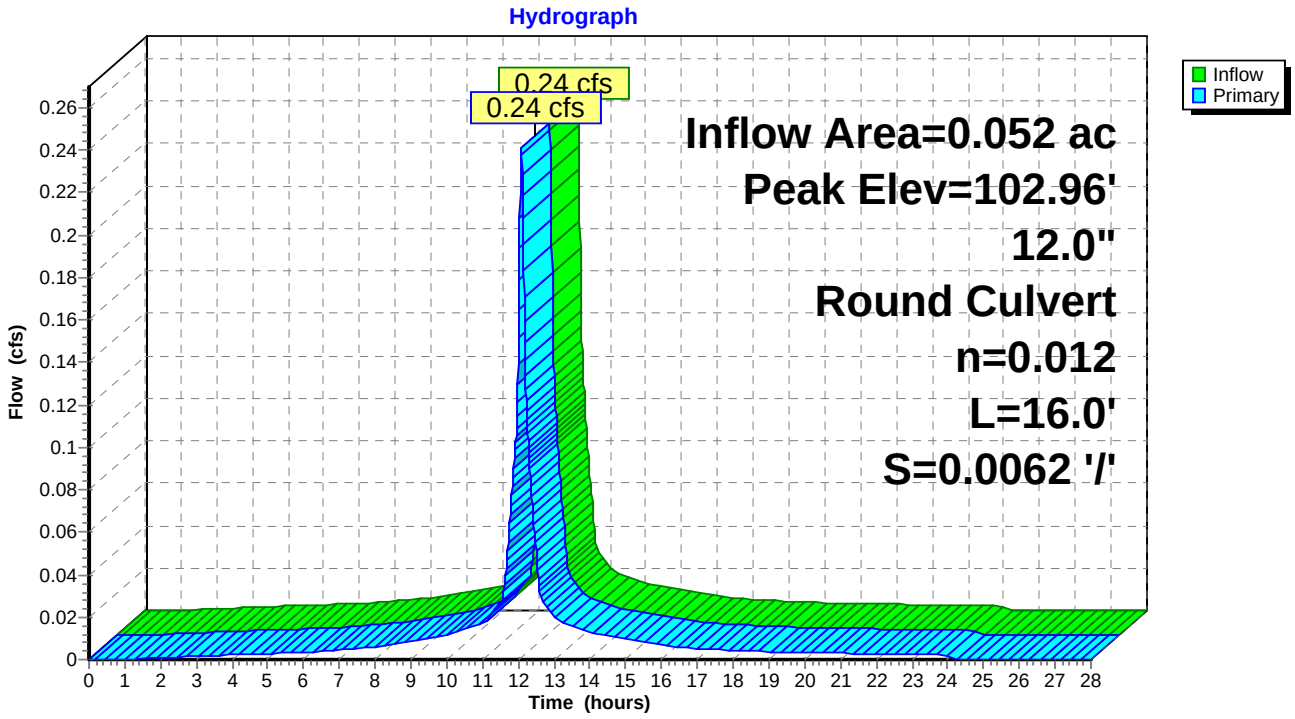
Inflow Area = 0.052 ac,100.00% Impervious, Inflow Depth = 4.52" for 10-YR SEACOAST event
Inflow = 0.24 cfs @ 12.08 hrs, Volume= 0.020 af
Outflow = 0.24 cfs @ 12.08 hrs, Volume= 0.020 af, Atten= 0%, Lag= 0.0 min
Primary = 0.24 cfs @ 12.08 hrs, Volume= 0.020 af
Routed to Pond DMH 102 : DMH 102

Routing by Dyn-Stor-Ind method, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs / 2
Peak Elev= 102.96' @ 12.32 hrs
Flood Elev= 105.65'

Device	Routing	Invert	Outlet Devices
#1	Primary	102.30'	**12.0" Round P-4** L= 16.0' CPP, end-section conforming to fill, Ke= 0.500 Inlet / Outlet Invert= 102.30' / 102.20' S= 0.0062 '/' Cc= 0.900 n= 0.012 Corrugated PP, smooth interior, Flow Area= 0.79 sf

Primary OutFlow Max=0.24 cfs @ 12.08 hrs HW=102.82' TW=102.80' (Dynamic Tailwater)
1=P-4 (Outlet Controls 0.24 cfs @ 0.85 fps)

Pond CB 103: CB 103



Summary for Pond CB 104: CB 104

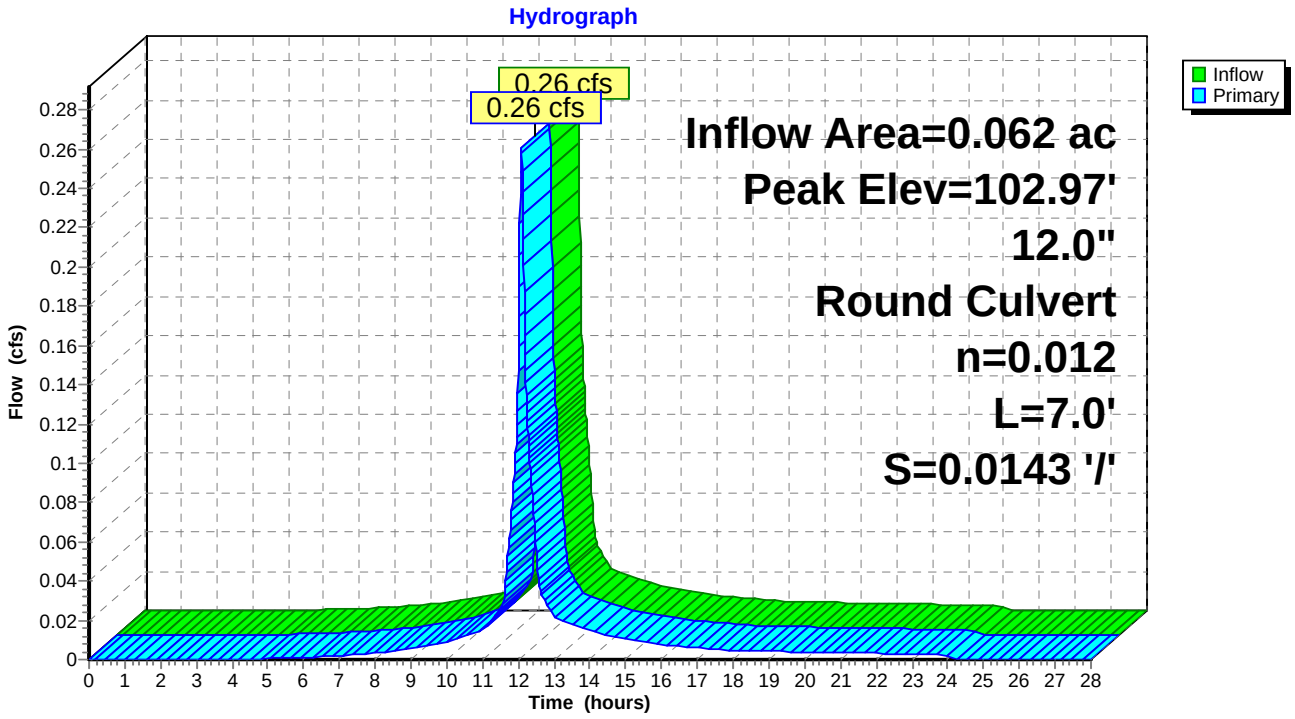
Inflow Area = 0.062 ac, 71.35% Impervious, Inflow Depth = 3.75" for 10-YR SEACOAST event
Inflow = 0.26 cfs @ 12.08 hrs, Volume= 0.019 af
Outflow = 0.26 cfs @ 12.08 hrs, Volume= 0.019 af, Atten= 0%, Lag= 0.0 min
Primary = 0.26 cfs @ 12.08 hrs, Volume= 0.019 af
Routed to Pond DMH 102 : DMH 102

Routing by Dyn-Stor-Ind method, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs / 2
Peak Elev= 102.97' @ 12.32 hrs
Flood Elev= 105.30'

Device	Routing	Invert	Outlet Devices
#1	Primary	102.30'	**12.0" Round P-5** L= 7.0' CPP, end-section conforming to fill, Ke= 0.500 Inlet / Outlet Invert= 102.30' / 102.20' S= 0.0143 '/' Cc= 0.900 n= 0.012 Corrugated PP, smooth interior, Flow Area= 0.79 sf

Primary OutFlow Max=0.26 cfs @ 12.08 hrs HW=102.82' TW=102.80' (Dynamic Tailwater)
1=P-5 (Outlet Controls 0.26 cfs @ 0.92 fps)

Pond CB 104: CB 104



Summary for Pond CB 105: CB 105

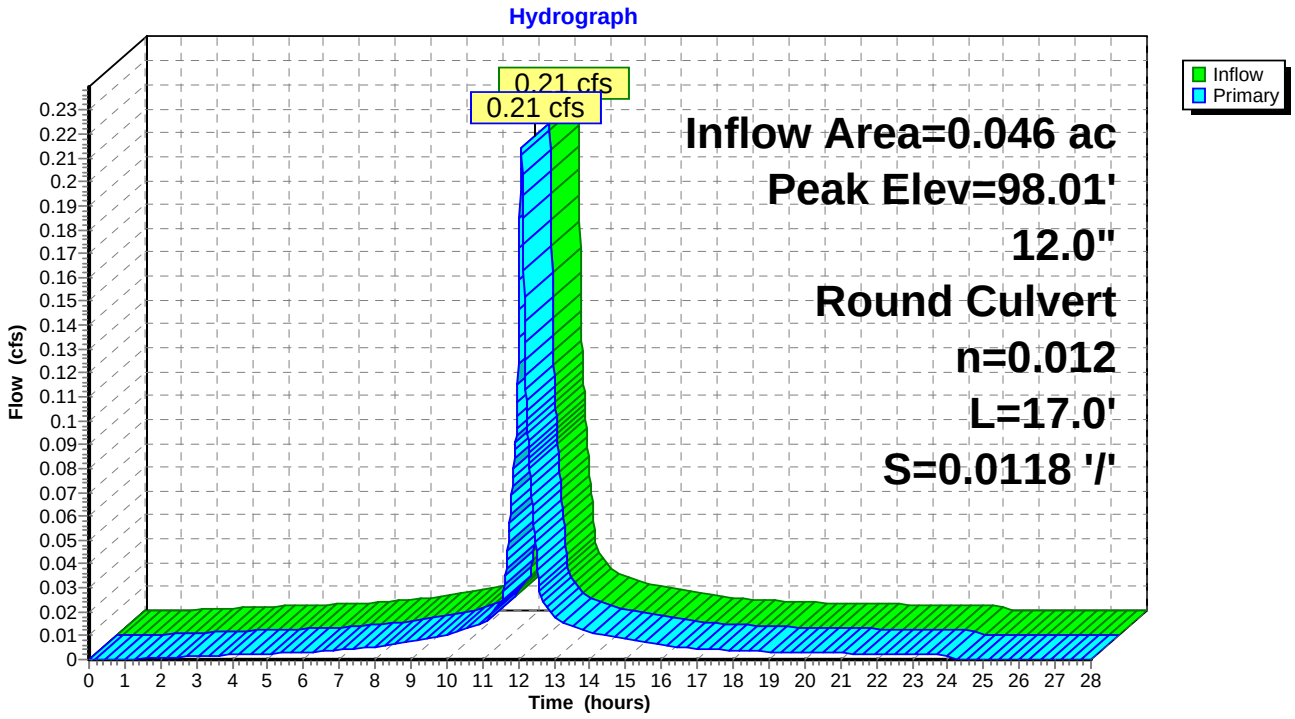
Inflow Area = 0.046 ac,100.00% Impervious, Inflow Depth = 4.52" for 10-YR SEACOAST event
Inflow = 0.21 cfs @ 12.08 hrs, Volume= 0.017 af
Outflow = 0.21 cfs @ 12.08 hrs, Volume= 0.017 af, Atten= 0%, Lag= 0.0 min
Primary = 0.21 cfs @ 12.08 hrs, Volume= 0.017 af
Routed to Pond DMH 104 : DMH 104

Routing by Dyn-Stor-Ind method, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs / 2
Peak Elev= 98.01' @ 12.16 hrs
Flood Elev= 102.05'

Device	Routing	Invert	Outlet Devices
#1	Primary	97.70'	**12.0" Round P-10** L= 17.0' CPP, end-section conforming to fill, Ke= 0.500 Inlet / Outlet Invert= 97.70' / 97.50' S= 0.0118 '/' Cc= 0.900 n= 0.012 Corrugated PP, smooth interior, Flow Area= 0.79 sf

Primary OutFlow Max=0.21 cfs @ 12.08 hrs HW=97.96' TW=97.79' (Dynamic Tailwater)
1=P-10 (Outlet Controls 0.21 cfs @ 2.00 fps)

Pond CB 105: CB 105



Summary for Pond CB 106: CB 106

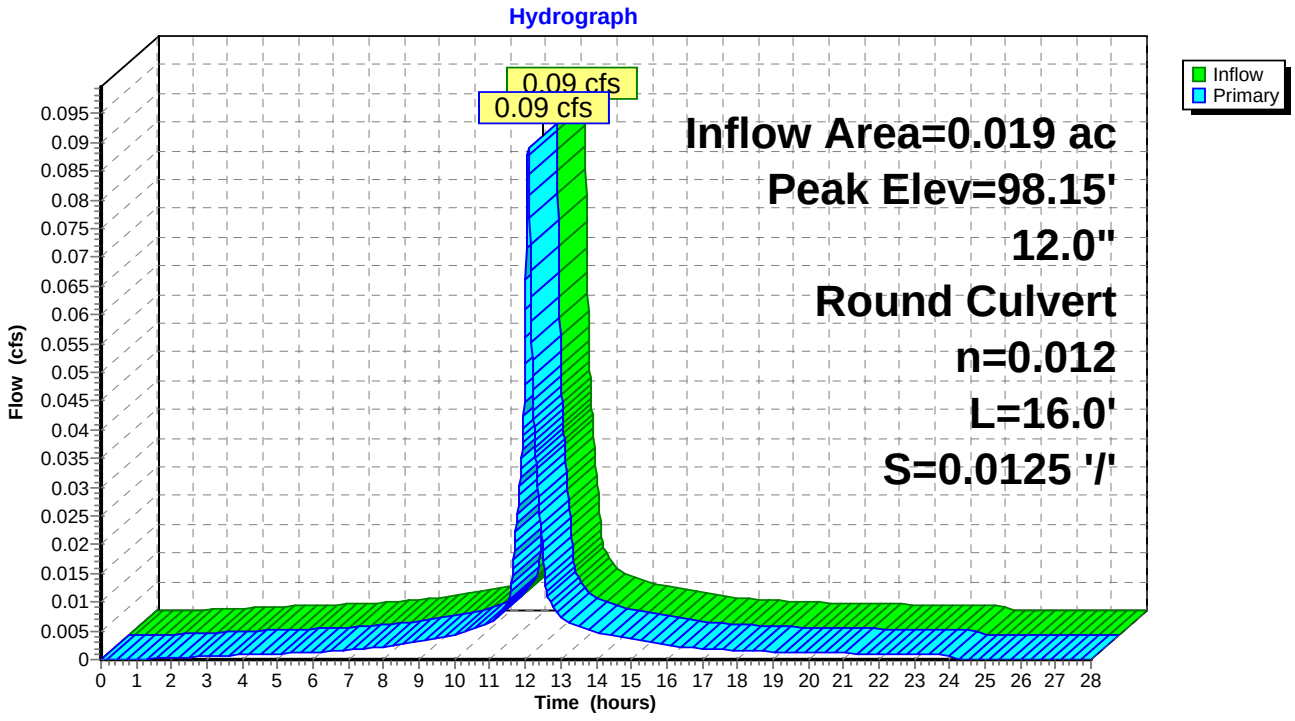
Inflow Area = 0.019 ac,100.00% Impervious, Inflow Depth = 4.52" for 10-YR SEACOAST event
Inflow = 0.09 cfs @ 12.08 hrs, Volume= 0.007 af
Outflow = 0.09 cfs @ 12.08 hrs, Volume= 0.007 af, Atten= 0%, Lag= 0.0 min
Primary = 0.09 cfs @ 12.08 hrs, Volume= 0.007 af
Routed to Pond CB 105 : CB 105

Routing by Dyn-Stor-Ind method, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs / 2
Peak Elev= 98.15' @ 12.10 hrs
Flood Elev= 102.00'

Device	Routing	Invert	Outlet Devices
#1	Primary	98.00'	**12.0" Round P-7** L= 16.0' CPP, end-section conforming to fill, Ke= 0.500 Inlet / Outlet Invert= 98.00' / 97.80' S= 0.0125 '/' Cc= 0.900 n= 0.012 Corrugated PP, smooth interior, Flow Area= 0.79 sf

Primary OutFlow Max=0.09 cfs @ 12.08 hrs HW=98.15' TW=97.96' (Dynamic Tailwater)
1=P-7 (Outlet Controls 0.09 cfs @ 1.81 fps)

Pond CB 106: CB 106



Summary for Pond DE #1: Cottage #1 Stone Drip Edge

Inflow Area = 0.019 ac,100.00% Impervious, Inflow Depth = 4.52" for 10-YR SEACOAST event
Inflow = 0.09 cfs @ 12.08 hrs, Volume= 0.007 af
Outflow = 0.04 cfs @ 12.26 hrs, Volume= 0.007 af, Atten= 56%, Lag= 10.5 min
Primary = 0.04 cfs @ 12.26 hrs, Volume= 0.007 af
Routed to Pond YD #1 : Cottage #1 Yard Drain

Routing by Dyn-Stor-Ind method, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs / 2
Peak Elev= 110.23' @ 12.26 hrs Surf.Area= 135 sf Storage= 40 cf
Flood Elev= 111.50' Surf.Area= 135 sf Storage= 109 cf

Plug-Flow detention time= 32.9 min calculated for 0.007 af (98% of inflow)
Center-of-Mass det. time= 20.2 min (769.1 - 748.8)

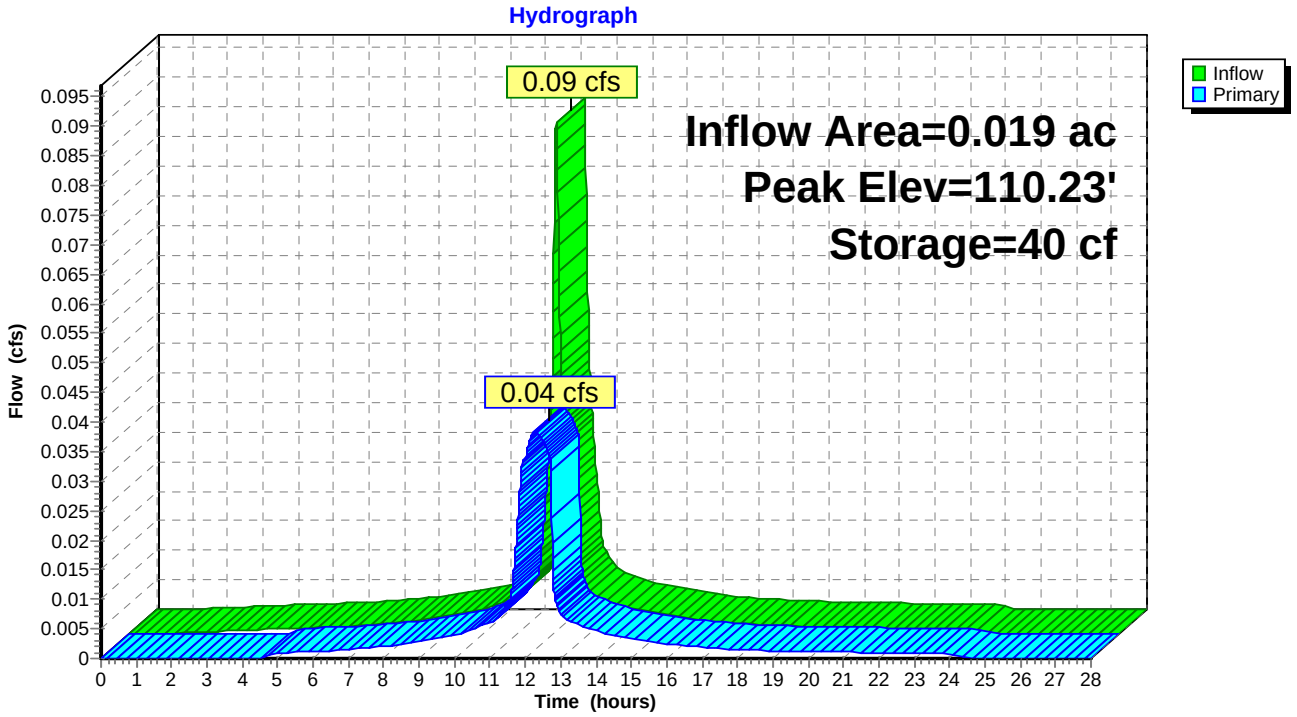
Volume	Invert	Avail.Storage	Storage Description
#1	109.49'	110 cf	**Custom Stage Data (Conic)** Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Voids (%)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)	Wet.Area (sq-ft)
109.49	135	0.0	0	0	135
109.50	135	40.0	1	1	135
111.50	135	40.0	108	109	218
111.51	135	100.0	1	110	218

Device	Routing	Invert	Outlet Devices
#1	Device 2	109.49'	**10.000 in/hr Exfiltration to UD over Wetted area** Phase-In= 0.10'
#2	Primary	109.60'	**6.0" Round 6" HDPE P-21** L= 7.0' CPP, end-section conforming to fill, Ke= 0.500 Inlet / Outlet Invert= 109.60' / 107.00' S= 0.3714 '/' Cc= 0.900 n= 0.012 Corrugated PP, smooth interior, Flow Area= 0.20 sf

Primary OutFlow Max=0.04 cfs @ 12.26 hrs HW=110.23' TW=107.25' (Dynamic Tailwater)
↑└**2=6" HDPE P-21** (Passes 0.04 cfs of 0.59 cfs potential flow)
↑└**1=Exfiltration to UD** (Exfiltration Controls 0.04 cfs)

Pond DE #1: Cottage #1 Stone Drip Edge



Summary for Pond DE #2: Cottage #2 Stone Drip Edge

Inflow Area = 0.019 ac,100.00% Impervious, Inflow Depth = 4.52" for 10-YR SEACOAST event
Inflow = 0.09 cfs @ 12.08 hrs, Volume= 0.007 af
Outflow = 0.04 cfs @ 12.26 hrs, Volume= 0.007 af, Atten= 56%, Lag= 10.5 min
Primary = 0.04 cfs @ 12.26 hrs, Volume= 0.007 af
Routed to Pond YD #2 : Cottage #2 Yard Drain

Routing by Dyn-Stor-Ind method, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs / 2
Peak Elev= 111.23' @ 12.26 hrs Surf.Area= 135 sf Storage= 40 cf
Flood Elev= 112.50' Surf.Area= 135 sf Storage= 109 cf

Plug-Flow detention time= 32.9 min calculated for 0.007 af (98% of inflow)
Center-of-Mass det. time= 20.2 min (769.1 - 748.8)

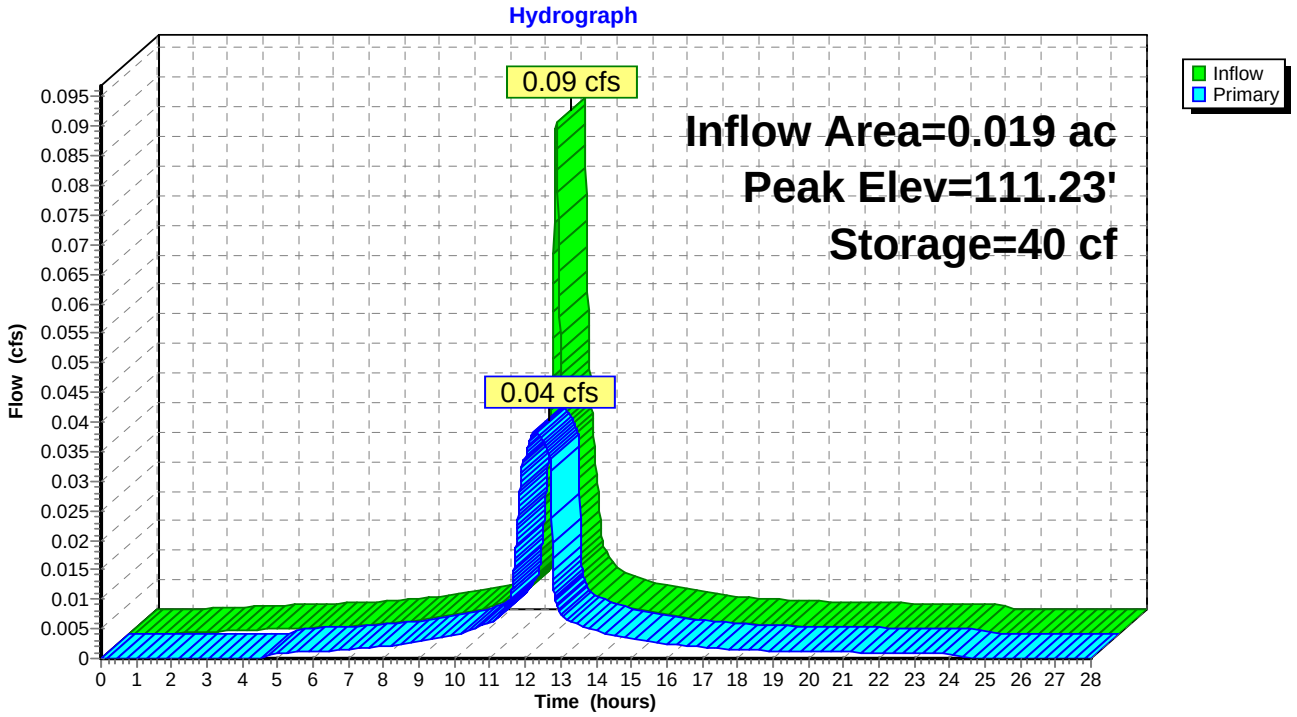
Volume	Invert	Avail.Storage	Storage Description
#1	110.49'	110 cf	**Custom Stage Data (Conic)** Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Voids (%)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)	Wet.Area (sq-ft)
110.49	135	0.0	0	0	135
110.50	135	40.0	1	1	135
112.50	135	40.0	108	109	218
112.51	135	100.0	1	110	218

Device	Routing	Invert	Outlet Devices
#1	Device 2	110.49'	**10.000 in/hr Exfiltration to UD over Wetted area** Phase-In= 0.10'
#2	Primary	110.60'	**6.0" Round 6" HDPE P-19** L= 9.0' CPP, end-section conforming to fill, Ke= 0.500 Inlet / Outlet Invert= 110.60' / 109.00' S= 0.1778 '/' Cc= 0.900 n= 0.012 Corrugated PP, smooth interior, Flow Area= 0.20 sf

Primary OutFlow Max=0.04 cfs @ 12.26 hrs HW=111.23' TW=109.20' (Dynamic Tailwater)
↑└**2=6" HDPE P-19** (Passes 0.04 cfs of 0.59 cfs potential flow)
↑└**1=Exfiltration to UD** (Exfiltration Controls 0.04 cfs)

Pond DE #2: Cottage #2 Stone Drip Edge



Summary for Pond DE #3: Cottage #3 Stone Drip Edge

Inflow Area = 0.019 ac,100.00% Impervious, Inflow Depth = 4.52" for 10-YR SEACOAST event
Inflow = 0.09 cfs @ 12.08 hrs, Volume= 0.007 af
Outflow = 0.04 cfs @ 12.26 hrs, Volume= 0.007 af, Atten= 56%, Lag= 10.5 min
Primary = 0.04 cfs @ 12.26 hrs, Volume= 0.007 af
Routed to Pond YD #3 : Cottage #3 Yard Drain

Routing by Dyn-Stor-Ind method, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs / 2
Peak Elev= 112.73' @ 12.26 hrs Surf.Area= 135 sf Storage= 40 cf
Flood Elev= 114.00' Surf.Area= 135 sf Storage= 109 cf

Plug-Flow detention time= 32.9 min calculated for 0.007 af (98% of inflow)
Center-of-Mass det. time= 20.2 min (769.1 - 748.8)

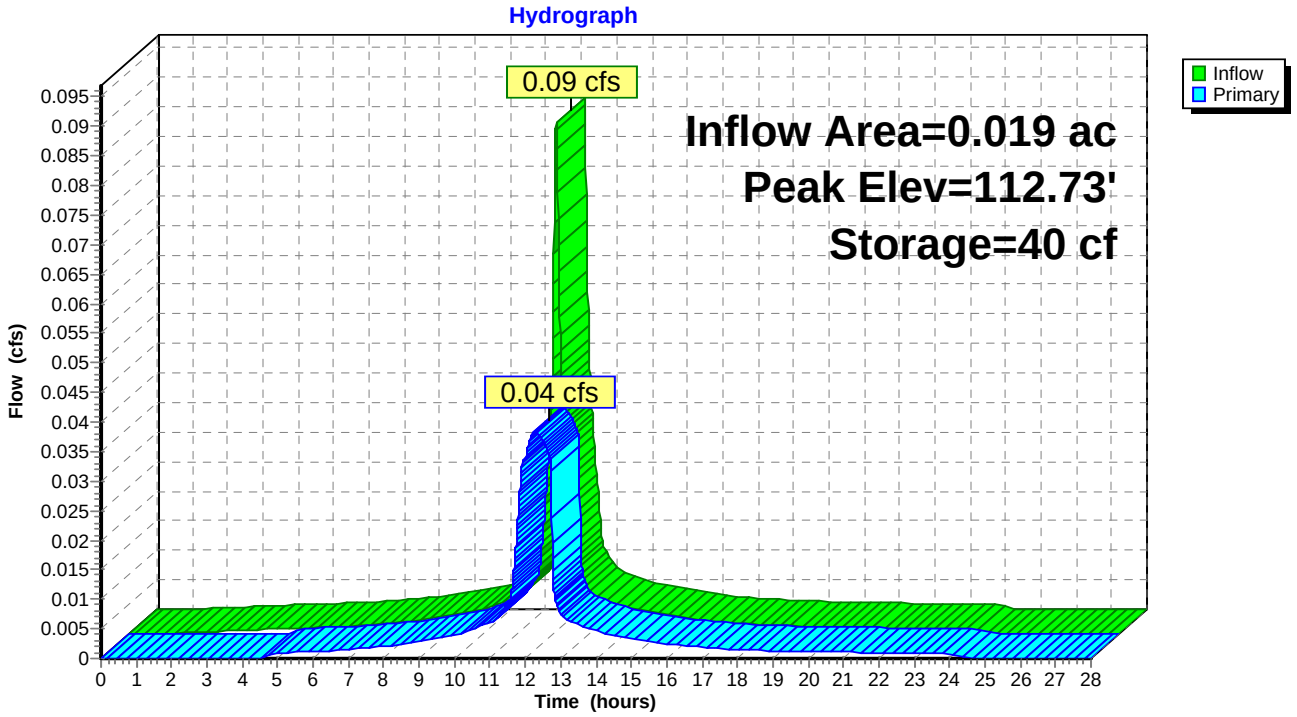
Volume	Invert	Avail.Storage	Storage Description
#1	111.99'	110 cf	**Custom Stage Data (Conic)** Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Voids (%)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)	Wet.Area (sq-ft)
111.99	135	0.0	0	0	135
112.00	135	40.0	1	1	135
114.00	135	40.0	108	109	218
114.01	135	100.0	1	110	218

Device	Routing	Invert	Outlet Devices
#1	Device 2	111.99'	**10.000 in/hr Exfiltration to UD over Wetted area** Phase-In= 0.10'
#2	Primary	112.10'	**6.0" Round 6" HDPE P-17** L= 9.0' CPP, end-section conforming to fill, Ke= 0.500 Inlet / Outlet Invert= 112.10' / 110.00' S= 0.2333 '/' Cc= 0.900 n= 0.012 Corrugated PP, smooth interior, Flow Area= 0.20 sf

Primary OutFlow Max=0.04 cfs @ 12.26 hrs HW=112.73' TW=110.16' (Dynamic Tailwater)
↑└**2=6" HDPE P-17** (Passes 0.04 cfs of 0.59 cfs potential flow)
↑└**1=Exfiltration to UD** (Exfiltration Controls 0.04 cfs)

Pond DE #3: Cottage #3 Stone Drip Edge



Summary for Pond DE #4: Cottage #4 Drip Edge

Inflow Area = 0.019 ac,100.00% Impervious, Inflow Depth = 4.52" for 10-YR SEACOAST event
Inflow = 0.09 cfs @ 12.08 hrs, Volume= 0.007 af
Outflow = 0.04 cfs @ 12.26 hrs, Volume= 0.007 af, Atten= 56%, Lag= 10.5 min
Primary = 0.04 cfs @ 12.26 hrs, Volume= 0.007 af
Routed to Pond YD#1 : Yard Drain #1

Routing by Dyn-Stor-Ind method, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs / 2
Peak Elev= 115.24' @ 12.26 hrs Surf.Area= 135 sf Storage= 40 cf
Flood Elev= 116.50' Surf.Area= 135 sf Storage= 109 cf

Plug-Flow detention time= 33.2 min calculated for 0.007 af (98% of inflow)
Center-of-Mass det. time= 20.5 min (769.3 - 748.8)

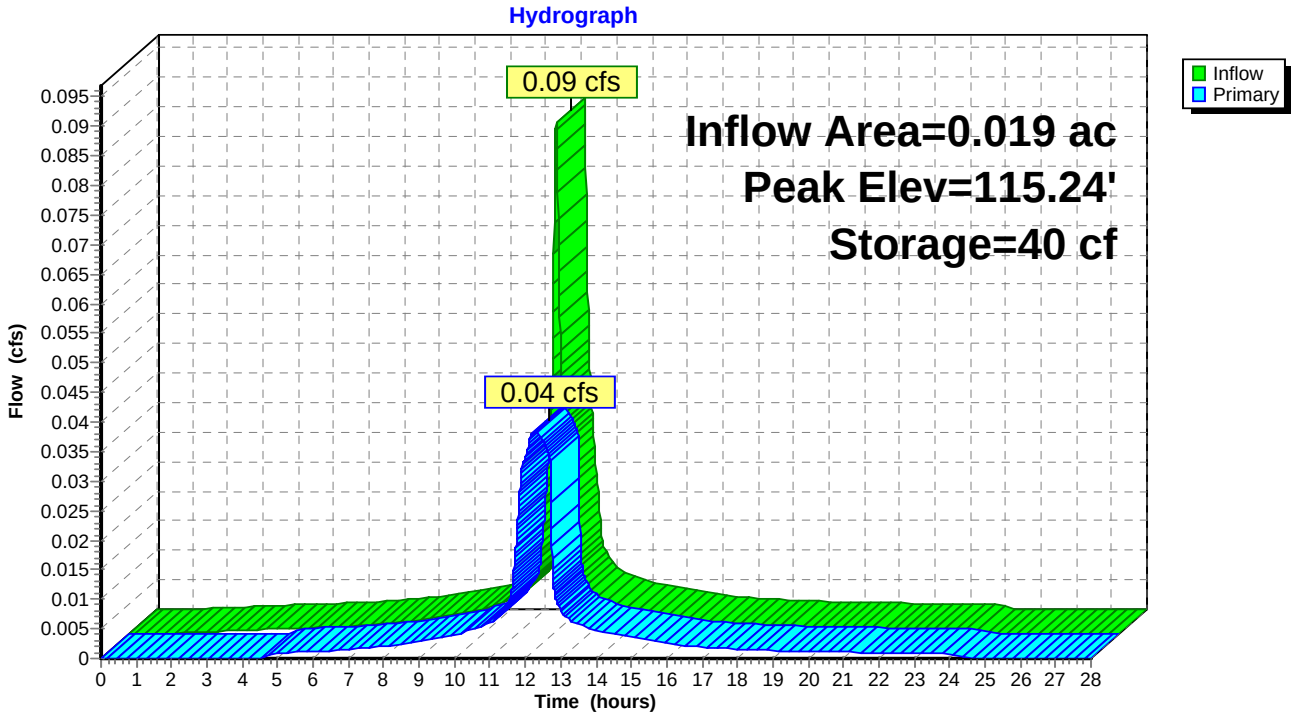
Volume	Invert	Avail.Storage	Storage Description
#1	114.49'	110 cf	**Custom Stage Data (Conic)**Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Voids (%)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)	Wet.Area (sq-ft)
114.49	135	0.0	0	0	135
114.50	135	40.0	1	1	135
116.50	135	40.0	108	109	218
116.51	135	100.0	1	110	218

Device	Routing	Invert	Outlet Devices
#1	Device 2	114.49'	**10.000 in/hr Exfiltration to UD over Wetted area** Phase-In= 0.10'
#2	Primary	114.60'	**6.0" Round 6" HDPE P-12** L= 32.0' CPP, end-section conforming to fill, Ke= 0.500 Inlet / Outlet Invert= 114.60' / 114.20' S= 0.0125 '/' Cc= 0.900 n= 0.012 Corrugated PP, smooth interior, Flow Area= 0.20 sf

Primary OutFlow Max=0.04 cfs @ 12.26 hrs HW=115.24' TW=114.67' (Dynamic Tailwater)
↑└**2=6" HDPE P-12** (Passes 0.04 cfs of 0.59 cfs potential flow)
↑└**1=Exfiltration to UD** (Exfiltration Controls 0.04 cfs)

Pond DE #4: Cottage #4 Drip Edge



Summary for Pond DE-EX: Stone Drip Edge Existing House

Inflow Area = 0.022 ac,100.00% Impervious, Inflow Depth = 4.52" for 10-YR SEACOAST event
Inflow = 0.10 cfs @ 12.08 hrs, Volume= 0.008 af
Outflow = 0.04 cfs @ 12.29 hrs, Volume= 0.008 af, Atten= 60%, Lag= 12.6 min
Primary = 0.04 cfs @ 12.29 hrs, Volume= 0.008 af
Routed to Pond BIO 101 : BIO 101

Routing by Dyn-Stor-Ind method, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs / 2
Peak Elev= 106.46' @ 12.29 hrs Surf.Area= 135 sf Storage= 52 cf
Flood Elev= 107.60' Surf.Area= 135 sf Storage= 110 cf

Plug-Flow detention time= 30.6 min calculated for 0.008 af (98% of inflow)
Center-of-Mass det. time= 19.6 min (768.5 - 748.8)

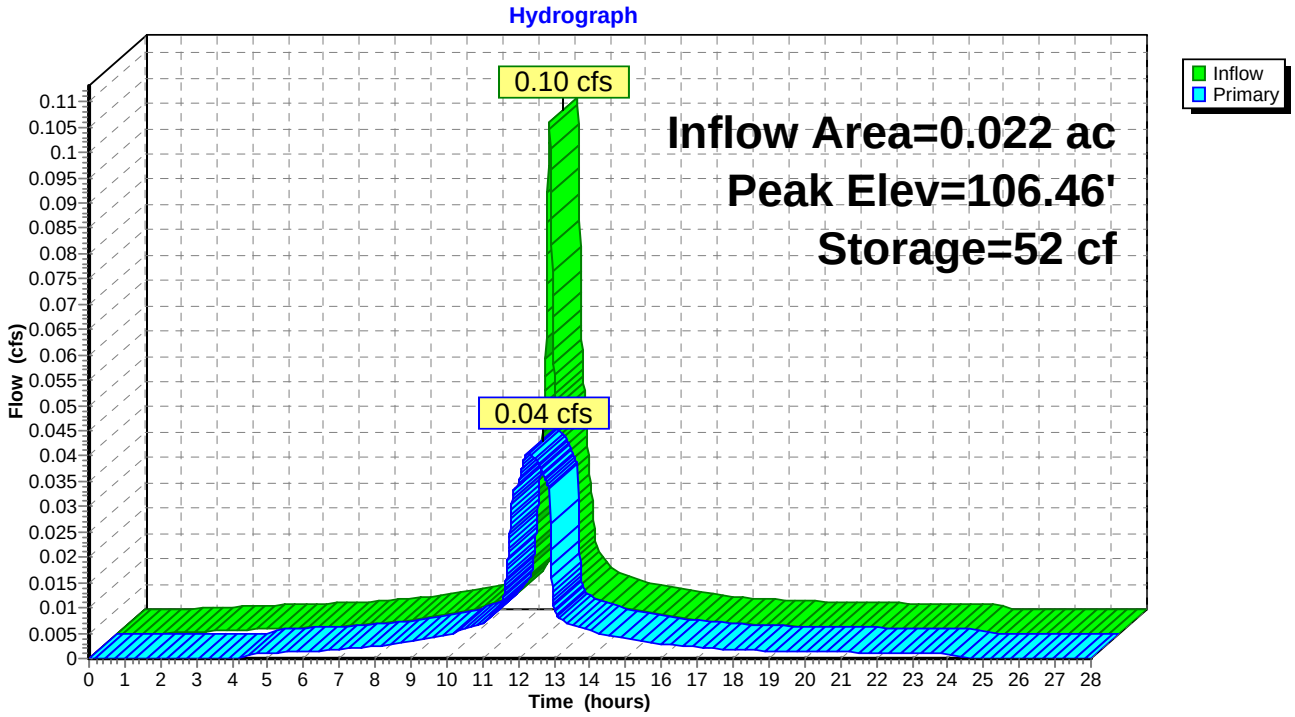
Volume	Invert	Avail.Storage	Storage Description
#1	105.49'	110 cf	**Custom Stage Data (Conic)** Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Voids (%)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)	Wet.Area (sq-ft)
105.49	135	0.0	0	0	135
105.50	135	40.0	1	1	135
107.50	135	40.0	108	109	218
107.51	135	100.0	1	110	218

Device	Routing	Invert	Outlet Devices
#1	Device 2	105.49'	**10.000 in/hr Exfiltration to UD over Wetted area** Phase-In= 0.10'
#2	Primary	105.60'	**6.0" Round 6" HDPE P-24** L= 13.0' CPP, end-section conforming to fill, Ke= 0.500 Inlet / Outlet Invert= 105.60' / 103.00' S= 0.2000 '/' Cc= 0.900 n= 0.012 Corrugated PP, smooth interior, Flow Area= 0.20 sf

Primary OutFlow Max=0.04 cfs @ 12.29 hrs HW=106.46' TW=102.94' (Dynamic Tailwater)
↑└**2=6" HDPE P-24** (Passes 0.04 cfs of 0.74 cfs potential flow)
↑└**1=Exfiltration to UD** (Exfiltration Controls 0.04 cfs)

Pond DE-EX: Stone Drip Edge Existing House



Summary for Pond DMH 101: DMH 101

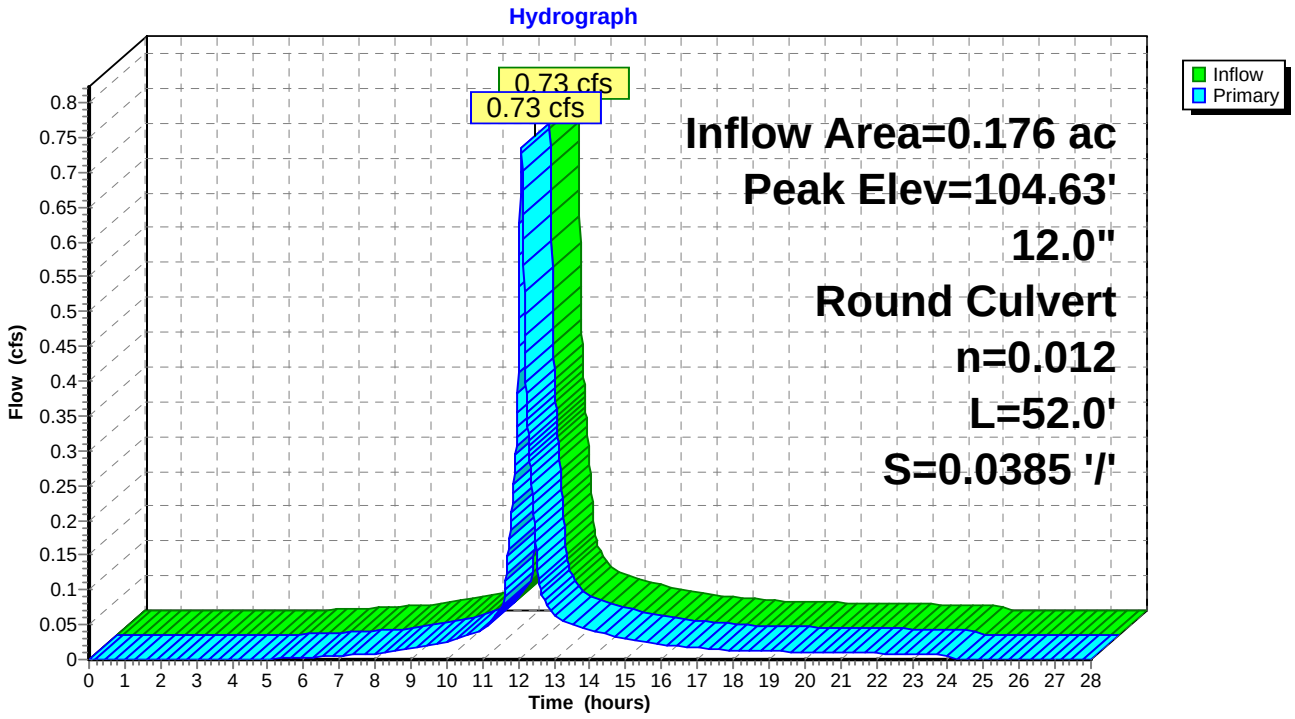
Inflow Area = 0.176 ac, 66.68% Impervious, Inflow Depth = 3.68" for 10-YR SEACOAST event
Inflow = 0.73 cfs @ 12.09 hrs, Volume= 0.054 af
Outflow = 0.73 cfs @ 12.09 hrs, Volume= 0.054 af, Atten= 0%, Lag= 0.0 min
Primary = 0.73 cfs @ 12.09 hrs, Volume= 0.054 af
Routed to Pond DMH 102 : DMH 102

Routing by Dyn-Stor-Ind method, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs / 2
Peak Elev= 104.63' @ 12.09 hrs
Flood Elev= 108.30'

Device	Routing	Invert	Outlet Devices
#1	Primary	104.20'	**12.0" Round P-3** L= 52.0' CPP, end-section conforming to fill, Ke= 0.500 Inlet / Outlet Invert= 104.20' / 102.20' S= 0.0385 '/' Cc= 0.900 n= 0.012 Corrugated PP, smooth interior, Flow Area= 0.79 sf

Primary OutFlow Max=0.73 cfs @ 12.09 hrs HW=104.63' TW=102.80' (Dynamic Tailwater)
1=P-3 (Inlet Controls 0.73 cfs @ 2.24 fps)

Pond DMH 101: DMH 101



Summary for Pond DMH 102: DMH 102

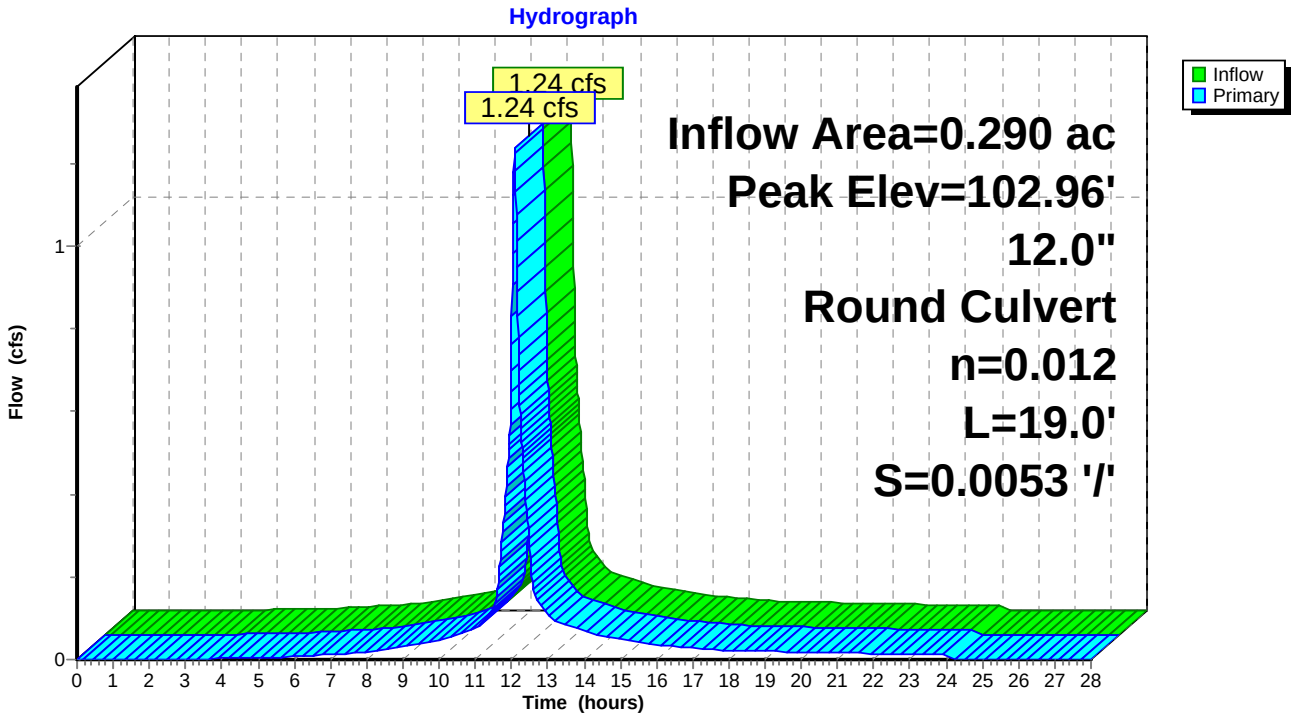
Inflow Area = 0.290 ac, 73.62% Impervious, Inflow Depth = 3.84" for 10-YR SEACOAST event
Inflow = 1.24 cfs @ 12.08 hrs, Volume= 0.093 af
Outflow = 1.24 cfs @ 12.08 hrs, Volume= 0.093 af, Atten= 0%, Lag= 0.0 min
Primary = 1.24 cfs @ 12.08 hrs, Volume= 0.093 af
Routed to Pond BIO 101 : BIO 101

Routing by Dyn-Stor-Ind method, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs / 2
Peak Elev= 102.96' @ 12.31 hrs
Flood Elev= 105.65'

Device	Routing	Invert	Outlet Devices
#1	Primary	102.10'	**12.0" Round P-6** L= 19.0' CPP, end-section conforming to fill, Ke= 0.500 Inlet / Outlet Invert= 102.10' / 102.00' S= 0.0053 '/' Cc= 0.900 n= 0.012 Corrugated PP, smooth interior, Flow Area= 0.79 sf

Primary OutFlow Max=1.23 cfs @ 12.08 hrs HW=102.80' TW=102.38' (Dynamic Tailwater)
1=P-6 (Barrel Controls 1.23 cfs @ 2.98 fps)

Pond DMH 102: DMH 102



Summary for Pond DMH 103: DMH 103

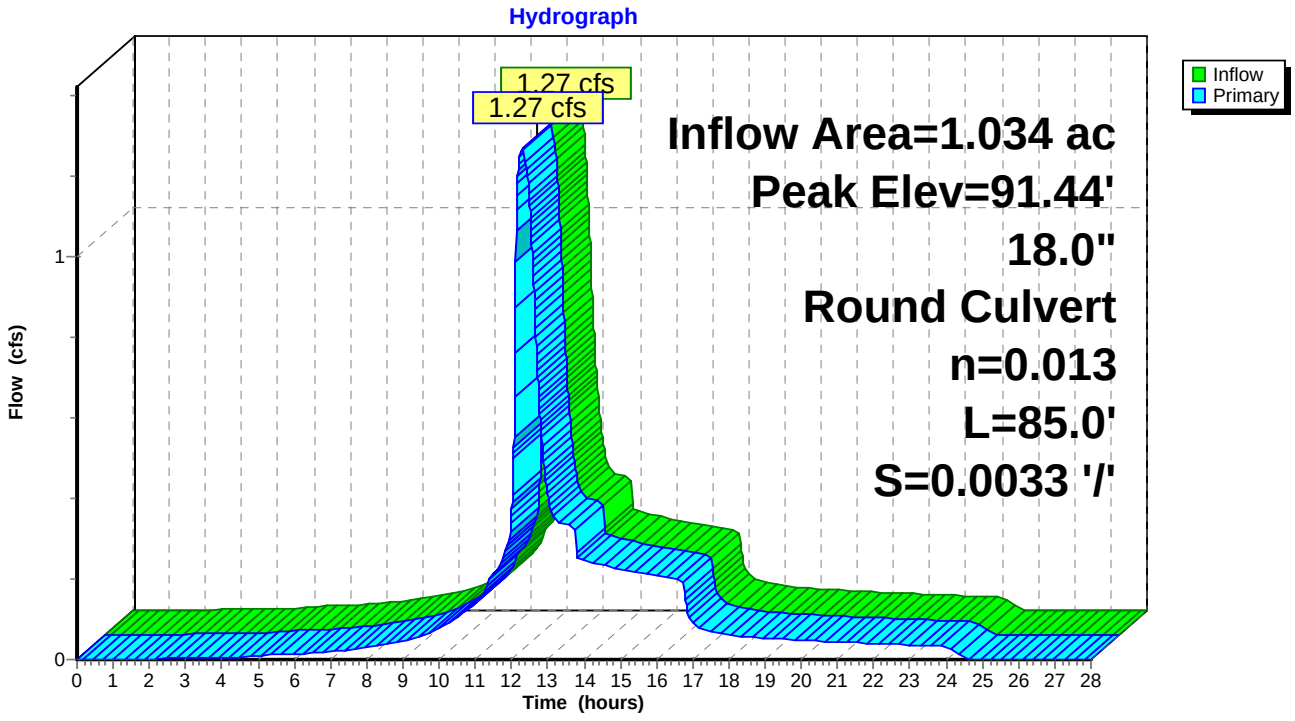
Inflow Area = 1.034 ac, 36.21% Impervious, Inflow Depth = 2.56" for 10-YR SEACOAST event
Inflow = 1.27 cfs @ 12.29 hrs, Volume= 0.221 af
Outflow = 1.27 cfs @ 12.29 hrs, Volume= 0.221 af, Atten= 0%, Lag= 0.0 min
Primary = 1.27 cfs @ 12.29 hrs, Volume= 0.221 af
Routed to Link AP-T : AP TOTAL

Routing by Dyn-Stor-Ind method, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs / 2
Peak Elev= 91.44' @ 12.29 hrs
Flood Elev= 102.50'

Device	Routing	Invert	Outlet Devices
#1	Primary	90.80'	**18.0" Round Existing 18" Pipe** L= 85.0' CMP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 90.80' / 90.52' S= 0.0033 '/' Cc= 0.900 n= 0.013 Clay tile, Flow Area= 1.77 sf

Primary OutFlow Max=1.27 cfs @ 12.29 hrs HW=91.44' TW=0.00' (Dynamic Tailwater)
1=Existing 18" Pipe (Barrel Controls 1.27 cfs @ 2.57 fps)

Pond DMH 103: DMH 103



Summary for Pond DMH 104: DMH 104

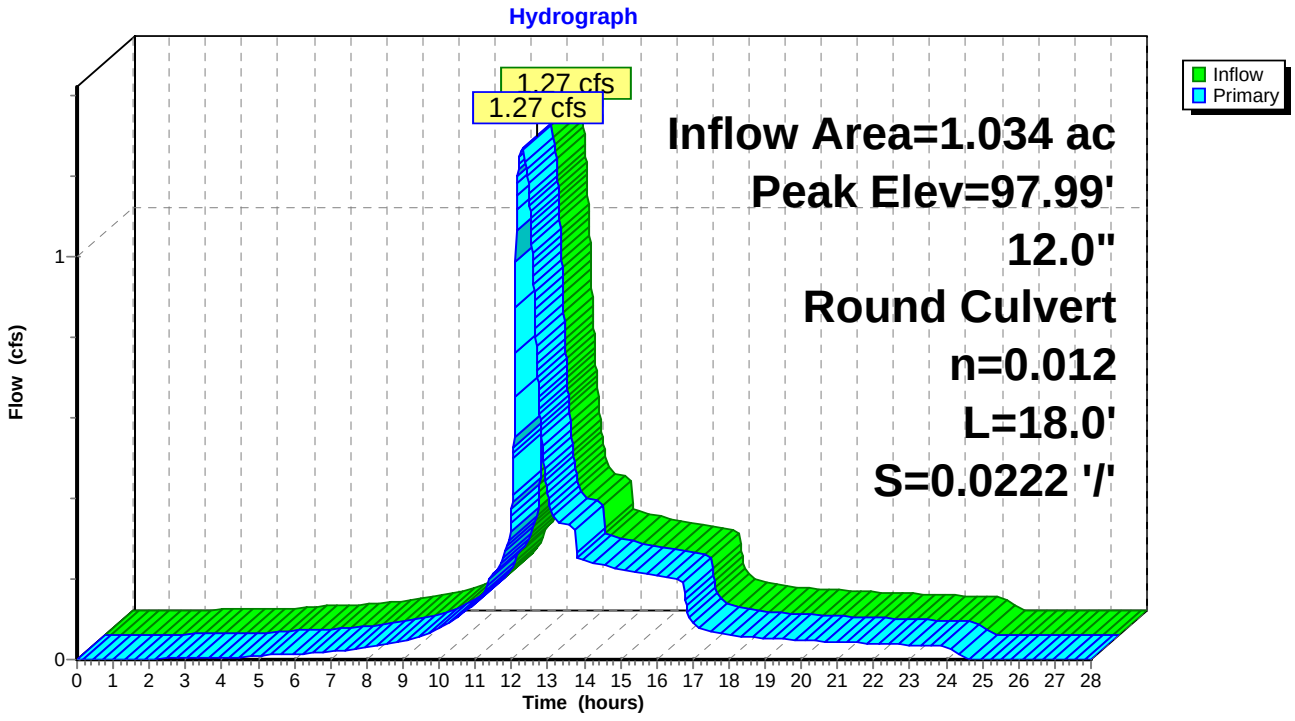
Inflow Area = 1.034 ac, 36.21% Impervious, Inflow Depth = 2.56" for 10-YR SEACOAST event
Inflow = 1.27 cfs @ 12.29 hrs, Volume= 0.221 af
Outflow = 1.27 cfs @ 12.29 hrs, Volume= 0.221 af, Atten= 0%, Lag= 0.0 min
Primary = 1.27 cfs @ 12.29 hrs, Volume= 0.221 af
Routed to Pond DMH 103 : DMH 103

Routing by Dyn-Stor-Ind method, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs / 2
Peak Elev= 97.99' @ 12.29 hrs
Flood Elev= 103.75'

Device	Routing	Invert	Outlet Devices
#1	Primary	97.40'	**12.0" Round P-26** L= 18.0' CPP, end-section conforming to fill, Ke= 0.500 Inlet / Outlet Invert= 97.40' / 97.00' S= 0.0222 '/' Cc= 0.900 n= 0.012 Corrugated PP, smooth interior, Flow Area= 0.79 sf

Primary OutFlow Max=1.27 cfs @ 12.29 hrs HW=97.99' TW=91.44' (Dynamic Tailwater)
1=P-26 (Inlet Controls 1.27 cfs @ 2.62 fps)

Pond DMH 104: DMH 104



Summary for Pond ST: STORMTECH SC-310

Inflow Area = 0.153 ac, 19.67% Impervious, Inflow Depth = 1.91" for 10-YR SEACOAST event
Inflow = 0.27 cfs @ 12.10 hrs, Volume= 0.024 af
Outflow = 0.15 cfs @ 12.33 hrs, Volume= 0.024 af, Atten= 46%, Lag= 14.1 min
Discarded = 0.07 cfs @ 12.33 hrs, Volume= 0.023 af
Primary = 0.07 cfs @ 12.33 hrs, Volume= 0.002 af
Routed to Pond YD#5 : Yard Drain #5

Routing by Dyn-Stor-Ind method, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs / 2
Peak Elev= 114.66' @ 12.33 hrs Surf.Area= 267 sf Storage= 172 cf
Flood Elev= 115.85' Surf.Area= 267 sf Storage= 320 cf

Plug-Flow detention time= 13.2 min calculated for 0.024 af (100% of inflow)
Center-of-Mass det. time= 13.2 min (848.6 - 835.4)

Volume	Invert	Avail.Storage	Storage Description
#1A	113.50'	202 cf	**8.42'W x 31.68'L x 2.33'H Field A** 622 cf Overall - 118 cf Embedded = 504 cf x 40.0% Voids
#2A	114.00'	118 cf	**ADS_StormTech SC-310 +Cap** x 8 Inside #1 Effective Size= 28.9"W x 16.0"H => 2.07 sf x 7.12'L = 14.7 cf Overall Size= 34.0"W x 16.0"H x 7.56'L with 0.44' Overlap 8 Chambers in 2 Rows
		320 cf	Total Available Storage

Storage Group A created with Chamber Wizard

Device	Routing	Invert	Outlet Devices
#1	Discarded	113.50'	**9.000 in/hr Exfiltration over Wetted area** Phase-In= 0.10'
#2	Primary	114.50'	**6.0" Round HDPE P-11** L= 14.0' CPP, end-section conforming to fill, Ke= 0.500 Inlet / Outlet Invert= 114.50' / 113.00' S= 0.1071 '/' Cc= 0.900 n= 0.012 Corrugated PP, smooth interior, Flow Area= 0.20 sf

Discarded OutFlow Max=0.07 cfs @ 12.33 hrs HW=114.66' (Free Discharge)
↑—**1=Exfiltration** (Exfiltration Controls 0.07 cfs)

Primary OutFlow Max=0.07 cfs @ 12.33 hrs HW=114.66' TW=113.05' (Dynamic Tailwater)
↑—**2=HDPE P-11** (Inlet Controls 0.07 cfs @ 1.36 fps)

Pond ST: STORMTECH SC-310 - Chamber Wizard Field A

Chamber Model = ADS_StormTech SC-310 +Cap (ADS StormTech® SC-310 with cap length)
Effective Size= 28.9"W x 16.0"H => 2.07 sf x 7.12'L = 14.7 cf
Overall Size= 34.0"W x 16.0"H x 7.56'L with 0.44' Overlap

34.0" Wide + 9.0" Spacing = 43.0" C-C Row Spacing

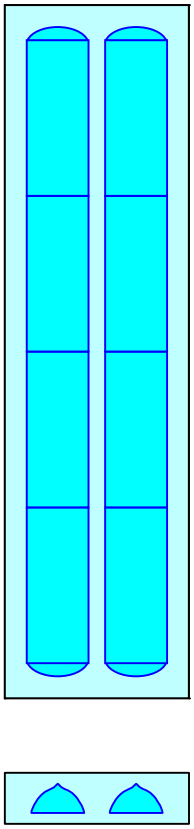
4 Chambers/Row x 7.12' Long +0.60' Cap Length x 2 = 29.68' Row Length +12.0" End Stone x 2 = 31.68' Base Length
2 Rows x 34.0" Wide + 9.0" Spacing x 1 + 12.0" Side Stone x 2 = 8.42' Base Width
6.0" Stone Base + 16.0" Chamber Height + 6.0" Stone Cover = 2.33' Field Height

8 Chambers x 14.7 cf = 117.9 cf Chamber Storage

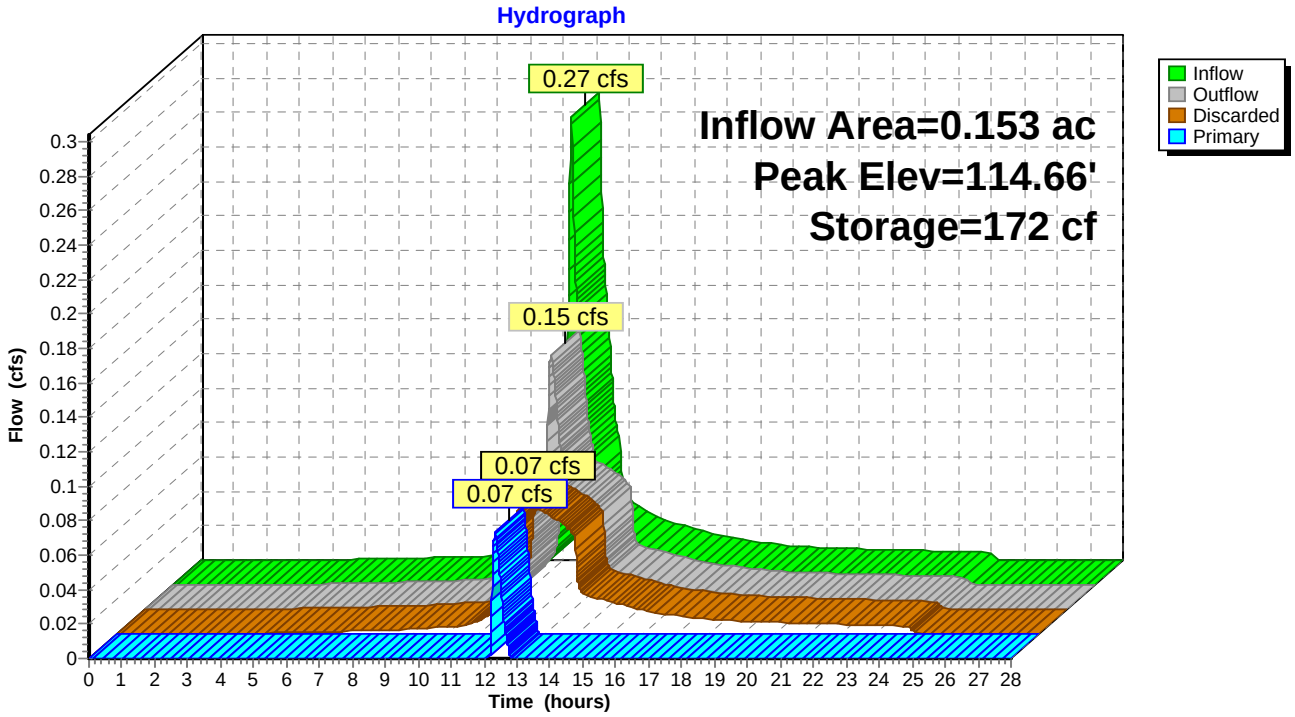
622.2 cf Field - 117.9 cf Chambers = 504.2 cf Stone x 40.0% Voids = 201.7 cf Stone Storage

Chamber Storage + Stone Storage = 319.6 cf = 0.007 af
Overall Storage Efficiency = 51.4%
Overall System Size = 31.68' x 8.42' x 2.33'

8 Chambers
23.0 cy Field
18.7 cy Stone



Pond ST: STORMTECH SC-310



Summary for Pond YD #1: Cottage #1 Yard Drain

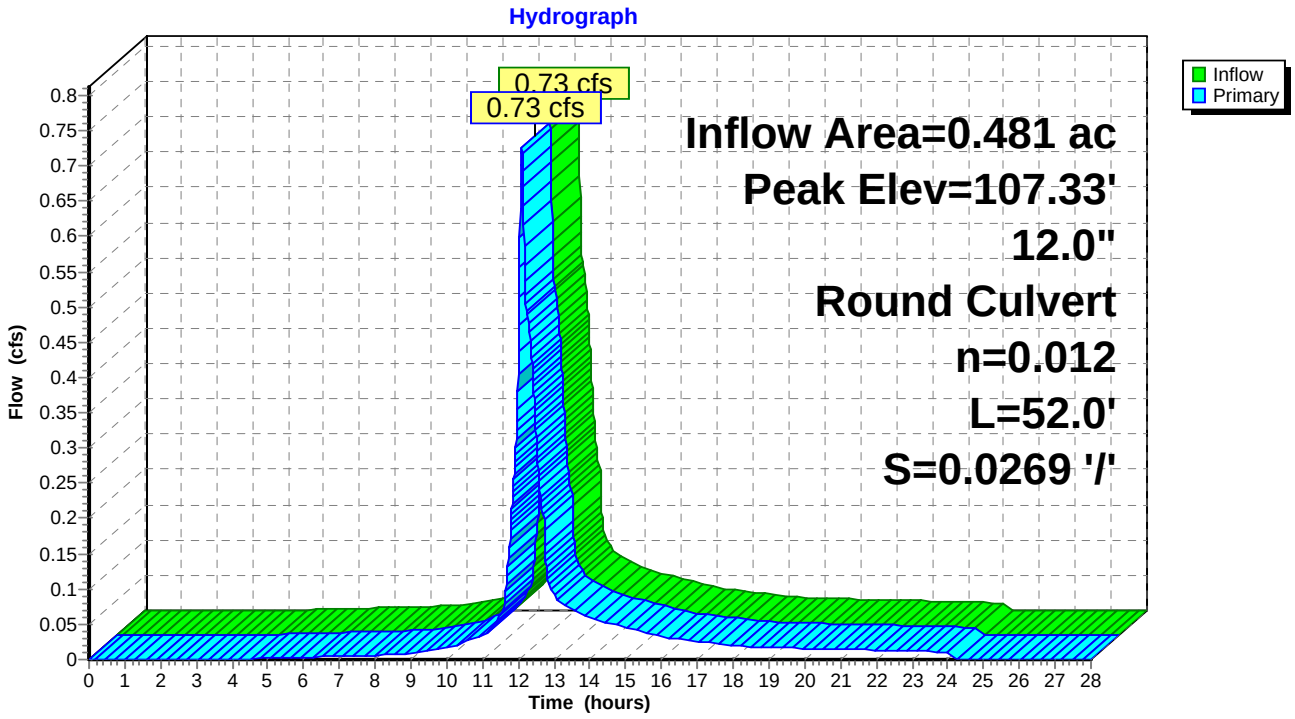
Inflow Area = 0.481 ac, 18.57% Impervious, Inflow Depth = 1.68" for 10-YR SEACOAST event
Inflow = 0.73 cfs @ 12.09 hrs, Volume= 0.067 af
Outflow = 0.73 cfs @ 12.09 hrs, Volume= 0.067 af, Atten= 0%, Lag= 0.0 min
Primary = 0.73 cfs @ 12.09 hrs, Volume= 0.067 af
Routed to Pond YD A : YD-A

Routing by Dyn-Stor-Ind method, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs / 2
Peak Elev= 107.33' @ 12.09 hrs
Flood Elev= 111.50'

Device	Routing	Invert	Outlet Devices
#1	Primary	106.90'	**12.0" Round 12 " HDPE P-22** L= 52.0' CPP, end-section conforming to fill, Ke= 0.500 Inlet / Outlet Invert= 106.90' / 105.50' S= 0.0269 '/' Cc= 0.900 n= 0.012 Corrugated PP, smooth interior, Flow Area= 0.79 sf

Primary OutFlow Max=0.72 cfs @ 12.09 hrs HW=107.33' TW=105.83' (Dynamic Tailwater)
1=12 " HDPE P-22 (Inlet Controls 0.72 cfs @ 2.24 fps)

Pond YD #1: Cottage #1 Yard Drain



Summary for Pond YD #2: Cottage #2 Yard Drain

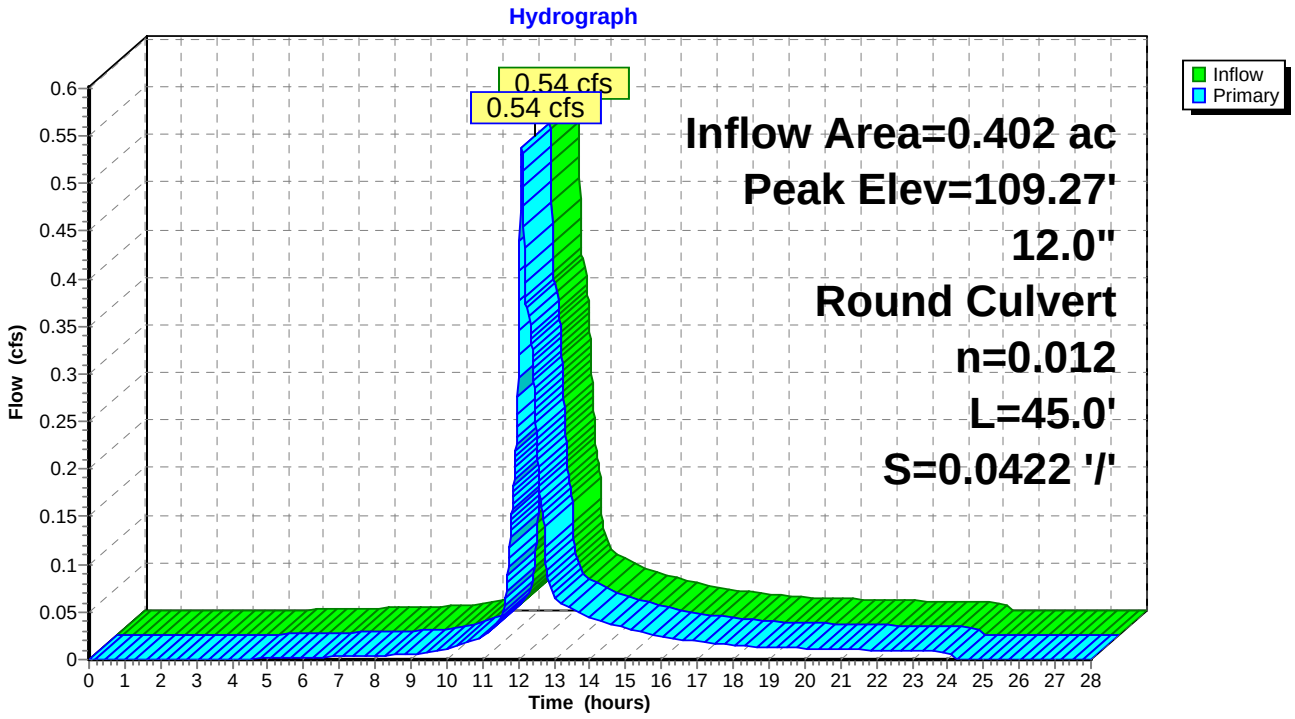
Inflow Area = 0.402 ac, 17.57% Impervious, Inflow Depth = 1.48" for 10-YR SEACOAST event
Inflow = 0.54 cfs @ 12.09 hrs, Volume= 0.050 af
Outflow = 0.54 cfs @ 12.09 hrs, Volume= 0.050 af, Atten= 0%, Lag= 0.0 min
Primary = 0.54 cfs @ 12.09 hrs, Volume= 0.050 af
Routed to Pond YD #1 : Cottage #1 Yard Drain

Routing by Dyn-Stor-Ind method, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs / 2
Peak Elev= 109.27' @ 12.09 hrs
Flood Elev= 112.50'

Device	Routing	Invert	Outlet Devices
#1	Primary	108.90'	**12.0" Round 12" HDPE P-20** L= 45.0' CPP, end-section conforming to fill, Ke= 0.500 Inlet / Outlet Invert= 108.90' / 107.00' S= 0.0422 '/' Cc= 0.900 n= 0.012 Corrugated PP, smooth interior, Flow Area= 0.79 sf

Primary OutFlow Max=0.54 cfs @ 12.09 hrs HW=109.27' TW=107.33' (Dynamic Tailwater)
1=12" HDPE P-20 (Inlet Controls 0.54 cfs @ 2.06 fps)

Pond YD #2: Cottage #2 Yard Drain



Summary for Pond YD #3: Cottage #3 Yard Drain

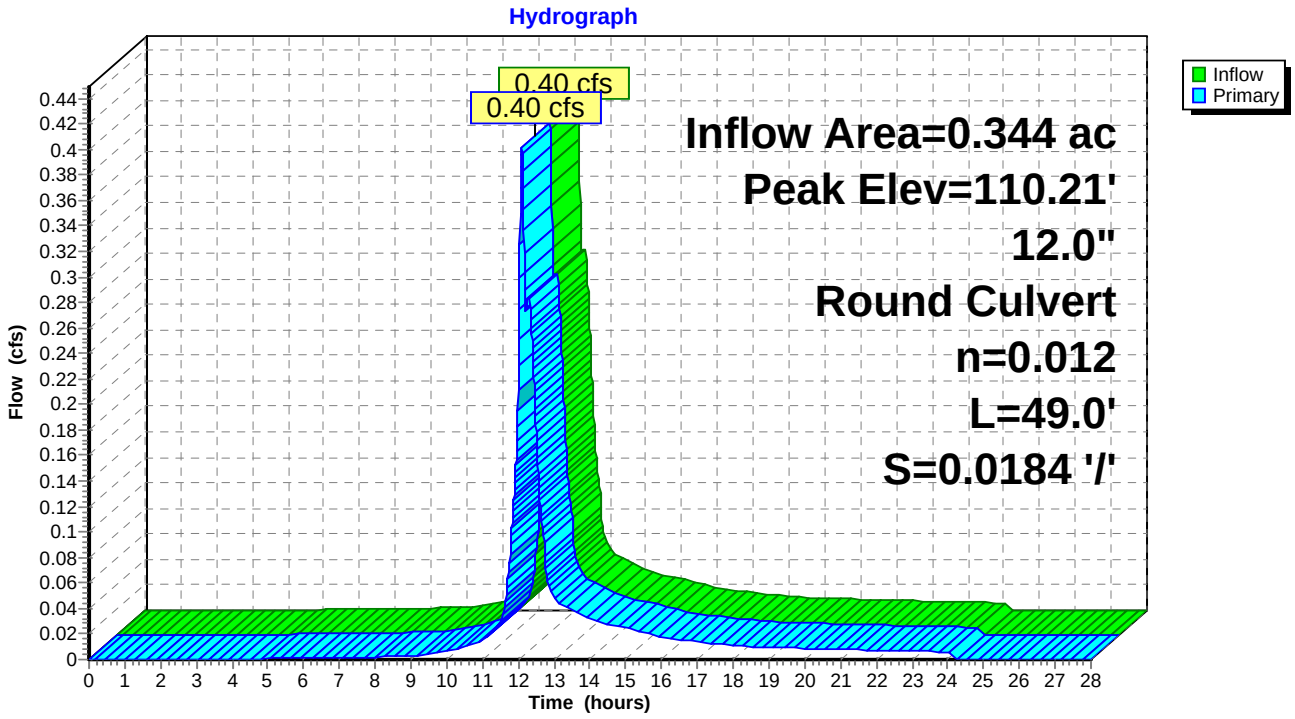
Inflow Area = 0.344 ac, 15.14% Impervious, Inflow Depth = 1.24" for 10-YR SEACOAST event
Inflow = 0.40 cfs @ 12.09 hrs, Volume= 0.035 af
Outflow = 0.40 cfs @ 12.09 hrs, Volume= 0.035 af, Atten= 0%, Lag= 0.0 min
Primary = 0.40 cfs @ 12.09 hrs, Volume= 0.035 af
Routed to Pond YD #2 : Cottage #2 Yard Drain

Routing by Dyn-Stor-Ind method, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs / 2
Peak Elev= 110.21' @ 12.09 hrs
Flood Elev= 113.50'

Device	Routing	Invert	Outlet Devices
#1	Primary	109.90'	**12.0" Round 12" HDPE P-18** L= 49.0' CPP, end-section conforming to fill, Ke= 0.500 Inlet / Outlet Invert= 109.90' / 109.00' S= 0.0184 '/' Cc= 0.900 n= 0.012 Corrugated PP, smooth interior, Flow Area= 0.79 sf

Primary OutFlow Max=0.40 cfs @ 12.09 hrs HW=110.21' TW=109.27' (Dynamic Tailwater)
1=12" HDPE P-18 (Inlet Controls 0.40 cfs @ 1.90 fps)

Pond YD #3: Cottage #3 Yard Drain



Summary for Pond YD A: YD-A

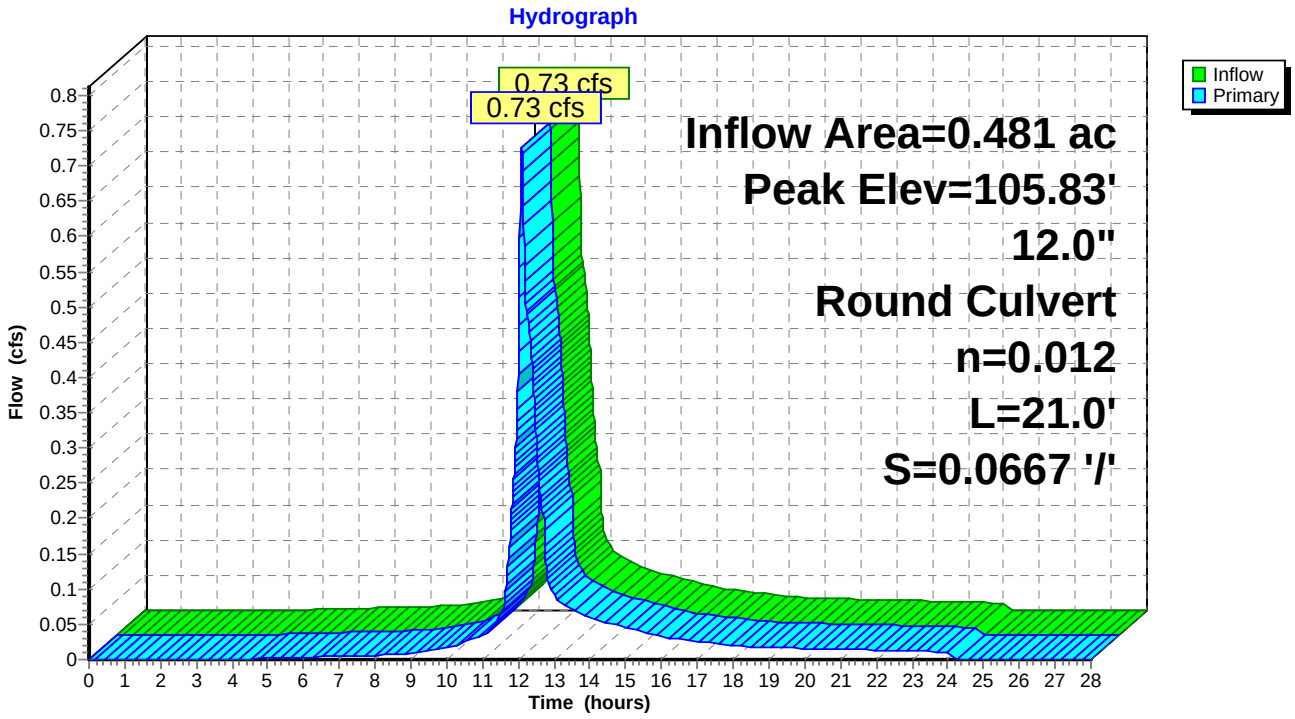
Inflow Area = 0.481 ac, 18.57% Impervious, Inflow Depth = 1.68" for 10-YR SEACOAST event
Inflow = 0.73 cfs @ 12.09 hrs, Volume= 0.067 af
Outflow = 0.73 cfs @ 12.09 hrs, Volume= 0.067 af, Atten= 0%, Lag= 0.0 min
Primary = 0.73 cfs @ 12.09 hrs, Volume= 0.067 af
Routed to Pond BIO 101 : BIO 101

Routing by Dyn-Stor-Ind method, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs / 2
Peak Elev= 105.83' @ 12.09 hrs
Flood Elev= 109.50'

Device	Routing	Invert	Outlet Devices
#1	Primary	105.40'	**12.0" Round 12" HDPE P-25** L= 21.0' CPP, end-section conforming to fill, Ke= 0.500 Inlet / Outlet Invert= 105.40' / 104.00' S= 0.0667 '/' Cc= 0.900 n= 0.012 Corrugated PP, smooth interior, Flow Area= 0.79 sf

Primary OutFlow Max=0.72 cfs @ 12.09 hrs HW=105.83' TW=102.45' (Dynamic Tailwater)
1=12" HDPE P-25 (Inlet Controls 0.72 cfs @ 2.24 fps)

Pond YD A: YD-A



Summary for Pond YD C#4: Cottage #4 Yard Drain

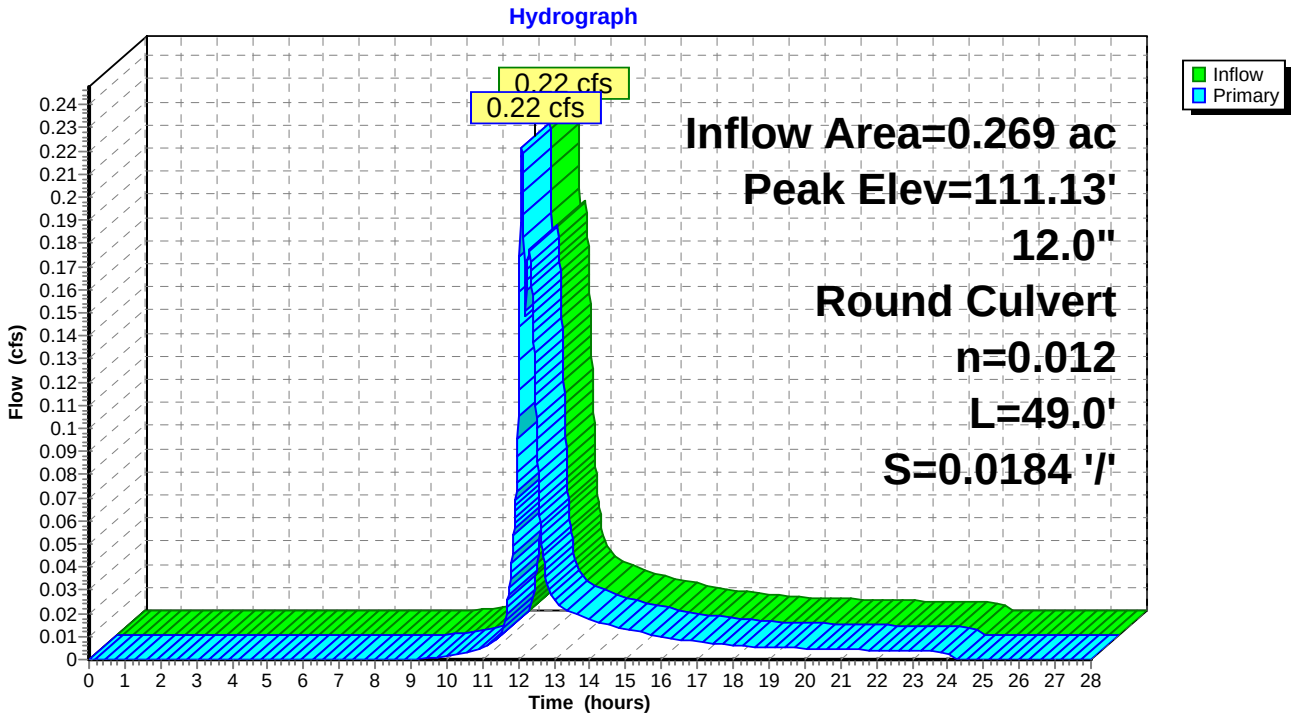
Inflow Area = 0.269 ac, 12.46% Impervious, Inflow Depth = 0.82" for 10-YR SEACOAST event
Inflow = 0.22 cfs @ 12.09 hrs, Volume= 0.018 af
Outflow = 0.22 cfs @ 12.09 hrs, Volume= 0.018 af, Atten= 0%, Lag= 0.0 min
Primary = 0.22 cfs @ 12.09 hrs, Volume= 0.018 af
Routed to Pond YD #3 : Cottage #3 Yard Drain

Routing by Dyn-Stor-Ind method, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs / 2
Peak Elev= 111.13' @ 12.09 hrs
Flood Elev= 115.00'

Device	Routing	Invert	Outlet Devices
#1	Primary	110.90'	**12.0" Round 12" HDPE P-16** L= 49.0' CPP, end-section conforming to fill, Ke= 0.500 Inlet / Outlet Invert= 110.90' / 110.00' S= 0.0184 '/' Cc= 0.900 n= 0.012 Corrugated PP, smooth interior, Flow Area= 0.79 sf

Primary OutFlow Max=0.22 cfs @ 12.09 hrs HW=111.13' TW=110.21' (Dynamic Tailwater)
1=12" HDPE P-16 (Inlet Controls 0.22 cfs @ 1.63 fps)

Pond YD C#4: Cottage #4 Yard Drain



Summary for Pond YD#1: Yard Drain #1

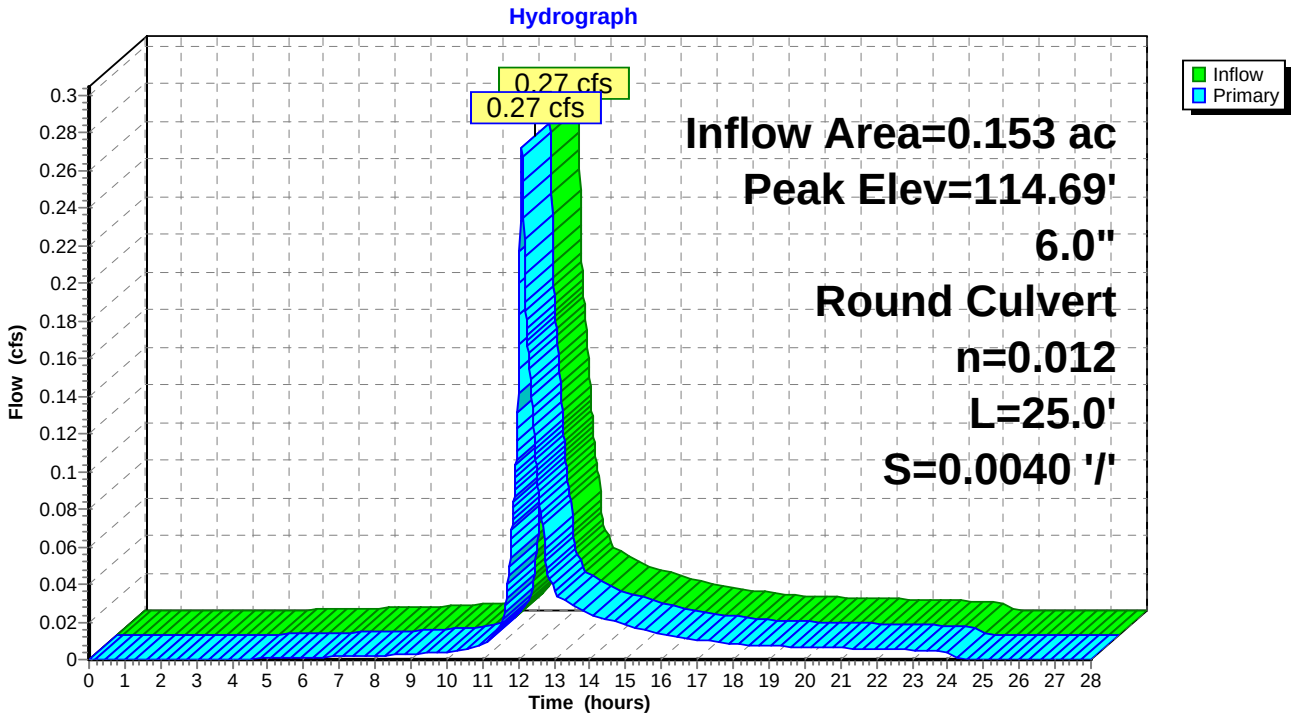
Inflow Area = 0.153 ac, 19.67% Impervious, Inflow Depth = 1.91" for 10-YR SEACOAST event
Inflow = 0.27 cfs @ 12.10 hrs, Volume= 0.024 af
Outflow = 0.27 cfs @ 12.10 hrs, Volume= 0.024 af, Atten= 0%, Lag= 0.0 min
Primary = 0.27 cfs @ 12.10 hrs, Volume= 0.024 af
Routed to Pond ST : STORMTECH SC-310

Routing by Dyn-Stor-Ind method, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs / 2
Peak Elev= 114.69' @ 12.31 hrs
Flood Elev= 115.75'

Device	Routing	Invert	Outlet Devices
#1	Primary	114.10'	**6.0" Round 6" HDPE P-13** L= 25.0' CPP, end-section conforming to fill, Ke= 0.500 Inlet / Outlet Invert= 114.10' / 114.00' S= 0.0040 '/' Cc= 0.900 n= 0.012 Corrugated PP, smooth interior, Flow Area= 0.20 sf

Primary OutFlow Max=0.27 cfs @ 12.10 hrs HW=114.51' TW=114.21' (Dynamic Tailwater)
1=6" HDPE P-13 (Barrel Controls 0.27 cfs @ 2.11 fps)

Pond YD#1: Yard Drain #1



Summary for Pond YD#5: Yard Drain #5

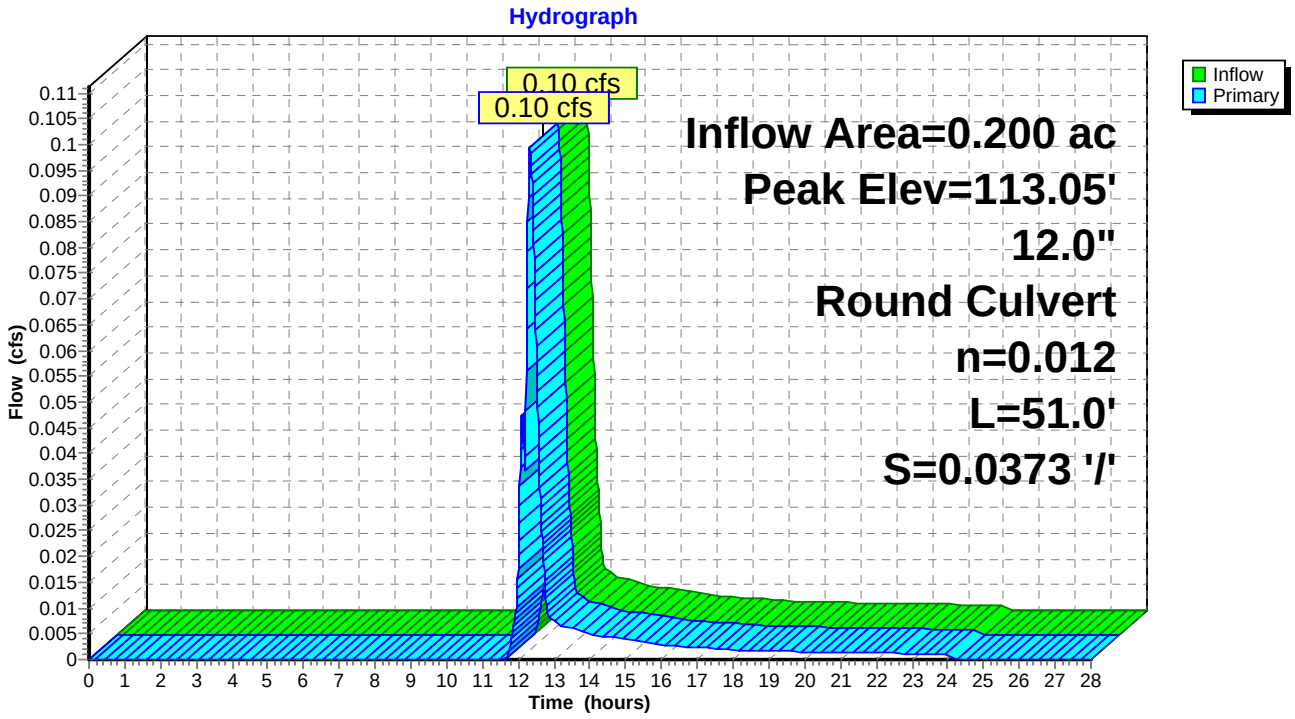
Inflow Area = 0.200 ac, 16.73% Impervious, Inflow Depth = 0.36" for 10-YR SEACOAST event
Inflow = 0.10 cfs @ 12.32 hrs, Volume= 0.006 af
Outflow = 0.10 cfs @ 12.32 hrs, Volume= 0.006 af, Atten= 0%, Lag= 0.0 min
Primary = 0.10 cfs @ 12.32 hrs, Volume= 0.006 af
Routed to Pond YD C#4 : Cottage #4 Yard Drain

Routing by Dyn-Stor-Ind method, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs / 2
Peak Elev= 113.05' @ 12.32 hrs
Flood Elev= 116.50'

Device	Routing	Invert	Outlet Devices
#1	Primary	112.90'	**12.0" Round 12" HDPE P-15** L= 51.0' CPP, end-section conforming to fill, Ke= 0.500 Inlet / Outlet Invert= 112.90' / 111.00' S= 0.0373 '/' Cc= 0.900 n= 0.012 Corrugated PP, smooth interior, Flow Area= 0.79 sf

Primary OutFlow Max=0.10 cfs @ 12.32 hrs HW=113.05' TW=111.10' (Dynamic Tailwater)
1=12" HDPE P-15 (Inlet Controls 0.10 cfs @ 1.33 fps)

Pond YD#5: Yard Drain #5

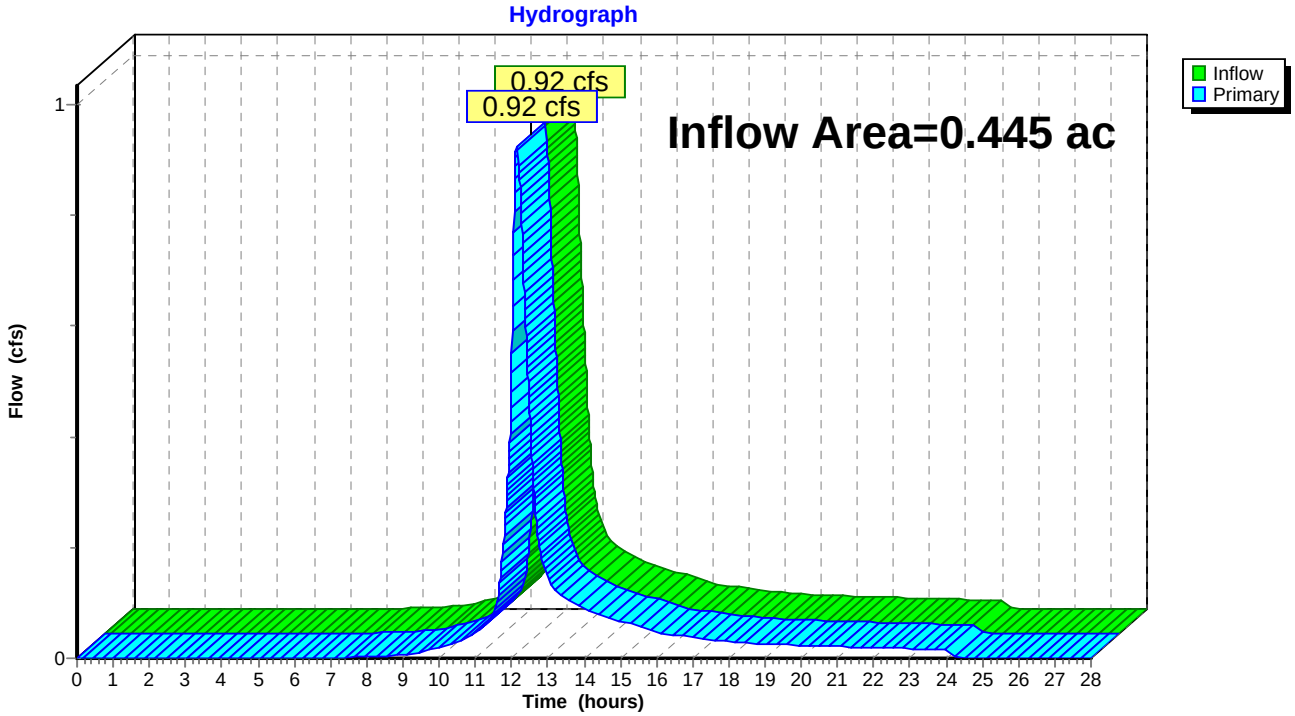


Summary for Link AP-1: EX CB 5944

Inflow Area = 0.445 ac, 14.11% Impervious, Inflow Depth = 2.50" for 10-YR SEACOAST event
Inflow = 0.92 cfs @ 12.14 hrs, Volume= 0.093 af
Primary = 0.92 cfs @ 12.14 hrs, Volume= 0.093 af, Atten= 0%, Lag= 0.0 min
Routed to Link AP-T : AP TOTAL

Primary outflow = Inflow, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs

Link AP-1: EX CB 5944

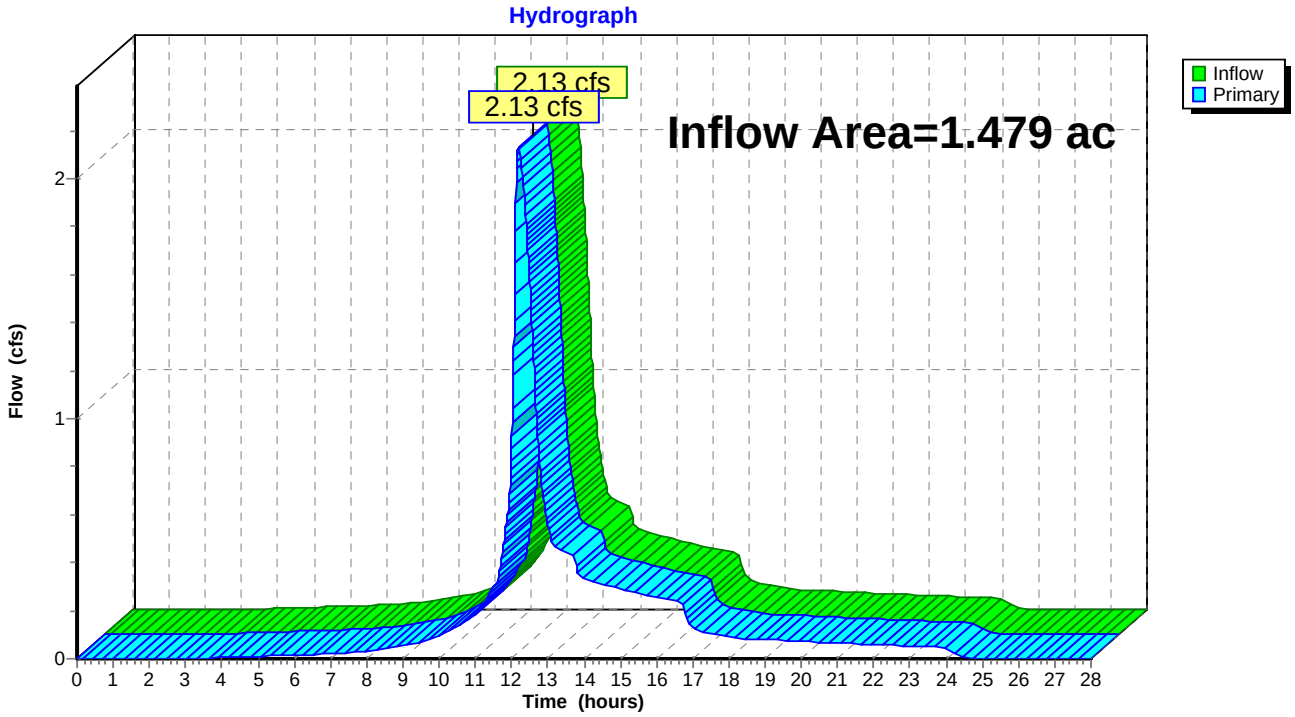


Summary for Link AP-T: AP TOTAL

Inflow Area = 1.479 ac, 29.56% Impervious, Inflow Depth = 2.55" for 10-YR SEACOAST event
Inflow = 2.13 cfs @ 12.20 hrs, Volume= 0.314 af
Primary = 2.13 cfs @ 12.20 hrs, Volume= 0.314 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs

Link AP-T: AP TOTAL



STORMWATER ANALYSIS

and

Erosion & Sediment Control Plan

NARRATIVE

for

103 COURT STREET

103 Court Street Dover, New Hampshire

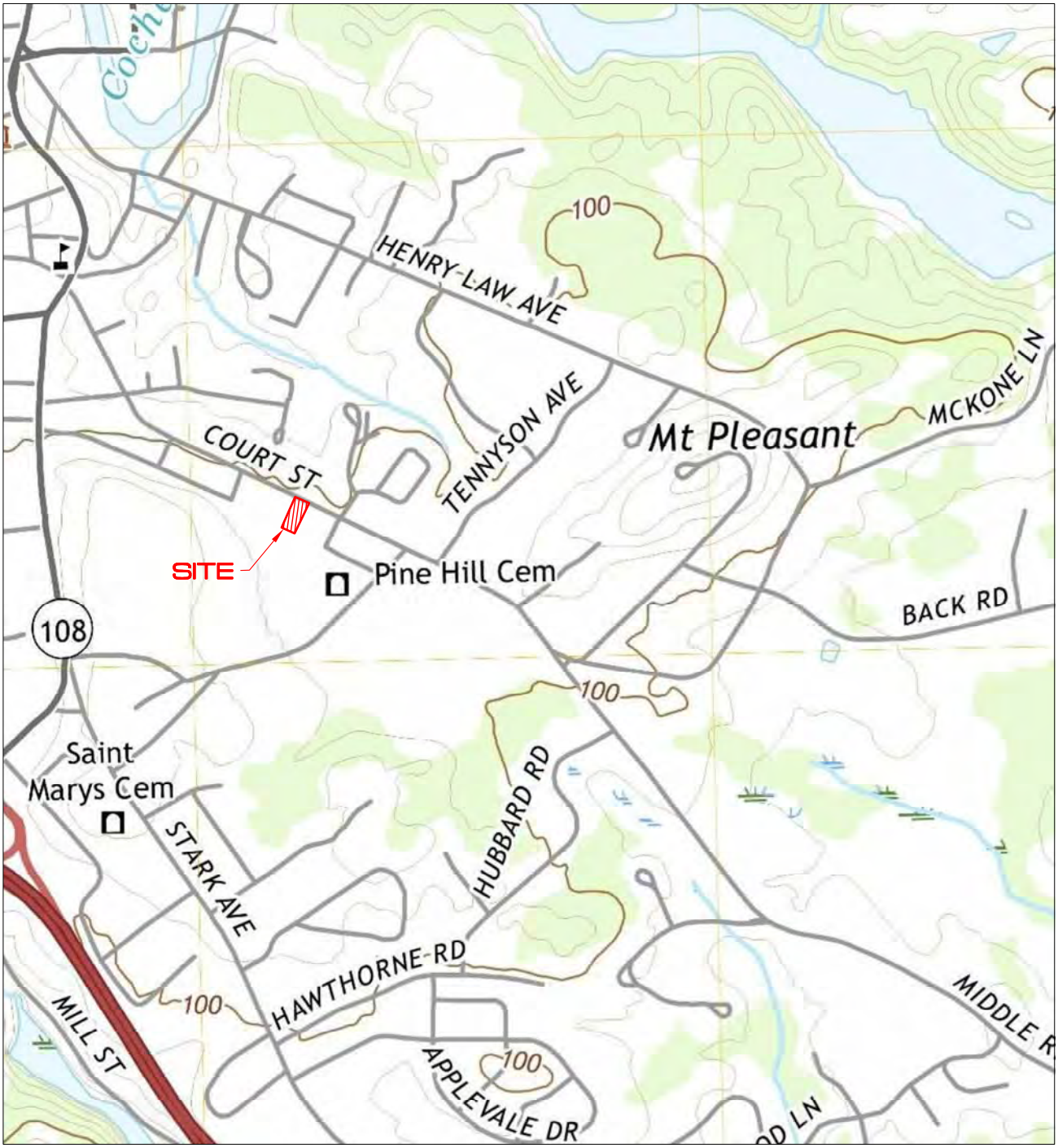
August 2024
October 2024
October 2025

SECTION III

EXHIBITS

NOTE:

THIS PLAN SHOWS PORTIONS OF THE U.S.G.S.: DOVER QUADRANGLE, NEW HAMPSHIRE 7.5 MINUTE SERIES 2021 MAP. SITE LOCATION IS APPROXIMATE.



SHEET NO.

LOCUS-1

USGS PLAN

5 SHERMAN STREET, LLC

103 COURT STREET

TAX MAP 18, LOT 9

DOVER, NEW HAMPSHIRE

APRIL 15, 2024 JOB No. 24101

SCALE: 1" : 1,000'

TRITECH
ENGINEERING CORPORATION

755 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820

TELEPHONE 603 742 8107
FAX 603 742 3330

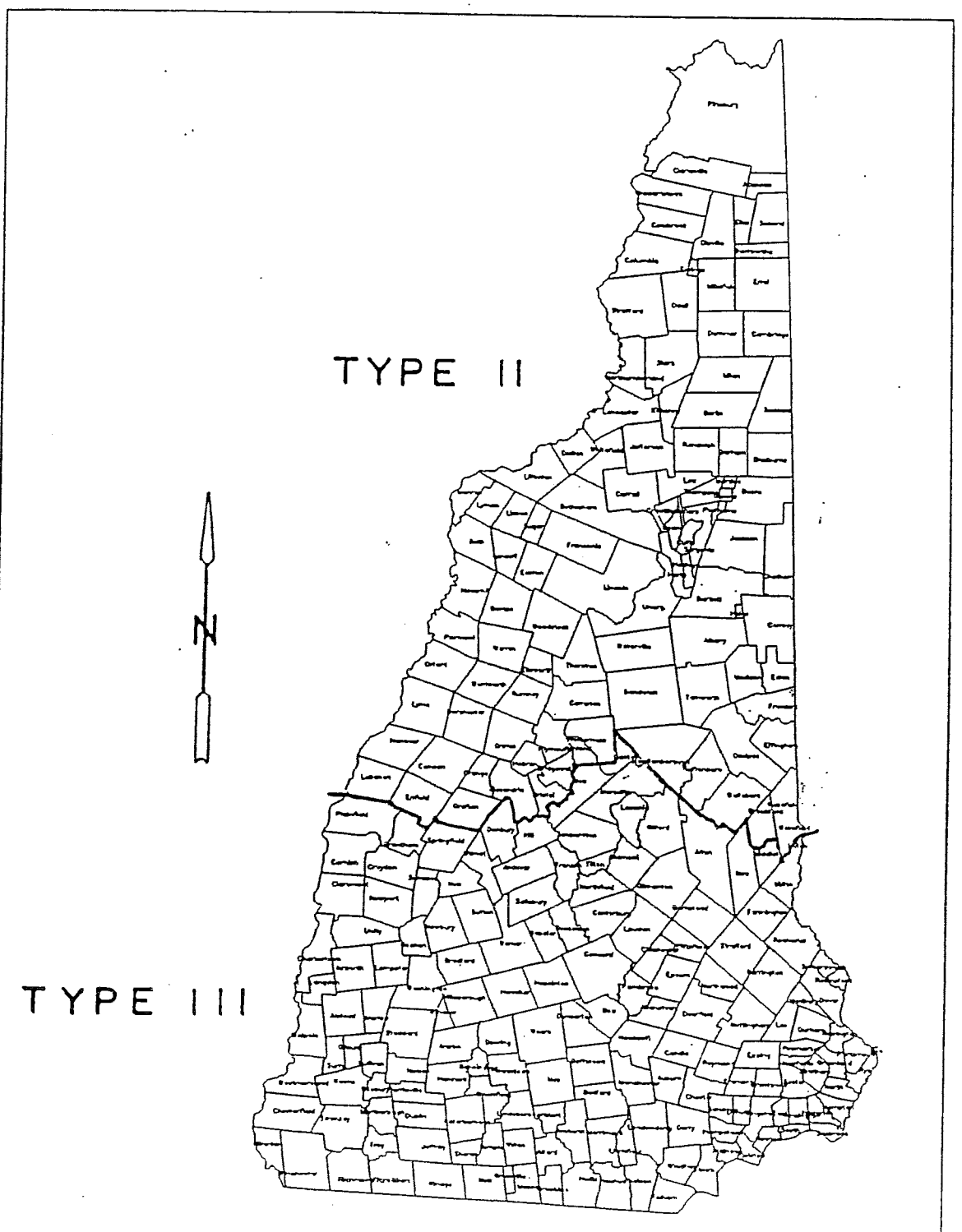


FIGURE 6-5 -- BOUNDARY FOR SCS RAINFALL DISTRIBUTION

Source: USDA Soil Conservation Service

Extreme Precipitation Tables

Northeast Regional Climate Center

Data represents point estimates calculated from partial duration series. All precipitation amounts are displayed in inches.

Metadata for Point

Smoothing	Yes
State	New Hampshire
Location	New Hampshire, United States
Latitude	43.187 degrees North
Longitude	70.868 degrees West
Elevation	30 feet
Date/Time	Thu Mar 07 2024 13:19:59 GMT-0500 (Eastern Standard Time)

Extreme Precipitation Estimates

	5min	10min	15min	30min	60min	120min		1hr	2hr	3hr	6hr	12hr	24hr	48hr		1day	2day	4day	7day	10day	
1yr	0.26	0.40	0.50	0.65	0.81	1.03	**1yr**	0.70	0.98	1.20	1.55	2.00	2.61	2.87	**1yr**	2.31	2.76	3.16	3.89	4.45	**1yr**
2yr	0.32	0.49	0.61	0.81	1.01	1.29	**2yr**	0.88	1.17	1.50	1.91	2.45	3.15	3.51	**2yr**	2.79	3.37	3.87	4.60	5.24	**2yr**
5yr	0.37	0.57	0.72	0.96	1.23	1.58	**5yr**	1.06	1.44	1.85	2.39	3.08	3.98	4.50	**5yr**	3.53	4.32	4.94	5.81	6.57	**5yr**
10yr	0.40	0.63	0.80	1.09	1.42	1.85	**10yr**	1.22	1.69	2.18	2.83	3.67	4.76	5.43	**10yr**	4.21	5.22	5.96	6.94	7.81	**10yr**
25yr	0.46	0.74	0.94	1.30	1.72	2.27	**25yr**	1.49	2.09	2.70	3.53	4.61	6.01	6.96	**25yr**	5.32	6.69	7.62	8.78	9.81	**25yr**
50yr	0.52	0.83	1.06	1.49	2.00	2.67	**50yr**	1.73	2.46	3.19	4.19	5.50	7.19	8.41	**50yr**	6.36	8.08	9.19	10.49	11.66	**50yr**
100yr	0.58	0.94	1.21	1.71	2.32	3.13	**100yr**	2.01	2.89	3.75	4.97	6.54	8.59	10.16	**100yr**	7.60	9.77	11.09	12.55	13.87	**100yr**
200yr	0.64	1.05	1.36	1.96	2.70	3.68	**200yr**	2.33	3.40	4.43	5.90	7.80	10.27	12.28	**200yr**	9.09	11.81	13.37	15.00	16.51	**200yr**
500yr	0.76	1.25	1.62	2.36	3.31	4.54	**500yr**	2.85	4.22	5.51	7.38	9.83	13.02	15.78	**500yr**	11.52	15.17	17.15	19.02	20.79	**500yr**

Lower Confidence Limits

	5min	10min	15min	30min	60min	120min		1hr	2hr	3hr	6hr	12hr	24hr	48hr		1day	2day	4day	7day	10day	
1yr	0.24	0.37	0.45	0.60	0.74	0.89	**1yr**	0.64	0.87	0.92	1.26	1.58	2.14	2.45	**1yr**	1.90	2.36	2.87	3.34	4.02	**1yr**
2yr	0.31	0.49	0.60	0.81	1.00	1.18	**2yr**	0.86	1.16	1.36	1.83	2.36	3.04	3.40	**2yr**	2.69	3.27	3.75	4.47	5.05	**2yr**
5yr	0.35	0.54	0.67	0.91	1.16	1.40	**5yr**	1.00	1.37	1.61	2.15	2.77	3.72	4.13	**5yr**	3.29	3.97	4.62	5.41	6.12	**5yr**
10yr	0.38	0.59	0.73	1.02	1.31	1.60	**10yr**	1.13	1.56	1.81	2.44	3.12	4.27	4.78	**10yr**	3.78	4.60	5.32	6.25	7.02	**10yr**
25yr	0.44	0.66	0.82	1.18	1.55	1.91	**25yr**	1.34	1.87	2.11	2.84	3.64	4.91	5.79	**25yr**	4.35	5.57	6.49	7.55	8.42	**25yr**
50yr	0.48	0.73	0.91	1.31	1.76	2.18	**50yr**	1.52	2.14	2.35	3.19	4.09	5.60	6.67	**50yr**	4.96	6.42	7.53	8.71	9.67	**50yr**
100yr	0.53	0.81	1.01	1.46	2.01	2.50	**100yr**	1.73	2.45	2.63	3.57	4.56	6.37	7.69	**100yr**	5.64	7.39	8.74	10.06	11.07	**100yr**
200yr	0.59	0.89	1.13	1.64	2.28	2.86	**200yr**	1.97	2.80	2.93	3.99	5.08	7.24	8.86	**200yr**	6.41	8.52	10.13	11.61	12.71	**200yr**
500yr	0.69	1.03	1.32	1.92	2.73	3.44	**500yr**	2.36	3.37	3.40	4.62	5.89	8.54	10.67	**500yr**	7.56	10.26	12.31	14.06	15.19	**500yr**

Upper Confidence Limits

	5min	10min	15min	30min	60min	120min		1hr	2hr	3hr	6hr	12hr	24hr	48hr		1day	2day	4day	7day	10day	
1yr	0.28	0.43	0.53	0.71	0.87	1.08	**1yr**	0.75	1.05	1.24	1.74	2.21	2.88	3.09	**1yr**	2.55	2.97	3.44	4.24	4.83	**1yr**
2yr	0.33	0.51	0.62	0.85	1.04	1.25	**2yr**	0.90	1.22	1.48	1.96	2.51	3.30	3.63	**2yr**	2.92	3.49	4.00	4.75	5.46	**2yr**
5yr	0.39	0.61	0.75	1.03	1.31	1.58	**5yr**	1.13	1.55	1.86	2.50	3.20	4.25	4.86	**5yr**	3.76	4.68	5.28	6.24	7.01	**5yr**
10yr	0.46	0.70	0.87	1.22	1.57	1.92	**10yr**	1.36	1.88	2.24	3.05	3.86	5.22	6.07	**10yr**	4.62	5.84	6.68	7.66	8.55	**10yr**
25yr	0.56	0.85	1.05	1.50	1.98	2.48	**25yr**	1.71	2.43	2.88	3.97	4.97	7.12	8.16	**25yr**	6.30	7.85	8.94	10.09	11.14	**25yr**
50yr	0.64	0.98	1.22	1.75	2.36	3.00	**50yr**	2.04	2.93	3.50	4.84	6.04	8.80	10.23	**50yr**	7.79	9.84	11.18	12.41	13.62	**50yr**
100yr	0.75	1.13	1.42	2.05	2.81	3.63	**100yr**	2.43	3.55	4.25	5.93	7.35	10.88	12.83	**100yr**	9.63	12.33	13.96	15.30	16.67	**100yr**
200yr	0.87	1.31	1.66	2.40	3.35	4.40	**200yr**	2.89	4.30	5.17	7.26	8.94	13.49	16.09	**200yr**	11.94	15.48	17.46	18.83	20.43	**200yr**
500yr	1.06	1.58	2.04	2.96	4.21	5.66	**500yr**	3.63	5.53	6.68	9.50	11.59	17.95	21.73	**500yr**	15.89	20.90	23.49	24.83	26.73	**500yr**

Powered by ACIS Northeast Regional Climate Center

FILTRATION PRACTICE DESIGN CRITERIA
(Env-Wq 1508.08)

Type/Node Name: **Court Street Bio #1**

Enter the type of filtration practice (e.g., bioretention system) and the node name in the drainage analysis, if applicable.

Yes		Check if you reviewed the restrictions on unlined systems outlined in Env-Wq 1508.08(a).	
0.99	ac	A = Area draining to the practice	
0.33	ac	A_I = Impervious area draining to the practice	
0.33	decimal	I = Percent impervious area draining to the practice, in decimal form	
0.35	unitless	Rv = Runoff coefficient = 0.05 + (0.9 x I)	
0.34	ac-in	WQV= 1" x Rv x A	
1,251	cf	WQV conversion (ac-in x 43,560 sf/ac x 1ft/12")	
313	cf	25% x WQV (check calc for sediment forebay volume)	
938	cf	75% x WQV (check calc for surface sand filter volume)	
Hooded Sump CB		Method of Pretreatment? (not required for clean or roof runoff)	
-	cf	V_{SED} = Sediment forebay volume, if used for pretreatment	**≥ 25%WQV**
Calculate time to drain if system IS NOT underdrained:			
-	sf	A_{SA} = Surface area of the practice	
-	iph	$Ksat_{DESIGN}$ = Design infiltration rate[1]	
-	Yes/No	If Ksat (prior to factor of safety) is < 0.50 iph, has an underdrain been provided? (Use the calculations below)	
-	hours	T_{DRAIN} = Drain time = V / (A_{SA} * I_{DESIGN})	**≤ 72-hrs**
Calculate time to drain if system IS underdrained:			
102.30	ft	E_{WQV} = Elevation of WQV (attach stage-storage table)	
0.33	cfs	Q_{WQV} = Discharge at the E_{WQV} (attach stage-discharge table)	
2.11	hours	T_{DRAIN} = Drain time = 2WQV/Q_{WQV}	**≤ 72-hrs**
100.50	feet	E_{FC} = Elevation of the bottom of the filter course material[2]	
99.30	feet	E_{UD} = Invert elevation of the underdrain (UD), if applicable	
102.00	feet	E_{SHWT} = Elevation of SHWT (if none found, enter the lowest elevation of the test pit)	
102.00	feet	E_{ROCK} = Elevation of bedrock (if none found, enter the lowest elevation of the test pit)	
1.20	feet	$D_{FC\ to\ UD}$ = Depth to UD from the bottom of the filter course	**≥ 1'**
(1.50)	feet	$D_{FC\ to\ ROCK}$ = Depth to bedrock from the bottom of the filter course	**≥ 1'**
(1.50)	feet	$D_{FC\ to\ SHWT}$ = Depth to SHWT from the bottom of the filter course	**≥ 1'**
103.97	ft	Peak elevation of the 50-year storm event (infiltration can be used in analysis)	
104.00	ft	Elevation of the top of the practice	
YES		50 peak elevation ≤ Elevation of the top of the practice	**← yes**
If a surface sand filter or underground sand filter is proposed:			
YES	ac	Drainage Area check.	**< 10 ac**
	cf	V = Volume of storage[3] (attach a stage-storage table)	**≥ 75%WQV**
	inches	D_{FC} = Filter course thickness	**18", or 24" if within GPA**
Sheet		Note what sheet in the plan set contains the filter course specification.	
	Yes/No	Access grate provided?	**← yes**

If a bioretention area is proposed:			
YES	ac	Drainage Area no larger than 5 ac?	**← yes**
1,345	cf	V = Volume of storage[3] (attach a stage-storage table)	**≥ WQV**
18.0	inches	D_{FC} = Filter course thickness	**18", or 24" if within GPA**
Sheet	SP-5	Note what sheet in the plan set contains the filter course specification	
2.0	:1	Pond side slopes	**≥ 3:1**
Sheet	SP-5	Note what sheet in the plan set contains the planting plans and surface cover	
If porous pavement is proposed:			
		Type of pavement proposed (Concrete? Asphalt? Pavers? Etc.)	
	acres	A_{SA} = Surface area of the pervious pavement	
	:1	Ratio of the contributing area to the pervious surface area	**≤ 5:1**
	inches	D_{FC} = Filter course thickness	**12", or 18" if within GPA mod. 304.1 (see spec)**
Sheet		Note what sheet in the plan set contains the filter course spec.	

1. Rate of the limiting layer (either the filter course or the underlying soil). $Ksat_{design}$ includes factor of safey. See Env-Wq 1504.14 for guidance on determining the infiltration rate.

2. See lines 34, 40 and 48 for required depths of filter media.

3. Volume without depending on infiltration. The volume includes the storage above the filter (but below the invert of the outlet stucture, if any), the filter media voids, and the pretreatment area. The storage above the filter media shall not include the volume above the outlet structure, if any.

Designer's Notes:

Summary for Pond BIO #1: BIO #1

Inflow Area = 0.988 ac, 33.24% Impervious, Inflow Depth = 4.43" for 50-YR SEACOAST event
Inflow = 4.71 cfs @ 12.09 hrs, Volume= 0.365 af
Outflow = 2.49 cfs @ 12.25 hrs, Volume= 0.365 af, Atten= 47%, Lag= 9.2 min
Primary = 2.49 cfs @ 12.25 hrs, Volume= 0.365 af
Routed to Pond DMH 104 : DMH 104

Routing by Dyn-Stor-Ind method, Time Span= 0.00-28.00 hrs, dt= 0.01 hrs / 2
Peak Elev= 103.97' @ 12.25 hrs Surf.Area= 1,988 sf Storage= 3,569 cf
Flood Elev= 104.00' Surf.Area= 2,015 sf Storage= 3,623 cf

Plug-Flow detention time= 33.8 min calculated for 0.365 af (100% of inflow)
Center-of-Mass det. time= 33.8 min (825.0 - 791.1)

Volume	Invert	Avail.Storage	Storage Description
#1	99.24'	3,623 cf	**Custom Stage Data (Conic)** Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Voids (%)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)	Wet.Area (sq-ft)
99.24	1,350	0.0	0	0	1,350
99.25	1,350	40.0	5	5	1,351
100.49	1,350	40.0	670	675	1,513
100.50	1,350	20.0	3	678	1,514
101.99	1,350	20.0	402	1,080	1,708
102.00	800	100.0	11	1,091	2,258
103.00	1,150	100.0	970	2,060	2,625
104.00	2,015	100.0	1,562	3,623	3,501

Device	Routing	Invert	Outlet Devices
#1	Device 3	99.24'	**6.000 in/hr Exfiltration to Underdrain over Wetted area** Phase-In= 0.10'
#2	Device 3	103.95'	**0.5" x 4.5" Horiz. Orifice/Grate Overflow X 14.00 columns** X 4 rows C= 0.600 Limited to weir flow at low heads
#3	Primary	99.20'	**12.0" Round 12" HDPE (P-8)** L= 65.0' CPP, end-section conforming to fill, Ke= 0.500 Inlet / Outlet Invert= 99.20' / 97.50' S= 0.0262 '/' Cc= 0.900 n= 0.012 Corrugated PP, smooth interior, Flow Area= 0.79 sf
#4	Device 3	102.30'	**9.0" W x 4.0" H Vert. Orifice in the side of OS #1** C= 0.600 Limited to weir flow at low heads

Primary OutFlow Max=2.49 cfs @ 12.25 hrs HW=103.97' TW=98.38' (Dynamic Tailwater)
└─**3=12" HDPE (P-8)** (Passes 2.49 cfs of 7.82 cfs potential flow)
  ├─**1=Exfiltration to Underdrain** (Exfiltration Controls 0.48 cfs)
  ├─**2=Orifice/Grate Overflow** (Weir Controls 0.53 cfs @ 0.49 fps)
  └─**4=Orifice in the side of OS #1** (Orifice Controls 1.48 cfs @ 5.91 fps)

Stage-Discharge for Pond BIO #1: BIO #1 (continued)

Elevation (feet)	Primary (cfs)	Elevation (feet)	Primary (cfs)	Elevation (feet)	Primary (cfs)	Elevation (feet)	Primary (cfs)
101.36	0.23	101.89	0.24	102.42	0.43	102.95	1.19
101.37	0.23	101.90	0.24	102.43	0.45	102.96	1.20
101.38	0.23	101.91	0.24	102.44	0.46	102.97	1.21
101.39	0.23	101.92	0.24	102.45	0.48	102.98	1.22
101.40	0.23	101.93	0.24	102.46	0.49	102.99	1.23
101.41	0.23	101.94	0.24	102.47	0.51	103.00	1.24
101.42	0.23	101.95	0.24	102.48	0.52	103.01	1.25
101.43	0.23	101.96	0.24	102.49	0.54	103.02	1.26
101.44	0.23	101.97	0.24	102.50	0.55	103.03	1.27
101.45	0.23	101.98	0.24	102.51	0.57	103.04	1.28
101.46	0.23	101.99	0.24	102.52	0.59	103.05	1.29
101.47	0.23	102.00	0.31	102.53	0.61	103.06	1.30
101.48	0.23	102.01	0.31	102.54	0.62	103.07	1.30
101.49	0.23	102.02	0.31	102.55	0.64	103.08	1.31
101.50	0.23	102.03	0.32	102.56	0.66	103.09	1.32
101.51	0.23	102.04	0.32	102.57	0.68	103.10	1.33
101.52	0.23	102.05	0.32	102.58	0.70	103.11	1.34
101.53	0.23	102.06	0.32	102.59	0.72	103.12	1.35
101.54	0.23	102.07	0.32	102.60	0.74	103.13	1.36
101.55	0.23	102.08	0.32	102.61	0.76	103.14	1.36
101.56	0.23	102.09	0.32	102.62	0.78	103.15	1.37
101.57	0.23	102.10	0.32	102.63	0.80	103.16	1.38
101.58	0.23	102.11	0.32	102.64	0.82	103.17	1.39
101.59	0.23	102.12	0.32	102.65	0.84	103.18	1.40
101.60	0.23	102.13	0.32	102.66	0.86	103.19	1.41
101.61	0.23	102.14	0.32	102.67	0.87	103.20	1.41
101.62	0.23	102.15	0.32	102.68	0.89	103.21	1.42
101.63	0.23	102.16	0.32	102.69	0.90	103.22	1.43
101.64	0.23	102.17	0.32	102.70	0.92	103.23	1.44
101.65	0.23	102.18	0.32	102.71	0.93	103.24	1.45
101.66	0.23	102.19	0.32	102.72	0.94	103.25	1.46
101.67	0.23	102.20	0.32	102.73	0.96	103.26	1.46
101.68	0.23	102.21	0.32	102.74	0.97	103.27	1.47
101.69	0.23	102.22	0.32	102.75	0.98	103.28	1.48
101.70	0.23	102.23	0.32	102.76	0.99	103.29	1.49
101.71	0.23	102.24	0.33	102.77	1.01	103.30	1.49
101.72	0.23	102.25	0.33	102.78	1.02	103.31	1.50
101.73	0.23	102.26	0.33	102.79	1.03	103.32	1.51
101.74	0.23	102.27	0.33	102.80	1.04	103.33	1.52
101.75	0.23	102.28	0.33	102.81	1.05	103.34	1.53
101.76	0.23	102.29	0.33	102.82	1.06	103.35	1.53
101.77	0.23	102.30	0.33	102.83	1.07	103.36	1.54
101.78	0.23	102.31	0.33	102.84	1.08	103.37	1.55
101.79	0.23	102.32	0.34	102.85	1.10	103.38	1.56
101.80	0.23	102.33	0.34	102.86	1.11	103.39	1.56
101.81	0.23	102.34	0.35	102.87	1.12	103.40	1.57
101.82	0.23	102.35	0.36	102.88	1.13	103.41	1.58
101.83	0.23	102.36	0.37	102.89	1.14	103.42	1.59
101.84	0.23	102.37	0.38	102.90	1.15	103.43	1.59
101.85	0.23	102.38	0.39	102.91	1.16	103.44	1.60
101.86	0.23	102.39	0.40	102.92	1.17	103.45	1.61
101.87	0.24	102.40	0.41	102.93	1.18	103.46	1.61
101.88	0.24	102.41	0.42	102.94	1.19	103.47	1.62

Stage-Area-Storage for Pond BIO #1: BIO #1 (continued)

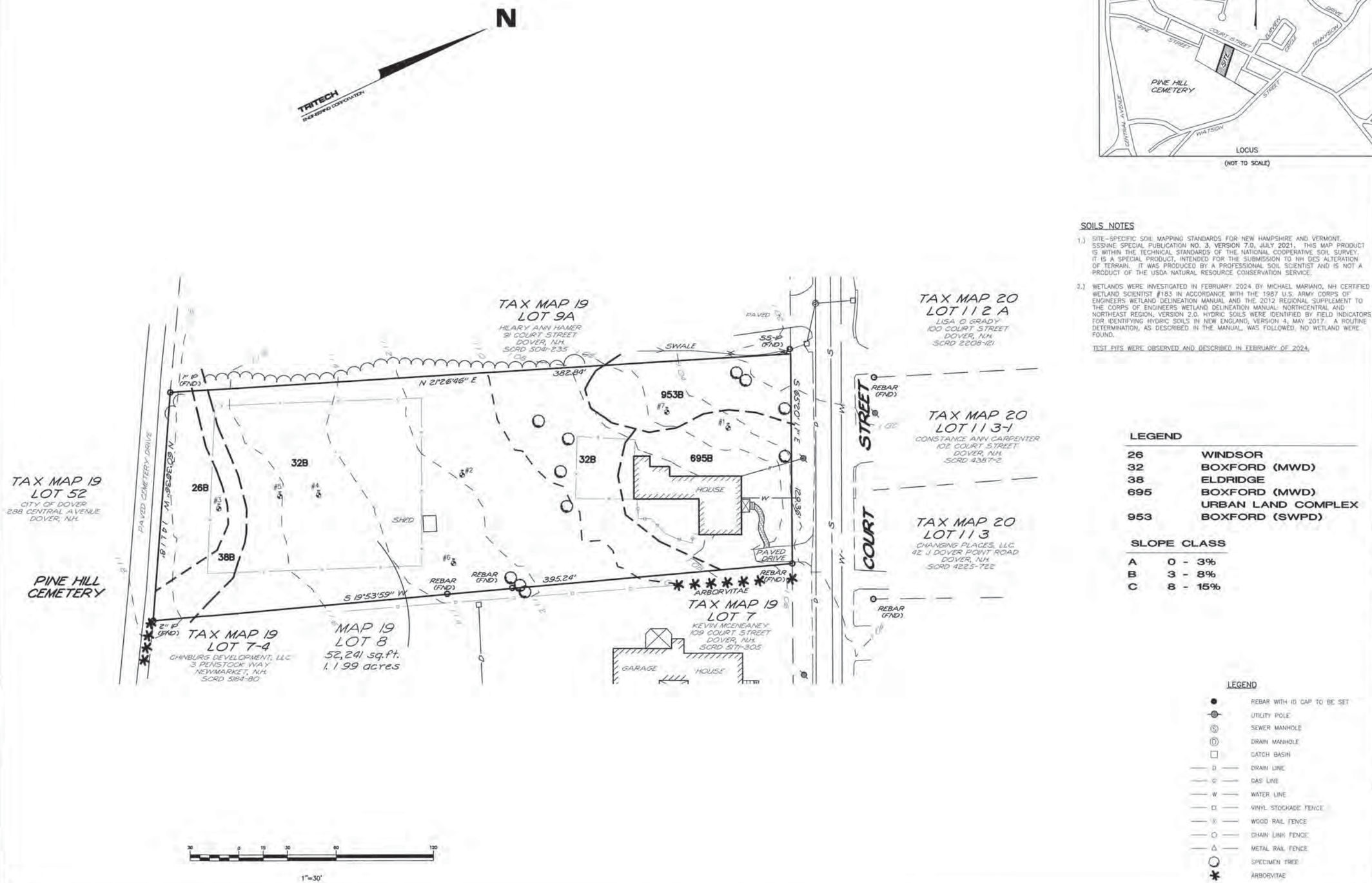
Elevation (feet)	Surface (sq-ft)	Wetted (sq-ft)	Storage (cubic-feet)
101.89	1,350	1,695	1,053
101.90	1,350	1,696	1,056
101.91	1,350	1,698	1,058
101.92	1,350	1,699	1,061
101.93	1,350	1,700	1,064
101.94	1,350	1,702	1,067
101.95	1,350	1,703	1,069
101.96	1,350	1,704	1,072
101.97	1,350	1,706	1,075
101.98	1,350	1,707	1,077
101.99	1,350	1,708	1,080
102.00	800	2,258	1,091
102.01	803	2,262	1,099
102.02	806	2,265	1,107
102.03	810	2,268	1,115
102.04	813	2,272	1,123
102.05	816	2,275	1,131
102.06	819	2,278	1,139
102.07	822	2,282	1,147
102.08	826	2,285	1,156
102.09	829	2,288	1,164
102.10	832	2,292	1,172
102.11	835	2,295	1,181
102.12	839	2,299	1,189
102.13	842	2,302	1,197
102.14	845	2,306	1,206
102.15	848	2,309	1,214
102.16	852	2,312	1,223
102.17	855	2,316	1,231
102.18	858	2,319	1,240
102.19	862	2,323	1,248
102.20	865	2,326	1,257
102.21	868	2,330	1,266
102.22	872	2,333	1,274
102.23	875	2,337	1,283
102.24	878	2,340	1,292
102.25	882	2,344	1,301
102.26	885	2,347	1,310
102.27	888	2,351	1,318
102.28	892	2,354	1,327
102.29	895	2,358	1,336
102.30	898	2,361	1,345
102.31	902	2,365	1,354
102.32	905	2,368	1,363
102.33	908	2,372	1,372
102.34	912	2,375	1,381
102.35	915	2,379	1,391
102.36	919	2,383	1,400
102.37	922	2,386	1,409
102.38	926	2,390	1,418
102.39	929	2,393	1,427
102.40	932	2,397	1,437
102.41	936	2,401	1,446

GROUNDWATER RECHARGE VOLUME (GRV)
(Env-Wq 1504.12)

-	ac	Area of HSG A soil that was replaced by impervious cover	0.40"
-	ac	Area of HSG B soil that was replaced by impervious cover	0.25"
0.28	ac	Area of HSG C soil that was replaced by impervious cover	0.10"
0.05	ac	Area of HSG D soil or impervious cover that was replaced by impervious cover	0.0"
0.09	inches	Rd = Weighted groundwater recharge depth	
0.0281	ac-in	GRV = AI * Rd	
102	cf	GRV conversion (ac-in x 43,560 sf/ac x 1ft/12")	
	← Y/N	Is a stage-storage table attached showing that the GRV can be stored below the lowest invert of the outlet structure (if applicable)? Multiple stormwater control measures may be used to meet the GRV requirements.	

Provide calculations/discussion below showing that the project meets the groundwater recharge requirements (Env-Wq 1507.04):

Infiltration from Stormtech = 145 cubic feet



TRITECH
ENGINEERING CORPORATION
755 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820
TELEPHONE 603 742 8107
FAX 603 742 3830

REVISIONS
DATE: DESCRIPTION:

SOILS NOTES

1.) SITE-SPECIFIC SOIL MAPPING STANDARDS FOR NEW HAMPSHIRE AND VERMONT, SSSNNE SPECIAL PUBLICATION NO. 3, VERSION 7.0, JULY 2021. THIS MAP PRODUCT IS WITHIN THE TECHNICAL STANDARDS OF THE NATIONAL COOPERATIVE SOIL SURVEY. IT IS A SPECIAL PRODUCT, INTENDED FOR THE SUBMISSION TO NH DES ALTERATION OF TERRAIN. IT WAS PRODUCED BY A PROFESSIONAL SOIL SCIENTIST AND IS NOT A PRODUCT OF THE USDA NATURAL RESOURCE CONSERVATION SERVICE.

2.) WETLANDS WERE INVESTIGATED IN FEBRUARY 2024 BY MICHAEL MARIANO, NH CERTIFIED WETLAND SCIENTIST #183 IN ACCORDANCE WITH THE 1987 U.S. ARMY CORPS OF ENGINEERS WETLAND DELINEATION MANUAL AND THE 2012 REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL: NORTHCENTRAL AND NORTHEAST REGION, VERSION 2.0. HYDRIC SOILS WERE IDENTIFIED BY FIELD INDICATORS FOR IDENTIFYING HYDRIC SOILS IN NEW ENGLAND, VERSION 4, MAY 2017. A ROUTINE DETERMINATION, AS DESCRIBED IN THE MANUAL, WAS FOLLOWED. NO WETLAND WERE FOUND.

TEST PITS WERE OBSERVED AND DESCRIBED IN FEBRUARY OF 2024.

LEGEND

26	WINDSOR
32	BOXFORD (MWD)
38	ELDRIDGE
695	BOXFORD (MWD)
	URBAN LAND COMPLEX
953	BOXFORD (SWPD)

SLOPE CLASS

A	0 - 3%
B	3 - 8%
C	8 - 15%

LEGEND

- REBAR WITH ID CAP TO BE SET
- UTILITY POLE
- SEWER MANHOLE
- DRAIN MANHOLE
- CATCH BASIN
- D — DRAIN LINE
- G — GAS LINE
- W — WATER LINE
- VINYL STOCKADE FENCE
- WOOD RAIL FENCE
- CHAIN LINK FENCE
- METAL RAIL FENCE
- SPECIMEN TREE
- ARBORVITAE

STATE OF NEW HAMPSHIRE · SOIL SCIENTIST · MICHAEL MARIANO No. 76 · CERTIFIED

SITE SPECIFIC SOILS PLAN

103 COURT STREET

103 COURT STREET
DOVER, NEW HAMPSHIRE
STRAFFORD COUNTY
AUGUST 15, 2024
JOB No. 24101
SCALE: 1" = 30'

SHEET No.

SSS-1

(P24-)

SOIL REPORT

March 19, 2024

Court St
Dover NH
Map 19 Lot 8

Location: 103 Court Street; 1.2 acre lot with southerly property line abutting Pine Hill Cemetery.

Landscape: Very gentle uniform slope from Pine Hill Cemetery to Court Street

Wetlands: There are no wetlands on the property. The area was observed in March 2024 by Michael Mariano, NH Certified Wetland Scientist #183.

Soils: Soils consist almost entirely of moderately well drained silty marine deposits. There is a small area of similar soils that are somewhat poorly drained in the NW corner and some well drained to somewhat excessively drained sandy outwash at the southerly property line. The house sets on a small leveled area of urban land.

Purpose: The site specific soil map was prepared for a proposed residential complex with city water and sewer.

Methodology: The soil map was prepared in accordance with the Site-Specific Soil Mapping Standards For New Hampshire and Vermont, July 2021 by the Society of Soil Scientists of Northern New England and standards established by the National Cooperative Soil Survey. The soil survey was prepared by Michael Mariano, NH Certified Soil Scientist #076.

A plan provided by Tritech Engineering, Dover NH at 1" = 30' with 2' contours was used as a base map. Existing monumentation, survey transects, and topographic features were used as control. Pits were dug by an excavator to classify soils at the series level. Pits were located Highland Soil Services.

Soil boundaries were observed throughout their length and their placement corresponds to changes in soil properties, land forms, and landscape positions. The identification of soils is based on the New Hampshire State-Wide Numerical Soils Legend.

Map Unit Purity:

Consociations: Map units will contain 75 percent or more of pedons that fit within the range of the taxon that provides the name for the map unit or are in a similar taxon. No one similar soil is greater than the named reference taxa. The total amount of dissimilar inclusions will not exceed 25 percent. No single dissimilar soil will make up more than 10 percent of the map unit. Limiting inclusions do not exceed 15 percent of the map unit. More intensive separation of dissimilar inclusions within a map unit can be made at the discretion of the Soil Scientist.

Complexes: Map units consist of areas of two or more kinds of soils that are in a regularly repeating pattern, so intricate that the two components cannot be delineated separately at the scale of mapping. The major components that provide the name for the map unit are sufficiently different in morphology or behavior that the unit cannot be named as a consociation. No single dissimilar soil will make up more than 10 percent of the map unit. Limiting inclusions do not exceed 15 percent of the map unit.

Drainage Classes: Soil series names added for soils on this property.

***Very Poorly Drained*:** There are no very poorly drained soils mapped on this property.

Poorly Drained: There are no poorly drained soils mapped on this property.

Somewhat Poorly Drained: 953 Boxford, SPD. Water is removed slowly so that the soil is wet at a shallow depth for significant periods during the growing season. The occurrence of internal free water commonly is shallow to moderately deep and transitory to permanent. Wetness markedly restricts the growth of mesophytic crops unless artificial drainage is provided. The soils commonly have one or more of the following characteristics: low or very low saturated hydrologic conductivity, a high-water table or additional water from seepage.

Interpretive limits: Soils that have common distinct or prominent redoximorphic features, which are not relict features, at a depth less than 15 inches below the soil surface

Moderately Well Drained: 32 Boxford, 38 Eldridge, 695 Boxford-Urban Land Complex. Water is removed from the soil somewhat slowly during some periods of the year. Internal free water occurrence commonly is moderately deep and transitory through permanent. The soils are wet for only a short time within the rooting depth during the growing season, but long enough that most mesophytes are affected. They commonly have a moderately low or lower saturated hydrologic conductivity in a layer within the upper 1 meter, periodically receive high rainfall, or both.

Interpretive limits: Soils that have distinct or prominent redoximorphic features, that are not relict features, between a depth of 15 inches and 40 inches below the soil surface.

Well Drained: 26 Windsor. Water is removed from the soil readily but not rapidly. Internal free water occurrence commonly is deep or very deep; annual duration is not specified. Water is available to plants throughout most of the growing season. Wetness does not inhibit growth of roots for significant periods during most growing seasons. The soils are mainly deep to redoximorphic features that are related to wetness.

Interpretive limits: Soils that have textures in any horizon within the particle size control section of loamy very fine sand or finer, and have moderate permeability. Few, fine, distinct redox concentrations confined to ped faces, in a 2-inch zone immediately above the contact with firm or very firm dense basal till, (if occurring within 40 inches) is allowed within the interpretive limits of well drained.

***Excessively Drained*:** There are no excessively drained soils on the property

Soil Map Legend

26	Windsor
32	Boxford, moderately well drained
38	Eldridge
695	Boxford (MWD) – Urban Land Complex
953	Boxford, somewhat poorly drained

Slope Classes

A	0-3%
B	3-8%
C	8-15%

This map product is within the technical standards of the National Cooperative Soil Survey and produced in accordance with the Society of Soil Scientists of Northern New England Publication Site-Specific Soil Mapping Standards For New Hampshire and Vermont, July 2021 It was produced by a professional soil scientist, and is not a product of the USDA Natural Resources Conservation Service. There is a map that accompanies this report.



Boxford

NH Site Specific mapping symbol: 32, moderately well drained
953, somewhat poorly drained
695, in complex with Urban Land

Setting

Parent Material:	Silty marine sediments
Landform:	Convex plains, broad drainageways
Position on Landscape:	Uplands at lower elevations or in drainageways
Slope Range:	3 to 8 percent

Composition and Soil Characteristics

Drainage Class:	Moderately well drained; seasonal high water table at 15 to 40 inches. OR..somewhat poorly drained with seasonal high water table at 7-15”
Hydrologic Group:	C/D
Surface Runoff	Rapid
Permeability	Slow. Very slow in subsoil
Depth to Bedrock	> 40 inches
Hydric conditions	Possible in somewhat poorly drained areas

Inclusions within Mapping Unit

Similar:	Scitico silt loam – poorly drained
Contrasting:	Eldridge – sandy surface over silty subsoil

Use and Management

With improvements and engineering practices, this soil is fairly well suited to development. Slow permeability and a seasonal high water table are the limiting factors. Position on the landscape allows engineering practices to overcome the limitations. Subsurface wastewater disposal is permitted. See test pit 2 (MWD) and test pit 7 (SPD)for a typical descriptions.
Note: Urban land is land that has been altered by human activity (levelling, filling, etc)

Eldridge

NH Numerical Soil Legend: 38

Setting

Parent Material:	Glacial outwash over silty marine sediments
Landform:	Outwash plains
Position on Landscape:	Lower sideslopes
Slope Range:	3-8 percent

Composition and Soil Characteristics

Drainage Class:	Moderately well drained; seasonal high water table at 15 to 40 inches
Hydrologic Group:	C/D
Surface Runoff	Moderate
Permeability	Moderate – slow in silty subsoil
Depth to Bedrock	> 40 inches
Hydric conditions	No

Inclusions Within Mapping Unit

Similar:	Deep phase with silty subsoil at >40” Somewhat poorly drained Eldridge Variant
Contrasting:	Deerfield– sandy throughout

Use and Management

This soil is well suited to development. A seasonal high water table with clayey subsoil is the limiting factors.

Windsor

NH Numerical Soil Legend: 26

Setting

Parent Material:	Glacial outwash
Landform:	Outwash plains
Position on Landscape:	Highest elevations
Slope Range:	3 to 8 percent

Composition and Soil Characteristics

Drainage Class:	Somewhat excessively drained; seasonal high water table at >40 inches
Hydrologic Group:	A
Surface Runoff	Moderate
Permeability	Rapid
Depth to Bedrock	> 40 inches
Hydric conditions	No

Inclusions Within Mapping Unit

Similar:	Deerfield – moderately well drained
Contrasting:	Eldridge – clayey subsoil

Use and Management

This soil is well suited to development. Droughtiness is the limiting factor. See Test Pit 3 for a typical description.

Test Pit Descriptions

103 Court St
Dover NH
Map 18 Lot 8
Described: 03-13-2024

Test Pit 1

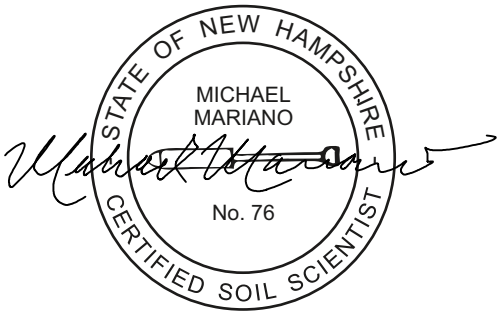
00 - 07”	Dark brown (10YR4/3) fine sandy loam fill; weak fine granular structure: moist, friable
07 - 15”	Yellowish brown (10YR5/6) fine sandy loam fill; weak fine granular structure; moist, friable.
15 - 21”	Dark brown (10YR3/4) fine sandy loam; weak fine granular structure; moist, friable Original A horizon, buried
21 - 25”	Yellowish brown (10YR5/6) silt loam; massive structure; moist, friable.
25 – 28”	Yellowish brown (10YR5/6) silt loam; few redox depletions and concentrations; massive structure; moist, friable.
28 - 37”	Olive gray (2.5Y5/2) silty clay loam; many redox concentrations in 7.5YR 5/6 and 4/6; strong medium blocky structure; moist, firm.
37 – 60”	Olive gray (2.5Y5/2) silty clay; many redox concentrations in 7.5YR 5/6 and 4/6; strong medium blocky structure; moist, very firm.

Series: Boxford
Estimated seasonal high water table: 25”
Observed water: 25”
Restrictive layer: 28”
Soil Hydrologic Group C

Test Pit 2

00 - 10”	Dark brown (10YR4/3) fine sandy loam; weak fine granular structure: moist, friable
10 - 19”	Light olive brown (2.5Y5/4) very fine sandy loam; weak fine granular structure; moist, friable.
19 - 27”	Light olive brown (2.5Y5/4) silt loam; few redox concentrations and depletions; massive structure; moist, friable.
27 - 60”	Olive gray (2.5Y5/2) silty clay; common redox concentrations in 7.5YR and 10YR; few depletions in 10YR6/1; strong medium blocky structure; moist, very firm.

Series: Boxford
Estimated seasonal high water table: 19”
Observed water: 23”
Restrictive layer: 27”
Soil Hydrologic Group C



Test Pit Descriptions

103 Court St
Dover NH
Map 18 Lot 8
Described: 03-13-2024

Test Pit 3

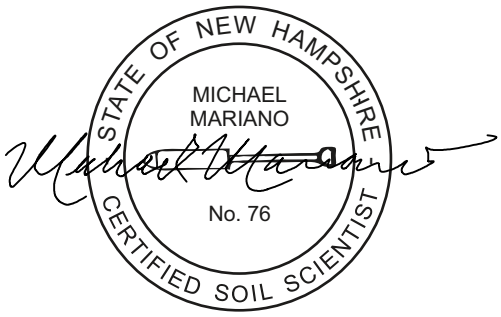
00 - 06”	Dark brown (10YR4/3) loamy sand; weak fine granular structure: moist, friable
06 - 14”	Strong brown (7.5YR5/8) loamy fine sand; weak fine granular structure; moist, friable.
14 - 46”	Yellowish brown (10YR5/6) loamy sand; massive structure; moist, friable.
46 - 52”	Yellowish brown (10YR5/6) loamy fine sand; common redox concentrations in 7.5YR5/8; massive structure; moist, friable.
52” – 66”	Olive gray (2.5Y5/2) loamy fine sand; common redox concentrations in 7.5YR5/8; massive structure; moist, friable.

Series: Windsor
Estimated seasonal 46”
Observed water: none
Restrictive layer: none
Soil Hydrologic Group A

Test Pit 4

00 - 10”	Dark brown (10YR4/3) fine sandy loam; weak fine granular structure: moist, friable
10 - 20”	Light olive brown (2.5Y5/4) silt loam; massive structure; moist, friable.
20 - 34”	Light olive brown (2.5Y5/4) silt loam; few redox concentrations and depletions; massive structure; moist, friable.
34 - 60”	Olive gray (2.5Y5/2) silty clay; common redox concentrations in 7.5YR and 10YR; few depletions in 10YR6/1; strong medium blocky structure; moist, very firm.

Series: Boxford
Estimated seasonal high water table: 20”
Observed water: 24”
Restrictive layer: 34”
Soil Hydrologic Group C



Test Pit Descriptions

103 Court St
Dover NH
Map 18 Lot 8
Described: 03-13-2024

Test Pit 5

00 - 08”	Dark brown (10YR4/3) fine sandy loam; weak fine granular structure: moist, friable
08 - 18”	Light olive brown (2.5Y5/4) very fine sandy loam; weak fine granular structure; moist, friable.
18 - 25”	Light olive brown (2.5Y5/4) silt loam; few redox concentrations and depletions; massive structure; moist, friable.
25 - 60”	Olive gray (2.5Y5/2) silty clay; common redox concentrations in 7.5YR and 10YR; few depletions in 10YR6/1; strong medium blocky structure; moist, very firm.

Series: Boxford
Estimated seasonal high water table: 18”
Observed water: 24”
Restrictive layer: 25”
Soil Hydrologic Group C

Test Pit 6

00 - 20”	Dark brown (10YR4/3) fine sandy loam; weak fine granular structure: moist, friable
20 - 22”	Light olive brown (2.5Y5/4) very fine sandy loam; weak fine granular structure; moist, friable.
22 - 26”	Light olive brown (2.5Y5/4) silt loam; few redox concentrations and depletions; massive structure; moist, friable.
26 - 60”	Olive gray (2.5Y5/2) silty clay; common redox concentrations in 7.5YR and 10YR; few depletions in 10YR6/1; strong medium blocky structure; moist, very firm.

Series: Boxford
Estimated seasonal high water table: 22”
Observed water: 25”
Restrictive layer: 26”
Soil Hydrologic Group C



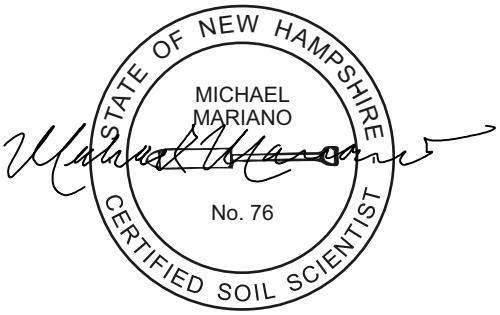
Test Pit Descriptions

103 Court St
Dover NH
Map 18 Lot 8
Described: 03-13-2024

Test Pit 7

00 - 08”	Dark brown (10YR4/3) fine sandy loam; weak fine granular structure: moist, friable
08 - 19”	Light olive brown (2.5Y5/4) silt loam; many redox depletions in 10YR6/1 and common redox concentrations in 7.5YR5/8; massive structure; moist, friable.
19 - 54”	Olive gray (2.5Y5/2) silty clay; common redox concentrations in 7.5YR and 10YR; few depletions in 10YR6/1; strong medium blocky structure; moist, very firm

Series: Boxford, somewhat poorly drained
Estimated seasonal high water table: 08”
Observed water: 08”
Restrictive layer: 19”
Soil Hydrologic Group D



TRITECH
ENGINEERING CORPORATION

755 Central Avenue
Dover, New Hampshire 03820

Telephone 603.742.8107
Facsimile 603.742.3830

October 4, 2024

Mr. Kenneth Mavrogeorge, City Engineer
City of Dover
271 Mast Road
Dover, New Hampshire 03820

Subject: **Field Infiltration Testing & Results**
103 Court Street
103 Court Street
Dover, New Hampshire
Job No. 24101

Dear Ken,

This infiltration test is being performed in conjunction with the development of 103 Court Steet. This on-site testing was completed to determine the rate of infiltration to be used in the stormwater system design.

Tritech performed this testing using a Geulph Permeameter in accordance with NHDES Analysis Method. In addition to the summary below, we have provided the raw data and the spreadsheet used in analysis of the raw data and determine the K_{sat} value to be used in the HydroCAD Stormwater Model.

We performed this testing at two locations on the property. One being located within proposed Stormtech #2 infiltration system (test pit #3) to determine the K_{sat} value to be used in the HydroCAD stormwater model. The second test was performed at test pit #2, which is generally located in the middle of the project and within the Boxford type soil. This test was to provide data confirming the Boxford soil was not part of lot development.

Both tests were completed using the same methodology. The borehole was prepared into the receiving soil & above the water table using a 6 cm Dutch Sand Auger. The bore hole was then sized and squared using a 6 cm Bayonet Auger, then the bore hole was brushed with a 6 cm prep brush to remove any smearing from the sides of the hole that may have been left by the Bayonet Auger.

Attached please find the raw data summaries for each of the tests performed. The raw data was entered into the spreadsheet supplied by Soilmoisture Equipment Corp., the permeameter supplier.

Test Pit #2 Results:
K_{sat} 0.017 in./min. or 1.02 in./hour

Test Pit #3 at Stormtech #2 Results:
K_{sat} 0.300 in./min. or 18.0 in./hour

Field Infiltration Testing Results			
Location	Material	Depth (in.)	K_{sat} Rate (in./hr)
Test Pit #2	Very fine sandy loam, weak fine granular structure, moist, friable	17"	1.02
Test Pit #3 at Stormtech #2	Loamy sand, massive structure, moist friable	23"	18.00

The results above are the direct value from the field testing and no safety factor has been applied.

Pease advise should you have any questions.

Very truly yours,
TRITECH ENGINEERING CORP.

Robert J. Stowell, P.E., L.L.S.
President

RJS / cmp
Enclosures
//24101infiltration.docx

Infiltration Testing
Site Plan Application

103 COURT STREET

103 Court Street
Tax Map 18, Lot 8
Dover, New Hampshire
Job No.: 24101

Project Name:	103 Court Steet	Test Performed By: Andrew J. Stowell	
Project Location:	103 Court Steet, Dover	Test Date: August 7, 2024	
Test Location:	At Test Pit #2	Test Weather: 70 Degrees	
Reservoir Constants			
Combined Reservoirs (x)	35.22 cm²	Well Depth = 15 cm	Depth of Well from Existing Grade: 17"
Inner Reservoir (y) =	2.15 cm²	Well Radius = 3 cm	Soil Type: Boxford

Test #1

Water Level in Well = 15 cm

Time (Min)	Time Interval Δ*t* (min)	Water Level In Resevoir *h* (cm)	Water Level Change Δh (cm)	Rate of Water Change R1 (cm/min)
0	0	38.5	-	-
2	2.0	42.0	3.5	1.75
4	2.0	45.7	3.7	1.85
6	2.0	49.0	3.3	1.65
8	2.0	52.4	3.4	1.70
10	2.0	55.7	3.3	1.65
12	2.0	59.0	3.3	1.65
14	2.0	62.3	3.3	1.65
16	2.0	65.5	3.2	1.60
18	2.0	68.6	3.1	1.55
20	2.0	71.9	3.3	1.65

Steady State Rate; Average 1.65 cm/min

Infiltration Testing
Site Plan Application

103 COURT STREET

103 Court Street
Tax Map 18, Lot 8
Dover, New Hampshire
Job No.: 24101

Project Name:	103 Court Steet	Test Performed By: Andrew J. Stowell	
Project Location:	103 Court Steet, Dover	Test Date: August 7, 2024	
Test Location:	At Test Pit #3	Test Weather: 70 Degrees	
Reservoir Constants			
Combined Reservoirs (x)	35.22 cm²	Well Depth = 15 cm	Depth of Well from Existing Grade: 23"
Inner Reservoir (y) =	2.15 cm²	Well Radius = 3 cm	Soil Type: Windsor

Test #2

Water Level in Well = 5 cm

Time (Min)	Time Interval Δ*t* (min)	Water Level In Resevoir *h* (cm)	Water Level Change Δh (cm)	Rate of Water Change R1 (cm/min)
0	0	5.5	-	-
1	1.0	13.5	8.0	-
2	1.0	21.0	7.5	7.50
3	1.0	28.4	7.5	7.50
4	1.0	36.0	7.4	7.40
5	1.0	43.0	7.6	7.60
6	1.0	50.3	7.0	7.00
7	1.0	57.5	7.3	7.30
8	1.0	64.7	7.2	7.20
9	1.0	72.0	7.2	7.20

Steady State Rate; Average 7.2 cm/min

Guelph Permeameter Calculations

Input

Result

Support: ali@soilmoisture.com

103 COURT STEET - Infiltration Test at Test Pit #2

Reservoir Type (enter "1" for Combined and "2" for Inner reservoir):	1
Enter water Head Height ("H" in cm):	15
Enter the Borehole Radius ("a" in cm):	3
Enter the soil texture-structure category (enter one of the below numbers):	3

1. Compacted, Structure-less, clayey or silty materials such as landfill caps and liners, lacustrine or marine sediments, etc.
2. Soils which are both fine textured (clayey or silty) and unstructured; may also include some fine sands.
3. Most structured soils from clays through loams; also includes unstructured medium and fine sands. The category most frequently applicable for agricultural soils.
4. Coarse and gravely sands; may also include some highly structured soils with large and/or numerous cracks, macropors, etc

Steady State Rate of Water Level Change ("R" in cm/min):	1.6500

Res Type	35.22
H	15
a	3
H/a	5
a*	0.12
C0.01	1.518
C0.04	1.629
C0.12	1.667
C0.36	1.667
C	1.667
R	1.650
Q	0.969
pi	3.142

$\alpha^* =$ 0.12 (cm^{-1})

$C =$ 1.666893

$Q =$ 0.96855

$K_{fs} =$ 7.19E-04 *cm/sec*

4.31E-02 *cm/min*

7.19E-06 *m/sec*

1.70E-02 *inch/min*

2.83E-04 *inch/sec*

$\Phi_m =$ 5.99E-03 (cm^2/min)

Calculation formulas related to shape factor (C). Where H_1 is the first water head height (cm), H_2 is the second water head height (cm), a is borehole radius (cm) and α^* is microscopic capillary length factor which is decided according to the soil texture-structure category. For one-head method, only C_1 needs to be calculated while for two-head method, C_1 and C_2 are calculated (Zang et al., 1998).

Soil Texture-Structure Category	$\alpha^*(cm^{-1})$	Shape Factor
Compacted, Structure-less, clayey or silty materials such as landfill caps and liners, lacustrine or marine sediments, etc.	0.01	$C_1 = \left(\frac{H_1/a}{2.102 + 0.118(H_1/a)}\right)^{0.655}$ $C_2 = \left(\frac{H_2/a}{2.102 + 0.118(H_2/a)}\right)^{0.655}$
Soils which are both fine textured (clayey or silty) and unstructured; may also include some fine sands.	0.04	$C_1 = \left(\frac{H_1/a}{1.992 + 0.091(H_1/a)}\right)^{0.683}$ $C_2 = \left(\frac{H_2/a}{1.992 + 0.091(H_2/a)}\right)^{0.683}$
Most structured soils from clays through loams; also includes unstructured medium and fine sands. The category most frequently applicable for agricultural soils.	0.12	$C_1 = \left(\frac{H_1/a}{2.074 + 0.093(H_1/a)}\right)^{0.754}$ $C_2 = \left(\frac{H_2/a}{2.074 + 0.093(H_2/a)}\right)^{0.754}$
Coarse and gravely sands; may also include some highly structured soils with large and/or numerous cracks, macro pores, etc.	0.36	$C_1 = \left(\frac{H_1/a}{2.074 + 0.093(H_1/a)}\right)^{0.754}$ $C_2 = \left(\frac{H_2/a}{2.074 + 0.093(H_2/a)}\right)^{0.754}$

Calculation formulas related to one-head and two-head methods. Where R is steady-state rate of fall of water in reservoir (cm/s), K_{fs} is Soil saturated hydraulic conductivity (cm/s), Φ_m is Soil matric flux potential (cm^2/s), α^* is Macroscopic capillary length parameter (from Table 2), a is Borehole radius (cm), H_1 is the first head of water established in borehole (cm) , H_2 is the second head of water established in borehole (cm) and $C$is Shape factor (from Table 2).

One Head, Combined Reservoir	$Q_1 = \bar{R}_1 \times 35.22$	$K_{fs} = \frac{C_1 \times Q_1}{2\pi H_1^2 + \pi a^2 C_1 + 2\pi\left(\frac{H_1}{\alpha^*}\right)}$ $\Phi_m = \frac{C_1 \times Q_1}{(2\pi H_1^2 + \pi a^2 C_1)\alpha^* + 2\pi H_1}$
One Head, Inner Reservoir	$Q_1 = \bar{R}_1 \times 2.16$	
Two Head, Combined Reservoir	$Q_1 = \bar{R}_1 \times 35.22$ $Q_2 = \bar{R}_2 \times 35.22$	$G_1 = \frac{H_2 C_1}{\pi(2H_1H_2(H_2 - H_1) + a^2(H_1C_2 - H_2C_1))}$ $G_2 = \frac{H_1 C_2}{\pi(2H_1H_2(H_2 - H_1) + a^2(H_1C_2 - H_2C_1))}$ $K_{fs} = G_2Q_2 - G_1Q_1$ $G_3 = \frac{(2H_2^2 + a^2C_2)C_1}{2\pi(2H_1H_2(H_2 - H_1) + a^2(H_1C_2 - H_2C_1))}$ $G_4 = \frac{(2H_1^2 + a^2C_1)C_2}{2\pi(2H_1H_2(H_2 - H_1) + a^2(H_1C_2 - H_2C_1))}$ $\Phi_m = G_3Q_1 - G_4Q_2$
Two Head, Inner Reservoir	$Q_1 = \bar{R}_1 \times 2.16$ $Q_2 = \bar{R}_2 \times 2.16$	

Guelph Permeameter Calculations

Input

Result

Support: ali@soilmoisture.com

103 COURT STEET - Infiltration Test at Stormtech #2 (test pit #3)

Reservoir Type (enter "1" for Combined and "2" for Inner reservoir):	1
Enter water Head Height ("H" in cm):	5
Enter the Borehole Radius ("a" in cm):	3
Enter the soil texture-structure category (enter one of the below numbers):	4

1. Compacted, Structure-less, clayey or silty materials such as landfill caps and liners, lacustrine or marine sediments, etc.
2. Soils which are both fine textured (clayey or silty) and unstructured; may also include some fine sands.
3. Most structured soils from clays through loams; also includes unstructured medium and fine sands. The category most frequently applicable for agricultural soils.
4. Coarse and gravely sands; may also include some highly structured soils with large and/or numerous cracks, macropors, etc

Steady State Rate of Water Level Change ("R" in cm/min):	7.2000

Res Type	35.22
H	5
a	3
H/a	1.667
a*	0.36
C0.01	0.809
C0.04	0.842
C0.12	0.803
C0.36	0.803
C	0.803
R	7.200
Q	4.226
pi	3.142

$\alpha^* =$	0.36	(cm^{-1})
$C =$	0.803154	
$Q =$	4.2264	
$K_{fs} =$	1.27E-02	cm/sec
	7.63E-01	cm/min
	1.27E-04	m/sec
	3.00E-01	inch/min
	5.00E-03	inch/sec
$\Phi_m =$	3.53E-02	(cm^2/min)

Calculation formulas related to shape factor (C). Where H_1 is the first water head height (cm), H_2 is the second water head height (cm), a is borehole radius (cm) and α^* is microscopic capillary length factor which is decided according to the soil texture-structure category. For one-head method, only C_1 needs to be calculated while for two-head method, C_1 and C_2 are calculated (Zang et al., 1998).

Soil Texture-Structure Category	$\alpha^*(cm^{-1})$	Shape Factor
Compacted, Structure-less, clayey or silty materials such as landfill caps and liners, lacustrine or marine sediments, etc.	0.01	$C_1 = \left(\frac{H_1/a}{2.102 + 0.118(H_1/a)}\right)^{0.655}$ $C_2 = \left(\frac{H_2/a}{2.102 + 0.118(H_2/a)}\right)^{0.655}$
Soils which are both fine textured (clayey or silty) and unstructured; may also include some fine sands.	0.04	$C_1 = \left(\frac{H_1/a}{1.992 + 0.091(H_1/a)}\right)^{0.683}$ $C_2 = \left(\frac{H_2/a}{1.992 + 0.091(H_2/a)}\right)^{0.683}$
Most structured soils from clays through loams; also includes unstructured medium and fine sands. The category most frequently applicable for agricultural soils.	0.12	$C_1 = \left(\frac{H_1/a}{2.074 + 0.093(H_1/a)}\right)^{0.754}$ $C_2 = \left(\frac{H_2/a}{2.074 + 0.093(H_2/a)}\right)^{0.754}$
Coarse and gravely sands; may also include some highly structured soils with large and/or numerous cracks, macro pores, etc.	0.36	$C_1 = \left(\frac{H_1/a}{2.074 + 0.093(H_1/a)}\right)^{0.754}$ $C_2 = \left(\frac{H_2/a}{2.074 + 0.093(H_2/a)}\right)^{0.754}$

Calculation formulas related to one-head and two-head methods. Where R is steady-state rate of fall of water in reservoir (cm/s), K_{fs} is Soil saturated hydraulic conductivity (cm/s), Φ_m is Soil matric flux potential (cm^2/s), α^* is Macroscopic capillary length parameter (from Table 2), a is Borehole radius (cm), H_1 is the first head of water established in borehole (cm) , H_2 is the second head of water established in borehole (cm) and $C$is Shape factor (from Table 2).

One Head, Combined Reservoir	$Q_1 = \bar{R}_1 \times 35.22$	$K_{fs} = \frac{C_1 \times Q_1}{2\pi H_1^2 + \pi a^2 C_1 + 2\pi\left(\frac{H_1}{\alpha^*}\right)}$ $\Phi_m = \frac{C_1 \times Q_1}{(2\pi H_1^2 + \pi a^2 C_1)\alpha^* + 2\pi H_1}$
One Head, Inner Reservoir	$Q_1 = \bar{R}_1 \times 2.16$	
Two Head, Combined Reservoir	$Q_1 = \bar{R}_1 \times 35.22$ $Q_2 = \bar{R}_2 \times 35.22$	$G_1 = \frac{H_2 C_1}{\pi(2H_1H_2(H_2 - H_1) + a^2(H_1C_2 - H_2C_1))}$ $G_2 = \frac{H_1 C_2}{\pi(2H_1H_2(H_2 - H_1) + a^2(H_1C_2 - H_2C_1))}$ $K_{fs} = G_2Q_2 - G_1Q_1$ $G_3 = \frac{(2H_2^2 + a^2C_2)C_1}{2\pi(2H_1H_2(H_2 - H_1) + a^2(H_1C_2 - H_2C_1))}$ $G_4 = \frac{(2H_1^2 + a^2C_1)C_2}{2\pi(2H_1H_2(H_2 - H_1) + a^2(H_1C_2 - H_2C_1))}$ $\Phi_m = G_3Q_1 - G_4Q_2$
Two Head, Inner Reservoir	$Q_1 = \bar{R}_1 \times 2.16$ $Q_2 = \bar{R}_2 \times 2.16$	

Pollutant Removal Efficiencies for Best Management Practices for Use in Pollutant Loading Analysis				Values Accepted for Loading Analyses		
BMP Type	**BMP**	**Notes**	**Lit. Ref.**	**TSS**	**TN**	**TP**
Stormwater Ponds	Wet Pond		B, F	70%	35%	45%
	Wet Extended Detention Pond		A, B	80%	55%	68%
	Micropool Extended Detention Pond	TBA				
	Multiple Pond System	TBA				
	Pocket Pond	TBA				
Stormwater Wetlands	Shallow Wetland		A, B, F, I	80%	55%	45%
	Extended Detention Wetland		A, B, F, I	80%	55%	45%
	Pond/Wetland System	TBA				
	Gravel Wetland		H	95%	85%	64%
Infiltration Practices	Infiltration Trench (≥75 ft from surface water)		B, D, I	90%	55%	60%
	Infiltration Trench (<75 ft from surface water)		B, D, I	90%	10%	60%
	Infiltration Basin (≥75 ft from surface water)		A, F, B, D, I	90%	60%	65%
	Infiltration Basin (<75 ft from surface water)		A, F, B, D, I	90%	10%	65%
	Dry Wells			90%	55%	60%
	Drip Edges			90%	55%	60%
Filtering Practices	Aboveground or Underground Sand Filter that infiltrates WQV (≥75 ft from surface water)		A, F, B, D, I	90%	60%	65%
	Aboveground or Underground Sand Filter that infiltrates WQV (<75 ft from surface water)		A, F, B, D, I	90%	10%	65%
	Aboveground or Underground Sand Filter with underdrain		A, I, F, G, H	85%	10%	45%
	Tree Box Filter	TBA				
	Bioretention System		I, G, H	90%	65%	65%
	Permeable Pavement that infiltrates WQV (≥75 ft from surface water)		A, F, B, D, I	90%	60%	65%
	Permeable Pavement that infiltrates WQV (<75 ft from surface water)		A, F, B, D, I	90%	10%	65%
	Permeable Pavement with underdrain		Use TN and TP values for sand filter w/ underdrain and outlet pipe	90%	10%	45%

TABLE B

SOIL SERIES

Soil Series	legend number	Ksat low - B in/hr	Ksat high - B in/hr	Ksat low - C in/hr	Ksat high - C in/hr	Hyd. Grp.	Group	Land Form	Temp.	Soil Textures	Spodosol ?	Other
Abenaki	501	0.6	2.0	6.00	99.0	B	2	Outwash and Stream Terraces	frigid	loamy over sandy-skeletal	no	loamy over gravelly
Acton	146	2.0	20.0	2.00	20.0	B	3	Loose till, sandy textures	mesic	sandy-skeletal	no	cobbly loamy sand
Adams	36	6.0	20.0	20.00	99.0	A	1	Outwash and Stream Terraces	frigid	sandy	yes	
Agawam	24	6.0	20.0	20.00	100.0	B	2	Outwash and Stream Terraces	mesic	loamy over sandy	no	loamy over sand/gravel
Allagash	127	0.6	2.0	6.00	20.0	B	2	Outwash and Stream Terraces	frigid	loamy over sandy	yes	loamy over sandy
Au Gres	516					B	5	Outwash and Stream Terraces	frigid	sandy	yes	single grain, loose
Bangor	572	0.6	2.0	0.60	2.0	B	2	Friable till, silty, schist & phyllite	frigid	loamy	yes	silt loam
Becket	56	0.6	2.0	0.06	0.6	C	3	Firm, platy, sandy till	frigid	loamy	yes	gravelly sandy loam in Cd
Belgrade	532	0.6	2.0	0.06	2.0	B	3	Terraces and glacial lake plains	mesic	silty	no	strata of fine sand
Bemis	224	0.6	0.2	0.00	0.2	C	5	Firm, platy, loamy till	cryic	loamy	no	
Berkshire	72	0.6	6.0	0.60	6.0	B	2	Loose till, loamy textures	frigid	loamy	yes	fine sandy loam
Bernardston	330	0.6	2.0	0.06	0.2	C	3	Firm, platy, silty till, schist & phyllite	mesic	loamy	no	channery silt loam in Cd
Bice	226	0.6	6.0	0.60	6.0	B	2	Loose till, loamy textures	frigid	loamy	no	sandy loam
Biddeford	234	0.0	0.2	0.00	0.2	D	6	Silt and Clay Deposits	frigid	fine	no	organic over clay
Binghamville	534	0.2	2.0	0.06	0.2	D	5	Terraces and glacial lake plains	mesic	silty	no	
Boscawen	220	6.0	20.0	20.00	100.0	A	1	Outwash and Stream Terraces	frigid	sandy-skeletal	no	loamy cap
Boxford	32	0.1	0.2	0.00	0.2	C	3	Silt and Clay Deposits	mesic	fine	no	silty clay loam
Brayton	240	0.6	2.0	0.06	0.6	C	5	Firm, platy, silty till, schist & phyllite	frigid	loamy	no	
Buckland	237	0.6	2.0	0.06	0.2	C	3	Firm, platy, loamy till	frigid	loamy	no	loam in Cd
Bucksport	895					D	6	Organic Materials - Freshwater	frigid	sapric	no	deep organic
Burnham	131	0.2	6.0	0.02	0.2	D	6	Firm, platy, silty till, schist & phylitte	frigid	loamy	no	organic over silt
Buxton	232	0.1	0.6	0.00	0.2	C	3	Silt and Clay Deposits	frigid	fine	no	silty clay
Cabot	589	0.6	2.0	0.06	0.2	D	5	Firm, platy, silty till, schist & phyllite	frigid	loamy	no	
Caesar	526	20.0	100.0	20.00	100.0	A	1	Outwash and Stream Terraces	mesic	coarse sand	no	
Canaan	663	2.0	20.0	2.00	20.0	C	4	Weathered Bedrock Till	frigid	loamy-skeletal	yes	less than 20 in. deep
Canterbury	166	0.6	2.0	0.06	0.6	C	3	Firm, platy, loamy till	frigid	loamy	no	loam in Cd
Canton	42	2.0	6.0	6.00	20.0	B	2	Loose till, sandy textures	mesic	loamy over sandy	no	loamy over loamy sand
Cardigan	357	0.6	2.0	0.60	2.0	B	4	Friable till, silty, schist & phyllite	mesic	loamy	no	20 to 40 in. deep
Catden	296					A/D	6	Organic Materials - Freshwater	mesic	sapric	no	deep organic
Champlain	35	6.0	20.0	20.00	100.0	A	1	Outwash and Stream Terraces	frigid	gravelly sand	no	
Charles	209	0.6	100.0	0.60	100.0	C	5	Flood Plain (Bottom Land)	frigid	silty	no	
Charlton	62	0.6	6.0	0.60	6.0	B	2	Loose till, loamy textures	mesic	loamy	no	fine sandy loam
Chatfield	89	0.6	6.0	0.60	6.0	B	4	Loose till, bedrock	mesic	loamy	no	20 to 40 in. deep
Chatfield Var.	289	0.6	6.0	0.60	6.0	B	3	Loose till, bedrock	mesic	loamy	no	mwd to swpd
Chesuncook	126	0.6	2.0	0.02	0.2	C	3	Firm, platy, silty till, schist & phyllite	frigid	loamy	yes	channery silt loam in Cd
Chichester	442	0.6	2.0	2.00	6.0	B		Loose till, sandy textures	frigid	loamy over sandy	no	loamy over loamy sand
Chocorua	395			6.00	20.0	D	6	Organic Materials - Freshwater	frigid	sandy or sandy-skeletal	no	organic over sand
Cohas	505	0.6	2.0	0.60	100.0	C	5	Flood Plain (Bottom Land)	frigid	co. loamy over sandy (skeletal)	no	
Colonel	927	0.6	2.0	0.06	0.6	C	3	Firm, platy, loamy till	frigid	loamy	yes	loam in Cd
Colton	22	6.0	20.0	20.00	100.0	A	1	Outwash and Stream Terraces	frigid	sandy-skeletal	yes	
Colton, gravelly	21	6.0	20.0	20.00	100.0	A	1	Outwash and Stream Terraces	frigid	sandy-skeletal	yes	gravelly surface
Croghan	613	20.0	100.0	20.00	100.0	B	3	Outwash and Stream Terraces	frigid	sandy	yes	single grain in C
Dartmouth	132	0.6	2.0	0.06	0.6	B	3	Terraces and glacial lake plains	mesic	silty	no	thin strata silty clay loam
Deerfield	313	6.0	20.0	20.00	100.0	B	3	Outwash and Stream Terraces	mesic	sandy	no	single grain in C
Dixfield	378	0.6	2.0	0.06	0.6	C	3	Firm, platy, loamy till	frigid	loamy	yes	fine sandy loam in Cd
Dixmont	578	0.6	2.0	0.60	2.0	C	3	Friable till, silty, schist & phyllite	frigid	loamy	yes	silt loam, platy in C
Duane	413	6.0	20.0	6.00	20.0	B	3	Outwash and Stream Terraces	frigid	sandy-skeletal	yes	cemented (ortstein)
Dutchess	366	0.6	2.0	0.60	2.0	B	2	Friable till, silty, schist & phyllite	mesic	loamy	no	very channery
Eldridge	38	6.0	20.0	0.06	0.6	C	3	Sandy/loamy over silt/clay	mesic	sandy over loamy	no	
Elliottsville	128	0.6	2.0	0.60	2.0	B	4	Friable till, silty, schist & phyllite	frigid	loamy	yes	20 to 40 in. deep
Elmridge	238	2.0	6.0	0.00	0.2	C	3	Sandy/loamy over silt/clay	mesic	loamy over clayey	no	
Elmwood	338	2.0	6.0	0.00	0.2	C	3	Sandy/loamy over silt/clay	frigid	loamy over clayey	no	
Finch	116					C	3	Outwash and Stream Terraces	frigid	sandy	yes	cemented (ortstein)

Soil Series	legend number	Ksat low - B in/hr	Ksat high - B in/hr	Ksat low - C in/hr	Ksat high - C in/hr	Hyd. Grp.	Group	Land Form	Temp.	Soil Textures	Spodosol ?	Other
Fryeburg	208	0.6	2.0	2.00	6.0	B	2	Flood Plain (Bottom Land)	frigid	silty	no	very fine sandy loam
Gilmanton	478	0.6	2.0	0.06	0.6	C	3	Firm, platy, loamy till	frigid	loamy	no	fine sandy loam in Cd
Glebe	671	2.0	6.0	2.00	6.0	C	4	Loose till, bedrock	cryic	loamy	yes	20 to 40 in. deep
Gloucester	11	6.0	20.0	6.00	20.0	A	1	Sandy Till	mesic	sandy-skeletal	no	loamy cap
Glover	NA	0.6	2.0	0.60	2	D	4	Friable till, silty, schist & phyllite	frigid	loamy	no	less than 20 in. deep
Grange	433	0.6	2.0	0.60	2.0	C	5	Outwash and Stream Terraces	frigid	co. loamy over sandy (skeletal)	no	
Greenwood	295					A/D	6	Organic Materials - Freshwater	frigid	hemic	no	deep organic
Groveton	27	0.6	2.0	0.60	6.0	B	2	Outwash and Stream Terraces	frigid	loamy	yes	loamy over sandy
Hadley	8	0.6	2.0	0.60	6.0	B	2	Flood Plain (Bottom Land)	mesic	silty	no	strata of fine sand
Hadley	108	0.6	2.0	0.60	6.0	B	2	Flood Plain (Bottom Land)	mesic	silty	no	strata of fine sand, occ flooded
Hartland	31	0.6	2.0	0.20	2.0	B	2	Terraces and glacial lake plains	mesic	silty	no	very fine sandy loam
Haven	410	0.6	2.0	20.00	100.0	B	2	Outwash and Stream Terraces	mesic	loamy over sandy	no	loamy over sand/gravel
Henniker	46	0.6	2.0	0.06	0.6	C	3	Firm, platy, sandy till	frigid	loamy	no	loamy sand in Cd
Hermon	55	2.0	20.0	6.00	20.0	A	1	Sandy Till	frigid	sandy-skeletal	yes	loamy cap
Hinckley	12	6.0	20.0	20.00	100.0	A	1	Outwash and Stream Terraces	mesic	sandy-skeletal	no	
Hitchcock	130	0.6	2.0	0.06	0.6	B	3	Terraces and glacial lake plains	mesic	silty	no	silt loam to silt in C
Hogback	91	2.0	6.0	2.00	6.0	C	4	Loose till, bedrock	frigid	loamy	yes	less than 20 in. deep
Hollis	86	0.6	6.0	0.60	6.0	C/D	4	Loose till, bedrock	mesic	loamy	no	less than 20 in. deep
Hoosic	510	2.0	20.0	20.00	100.0	A	1	Outwash and Stream Terraces	mesic	sandy-skeletal	no	slate, loamy cap
Houghtonville	795	0.6	6.0	0.60	6.0	B	2	Loose till, loamy textures	frigid	loamy	yes	cobbly fine sandy loam
Howland	566	0.6	2.0	0.06	0.2	C	3	Firm, platy, silty till, schist & phyllite	frigid	loamy	yes	silt loam, platy in Cd
Ipswich	397					D	6	Tidal Flat	mesic	hemic/sapric	no	deep organic
Kearsarge	359	0.6	2.0	0.60	2.0	B	4	Friable till, silty, schist & phyllite	mesic	loamy	no	less than 20 in. deep
Kinsman	614	6.0	20.0	6.00	20.0	C	5	Outwash and Stream Terraces	frigid	sandy	yes	
Lanesboro	228	0.6	2.0	0.06	0.2	C	3	Firm, platy, silty till, schist & phyllite	frigid	loamy	no	channery silt loam in Cd
Leicester	514	0.6	6.0	0.60	20.0	C	5	Loose till, loamy textures	mesic	loamy	no	
Lim	3	0.6	2.0	6.00	20.0	C	5	Flood Plain (Bottom Land)	mesic	loamy	no	
Limerick	109	0.6	2.0	0.60	2.0	C	5	Flood Plain (Bottom Land)	mesic	silty	no	
Lombard	259	0.6	6.0	2.00	20.0	C/D	2	Weathered bedrock, phyllite	frigid	loamy	no	very channery
Lovewell	307	0.6	2.0	0.60	2.0	B	3	Flood Plain (Bottom Land)	frigid	silty	no	very fine sandy loam
Lyman	92	2.0	6.0	2.00	6.0	A/D	4	Loose till, bedrock	frigid	loamy	yes	less than 20 in. deep
Lyme	246	0.6	6.0	0.60	6.0	C	5	Loose till, sandy textures	frigid	loamy	no	
Machias	520	2.0	6.0	6.00	20.0	B	3	Outwash and Stream Terraces	frigid	sandy or sandy-skeletal	yes	strata sand/gravel in C
Macomber	252	0.6	2.0	0.60	2.0	C	4	Friable till, silty, schist & phyllite	frigid	loamy-skeletal	yes	20 to 40 in. deep
Madawaska	28	0.6	2.0	6.00	20.0	B	3	Outwash and Stream Terraces	frigid	loamy over sandy	yes	sandy or sandy-skeletal
Madawaska, aquer	48	0.6	2.0	6.00	20.0	B	3	Outwash and Stream Terraces	frigid	loamy over sandy	yes	sandy or sandy-skeletal
Marlow	76	0.6	2.0	0.06	0.6	C	3	Firm, platy, loamy till	frigid	loamy	yes	fine sandy loam in Cd
Masardis	23	6.0	20.0	6.00	20.0	A	1	Outwash and Stream Terraces	frigid	sandy-skeletal	yes	slate, loamy cap
Mashpee	315	6.0	20.0	6.00	20.0	B	5	Outwash and Stream Terraces	mesic	sandy	yes	
Matunuck	797			20.00	100.0	D	6	Tidal Flat	mesic	sandy	no	organic over sand
Maybid	134	0.0	0.2	0.00	0.2	D	6	Silt and Clay Deposits	mesic	fine	no	silt over clay
Meadowsedge	894					D	6	Organic Materials - Freshwater	frigid	peat	no	deep organic
Medomak	406	0.6	2.0	0.60	2.0	D	6	Flood Plain (Bottom Land)	frigid	silty	no	organic over silt
Melrose	37	2.0	6.0	0.00	0.2	C	3	Sandy/loamy over silt/clay	frigid	loamy over clayey	no	silty clay loam in C
Merrimac	10	2.0	20.0	6.00	20.0	A	1	Outwash and Stream Terraces	mesic	gravelly sand	no	loamy cap
Metacomet	458	0.6	2.0	0.06	0.6	C	3	Firm, platy, sandy till	frigid	loamy	no	loamy sand in Cd
Metallak	404	6.0	100.0	6.00	100.0	B	3	Flood Plain (Bottom Land)	frigid	loamy over sandy	no	sandy or sandy-skeletal
Millis	39					C	3	Firm, platy, sandy till	frigid	loamy	yes	loamy sand in Cd
Millsite	251	0.6	6.0	0.60	6.0	C	4	Loose till, bedrock	frigid	loamy	no	20 to 40 in. deep
Monadnock	142	0.6	2.0	2.00	6.0	B	2	Loose till, sandy textures	frigid	oamy over sandy, sandy-skeleta	yes	gravelly loamy sand in C
Monarda	569	0.2	2.0	0.02	0.2	D	5	Firm, platy, silty till, schist & phyllite	frigid	loamy	no	
Monson	133	0.6	2.0	0.60	2.0	D	4	Friable till, silty, schist & phyllite	frigid	loamy	yes	less than 20 in. deep
Montauk	44	0.6	6.0	0.06	0.6	C	3	Firm, platy, sandy till	mesic	loamy	no	loamy sand in Cd
Moosilauke	414	6.0	20.0	6.00	20.0	C	5	Loose till, sandy textures	frigid	sandy	no	

Soil Series	legend number	Ksat low - B in/hr	Ksat high - B in/hr	Ksat low - C in/hr	Ksat high - C in/hr	Hyd. Grp.	Group	Land Form	Temp.	Soil Textures	Spodosol ?	Other
Mundal	610	0.6	2.0	0.06	0.6	C	3	Firm, platy, loamy till	frigid	loamy	yes	gravelly sandy loam in Cd
Natchaug	496			0.20	2.0	D	6	Organic Materials - Freshwater	mesic	loamy	no	organic over loam
Naumburg	214	6.0	20.0	6.00	20.0	C	5	Outwash and Stream Terraces	frigid	sandy	yes	
Newfields	444	0.6	2.0	0.60	2.0	B	3	Loose till, sandy textures	mesic	loamy over sandy	no	sandy or sandy-skeletal
Nicholville	632	0.6	2.0	0.60	2.0	C	3	Terraces and glacial lake plains	frigid	silty	yes	very fine sandy loam
Ninigret	513	0.6	6.0	6.00	20.0	B	3	Outwash and Stream Terraces	mesic	loamy over sandy	no	sandy or sandy-skeletal
Occum	1	0.6	2.0	6.00	20.0	B	2	Flood Plain (Bottom Land)	mesic	loamy	no	loamy over loamy sand
Ondawa	101	0.6	6.0	6.00	20.0	B	2	Flood Plain (Bottom Land)	frigid	loamy	no	loamy over loamy sand
Ondawa	201	0.6	6.0	6.00	20.0	B	2	Flood Plain (Bottom Land)	frigid	loamy	no	occ flood, loamy over l. sand
Ossipee	495			0.20	2.0	D	6	Organic Materials - Freshwater	frigid	loamy	no	organic over loam
Pawcatuck	497			20.00	100.0	D	6	Tidal Flat	mesic	sandy or sandy-skeletal	no	organic over sand
Paxton	66	0.6	2.0	0.00	0.2	C	3	Firm, platy, loamy till	mesic	loamy	no	
Peacham	549	0.6	2.0	0.00	0.2	D	6	Firm, platy, silty till, schist & phylitte	frigid	loamy	no	organic over loam
Pemi	633	0.6	2.0	0.06	0.6	C	5	Terraces and glacial lake plains	frigid	silty	no	
Pennichuck	460	0.6	2.0	0.60	2.0	B	4	Friable till, silty, schist & phyllite	mesic	loamy-skeletal	no	20 to 40 in. deep
Peru	78	0.6	2.0	0.06	0.6	C	3	Firm, platy, loamy till	frigid	loamy	yes	
Pillsbury	646	0.6	2.0	0.06	0.2	C	5	Firm, platy, loamy till	frigid	silty	no	
Pipestone	314					B	5	Outwash and Stream Terraces	mesic	sandy	yes	
Pittstown	334	0.6	2.0	0.06	0.2	C	3	Firm, platy, silty till, schist & phyllite	mesic	loamy	no	channery silt loam in Cd
Plaisted	563	0.6	2.0	0.06	0.6	C	3	Firm, platy, silty till, schist & phyllite	frigid	loamy	yes	channery silt loam in Cd
Podunk	104	0.6	6.0	6.00	20.0	B	3	Flood Plain (Bottom Land)	frigid	loamy	no	loamy to coarse sand in C
Pondicherry	992			6.00	20.0	D	6	Organic Materials - Freshwater	frigid	sandy or sandy-skeletal	no	organic over sand
Poocham	230	0.6	2.0	0.20	2.0	B	3	Terraces and glacial lake plains	mesic	silty	no	silt loam in C
Pootatuck	4	0.6	6.0	6.00	20.0	B	3	Flood Plain (Bottom Land)	mesic	loamy	no	single grain in C
Quonset	310	2.0	20.0	20.00	100.0	A	1	Outwash and Stream Terraces	mesic	sandy-skeletal	no	shale
Rawsonville	98	0.6	6.0	0.60	6.0	C	4	Loose till, bedrock	frigid	loamy	yes	20 to 40 in. deep
Raynham	533	0.2	2.0	0.06	0.2	C	5	Terraces and glacial lake plains	mesic	silty	no	
Raypol	540	0.6	2.0	6.00	100.0	D	5	Outwash and Stream Terraces	mesic	co. loamy over sandy (skeletal)	no	
Redstone	665	2.0	6.0	6.00	20.0	A	1	Weathered Bedrock Till	frigid	fragmental	yes	loamy cap
Ricker	674	2.0	6.0	2.00	6.0	A	4	rganic over bedrock (up to 4" of minera	cryic	fibric to hemic	no	well drained, less than 20 in. deep
Ridgebury	656	0.6	6.0	0.00	0.2	C	5	Firm, platy, loamy till	mesic	loamy	no	
Rippowam	5	0.6	6.0	6.00	20.0	C	5	Flood Plain (Bottom Land)	mesic	loamy	no	
Roundabout	333	0.2	2.0	0.06	0.6	C	5	Terraces and glacial lake plains	frigid	silty	no	silt loam in the C
Rumney	105	0.6	6.0	6.00	20.0	C	5	Flood Plain (Bottom Land)	frigid	loamy	no	
Saco	6	0.6	2.0	6.00	20.0	D	6	Flood Plain (Bottom Land)	mesic	silty	no	strata
Saddleback	673	0.6	2.0	0.60	2.0	C/D	4	Loose till, bedrock	cryic	loamy	yes	less than 20 in. deep
Salmon	630	0.6	2.0	0.60	2.0	B	2	Terraces and glacial lake plains	frigid	silty	yes	very fine sandy loam
Saugatuck	16	0.06	0.2	6.00	20.0	C	5	Outwash and Stream Terraces	mesic	sandy	yes	ortstein
Scantic	233	0.0	0.2	0.00	0.2	D	5	Silt and Clay Deposits	frigid	fine	no	
Scarboro	115	6.0	20.0	6.00	20.0	D	6	Outwash and Stream Terraces	mesic	sandy	no	organic over sand, non stony
Scio	531	0.6	2.0	0.60	2.0	B	3	Terraces and glacial lake plains	mesic	silty	no	gravelly sand in 2C
Scitico	33	0.0	0.2	0.00	0.2	C	5	Silt and Clay Deposits	mesic	fine	no	
Scituate	448	0.6	2.0	0.06	0.2	C	3	Firm, platy, sandy till	mesic	loamy	no	loamy sand in Cd
Searsport	15	6.0	20.0	6.00	20.0	D	6	Outwash and Stream Terraces	frigid	sandy	no	organic over sand
Shaker	439	2.0	6.0	0.00	0.2	C	5	Sandy/loamy over silt/clay	mesic	co. loamy over clayey	no	
Shapleigh	136					C/D	4	Sandy Till	mesic	sandy	yes	less than 20 in. deep
Sheepscot	14	6.0	20.0	6.00	20.0	B	3	Outwash and Stream Terraces	frigid	sandy-skeletal	yes	gravelly coarse sand
Sisk	667	0.6	2.0	0.00	0.6	C	3	Firm, platy, loamy till	cryic	loamy	yes	sandy loam in Cd
Skerry	558	0.6	2.0	0.06	0.6	C	3	Firm, platy, sandy till	frigid	loamy	yes	loamy sand in Cd
Squamscott	538	6.0	20.0	0.06	0.6	C	5	Sandy/loamy over silt/clay	mesic	sandy over loamy	yes	
Stetson	523	0.6	6.0	6.00	20.0	B	2	Outwash and Stream Terraces	frigid	sandy-skeletal	yes	loamy over gravelly
Stissing	340	0.6	2.0	0.06	0.2	C	5	Firm, platy, silty till, schist & phyllite	mesic	loamy	no	
Success	154	2.0	6.0	6.00	20.0	A	1	Sandy Till	frigid	sandy-skeletal	yes	cemented
Sudbury	118	2.0	6.0	2.00	20.0	B	3	Outwash and Stream Terraces	mesic	sandy	no	loam over gravelly sand

Soil Series	legend number	Ksat low - B in/hr	Ksat high - B in/hr	Ksat low - C in/hr	Ksat high - C in/hr	Hyd. Grp.	Group	Land Form	Temp.	Soil Textures	Spodosol ?	Other
Suffield	536	0.6	2.0	0.00	0.2	C	3	Sandy/loamy over silt/clay	mesic	silty over clayey	no	deep to clay C
Sunapee	168	0.6	2.0	0.60	6.0	B	3	Loose till, loamy textures	frigid	loamy	yes	
Sunapee var	269	0.6	2.0	0.60	6.0	B	3	Loose till, loamy textures	frigid	loamy	yes	frigid dystrudept
Suncook	2	6.0	20.0	6.00	20.0	A	1	Flood Plain (Bottomland)	mesic	sandy	no	occasionally flooded
Suncook	402	6.0	20.0	6.00	20.0	A	1	Flood Plain (Bottomland)	mesic	sandy	no	frequent flooding
Sunday	102	6.0	20.0	6.00	20.0	A	1	Flood Plain (Bottomland)	frigid	sandy	no	occasionally flooded
Sunday	202	6.0	20.0	6.00	20.0	A	1	Flood Plain (Bottomland)	frigid	sandy	no	frequently flooded
Surplus	669	0.6	2.0	0.00	0.6	C	3	Firm, platy, loamy till	cryic	loamy	yes	mwd, sandy loam in Cd
Sutton	68	0.6	6.0	0.60	6.0	B	3	Loose till, loamy textures	mesic	loamy	no	
Swanton	438	2.0	6.0	0.00	0.2	C	5	Sandy/loamy over silt/clay	frigid	co. loamy over clayey	no	
Telos	123	0.6	2.0	0.02	0.2	C	3	Firm, platy, silty till, schist & phyllite	frigid	loamy	yes	channery silt loam in Cd
Thorndike	84	0.6	2.0	0.60	2.0	C/D	4	Friable till, silty, schist & phyllite	frigid	loamy-skeletal	yes	less than 20 in. deep
Timakwa	393			6.00	100.0	D	6	Organic Materials - Freshwater	mesic	sandy or sandy-skeletal	no	organic over sand
Tunbridge	99	0.6	6.0	0.60	6.0	C	4	Loose till, bedrock	frigid	loamy	yes	20 to 40 in. deep
Unadilla	30	0.6	2.0	2.00	20.0	B	2	Terraces and glacial lake plains	mesic	silty	no	silty over gravelly
Vassalboro	150					D	6	Organic Materials - Freshwater	frigid	peat	no	deep organic
Walpole	546	2.0	6.0	6.00	20.0	C	5	Outwash and Stream Terraces	mesic	sandy	no	
Wareham	34	6.0	20.0	6.00	20.0	C	5	Outwash and Stream Terraces	mesic	sandy	no	
Warwick	210	2.0	6.0	20.00	100.0	A	1	Outwash and Stream Terraces	mesic	loamy-skeletal	no	loamy over slate gravel
Waskish	195					D	6	Organic Materials - Freshwater	frigid	peat	no	deep organic
Waumbeck	58	2.0	20.0	6.00	20.0	B	3	Loose till, sandy textures	frigid	sandy-skeletal	yes	very cobbly loamy sand
Westbrook	597			0.00	2.0	D	6	Tidal Flat	mesic	loamy	no	organic over loam
Whitman	49	0.0	0.2	0.00	0.2	D	6	Firm, platy, loamy till	mesic	loamy	no	mucky loam
Windsor	26	6.0	20.0	6.00	20.0	A	1	Outwash and Stream Terraces	mesic	sandy	no	
Winnecook	88	0.6	2.0	0.60	2.0	C	4	Friable till, silty, schist & phyllite	frigid	loamy-skeletal	yes	20 to 40 in. deep
Winooski	9	0.6	6.0	0.60	6.0	B		Flood Plain (Bottom Land)	mesic	silty over loamy	no	
Winooski	103	0.6	6.0	0.60	6.0	B	3	Flood Plain (Bottom Land)	mesic	silty	no	very fine sandy loam
Wonsqueak	995			0.20	2.0	D	6	Organic Materials - Freshwater	frigid	loamy	no	organic over loam
Woodbridge	29	0.6	2.0	0.00	0.6	C	3	Firm, platy, loamy till	mesic	loamy	no	sandy loam in Cd
Woodstock	93	2.0	6.0	2.00	6.0	C/D	4	Loose till, bedrock	frigid	loamy	no	less than 20 in. deep

no longer recognized
organic materials

TABLE 6-4.1 -- RUNOFF CURVE NUMBERS (Average Watershed Condition)

COVER DESCRIPTION Cover type and hydrologic condition	Average percent impervious area[2]	CURVE NUMBERS FOR HYDROLOGIC SOIL GROUP A	B	C	D
FULLY DEVELOPED URBAN AREAS[1] (Vegetation Established)					
Lawns, open spaces, parks, golf courses, cemeteries, etc.					
good condition; grass cover on 75% or more of the area		39	61	74	80
fair condition; grass cover on 50% to 75% of the area		49	69	79	84
poor condition; grass cover on 50% or less of the area		68	79	86	89
Paved parking lots, roofs, driveways, etc.		98	98	98	98
Streets and roads;					
paved with curbs and storm sewers		98	98	98	98
gravel		76	85	89	91
dirt		72	82	87	89
paved with open ditches		83	89	92	93
Commercial and business areas	85	89	92	94	95
Industrial districts	72	81	88	91	93
Row houses, town houses, and residential					
with lot sizes 1/8 acre or less	65	77	85	90	92
Residential					
Average lot size					
1/4 acre	38	61	75	83	87
1/3 acre	30	57	72	81	86
1/2 acre	25	54	70	80	85
1 acre	20	51	68	79	84
2 acre	12	46	65	77	82
DEVELOPING URBAN AREAS[3] (No vegetation Established)					
Newly graded area		77	86	91	94

1. For land uses with impervious areas, curve numbers are computed assuming that 100% of runoff from impervious areas is directly connected to the drainage system. Pervious areas (lawn) are considered to be equivalent to lawns in good condition and the impervious areas have an RCN of 98.

2. Includes paved streets.

3. Use for the design of temporary measures during grading and construction. Impervious area percent for urban areas under development vary considerably. The user will determine the percent impervious. Then using the newly graded area RCN and Table 6-4, the composite RCN can be computed for any degree of development.

Source: USDA Soil Conservation Service

TABLE 6-4.2 -- RUNOFF CURVE NUMBERS (Average Watershed Condition)

COVER DESCRIPTION			CURVE NUMBERS FOR HYDROLOGIC SOIL GROUP			
Cover type and hydrologic condition		Hydrologic condition[4]	A	B	C	D
CULTIVATED AGRICULTURAL LAND						
Fallow	Bare soil		77	86	91	94
	Crop residue cover (CR)	poor	76	85	90	93
	CR	good	74	83	88	90
Row crops	Straight row (SR)	poor	72	81	88	91
	SR	good	67	78	85	89
	SR & CR	poor	71	80	87	90
	SR & CR	good	64	75	82	85
	Contoured (C)	poor	70	79	84	88
	C	good	65	75	82	86
	C & CR	poor	69	78	83	87
	C & CR	good	64	74	81	85
	Contoured & Terraces (C&T)	poor	66	74	80	82
	C&T	good	62	71	78	81
	C&T & CR	poor	65	73	79	81
	C&T & CR	good	61	70	77	80
Small grain	SR	poor	65	76	84	88
	SR	good	63	75	83	87
	SR & CR	poor	64	75	83	86
	SR & CR	good	60	72	80	84
	C	poor	63	74	82	85
	C	good	61	73	81	84
	C & CR	poor	62	73	81	84
	C & CR	good	60	72	80	83
	C&T	poor	61	72	79	82
	C&T	good	59	70	78	81
	C&T & CR	poor	60	71	78	81
	C&T & CR	good	58	69	77	80
Close-seeded Legumes or Rotation Meadow[5]	SR	poor	66	77	85	89
	SR	good	58	72	81	85
	C	poor	64	75	83	85
	C	good	55	69	78	83
	C&T	poor	63	73	80	83
	C&T	good	51	67	76	80

4. For conservation tillage poor hydrologic condition, 5 to 20 percent of the surface is covered with residue (less than 750 #/acre row crops or 300#/acre small grain).
   For conservation tillage good hydrologic condition, more than 20 percent of the surface is covered with residue (greater than 750 #/acre row crops or 300 #/acre small grain).
5. Close-drilled or broadcast.

Source: USDA Soil Conservation Service

TABLE 6-4.3 -- RUNOFF CURVE NUMBERS (Average Watershed Condition)

COVER DESCRIPTION Cover type and hydrologic condition	Hydrologic condition[6]	CURVE NUMBERS FOR HYDROLOGIC SOIL GROUP A	B	C	D
NON-CULTIVATED AGRICULTURAL LAND					
Pasture, grassland, or range - continuous forage for grazing	poor	68	79	86	89
	fair	49	69	79	84
	good	39	61	74	80
Meadow - continuous grass, protected from grazing and generally mowed for hay	---	30	58	71	78
Woods-grass combination (orchard or tree farm)	poor	57	73	82	86
	fair	43	65	76	82
	good	32	58	72	79
Brush - brush-weed-grass mixture with brush the major element	poor	48	67	77	83
	fair	35	56	70	77
	good	30	48	65	73
Woods	poor	45	66	77	83
	fair	36	60	73	79
	good	30	55	70	77
Farmsteads - buildings, lanes, driveways, and surrounding lots	---	59	74	82	86

6. Poor hydrologic condition has less than 50 percent ground cover density.
Fair hydrologic condition has between 50 and 75 percent ground cover density.
Good hydrologic condition has more than 75 percent ground cover density.

Source: USDA Soil Conservation Service

VALUES OF THE ROUGHNESS COEFFICIENT n
(Boldface figures are values generally recommended in design)

Type of channel and description	Minimum	Normal	Maximum
A. CLOSED CONDUITS FLOWING PARTLY FULL			
A-1. Metal			
a. Brass, smooth	0.009	**0.010**	0.013
b. Steel			
1. Lockbar and welded	0.010	0.012	0.014
2. Riveted and spiral	0.013	0.016	0.017
c. Cast iron			
1. Coated	0.010	0.013	0.014
2. Uncoated	0.011	0.014	0.016
d. Wrought iron			
1. Black	0.012	0.014	0.015
2. Galvanized	0.013	0.016	0.017
e. Corrugated metal			
1. Subdrain	0.017	0.019	0.021
2. Storm drain	0.021	**0.024**	0.030
A-2. Nonmetal			
a. Lucite	0.008	0.009	0.010
b. Glass	0.009	**0.010**	0.013
c. Cement			
1. Neat, surface	0.010	0.011	0.013
2. Mortar	0.011	0.013	0.015
d. Concrete			
1. Culvert, straight and free of debris	0.010	0.011	0.013
2. Culvert with bends, connections, and some debris	0.011	**0.013**	0.014
3. Finished	0.011	0.012	0.014
4. Sewer with manholes, inlet, etc., straight	0.013	0.015	0.017
5. Unfinished, steel form	0.012	0.013	0.014
6. Unfinished, smooth wood form	0.012	**0.014**	0.016
7. Unfinished, rough wood form	0.015	0.017	0.020
e. Wood			
1. Stave	0.010	0.012	0.014
2. Laminated, treated	0.015	0.017	0.020
f. Clay			
1. Common drainage tile	0.011	**0.013**	0.017
2. Vitrified sewer	0.011	0.014	0.017
3. Vitrified sewer with manholes, inlet, etc.	0.013	0.015	0.017
4. Vitrified subdrain with open joint	0.014	0.016	**0.018**
g. Brickwork			
1. Glazed	0.011	**0.013**	**0.015**
2. Lined with cement mortar	0.012	0.015	0.017
h. Sanitary sewers coated with sewage slimes, with bends and connections	0.012	0.013	0.016
i. Paved invert, sewer, smooth bottom	0.016	0.019	0.020
j. Rubble masonry, cemented	0.018	0.025	0.030

VALUES OF THE ROUGHNESS COEFFICIENT n (*continued*)

Type of channel and description	Minimum	Normal	Maximum
B. LINED OR BUILT-UP CHANNELS			
B-1. Metal			
a. Smooth steel surface			
1. Unpainted	0.011	**0.012**	0.014
2. Painted	0.012	0.013	0.017
b. Corrugated	0.021	0.025	0.030
B-2. Nonmetal			
a. Cement			
1. Neat, surface	0.010	0.011	0.013
2. Mortar	0.011	0.013	0.015
b. Wood			
1. Planed, untreated	0.010	0.012	0.014
2. Planed, creosoted	0.011	0.012	0.015
3. Unplaned	0.011	0.013	0.015
4. Plank with battens	0.012	0.015	0.018
5. Lined with roofing paper	0.010	0.014	0.017
c. Concrete			
1. Trowel finish	0.011	**0.013**	0.015
2. Float finish	0.013	0.015	0.016
3. Finished, with gravel on bottom	0.015	0.017	0.020
4. Unfinished	0.014	0.017	0.020
5. Gunite, good section	0.016	0.019	0.023
6. Gunite, wavy section	0.018	0.022	0.025
7. On good excavated rock	0.017	0.020	
8. On irregular excavated rock	0.022	0.027	
d. Concrete bottom float finished with sides of			
1. Dressed stone in mortar	0.015	0.017	0.020
2. Random stone in mortar	0.017	0.020	0.024
3. Cement rubble masonry, plastered	0.016	0.020	0.024
4. Cement rubble masonry	0.020	0.025	0.030
5. Dry rubble or riprap	0.020	0.030	0.035
e. Gravel bottom with sides of			
1. Formed concrete	0.017	0.020	0.025
2. Random stone in mortar	0.020	0.023	0.026
3. Dry rubble or riprap	0.023	0.033	0.036
f. Brick			
1. Glazed	0.011	**0.013**	0.015
2. In cement mortar	0.012	**0.015**	0.018
g. Masonry			
1. Cemented rubble	0.017	**0.025**	0.030
2. Dry rubble	0.023	0.032	0.035
h. Dressed ashlar	0.013	0.015	0.017
i. Asphalt			
1. Smooth	0.013	0.013	
2. Rough	0.016	0.016	
j. Vegetal lining	0.030	.....	0.500

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VALUES OF THE ROUGHNESS COEFFICIENT n (continued)

Type of channel and description	Minimum	Normal	Maximum
C. EXCAVATED OR DREDGED			
a. Earth, straight and uniform			
1. Clean, recently completed	0.016	0.018	0.020
2. Clean, after weathering	0.018	0.022	0.025
3. Gravel, uniform section, clean	0.022	0.025	0.030
4. With short grass, few weeds	0.022	0.027	0.033
b. Earth, winding and sluggish			
1. No vegetation	0.023	0.025	0.030
2. Grass, some weeds	0.025	0.030	0.033
3. Dense weeds or aquatic plants in deep channels	0.030	0.035	0.040
4. Earth bottom and rubble sides	0.028	0.030	0.035
5. Stony bottom and weedy banks	0.025	0.035	0.040
6. Cobble bottom and clean sides	0.030	0.040	0.050
c. Dragline-excavated or dredged			
1. No vegetation	0.025	0.028	0.033
2. Light brush on banks	0.035	0.050	0.060
d. Rock cuts			
1. Smooth and uniform	0.025	0.035	0.040
2. Jagged and irregular	0.035	0.040	0.050
e. Channels not maintained, weeds and brush uncut			
1. Dense weeds, high as flow depth	0.050	0.080	0.120
2. Clean bottom, brush on sides	0.040	0.050	0.080
3. Same, highest stage of flow	0.045	0.070	0.110
4. Dense brush, high stage	0.080	0.100	0.140
D. NATURAL STREAMS			
D-1. Minor streams (top width at flood stage <100 ft)			
a. Streams on plain			
1. Clean, straight, full stage, no rifts or deep pools	0.025	0.030	0.033
2. Same as above, but more stones and weeds	0.030	0.035	0.040
3. Clean, winding, some pools and shoals	0.033	0.040	0.045
4. Same as above, but some weeds and stones	0.035	0.045	0.050
5. Same as above, lower stages, more ineffective slopes and sections	0.040	0.048	0.055
6. Same as 4, but more stones	0.045	0.050	0.060
7. Sluggish reaches, weedy, deep pools	0.050	0.070	0.080
8. Very weedy reaches, deep pools, or floodways with heavy stand of timber and underbrush	0.075	0.100	0.150
b. Mountain streams, no vegetation in channel, banks usually steep, trees and brush along banks submerged at high stages			
1. Bottom: gravels, cobbles, and few boulders	0.030	0.040	0.050
2. Bottom: cobbles with large boulders	0.040	0.050	0.070
D-2. Flood plains			
a. Pasture, no brush			
1. Short grass	0.025	0.030	0.035
2. High grass	0.030	0.035	0.050
b. Cultivated areas			
1. No crop	0.020	0.030	0.040
2. Mature row crops	0.025	0.035	0.045
3. Mature field crops	0.030	0.040	0.050
c. Brush			
1. Scattered brush, heavy weeds	0.035	0.050	0.070
2. Light brush and trees, in winter	0.035	0.050	0.060
3. Light brush and trees, in summer	0.040	0.060	0.080
4. Medium to dense brush, in winter	0.045	0.070	0.110
5. Medium to dense brush, in summer	0.070	0.100	0.160
d. Trees			
1. Dense willows, summer, straight	0.110	0.150	0.200
2. Cleared land with tree stumps, no sprouts	0.030	0.040	0.050
3. Same as above, but with heavy growth of sprouts	0.050	0.060	0.080
4. Heavy stand of timber, a few down trees, little undergrowth, flood stage below branches	0.080	0.100	0.120
5. Same as above, but with flood stage reaching branches	0.100	0.120	0.160
D-3. Major streams (top width at flood stage >100 ft). The n value is less than that for minor streams of similar description, because banks offer less effective resistance.			
a. Regular section with no boulders or brush	0.025	.....	0.060
b. Irregular and rough section	0.035	.....	0.100

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Appendix D1: Broad-Crested Weir Coefficients for Sharp-Edged Crests

The following table lists *English* weir coefficients for broad crested weirs with a sharp-edged crest of various breadths. These coefficients are automatically entered into the lookup table for a broad crested weir whenever a crest breadth is entered as described on page 89. If breadth falls between two listed values, interpolated coefficients are automatically used. Breadths outside the listed range will use the first or last coefficient values without extrapolation. Values are automatically converted to the current input units as described on page 43.

	Weir Breadth--(ft)										
Head	0.50	0.75	1.00	1.50	2.00	2.50	3.00	4.00	5.00	10.0	15.0
0.2	2.80	2.75	2.69	2.62	2.54	2.48	2.44	2.38	2.34	2.49	2.68
0.4	2.92	2.80	2.72	2.64	2.61	2.60	2.58	2.54	2.50	2.56	2.70
0.6	3.08	2.89	2.75	2.64	2.61	2.60	2.68	2.69	2.70	2.70	2.70
0.8	3.30	3.04	2.85	2.68	2.60	2.60	2.67	2.68	2.68	2.69	2.64
1.0	3.32	3.14	2.98	2.75	2.66	2.64	2.65	2.67	2.68	2.68	2.63
1.2	3.32	3.20	3.08	2.86	2.70	2.65	2.64	2.67	2.66	2.69	2.64
1.4	3.32	3.26	3.20	2.92	2.77	2.68	2.64	2.65	2.65	2.67	2.64
1.6	3.32	3.29	3.28	3.07	2.89	2.75	2.68	2.66	2.65	2.64	2.63
1.8	3.32	3.32	3.31	3.07	2.88	2.74	2.68	2.66	2.65	2.64	2.63
2.0	3.32	3.31	3.30	3.03	2.85	2.76	2.72	2.68	2.65	2.64	2.63
2.5	3.32	3.32	3.31	3.28	3.07	2.89	2.81	2.72	2.67	2.64	2.63
3.0	3.32	3.32	3.32	3.32	3.20	3.05	2.92	2.73	2.66	2.64	2.63
3.5	3.32	3.32	3.32	3.32	3.32	3.19	2.97	2.76	2.68	2.64	2.63
4.0	3.32	3.32	3.32	3.32	3.32	3.32	3.07	2.79	2.70	2.64	2.63
4.5	3.32	3.32	3.32	3.32	3.32	3.32	3.32	2.88	2.74	2.64	2.63
5.0	3.32	3.32	3.32	3.32	3.32	3.32	3.32	3.07	2.79	2.64	2.63
5.5	3.32	3.32	3.32	3.32	3.32	3.32	3.32	3.32	2.88	2.64	2.63

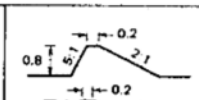
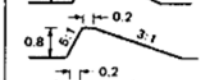
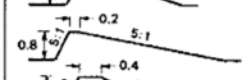
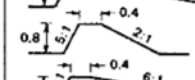
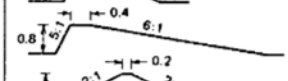
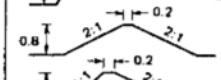
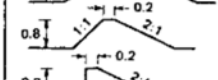
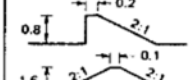
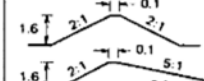
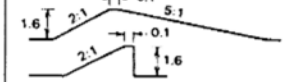
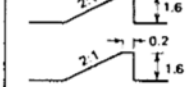
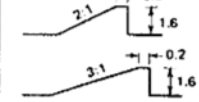
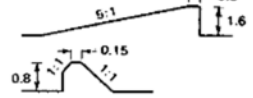
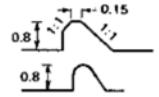
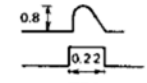
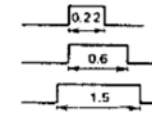
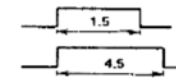
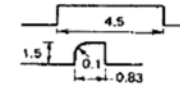
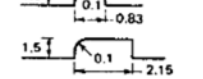
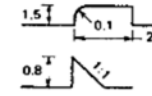
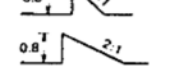
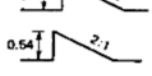
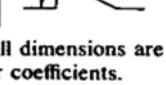
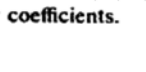
This table was derived from information in HANDBOOK OF HYDRAULICS by Brater and King, 1976.

Appendix D2: Broad-Crested Weir Coefficients for Assorted Profiles

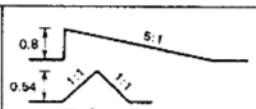
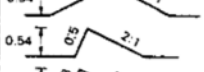
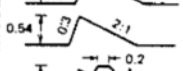
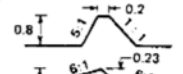
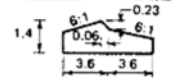
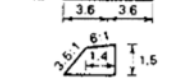
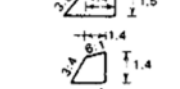
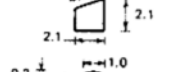
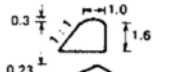
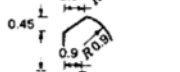
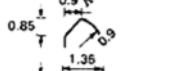
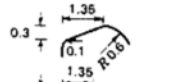
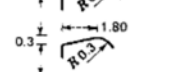
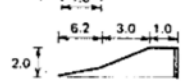
Coefficients for the following weirs may be entered automatically by specifying the appropriate Profile ID number on the HydroCAD weir screen.

Note: This table contains *metric* weir coefficients. To obtain English coefficients **multiply the values in this table by 1.811** as described on page 43.

Discharge Coefficients for Broad-Crested Weirs

	Cross section	Upstream head *h* [m]							
		0.15	0.30	0.45	0.60	0.75	0.90	1.20	1.50
1		1.61	1.86	1.98					
2		1.60	1.80	1.90					
3		1.58	1.75	1.79					
4		1.53	1.64	1.77					
5		1.54	1.62	1.69					
6		1.72	1.88	1.98					
7		1.65	1.88	2.00					
8		1.53	1.80	1.93					
9					1.96	1.96	1.97	1.99	2.02
10					1.94	1.92	1.89	1.92	1.97
11			2.12	2.10	2.08	2.08	2.06	2.04	2.00
12			1.88	1.96	2.01	2.04	2.05	2.05	2.05
13					1.96	1.96	1.96	1.96	1.96
14					1.86	1.86	1.86	1.86	1.86
15		1.81	2.00						
16		2.10	2.35						
17		1.57	1.73	1.80	1.82	1.83	1.83		
18		1.44	1.46	1.55	1.56	1.69	1.76	1.84	
19		1.43	1.47	1.45	1.46	1.47	1.46	1.48	1.59
20		1.48	1.45	1.44	1.44				
21			1.56	1.60	1.65	1.70	1.74	1.84	1.92
22			1.56	1.56	1.55	1.55	1.55	1.55	1.54
23		2.13	2.13	2.13					
24		1.93	1.94	1.94					
25		1.94	1.98	1.97					

*All dimensions are in meters. Tabulated values represent metric weir coefficients.

	Cross section	Upstream head *h* [m]							
		0.15	0.30	0.45	0.60	0.75	0.90	1.20	1.50
26		1.69	1.73	1.73					
27		2.28	2.25	2.06					
28		2.08	2.12	2.12					
29		1.92	1.93	1.92					
30		2.10	2.13	2.13					
31		2.03	2.03	2.01					
32		2.03	2.03	2.01					
33		1.65	1.94	2.10					
34			1.72	1.76	1.76	1.76	1.76	1.76	1.76
35				1.87	1.84	1.81	1.82	1.82	1.85
36			1.91	1.90	1.87	1.84	1.83	1.86	1.90
37						1.89	1.87	1.87	1.88
38			1.81	1.81	1.82	1.86	1.90	1.97	2.01
39		1.13	1.82 1.89	1.83 1.90	1.85 1.88	1.87 1.88	1.88 1.90	1.95	2.06
40		1.76	1.86 1.92	1.90 1.98	1.93 2.06	1.96 2.04	1.97 2.04	2.03	2.11
41		1.72	1.90	2.00	2.06	2.10	2.13		
42		1.78	1.84	1.89	1.93	1.97	2.00		
43		1.75	1.81	1.85	1.88	1.90	1.92	1.95	
44		1.80	1.92	1.95	1.94	1.85	1.82		
45		1.94	1.94	1.95	1.92	1.85	1.81	1.79	
46		1.72	1.72	1.70	1.72	1.76	1.79	1.85	
47		1.70	1.71	1.82					
48			2.09						

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Appendix E: Culvert Entrance Loss Coefficients

The following table lists entrance loss coefficients for concrete, corrugated metal, and box culverts. These values are automatically provided by HydroCAD when the corresponding entrance description is selected for a given culvert.

Although comparable data is not available for corrugated plastic pipe, it is believed to be similar to corrugated metal, and the same entries are listed for "CPP" in the internal lookup table.

Entrance Loss Coefficients.

Type of Structure and Design of Entrance	Coefficient, k_e
Pipe, Concrete	
Projecting from fill, groove end	0.2
Projecting from fill, sq. cut end	0.5
Headwall or headwall and wingwalls	
Groove end of pipe	0.2
Square-edge	0.5
Rounded (radius = 1/12D)	0.1
Mitered to conform to fill slope	0.7
End-Section conforming to fill slope*	0.5
Pipe, or Pipe-Arch, Corrugated Metal	
Projecting from fill (no headwall)	0.9
Headwall or headwall end wingwalls	
Square-edge	0.5
Mitered to conform to fill slope	0.7
End-Section conforming to fill slope*	0.5
Box, Reinforced Concrete	
Headwall parallel to embankment (no wingwalls)	
Square-edged on 3 edges	0.5
Rounded on 3 edges to radius of 1/12 barrel dimension	0.2
Wingwalls at 30° to 75° to barrel	
Square-edged at crown	0.4
Crown edge rounded to radius of 1/12 barrel dimension	0.2
Wingwalls at 10° to 30° to barrel	
Square-edged at crown	0.5
Wingwalls parallel (extension of sides)	
Square-edged at crown	0.7

*Note: "End Section conforming to fill slope", made of either metal or concrete, are the sections commonly available from manufacturers. From limited hydraulic tests they are equivalent in operation to a headwall in both inlet and outlet control. Some end sections, incorporating a closed taper have a superior hydraulic performance.

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Appendix F: Sheet Flow Roughness Coefficients

HydroCAD provides the following table of roughness coefficients for use with the Sheet Flow procedure (see page 54). This information is taken directly from NEH Table 15-1, with slight abbreviation of the descriptions. If you decide to substitute other roughness coefficients, note that these values are specifically for sheet flow, and are generally larger than the regular Manning's numbers for comparable surfaces.

Surface Description	n
Smooth surfaces	.011
Fallow	.05
Cultivated: Residue<=20%	.06
Cultivated: Residue>20%	.17
Grass: Short	.15
Grass: Dense	.24
Grass: Bermuda	.41
Range	.13
Woods: Light underbrush	.40
Woods: Dense underbrush	.80

Note: These coefficients may also be appropriate when using a reach to model artificially created sheet flow (as from a level spreader) as long as the depth of flow is limited to approximately 1/10 foot.

Appendix G: Velocity Factors

The Shallow Concentrated Flow procedure (a.k.a. Upland Method) uses a *velocity factor*, K_V, as listed below. The first two surfaces (paved and unpaved) are the basis for TR-55 Figure 3-1, and the factors were originally obtained from TR-55 Appendix F. The remaining surfaces were taken from NEH-4 Figure 15.2, with the factors derived from that chart. Subsequent revisions to NEH Part 630 provide *numerical* K_V values which are in good agreement with the original chart, except for "Grassed Waterways", which appears to have changed from 15.0 to 16.13, making it the same as the TR-55 "Unpaved" condition. For compatibility with previous calculations, the HydroCAD lookup table continues to supply the original K_V values as listed below. If different values are required for any reason, HydroCAD allows direct K_V entry instead of using the lookup table. See page 55 for further details on Shallow Concentrated Flow.

Surface Description	K_V [ft/sec]	K_V [m/sec]
Paved	20.33	6.2
Unpaved	16.13	4.92
Grassed Waterway	15.0	4.57
Nearly Bare & Untilled	10.0	3.05
Cultivated Straight Rows	9.0	2.74
Short Grass Pasture	7.0	2.13
Woodland	5.0	1.52
Forest w/Heavy Litter	2.5	0.76

Some descriptions have been abbreviated. Velocity factors have the same units as a velocity, and may be converted between English and metric as described on page 43.

H y d r o C A D ®

Stormwater Modeling System

Version 10

Owner's Manual

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HydroCAD Software Solutions LLC
P.O. Box 477
Chocorua, NH 03817

1-800-927-7246
Tel: (603) 323-8666
Fax: (603) 323-7467

www.hydrocad.net

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5 SHERMAN STREET, LLC

Stormwater Management, Maintenance & Inspection Plan

103 Court Street
Dover, New Hampshire

August 2024
Revised October 2025

Prepared for: 5 Sherman Street, LLC
242 Central Ave
Dover, New Hampshire 03820

Contact: Robert Baldwin
robert@centralfallsrealty.com

Prepared by: Tritech Engineering Corporation
755 Central Avenue
Dover, New Hampshire 03820

Introduction

Tritech Engineering Corporation has prepared the following Stormwater Management System Inspection & Maintenance Plan for 103 Court Street, located on southern side of Court Street, Dover, New Hampshire. The intent of this plan is to provide 5 Sherman Street, LLC with a list of procedures that document the inspection and maintenance requirements of the Stormwater Management System for this development.

The following inspection and maintenance program is necessary in order to keep the Stormwater Management System functioning properly. By following the enclosed procedures, 5 Sherman Street LLC, will be able to maintain the functional design of the Stormwater Management System and maximize its ability to remove sediment and other contaminants from site generated stormwater runoff.

5 Sherman Street LLC, or its successors, heirs and assigns, will be responsible for implementing the required inspections and reporting over the expected life of the system.

Stormwater Management System Components

The 103 Court Street Stormwater Management System is designed to mitigate both the quantity and quality of site-generated stormwater runoff. As a result, its design includes the following elements:

Non-Structural BMP's

Non-Structural best management practices (BMP's) are designed to minimize and/or remove contaminants before they enter the stormwater collection system. Several of these BMP's have been incorporated into the Stormwater Management System including pavement sweeping, reduced use of road salt, and litter/trash removal. These types of BMP's are a highly effective initial treatment measure for reducing stormwater pollutant loading.

Closed Drainage Collection and Piping System

The closed drainage system is designed to collect and convey stormwater runoff from the roofs and paved areas and infiltrate stormwater back into the water table. Stormwater is collected in a catch basins and yard drains before being routed to two stormtech chamber systems. Runoff is then routed to a Bioretention area for treatment and infiltration.

Bioretention Basins

Bioretention Basins collect stormwater from ground runoff, as well as roadway runoff after pretreatment in deep sump catch basins, and allow contaminants and sedimentation to be contained. Bio Retention Ponds allow rainwater to be infiltrated and recharge groundwater on the side, and treated excess water is allowed to exit pond through rectangular weir spillway.

Stormtech Chambers

See attached for operation and maintenance for stormtech chambers.

Inspection & Maintenance Plan

By implementing the following procedures, 5 Sherman Street, LLC will be able to maintain the functional design of the Stormwater Management System and maximize the system's ability to remove sediment and other contaminants from site generated stormwater runoff.

Pavement Sweeping:	Sweep Pavement Area at least three times per year or more as necessary. Spring pavement sweeping shall be performed as early as possible.
Litter/Trash Removal:	Routinely inspect all dumpster locations for spillage and clean as necessary.
Deicing Agents:	It is recommended a certified Winter Operator (Green SnowPro) applies deicing agents. Use sand as the primary agent for parking lot safety during ice and snow conditions. Minimize the use of road salt (sodium chloride) during the winter. Use de-icing or anti-caking agents, added to enhance performance and application characteristics of sand mixtures, only as necessary and at minimum application rates. A deicing log (attached) must be maintained throughout the winter season.
Closed Drainage	Inspect all catch basins monthly for floatable objects and remove as required.
Bioretention Basins	Inspect detention basin twice annually for floatables and remove as required. Inspect detention basin, outlet structure, and outlets twice annually and remove accumulated sand and sediment. At least once annually, the system should be inspected for drawdown time. If the bioretention system does not drain within 72 hours following a rainfall event, then a qualified professional should assess the condition of the facility to determine measures required to restore filtration function, including but not limited to removal of sediments, or reconstruction of the filter media. At least once annually, vegetation should be inspected and maintained in a healthy condition, including pruning, removal and replacement of dead or diseased vegetation, and removal of invasive species.
Stormtech Chambers	At least once annually inspect Stormtech chambers for sediment accumulation. Remove sediment once it reaches a depth of 3 inches or more using jetvac and vacuum as needed,
Invasive Species:	During maintenance and inspection activities, check for the presence of invasive species and dispose of in accordance with the procedures contained herein.

Annual Report: Submit an annual Inspection & Maintenance Report to the City of Dover's Planning Department by December 15th of each year. The report should include a summary of the system's maintenance requirements and repairs, and copies of the Inspection & Maintenance Log Sheets as well as the Deicing Log Sheets.

Each inspection shall include photographs of each the BMP being inspected

Additionally, Inspection and Maintenance Records must be provided to NHDES upon request.

Inspection & Maintenance Checklist/Log

The following pages contain an Inspection & Maintenance Checklist and blank copy of the Stormwater Management System's Inspection & Maintenance Log. These forms are provided to 5 Sherman Street, LLC with the inspection and maintenance of the 103 Court Street Stormwater Management System.

Disposal Methods for Non-Native Invasive Plants

This table provides information concerning the disposal of removed invasive plant material. If the infestation is treated with herbicide and left in place, these guidelines don't apply. Don't bring invasives to a local transfer station, unless there is a designated area for their disposal, or they have been rendered non-viable. This listing includes wetland and upland plants from the New Hampshire Prohibited Invasive Species List. The disposal of aquatic plants is not addressed.

<table>
<tr><th>Woody Plants</th><th>Method of Reproducing</th><th>Methods of Disposal</th></tr>
<tr><td rowspan="2">Norway maple
(Acer platanoides)
European barberry
(Berberis vulgaris)
Japanese barberry
(Berberis thunbergii)
autumn olive
(Elaeagnus umbellata)
burning bush
(Euonymus alatus)
Morrow's honeysuckle
(Lonicera morrowii)
Tatarian honeysuckle
(Lonicera tatarica)
showy bush honeysuckle
(Lonicera x bella)
common buckthorn
(Rhamnus cathartica)
glossy buckthorn
(Frangula alnus)</td><td rowspan="2">Fruit and Seeds
  </td><td>Prior to fruit/seed ripening
Seedlings and small plants
▪ Pull or cut and leave on site with roots exposed. No special care needed.
Larger plants
▪ Use as firewood.
▪ Make a brush pile.
▪ Chip.
▪ Burn.</td></tr>
<tr><td>After fruit/seed is ripe
Don't remove from site.
▪ Burn.
▪ Make a covered brush pile.
▪ Chip once all fruit has dropped from branches.
▪ Leave resulting chips on site and monitor.</td></tr>
<tr><td rowspan="2">oriental bittersweet
(Celastrus orbiculatus)
multiflora rose
(Rosa multiflora)</td><td rowspan="2">Fruits, Seeds, Plant Fragments</td><td>Prior to fruit/seed ripening
Seedlings and small plants
▪ Pull or cut and leave on site with roots exposed. No special care needed.
Larger plants
▪ Make a brush pile.
▪ Burn.</td></tr>
<tr><td>After fruit/seed is ripe
Don't remove from site.
▪ Burn.
▪ Make a covered brush pile.
▪ Chip – only after material has fully dried (1 year) and all fruit has dropped from branches. Leave resulting chips on site and monitor.</td></tr>
</table>

<table>
<tr><th>Non-Woody Plants</th><th>Method of Reproducing</th><th>Methods of Disposal</th></tr>
<tr><td rowspan="2">garlic mustard
(Alliaria petiolata)
spotted knapweed
(Centaurea maculosa)
▪ Sap of related knapweed can cause skin irritation and tumors. Wear gloves when handling.
black swallow-wort
(Cynanchum nigrum)
▪ May cause skin rash. Wear gloves and long sleeves when handling.
pale swallow-wort
(Cynanchum rossicum)
giant hogweed
(Heracleum mantegazzianum)
▪ Can cause major skin rash. Wear gloves and long sleeves when handling.
dame’s rocket
(Hesperis matronalis)
perennial pepperweed
(Lepidium latifolium)
purple loosestrife
(Lythrum salicaria)
Japanese stilt grass
(Microstegium vimineum)
mile-a-minute weed
(Polygonum perfoliatum)</td><td rowspan="2">Fruits and Seeds
  </td><td>Prior to flowering
Depends on scale of infestation
Small infestation
▪ Pull or cut plant and leave on site with roots exposed.

Large infestation
▪ Pull or cut plant and pile. (You can pile onto or cover with plastic sheeting).
▪ Monitor. Remove any re-sprouting material.</td></tr>
<tr><td>During and following flowering
Do nothing until the following year or remove flowering heads and bag and let rot.

Small infestation
▪ Pull or cut plant and leave on site with roots exposed.

Large infestation
▪ Pull or cut plant and pile remaining material. (You can pile onto plastic or cover with plastic sheeting).
▪ Monitor. Remove any re-sprouting material.</td></tr>
<tr><td>common reed
(Phragmites australis)
Japanese knotweed
(Polygonum cuspidatum)
Bohemian knotweed
(Polygonum x bohemicum)</td><td>Fruits, Seeds, Plant Fragments
Primary means of spread in these species is by plant parts. Although all care should be given to preventing the dispersal of seed during control activities, the presence of seed doesn’t materially influence disposal activities.</td><td>Small infestation
▪ Bag all plant material and let rot.
▪ Never pile and use resulting material as compost.
▪ Burn.

Large infestation
▪ Remove material to unsuitable habitat (dry, hot and sunny or dry and shaded location) and scatter or pile.
▪ Monitor and remove any sprouting material.
▪ Pile, let dry, and burn.</td></tr>
</table>

Stormwater Management System

Inspection & Maintenance Checklist

103 Court Street

BMP/System Component	Minimum Inspection Frequency	Minimum Inspection Requirements	Maintenance/Cleanout Threshold
Pavement Sweeping	1-2 times per year	Sweep or vacuum to prevent sediment tracking.	As required
Litter/Trash Removal	Routinely	Inspect outdoor waste receptacles areas for spillage.	Clean as required.
Deicing Agents	N/A	Contractor certified by "Green SnowPro" program to apply deicing agents. Use deicing log after every application.	Use sand as primary agent for parking lot safety during winter.
Closed Drainage System			
Catch Basins	2 times per year 1 time per month	Check for sediment accumulation in sump and on sock. Check for floatable contaminants.	≥ 2 in. sediment depth. ≥ 3 in. floatable depth.
Drainage Pipes	1 time per year	Check for sediment accumulation/clogging.	≥ 2 in. sediment depth.
Drainage Swales	Per mowing	Maintain grass height of 3-4 inches. Remove sediment accumulation from bottom of swale. Remove accumulated trash and debris as needed.	Sediment accumulation reaches 25% of design volume. Grass height exceeds 4 inches.
Stormtech Chambers	1 time per year	Check for sediment accumulation in chambers.	≥ 3 in. sediment depth.
Bioretention System	2 times per year	Check for sediment accumulation Check for floatables If system does not drain within 72 hours, actions must be taken to restore infiltration capabilities.	≥ 2 in. sediment depth in bioretention. ≥ 3 in. floatable depth in bioretention.
Annual Report	1 time per year	Submit Annual Report, including all Inspection & Maintenance Logs, to the Somersworth Planning Department.	N/A

Stormwater Management System

Inspection & Maintenance Log

103 Court Street

BMP/System Component	Date Inspected	Inspector	Cleaning/Repair Needed (*List Items/Comments)*	Date of Cleaning/Repair	Performed By

Stormwater Management System

Deicing Log

5 SHERMAN STREET, LLC

Date	Amount Applied	Performed By	Date	Amount Applied	Performed By

CERTIFICATE OF UNDERSTANDING

Stormwater Management, Maintenance & Inspection Plan

Project: 103 Court Street
Dover, New Hampshire
August 2024

Owner: 5 Sherman Street, LLC
242 Central Ave
Dover, New Hampshire 03820

Engineer: Tritech Engineering Corporation
755 Central Avenue
Dover, New Hampshire 03820

Project Reference Plans:

Site Development Plans for:
103 Court Street
Dover, New Hampshire
Dated August, 15 2024

Specifically:
T-1, T-2, EX-1, SSS-1, SN-1, C-1 through C-3, SP-1 through SP-12, Li-1, LA-1 & TR-1.

Project Drainage Analysis References:

Drainage Analysis, Erosion and Sedimentation Control, & Site Development Plan for:
103 Court Street
Dover, New Hampshire
Dated August 2024

Site Plan Review Approval was granted by the Somersworth Planning Board Pending

I, Robert Baldwin, the property owner, am familiar with the references above and understand this Stormwater Management, Maintenance, and Inspection Plan, and my responsibilities identified herein. If ownership of the property is transferred, the new property owner(s) shall become the responsible party(ies).

_____ _____

Robert Baldwin, Owner Date

WAIVER REQUEST

Site Review Regulations §153-14.D.6(a) &(c)
Parking Lot Design Standards

for

103 COURT STREET

103 Court Street
Dover, New Hampshire
September 2024
Revised December 2025

In accordance with Site Review Regulations Article 153.21.A, Waiver, the applicant formally requests a waiver from Section 153-14.D.6 (a) & (c) regarding the parking lot design standards for aisle width.

The 103 COURT STREET development project consists of driveways for access & parking for the proposed 9-unit development. We have proposed 20-foot-wide travel ways / aisle ways where 153-14.D.6(a) requires an aisle width of 22 feet and 153-14.D.6(b) requires an aisle width of 24 feet.

153.21 Waivers

A. The PLANNING BOARD may waive specific provisions of this Chapter. 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

The spirit and intent of the regulation is to provide safe access the residents and guest of the proposed project. We respectfully submit that the 20-foot-wide pavement width with an adjacent 5-foot-wide sidewalk will achieve this intent. Our Traffic-Assessment Memorandum calculated weekday vehicle-trips due to the project as:

- ***daily, 45 (total of in and out)***
- ***AM-street-peak hour, 3 (1 in and 2 out)***
- ***PM-street-peak hour, 4 (2 in and 2 out)***

A 20-foot-wide travel way is more than adequate for the 4 peak hour trip generated by the proposed development. American Association of State Highway and Transportation Officials (AASHTO), A Policy on Geometric Design of Highways and Street, 7th Edition (Washington, DC, 2018) allows for Urban Local Street to have a lane width of Nine (9) feet. The project proposal is for a "Pocket Neighborhood" has an emphasis on pedestrians. We have provided sidewalks for internal walking as well as connection to the new sidewalks that will be constructed on Court Street next year.

(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.

The spirit and intent of the regulation is to provide safe access the residents and guest of the proposed project. We respectfully submit that the 20-foot-wide pavement width with an adjacent 5-foot-wide sidewalk will achieve this intent. A 20-foot-wide travel way is more than adequate for the 4 peak hour trip generated by the proposed development. American Association of State Highway and Transportation Officials (AASHTO), A Policy on Geometric Design of Highways and Street, 7th Edition (Washington, DC, 2018) allows for Urban Local Street to have a lane width of Nine (9) feet. The project proposal is for a "Pocket Neighborhood" has an emphasis on pedestrians. We have provided sidewalks for internal walking as well as connection to the new sidewalks that will be constructed on Court Street next year.

LANDSCAPE
OPERATION & MAINTENANCE PLAN

for

103 COURT STREET

103 Court Street
Dover, New Hampshire
August 2024

Weekly Tasks

1. Mow and edge lawns if needed. Lawns to be cut to 3.5" height.
2. Prune back any shrubs overhanging curbs or sidewalks.
3. Prune back any groundcover overhanging curbs or sidewalks.
4. Remove litter and leaves from plants, planters, and parking lots.
5. Remove any broken or fallen branches from trees. Remove sucker growth from tree trunks.
6. Remove any weeds larger than 2 inches (5 cm) high or wide from planters. Weeds 2 inches (5 cm) and larger must be removed, not just killed.
7. Replace bark mulch which has been knocked or washed out of planters. Smooth mulch layer if it has been disturbed.
8. Replace decorative rock which has been knocked or washed out of drip strips. Smooth decorative rock surface if it has been disturbed.
9. Check plants for signs of stress, pests or disease. Request authorization to replace other dead or missing plants. Note: Maintenance contractor must request authorization to make replacements within one week of the damage becoming evident.
10. Sweep or blow clean all walkways, curbs, and gutters.
11. Treat for any signs of disease or pest infestation.
12. Complete any items required on the Monthly Checklist.
13. Hand water any plants that are dry and stressed.
14. Check the irrigation system (if there is a system). Make emergency repairs as needed or request authorization to make major repairs. Note: Maintenance contractor must request authorization for repairs within one week of the damage becoming evident.
15. Adjust the irrigation controllers for current water needs of plants.
16. **Gently prune shrubs at appropriate time of year based on species, for shape and form. DO NOT shear.**

Yearly Tasks

Early Spring

1. Prune any tree branches that interfere with public safety. Prune all parking lot and street trees yearly to encourage strong growth.
2. Apply granular fertilizer to shrubs beds and lawns. Be sure to make application prior to a moderate rainfall in drip-irrigated planters so the rain will wash the fertilizer in.
3. Submit receipts to owner's authorized representative as proof of fertilizer purchase.
4. Trim any perennial foliage left in the fall for winter interest to within six inches of the ground.

5. Add new mulch to planters where the mulch depth has been reduced to less than 2 inches (5 cm) thick. Mulch depth shall not exceed 2". Additional mulch not required where shrubs or groundcover completely hide the soil surface from view.
6. Where there is irrigation and after threat of frost is gone, flush out irrigation systems as needed and check for proper operation of each valve zone.Clean or replace plugged sprinkler nozzles. Replace plugged drip emitters.
7. Replace irrigation controller program back-up batteries.

June:

No additional items

July:

No additional items

August:

No additional items

September:

1. Inventory all plant materials. Inventory shall include an exact count of all shrubs and trees, itemized by planter. Replace any dead or missing plants.

October:

1. Prepare irrigation system for winter. Make sure backflow preventer is well insulated or drained prior to first freeze. Blow out pipes using compressed air in areas where freezing could result in breakage.
2. Mow field areas.

November:

1. "WILT-PRUF" broadleaf evergreens when temperature permits.

December:

1. Prune any tree branches that interfere with public safety. Prune all parking lot and street trees yearly to encourage strong growth.

BACKYARD COTTAGE CONDOMINIUM ASSOCIATION BUDGET (5 Units)

Yearly Operating Budget (Sample Year 1)

Income

Category	Annual Amount
Monthly HOA Fees (**5 units x $350 x 12**)	**$21,000.00**
Total Income	**$21,000.00**

Expenses

Category	Annual Amount
Maintenance & Operations	
Landscaping (mowing, trimming, etc.)	$3,200.00
Snow Removal	$5,200.00
Trash Collection	$2,400.00
Stormwater System Maintenance	$1,000.00
Minor Repairs & Maintenance	$1,200.00
Routine Pavement Maintenance (stripping, crack sealing, etc.)	$640.00
Insurance (common areas)	$1,600.00
Legal/Professional Services	$700.00
Contingency / Miscellaneous	$500.00
Reserve Fund Contribution	**$4,560.00**
Total Expenses	**$21,000.00**

Monthly per unit breakdown (at $350/month):

- **Operations:** $274/month per unit (=$16,440/year total)
- **Reserves:** $76/month per unit (=$4,560/year total)

Reserve Fund for Infrastructure Replacement (unchanged target)

Assumptions

- Major replacement at **Year 30**
- Estimated total replacement cost in Year 30: **$185,000.00**
- Reserve contributions increase **2% annually**
- No interest earnings assumed (conservative)

Annual Reserve Contribution Schedule (2% Annual Increase)

Year	Annual Contribution	Cumulative Reserve Fund Balance
1	$4,560.00	$4,560.00
2	$4,651.20	$9,211.20
3	$4,744.22	$13,955.42
4	$4,839.10	$18,794.52
5	$4,935.88	$23,730.40
6	$5,034.60	$28,765.00
7	$5,135.29	$33,900.29
8	$5,238.00	$39,138.29
9	$5,342.76	$44,481.05
10	$5,449.62	$49,930.67
11	$5,558.61	$55,489.28
12	$5,669.78	$61,159.06
13	$5,783.18	$66,942.24
14	$5,898.84	$72,841.08
15	$6,016.82	$78,857.90
16	$6,137.15	$84,995.05
17	$6,259.89	$91,254.94
18	$6,385.09	$97,640.03
19	$6,512.79	$104,152.82
20	$6,643.05	$110,795.87
21	$6,775.91	$117,571.78
22	$6,911.43	$124,483.21
23	$7,049.66	$131,532.87
24	$7,190.65	$138,723.52
25	$7,334.46	$146,057.98
26	$7,481.15	$153,539.13
27	$7,630.77	$161,169.90
28	$7,783.38	$168,953.28

Year	Annual Contribution	Cumulative Reserve Fund Balance
29	$7,939.05	$176,892.33
30	$8,097.85	$184,990.43

By Year 30, the reserve fund reaches approximately $184,990.43.

Infrastructure Components at Year 30 (same assumptions)

1. Roofing for Duplexes and Common Buildings — **$40,000**
2. Roads and Pathways — **$50,000**
3. Stormwater Management Systems — **$30,000**
4. Major Landscaping Renovation — **$15,000**
5. Other Infrastructure (fencing, lighting, sidewalks, etc.) — **$50,000**
   Total: $185,000

BYLAWS

OF

COURT STREET CONDOMINIUMS
103 Court Street, Dover, Strafford County
State of New Hampshire

UNIT OWNERS' ASSOCIATION

ARTICLE I

INTRODUCTORY

1. Purpose. The administration of the Condominium shall be governed by these Bylaws, and all present and future holders of any interest in the Condominium shall be members of Court Street Condominiums Unit Owners' Association, which is a "condominium management association" organized and operated to provide for the acquisition, construction, management, maintenance, and care of "association property" as those terms are defined in Section 528 of the Internal Revenue Code. No part of the net earnings of said Association shall inure (other than by acquiring, constructing, or providing management, maintenance, and care of association property, other than by a rebate of excess membership dues, fees, or assessments pursuant to Article V, Section 1(c) hereof) to the benefit of any Unit Owner.

2. Definitions. Capitalized terms not otherwise defined herein or in the Declaration shall have the meanings specified in Section 3 of the Condominium Act.

3. Bylaws Applicability. The provisions of these Bylaws are applicable to the Property, and the use, occupancy, sale, lease, and other transfer thereof. All present and future Owners, tenants, future tenants, their guests, licensees, servants, agents, employees, and any other Person who shall use the facilities of the Condominium shall be subject to these Bylaws and to the Rules of the Condominium. The acceptance of a deed of conveyance or the entering into of a lease or the act of occupancy of a Unit or any other portion of the Condominium shall constitute an acknowledgment that such Owner, tenant, or

occupant has accepted and ratified these Bylaws, the provisions of the Declaration, and the Rules, and will comply with them.

4. Office. The office of the Condominium and of the Board of Directors shall be located at the Condominium or at such other place as may be designated from time to time by the Board of Directors.

ARTICLE II

UNIT OWNERS' ASSOCIATION

1. Composition. All of the Unit Owners, acting as a group in accordance with the Condominium Act, the Declaration, and these Bylaws, shall constitute "The Condominiums at Sterling Way Unit Owners' Association," or "Association" which shall have the responsibility of administering the Condominium, establishing the means and methods of collecting the assessments for Common Expenses, arranging for the management of the Condominium, and performing all of the acts that may be required to be performed by the Unit Owners' Association by the Condominium Act. Except as to those matters which the act, the Declaration, or these Bylaws specifically require to be performed by the vote of the Unit Owners, the administration of the Condominium shall be performed by the Board of Directors (as more particularly set forth in Article III).

2. Period of Control by Declarant. Notwithstanding any other provision of these Bylaws, pursuant to RSA 356-B:36 until the earlier of two (2) years after recordation of the Declaration or the date on which seventy-five (75%) percent of the Units (up to and including the 9 units, which is the maximum number of units which may be declared under the Declaration) have been conveyed by Declarant (the "Transition Date"), the Declarant shall have the power, in its sole discretion, to (a) appoint or remove any or all officers and directors of the Unit Owners' Association at any time, without cause, and (b) exercise any and all powers and responsibilities otherwise assigned by the condominium instruments or the Condominium Act to the Unit Owners' Association, its officers, or its Board of Directors. The Declarant may relinquish its power hereunder at any time by recording an appropriate statement at the Registry, in which event the date of such relinquishment shall be the "Transition Date." Except as provided herein, pursuant to RSA 356-B:40, IV, the period of the Declarant control terminates no later than the earliest of:

(a) Sixty days after conveyance of 60 percent of the units that may be created to Unit Owners other than a Declarant; or

(b) The date the Declarant, after giving notice in a record to Unit Owners, records an instrument voluntarily surrendering all rights to control activities of the Association.

Notwithstanding anything herein to the contrary, pursuant to RSA 356-B:40-V, not later than 60 days after the conveyance of ¼ of the units that may be created to Unit Owners other than a Declarant, at least one member and not less than 25 percent of the members of the Board of Directors shall be elected by Unit Owners other than the Declarant. Not later

than 60 days after conveyance of ½ of the units that may be created to Unit Owners other than a Declarant, not less than ½ of the members of the Board of Directors shall be elected by the Unit Owners other than the Declarant.

3. Voting. Each Unit shall be entitled to one vote in the Association. Since an Owner may be more than one (1) Person, if only one of such Persons is present at a meeting of the Association, that Person shall be entitled to cast the votes appertaining to that Unit. If more than one of such Persons is present, the vote appertaining to that Unit shall be cast only in accordance with the agreement of a majority of them, and such consent shall be conclusively presumed if any one of them purports to cast the vote appertaining to that Unit without protest being made forthwith by any of the others to the individual presiding over the meeting. As applied to a Person which is not a natural person, the word "Person" shall be deemed for the purposes of this Section to include, without limitation, any one (1) natural person having authority to execute deeds on behalf of such Person which is not a natural person and which is, either alone or in conjunction with another Person or Persons, an Owner. Except where a greater number is required by the Condominium Act, the Declaration, or these Bylaws, a majority vote is required to adopt decisions at any meeting of the Association and to elect Directors. If the Declarant owns or holds title to one (1) or more Units, the Declarant shall have the right at any meeting of the Association to cast the votes to which such Unit is entitled.

4. Place of Meeting. Meetings of the Unit Owners' Association shall be held at the principal office of the Condominium or at such other suitable place as may be designated by the Board of Directors and stated in the notice of the meeting.

5. Annual Meeting. The first annual meeting of the Unit Owners' Association shall be held on a date to be determined by the Declarant, which date shall be within one (1) year after the formation of the Association by the recordation of the Declaration and Bylaws at the Registry. Notice of such meeting shall be given in accordance with the provisions of Section 7 of this Article II. Thereafter, the annual meetings of the Association shall be held on the same date of each succeeding year, or on such other date within a thirty (30) day period prior to such date, as may be designated by the Board of Directors and reflected in the said notice. At such annual meetings following the Transition Date (as defined in Section 2 above), the Board of Directors shall be elected by ballot of the Owners in accordance with the requirements of Section 4 of Article III. The Association may also transact such other business as may properly come before it at such meetings.

6. Special Meetings. It shall be the duty of the President to call a special meeting of the Unit Owners' Association if so directed by resolution of the Board of Directors or upon a petition signed and presented to the Secretary by Owners having not less than thirty (30%) percent of the votes of all Owners. The notice of any special meeting shall state the time and place of such meeting and purpose thereof. No business shall be transacted at a special meeting except as stated in the notice.

7. Notice of Meeting. It shall be the duty of the Secretary to mail, by first class United States mail, or electronic mail, a notice of each annual meeting or special meeting of the Owners, at least twenty-one (21) days in advance of an annual meeting and at least seven (7) days in advance of a special meeting, stating the purpose thereof, as well as the time and place where it is to be held, to each Owner of record, at the address of their respective Units and at such other address as each Owner may have designated by notice in writing to the Secretary. The mailing of a notice of meeting in the manner provided in this Section shall be considered service of notice.

8. Voting Requirements. An Owner shall be deemed to be in good standing and entitled to vote at any annual meeting or at any special meeting of the Unit Owners' Association if, and only if, he shall have fully paid all assessments made or levied and due against him and his Unit by the Board of Directors as hereinafter provided, together with all interest, costs, attorney's fees, penalties, and other expenses, if any, properly chargeable to him and against his Unit, as of the third business day prior to the date fixed for such annual or special meeting. Notwithstanding the foregoing, any Owner may vote on any amendment to the condominium instruments, or on the question of terminating the condominium, regardless of whether his assessments are fully paid.

9. Proxies. The vote appertaining to any Unit may be cast pursuant to a proxy or proxies in accordance with the provisions of Section 39, IV of the Condominium Act. Where the Unit Owner is more than one (1) Person, the proxy must be executed by or on behalf of all such Persons.

10. Quorum. A quorum consists of fifty per cent (50 %) of the total votes in the Association. Valid proxies shall count toward the quorum requirement.

11. Order of Business. The order of business at all meetings of the Unit Owners' Association may be as follows: (a) roll call; (b) recitation of proof of notice of meetings; (c) reading of minutes of preceding meeting; (d) reports of officers; (e) report of Board of Directors; (f) report of committees; (g) election of Directors if applicable; (h) unfinished business; and (i) new business; any of which may be waived.

12. Conduct of Meeting. The President or his designate shall preside over all meetings of the Unit Owners' Association and the Secretary shall keep the Minutes of the meeting and record in a Record Book, all resolutions adopted by the meeting as well as all transactions occurring thereat.

13. Alternate Meeting Methods: Any meeting of the Association or of the Board of Directors may be by telephonic, video, or other conferencing process.

ARTICLE III

BOARD OF DIRECTORS

1. Powers and Duties. The affairs and business of the Condominium shall be managed by a Board of Directors (sometimes herein referred to as the "Board") which shall have all of the powers and duties necessary for the administration of the affairs of the Condominium and may do all such acts and things as are not prescribed to be exercised and done exclusively by the membership of the Unit Owners' Association by the Condominium Act or by these Bylaws. The Board of Directors shall have the power from time to time to adopt any Rules deemed necessary for the enjoyment of the Condominium provided that such Rules shall not be in conflict with the Condominium Act, the Declaration, or these Bylaws. The Board of Directors may delegate to one of its members the authority to act on behalf of the Board of Directors on all matters which might arise between meetings of the Board of Directors. In addition to the general duties imposed by these Bylaws, the Board of Directors shall have the power to and be responsible for the following:

(a) Preparing and adopting an annual budget, pursuant to RSA 356-B:40-C in which there shall be established the assessment of each Owner for the Common Expenses;

(b) Making assessments against Owners to defray the Common Expenses of the Condominium establishing the means and methods of collecting such assessments from the Owners, collecting said assessments from the Owners, collecting said assessments, depositing the proceeds thereof in a bank depository which it shall approve, and using the proceeds to carry out the administration of the Property;

(c) Providing for the operation, management, care, upkeep, replacement, and maintenance of all the Common Area and services of the Condominium;

(d) Designating, hiring, and dismissing the personnel necessary for the maintenance, operation, repair, and replacement of the Common Area, and providing services for the Property, and where appropriate, providing for the compensation of such personnel and for the purchase or use of equipment, supplies, and material to be used by such personnel in the performance of their duties, which supplies and equipment, if purchased, shall be deemed the common property of the Owners;

(e) Making and amending the Rules respecting the use and enjoyment of the Property and enforcing by legal means the provisions of the Condominium Act, the Declaration, these Bylaws, and such Rules, and bringing any proceedings which may be instituted on behalf of the Owners;

(f) Obtaining and carrying insurance against casualties and liabilities, as provided in Article VI of these Bylaws, and paying the premium cost thereof and making, or contracting for the making of, repairs, additions, and improvements to, or alterations of the Property and repairs to, and restoration of the Property, in accordance with the other provisions of these Bylaws, after damage or destruction by fire or other casualty;

(g) Opening bank accounts on behalf of the Association and designating signatories required therefore, and keeping books with detailed accounts of the receipts and expenditures affecting the Property, and the administration of the Condominium. The said books shall be available for examination by the Owners and their duly authorized agents or attorneys, at reasonable times and places. All books and records shall be kept in accordance with the generally accepted accounting principles. A copy of the annual financial statement shall be supplied to any first mortgagee of any Unit in the condominium who requests the same in writing to the Secretary.

(h) The Board of Directors shall have the irrevocable power, which it may delegate to the President or other officer, as attorney-in-fact on behalf of all of the Owners, their heirs, successors, and assigns to do the following things:

(i) To grant easements through the Common Area and to accept easements benefiting the Condominium or any portion thereof;

(j) To negotiate, settle, and litigate, including execution of any necessary documents, any proceeding by any governmental authority to condemn all or any portion of the Common Area, any dispute concerning title to all or any portion of the Common Area, and any other dispute which affects the Common Area;

(k) To execute any documents necessary to encumber all or any portion of the Common Area to secure any borrowing, providing that such borrowing is authorized pursuant to Article V, Sections 1(d) or 7, or Article VII, Section 2(b) hereof.

(l) To implement the operation and maintenance requirements for the stormwater infrastructure as set forth in the Stormwater Maintenance Program as approved by the Dover Planning Board.

(m) To do such other things and acts not inconsistent with the Condominium Act and with the Declaration which it may be authorized to do by a resolution of the Unit Owners' Association.

2. Managing Agent. The Board of Directors, in its discretion, may employ, or contract with, a professional manager or management firm ("Manager") for a fee or compensation established by the Board of Directors, to perform such duties and services as the Board of Directors shall authorize, including, but not limited to, the duties listed in Section 1 of this Article III. The Board of Directors may delegate to the Manager all of the powers granted to the Board of Directors by these Bylaws; provided that any actions by the Manager with respect to the powers set forth in Paragraphs (a), (b), (e), (g), and (h), of Section 1 of this Article III shall require the written consent of the Board of Directors. Any employment contract entered into before the Transition Date (as defined in Article II, Section 2 above) shall provide that the Association may terminate the contract at any time following the Transition Date, without cause and without penalty, upon no more than ninety (90) days written notice. The Managing Agent is subject to the requirements of RSA B:40-a.

3. Number of Directors and Initial Selection of Board. The Board of Directors shall be composed of three (3) persons. Until the Transition Date, all Directors shall be appointed by the Declarant and may be any natural persons. After the Transition Date, all elected Directors must be Owners or spouses of Owners, or, where a Person which is an Owner is not a natural person, a natural person having authority to execute deeds on behalf of such Person.

4. Election and Term of Office. Subject to Declarant's right to designate set forth herein, at the first annual meeting of the Unit Owners' Association, three (3) Directors shall be elected. The term of office of one (1) Director shall be fixed at one (1) year and the term of office of two (2) Directors shall be fixed at two (2) years. Subject to the provisions of Section 3 above, at the expiration of the initial term of office of each respective Director, each successor shall be elected at subsequent annual meetings of the Unit Owners' Association to serve a term of two (2) years. The Directors shall hold office until their respective successors have been elected and hold their first meeting. All elections shall be by majority vote.

5. Organizational Meeting. The first meeting of the members of the Board of Directors following the annual meeting of the Unit Owners' Association shall be held immediately afterward, and no notice shall be necessary in order to legally constitute such meeting, provided a majority of the whole Board shall be present thereat.

6. Regular Meeting. Regular meetings of the Board of Directors may be held without call or notice at such time and place as shall be determined, from time to time, by a majority of the Directors, provided that notice of the first regular meeting following any such determination shall be given to Directors not present when such determination is made. At least two (2) such meetings shall be held during each twelve (12) month period after the annual meeting of the Unit Owners' Association. When required, notice of meetings of the Board of Directors shall be given personally or by mail, telephone or electronic mail, at least five (5) business days prior to the day named for such meeting. No notice shall be required for a regular meeting held immediately after, and at the same place as, the annual meeting of the Association.

7. Special Meetings. Special meetings of the Board of Directors may be called by the President on five (5) business days notice to each Director, or, in the event of an emergency, upon such amount of notice as is practical in the situation. Such notice shall be given personally or by mail, telephone, or electronic mail, and such notice shall state the time, place, and purpose of the meeting. Special meetings of the Board of Directors shall be called by the President or Secretary in like manner and on like notice on the written request of a majority of the Directors.

8. Waiver of Notice. Before or within ten (10) days after any meeting of the Board of Directors, any Director may, in writing, waive notice of such meeting and such waiver shall be deemed equivalent to the giving of such notice. Attendance by a Director at

any meeting of the Board shall be a waiver of notice by him of the time and place thereof. If all the Directors are present at any meeting of the Board, no notice shall be required and any business may be transacted at such meeting.

9. Board of Directors' Quorum. At all meetings of the Board of Directors, a majority of the Directors shall constitute a quorum for the transaction of business, and the acts of the majority of the Directors present at a meeting at which a quorum is present shall be the acts of the Board of Directors. If, at any meeting of the Board of Directors, there be less than a quorum present, the majority of those present may adjourn the meeting to another time. At any such adjourned meeting, when resumed, any business which might have been transacted at the meeting as originally called may be transacted without further notice.

10. Vacancies. After the Transition Date, vacancies on the Board of Directors caused by any reason other than removal of a Director by a vote of the Unit Owners' Association shall be filled by vote of the majority of the remaining Directors, at a special meeting of the Board of Directors held for the purpose promptly after the occurrence of any such vacancy, even though the Directors present at such meeting may constitute less than a quorum of the Board; and each person so elected shall be a director for the remainder of the term of the Director so replaced; provided, however, that a vacancy in the position held by a Director designated by the Declarant, pursuant to a right of the Declarant to make such designation, shall be filled by the Declarant.

11. Removal of Directors. Pursuant to RSA 356-B:40-b, Unit Owners present in person or by proxy at any meeting of the Unit Owners at which a quorum is present, may remove any member of the Board of Directors and any Officer elected by the Unit Owners, with or without cause, if the number of votes cast in favor of removal exceeds the number of votes cast in opposition to removal, provided that:

(a.) A Member appointed by the Declarant may not be removed by a unit owner vote during the period of Declarant control.

(b.) The Unit Owners may not consider whether to remove a member of the Board of Directors or an Officer Elected by the Unit Owners at a meeting of the Unit Owners unless that subject listed in the notice of the meeting.

At any meeting at which a vote to remove a member of the Board of Directors or an officer is to be taken, the member or Officer being considered for removal shall have a reasonable opportunity to speak before the vote.

12. Compensation. No Director shall receive any compensation from the Condominium for acting as such.

13. Conduct of Meeting. The President, or, in his absence, a President Pro Tem elected by the Board, shall preside over all meetings of the Board of Directors and the Secretary shall keep the Minutes of the meetings of the Board of Directors, recording therein

all resolutions adopted by the Board of Directors and all transactions and proceedings occurring at such meetings, which Minutes shall be filed in the Record Book of the Association.

14. Fidelity Bonds. The Board of Directors shall require that all Directors, officers, agents (including the Manager), employees and volunteers of the Association handling or responsible for handling funds belonging to or administered by the Association furnish adequate fidelity bonds, pursuant to Article VI, Section 1(d). The premiums on such bonds shall constitute a Common Expense.

15. Report of Board of Directors. The Board of Directors shall present at each annual meeting, and when called for by vote of the Unit Owners' Association at any special meeting of the Association, a full and clear statement of the business and condition of the Condominium.

16. Dispensing with Vote. Any action of the Board of Directors required or permitted to be taken at any meeting may be taken without a meeting if all of the members of the Board of Directors shall individually or collectively consent in writing to such action. Such written consent or consents shall be filed with the Minutes of the proceedings of the Board of Directors.

17. Liability of the Board of Directors. The members of the Board of Directors shall not be liable to the Owners for any mistake of judgment, negligence, or otherwise except for their own individual willful misconduct or bad faith or actions which are contrary to the provisions of the Condominium Act, the Declaration, or the Bylaws. The Owners shall indemnify and hold harmless each of the Directors from and against (a) all liability to others arising out of contracts made or action taken or omitted on behalf of the Owners unless any such contract shall have been made or action taken or omitted, in bad faith, due to willful misconduct, or contrary to the provisions of the Condominium Act, the Declaration or these Bylaws, and (b) against expenses (including attorneys' fees), judgments, fines, and amounts paid in settlement incurred by such Director in connection with any threatened, pending, or completed action, suit, or proceeding unless he acted in bad faith, was guilty of willful misconduct or acted contrary to such provisions. It is intended that the members of the Board of Directors shall have no personal liability (except as Owners) with respect to any contract made or action taken or omitted by them on behalf of the Owners, unless made, taken, or omitted in bad faith, due to willful misconduct or contrary to such provisions. It is also intended that the liability of any Owner arising out of any contract, action, or omission made by the Board of Directors or out of the aforesaid indemnity in favor of the members of the Board of Directors shall be limited to the same percentage of the total liability thereunder as his Unit's undivided percentage interest in the Common Area. Every written agreement made by the Board of Directors or by the Manager on behalf of the Owners shall, if obtainable, provide that the member of the Board of Directors or the Manager, as the case may be, are acting only as agents for the Owners and shall have no personal liability thereunder (except as Owners), and that each Owner's liability thereunder shall be limited to the same percentage of the total liability thereunder as his Unit's undivided percentage interest in the Common Area.

ARTICLE IV

OFFICERS

1. Designation. The principal officers of the Condominium shall be a President, a Secretary, and a Treasurer, all of whom shall be elected by the Board (subject to the provisions of Article II, Section 2). The Board may appoint such other officers as in its judgment may be necessary. With the exception of the President, no officer need be a member of the Board. The offices of Treasurer and Secretary may be held by the same person.

2. Election of Officers. Subject to the provisions of Article II, Section 2, the officers of the Unit Owners' Association shall be elected initially by the Board at a special meeting held on or near the date on which the Declaration is recorded at the Registry. Thereafter, the officers of the Condominium shall be elected annually by the Board at the organizational meeting of each new Board and shall hold office at the pleasure of the Board. Any vacancy in an office shall be filed by the Board at a regular meeting or special meeting called for such purpose.

3. Removal of Officers. Pursuant to RSA 356-B:40-b, Unit Owners present in person or by proxy at any meeting of the Unit Owners at which a quorum is present, may remove any member of the Board of Directors and any Officer elected by the Unit Owners, with or without cause, if the number of votes cast in favor of removal exceeds the number of votes cast in opposition to removal, provided that:

> A Member appointed by the Declarant may not be removed by a unit owner vote during the period of Declarant control.
>
> The Unit Owners may not consider whether to remove a member of the Board of Directors or an Officer Elected by the Unit Owners at a meeting of the Unit Owners unless that subject listed in the notice of the meeting.

At any meeting at which a vote to remove a member of the Board of Directors or an officer is to be taken, the member or Officer being considered for removal shall have a reasonable opportunity to speak before the vote.

4. President. The President shall be the Chief Executive Officer; he, or his designate, shall preside at meetings of the Unit Owners' Association and, if present, at meetings of the Board of Directors and shall be an ex officio member of all committees; he shall have general and active management of the business of the Condominium and shall see that all orders and resolutions of the Board are carried into effect. He shall have all of the general powers and duties which are usually vested in or incident to the office of President of a stock corporation organized under the laws of the State of New Hampshire.

5. Secretary. The Secretary shall attend all meetings of the Board of Directors and all meetings of the Unit Owners' Association, shall record the Minutes of all proceedings in the record book of the Condominium and shall perform like duties for committees when required. He shall keep the record book current and in his custody. He shall give, or cause to be given, notice of all meetings of the Unit Owners' Association, the Board, and the committees and shall perform such other duties as may be prescribed by the Board or President. The Secretary shall complete and keep current at the principal office of the Condominium (a) a complete list of the Owners and their last known post office address, and (b) copies of the Condominium instruments. These documents shall be open to inspection by all Owners and other persons lawfully entitled to inspect the same, at reasonable hours during regular business days.

6. Treasurer. The Treasurer shall have the custody of all funds and securities that are not under the control of the Manager, and, with the assistance of the Manager shall keep full and accurate records of receipts and disbursements, shall prepare all required financial data, and shall deposit all monies and other valuable effects in such depositories as may be designated by the Board. Such records shall include, without limitation, chronological listings of all assessments and Common Expenses on account of the Common Area and each Unit and the amounts paid and the amounts due on such assessments by each Owner. He shall disburse funds as ordered by the Board, where possible taking proper vouchers for such disbursements, and shall render to the President and Directors, at regular meetings of the Board, or whenever they may require it, an account of all his transactions as Treasurer and of the financial condition of the Condominium. Owners shall have the right to examine the books of the Association at reasonable times and places.

7. Agreements, Contracts, Deeds, Checks, Etc. All agreements, contracts, deeds, leases, checks, and other instruments of the Condominium for expenditures or obligations shall be executed by any officer of the Condominium or by such other person or persons as may be designated by the Board of Directors.

8. Compensation of Officers. No officer shall receive any compensation from the Condominium for acting as such.

9. Liability of Officers. The provisions of Article III, Section 17, with regard to liability and indemnification of Directors shall apply equally to officers of the Association.

ARTICLE V

OPERATION OF THE PROPERTY

1. Determination of Common Expenses and Assessments Against Owners.

(a) Fiscal Year. The fiscal year of the Condominium shall consist of the twelve (12) month period commencing on January 1 of each year and terminating on December 31

of the same year, except that the first fiscal year shall begin at the date of the organization and terminate on December 31. The fiscal year herein established shall be subject to change by the Board of Directors.

(b) Preparation and Approval of Budget. Each year the Board of Directors shall adopt a budget for the Condominium containing an estimate of the total amount which it considers necessary to pay the cost of maintenance, management, operation, repair, and replacement, and the cost of wages, materials, insurance premiums, services, supplies, and other expenses that may be declared to be Common Expenses by the Condominium Act, the Declaration, these Bylaws or a resolution of the Unit Owners' Association, which will be required during the ensuing fiscal year for the administration, operation, maintenance, and repair of the Property and the rendering to the Owners of all related services. Such budget shall also include such reasonable reserves as the Board of Directors considers necessary to provide, including those specified below. Not later than 30 days after adoption of a proposed budget, the board of directors shall provide to all the unit owners a summary of the budget, including any reserves, and a statement of the basis on which any reserves are calculated and funded. Simultaneously, the board shall set a date not less than 10 days or more than 60 days after providing the summary for a meeting of the unit owners to consider ratification of the budget. Unless at that meeting 2/3 of all unit owners or any larger number specified in the declaration reject the budget, the budget is ratified, whether or not a quorum is present. If a proposed budget is rejected, the budget last ratified by the unit owners continues until the unit owners ratify a subsequent budget. The said budget shall constitute the basis for determining each Owner's contribution for the Common Expenses of the Condominium.

(c) Assessment and Payment of Common Expenses. The total amount of the estimated funds required for the operation of the Property set forth in the budget for the fiscal year adopted by the Board of Directors shall be assessed against each Owner of a completed Unit which has been sold and conveyed, or rented, by the Declarant, and shall be a lien against each Owner's Unit in accordance with the Condominium Act. The assessment shall be the same for each unit, regardless of size. On or before the first day of each fiscal year, and the first day of each of the succeeding eleven (11) months in such fiscal year, each Owner shall be obligated to pay to the Association one-twelfth (1/12th) of the assessment for such fiscal year made pursuant to the foregoing provisions. Within sixty (60) days after the end of each fiscal year, the Board of Directors shall supply to all Owners an itemized income and expense statement for the fiscal year. Any amount accumulated in excess of the amount required for actual expense and budgeted reserves shall, in the discretion of the Board of Directors, either be rebated to the Owners in accordance with each Owner's share of the overall expenses of the Unit Owners' Association by crediting same to the next successive monthly installments due from Owners under the then current fiscal year's budget, until exhausted, or shall be added to reserves. Any net shortage shall, if the Board of Directors deems it advisable, be added according to each Owner's votes in the Unit Owners' Association to the installments due in the succeeding six (6) months after the rendering of the accounting.

Declarant shall pay its full proportional fee for each Unit Declarant owns commencing with the month following the completion of the unit and the issuance of a certificate of occupancy for the unit.

(d) Reserves. The Board of Directors shall build up and maintain both an adequate operating fund and a separate reserve for replacement of the Common Area, which shall be funded by regular monthly payments, as provided for in subsection (c). At the end of the fiscal year, all funds accumulated during such year for reserve to cover replacement of Common Area shall be placed in a separate bank account, segregated from the general operating funds, and used only for such purposes. If for any reasons, including nonpayment of any owner's assessment, the reserves are inadequate, the Board of Directors may at any time levy a further assessment, which shall be assessed against the Owners, and which may be payable in a lump sum or in installments as the Board of Directors may determine. The Board of Directors shall serve notice of any such further assessments on all Owners by a statement in writing giving the amount and reasons therefore, and such further assessment shall, unless otherwise specified in the notice, become effective with the next monthly payment which is due more than ten (10) days after the delivery or mailing of such notice of further assessment. All Owners shall be obligated to pay the adjusted monthly amount or, if the additional assessment is not payable in installments, the amount of such assessments.

If all or any portion of such assessments are not available to the Board prior to the time that the amounts thereof are needed to provide payment of the authorized costs, the Board may borrow such amounts, on behalf of the Association, and may secure such borrowing by assignment of the liens relative thereto arising pursuant to Section 2 of Article XII of these Bylaws.

(e) Effect of Failure to Prepare or Adopt Budget. The failure or delay of the Board of Directors to prepare or adopt the annual budget for any fiscal year shall not constitute a waiver or release in any manner of an Owner's obligation to pay his allocable share of the Common Expenses as herein provided, whenever the same shall be determined, and in the absence of an annual budget or adjusted budget, each owner shall continue to pay the monthly charge at the then existing monthly rate established for the previous fiscal period until ten (10) days after a statement has been mailed or delivered, showing the monthly payment which is due under the new annual or adjusted budget.

2. Payment of Common Expenses. All Owners shall be obligated to pay the Common Expenses assessed by the Board of Directors pursuant to the provisions of Section 1 of this Article V. No Owner may exempt himself from liability for his contribution toward Common Expenses by waiver of the use or enjoyment of any of the Common Area or by abandonment of his Unit. No Owner shall be liable for the payment of any part of the Common Expenses assessed against his Unit subsequent to a sale, transfer, or other conveyance by him of such Unit. The purchaser of a Unit or other acquiring Owner by virtue of any transfer or other conveyance shall be jointly and severally liable with the transferring Owner for all unpaid assessments against the latter for his proportionate share of the Common Expenses up to the time of the conveyance, without prejudice to the acquiring

Owner's right to recover from the transferring Owner the amounts paid by the acquiring Owner.

The acquiring Owner shall be entitled to a recordable statement from the Board of Directors or the Manager setting forth the amount of the unpaid assessments against the transferring Owner and such acquiring Owner shall not be liable for, nor shall the Unit conveyed be subject to a lien for any unpaid assessments in excess of the amount therein set forth. Failure to furnish or make available such request within seven (7) days from receipt of such request shall extinguish the lien for unpaid assessments. Payment of a fee of the maximum allowable under the Condominium Act may be required as a prerequisite for issuance of such a statement.

If a mortgagee of a first mortgage of record or other purchaser of a Condominium Unit obtains title to the Condominium Unit as a result of foreclosure of a first mortgage, or through the enforcement of any other remedies provided for in the mortgage, or by virtue of a deed in lieu of foreclosure, such mortgagee or purchaser, its successors and assigns, shall not be liable for the payment of Common Expenses assessed prior to the acquisition of title to such Unit by mortgagee or purchaser pursuant to the aforesaid remedies, and the Unit shall not be subject to a lien for same. Such unpaid share of Common Expenses assessed prior to the acquisition of title to such Unit by such mortgagee or purchaser pursuant to the aforesaid remedies shall be collectible from all Owners, including the purchaser from a first mortgagee, in proportion to their respective votes in the Unit Owners' Association.

3. Collection of Assessments. The Board of Directors shall take prompt action to collect any assessments for Common Expenses due from any Owner which remain unpaid for more than sixty (60) days from the due date for payment thereof.

4. Uncollectible Assessments. Any assessments which are not collectible due to waiver or limitation imposed by the provisions of Section 2 above, or due to the provisions of Paragraph 5(b) of the Declaration relative to first mortgages, shall be collectible from all Owners, including the purchaser or first mortgagee, in proportion to their respective votes in the Association.

5. Payment of Real Estate Taxes. The real estate taxes due to the City of Dover for each individual Unit along with that Unit's Percentage of Interest in the Common Area shall be the responsibility of each individual Unit Owner and payable when due. Taxes for each Unit are not divisible between the Unit and the Common Area.

6. Maintenance and Repair.

(a) By the Board of Directors. Except as otherwise provided in paragraph (b) below, the Board of Directors operating on behalf of the Unit Owners Association shall be responsible for the maintenance, repair, and replacement (unless necessitated by the negligence, misuse, or neglect of an Owner, or of a person gaining access with said Owner's actual or implied consent, in which case such expense shall be specially assessed to such

Owner), of all the Common Area, whether located inside or outside of the Units, and whether presently existing or hereafter constructed, the cost of which shall be charged as a Common Expense to Owners of Units.

(b) Except for the portions of his Unit required to be maintained, repaired, and replaced by the Board, each Owner shall be responsible for the maintenance, repair, and replacement, at his own expense, of his Unit, and any part thereof. Each Owner shall be responsible for performing normal maintenance for any other Limited Common Area, if any, which is appurtenant to his Unit, including keeping it in clean and sanitary condition and free and clear of snow, ice and any accumulation of water, and shall make, at his own expense all repairs thereto, beyond normal maintenance, caused or necessitated by his negligence, misuse, or neglect. Each Owner shall perform his responsibility in such manner as shall not unreasonably disturb or interfere with the other Owners. Each Owner shall promptly report to the Board, or the Manager, any defects or need for repairs for which the Board is responsible.

(c) Manner of Repair and Replacement. All repairs and replacements shall be substantially similar to the original construction and installation and shall be of first-class quality. The method of approving payment vouchers for all repairs and replacement shall be determined by the Board of Directors.

7. Addition, Alterations, or Improvements by Board of Directors. Whenever in the judgment of the Board of Directors the Common Area shall require additions, alterations, or improvements costing in excess of Five Thousand ($5,000.00) Dollars during any period of twelve (12) consecutive months, and the making of such addition, alterations, or improvements shall have been approved by a Majority of the Owners, the Board of Directors shall proceed with such additions, alterations, or improvements and shall assess all Owners for the cost thereof as a Common Expense. Any additions, alterations, or improvements costing Five Thousand ($5,000.00) Dollars or less during any period of twelve (12) consecutive months may be made by the Board of Directors without the approval of the Owners and the cost thereof shall constitute part of the Common Expenses. Notwithstanding the foregoing, if in the opinion of not less than two-thirds (2/3) of the members of the Board of Directors such additions, alterations, or improvements are exclusively or substantially exclusively for the benefit of a limited number of Owners requesting the same, such requesting Owners shall be assessed therefore in such proportion as they jointly approve or, if they are unable to agree thereon, in such proportions as may be determined by the Board of Directors. No addition, alteration, or improvement shall be made without appropriate permits and approvals by the City of Dover or any of its governmental subdivisions.

If in any of the above cases all or any portion of such assessments are not available to the Board prior to the time that the amounts thereof are needed to provide payment of the authorized costs, the Board may borrow such amounts, on behalf of the Association, and may secure such borrowing by assignment of the liens relative thereto arising pursuant to Section 2 of Article XII of the Bylaws.

8. Additions, Alterations, or Improvements by Owners. No Owner shall make any structural addition, alteration, or improvement in or to his Unit, or to his Limited Common Area, without the prior written consent thereto of the Board. No Owner shall paint, decorate, or otherwise change the external appearance of his Unit, including the doors and windows, or of any exterior surface of the building, without the prior written consent thereto of the Board. The Board shall be obligated to answer any written request by an Owner for approval of such proposed structural addition, alteration, or improvement or such external change within thirty (30) days after such request, and its failure to do so within the stipulated time shall constitute a consent by the Board to the proposed addition, alteration, or improvement or change. The provisions of Section 6 shall not apply to Condominium Units owned by the Declarant until such Units have been initially conveyed by the Declarant.

9. Restrictions on Use of Units. To assist the Condominium in providing congenial occupancy and the protection of the value of the Units, it is necessary that the Board of Directors have the right and authority to exercise reasonable controls over the use of Units. Violation of the following enumerated prohibitions shall not be permitted, and the Board of Directors is hereby authorized to take all steps necessary to prevent or discontinue any violations thereof, all at the expense of the violator:

(a) No advertisements, signs, or posters of any kind shall be posted in or on the Property except as authorized by the Board, provided those authorized advertisements, signs or posters comply with the City of Dover Ordinance, Regulations, and Approvals. This restriction shall not apply to advertisements, signs, or posters utilized by the Declarant, or its agents, in selling or renting the Units.

(b) No clothing, laundry, rugs, or other objects shall be hung, shaken, or thrown from any window or exterior portion of a Unit or otherwise left or placed in such a way to be exposed to public view. All refuse and trash shall be placed in locations specifically designated by the Board, and no garbage or trash shall be permitted to remain in public view.

(c) No animal, other than common household pets with the consent of the Board, shall be kept or maintained on the Property, nor shall common household pets be kept, bred, or maintained for commercial purposes on the property. Pets shall not be permitted outside of Units unless they are accompanied by an adult person and carried or leashed. The Board of Directors may make further provisions in the Rules for the control and regulation of household pets in the Condominium. The Owner of a Unit where a pet is kept or maintained shall be responsible and may be assessed by the Board of Directors for all damages to the Property resulting from the maintenance of said pet, and any costs incurred by the Association in enforcing the Rules prescribed or to be prescribed by the Board of Directors for the control and regulation of pets in the Condominium and each such Owner shall be deemed to indemnify and hold the Board harmless against such loss or liability resulting from said pet.

(d) No nuisance shall be allowed on the Property, nor shall any use or practice be allowed which is a source of annoyance to its residents or which interferes with the peaceful possession or proper use of the Condominium by others. Without limiting the foregoing, no

Owner, tenant, occupant, or their guests shall play music or otherwise create noise anywhere within the Condominium, which disturbs any other Owner, tenant, or occupant.

(e) No Owner, tenant, or guest shall allow the installation of wiring for electrical or telephone use, television antennae, air conditioning unit, or other machine or equipment, which protrudes through the wall or the roof of any building or is otherwise visible on the exterior of a building except as presently installed or as authorized by the Board.

(f) No Unit or Common Area of the Condominium may be used for any unlawful, immoral, or improper purpose.

(g) Nothing shall be done in any Unit or on, or to the Common Area which may impair the structural integrity of the Property, or which would structurally change a building or improvements thereon except as provided in the Declaration or these Bylaws. Nothing shall be altered or constructed in or removed from the Common Area, except upon the written consent of the Board of Directors.

(h) Unless authorized by the Board of Directors, no Owner, tenant, or guest shall direct or engage any employee of the Condominium on any private business, nor shall he direct, supervise, or in any manner attempt to assert control over any such employee.

(i) No activity shall be done or maintained in any Unit or upon any Common Area which will increase the rate of insurance on any Unit or the Common Area or result in the cancellation of insurance thereon, unless such activity is first approved in writing by the Board of Directors. No waste shall be committed in the Common Area.

(j) In the use of the Units and the Common Area of the Condominium, Owners shall obey and abide by all valid laws, ordinances, and zoning and other governmental regulations affecting the same and all applicable Rules adopted by the Board. The Common Area shall be used only for the furnishing of the services and facilities for which they are reasonably suited and which are incident to the use and occupancy of the Units.

(k) Each Unit shall be entitled to maintain not more than two (2) vehicles within the Condominium. No service, repairs, or other maintenance shall be performed upon any such automobile or truck within any Common Area or Limited Common Area. Only regular vehicles, properly registered for highway use and driven by a licensed operator, shall be allowed to travel in the Condominium. No "all terrain" vehicles such as dirt bikes or snowmobiles, shall be operated within the Condominium or be considered regular vehicles. Light trucks with a cargo capacity of one ton or less shall be considered regular vehicles. Parking spaces shall not be used for storage, including storage of a bicycle or bicycles. Only "regular vehicles" shall be parked in the parking spaces.

(l) Owners shall be entitled to rent or lease their Unit under the terms of Article VIII, Section 2. The Board may adopt additional Rules, pursuant to Section 11 below, to govern the leasing of Units, including Rules requiring deposits to pay the cost of any damage

to the Condominium. The provisions of RSA 356-B:46-a are adopted as part of these By-Laws. If a unit owner fails to pay the common expenses assessed to his unit by the association within sixty (60) days of the date it was due, the association shall have the right to collect from any tenant renting the unit any rent then or thereafter due to the owner of the unit. The association shall apply such rent collected against the amount owed to it by the unit owner. Prior to taking any action under this paragraph, the association shall give written notice to the delinquent owner of its intent to collect the rent owed. Such notice shall be sent by both first class and certified mail, shall set forth the exact amount the association claims is due and owing by the unit owner, and shall indicate the intent of the association to collect such amount from rent, along with any other amounts which become due within the current fiscal year and which remain unpaid. A copy of this notice shall be provided to any first mortgagee of record on such unit who has previously requested in writing that the association notify it of any delinquency in the payment of amounts due to the association by the owner of such unit. The unit owner shall have thirty (30) days from the date of mailing of the notice to pay the amounts due, including collection costs, or to provide proof of the prior payment of the assessments due. No unit owner shall be entitled to withhold payment of assessments due, off-set against the same, or make any deduction therefrom without first obtaining a determination by a court of competent jurisdiction that the assessment was unlawful. If the owner fails to make a timely response to the notice, the association may notify and direct each tenant renting from such unit owner to pay all or a portion of the rent otherwise due to such owner to the association, such rent or portion of such rent to be in the amount the association claimed is due in the notice, or the full rent, whichever is less. The association shall have the continuing right to collect any rent otherwise payable by the tenant to the unit owner until the amounts due to the association are paid in full.

(m) Except as approved by the Association as an improvement to the Common Area for the benefit of all unit owners, no playground equipment, swing sets, sandboxes, basketball backboards, slides, or climbing towers shall be placed, installed or erected within any Common Area or elsewhere within the Condominium.

10. Rights of Access. An Owner shall grant a right of access to his Unit to the Board of Directors or the Manager, or to any other person authorized by the Board for the purpose of making inspections or for the purpose of correcting any condition originating in his Unit and threatening another Unit or Common Area, or for the purpose of performing installation, alterations, or repairs to the mechanical or electrical services or other Common Area in his Unit, provided that request for entry is at a time reasonably convenient to the Owner. In case of any emergency, such right of entry shall be immediate whether the Owner is present at the time or not.

11. Rules. The Board of Directors may adopt and amend Rules concerning the operation and use of the Units, Limited Common Area, and Common Area, and concerning all other matters within its authority, provided that such Rules are not contrary to or inconsistent with the Condominium Act, the Declaration or these Bylaws. Copies of the Rules shall be furnished by the Board of Directors to each Owner prior to the time when the same shall become effective. A vote of the majority of the Owners present in person or by

proxy at a meeting of the Association may overrule and declare void any rule adopted by the Board; provided that notice of the proposal to overrule shall be included in the notice of such meeting.

ARTICLE VI

INSURANCE

1. Insurance Required. The Board of Directors shall obtain (i) a master casualty policy affording fire and extended coverage on the units and the common area in an amount equal to the full replacement value of the units as well as any structures within the Common Area of the Condominium in the name of the Unit Owners' Association, for the use and the benefit of the individual Owners and their mortgagees; (ii) a master liability policy covering the Association, the Board, the Manager, and agents or employees of the foregoing with respect to the Condominium, and all Owners and other persons entitled to occupy any portion of the Condominium, including what is commonly known as "officers and directors liability" insurance coverage; (iii) fidelity bonds covering the Board, the Unit Owners' Association and any management agent; and (iv) such other policies as specified hereinbelow, which insurance shall be governed by the following provisions to the extent obtainable or possible.

(a) Fire insurance with standard extended coverage endorsement, vandalism, and malicious mischief endorsements insuring the units in the Condominium including without limitation all such portions of the interior of such buildings as are for insurance purposes normally deemed to constitute part of the building and customarily covered by such insurance such as heating and air conditioning and other service machinery, interior walls, all finished wall surfaces, ceiling and floor surfaces including any wall to wall floor coverings, bathroom and kitchen cabinets and fixtures, including appliances which are affixed to the buildings or sold as part of a Unit, heating and lighting fixtures, any other fixtures, equipment, or personal property inside a Unit sold as part of the Unit, and fixtures, building service equipment, and common personal property and supplies belonging to the Unit Owners' Association, but not improvements made by individual Owners which are not reported to the insurer, such insurance to be in an amount at least equal to the replacement value of the buildings including the Units and to be payable to the Board as Trustees for the Owners and their mortgagees as their respective interests may appear. The deductible amount under such insurance shall be no greater than the lesser of Ten Thousand ($10,000.00) Dollars or one (1%) percent of the policy face amount.

(b) Public liability insurance in such amounts as the Board may from time to time determine, but in no event shall the limits of liability be less than One Million Dollars ($1,000,000.00) Dollars for bodily injury and property damage per occurrence, insuring the Association and all individuals referred to in Section 1(ii) above, against any liability to anyone, and with cross liability coverage with respect to liability claims of any one insured thereunder against any other insured thereunder. This insurance, however, shall not insure against individual liability of an Owner or other person entitled to occupy a Unit for

negligence of such Owner or other person occurring within a Unit or within the Limited Common Area to which a Unit has exclusive use.

(c) A master or blanket policy of property insurance covering all the general common elements and limited common elements, including fixtures and building service equipment to the extent that they are part of the common element of the Condominium, as well as common personal property and supplies, and other common personal property belonging to the Owners' Association. Such coverage shall extend to any fixtures, equipment, or other property within the Units which are financed by a mortgage to be purchased by Federal National Mortgage Association (FNMA). The policy shall be in an amount equal to one hundred (100%) percent current replacement cost. The name of the insured under such policies shall be "Court Streete Condominiums Unit Owners' Association". The loss shall be payable to such Association as Trustee for each Unit Owner and each such Owner's mortgagee, if any. Each Unit Owner and such Owner's mortgagee, if any, shall be beneficiaries of the policy in the percentage of common ownership set forth in the Declaration.

(d) Blanket fidelity bonds for the Board, the Association, and any management agent, covering all persons who either handle or are responsible for funds, whether or not they received compensation for their services, in the amount of the greater of (i) the maximum funds that will be in the custody of the Association or management agent at any time, or (ii) the sum of three (3) months' assessments on all Units plus the Association's reserve fund.

(e) Workers' compensation insurance as required by law.

(f) Such other insurance as the Board may determine.

2. General Insurance Provisions.

(a) The Board shall deal with the insurer or insurance agents in connection with the adjusting of all claims covered by insurance policies provided for under Paragraph 1 above and shall review with the insurer or insurance agent, at least annually, the coverage under said policies, said review to include an appraisal of improvements within the Condominium, and shall make any necessary changes in the policy provided for under Paragraph 1(a) above (prior to the expiration date set forth in any agreed amount endorsement contained in said policy) in order to meet the coverage requirements of such Paragraph.

(b) The Board shall be required to make every effort to see that all policies of physical damage insurance provided for under Article VI, Section 1 above: (i) shall contain waivers of subrogation by the insurer as to claims against the Association, its employees and agents, members of the Board, the Manager, Owners, and their guests, licensees, tenants, employees, and members of their family who reside with them, except in cases of arson and fraud; (ii) shall contain a waiver of defense of invalidity or prejudice on account of the

conduct of any of the Owners over which the Association has "no control"; (iii) shall contain a waiver of defense of invalidity or prejudice by failure of the insured, or Owners collectively, to comply with any warranty or condition with regard to any portion of the Condominium over which the insured, or Owners, collectively, have no control; (iv) shall provide that such policies may not be cancelled or substantially modified without at least thirty (30) days written notice to all the insureds thereunder and all first mortgagees of Units in the Condominium; (v) shall provide that the insurance under said policies is primary insurance, and that in no event shall the insurance under said policies be brought into contribution with insurance purchased individually by Owners or their mortgagees; (vi) shall exclude policies obtained by individual Owners for consideration under any "no other insurance" clause; (vii) shall provide that until the expiration of thirty (30) days after the insurer gives notice in writing to the mortgagee of any Unit, the mortgagee's insurance coverage will not be affected or jeopardized by any act or conduct of the Owner of such Unit, the other Owners, Board of Directors, or any of their agents, employees, or household members, nor cancelled for nonpayment of premiums; (viii) shall contain Agreed Amount and Inflation Guard Endorsement, any available Construction Code Endorsement, and Steam Boiler and Machinery Coverage Endorsement; (ix) shall provide that any Insurance Trust Agreement will be recognized; (x) shall include in the "loss payable" clause the Association as Trustee for each Unit Owner and the holders of each Unit's mortgages and (xi) shall contain the standard mortgage clause naming each first mortgagee (or servicer) and "its successors and assigns", and FNMA or FHLMC, if applicable.

(c) The Board shall be required to make every effort to see that all policies of liability insurance provided for under Article VI, Section 1 above: (i) shall cover all common areas, public ways, and any other areas under the supervision of the Association, and any commercial spaces owned by the Association, even if leased to others; (ii) shall provide coverage for bodily injury and property damage resulting from the operation, maintenance, or use of the common Area; (iii) shall provide coverage for any legal liability resulting from lawsuits relating to employment contracts in which the Association is a party; (iv) shall, if they do not include "severability of interest" clauses, provide that no Unit Owner's claim will be denied because of negligent acts of the Association or other Unit Owners; and (v) shall provide that such policies may not be cancelled or substantially modified without at least thirty (30) days' written notice to all of the insureds thereunder and all first mortgagees of Units named in the policies.

(d) The Association's fidelity bond required above should name the Association as obligee. The management agent's required fidelity bond should name the Association as an additional obligee. Both bonds must provide that they may not be cancelled or substantially modified without at least thirty (30) days' written notice of all of the insureds thereunder and all first mortgagees of Units named in the policies.

3. Individual Policies.

(a) Any Owner and any mortgagee may obtain at its own expense additional insurance (including a "condominium unit-owner's endorsement") for improvements and

betterments to a Unit made or acquired at the expense of the Owner and not covered under the master casualty policy referred to in Article VI, Section 1(a) above. Such insurance should contain the same waiver of subrogation provision as that set forth in Section 2(b) of this Article VI. It is recommended that each Owner obtain, in addition to the insurance hereinabove provided to be obtained by the Board of Directors, a "Tenant Homeowner's Policy", or equivalent, to insure against the loss or damage to personal property used or incidental to the occupancy of the Unit, additional living expenses, vandalism, or malicious mischief, theft, personal liability, and the like.

No such policy shall be written so as to decrease the coverage under any of the policies obtained by the Board pursuant to Paragraph 1(a) above, and each Owner hereby assigns to the Board, as Trustee for the Owners and their mortgagees, the proceeds of any such policy to the extent that any such policy does in fact result in a decrease in such coverage, said proceeds to be applied pursuant to the terms hereof as if produced by such coverage. Copies of all such policies (except policies covering only personal property, owned or supplied by individual Owners) shall be filed with the Association.

Any such insurance should cover any loss, injury, or damage to persons or to any floor coverings, appliances, and other personal property not covered in the master policy and all improvements to his Unit which exceed a total value of One Thousand ($1,000.00) Dollars and which are not reported to the Board.

(b) Each Owner, prior to commencement of construction of such improvements, shall notify the Board of all improvements to his Unit (except personal property other than fixtures) which exceed a total value of One Thousand ($1,000.00) Dollars and upon receipt of such notice, the Board shall notify the insurer under any policy.

(c) Any such insurance should cover any loss, injury, or damage to persons or to any floor coverings, appliances, and other personal property not covered in the master policy and all improvements to his Unit which exceed a total value of One Thousand ($1,000.00) Dollars and which are not reported to the Board.

(d) Each Owner, prior to commencement of construction of such improvements, shall notify the Board of all improvements to his Unit (except personal property other than fixtures) which exceed a total value of One Thousand ($1,000.00) Dollars and upon receipt of such notice, the Board shall notify the insurer under any policy.

4. Notice to Unit Owners. Excepting such policies as are obtained on behalf of the Association prior to the conveyance of the first Unit in the Condominium, when any policy of insurance has been obtained on behalf of the Association, written notice of the obtainment thereof and of any subsequent changes therein or in such initial policies, or termination thereof shall be promptly furnished to each Unit Owner by the Secretary of the Association. Such Notice shall be sent to all Unit Owners of record at the address of their respective Units and to such other addresses as any of them may have designated to the Secretary; such notice may be hand delivered by the Secretary or Manager.

ARTICLE VII

REPAIR AND RECONSTRUCTION AFTER FIRE OR OTHER CASUALTY

1. When Repair and Reconstruction are Required. Subject to the provisions of the Declaration, in the event of damage to or destruction of all or part of the Common Area as a result of fire or other casualty, the Board of Directors shall arrange for and supervise the prompt repair and restoration of the damaged or destroyed portion of the Common Area.

(b.) Procedure for Reconstruction and Repair.

(a) Immediately after a fire or other casualty causing damage to any part of the Common Area, the Board of Directors shall obtain reliable and detailed estimates of the cost of repairing and restoring the damage to a condition as good as that existing before such casualty. Such costs may also include professional fees and premiums for such bonds as the Board of Directors determines to be necessary. The Board shall contract such repair and reconstruction and in doing so shall exercise its sole discretion in selecting from among said estimates.

(b) If the proceeds of insurance are not sufficient to defray the said estimated costs of reconstruction and repair, or upon completion of reconstruction and repair, the funds for the payment of the costs thereof are insufficient, assessments in sufficient amounts to provide payment of such costs shall be made against the Owners in proportion to their respective votes in the Unit Owners' Association. If all or any portion of such assessments are not available to the Board prior to the time that the amounts thereof are needed to provide payment of such costs, the Board may borrow such amounts, on behalf of the Association, and may secure such borrowing by assignment of the liens relative thereto arising pursuant to Section 2 of Article XII of these Bylaws.

(c) Any such reconstruction or repair shall be substantially in accordance with the original plans and specifications under which the damaged building was originally constructed.

(d) Encroachments upon or in favor of Units which may be created as a result of such reconstruction or repair shall not constitute a claim or basis for any proceeding or action by the Owner upon whose property such encroachment exists, provided that such reconstruction is substantially in accordance with original plans and specifications under which the damaged building was originally constructed. Such encroachments shall be allowed to continue in existence for so long as the building (as reconstructed) shall stand.

3. Disbursement of Construction Funds.

(a) The net proceeds of insurance collected on account of a casualty and the funds collected by the Board of Directors from assessments against Owners on account of such casualty (or borrowed by the Board as provided in Article VII, Section 2(b) above) shall constitute a construction fund which shall be disbursed in payment of the cost of reconstruction and repair by the Board of Directors.

(b) The construction fund shall be paid by the Board of Directors in appropriate progress payments, to such contractors, suppliers, and personnel engaged in performing the work or supplying materials or services for the repair and reconstruction of the building as are designated by the Board of Directors.

(c) It shall be presumed that the first monies disbursed in payment of the cost of reconstruction and repair shall be from insurance proceeds; and if there is a balance in the construction fund after the payment of all of the cost of the reconstruction and repair for which the fund is established, such balance shall first be applied to any borrowing pursuant to Article VII, Section 2(b) above, and the remainder, if any, shall be distributed to the Owners to repay them for assessments, if any, pursuant to said Article VII, Section 2(b). Otherwise, any remainder shall be added to the reserve for contingencies and replacement of Common Area.

(d) When the damage is to both the Common Area and Units, the insurance proceeds shall, to the extent practical, be applied first to the cost of repairing the Common Area and the balance to the cost of repairing the Units.

ARTICLE VIII

SALES, LEASES, AND MORTGAGES OF UNITS

1. No Severance of Ownership. No Owner shall execute any deed, lease, mortgage, or instrument conveying or mortgaging the title to his Unit without including therein the undivided interest of such Unit in the Common Area, it being the intention hereof to prevent any severance of such combined ownership. Any such deed, lease, mortgage, or other instrument purporting to affect one or more of such interests, without including all such interests, shall be deemed and taken to include the interest or interests so omitted, even though the latter shall not be expressly mentioned or described therein. Except to the extent otherwise expressly provided by the Declaration, these Bylaws or the Condominium Act, the undivided interest in the Common Area allocated to any Unit shall not be altered, and any purported transfer, encumbrances, or other disposition of that interest without the Unit to which it appertains shall be void.

2. Leases. Leases must be in writing, shall be for a minimum term of thirty (30) days , and shall be subject to the requirements of the Condominium Declaration and Bylaws. A copy of the Declaration and Bylaws shall be available for review by tenants. Tenants shall

be provided with copies of any rules or regulations promulgated by the Board of Directors, and shall acknowledge their receipt and acceptance of the terms and conditions therein.

3. Payment of Assessments. No owner shall be permitted to convey, mortgage, sell, lease, give, or devise his Unit unless and until he (or his personal representative) shall have paid in full to the Board of Directors all unpaid Common Expenses theretofore assessed by the Board of Directors with respect to his Unit, and shall have satisfied all unpaid liens with respect to his Unit, except mortgages. Where this provision is satisfied at the time of execution of a mortgage, there shall be no requirement that it again be satisfied at the time of a subsequent foreclosure of such mortgage or deed in lieu of such foreclosure. In the event that the Unit is subject to outstanding assessment previously levied against such Unit, and the acquiring Owner or the transferring Owner requests a recordable statement pursuant to Section 2 of Article V, the statement shall expressly state any waiver of, or failure or refusal to exercise, the right of the Association to prevent the disposition of any Unit, in any case where such waiver, failure, or refusal may exist. Failure or refusal to furnish such a statement as provided in Section 2 shall not only constitute a waiver of such assessment, but also make the above-mentioned prohibition inapplicable to any such disposition of the Unit.

4. Resales. In the event of a resale of a Unit or any interest in a Unit by any persons other than the Declarant, the prospective Buyer shall have the right to obtain from the Association prior to the contract date of the disposition, the following:

(a) A recordable statement setting forth the amount of unpaid assessments currently levied against the Unit. Pursuant to RSA 356-B:46, VIII, the Association may charge Ten ($10.00) Dollars for the issuance of the statement, or the maximum as shall be allowed by statute, whichever is greater.

(b) A statement of any capital expenditures and major maintenance expenditures anticipated by the Association within the current or succeeding two (2) fiscal years.

(c) A statement of the status and amount of any reserve for the major maintenance or replacement fund and any portion of such fund earmarked for any specified project by the Board of Directors.

(d) A copy of the income statement and balance sheet of the Association for the last fiscal year for which such statement is available.

(e) A statement of the status of any pending suits or judgments in which the Association is a party defendant.

(f) A statement setting forth which insurance coverage is provided for all Unit Owners by the Association and what additional insurance coverage would normally be secured by each individual Unit Owner.

(g) A statement that any improvements or alterations made to the Unit, or the Limited Common Area assigned thereto, by the prior Unit Owner, are not known to be in violation of the condominium instruments.

(h) For statements (b) through (c), the Association may charge a total of Twenty Five ($25.00) Dollars for the issuance of the statements, or the maximum as shall be allowed by statute, whichever is greater.

ARTICLE IX

AMENDMENT OF BYLAWS

1. Amendments. Except as otherwise provided in the Condominium Act, the Declaration and herein, these Bylaws may be modified or amended by the procedure, and subject to the limitations set forth in Paragraph 4 of the Declaration. Notwithstanding the foregoing, so long as the Declarant is the Owner of one (1) or more Units, no amendment to the Bylaws or Rules may be adopted which could interfere with the construction, display, sale, lease, or other disposition of such Unit or Units.

2. Recording. A modification or amendment of these Bylaws shall become effective only when it has been duly evidenced in accordance with the provisions of Section 34, IV of the Condominium Act.

3. Conflicts. No modification or amendment of these Bylaws may be adopted which shall be inconsistent with the provisions of the Condominium Act or with the provisions of the Declaration. A modification or amendment once adopted and recorded as provided for herein shall then constitute part of the official Bylaws of the Condominium and all Owners shall be bound to abide by such modification or amendment.

4. Approval of Mortgagees. These Bylaws contain provisions concerning various rights, priorities, remedies, and interests of the mortgagees of Units. Such provisions in these Bylaws are to be construed as covenants for the protection of the mortgagees on which they may rely in making loans secured by mortgagees on the Units. Accordingly, all Eligible Mortgage Holders (as defined in Paragraph 5(a) of the Declaration) shall be given sixty (60) days' notice of all proposed amendments, and no amendment or modification of these Bylaws materially impairing or affecting the rights, priorities, remedies, or interest of such Eligible Mortgage Holders (including the use of a secondary mortgage market, i.e., the salability of mortgages to Mortgage Guaranty Insurance Corporation, Federal National Mortgage Association, Federal Home Loan Mortgage Corporation, etc.) shall be adopted without the prior written consent of at least fifty-one percent (51%) of such mortgagees (based upon votes appurtenant to Units subject to their mortgages).

ARTICLE X

MORTGAGES

1. Notice of Board. An Owner who mortgages his Condominium Unit shall notify the Board of the name and address of all mortgagees. The Board shall maintain suitable records pertaining to such mortgages.

2. Notice of Unpaid Assessments for Common Expense. The Board, whenever so requested in writing by a mortgagee of a Condominium Unit, shall promptly report any then unpaid assessments for Common Expenses due from, or any other default by, the Owner of the mortgaged Condominium Unit.

3. Notice of Default. No suit or other proceeding may be brought to foreclose the lien for any assessment levied pursuant to the Declaration or these Bylaws except after ten (10) days' written notice to the holder of the first mortgage on the Unit which is the subject matter of such suit or proceeding, provided that the Board has been given notice of such mortgage in the manner set forth above and in the Declaration.

ARTICLE XI

NOTICE

1. Manner of Notice. Except as otherwise provided in the Declaration and these Bylaws, all notice, demands, bills, statements, or other communications provided for or required under these Bylaws shall be in writing and shall be deemed to have been duly given if delivered personally or if sent by U.S. Mail, return receipt requested, first class postage prepaid, or by electronic mail (i) if to an Owner, at the address of his Unit, and at such other address as the Owner may have designated by notice in writing to the Secretary, or (ii) if to the Unit Owners' Association, the Board of Directors or the Manager at the principal office of the Manager or at such other address as shall be designated by notice in writing to the Owner pursuant to this Section.

2. Waiver of Notice. Whenever any notice is required to be given under the provisions of the statutes, the Declaration or these Bylaws, a waiver thereof, in writing, signed by the person or persons entitled to such notice, whether signed before or after the time stated therein, shall be deemed equivalent thereof, unless such waiver is ineffective under the provisions of the Condominium Act.

ARTICLE XII

DEFAULT

1. Default. Each Owner shall be governed by, and shall comply with, all of the terms of the Condominium Act, the Declaration, these Bylaws and the Rules, and any amendments of the same. The Board shall give written notice to an Owner of any default by the Owner in the performance of any obligation under the Act, Declaration, Bylaws, or Rules. A default by an Owner shall entitle the Unit Owners' Association acting through the Board of Directors or the Manager, to the following relief:

(a) Legal Proceedings. Failure to comply with any of the terms of the Condominium Act, Declaration, these Bylaws or the Rules shall be grounds for relief, which may include, without limiting the same, an action to recover the sums due, for money damages, injunctive relief, foreclosure of the lien for payment of all assessments, any other relief provided for in these Bylaws, or any combination thereof, and any other relief afforded by a Court of competent jurisdiction, all of which relief may be sought by the Unit Owners' Association, the Board of Directors, the Manager, or if appropriate, by an aggrieved Owner.

(b) Additional Liability. Each Owner shall be liable for the expenses of all maintenance, repair, or replacement rendered necessary by his acts, neglect, or carelessness, or the act, neglect, or carelessness of any member of his family or his tenants, guests, employees, agents, or invitees, but only to the extent that such expense is not covered by the proceeds of insurance carried by the Association. Such liability shall include any increase in fire insurance rates occasioned by use, misuse, occupancy, or abandonment of any Unit or its appurtenances. Nothing contained herein, however, shall be construed as modifying any waiver by an insurance company of its rights of subrogation.

(c) Costs and Attorneys' Fees. In any proceeding arising out of any alleged default by an Owner, the prevailing party shall be entitled to recover the costs of the proceeding, and such reasonable attorneys' fees as may be determined by the Court.

(d) No Waiver of Rights. The failure of the Unit Owners' Association, the Board of Directors, or of an Owner to enforce any right, provision, covenant, or condition which may be granted by the Condominium Act, the Declaration, these Bylaws, or the Rules shall not constitute a waiver of the right of the Association, the Board of Directors, or any Owner to enforce such right, provision, covenant, or condition in the future. All rights, remedies, and privileges granted to the Association, Board of Directors, or any Owner pursuant to any term, provision, covenant, or condition of the Condominium Act, Declaration, these Bylaws, or the Rules shall be deemed to be cumulative, and the exercise of any one or more thereof shall not be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such privileges as may be granted to such party by the Condominium Act, Declaration, these Bylaws, or the Rules, or at law or in equity.

(e) Interest. In the event of a default by an Owner which continues for a period in excess of thirty (30) days, such Owner shall be obligated to pay interest on the amounts due at eighteen (18%) percent per annum, from the due date thereof. In addition, the Board of Directors shall have the authority to impose a late payment charge on such defaulting Owner in an amount not to exceed Twenty ($20.00) Dollars or six (6%) percent of any amount so overdue, whichever is greater.

(f) Abatement and Enjoinment of Violations by Owners. The violation of any Rule adopted by the Board of Directors, or the breach of any Bylaw contained herein, or the breach of any provision of the Declaration, shall give the Board of Directors or the Manager the right, in addition to any other rights set forth in these Bylaws: (a) to enter the Unit in which, or as to which, such violation or breach exists and summarily to abate and remove, at

the expense of the defaulting Owner, any structure, thing or condition that may exist therein contrary to the intent and meaning of provisions hereof, and the Board of Directors or Manager shall not thereby be deemed guilty in any manner of trespass (except that this subsection shall not apply to the alteration or demolition of any items of construction); (b) to enjoin, abate, or remedy by appropriate legal proceedings, either at law or in equity, the continuance of any such breach; or (c) to suspend or limit the right of the Owner committing the violation to use any part of the Common Area during he continuance of such violation.

2. Lien for Assessments.

(a) The total annual assessment of each Owner for the Common Expenses of any special assessment levied pursuant to these Bylaws, is hereby declared to be a lien levied against the Unit of such Owner as provided in the Condominium Act (including, without limitation, the priority provisions set forth in Section 46 thereof) which lien shall be effective when perfected in accordance with said Act.

(b) In any case, where an assessment against an Owner is payable in installments, upon a default by such Owner in the payment of any single installment, which continues for ten (10) days after written notice of such default has been sent to the Owner, the maturity of the remaining total of the unpaid installments of such assessments may be accelerated, at the option of the Board of Directors, and the then balance owing may be declared due and payable in full by the service of notice to such effect upon the defaulting Owner by the Board of Directors or Manager. The Association, in order to perfect such lien, shall file before the expiration of six (6) months from the time that the delinquent assessment (or installment, where such assessment is payable in installments) became due and payable, a memorandum in the Strafford County Registry of Deeds in the form and manner prescribed in the said Act.

(c) The lien assessment shall include interest, costs, and attorneys' fees as provided in Section 1 of this Article XII and may be foreclosed in the manner provided by the laws of the State of New Hampshire for the foreclosure of power of sale mortgages (including, without limitation, RSA 479) or by suit brought in the name of the Board of Directors, acting on behalf of the Unit Owners' Association. During the pendency of such proceedings or suit, the Owner shall be required to pay a reasonable rental for any period prior to sale pursuant to any judgment or order of any court having jurisdiction over such sale.

(d) Suits to recover a money judgment for unpaid assessments shall be maintained without foreclosure or waiving the lien securing the same, and foreclosure shall be available without bringing suit to recover a money judgment.

ARTICLE XIII

COMPLIANCE, CONFLICT, AND MISCELDriveOUS PROVISIONS

1. Compliance. These Bylaws are set forth in compliance with the requirements of the Condominium Act.

2. Severability. These Bylaws are set forth to comply with the requirements of the State of New Hampshire. In case any of the Bylaws are in conflict with the provisions of any of its statutes, the provisions of the statutes will apply. If any provisions of these Bylaws or any section, sentence, clause, phrase, or word, or the application thereof in any circumstance is held invalid, the validity of the remainder of these Bylaws, shall not be affected thereby and to this end, the provisions hereof are declared to be severable.

3. Waiver. No provision of these Bylaws shall be deemed to have been abrogated or waived by reason of any failure or failures to enforce the same (except where a right is dependent upon notice to be given within a specified period), irrespective of the number of violations or breaches which may occur.

4. Captions. The captions contained in these Bylaws are for convenience only and are not part of these Bylaws and are not intended in any way to limit or enlarge the terms and provisions of these Bylaws.

5. Gender, Etc. Whenever in these Bylaws the context so requires, the singular number shall include the plural and the converse; and the use of any gender shall be deemed to include all genders.

EXECUTED by Declarant on this ____ day of May, 2024.

5 Sherman Street, LLC, Declarant, By

Knox Marsh Development, LLC

_____ By: _____
Witness DAVID PAOLINI, Member

_____ By: _____
Witness ROBERT BALDWIN, Member

Long
Sands Construction Holdings, LLC

_____ By: _____
Witness JOHN T. O'NEILL, as Trustee of the John T. O'Neill Revocable Trust, Member

_____ By: _____
Witness BRIAN R. O'NEILL, Member

_____ By: _____

Witness SCOTT J. O'NEILL, Member

STATE OF NEW HAMPSHIRE
COUNTY OF STRAFFORD _____, 2024

Personally appeared DAVID PAOLINI, in his capacity as Member of Knox Marsh Development, LLC and acknowledged the foregoing instrument to be his voluntary act and deed on behalf of the company, before me,

Notary Public
My Commission Expires:

STATE OF NEW HAMPSHIRE
COUNTY OF STRAFFORD _____, 2024

Personally appeared ROBERT BALDWIN in his capacity as Member of Knox Marsh Development, LLC and acknowledged the foregoing instrument to be his voluntary act and deed on behalf of the company, before me,

Notary Public
My Commission Expires:

STATE OF NEW HAMPSHIRE
COUNTY OF STRAFFORD _____, 2024

Personally appeared JOHN T. O'NEILL, as Trustee of the John T. O'Neill Revocable Trust, in his capacity as Member of Long Sands Construction Holdings, LLC, and acknowledged the foregoing instrument to be his voluntary act and deed as Trustee, on behalf of the company, before me,

_____
Notary Public
My Commission Expires:

STATE OF NEW HAMPSHIRE
COUNTY OF STRAFFORD _____, 2024

Personally appeared BRIAN R. O'NEILL, as Member of Long Sands Construction Holdings, LLC and acknowledged the foregoing instrument to be his voluntary act and deed on behalf of the company, before me,

Notary Public
My Commission Expires:

STATE OF NEW HAMPSHIRE
COUNTY OF STRAFFORD _____, 2024

Personally appeared SCOTT J. O'NEILL, as Member of Long Sands Construction Holdings, LLC and acknowledged the foregoing instrument to be his voluntary act and deed on behalf of the company, before me,

Notary Public
My Commission Expires:

DECLARATION

OF

COURT STREET CONDOMINIUMS
103 Court Street, Dover, Strafford County
State of New Hampshire

5 Sherman Street, LLC with an address of 242 Central Avenue, Dover, County of Strafford, State of New Hampshire (hereinafter, with its successors and assigns, who come to stand in the same relation to the Condominium as their predecessors, called the "Declarant"), hereby declare:

1. Submission of Property. The Declarant hereby submits the land located in Dover, New Hampshire, and more particularly described in Exhibit A, attached hereto (hereinafter referred to as the "Land"), together with the buildings, all improvements heretofore or hereafter constructed thereon, and all easements, rights, and appurtenances thereto described in said Exhibit A, all of which are owned by the Declarant, to the provisions of the Condominium Act of the State of New Hampshire, Chapter 356-B of the Revised Statutes Annotated, in order to create a plan of condominium ownership in such property. The units hereby submitted as of the date of the recording of this Declaration shall be units 1 through 7 and the common areas and facilities associated with those units.

2. Definitions. As provided in Section 12, I of the Condominium Act, capitalized terms not otherwise defined herein, or in the Bylaws recorded herewith, shall have the meanings specified in Section 3 of the Condominium Act. The following terms are expressly defined herein.

(a) "Bylaws" mean the Bylaws providing for the self-government of the Condominium, recorded herewith, as amended from time to time.

(b) "Common Area" means all parts of the Property other than the Units, as more fully set forth in Paragraph 3(e) of this Declaration, and includes any Limited Common Area.

(c) "Condominium" means the Court Street Condominiums established by this Declaration.

(d) "Condominium Act" means Chapter 356-B of the New Hampshire Revised Statutes Annotated, as amended.

(e) "Land" shall have the meaning set forth hereinabove.

(f) "Majority of the Owners" means the Owners of the Units to which more than fifty (50%) percent of the votes in the Unit Owners' Association appertain. Any specified percentage of the Owners means the Owners of Units to which the specified percentage of the votes in the Unit Owners' Association appertain. Each Unit shall have one vote regardless of the unit's percentage ownership in the Common Area.

(g) "Owner or Unit Owner" means any Person or Persons, who holds or hold fee simple title to a Unit. No mortgagee shall be deemed to be an Owner until such mortgagee has acquired such title pursuant to foreclosure or any procedure in lieu of foreclosure.

(h) "Percentage Interest" or "Undivided Percentage Interest" means the percentage undivided interest of each unit in the Common Area as set forth in Exhibit B attached hereto.

(i) "Property" means the land and buildings and all other improvements heretofore or hereafter constructed thereon, and all easements, rights, and appurtenances thereto, and all articles of personal property intended for common use in connection therewith, except as any of the foregoing may be limited in Exhibit A attached hereto.

(j) "Registry" means the Strafford County Registry of Deeds.

(k) "Rules" means those rules and regulations adopted from time to time by the Board of Directors of the Association relative to the use of the Condominium, provided they are not in conflict with the Condominium Act, the Declaration, or the Bylaws.

(l) "Site Plan and Floor Plans" or "Plan" means the plat of the entire property described in this Declaration, and all floor plans relative thereto, recorded simultaneously herewith or recorded subsequently.

(m) "Unit" means a unit as defined by the Condominium Act, which is bounded and described as shown on the Plans of the Condominium and as provided in Paragraph 3(d) hereof.

(n) "Unit Owners' Association", or "Court Street Condominiums Unit Owners' Association," or "Association" means all the Owners acting as a group in accordance with this Declaration and/or the Bylaws.

3. Statutory Requirements. The following information is provided pursuant to the provisions of Section 16 of the Condominium Act:

(a) Name. This condominium shall be known as "Court Street Condominiums."

(b) Location. This condominium is located at 103 Court Street, Dover, County of Strafford, State of New Hampshire.

(c) Description of Land. A legal description by metes and bounds of the Land submitted to the Condominium is contained in Exhibit A. The Land may be subject to easements for the benefit of adjacent developments.

(d) Description of Units.

(i) Buildings. This Condominium consists of a maximum of five (5) units. The Site Plan which depicts the condominium is recorded at the Strafford County Registry of Deeds as Plan #_____ and the Floor Plans are recorded as Plan # ____. The location and dimensions of the buildings are shown on the Site and Floor Plans.

(ii) Units. Each of the Units is hereby declared to be held in fee simple and may be retained, occupied, conveyed, transferred, encumbered, inherited, or devised in the same manner as any other parcel of real property independent of the other individual Units. Annexed hereto and made a part hereof as Exhibit B is a list of the Units, their respective identifying numbers or Unit designations, and the Undivided Percentage Interests in the Common Area appurtenant to each.

(iii) Each Owner shall own an equal, undivided interest in the Common Area. Subject to the provisions of this Declaration, each Owner may use the Common Area, excepting Limited Common Area, in accordance with the purposes for which it is intended, so long as he does not hinder or encroach upon the lawful rights of the other owners or otherwise violate the provisions hereof or of any Residency Regulations adopted pursuant to said provisions.

Notwithstanding the above provisions, the Declarant shall have and exercise the voting rights for any units which remain titled in the name of the Declarant, or which are proposed to be constructed in future phases regardless of whether those phases have been commenced or completed.

(iv) Unit Boundaries:

The boundaries of each Unit with respect to floors, ceilings, walls, doors, and windows thereof are as follows:

(A) Floors: The upper surface of the subflooring.

(B) Ceilings: The plane of the upper surface of the wallboard, plasterboard or plaster of which the ceilings are constructed.

(C) Interior Building Walls between Units: The plane of the surface facing such unit of the wall studs.

(D) Exterior Building Walls, Doors and Windows: As to exterior walls, the plane of the interior surface of the wall studs; as to doors providing access and egress to the unit, the plane of the exterior surface thereof; and as to windows and doors containing glass, the plane of the exterior surfaces of the window and panel frames.

Except as provided herein:

(1) Interior walls, floors or ceilings are designated as boundaries of a Unit, all lath, furring, wallboard, plasterboard, plaster, paneling, tiles, wallpaper, paint, finish flooring, and any other materials constituting any part of the finished surfaces thereof are a part of the Unit and all other portions of the walls, floors, or ceilings are a part of the Common Area.

(2) If any chute, flue, duct, wire, conduit, bearing wall, bearing column, or any other fixture which lies partially within and partially outside the designated boundaries of a Unit, any portion thereof serving only that Unit is a Limited Common Area allocated solely to that Unit, and any portion thereof serving more than one Unit or any portion of the Common Area is a part of the Common Area.

(3) Subject to the provision of paragraph (2), all spaces, interior partitions, and other fixtures and improvements within the boundaries of a Unit are a part of the Unit.

(4) Any doorsteps, balconies, patios, and all exterior doors and windows or other fixtures designed to serve a single unit, but located outside the Unit's boundaries, are Limited Common Areas allocated exclusively to that Unit.

(e) Description of Common Area and Limited Common Area.

(i) Common Area. Common Area consists of the entire property other than the Units and includes, but not by way of limitation: the Land, the walks, private driveway. mail kiosk, landscaping, shrubbery and other plantings, and other land and interests in land included and described in Exhibit A hereto, sewage disposal, stormwater system including drainage features, electrical, telephone, and other utility systems serving the condominium to the extent said systems are located within the Property and are not owned by the supplier of the utility service (but not including any portions thereof servicing a single Unit and contained within a Unit); and the pipes, ducts, chutes, conduits, plumbing, wires, meters, meter housings, and other facilities for the furnishing of utility services or waste removal located within a Unit, which serve parts of the condominium other than the Unit within which they are located, and also those located within the yard areas, the roofs, foundations, bearing walls, bearing columns, and other structural portions of the buildings; the perimeter walls, ceilings, the floors bounding each Unit to the unfinished interior surfaces thereof and other walls which are not within a Unit; any other amenities constructed or to be constructed on the Land; and all other parts of the Condominium, including personal property acquired by the Association, necessary or convenient to its existence, maintenance and safety, or normally in common use, and including any easements serving the Property set forth in Exhibit A hereto.

(ii) Limited Common Area. Certain decks, patios, storage areas, and parking spaces are Limited Common Area, being reserved for the exclusive use of the Unit to which they are adjacent or assigned. Each unit shall have the use of two parking spaces. A handicap parking space may be used for non-handicap visitor parking. Designations of the aforementioned Limited Common Area or of any other Limited Common Area shall be shown on the Plans. Each Limited Common Area is owned in common by all of the Owners, but is restricted to the use and benefit of the Unit or Units which it services. No other structures within the limited common area (other than the residential unit, garage, and related decks, porches, driveways, and similar attachments) shall be constructed without the prior permission of the Board of Directors of the Association.

(iii) Use. The use of the Common Area shall be limited to the owners in residence and to their tenants in residence, and to their guests. The use of each Limited Common Area shall be further restricted to the Owner of the Unit to which it is appurtenant, to his tenants in residence, and to his guests. The use, including responsibilities for maintenance and repair, of the Common Area and Limited Common Area shall be governed by the Bylaws and by the Rules as adopted and amended from time to time by the Board of Directors of the Association.

(f) Reassignment of Limited Common Area. Limited Common Area may be reassigned pursuant to Section 19 of the Condominium Act. Pursuant to RSA 356-B:16, I (f), the Declarant reserves the right to designate additional limited common areas by amendment to this Declaration at any time prior to conveyance of any Unit.

(g) Allocation of Percentage Interests. All Units will have an equal Undivided Percentage Interest in the Common Area.

(h) Statement of Purpose and Restrictions on Use. The Condominium and each of the Units are primarily intended for residential use and the following provisions, together with the provisions of the Bylaws and the Rules, are in furtherance of this purpose:

(i) Residential Use; Limitation. Each Unit shall be occupied and used only for residential purposes by the Owner and his family, or by tenants and guests of the Owner, except for such limited professional use as the Association, upon application of the Owner, from time to time may authorize as not being incompatible with the residential character of the Condominium. This restriction shall not be construed to prohibit Owners from leasing their Units so long as the Lessees thereof occupy and use the leased premises in accordance with the provisions of this Declaration, and any rules and/or regulations adopted by the Board of Directors of the Association. Any lease shall be for a minimum term of not less than thirty (30) days.

(ii) Easement to Facilitate Completion and Sales. Declarant shall be deemed to be the Owner of any Units which have not been sold and conveyed. Declarant and its duly authorized agents, representatives, and assigns may make such reasonable use of the Condominium as may facilitate the sale and conveyance, including, without limiting the generality of the foregoing, the right to enter all Units and Common Area for construction purposes, and the right to store materials, the maintenance of a sales office and a rental office, the showing of property, and the displaying of signs. In addition, the Declarant and its duly authorized agents, representatives, and employees shall have the right to use any and all unsold and un-conveyed Unit or Units as sales offices and/or model units. Such Units shall be Units within the meaning of this Declaration and the Condominium Act, and not parts of the Common Area. The Declarant shall have the absolute right to convey or lease such Units. Further, the Declarant reserves the right to enter into certain agreements with other Unit Owners who may agree to lease their Units to the Declarant for use by the Declarant as model units and/or sales offices.

(iii) Easement for Structural Encroachments. None of the rights and obligations of the Owners created herein, or in any deed conveying a Condominium Unit from the Declarant to a purchaser thereof, shall be altered in any way by encroachments as a result of construction of any structures or due to settling or shifting of structures. There shall be valid easements for the maintenance of such encroachments so long as they shall exist; provided, however, that in no event shall a valid easement for encroachment be created in favor of an Owner or Owners if said encroachment occurred due to the willful conduct of said Owner or Owners.

(iv) Occupancy Limitation. No Unit in any building shall be leased, sold, or occupied until the Owner thereof shall have received an occupancy permit for the Unit in accordance with the Zoning Ordinance and Building Code of the City of Dover.

(v) Pipes, Ducts, Cables, Wires, Conduits, Public Utility Lines, and Other Common Area Located Inside of Units, Support. Each Unit Owner shall have an easement in common with the Owners of all other Units to use all pipes, wires, ducts,

cables, conduits, public utility lines, and other Common Area located in any of the other Units and serving his Unit. Each Unit shall be subject to an easement in favor of the Owners of all other Units to use the pipes, ducts, cables, wires, conduits, public utility lines, and other common Area serving such other Units and located in such Unit. The duly authorized representative of the Association shall have a right of access to each Unit to inspect the same, to remove violations therefrom, and to maintain, repair, or replace the Common Area contained therein or elsewhere in the building. Every portion of a Unit which contributes to the structural support of a building shall be burdened with an easement of structural support for the benefit of all other Units and the Common Area.

(vi) Owners Subject to Declaration, Bylaws, and Rules and Regulations. All present or future Owners, tenants, and occupants of Units, or any other person who might use the facilities of the Property in any manner are subject to the provisions of this Declaration, the Bylaws, and the Rules. The acceptance or the entering into occupancy of any Unit shall constitute an agreement that the provisions of this Declaration, the Bylaws, and the Rules, as they may be lawfully amended from time to time, are accepted and ratified by such Owner, tenant, or occupant, and all of such provisions shall be deemed and taken to be enforceable servitudes and covenants running with the land and shall bind any person having at any time any interest or estate in such Units, as though such provisions were recited and stipulated at length in each and every deed of conveyance or lease thereof.

The Declaration, Bylaws, and Rules to be adopted by the Board of Directors of the Association, and the decisions and resolutions of the Association, or its representatives, as lawfully amended from time to time, all contain, or will contain certain restrictions as to use of the Units or other parts of the Condominium. Each Owner shall comply therewith and failure to comply with any such provisions, decision, or resolution shall be grounds for an action by the Association or any Unit Owner to recover sums due, for damages or for injunctive relief. All such actions in law or in equity by the Association shall be authorized by resolution of the Board of Directors, and the Association or Unit Owner shall be entitled to recover all reasonable costs and expenses of such actions, including attorneys' fees, as more particularly set forth in Article XII of the Bylaws.

(vii) Condominium Subject to Easements for Ingress and Egress and Use. Subject to the provisions of this Declaration, including, without limitation, Paragraph 4 hereof, the Bylaws and the Condominium Act, each Unit Owner shall have an easement in common with the Owners of all other Units for ingress and egress through, and use and enjoyment of, all Common Area. Each Unit shall be subject to an easement for ingress and egress through, and use and enjoyment of, all Common Area by persons lawfully using or entitled to the same.

(viii) Property Subject to Covenants, Easements, and Restrictions of Record. The submission of the Property is subject to all covenants, conditions, easements, and restrictions of record, including without limitation those which are set forth or referred to in Exhibit A.

(ix) Reservation of Utility Easements. The Declarant reserves on behalf of itself and the Association and their successors and assigns, perpetual easements over all Units and the Common Area for the installation, construction, reconstruction, maintenance, repair, operation, and inspection of all utility services necessary or desirable in connection with operation of the Condominium, including, without limitation, water, sewage disposal, telephone, heating and air conditioning, gas, cable television and electrical systems, all for the benefit of the respective Owners of the Condominium, which reservation includes the right to convey such easements directly to suppliers and/or distributors of such utility services.

(x) No Subdivision or Partition. No Unit may be divided or subdivided into a smaller Unit; no Unit or portion thereof shall be added to or incorporated into another Unit. The Common Area shall remain undivided and no Unit Owner or any other person shall bring any action for partition or division thereof; nor shall the Common Area be abandoned by act or omission, unless the Condominium shall be terminated pursuant to the Condominium Act.

(xi) No Harmful or Offensive Use of Condominium. No harmful or offensive use shall be made of any part of the Condominium and nothing shall be done therein which is or will become in the judgment of the Association an annoyance or nuisance to the other Unit Owners. No use shall be made of any part of the Condominium which will constitute a fire hazard, result in the cancellation of insurance on any part of the Condominium, or be in violation of any law, ordinance, or governmental regulation applicable thereto. No use shall be made of any part of the Condominium which would increase the rate of insurance on the Common Area without the prior written consent of the Association.

(xii) Determination of Action Following Casualty Damage. In the event of damage to any portion of the Condominium by fire or other casualty, the proceeds of the master casualty policy shall, pursuant to Section 43, III of the Condominium Act, be used to repair, replace, or restore the structure or Common Area damaged, unless the Unit Owners vote to terminate the Condominium pursuant to Section 34 of the Condominium Act. The Board of Directors of the Association are hereby irrevocably appointed the agent for each Owner of a Unit and for each mortgagee of a Unit and for each Owner of any other interest in the Condominium to adjust all claims arising under such policy, or otherwise resulting from such damage, and to execute and deliver releases upon the payment of claims; and proceeds of insurance shall be payable to COURT STREET Condominiums Unit Owners' Association, the Unit Owners, or any mortgagees as their interests may appear. The procedure for reconstruction and repair is set forth in Article VI of the Bylaws.

(xii) Garbage. Garbage, trash and refuse may be removed at suitable regular intervals as directed by the Board of Directors of the Association. No dumping or burning of garbage, trash or refuse shall be permitted on condominium property. No garbage, trash or refuse may be stored in such a manner that may cause same to be

transferred off-site by natural causes such as rain, wind, etc. All containers for garbage, trash and refuse shall be kept under cover from view or screened from view, except for a reasonable time before removal.

(xiv) Antennas. No unit owner shall erect, install, or maintain any outside television and/or radio antennas or satellite dish. Windmills are not permitted on any part of the condominium property. No unit may have solar panels individually. The Association may approve a common solar panel system for the benefit of all, or a portion of, units, if located in the Common Area.

(xv) Recreational Vehicles. Recreational vehicles including, but not limited to, boats, trailers, campers, motor homes, snowmobiles, all-terrain vehicles, etc. shall not be allowed on any part of the Condominium property.

(xvi) Exterior Lighting. No Unit Owner shall install any exterior lighting on any Unit or change the original exterior light fixtures installed by the Declarant.

(xvii) Size of Residence: Residential Units 2, 3, 4, and 5 are the units created through the transfer of development rights, and shall not be constructed or reconstructed with more than 1,400 square feet of total living area, excluding garages, basements, and porches, as long as they remain unfinished. Residences shall remain single-family. Pursuant to City of Dover Zoning Ordinance Section 170-27.2.G(iii) as amended.

(i) RSA 356-B:41 - Upkeep of Condominium - Warranty Against Structural Defects.

(i) Except to the extent otherwise provided by the condominium instruments, all powers and responsibilities with regard to maintenance, repair, renovation, restoration, and replacement of the condominium shall belong (a) to the individual unit owners' Association in the case of the common areas, and (b) to the individual unit owner in the case of any unit or any part thereof. Each unit owner shall afford to the unit owners' association and to any of its agents or employees such access through his unit as may be reasonably necessary to enable them to exercise and discharge their respective powers and responsibilities. But to the extent that damage is inflicted upon the common areas or any unit through which access is taken, the unit owner causing the same, or the unit owners' association if it has caused the same, shall be liable for the prompt repair thereof.

(ii) Notwithstanding any provision to the contrary, the declarant shall warrant or guarantee, against structural defects, each of the units for one (1) year from the date each is conveyed, and all of the common areas for one (1) year from the date of completion

of the common area. The one year referred to in the preceding sentence shall begin as to each of the common areas whenever the same has been completed or if later, (a) as to any common area within any additional land or portion thereof, at the time the first unit therein is conveyed. For the purposes of this paragraph, no unit shall be deemed conveyed unless conveyed to a bona fide purchaser. For the purposes of this paragraph, structural defects shall be those defects in components constituting any unit or common area which reduce the stability or safety of the part of the structure below accepted standards or restrict the normal intended use of all or part of the structure and which require repair, renovation, restoration or replacement. Nothing in this paragraph shall be construed to make the declarant responsible for any items of maintenance relating to the units or common areas.

4. Amendment of Declaration. Except as otherwise provided in the Condominium Act and in this Declaration and Bylaws, this Declaration and Bylaws may be amended by agreement of at least two- thirds of the Owners; provided, however, that (i) any such amendment shall be executed by such two-thirds of the Owners or by the President and Treasurer of the Association accompanied by a Certificate of Vote of the Clerk; (ii) evidence of such amendment shall be duly recorded at the Registry pursuant to Section 34, IV of the Condominium Act; (iii) so long as the Declarant owns one or more Units, no amendment to the Declaration shall be adopted that could interfere with the construction, sale, lease, or other disposition of such Unit(s); (iv) no such amendment shall be contrary to the provisions of the Condominium Act; (v) no such amendment shall affect any rights reserved to the Declarant herein or in the Bylaws without the written consent of the Declarant; (vi) any amendment of material nature as defined in Section 402.02 of FNMA Lending documents dated January 1, 1983, shall have been approved in writing by fifty-one (51%) percent of the mortgagee or mortgagees holding first mortgages on Units; and (vii) any such amendment shall not be contrary to any provisions of the City of Dover Zoning Ordinance and Building Code or Subdivision Regulations.

5. FNMA/FHLMC Compliance. Notwithstanding anything to the contrary elsewhere in the Condominium Instruments, the following provisions shall govern and be applicable insofar and for so long as the same are required in order to qualify mortgages of Units in the Condominium for sale to the Federal Home Loan Mortgage Corporation (FHLMC) or the Federal National Mortgage Association (FNMA) or the Federal Housing Administration (FHA) under the laws and regulations applicable thereto.

(a) Any holder, insurer, or guarantor of a first mortgage on a Unit in the Condominium shall, upon written request, be entitled to written notification from the Association of any of the following (holders of first mortgages who have submitted such written requests will be referred to as “Eligible Mortgage Holders”):

(i) A condemnation or loss which affects a material portion of the Property of such Unit on which such first mortgagee holds a first mortgage lien;

(ii) Any sixty (60) day delinquency in the payment of assessments or charges owed by a mortgagor of such Unit;

(iii) Any lapse, cancellation, or material modification of any insurance policy or fidelity bond maintained by the Association;

(iv) Any action for which the consent of Eligible Mortgage Holders is required pursuant to this Declaration;

(b) Any first mortgagee of a Unit in the Condominium who obtains title to the Unit pursuant to the remedies provided in the mortgage, or foreclosure of the mortgage, or deed (of assignment) in lieu of foreclosure, shall take the property free of any claims for unpaid assessments or charges against the mortgaged Unit which accrue prior to the acquisition of title of such Unit by the mortgagee.

(c) Unless at least fifty-one (5l%) percent of the Eligible Mortgage Holders (based upon votes appurtenant to Units subject to such mortgages) have given their prior written approval, the Owners and the Association shall not be entitled to: (i) by act or omission, seek to abandon or terminate the Condominium project; (ii) change the Percentage Interests or obligations of any Unit for purposes of (a) levying assessments or charges or allocating distributions of hazard insurance proceeds or condemnation awards or (b) determining the pro rata share of ownership of each Unit in the Common Area; (iii) partition or subdivide any Unit; (iv) by act or omission, seek to abandon, partition, subdivide, encumber, sell, or transfer, the Common Area (the granting of easements for public utilities or for other public purposes consistent with the intended use of the Common Area by the Declarant or the Association shall not be deemed a transfer within the meaning of this clause); (v) use hazard insurance proceeds for losses to the Property (whether to Units or to Common Area) for other than the repair, replacement, or reconstruction of such Property; or (vi) amend, modify, or otherwise change any material rights or obligations under this Declaration or the Bylaws. In the case of termination of the Condominium for any reason other than substantial destruction or condemnation, prior written approval of sixty-seven (67%) percent of Eligible Mortgage Holders shall be required.

(d) The Board of Directors of the Association shall assure that its books, records, and financial statements, as well as current copies of the Declaration, Bylaws, and Rules are available for inspection by Unit Owners or holders, insurers, or guarantors of first mortgages on Units during normal business hours or under other reasonable circumstances.

(e) An adequate operating fund and a reserve fund for maintenance, repairs, and replacements of any Common Area which must be replaced on a periodic basis shall be

established by the Association and shall be funded by regular monthly payments rather than by special assessments.

(f) No provision of this Declaration, the Bylaws, or the Rules shall be construed to grant to any Unit Owner, or to any other party, any priority over any rights of first mortgagees of the Condominium Units pursuant to their mortgages in the case of a distribution to Unit Owners of insurance proceeds or condemnation awards for losses to, or a taking of, Units and/or the Common Area or any portions thereof.

(g) This Declaration and the Bylaws contain provisions concerning various rights, priorities, remedies, and interests of first mortgagees of Units. Such provisions are to be construed as covenants for the protection of such mortgagees on which they may rely in making loans secured by mortgages on the Units. Accordingly, any Owner who gives a first mortgage on his Unit shall notify the Association of the name and address of the first mortgagee of such Unit. All mortgagees with respect to which the Association has received such notice shall be given written notice of any damage or loss where the cost of restoring the Common Area exceeds Ten Thousand ($10,000.00) Dollars, and the first mortgagee of a Unit shall be given written notice of damage or loss to the Unit covered by its mortgage where the cost of restoration of such damage or loss exceeds One Thousand ($1,000.00) Dollars, the Association is made aware of such damage or loss, and notice of such mortgage has been supplied to the Association.

(h) If FHLMC or FNMA or FHA holds any interest in one or more mortgages of Units:

(i) The Association shall be required to obtain and maintain, to the extent obtainable, and permitted by applicable law, such insurance other than that which may be required by Article VI of the Bylaws, in such amounts and containing such terms, as may be required from time to time by FHLMC, FNMA, or FHA, including, but not limited to, dishonest acts on the part of the officers of the Association, employees, or volunteers responsible for handling the Association's funds. All such insurance shall provide that an adjustment of loss shall be made by the Association and if FHLMC, FNMA, or FHA holds any interest in one or more mortgages on Units, all such policies shall be in such amounts and contain such terms as may be required from time to time by whichever of FHLMC, FNMA, or FHA (or all) holds such interests.

(ii) Whenever any Unit and/or Common Area is damaged by fire or other hazard, the Association shall give notice to such persons as may be required by FHLMC or FNMA.

(iii) Any holder, insurer, or guarantor, or grantor of a first mortgage on any Unit shall be entitled to have the Association provide a copy of the audited financial statement for the immediate preceding fiscal year of the Association. If no such audited statement exists, the requesting party is entitled to have an audited statement prepared at its own expense, or at its option to receive a copy of any unaudited statement. Upon such

request, the Association must provide the financial statement to the requesting party within a reasonable time.

6. No Revocation or Partition. The Common Area shall remain undivided and no Unit Owner or any other Person shall bring any action for partition or division thereof, nor shall the Common Area be abandoned by act or omission, unless the Condominium is terminated pursuant to Section 34 of the Condominium Act.

7. Invalidity. It is the intention of the Declarant that the provisions of this Declaration are severable so that if any provision, condition, covenant, or restriction hereof shall be invalid or void under any applicable federal, state, or local law or ordinance, the remainder shall be unaffected thereby. In the event that any provision, condition, covenant, or restriction hereof is, at the time of recording this Declaration, void, voidable, or unenforceable as being contrary to any applicable law or ordinance, the Declarant, its successors and assigns, and all persons claiming by, through, or under this Declaration, covenant and agree that any future amendments or supplements to the said laws having the effect of removing said invalidity, voidability, or unenforceability, shall be deemed to apply retrospectively to this Declaration thereby operating to validate the provisions of this instrument which otherwise might be invalid, and it is covenanted and agreed that any such amendments and supplements to the said laws shall have the effect herein declared as fully as if they had been in effect at the time of this instrument.

8. Waiver. No provision contained in this Declaration shall be deemed to have been abrogated or waived by reason of any failure to enforce the same (except where a right is dependent upon notice to be given within a specified period), irrespective of the number of violations or breaches which may occur.

5 Sherman Street, LLC, Declarant, By

Knox Marsh Development, LLC

_____ By: _____
Witness DAVID PAOLINI, Member

_____ By: _____
Witness ROBERT BALDWIN, Member

Long Sands Construction Holdings, LLC

_____ By: _____

Witness

JOHN T. O'NEILL, as Trustee of the John T. O'Neill Revocable Trust, Member

_____
Witness

By: _____
BRIAN R. O'NEILL, Member

_____
Witness

By: _____
SCOTT J. O'NEILL, Member

STATE OF NEW HAMPSHIRE
COUNTY OF STRAFFORD _____, 2024

Personally appeared DAVID PAOLINI, in his capacity as Member of Knox Marsh Development, LLC and acknowledged the foregoing instrument to be his voluntary act and deed on behalf of the company, before me,

Notary Public
My Commission Expires:

STATE OF NEW HAMPSHIRE
COUNTY OF STRAFFORD _____, 2024

Personally appeared ROBERT BALDWIN in his capacity as Member of Knox Marsh Development, LLC and acknowledged the foregoing instrument to be his voluntary act and deed on behalf of the company, before me,

Notary Public
My Commission Expires:

STATE OF NEW HAMPSHIRE
COUNTY OF STRAFFORD _____, 2024

Personally appeared JOHN T. O'NEILL, as Trustee of the John T. O'Neill Revocable Trust, in his capacity as Member of Long Sands Construction Holdings, LLC, and acknowledged the foregoing instrument to be his voluntary act and deed as Trustee, on behalf of the company, before me,

_____
Notary Public
My Commission Expires:

STATE OF NEW HAMPSHIRE

COUNTY OF STRAFFORD _____, 2024

Personally appeared BRIAN R. O'NEILL, as Member of Long Sands Construction Holdings, LLC and acknowledged the foregoing instrument to be his voluntary act and deed on behalf of the company, before me,

Notary Public
My Commission Expires:

STATE OF NEW HAMPSHIRE
COUNTY OF STRAFFORD _____, 2024

Personally appeared SCOTT J. O'NEILL, as Member of Long Sands Construction Holdings, LLC and acknowledged the foregoing instrument to be his voluntary act and deed on behalf of the company, before me,

Notary Public
My Commission Expires:

TRASH MANAGEMENT PROTOCOL
BACKYARD COTTAGE CONDOMINIUM ASSOCIATION

Introduction
The following protocol outlines the procedures and guidelines for trash management within the Backyard Cottage Condominium Association. Each unit will be provided with one designated trash bin (toter), and a private trash collection service will pick up the bins on a weekly basis. This protocol is intended to maintain cleanliness, ensure timely trash collection, and minimize disruption to residents while preventing critter-related issues.

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1. Trash Bins

1. **Designated Bins**:
   Each unit will be provided with one trash bin. The bins are the property of the HOA and are to be used exclusively for the disposal of household waste.
2. **Bin Identification**:
   All bins will be clearly marked with unit numbers or addresses to ensure they remain associated with the correct unit. Unit owners are responsible for keeping their bins in good condition and free from graffiti or damage.
3. **Replacement of Bins**:
   If a trash bin is lost, stolen, or damaged beyond normal wear and tear, the unit owner must report this to the HOA. The HOA will coordinate with the trash collection service to provide a replacement bin. Any replacement cost due to negligence or improper care may be charged to the unit owner.

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2. Trash Pickup Schedule

1. **Pickup Day**:
   The designated trash collection service will pick up trash bins once a week. The specific day of the week for pickup will be determined by the HOA and communicated to all unit owners.
2. **Time for Placement of Bins**:
   Bins should be placed at the curb or in the designated pickup area no earlier than 6:00 PM the evening before the scheduled collection day, and no later than 7:00 AM on the day of collection.
3. **Bin Retrieval**:
   After collection, bins must be returned to each unit's designated storage area by 8:00 PM on the day of pickup. Bins left on the curb or in common areas beyond this time may result in fines or penalties as outlined in the HOA rules.

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3. Trash Bin Storage and Placement

1. **Designated Storage Areas**:
   When not in use, trash bins must be stored in each unit's designated storage area, or designated exterior area.

2. **Proper Placement for Pickup**:
   On pickup days, bins must be placed in the designated collection area (curb or driveway entrance) in a way that does not obstruct pedestrian pathways, driveways, or roadways. Ensure that lids are closed to prevent spillage.

3. **Overflow Trash**:
   Trash should fit within the bin with the lid closed. Overflow trash, extra bags, or large items placed beside the bin will not be collected unless special arrangements have been made with the trash collection service. Unit owners are responsible for arranging bulk trash pickup if needed.

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4. Preventing Critter Access to Trash Bins

1. **Securing Lids**:
   To prevent critters such as raccoons, rodents, and other animals from accessing the trash, lids must be tightly secured after each use. Ensure the lid is closed completely, especially when bins are stored outside.

2. **Using Critter-Proof Bins or Latches**:
   If critter activity is an issue, the HOA may suggest or require the use of critter-proof bins or latches to secure the lids. Unit owners should consider purchasing clips or other mechanisms to make their bins more secure if necessary.

3. **Smell Reduction**:
   To reduce odors that may attract animals, trash should be placed in sealed bags before being put into the bin. Avoid placing food waste directly into the bin without being properly bagged.

4. **Location of Storage**:
   Bins stored outside should be placed in a location that is less visible or accessible to critters, such as a side yard or an enclosed area. If possible, bins should be kept in a garage or other secure structure.

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5. Acceptable and Non-Acceptable Waste

1. **Acceptable Waste**:
   - General household waste.
   - Non-hazardous materials.
   - Bagged waste to prevent spillage.

2. **Non-Acceptable Waste**:
    - Hazardous materials (chemicals, batteries, paint, etc.).
    - Construction debris or large bulk items (e.g., furniture, appliances).
    - Yard waste or recyclables (if not covered by the trash collection service).
    - Sharp objects or medical waste not properly contained.

Unit owners must adhere to the guidelines provided by the trash collection service regarding the types of waste that are permitted for collection. Improper disposal of hazardous or restricted materials will result in fines and may lead to a suspension of trash services for the responsible unit.

SITE DEVELOPMENT PLANS

103 COURT STREET

103 COURT STREET
DOVER, NEW HAMPSHIRE

LIST OF PLANS

T-1 - TITLE SHEET
T-2 - NEIGHBORHOOD PLAN
EX-1 - EXISTING CONDITIONS PLAN (1"=30')
SSS-1 - SITE SPECIFIC SOILS PLAN (1"=30')
SN-1 - STANDARD NOTES PLAN
C-1 - ROADWAY PLAN AND PROFILE (1"=20')
C-2 - ROADWAY PLAN AND PROFILE (1"=20')
C-3 - CROSS COUNTRY UTILITY PLAN (1"=20')
SP-1 - GENERAL SITE PLAN (1"=30')
SP-2 - SITE CONSTRUCTION PLAN (1"=20')
SP-3 - UTILITY PLAN (1"=20')
SP-4 - GRADING AND DRAINAGE PLAN (1"=20')
SP-5 - BIORETENSION DETAILS
SP-6 - STORMTECH PLAN
SP-7 - DRAINAGE DETAILS
SP-8 - CONSTRUCTION DETAILS
SP-9 - CONSTRUCTION DETAILS
SP-10 - CONSTRUCTION DETAILS
SP-11 - SEWER DETAILS
SP-12 - SEWER DETAILS
Li-1 - LIGHTING PLAN
La-1 - LANDSCAPE PLAN
La-2 - LANDSCAPE DETAILS
TR-1 - FIRE TRUCK TURNING PLAN

OWNER / APPLICANT
5 SHERMAN STREET, LLC.
242 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE

CIVIL ENGINEER - SURVEYOR
TRITECH ENGINEERING CORPORATION
755 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE

WETLAND & SOIL SCIENTIST
HIGHLAND SOILS SERVICES
75 PROSPECT STREET
SOMERSWORTH, NEW HAMPSHIRE

LANDSCAPE ARCHITECT
TERRAIN
PLANNING & DESIGN LLC
31 KAST HILL ROAD
HOPKINTON, NEW HAMPSHIRE

TRAFFIC ENGINEER
TEPP, LLC.
93 STILES ROAD, SUITE 201
SALEM, NEW HAMPSHIRE

TRITECH
ENGINEERING CORPORATION
755 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820
TELEPHONE 603 742 8107
FAX 603 742 3830

ISSUED FOR PLANNING BOARD REVIEW
January 6, 2025

REVISIONS

DATE:	DESCRIPTION:
9-12-24	REVISED PER TRC COMMENTS
10-24-24	REVISED PER TRC COMMENTS
10-23-25	REVISED PER TDR APPROVAL
12-9-25	REVISED PER TRC COMMENTS

STATE OF NEW HAMPSHIRE - PROFESSIONAL ENGINEER - ROBERT STOWELL No. 9903

LICENSED LAND SURVEYOR - ROBERT STOWELL No. 891 - STATE OF NEW HAMPSHIRE

TITLE SHEET
103 COURT STREET
103 COURT STREET
DOVER, NEW HAMPSHIRE
STRAFFORD COUNTY
AUGUST 15, 2024
JOB No. 24101

SHEET No.
T-1

(P24-0012)



SHEET No.

T-2

NEIGHBORHOOD PLAN

103 COURT STREET

DOVER, NEW HAMPSHIRE

STRAFFORD COUNTY

OCTOBER 24, 2024 JOB No. 24101

SCALE: 1" = 60'

ISSUED FOR PLANNING BOARD REVIEW

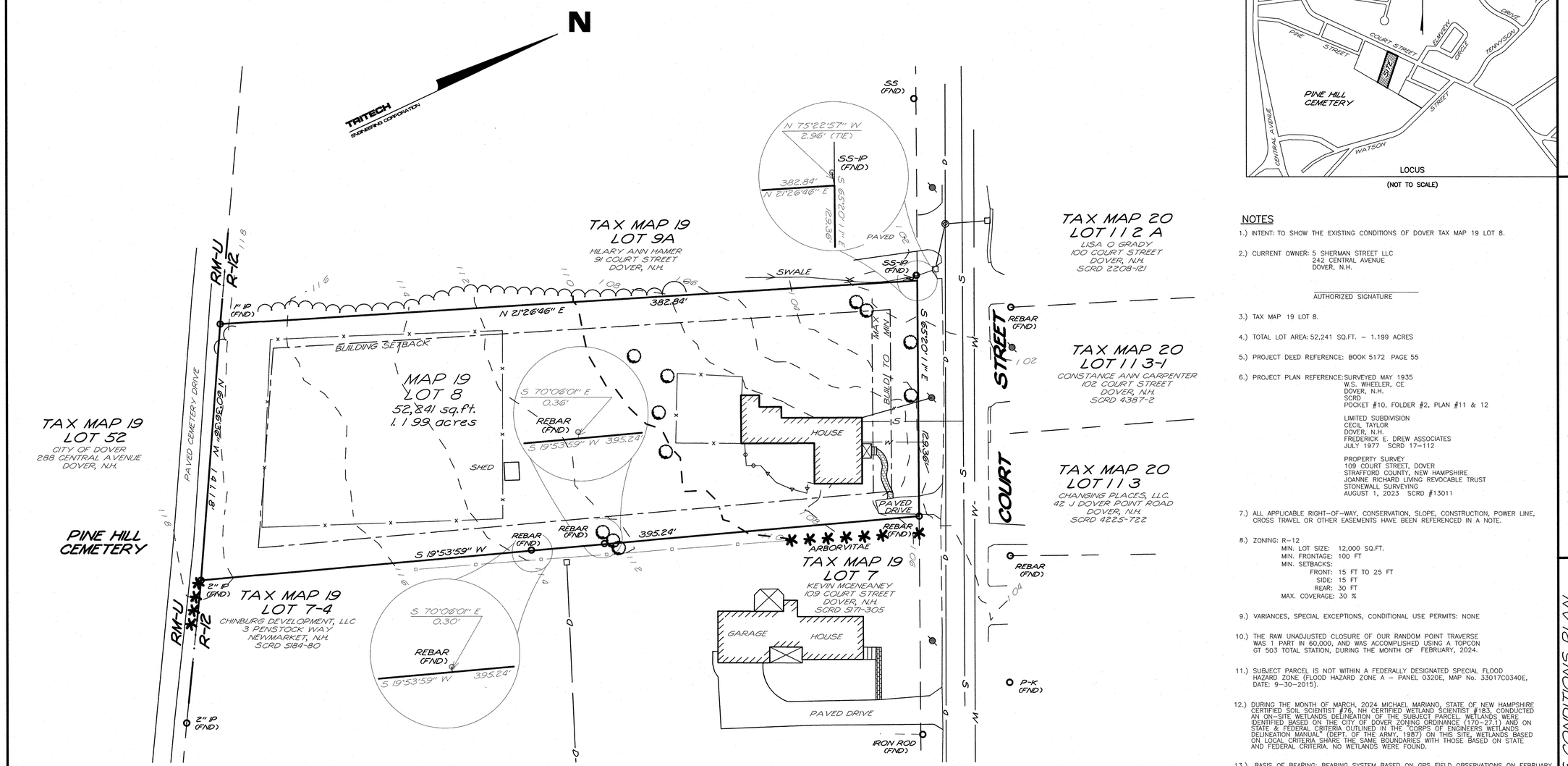
January 6, 2025

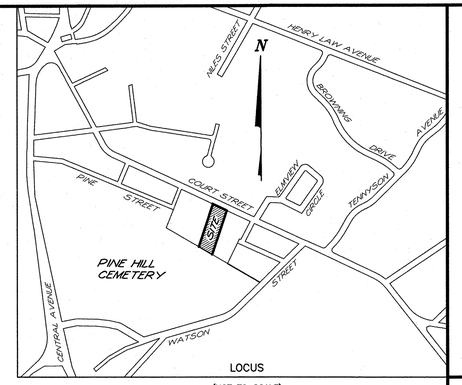
REVISIONS	
DATE:	DESCRIPTION:
9-12-24	REVISED PER TRC COMMENTS
10-24-24	REVISED PER TRC COMMENTS
10-23-25	REVISED PER TDR APPROVAL

TRITECH
ENGINEERING CORPORATION

755 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820

TELEPHONE 603 742 8107
FAX 603 742 3830





NOTES

1.) INTENT: TO SHOW THE EXISTING CONDITIONS OF DOVER TAX MAP 19 LOT 8.

2.) CURRENT OWNER: 5 SHERMAN STREET LLC
242 CENTRAL AVENUE
DOVER, N.H.

AUTHORIZED SIGNATURE

3.) TAX MAP 19 LOT 8.

4.) TOTAL LOT AREA: 52,241 SQ.FT. – 1.199 ACRES

5.) PROJECT DEED REFERENCE: BOOK 5172 PAGE 55

6.) PROJECT PLAN REFERENCE: SURVEYED MAY 1935
W.S. WHEELER, CE
DOVER, N.H.
SCRD
POCKET #10, FOLDER #2, PLAN #11 & 12

LIMITED SUBDIVISION
CECIL TAYLOR
DOVER, N.H.
FREDERICK E. DREW ASSOCIATES
JULY 1977 SCRD 17-112

PROPERTY SURVEY
109 COURT STREET, DOVER
STRAFFORD COUNTY, NEW HAMPSHIRE
JOANNE RICHARD LIVING REVOCABLE TRUST
STONEWALL SURVEYING
AUGUST 1, 2023 SCRD #13011

7.) ALL APPLICABLE RIGHT-OF-WAY, CONSERVATION, SLOPE, CONSTRUCTION, POWER LINE, CROSS TRAVEL OR OTHER EASEMENTS HAVE BEEN REFERENCED IN A NOTE.

8.) ZONING: R-12
MIN. LOT SIZE: 12,000 SQ.FT.
MIN. FRONTAGE: 100 FT
MIN. SETBACKS:
FRONT: 15 FT TO 25 FT
SIDE: 15 FT
REAR: 30 FT
MAX. COVERAGE: 30 %

9.) VARIANCES, SPECIAL EXCEPTIONS, CONDITIONAL USE PERMITS: NONE

10.) THE RAW UNADJUSTED CLOSURE OF OUR RANDOM POINT TRAVERSE WAS 1 PART IN 60,000, AND WAS ACCOMPLISHED USING A TOPCON GT 503 TOTAL STATION, DURING THE MONTH OF FEBRUARY, 2024.

11.) SUBJECT PARCEL IS NOT WITHIN A FEDERALLY DESIGNATED SPECIAL FLOOD HAZARD ZONE (FLOOD HAZARD ZONE A – PANEL 0320E, MAP No. 33017C0340E, DATE: 9-30-2015).

12.) DURING THE MONTH OF MARCH, 2024 MICHAEL MARIANO, STATE OF NEW HAMPSHIRE CERTIFIED SOIL SCIENTIST #76, NH CERTIFIED WETLAND SCIENTIST #183, CONDUCTED AN ON-SITE WETLANDS DELINEATION OF THE SUBJECT PARCEL. WETLANDS WERE IDENTIFIED BASED ON THE CITY OF DOVER ZONING ORDINANCE (170-27.1) AND ON STATE & FEDERAL CRITERIA OUTLINED IN THE "CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL" (DEPT. OF THE ARMY, 1987) ON THIS SITE. WETLANDS BASED ON LOCAL CRITERIA SHARE THE SAME BOUNDARIES WITH THOSE BASED ON STATE AND FEDERAL CRITERIA. NO WETLANDS WERE FOUND.

13.) BASIS OF BEARING: BEARING SYSTEM BASED ON GPS FIELD OBSERVATIONS ON FEBRUARY 16, 2024 USING TOPCON HIPER SR RECEIVERS AND OPUS CORRECTED ON FEBRUARY 19, 2024. DATUM BASED ON NEW HAMPSHIRE STATE PLANE COORDINATES SPC (2800 NH), (NAVD 88).

14.) LOCKE STREET (NOW KNOWN AS TRANQUILITY WAY) WAS CREATED BY "LAY OUT", BY THE DOVER CITY COUNSEL ON JULY 9, 1935 AND SHOWN ON SUBDIVISION PLAN BY W.S. WHEELER. THIS PART OF LOCKE STREET WAS NOT BUILT AND ABUTTING OWNERS OWN TO THE CENTER. NO FORMAL DISCONTINUANCE IS NEEDED PER LETTER OF THE CITY OF DOVER, DATED JUNE 12, 2001.

LEGEND

- REBAR WITH ID CAP TO BE SET
- UTILITY POLE
- SEWER MANHOLE
- DRAIN MANHOLE
- CATCH BASIN
- D — DRAIN LINE
- G — GAS LINE
- W — WATER LINE
- VINYL STOCKADE FENCE
- WOOD RAIL FENCE
- CHAIN LINK FENCE
- METAL RAIL FENCE
- SPECIMEN TREE
- ARBORVITAE

TRITECH
ENGINEERING CORPORATION
785 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820
TELEPHONE 603 742 8107
FAX 603 742 3690

ISSUED FOR PLANNING BOARD REVIEW
January 6, 2025

REVISIONS	DESCRIPTION:
DATE:	
9-12-24	REVISED PER TRC COMMENTS

LICENSED LAND SURVEYOR NO. 14 ROBERT J. STONEWALL STATE OF NEW HAMPSHIRE

EXISTING CONDITIONS PLAN

5 SHERMAN STREET LLC

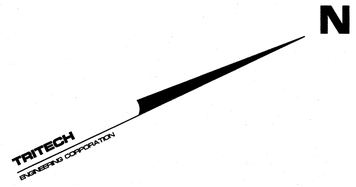
103 COURT STREET
DOVER, NEW HAMPSHIRE
STRAFFORD COUNTY

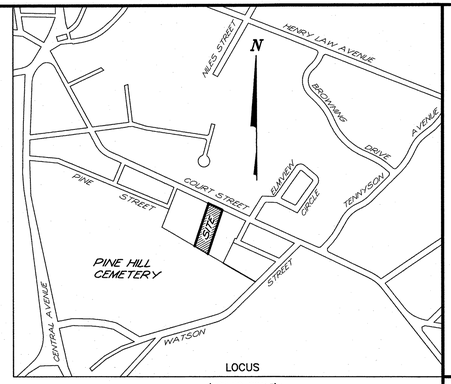
AUGUST 15, 2024 JOB No. 2410

SCALE: 1" = 30'

SHEET No. **EX-1**

(P24-0012)





LOCUS

(NOT TO SCALE)

TRITECH
ENGINEERING CORPORATION

755 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820

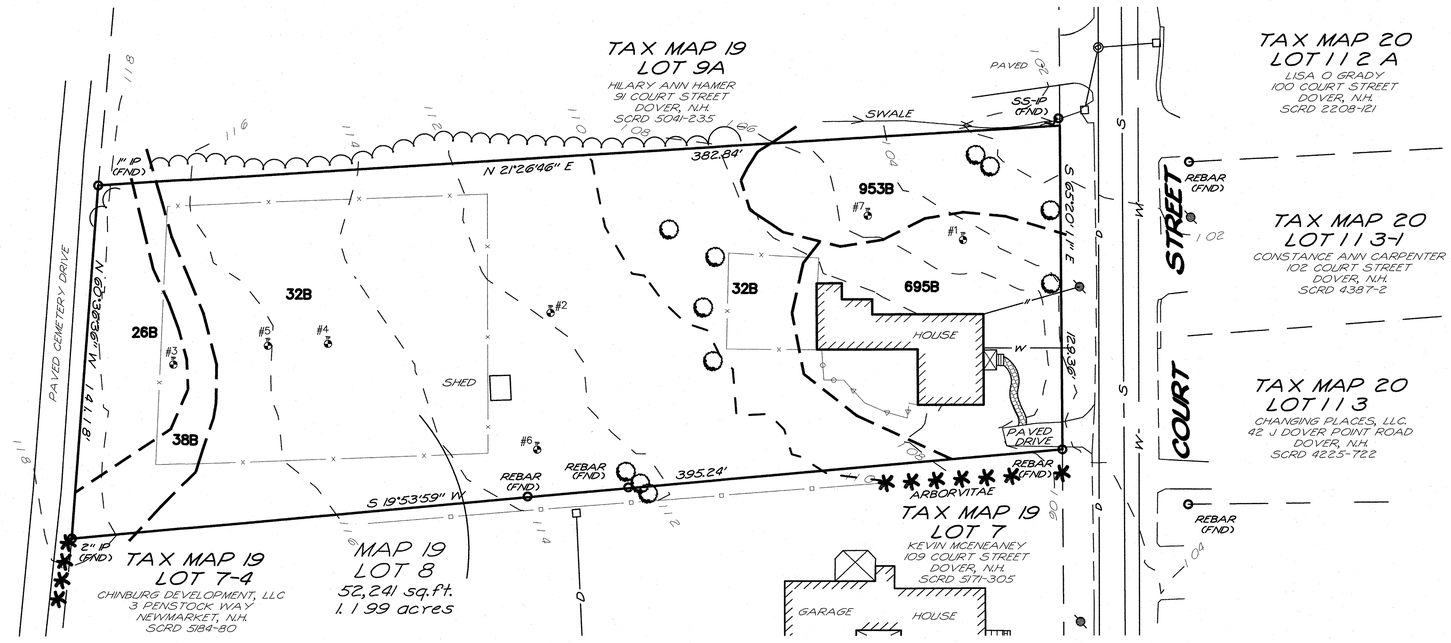
TELEPHONE 603 742 8107
FAX 603 742 3830

SOILS NOTES

1.) SITE-SPECIFIC SOIL MAPPING STANDARDS FOR NEW HAMPSHIRE AND VERMONT. SSSNNE SPECIAL PUBLICATION NO. 3, VERSION 7.0, JULY 2021. THIS MAP PRODUCT IS WITHIN THE TECHNICAL STANDARDS OF THE NATIONAL COOPERATIVE SOIL SURVEY. IT IS A SPECIAL PRODUCT, INTENDED FOR THE SUBMISSION TO NH DES ALTERATION OF TERRAIN. IT WAS PRODUCED BY A PROFESSIONAL SOIL SCIENTIST AND IS NOT A PRODUCT OF THE USDA NATURAL RESOURCE CONSERVATION SERVICE.

2.) WETLANDS WERE INVESTIGATED IN FEBRUARY 2024 BY MICHAEL MARIANO, NH CERTIFIED WETLAND SCIENTIST #183 IN ACCORDANCE WITH THE 1987 U.S. ARMY CORPS OF ENGINEERS WETLAND DELINEATION MANUAL AND THE 2012 REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL: NORTHCENTRAL AND NORTHEAST REGION, VERSION 2.0. HYDRIC SOILS WERE IDENTIFIED BY FIELD INDICATORS FOR IDENTIFYING HYDRIC SOILS IN NEW ENGLAND, VERSION 4, MAY 2017. A ROUTINE DETERMINATION, AS DESCRIBED IN THE MANUAL, WAS FOLLOWED. NO WETLAND WERE FOUND.

TEST PITS WERE OBSERVED AND DESCRIBED IN FEBRUARY OF 2024.



30 0 15 30 60 120

1"=30'

LEGEND

26	WINDSOR
32	BOXFORD (MWD)
38	ELDRIDGE
695	BOXFORD (MWD) URBAN LAND COMPLEX
953	BOXFORD (SWPD)

SLOPE CLASS

A	0 - 3%
B	3 - 8%
C	8 - 15%

LEGEND

- REBAR WITH ID CAP TO BE SET
- UTILITY POLE
- SEWER MANHOLE
- DRAIN MANHOLE
- CATCH BASIN
- D — DRAIN LINE
- G — GAS LINE
- W — WATER LINE
- VINYL STOCKADE FENCE
- X — WOOD RAIL FENCE
- CHAIN LINK FENCE
- METAL RAIL FENCE
- SPECIMEN TREE
- ARBORVITAE

ISSUED FOR PLANNING BOARD REVIEW
January 6, 2025

REVISIONS
DATE: DESCRIPTION:

NEW HAMPSHIRE - STATE OF - SOIL SCIENTIST - CERTIFIED
MICHAEL MARIANO
No. 76

SITE SPECIFIC SOILS PLAN

103 COURT STREET

103 COURT STREET
DOVER, NEW HAMPSHIRE
STRAFFORD COUNTY

AUGUST 15, 2024

JOB No. 24101

SCALE: 1" = 30'

SHEET No.

SSS-1

(P24-)

DOVER SITE PLAN REVIEW NOTES:

1. PLAN INTENT: TO FURTHER DEVELOP DOVER TAX MAP 19 LOT 8. THIS DEVELOPMENT WILL INCLUDE THE RENOVATION OF THE EXISTING SINGLE FAMILY HOUSE (1 BASE UNIT). THE DEVELOPMENT WILL ALSO INCLUDE THE CONSTRUCTION OF 4 SINGLE FAMILY SIZE RESTRICTED HOMES. TWO OF THESE HOMES WILL BE CONSTRUCTED UNDER THE TDR ORDINANCE. 2 BASE UNITS AND THE PURCHASE OF TWO SIZE RESTRICTED UNITS.

2. OWNERS OF RECORD: 5 SHERMAN STREET, LLC.
242 CENTRAL AVENUE
DOVER, N.H. 03820

3. THE PARCEL IS SHOWN AS:
LOT 8, MAP 19 OF THE CITY OF DOVER TAX ASSESSOR'S MAPS.

4. THE SUBJECT PARCEL CONTAINS 1.199 ACRES (52,241 SQ. FT.) OF LAND. 0 ACRES ARE CURRENTLY IN CURRENT USE.

5. TITLE REFERENCE FOR THE PROJECT PARCEL(S) IS THE STRAFFORD COUNTY REGISTRY OF DEEDS, BOOK NO. 5172, PAGE NO. 55.

6. REFERENCE PLANS:
SURVEYED MAY 1935, W.S. WHEELER, CE., DOVER, N.H., SCRD PO #10 FO #2 PLAN 11 & 12
LIMITED SUBDIVISION, CECIL TAYLOR, DOVER, N.H., FREDERICK E. DREW ASSOCIATES, JULY 1977, SCRD 17-112
PROPERTY SURVEY, 109 COURT STREET, DOVER, STRAFFORD COUNTY, NEW HAMPSHIRE, JOANNE RICHARD LIVING REVOCABLE TRUST, STONEWALL SURVEYING, AUGUST 1, 2023, SCRD #13011

7. ALL APPLICABLE RIGHT-OF-WAY, CONSERVATION, SLOPE, CONSTRUCTION, POWER LINE, CROSS TRAVEL, OR OTHER EASEMENTS SHALL BE REFERENCED IN A NOTE AND SHOWN ON THE PLAN.

8. CURRENT ZONING DIMENSIONAL AND DENSITY REQUIREMENTS:

ZONING DISTRICT:	R-12	
SUB-DISTRICT:	NONE	
ZONING OVERLAY DISTRICTS:	NONE	
DIMENSIONAL REQUIREMENTS:		
	REQUIRED:	PROVIDED:
MINIMUM LOT SIZE:	12,000 SQ. FT.	12,000 SQ. FT.
MINIMUM LOT FRONTAGE:	100 FT.	100 FT.
MINIMUM YARD SETBACKS/BUILD-TO-LINES:		
FRONT	15 TO 25 FT.	15 TO 25 FT.
SIDE	15 FT.	15 FT.
REAR	30 FT.	30 FT.
ABUT-A-STREET	15 TO 25 FT.	15 TO 25 FT.
MAXIMUM/MINIMUM LOT COVERAGE	30%	30 %
MINIMUM/MAXIMUM BLDG. HEIGHT	35 FT.	35 FT.

9. OFF STREET PARKING REQUIREMENTS:

	MAXIMUM:	PROVIDED:
PARKING DIMENSIONS:	9'x18'	9'x18'
AISLE DIMENSIONS:	24'	20'
MAXIMUM PARKING ALLOWED	9	9
ACCESSIBLE PARKING:	1	1

10. SEE SHEET SP-1 FOR TDR BASE DENSITY CALCULATION THAT DETERMINE A BASE DENSITY OF 3 UNITS. THE PROJECT CONTAINS A TOTAL OF 5 UNITS. THE EXISTING HOUSE (1 UNIT). THE 4 NEW SINGLE FAMILY HOMES WILL BE SIZE RESTRICTED TO 1,400 SQ.FT. OF GROSS LIVING AREA PER UNIT. 2 OF THESE UNITS ARE BASE UNITS AND 2 UNITS WILL BE OBTAINED BY TDR.

11. VARIANCES OR SPECIAL EXCEPTIONS GRANTED BY THE ZONING BOARD OF ADJUSTMENT INCLUDING THE CASE NUMBER AND DATE OF DECISION AND ANY CONDITIONS ARE AS FOLLOWS: NONE GRANTED

12. CONDITIONAL USE PERMITS GRANTED BY THE PLANNING BOARD FOR THE PROPOSED USE OR STRUCTURE, INCLUDING THE CASE NUMBER AND DATE OF DECISION AND ANY CONDITIONS ARE AS FOLLOWS: NONE GRANTED

13. PROPERTY LINE INFORMATION HAS BEEN OBTAINED FROM A SURVEY PERFORMED BY TRITECH ENGINEERING CORPORATION IN FEBRUARY, 2024 WITH AN ERROR NOT GREATER THAN 1 IN 10,000.

14. AS-BUILT PLANS OF THE PROJECT SHALL BE SUBMITTED ON PAPER AND IN DIGITAL FORMAT AUTOCAD DWG, AUTOCAD DXF OR ESRI FORMAT TO THE CITY OF DOVER CITY ENGINEER'S OFFICE UPON COMPLETION OF PROJECT. AS-BUILT PLANS SHALL BE PREPARED AND CERTIFIED CORRECT BY A L.L.S. OR P.E. DIGITAL FILES SHALL BE GEO-REFERENCED TO NEW HAMPSHIRE STATE PLANE COORDINATES NAD83 AND SHALL BE EXPRESSED IN FEET.

15. SUBJECT PARCEL IS (IS NOT) LOCATED WITHIN A FEDERALLY DESIGNATED FLOOD HAZARD AREA (COMMUNITY PANEL NUMBER 33017C 0340E, EFFECTIVE DATE: SEPTEMBER 30, 2015.

16. TOPOGRAPHIC SURVEY PERFORMED BY TRITECH ENGINEERING CORPORATION DURING FEBRUARY 2024.

17. ELEVATIONS ARE BASED ON U.S.G.S. NVD 1988 DATUM.

18. WETLANDS WERE DELINEATED BY MICHAEL MARIANO, CERTIFIED WETLANDS SCIENTIST, CERTIFICATION NUMBER 183, IN ACCORDANCE WITH CHAPTER 170-27.1 OF THE ZONING ORDINANCE, IN MARCH, 2024. NO WETLANDS WERE OBSERVED.

19. THE INSTALLATION OF ELECTRIC POWER, CABLE TELEVISION AND TELEPHONE LINES SHALL BE UNDERGROUND THROUGHOUT THE SITE FOR WHICH DEVELOPMENT IS PROPOSED.

20. THE SUBJECT PARCEL IS SERVED BY MUNICIPAL WATER AND MUNICIPAL SEWER.

21. ALL CONSTRUCTION SHALL CONFORM WITH THE STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION (NHDOT) "STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION" AND WITH THE CITY OF DOVER COMMUNITY SERVICES REGULATIONS AND STANDARD SPECIFICATION FOR CONSTRUCTION. THE MORE STRINGENT SPECIFICATION SHALL APPLY.

22. CONTRACTOR SHALL FOLLOW TO THE CONSTRUCTION SEQUENCING IDENTIFIED WITHIN THE PLANNING BOARD APPROVED PLAN SET. ANY DEVIATION FROM THAT SEQUENCING SHALL BE APPROVED BY THE CITY ENGINEER.

23. EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO ANY EARTH DISTURBANCE AND BE PROVIDED FOR CONSTRUCTION SEQUENCING INCLUDING TEMPORARY MEASURES.

24. CONTRACTOR SHALL FOLLOW THE PERMANENT STABILIZATION MEASURES SUCH AS LOAM SPREAD RATE FOR DISTURBED AREAS, RATES OF LIME, TYPE AND RATES FOR FERTILIZER, AND SEED AND MULCH MIXTURE WITH RATES OF APPLICATION AS NOTED WITHIN THE PLANNING BOARD APPROVED PLANS. ANY DEVIATION FROM THAT SEQUENCING SHALL BE APPROVED BY THE CITY ENGINEER.

25. THE LIMITS OF CONSTRUCTION DISTURBANCE THAT ARE LOCATED IN OR WITHIN THE 50 FT. OF CONSERVATION AND WETLAND DISTRICTS SHALL BE STAKED, FLAGGED AND CLEARLY IDENTIFIED PRIOR ANY EARTH DISTURBING ACTIVITY OCCURS.

26. ANY PERMANENT TREATMENT SWALES TO BE CONSTRUCTED SHALL HAVE SOD BOTTOMS.

27. A LETTER OF CREDIT FOR THE COST OF REVEGETATING ALL DISTURBED AREAS ON THE SITE SHALL BE SUBMITTED PRIOR TO COMMENCING EARTH DISTURBANCE.

28. A CITY ENGINEER APPROVED CONSTRUCTION SIGN SHALL BE INSTALLED PRIOR TO COMMENCING EARTH DISTURBANCE. SAID SIGNAGE MUST BE LOCATED AND APPROVED BY THE CITY ENGINEER OR PLANNING DIRECTOR.

29. A PRE-CONSTRUCTION CONFERENCE WITH THE DEVELOPER, THE DESIGN ENGINEER, THE EARTHWORK CONTRACTOR AND THE CITY ENGINEER SHALL OCCUR PRIOR TO ANY EARTH DISTURBING ACTIVITY.

30. HOURS OF SITE WORK MUST BE DOCUMENTED ON A SITE CONSTRUCTION SIGN ALONG WITH THE CONTACT INFORMATION FOR THE GENERAL CONTRACTOR. SITE CONSTRUCTION HOURS SHALL BE LIMITED TO MONDAY-FRIDAY 7 AM - 6 PM, NO SATURDAY OR SUNDAY. NO SITE WORK SHALL BE DONE ON FEDERAL HOLIDAYS.

31. BUILDING ADDRESSES, INCLUDING APT AND UNIT NUMBERS (IF APPLICABLE), SHALL BE ASSIGNED BY THE BUILDING OFFICIAL AT THE TIME OF ISSUANCE OF A BUILDING PERMIT.

32. THE PROPOSED USE FOR THE SITE IS SINGLE FAMILY RESIDENTIAL.

33. THE FOLLOWING FEDERAL AND STATE PERMITS HAVE BEEN ISSUED FOR THE SUBJECT PROPERTY: NONE

34. COMMERCIAL VEHICLE ROUTE DURING CONSTRUCTION SHALL CONFORM TO THE DOVER CITY CODE OR BE COORDINATED WITH THE COMMUNITY SERVICES DIRECTOR OR THEIR DESIGNEE.

35. ANY RETAINING WALL TALLER THAN FOUR FEET (4') REQUIRES ISSUANCE OF A BUILDING PERMIT FROM THE CITY OF DOVER INSPECTION SERVICES.

36. ANY FENCE TALLER THAN SEVEN FEET (7') REQUIRES THE ISSUANCE OF A BUILDING PERMIT FROM THE CITY OF DOVER INSPECTION SERVICES.

37. APPLICANT SHALL COMPLETE LAND USE DEVELOPMENT TRACKING FORM, MOST RECENTLY REVISED VERSION, UTILIZING THE ONLINE POLLUTION TRACKING AND ACCOUNTING PROJECT (PTAP) PORTAL PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY. HTTPS://EXTENSION.UNH.EDU/STORMWATER-CENTER/PTAP

38. THE OWNER OF RECORD SHALL RECORD, AT THE REGISTRY OF DEEDS, DOCUMENTATION SUFFICIENT TO PROVIDE NOTICE TO ALL PERSONS/ENTITIES THAT MAY ACQUIRE ANY PROPERTY SUBJECT TO THE REQUIREMENTS AND RESPONSIBILITIES DESCRIBED IN THE APPROVED STORMWATER MANAGEMENT PLAN. THE NOTICE SHALL COMPLY WITH THE APPLICABLE REQUIREMENTS FOR RECORDING CONTAINED IN RSA 477 AND 478. THE NOTICE NEED NOT SET FORTH THE REQUIREMENTS AT LENGTH, SO LONG AS IT IS SUFFICIENT TO PROVIDE NOTICE TO PROSPECTIVE PURCHASERS TO THE REQUIREMENTS FOR MAINTENANCE AND REPORTING.

39. FIRE DEPARTMENT ACCESS ROAD(S) SHALL BE INSTALLED AND MAINTAINED, IN ACCORDANCE WITH ALL APPLICABLE CODES, TO SUPPORT THE IMPOSED LOADS OF FIRE APPARATUS IN ALL WEATHER CONDITIONS AT ALL TIMES.

40. EXTERIOR LIGHTING SHALL BE CUT-OFF TYPE FIXTURES PER CHAPTER 153-14-E AND SHALL PROVIDE LIGHTING DIRECTED ON-SITE ONLY.

41. IF A BUSINESS ESTABLISHMENT OR MULTI-FAMILY DWELLING CONTAINED IN A NEW, ALTERED OR REPAIRED STRUCTURE, A SECURITY SYSTEM SHALL BE INSTALLED AS REQUIRED BY CHAPTER 45, ARTICLE I, SECTION 45-2 OF THE CODE OF THE CITY OF DOVER.

42. APPROVED BACKFLOW PREVENTERS SHALL BE PROVIDED FOR BOTH FIRE AND DOMESTIC WATER LINES.

43. THE (EXISTING OR PROPOSED) STRUCTURE SHALL BE SERVED BY A SPRINKLER SYSTEM, IF REQUIRED, BY CHAPTER 81- 30 OF THE CODE OF THE CITY OF DOVER AND THE ADOPTED STATE OF NH BUILDING AND FIRE CODES.

44. SPRINKLER CONNECTIONS MUST BE FLUSHED IN ACCORDANCE WITH NFPA 24 AND A CONTRACTOR'S MATERIAL AND TEST CERTIFICATE FOR UNDERGROUND PIPING FORM MUST BE COMPLETED AND APPROVED BY THE CITY OF DOVER INSPECTION SERVICES PRIOR TO CONNECTION OF THE BACKFLOW DEVICE.

45. FIRE DEPARTMENT CONNECTION(S) SHALL BE LOCATED ON THE STREET SIDE OF THE BUILDING PER NFPA 13. ACCESS TO THE FDC SHALL MAINTAIN A CLEAR AND UNOBSTRUCTED PATH AT ALL TIMES.

46. THE SITE LAYOUT IS DESIGNED IN COMPLIANCE WITH APPLICABLE ACCESSIBILITY REGULATIONS. THE PROPOSED STRUCTURE WILL BE ALSO BE DESIGNED IN ACCORDANCE WITH APPLICABLE ACCESSIBILITY REGULATIONS. (I.E. IBC, ANSI-117.1) AND NH RSA 155-A:5.

47. APPLICANT SHALL SUBMIT A LETTER CERTIFYING THE TIE IN LOCATIONS OR DISCHARGE POINTS FOR ALL SUMP PUMPS AND ROOF LEADERS FOR EXISTING STRUCTURES ON THE PROPERTY PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY.

48. DESIGN ENGINEER OF RECORD OR SHALL PROVIDE SIGNED LETTER TO CITY ENGINEER CERTIFYING THAT THE STORMWATER MANAGEMENT SYSTEM HAS BEEN INSTALLED IN ACCORDANCE WITH APPROVED PLANS.

49. THE APPLICANT SHALL PROVIDE THE CITY OF DOVER AN EASEMENT TO ACCESS WATERLINE AND HYDRANTS TO MAINTAIN WATER QUALITY PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY.

PLAN SET LEGEND

- WETLAND
- WETLAND BOUNDARY
- IRON PIPE
- UTILITY POLE
- TP — TEST PIT
- D — EXISTING STREET LIGHT
- G — EXISTING STONEWALL
- EXISTING 2 FT CONTOUR
- EXISTING 10 FT CONTOUR
- G — EXISTING GAS LINE
- W — EXISTING WATER LINE OR SERVICE
- EXISTING WATER SHUTOFF
- WV — EXISTING WATER GATE VALVE
- PROPOSED PROPERTY LINE
- PROPOSED EDGE OF PAVEMENT
- PROPOSED EDGE OF GRAVEL
- 50 — PROPOSED CONTOUR
- PROPOSED HYDRANT
- W — PROPOSED END CAP WITH THRUST BLOCK
- PROPOSED WATER GATE VALVE
- WV — PROPOSED WATER SHUTOFF
- W — PROPOSED WATER LINE OR SERVICE
- PROPOSED VINYL STOCKADE FENCE
- U E&T — PROPOSED UNDERGROUND ELECTRIC & TELEPHONE
- PROPOSED OVERHEAD ELECTRIC & TELEPHONE
- PROPOSED ELECTRICAL TRANSFORMER
- PROPOSED ELECTRICAL JUNCTION BOX
- PROPOSED STREET LIGHT
- PROPOSED UTILITY POLE
- D — PROPOSED DRAIN LINE
- PROPOSED CATCH BASIN
- PROPOSED DRAIN MANHOLE
- UD — PROPOSED UNDERDRAIN
- PROPOSED FLARED END SECTION
- PROPOSED RIP RAP
- PROPOSED EASEMENT
- PROPOSED GUARDRAIL
- PROPOSED SILT FENCE OR SILT SOCK
- PROPOSED CONSTRUCTION FENCE
- PROPOSED SILT SOCK WITH ORANGE CONSTRUCTION FENCE OR ORANGE SILT FENCE
- PROPOSED STREET SIGN
- PROPOSED STOP SIGN
- PROPOSED STOP BAR
- PROPOSED STREET TREE
- PROPOSED TREELINE

TRITECH
ENGINEERING CORPORATION
755 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820
TELEPHONE 603 742 8107
FAX 603 742 3690

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January 6, 2025

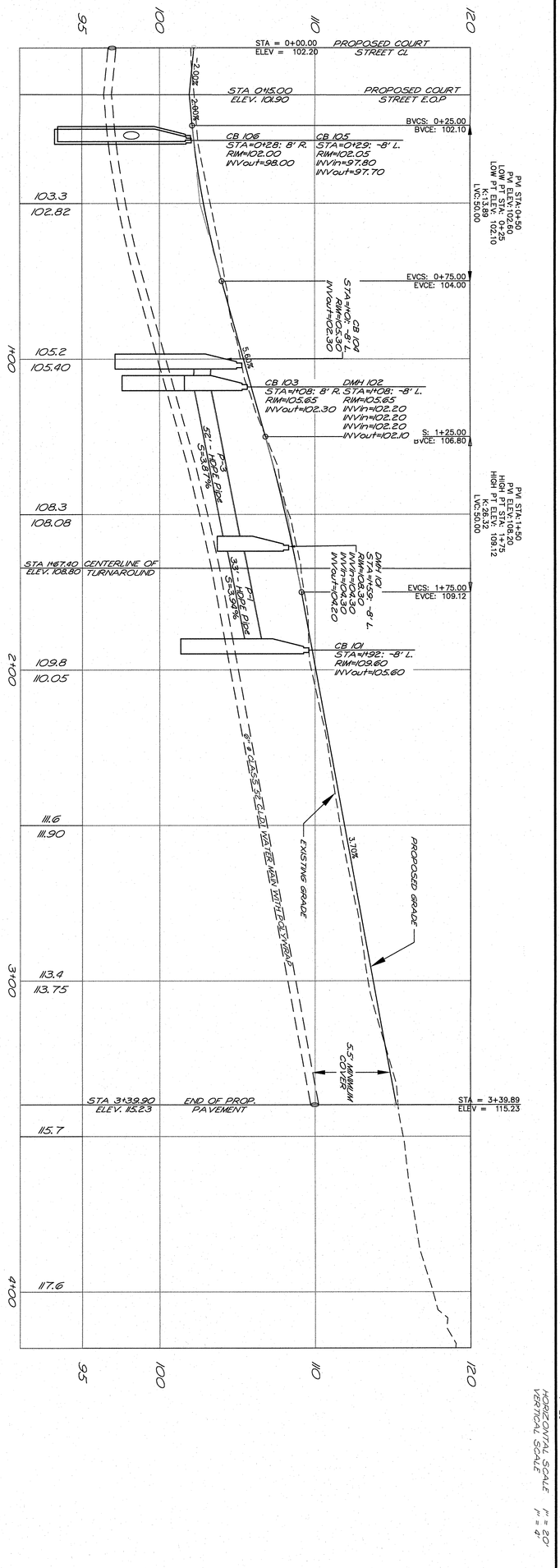
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10-23-25	REVISED PER TDR APPROVAL

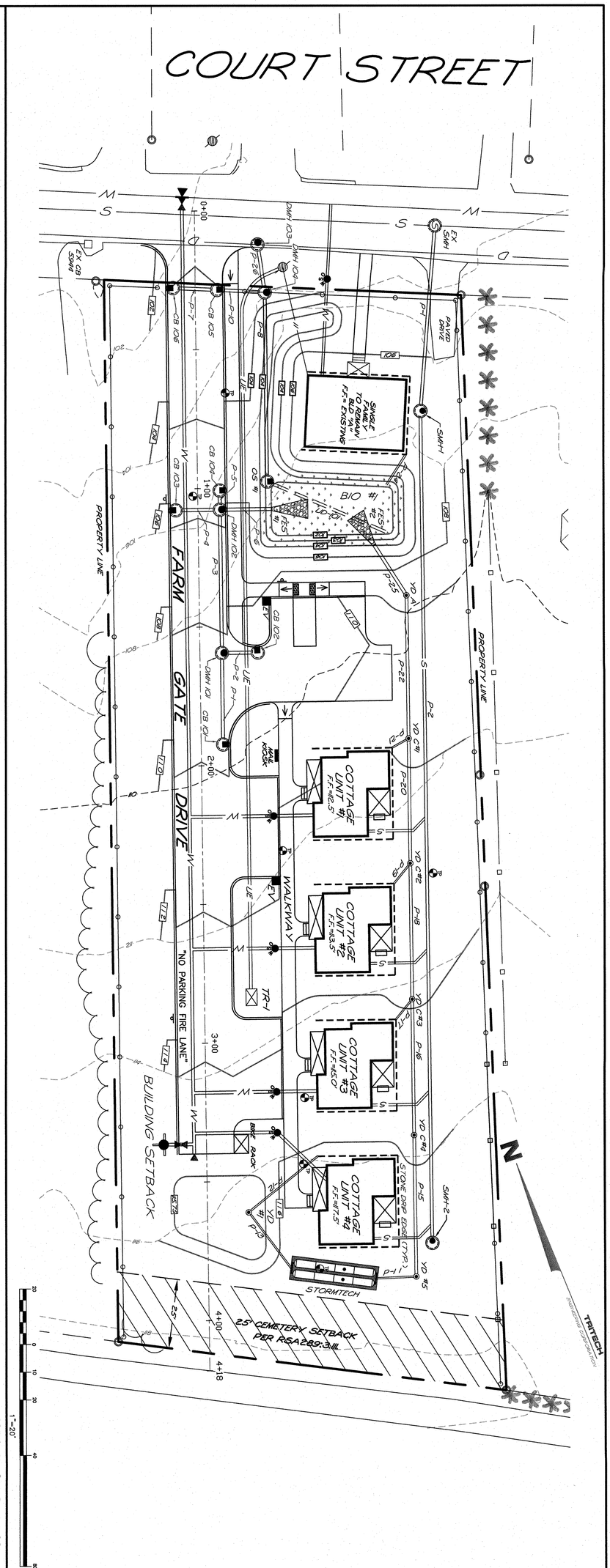
ROBERT J. STOCKWELL No. 9803 — STATE OF NEW HAMPSHIRE — LICENSED LAND SURVEYOR

GENERAL NOTES PLAN
103 COURT STREET
103 COURT STREET
DOVER, NEW HAMPSHIRE
STRAFFORD COUNTY
AUGUST 15, 2024
JOB No. 24101

SHEET No.
SN-1

(P24-0012)





SHEET No.

C-1

ROADWAY PLAN & PROFILE

103 COURT STREET

103 COURT STREET

DOVER, NEW HAMPSHIRE

STRAFFORD COUNTY

AUGUST 15, 2024 JOB No. 24101

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January 6, 2025

STATE OF NEW HAMPSHIRE — ROBERT J. STOWELL No. 8903 — LICENSED PROFESSIONAL ENGINEER

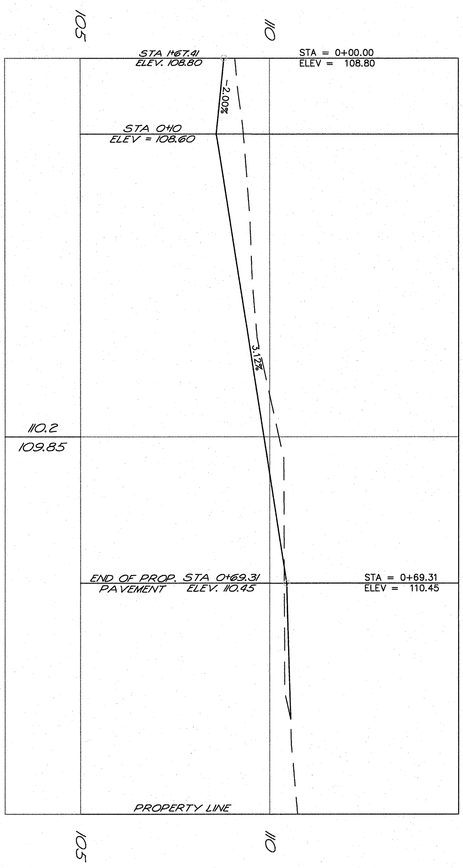
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10-21-24	REVISED PER TRC COMMENTS
10-23-25	REVISED PER TDR APPROVAL
12-9-25	REVISED PER TRC COMMENTS

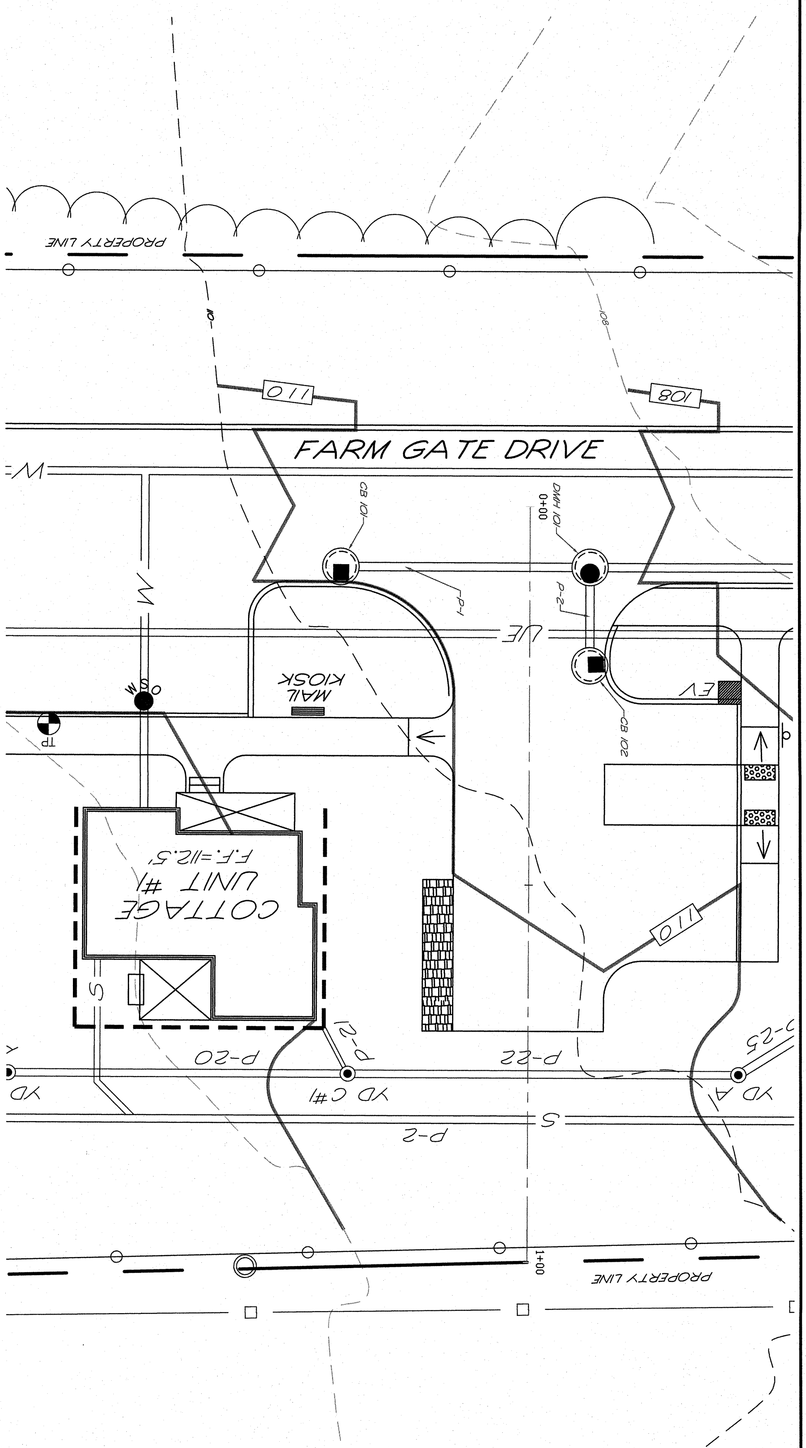
TRITECH
ENGINEERING CORPORATION

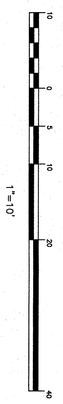
755 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820

TELEPHONE 603 742 8107
FAX 603 742 3830

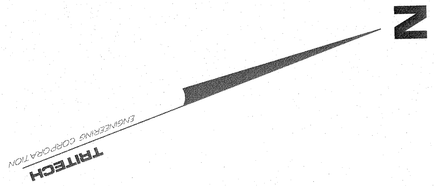
(P24-0012)







HORIZONTAL SCALE 1" = 40'
VERTICAL SCALE 1" = 4'



SHEET No.

C-2

ROADWAY PLAN & PROFILE

103 COURT STREET

103 COURT STREET
DOVER, NEW HAMPSHIRE
STRAFFORD COUNTY

AUGUST 15, 2024 JOB No. 24101

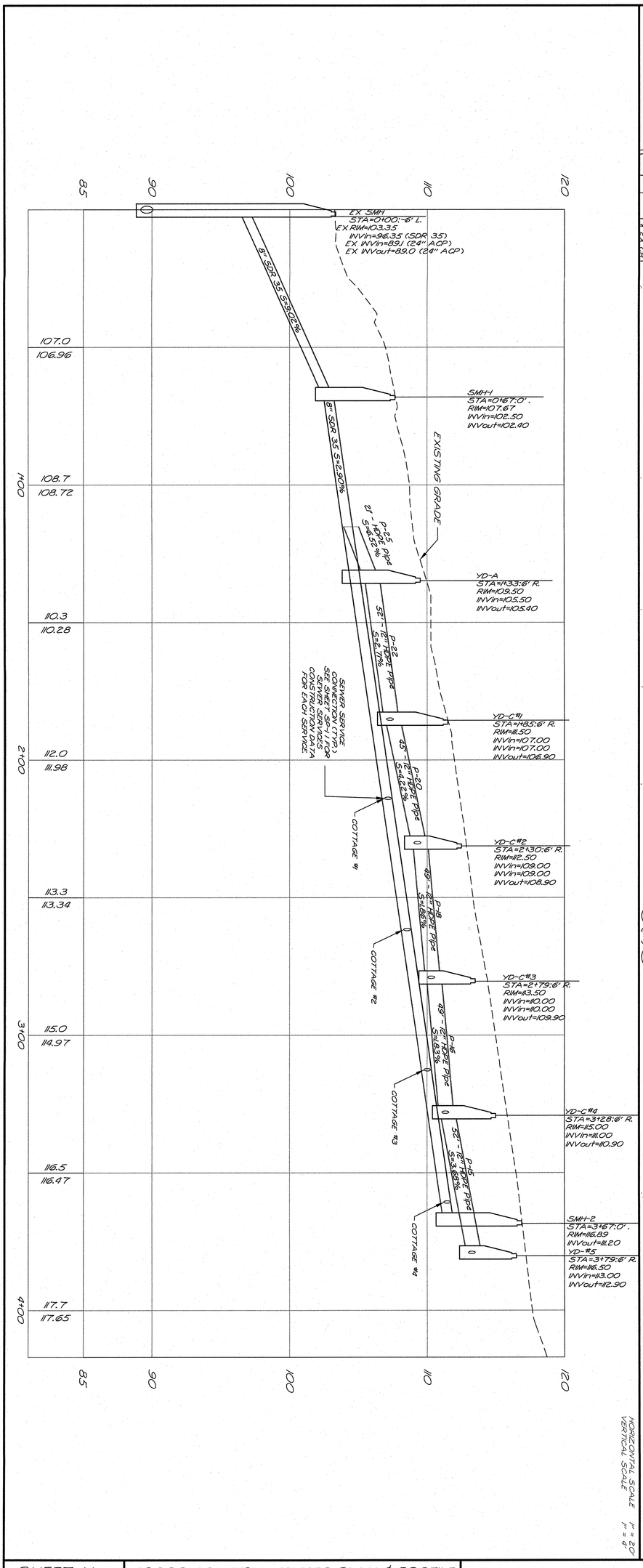
ISSUED FOR PLANNING BOARD REVIEW
January 6, 2025

STATE OF NEW HAMPSHIRE
ROBERT J. STOWELL
No. 9903
LICENSED PROFESSIONAL ENGINEER

REVISIONS DATE:	DESCRIPTION:
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ENGINEERING CORPORATION
755 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820
TELEPHONE 603 742 8107
FAX 603 742 3830

(24-002)



SHEET No.

C-3

CROSS COUNTRY UTILITIES PLAN & PROFILE

103 COURT STREET

103 COURT STREET

DOVER, NEW HAMPSHIRE

STRAFFORD COUNTY

AUGUST 15, 2024 JOB No. 24101

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STATE OF NEW HAMPSHIRE ROBERT J. STOWELL No. 9903 LICENSED PROFESSIONAL ENGINEER

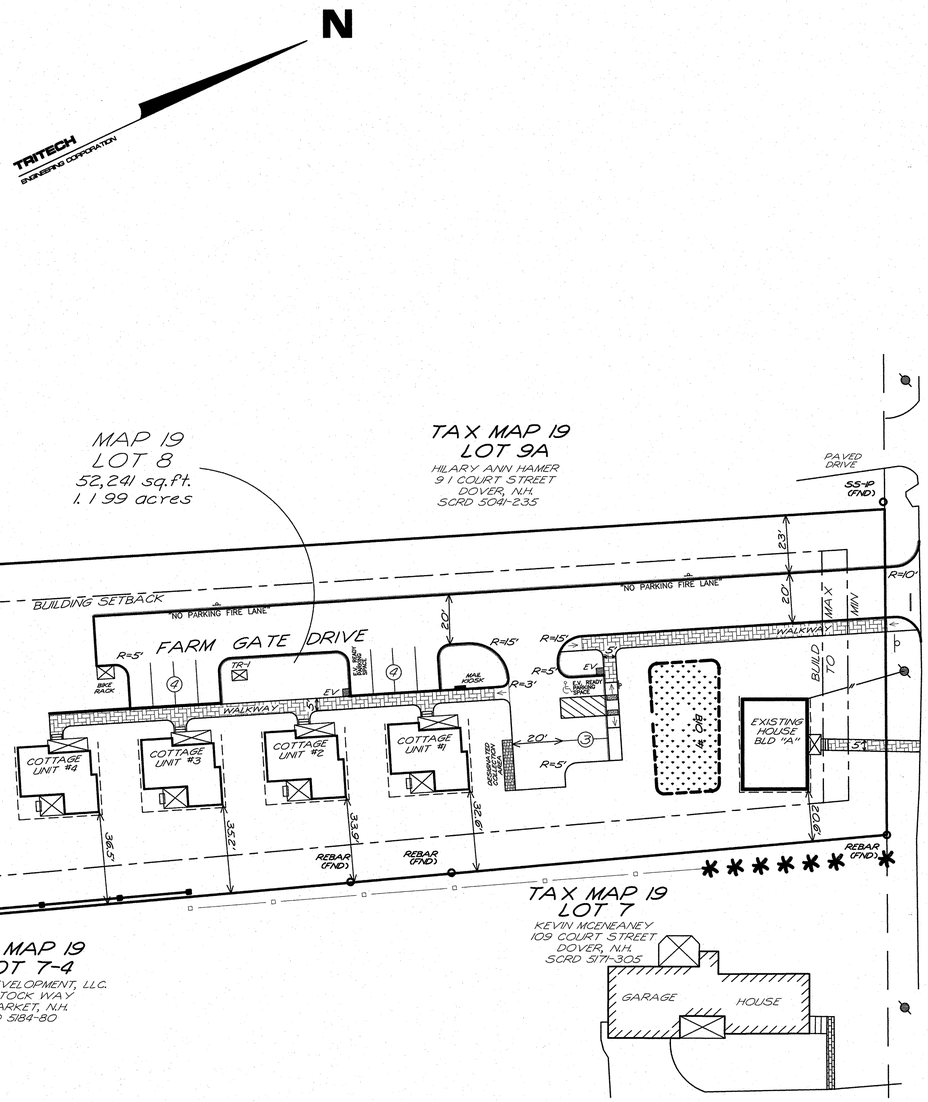
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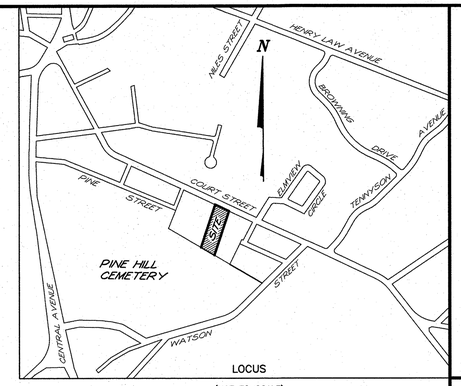
TRITECH
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755 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820

TELEPHONE 603 742 8107
FAX 603 742 3630

(P24-0002)





(NOT TO SCALE)

NOTES

1.) INTENT: TO FURTHER DEVELOP TAX MAP 19 LOT 8. THIS DEVELOPMENT WILL INCLUDE THE RENOVATION OF THE EXISTING SINGLE FAMILY HOUSE (1 UNIT). THE DEVELOPMENT WILL ALSO INCLUDE THE CONSTRUCTION OF 4 SINGLE FAMILY SIZE RESTRICTED HOMES. THESE HOMES WILL BE CONSTRUCTED UNDER THE TDR ORDINANCE. 2 BASE UNIT AND THE PURCHASE OF 2 SIZE RESTRICTED UNITS.

2.) CURRENT OWNER: 5 SHERMAN STREET LLC
242 CENTRAL AVENUE
DOVER, N.H.

AUTHORIZED SIGNATURE

3.) TAX MAP 19 LOT 8.

4.) TOTAL LOT AREA: 52,241 SQ.FT. – 1.199 ACRES

5.) PROJECT DEED REFERENCE: BOOK 5172 PAGE 55

6.) PROJECT PLAN REFERENCE: SURVEYED MAY 1935
W.S. WHEELER, CE
DOVER, N.H.
SCRD
POCKET #10, FOLDER #2, PLAN #11 & 12

LIMITED SUBDIVISION
CECIL TAYLOR
DOVER, N.H.
FREDERICK E. DREW ASSOCIATES
JULY 1977 SCRD 17-112

PROPERTY SURVEY
109 COURT STREET, DOVER
STRAFFORD COUNTY, NEW HAMPSHIRE
JOANNE RICHARD LIVING REVOCABLE TRUST
STONEWALL SURVEYING
AUGUST 1, 2023 SCRD #13011

7.) ALL APPLICABLE RIGHT-OF-WAY, CONSERVATION, SLOPE, CONSTRUCTION, POWER LINE, CROSS TRAVEL OR OTHER EASEMENTS HAVE BEEN REFERENCED IN A NOTE.

8.) ZONING: R-12
MIN. LOT SIZE: 12,000 SQ.FT.
MIN. FRONTAGE: 100 FT
MIN. SETBACKS:
FRONT: 15 FT TO 25 FT
SIDE: 15 FT
REAR: 30 FT
MAX. COVERAGE: 30 %

9.) VARIANCES, SPECIAL EXCEPTIONS, CONDITIONAL USE PERMITS: NONE

10.) THE RAW UNADJUSTED CLOSURE OF OUR RANDOM POINT TRAVERSE WAS 1 PART IN 60,000, AND WAS ACCOMPLISHED USING A TOPCON GT 503 TOTAL STATION, DURING THE MONTH OF FEBRUARY, 2024.

11.) SUBJECT PARCEL IS NOT WITHIN A FEDERALLY DESIGNATED SPECIAL FLOOD HAZARD ZONE (FLOOD HAZARD ZONE A – PANEL 0320E, MAP No. 33017C0340E, DATE: 9-30-2015).

12.) DURING THE MONTH OF MARCH, 2024 MICHAEL MARIANO, STATE OF NEW HAMPSHIRE CERTIFIED SOIL SCIENTIST #76, NH CERTIFIED WETLAND SCIENTIST #183, CONDUCTED AN ON-SITE WETLANDS DELINEATION OF THE SUBJECT PARCEL. WETLANDS WERE IDENTIFIED BASED ON THE CITY OF DOVER ZONING ORDINANCE (170-27.1) AND ON STATE & FEDERAL CRITERIA OUTLINED IN THE "CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL" (DEPT. OF THE ARMY, 1987) ON THIS SITE, WETLANDS BASED ON LOCAL CRITERIA SHARE THE SAME BOUNDARIES WITH THOSE BASED ON STATE AND FEDERAL CRITERIA. NO WETLANDS WERE FOUND.

13.) BASIS OF BEARING: BEARING SYSTEM BASED ON GPS FIELD OBSERVATIONS ON FEBRUARY 16, 2024 USING TOPCON HIPER SR RECEIVERS AND OPUS CORRECTED ON FEBRUARY 19, 2024. DATUM BASED ON NEW HAMPSHIRE STATE PLANE COORDINATES SPC (2800 NH), (NAVD 88).

14.) 25 FOOT SETBACK FROM PINE HILL CEMETERY (SEE RSA 289:3 III).

15.) TRANSFER DEVELOPMENT RIGHTS APPLICATION WAS APPROVED BY THE PLANNING BOARD ON JANUARY 28, 2025, CASE NUMBER TRAN-2024-0011.
CONDITIONS:
1. THIS SITE PLAN USES THE TRANSFER OF DEVELOPMENT RIGHTS ORDINANCE WHICH ALLOWS FOR RELIEF TO THE SETBACKS, LOT AREA, FRONTAGE, DENSITY AND INTENSITY OF THE DEVELOPMENT. THE BOARD GRANTED TDR RELIEF TO PURCHASE UP TO TWO UNITS FOR A MAXIMUM TOTAL OF FIVE UNITS ON THE SUBJECT LOT. THE EXISTING SINGLE-FAMILY UNIT AND THE PROPOSED SINGLE FAMILY DWELLINGS MAY NOT BE CONVERTED TO A TWO-FAMILY DWELLING WITHOUT FURTHER REVIEW AND APPROVAL BY THE PLANNING BOARD.
2. COTTAGE UNITS 3 & 4 WILL BE PURCHASED AS SIZE-RESTRICTED UNITS THROUGH THE TDR ORDINANCE AND A DEED RESTRICTION IS REQUIRED.

TDR BASE DENSITY CALCULATIONS

TOTAL AREA	=	52,241 SQ.FT.
LESS WETLANDS	=	<0> SQ.FT.
UPLAND AREA	=	52,241 SQ.FT.
LESS ROAD ALLOCATION (15%)	=	<7,836> SQ.FT.
NET AREA	=	44,405 SQ.FT.
LESS WETLAND FACTOR FOR 0% WETLANDS (85%)		<6,661> SQ.FT.
AREA	=	37,744 SQ.FT.
12,000 SQ.FT. PER UNIT REQUIRED IN THE R-12 DISTRICT	÷	12,000
BASE TDR DENSITY	=	3.14 UNITS
ROUNDED DOWN TO	=	3 UNITS

LEGEND

- REBAR WITH ID CAP TO BE SET
- UTILITY POLE
- FENCE POST
- SEWER MANHOLE
- HYDRANT
- BUILDING ENTRANCE
- DECORATIVE "PORCH LIGHT"

30 0 15 30 60 120

1"=30'

TRITECH
ENGINEERING CORPORATION

785 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820
TELEPHONE 603 742 8107
FAX 603 742 3330

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1-17-25	REVISED PER PLANNING COMMENTS
10-23-25	REVISED PER TDR APPROVAL
12-9-25	REVISED PER TRC COMMENTS

ROBERT STOWELL No. 9803 - STATE OF NEW HAMPSHIRE - PROFESSIONAL LAND SURVEYOR

GENERAL SITE PLAN

103 COURT STREET

103 COURT STREET
DOVER, NEW HAMPSHIRE
STRAFFORD COUNTY

AUGUST 15, 2024 JOB No. 2410

SCALE: 1" = 30'

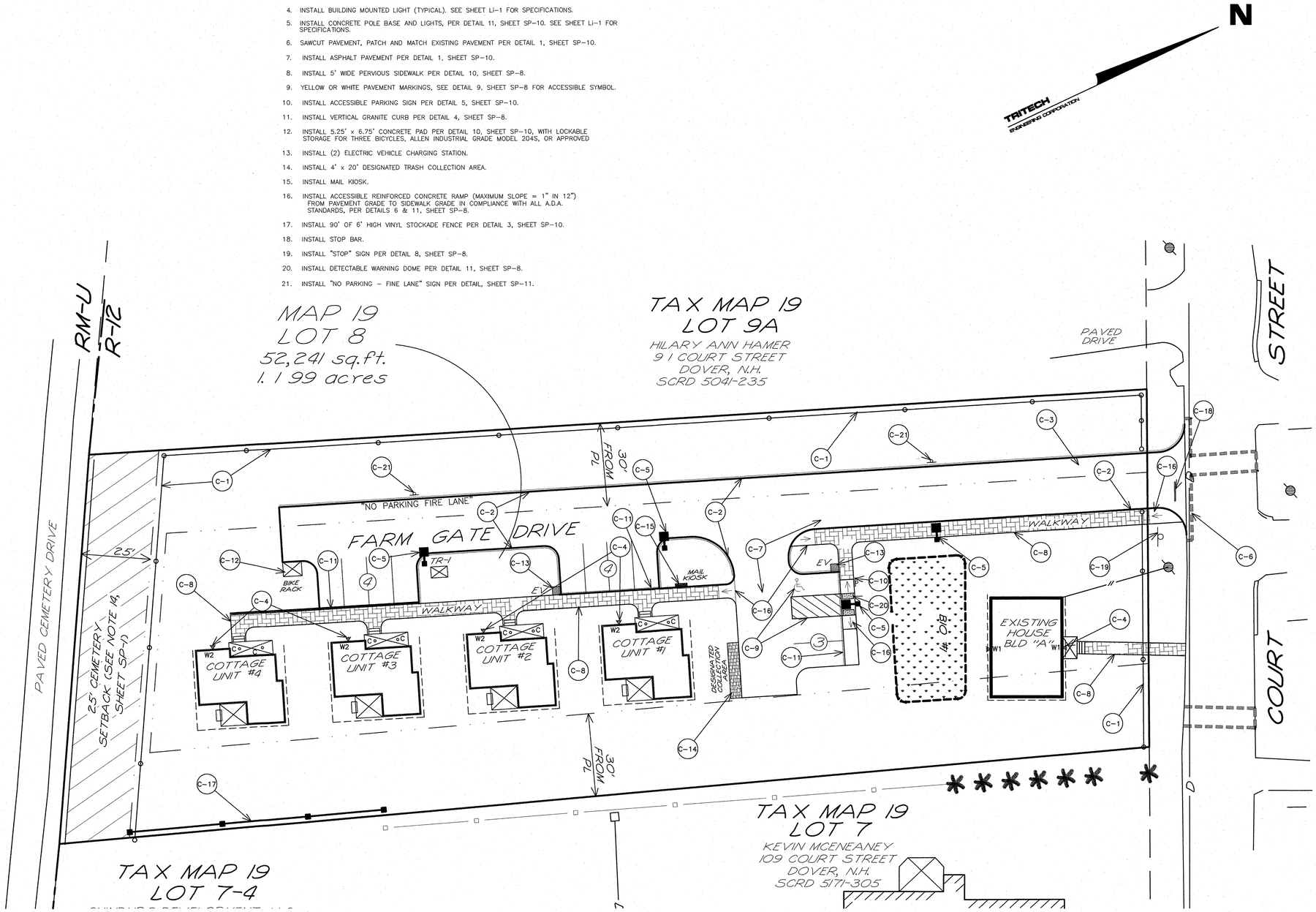
SHEET NO.

SP-1

(P24-0012)

C-1 CONSTRUCTION NOTES:

1. INSTALL EROSION CONTROL MEASURE. "SILT FENCE" PER DETAIL 1, SHEET SP-9 OR "SILT SOXX" PER DETAIL 9, SHEET SP-9 OR "EROSION CONTROL BERM" PER DETAIL 11, SHEET SP-9, MAY BE USED AT THE SITE WORK CONTRACTOR DISCRETION. PERIMETER CONTROLS MUST BE INSTALLED PRIOR TO EARTH MOVING OPERATIONS.
2. INSTALL SLOPED GRANITE CURB PER DETAIL 4, SHEET SP-8.
3. INSTALL STABILIZED CONSTRUCTION ENTRANCE PER DETAIL 5, SHEET SP-9.
4. INSTALL BUILDING MOUNTED LIGHT (TYPICAL). SEE SHEET Li-1 FOR SPECIFICATIONS.
5. INSTALL CONCRETE POLE BASE AND LIGHTS, PER DETAIL 11, SHEET SP-10. SEE SHEET Li-1 FOR SPECIFICATIONS.
6. SAWCUT PAVEMENT, PATCH AND MATCH EXISTING PAVEMENT PER DETAIL 1, SHEET SP-10.
7. INSTALL ASPHALT PAVEMENT PER DETAIL 1, SHEET SP-10.
8. INSTALL 5' WIDE PERVIOUS SIDEWALK PER DETAIL 10, SHEET SP-8.
9. YELLOW OR WHITE PAVEMENT MARKINGS, SEE DETAIL 9, SHEET SP-8 FOR ACCESSIBLE SYMBOL.
10. INSTALL ACCESSIBLE PARKING SIGN PER DETAIL 5, SHEET SP-10.
11. INSTALL VERTICAL GRANITE CURB PER DETAIL 4, SHEET SP-8.
12. INSTALL 5.25' x 6.75' CONCRETE PAD PER DETAIL 10, SHEET SP-10, WITH LOCKABLE STORAGE FOR THREE BICYCLES, ALLEN INDUSTRIAL GRADE MODEL 204S, OR APPROVED
13. INSTALL (2) ELECTRIC VEHICLE CHARGING STATION.
14. INSTALL 4' x 20' DESIGNATED TRASH COLLECTION AREA.
15. INSTALL MAIL KIOSK.
16. INSTALL ACCESSIBLE REINFORCED CONCRETE RAMP (MAXIMUM SLOPE = 1" IN 12") FROM PAVEMENT GRADE TO SIDEWALK GRADE IN COMPLIANCE WITH ALL A.D.A. STANDARDS, PER DETAILS 6 & 11, SHEET SP-8.
17. INSTALL 90' OF 6' HIGH VINYL STOCKADE FENCE PER DETAIL 3, SHEET SP-10.
18. INSTALL STOP BAR.
19. INSTALL "STOP" SIGN PER DETAIL 8, SHEET SP-8.
20. INSTALL DETECTABLE WARNING DOME PER DETAIL 11, SHEET SP-8.
21. INSTALL "NO PARKING – FINE LANE" SIGN PER DETAIL, SHEET SP-11.



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TRITECH
ENGINEERING CORPORATION
795 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820
TELEPHONE 603 749 9107
FAX 603 742 8530

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STATE OF NEW HAMPSHIRE - 9393 - PROFESSIONAL ENGINEER
ROBERT J. STOWELL No. 9393
LICENSED PROFESSIONAL ENGINEER

SITE DEVELOPMENT PLAN

103 COURT STREET

103 COURT STREET
DOVER, NEW HAMPSHIRE
STRAFFORD COUNTY

AUGUST 15, 2024 JOB No. 24101
SCALE: 1" = 20'

SHEET No. **SP-2**

(P24-0012)

W-1 WATER NOTES:

1. WATERLINE AND APPENDITURES, INSTALLATION, AND MATERIALS SHALL CONFORM WITH THE CITY OF DOVER, NH AND AMERICAN WATER WORKS STANDARDS. ALL VALVES SHALL REQUIRE RESTRAINED MECHANICAL JOINTS USING EITHER MEGA-LUG, GRIP RINGS, OR OTHER METHODS OF RESTRAIN ACCEPTABLE TO THE CITY OF DOVER WATER DEPARTMENT, IN ADDITION TO USE OF CONCRETE THRUST BLOCKS.
2. PRESSURE AND LEAKAGE TEST SHALL BE PERFORMED IN ACCORDANCE WITH THE LATEST STANDARDS OF AAWA. CHLORINATING AND FLUSHING SHALL BE COMPLETED IN ACCORDANCE WITH THE LATEST STANDARDS OF AAWA, STATE AND LOCAL REGULATIONS.
3. INSTALL END CAP WITH CONCRETE THRUST BLOCKS WHERE SHOWN PER DETAIL 7, SHEET SP-10
4. BACKFLOW PREVENTORS SHALL BE PROVIDED FOR ALL WATER LINES.
5. CONNECT TO EXISTING 6" C.I. WATER MAIN. INSTALL A STAINLESS STEEL TAPPING SLEEVE WITH 6" GATE VALVE AND THRUST BLOCK. COURT STREET WATER MAIN AND DRAINAGE SYSTEM ARE CURRENTLY UNDER CONSTRUCTION. CONTRACTOR SHALL COORDINATE WITH THE CITY CONTRACTOR.
6. INSTALL 345' – 6" CONCRETE LINED DUCTILE IRON CLASS 52 (C.L.D.I.) WATER MAIN WITH POLYWRAP. MINIMUM DEPTH OF COVER OVER PIPE = 5.5'.
7. INSTALL 1" PLASTIC WATER SERVICE FROM WATER MAIN TO BUILDING. CONNECT PER DETAIL 9, SHEET SP-10.
8. INSTALL 6" WATER GATE VALVE.
9. DOMESTIC WATER AND LANDSCAPING WATER SHALL BE METERED SEPARATELY.
10. INSTALL 6" HYDRANT PER DETAIL 2, SHEET SP-10.
11. EXISTING WATER MAIN TO BE REMOVED AND REPLACED. (BY OTHERS) PER "COURT STREET RECONSTRUCTION" DESIGN PLANS.
12. WATER SERVICE WORK WILL BE THE RESPONSIBILITY OF THE PROPERTY OWNER.

S-1 SEWER NOTES:

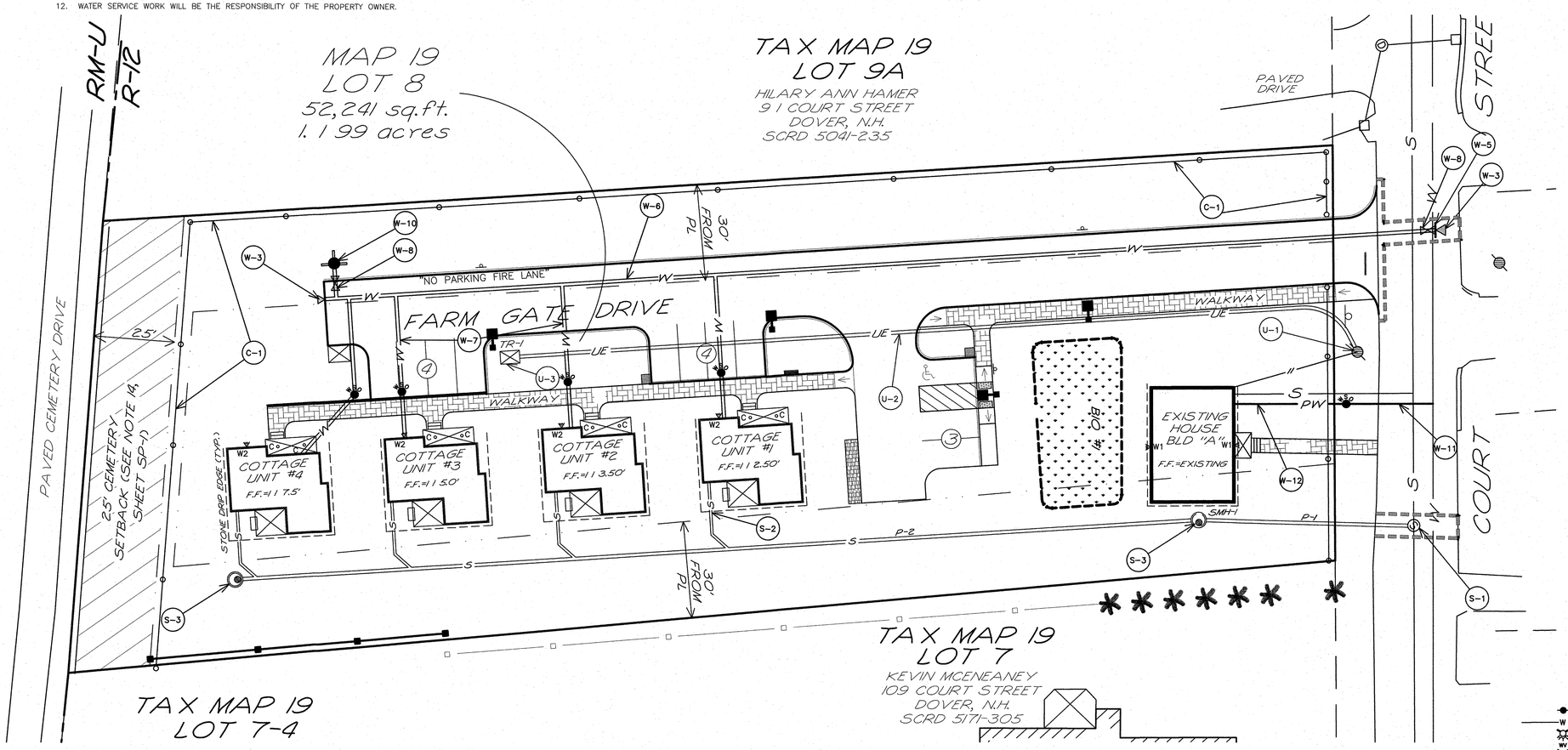
1. CONNECT TO EXISTING SMH #1239
   EXISTING RIM EL=103.35'
   INVERT IN EL=89.05' (24" ACP)'
   INVERT OUT EL=89.00' (24" ACP)
   CORE AND BOOT FOR NEW INVERT IN EL=96.35' (8" SDR 35)
   INSTALL INSIDE DROP INLET PER DETAIL DOVER STD. D-18 ON SHEET SP-11. REBRICK INVERT. DROP SHALL NOT DROP ONTO SHELF. COURT STREET WATER MAIN AND DRAINAGE SYSTEM ARE CURRENTLY UNDER CONSTRUCTION. CONTRACTOR SHALL COORDINATE WITH THE CITY CONTRACTOR.
2. INSTALL SEWER SERVICE FROM SEWER MAIN TO BUILDING.
3. INSTALL SMH AT LOCATIONS AND ELEVATIONS ON SHEET C-3. INSTALLATION TO BE IN ACCORDANCE WITH DETAIL SHEETS SP-11 & SP-12 INSTALL DROP INLET AS DIRECTED BY THE CITY OF DOVER
4. SEWER MANHOLE COVER SHALL BE NEENAH LIFTMATE R-1743-LM.
5. ALL SEWER PIPE SHALL BE SDR 35 PVC.

U-1 UTILITY NOTES:

1. CONNECT TO EXISTING UTILITY POLE IN ACCORDANCE WITH EVERSOURCE STANDARDS & DETAIL 4, (TRENCH "A"), SHEET SP-10. (PRIMARY POWER)
2. INSTALL 265 FT OF UNDERGROUND CONDUIT IN ACCORDANCE WITH EVERSOURCE STANDARDS & DETAIL 4, (TRENCH "A"), SHEET SP-10 FROM EXISTING UTILITY POLE TO PROPOSED TRANSFORMER (TR-1). (PRIMARY POWER)
3. INSTALL TRANSFORMER (TR-1) IN ACCORDANCE WITH EVERSOURCE STANDARDS & DETAIL 4, (TRENCH "B"), SHEET SP-10.

N

TRITECH ENGINEERING CORPORATION



20 0 10 20 40 80
1"=20'

LEGEND

- EXISTING UTILITY POLE
- EXISTING WATER LINE
- EXISTING HYDRANT
- EXISTING WATER GATE VALVE
- PROPOSED CATCH BASIN (CB)
- PROPOSED 6" CLDI WATER MAIN
- PROPOSED UNDERGROUND ELECTRICAL, TELEPHONE & CATV.
- PROPOSED TRANSFORMER PAD
- PROPOSED DRAIN LINE
- PROPOSED WATER GATE VALVE
- PROPOSED THRUST BLOCK
- PROPOSED HYDRANT
- PROPOSED FINISH CONTOUR
- PROPOSED FINISH GRADE
- STOP SIGN & STOP BAR
- PROPOSED STONE DRIP EDGE

TRITECH
ENGINEERING CORPORATION
765 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820
TELEPHONE 603 749 9107
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STATE OF NEW HAMPSHIRE - ROBERT STOWELL No. 7903 - PROFESSIONAL ENGINEER

UTILITIES PLAN

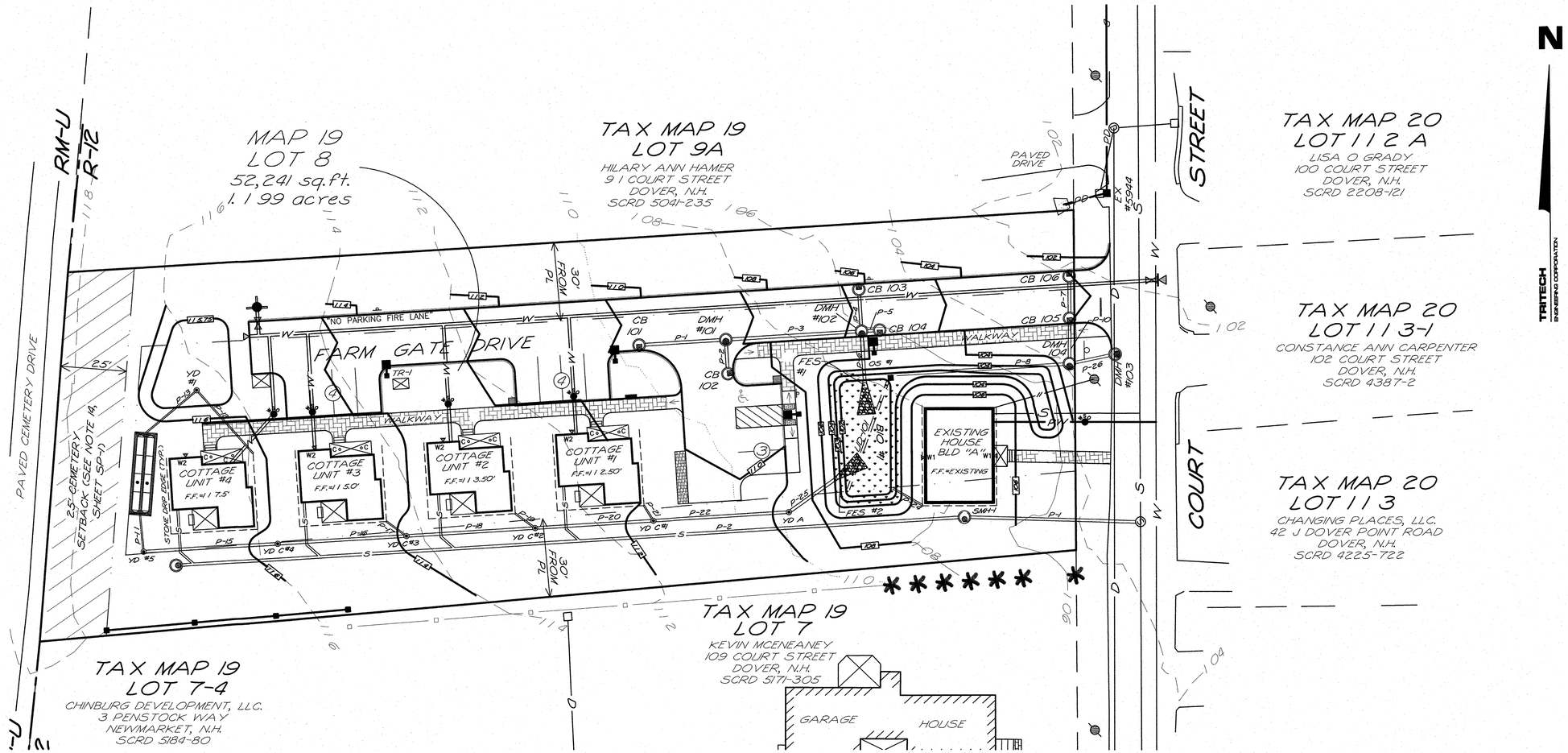
103 COURT STREET

103 COURT STREET
DOVER, NEW HAMPSHIRE
STRAFFORD COUNTY

AUGUST 15, 2024 JOB No. 2410
SCALE: 1" = 20'

SHEET No. SP-3

(P24-0012)



DRAINAGE STRUCTURE TABLE

STRUCTURE	RIM ELEV.	INVERT IN	INVERT OUT	SUMP	NOTES
CB 101	109.60		105.60	101.60	HOODED, DEEP SUMP, SEE
CB 102	108.77		104.75	100.75	DETAIL B, SHEET SP-7
CB 103	105.65		102.30	98.30	
CB 104	105.30		102.30	98.30	
CB 105	102.05	97.80 (P-7)	97.70	92.70	
CB 106	102.00		98.00	94.00	
DMH 101	108.30	104.30 (P-1) 104.30 (P-2)	104.20		
DMH 102	105.65	102.20 (P-4) 102.20 (P-3) 102.20 (P-5)	102.10		
DMH 103	EX. GRADE	97.00 (P-8) 90.85 (EX 18" VCP)	90.80 (EX 18" VCP)		
OS #1	103.95	97.50 (P-10)	97.40		
FES #1		102.00 (P-8)			
FES #2		104.00 (P-25)			
YD-A	109.50	105.50 (P-22)	105.40		NYLOPLAST YARD DRAIN
YD-C#1	111.50	107.00 (P-20) 107.00 (P-21)	106.90		STRUCTURE WITH FRAME AND GRATE
YD-C#2	112.50	109.00 (P-18) 109.00 (P-19)	108.90		
YD-C#3	113.50	110.00 (P-18) 110.00 (P-17)	109.90		
YD-C#4	115.00	111.00 (P-15)	110.90		
YD-#5	116.50	113.00 (P-11)	112.90		
YD-#1	115.75	114.20 (P-12)	114.10		
DMH 104	103.75	97.50 (P-8) 97.50 (P-10)	97.40		

DRAIN PIPE TABLE

PIPE	START	INV.	END	INV.	SIZE	L.F.	SLOPE
P-1	CB 101	105.60	DMH 101	104.30	12"	33'	3.94%
P-2	CB 102	104.75	DMH 101	104.30	12"	13'	3.46%
P-3	DMH 101	104.20	DMH 102	102.20	12"	52'	3.87%
P-4	CB 103	102.30	DMH 102	102.20	12"	16'	0.62%
P-5	CB 104	102.30	DMH 102	102.20	12"	7'	1.44%
P-6	DMH 102	102.10	FES #1	102.00	12"	19'	0.54%
P-7	CB 106	98.00	CB 105	97.80	12"	16'	1.25%
P-8	OS #1(2)	99.20	DMH 103	97.50	12"	65'	2.62%
P-10	CB 105	97.70	DMH 104	97.50	12"	17'	1.18%
P-11	STORMTECH	114.50	YD-#5	113.00	6"	14'	10.71%
P-12	DE #4	114.60	YD #1	114.20	6"	32'	1.25%
P-13	YD #1	114.10	STORMTECH	114.00	6"	25'	0.40%
P-15	YD-#5	112.90	YD-C#4	111.00	12"	52'	3.68%
P-16	YD-C#4	110.90	YD-C#3	110.00	12"	49'	1.83%
P-17	DE #3	112.10	YD-C#3	110.00	6"	9'	2.33.3%
P-18	YD-C#3	109.90	YD-C#2	109.00	12"	49'	1.86%
P-19	DE #2	110.60	YD-C#2	109.00	6"	9'	17.78%
P-20	YD-C#2	108.90	YD-C #1	107.00	12"	45'	4.22%
P-21	DE #1	109.60	YD-C#1	107.00	6"	7'	37.14%
P-22	YD-C#1	106.90	YD-A	105.50	12"	52'	2.71%
P-24	DE EX	105.60	BIO #1	103.00	6"	13'	20.00%
P-25	YD-A	105.40	BIO #1	104.00	12"	21'	6.52%
P-26	DMH 104	97.40	DMH 103	97.00	12"	18'	2.22%

LEGEND

- EXISTING UTILITY POLE
- W — EXISTING WATER LINE
- EXISTING HYDRANT
- EXISTING WATER GATE VALVE
- PROPOSED CATCH BASIN (CB)
- W — PROPOSED 8" CLDI WATER MAIN
- U E — PROPOSED UNDERGROUND ELECTRICAL, TELEPHONE & CATV.
- PROPOSED TRANSFORMER PAD
- D — PROPOSED DRAIN LINE
- PROPOSED WATER GATE VALVE
- PROPOSED THRUST BLOCK
- PROPOSED HYDRANT
- 204 — PROPOSED FINISH CONTOUR
- 204 × — PROPOSED FINISH GRADE
- STOP SIGN & STOP BAR
- PROPOSED STONE DRIP EDGE

20 0 10 20 40 80

1"=20'

ISSUED FOR PLANNING BOARD REVIEW
January 6, 2025

TRITECH
ENGINEERING CORPORATION

795 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820
TELEPHONE 603 742 8107
FAX 603 742 3630

REVISIONS

DATE:	DESCRIPTION:
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STATE OF NEW HAMPSHIRE – ROBERT J. STOWELL No. 9903 – LICENSED PROFESSIONAL ENGINEER

GRADING AND DRAINAGE PLAN

103 COURT STREET

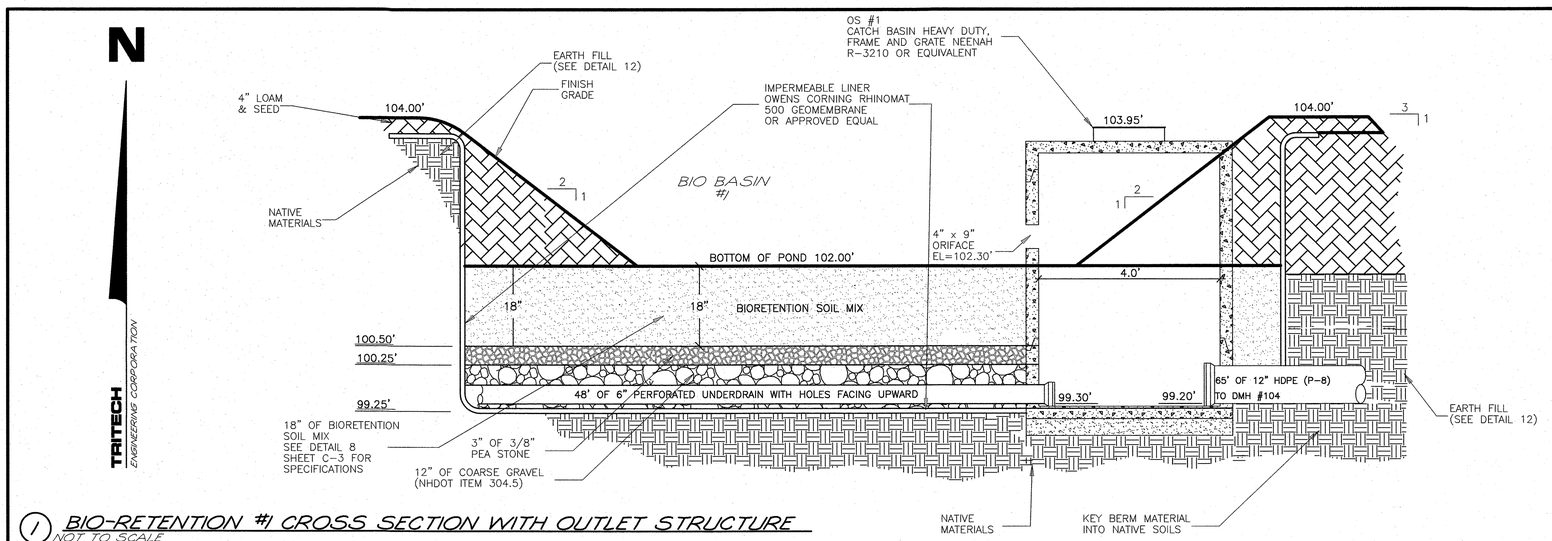
103 COURT STREET
DOVER, NEW HAMPSHIRE
STRAFFORD COUNTY

AUGUST 15, 2024 JOB No. 24101
SCALE: 1" = 20'

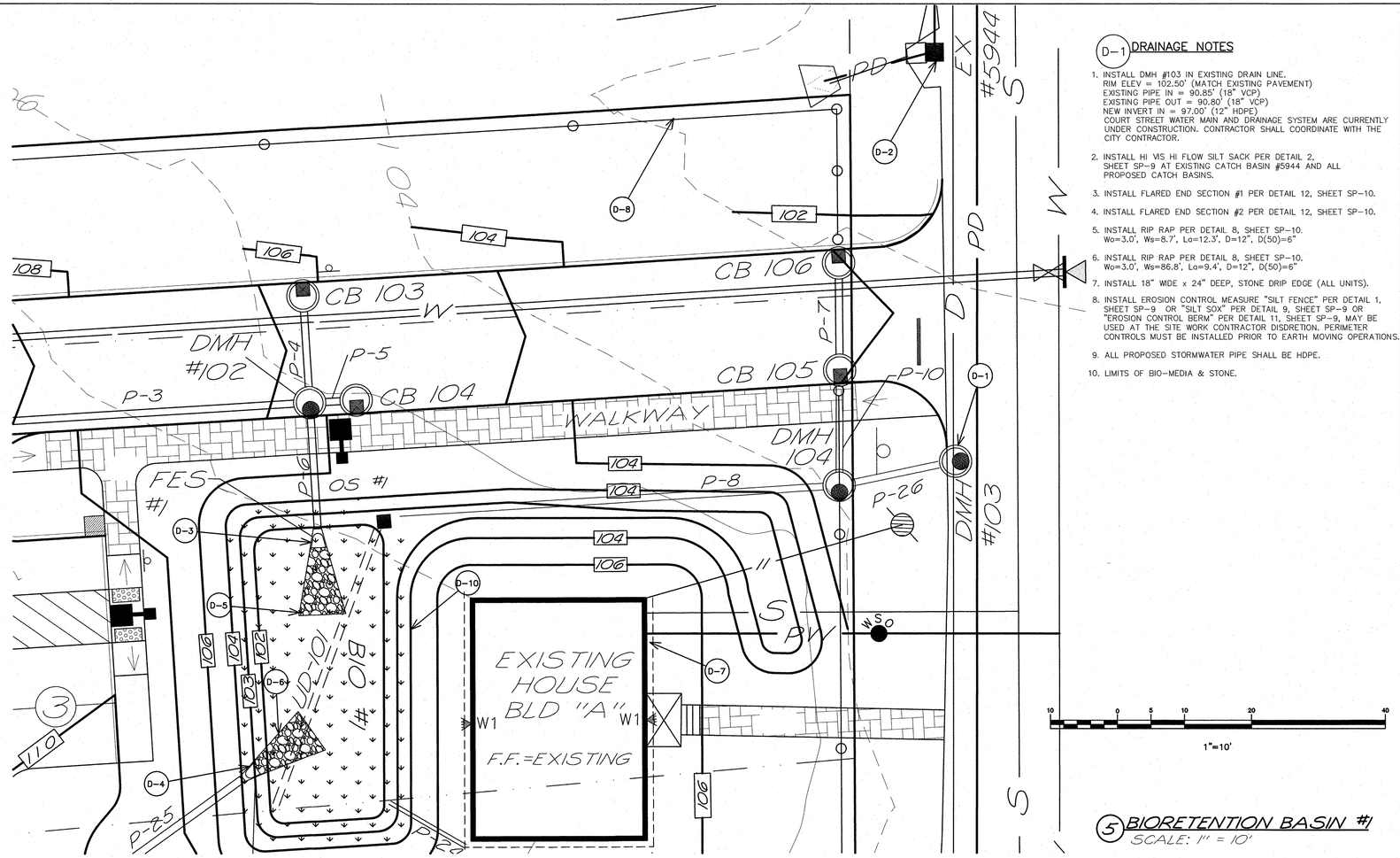
SHEET NO.

SP-4

(P23-0012)



1 BIO-RETENTION #1 CROSS SECTION WITH OUTLET STRUCTURE
NOT TO SCALE



5 BIORETENTION BASIN #1
SCALE: 1" = 10'

D-1 DRAINAGE NOTES

1. INSTALL DMH #103 IN EXISTING DRAIN LINE.
   RIM ELEV = 102.50' (MATCH EXISTING PAVEMENT)
   EXISTING PIPE IN = 90.85' (18" VCP)
   EXISTING PIPE OUT = 90.80' (18" VCP)
   NEW INVERT IN = 97.00' (12" HDPE)
   COURT STREET WATER MAIN AND DRAINAGE SYSTEM ARE CURRENTLY UNDER CONSTRUCTION. CONTRACTOR SHALL COORDINATE WITH THE CITY CONTRACTOR.
2. INSTALL HI VIS HI FLOW SILT SACK PER DETAIL 2, SHEET SP-9 AT EXISTING CATCH BASIN #5944 AND ALL PROPOSED CATCH BASINS.
3. INSTALL FLARED END SECTION #1 PER DETAIL 12, SHEET SP-10.
4. INSTALL FLARED END SECTION #2 PER DETAIL 12, SHEET SP-10.
5. INSTALL RIP RAP PER DETAIL 8, SHEET SP-10.
   Wo=3.0', Ws=8.7', La=12.3', D=12", D(50)=6"
6. INSTALL RIP RAP PER DETAIL 8, SHEET SP-10.
   Wo=3.0', Ws=86.8', La=9.4', D=12", D(50)=6"
7. INSTALL 18" WIDE x 24" DEEP, STONE DRIP EDGE (ALL UNITS).
8. INSTALL EROSION CONTROL MEASURE "SILT FENCE" PER DETAIL 1, SHEET SP-9 OR "SILT SOX" PER DETAIL 9, SHEET SP-9 OR "EROSION CONTROL BERM" PER DETAIL 11, SHEET SP-9, MAY BE USED AT THE SITE WORK CONTRACTOR DISDRETION. PERIMETER CONTROLS MUST BE INSTALLED PRIOR TO EARTH MOVING OPERATIONS.
9. ALL PROPOSED STORMWATER PIPE SHALL BE HDPE.
10. LIMITS OF BIO-MEDIA & STONE.

NEW ENGLAND WETLAND PLANTS INC.
NEW ENGLAND EROSION CONTROL/RESTORATION MIX FOR DETENTION BASINS AND MOIST SITES

THE MIX MAY BE APPLIED BY HAND, BY MECHANICAL SPREADER, OR BY HYDRO-SEEDER. AFTER SOWING, LIGHTLY RAKE, ROLL, OR CULTIPACK TO INSURE GOOD SEED-TO-SOIL CONTACT. BEST RESULTS ARE OBTAINED WITH A SPRING OR LATE SUMMER SEEDING. LATE FALL AND WINTER DORMANT SEEDING REQUIRES AN INCREASE IN THE APPLICATION RATE. A LIGHT MULCHING OF CLEAN, WEED-FREE STRAW IS RECOMMENDED.

NEW ENGLAND WETLAND PLANTS INC.
NEW ENGLAND EROSION CONTROL/RESTORATION MIX FOR DRY SITES

THE NEW ENGLAND EROSION CONTROL/RESTORATION MIX FOR DRY SITES MAY BE APPLIED BY HYDRO SEEDING, BY MECHANICAL SPREADER, OR ON SMALL SITES IT CAN BE SPREAD BY HAND. LIGHTLY RAKE, OR ROLL TO ENSURE PROPER SOIL-SEED CONTACT. BEST RESULTS ARE OBTAINED WITH A SPRING OR LATE SUMMER SEEDING. LATE SPRING THROUGH MID-SUMMER SEEDING WILL BENEFIT FROM A LIGHT MULCHING OF WEED-FREE STRAW TO CONSERVE MOISTURE. IF CONDITIONS ARE DRIER THAN USUAL, WATERING WILL BE REQUIRED. FERTILIZATION IS NOT REQUIRED UNLESS THE SOILS ARE PARTICULARLY INFERTILE. PREPARATION OF A CLEAN WEED FREE SEED BASE IS NECESSARY FOR OPTIMAL RESULTS.

ANYWHERE ON THE SITE THAT EXISTING VEGETATION IS TO BE REMOVED WILL REQUIRE IMMEDIATE EROSION CONTROL TREATMENT. SPECIAL CARE SHOULD BE TAKEN WHERE RUNOFF ENTERS WETLANDS. ALL STORM WATER AREAS SHALL BE STABILIZED PRIOR TO DIRECTING STORM WATER TO THEM; SPECIFICALLY ALL BIORETENTION BASINS AND ALL INFILTRATION AREAS.

SEEDING LEGEND

- 50/50 BLEND OF NEW ENGLAND EROSION CONTROL/RESTORATION MIX FOR DRY SITES AND NEW ENGLAND EROSION CONTROL/RESTORATION MIX FOR DETENTION BASINS AND MOIST SITES.
  BOTH MIXES FROM NEW ENGLAND WETLAND PLANTS INC.
  APPLY: 35 LBS/ACRE : 1250 SQ FT/LB
- LIMITS OF BIORETENTION SOIL MIX

4 BIORETENTION SEEDING
NOT TO SCALE

1. PARTICLE SIZE DISTRIBUTION BY SEPARATES:
   a. EXCLUDE ANY MATERIAL >4.76MM - 0%
   b. VERY COARSE SAND/GRAVEL: GRAVEL (2.0 TO 4.76 mm) 5% MAXIMUM (% BY DRY WEIGHT)
   c. SAND (0.42 TO 2.0 mm) 60% MAX (% BY DRY WEIGHT)
   d. SILT (0.075 TO 0.42 mm) 20% MAXIMUM (% BY DRY WEIGHT)
   e. CLAY (LESS THAN 0.075mm) 5% MAXIMUM (% BY DRY WEIGHT)
   f. BARK MULCH (LESS THAN 5% PASSING #200) 15% MAX (% BY DRY WEIGHT)
   g. LOAM (LESS THAN 5% PASSING #200) 20% TO 40% (% BY DRY WEIGHT)

ACCEPTABLE PARTICLE SIZE DISTRIBUTION OF FINAL BIORETENTION SOIL MIX:

SIEVE	% PASSING
#4	100
#10	95
#40	40 - 15
#200	10 - 20
<#200	0 - 5

2. FRAGMENT SIZE DISTRIBUTION:
   a. STICKS AND ROOTS: SHOULD BE MINIMIZED AND PREFERABLY LIMITED TO NOTHING LARGER THAN 4.76mm
   b. DEBRIS AND OTHER FOREIGN MATERIALS: SHOULD BE MINIMIZED
3. PERCENTAGE ORGANIC MATTER: MINIMUM 3% BY VOLUME AND MAXIMUM 8% BY VOLUME
4. SOIL REACTION: pH OF 6 TO 7
5. CEC OF TOTAL SOIL: MINIMUM 10 meq/100mL AT pH OF 7.0
6. BASIS-OF-DESIGN PRODUCT: SUBJECT TO COMPLIANCE WITH REQUIREMENTS INDICATED ON DRAWINGS
7. BASIC PROPERTIES: MANUFACTURED SOIL SHALL NOT CONTAIN THE FOLLOWING:
   a. UNACCEPTABLE MATERIALS: CONCRETE SLURRY, CONCRETE LAYERS OR CHUNKS, CEMENT, PLASTER, BUILDING DEBRIS, ASPHALT, BRICKS, OILS, GASOLINE, DIESEL FUEL, PAINT THINNER, TURPENTINE, TAR, ROOFING COMPOUND, ACID, SOLID WASTE, AND OTHER EXTRANEOUS MATERIALS THAT ARE HARMFUL TO PLANT GROWTH.
   b. UNSUITABLE MATERIALS: STONES, ROOTS, PLANTS, SOD, CLAY LUMPS, AND POCKETS OF COARSE SAND THAT EXCEED A COMBINED MAXIMUM OF 5% BY DRY WEIGHT OF THE MANUFACTURED SOIL.
   c. LARGE MATERIALS: STONES, CLODS, ROOTS, CLAY LUMPS, AND POCKETS OF COARSE SAND EXCEEDING 0.187 INCHES (4.76mm) IN ANY DIMENSION

ACCEPTABLE SOIL AMENDMENTS

A. NO COMPOST SHOULD BE USED IN THE PLANTING MIX

B. SPHAGNUM PEAT: PARTIALLY DECOMPOSED SPHAGNUM PEAT MOSS, FINELY DIVIDED OR OF GRANULAR TEXTURE WITH 100% PASSING THROUGH THE 1/2-INCH (13mm) SIEVE, A pH OF 3.4 TO 4.8

C. WOOD DERIVATIVES: SHREDDED WOOD, WOOD CHIPS, GROUND BARK, OR WOOD WASTE; OF UNIFORM TEXTURE AND FREE OF STONES, STICKS, SOIL, OR TOXIC MATERIALS.

D. MEDIA AMENDMENTS SUCH AS ZERO-VALENT IRON AND/OR DRINKING WATER TREATMENT RESIDUALS (ALUM) TO ENHANCE PHOSPHORUS SORPTION AS SPECIFIED BY ENGINEER.

8 BIORETENTION SOIL MIX
NOT TO SCALE

FILL MATERIAL SHOULD BE TAKEN FROM AN APPROVED, DESIGNATED BORROW AREA. IT SHOULD BE FREE OF ROOTS, STUMPS, WOOD, RUBBISH, STONES GREATER THAN 6 INCHES, AND FROZEN OR OTHER OBJECTIONABLE MATERIALS.

AREAS ON WHICH FILL IS TO BE PLACED SHOULD BE SCARIFIED BEFORE PLACEMENT. FILL MATERIAL SHOULD BE PLACED IN LAYERS A MAXIMUM OF 8 INCHES THICK (BEFORE COMPACTION), WHICH SHOULD BE CONTINUOUS OVER THE ENTIRE LENGTH OF THE FILL.

FILL MATERIAL SHOULD BE COMPACTED WITH APPROPRIATE COMPACTION EQUIPMENT SUCH AS SHEEPSFOOT, RUBBER-TIRED, OR VIBRATORY ROLLER.

A MINIMUM REQUIRED DENSITY IS 95% OF MAXIMUM DRY DENSITY WITH A MOISTURE CONTENT WITHIN 2% OF THE OPTIMUM. EACH LAYER OF THE FILL SHOULD BE COMPACTED AS NECESSARY TO OBTAIN MINIMUM DENSITY.

12 EARTH FILL
NOT TO SCALE

TRITECH
ENGINEERING CORPORATION
735 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820
TELEPHONE 603 749 9107
FAX 603 742 9330

REVISIONS

DATE:	DESCRIPTION:
9-12-24	REVISED PER TRC COMMENTS
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10-23-25	REVISED PER TDR APPROVAL
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ISSUED FOR PLANNING BOARD REVIEW
January 6, 2025

ROBERT M. STOWELL No. 9673 LICENSED PROFESSIONAL ENGINEER - STATE OF NEW HAMPSHIRE

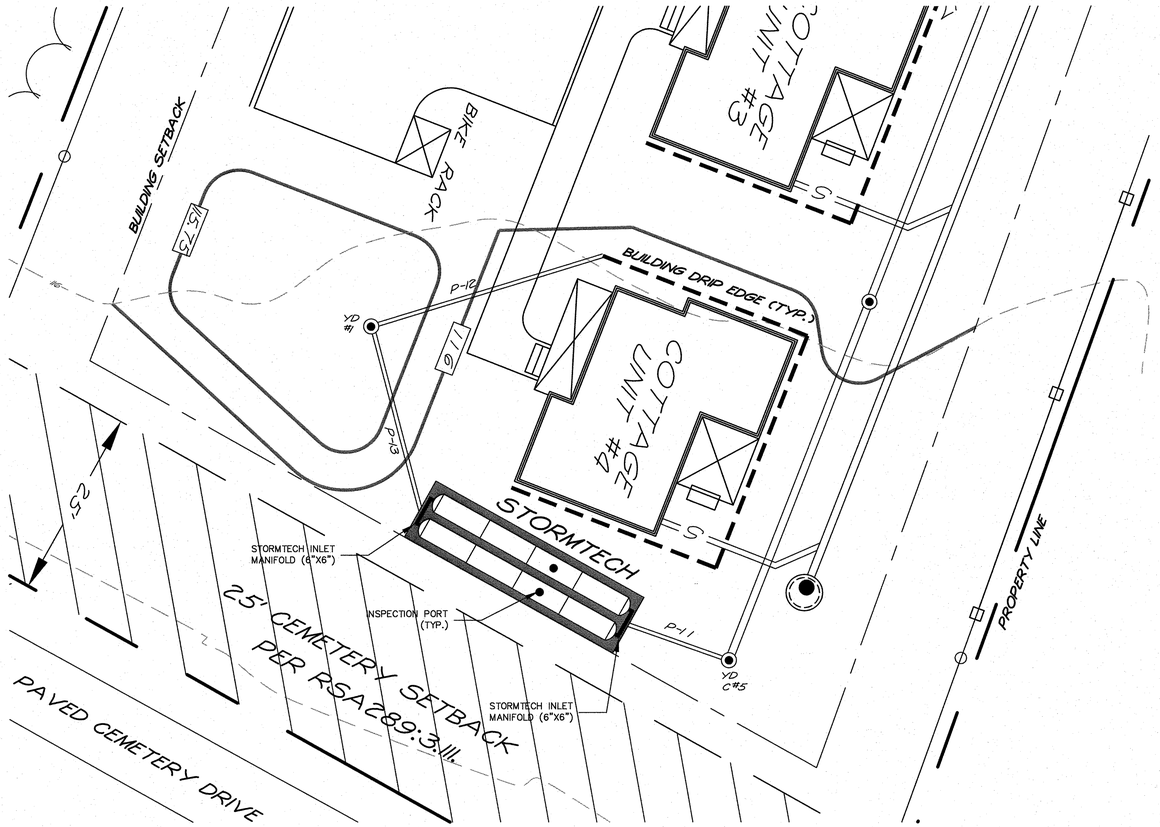
BIORETENTION DETAILS

103 COURT STREET

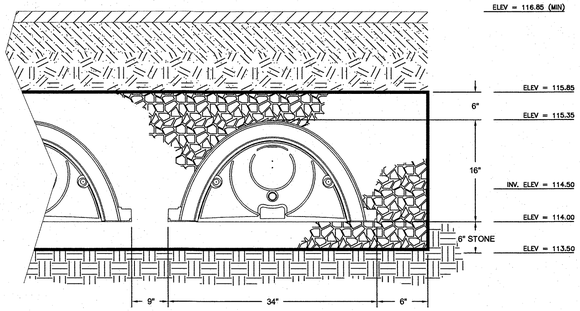
103 COURT STREET
DOVER, NEW HAMPSHIRE
STRAFFORD COUNTY
AUGUST 15, 2024 JOB No. 2401
SCALE: 1" = 20'

SHEET No. SP-5

(P23-0012)



1 STORMTECH PLAN
1" = 10'



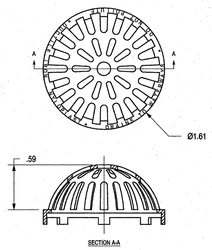
2 STORMTECH SECTION
NOT TO SCALE

SEE SHEET SP-7 FOR STORMTECH STANDARD DETAILS

ADS Nyloplast

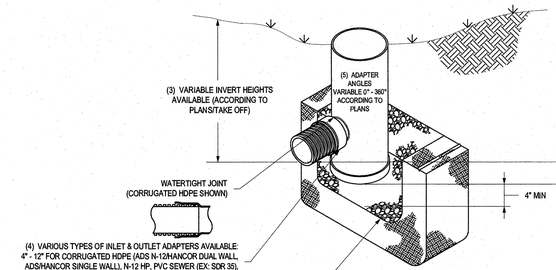
1299CGD

APPROX. DRAIN AREA = 82.87 SQ IN
APPROX. WEIGHT = 18.50 LBS



DIMENSIONS ARE FOR REFERENCE ONLY
ACTUAL DIMENSIONS MAY VARY
DIMENSIONS ARE IN INCHES
QUALITY: MATERIALS SHALL CONFORM TO ASTM A536 GRADE 70-50-05
PAINT: CASTINGS ARE FURNISHED WITH A BLACK PAINT
LOCKING DEVICE AVAILABLE UPON REQUEST

NYLOPLAST 12" DRAIN BASIN: 2812AG _ _ X



THE BACKFILL MATERIAL SHALL BE CRUSHED STONE OR OTHER GRANULAR MATERIAL MEETING THE REQUIREMENTS OF CLASS I, CLASS II, OR CLASS III MATERIAL AS DEFINED IN ASTM D2321. BEDDING & BACKFILL FOR SURFACE DRAINAGE INLETS SHALL BE PLACED & COMPACTED UNIFORMLY IN ACCORDANCE WITH ASTM D2321.

GRATE OPTIONS	LOAD RATING	PART #	DRAWING #
PEDESTRIAN	MEETS H-10	1299CGP	7001-110-202
STANDARD	MEETS H-20	1299CGS	7001-110-203
SOLID COVER	MEETS H-20	1299CGC	7001-110-204
PEDESTRIAN BRONZE	N/A	1299CGPB	7001-110-205
DOME	N/A	1299CGD	7001-110-206
DROP IN GRATE	LIGHT DUTY	12X18	7001-110-021

1 - GRATES/SOLID COVER SHALL BE DUCTILE IRON PER ASTM A536 GRADE 70-50-05, WITH THE EXCEPTION OF THE BRONZE GRATE.
2 - FRAMES SHALL BE DUCTILE IRON PER ASTM A536 GRADE 70-50-05
3 - DRAIN BASIN TO BE CUSTOM MANUFACTURED ACCORDING TO PLAN DETAILS. RISERS ARE NEEDED FOR BASINS OVER 84" DUE TO SHIPPING RESTRICTIONS. SEE DRAWING NO. 7001-110-055
4 - DRAINAGE CONNECTION STUB JOINT TIGHTNESS SHALL CONFORM TO ASTM D3212 FOR CORRUGATED HDPE (ADS N-12/HANCOR DUAL WALL), N-12 HP, & PVC SEWER.
5 - ADAPTERS CAN BE MOUNTED ON ANY ANGLE 0° TO 360°. TO DETERMINE MINIMUM ANGLE BETWEEN ADAPTERS SEE DRAWING NO. 7001-110-012.

3 ADS NYLOPLAST DRAIN BASIN & GRATE DETAIL
NOT TO SCALE

TRITECH
ENGINEERING CORPORATION
755 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820
TELEPHONE 603 742 8107
FAX 603 742 3630

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January 6, 2025

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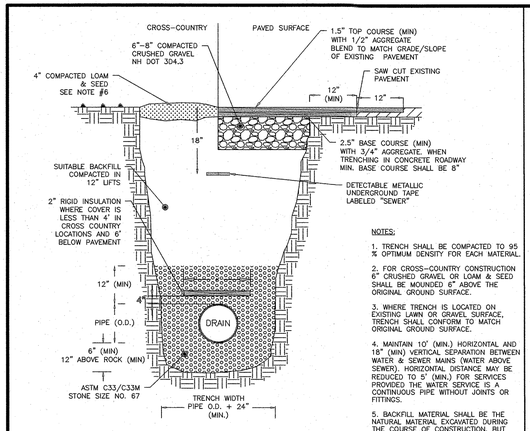
DATE:	DESCRIPTION:
9-12-24	REVISED PER TRC COMMENTS
10-21-24	REVISED PER TRC COMMENTS
10-23-25	REVISED PER TDR APPROVAL
12-9-25	REVISED PER TRC COMMENTS

ROBERT STOWELL No. 9303 - STATE OF NEW HAMPSHIRE - PROFESSIONAL ENGINEER

STORMTECH DETAIL SHEET
103 COURT STREET
103 COURT STREET
DOVER, NEW HAMPSHIRE
STRAFFORD COUNTY
AUGUST 15, 2024
JOB No. 24101

SHEET No. SP-6

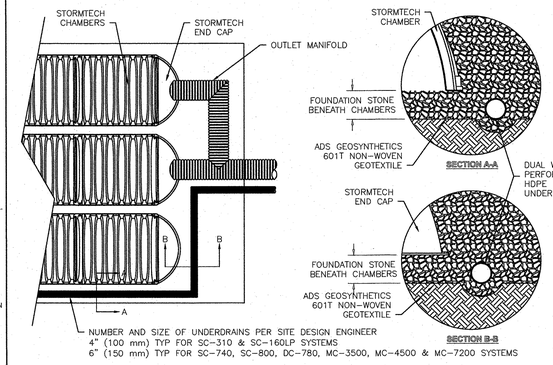
(P24-0012)



NOTES:

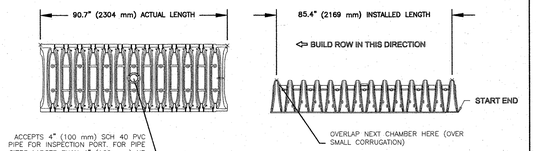
1. TRENCH SHALL BE COMPACTED TO 95 % OPTIMUM DENSITY FOR EACH MATERIAL.
2. FOR CROSS-COUNTRY CONSTRUCTION 6" CRUSHED GRAVEL OR LOAM & SEED SHALL BE MOUNDED 6" ABOVE THE ORIGINAL GROUND SURFACE.
3. WHERE TRENCH IS LOCATED ON EXISTING LAWN OR GRAVEL SURFACE, TRENCH SHALL CONFORM TO MATCH ORIGINAL GROUND SURFACE.
4. MAINTAIN 10' (MIN.) HORIZONTAL AND 18" (MIN) VERTICAL SEPARATION BETWEEN WATER & SEWER MAINS (WATER ABOVE SEWER). HORIZONTAL DISTANCE MAY BE REDUCED TO 5' (MIN.) FOR SERVICES PROVIDED THE WATER SERVICE IS A CONTINUOUS PIPE WITHOUT JOINTS OR FITTINGS.
5. BACKFILL MATERIAL SHALL BE THE NATURAL MATERIAL EXCAVATED DURING THE COURSE OF CONSTRUCTION, BUT SHALL EXCLUDE DEBRIS, PAVEMENT, ORGANIC MATTER, TOP SOIL, MUCK, PEAT AND ROCKS OVER 6" IN LARGEST DIMENSION
6. LOAM AND SEED SHOULD BE IN COMPLIANCE WITH NH DOT 641, 642, 643, 644 AND 645.

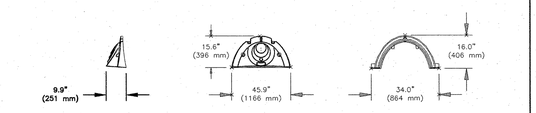
1 DOVER STD. D-3 Drainage Trench
NOT TO SCALE



NUMBER AND SIZE OF UNDERDRAINS PER SITE DESIGN ENGINEER
4" (100 mm) TYP FOR SC-310 & SC-160LP SYSTEMS
6" (150 mm) TYP FOR SC-740, SC-800, DC-780, MC-3500, MC-4500 & MC-7200 SYSTEMS

2 STORMTECH UNDERDRAIN DETAIL
NOT TO SCALE





NOMINAL CHAMBER SPECIFICATIONS
SIZE (W X H X INSTALLED LENGTH) 34.0" X 16.0" X 85.4" (864 mm X 406 mm X 2169 mm)
CHAMBER STORAGE 14.7 CUBIC FEET (0.42 m³)
MINIMUM INSTALLED STORAGE* 31.0 CUBIC FEET (0.88 m³)
WEIGHT 35.0 lbs. (16.8 kg)

*ASSUMES 6" (152 mm) ABOVE, BELOW, AND BETWEEN CHAMBERS



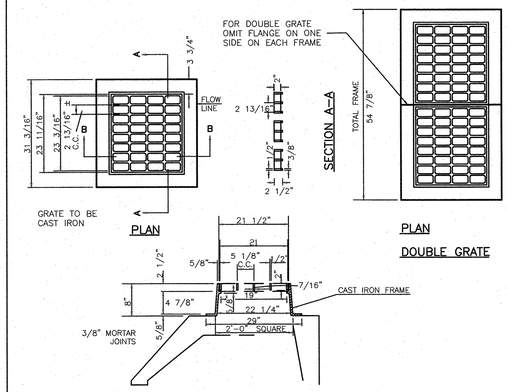
STUBS AT BOTTOM OF END CAP FOR PART NUMBERS ENDING WITH "B"
STUBS AT TOP OF END CAP FOR PART NUMBERS ENDING WITH "T"

ALL STUBS, EXCEPT FOR THE SC310EPE12B ARE PLACED AT BOTTOM OF END CAP SUCH THAT THE OUTSIDE DIAMETER OF THE STUB IS FLUSH WITH THE BOTTOM OF THE END CAP. FOR ADDITIONAL INFORMATION CONTACT STORMTECH AT 1-888-892-2694.

* FOR THE SC310EPE12B THE 12" (300 mm) STUB LIES BELOW THE BOTTOM OF THE END CAP APPROXIMATELY 0.25" (6 mm). BACKFILL MATERIAL SHOULD BE REMOVED FROM BELOW THE N-12 STUB SO THAT THE FITTING SITS LEVEL.

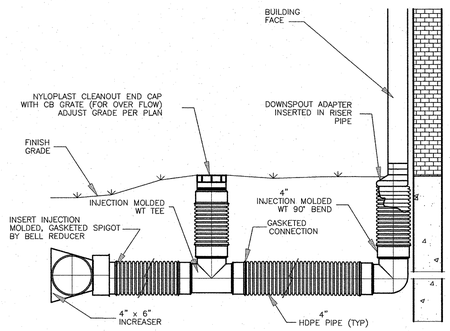
NOTE: ALL DIMENSIONS ARE NOMINAL

7 STORMTECH SC-310
NOT TO SCALE

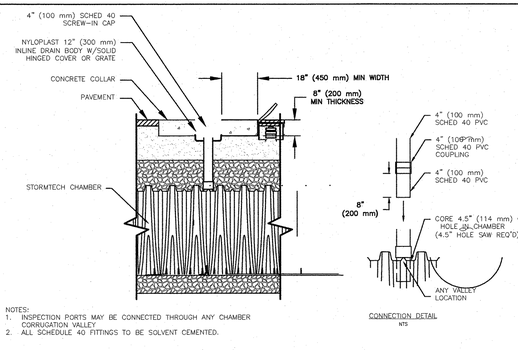


NOTES
1.) USE NEENAH R-3570
2.) FOR SHALLOW INVERTS, USE NEENAH R-3570-A

4 CATCH BASIN FRAME & GRATE
NOT TO SCALE



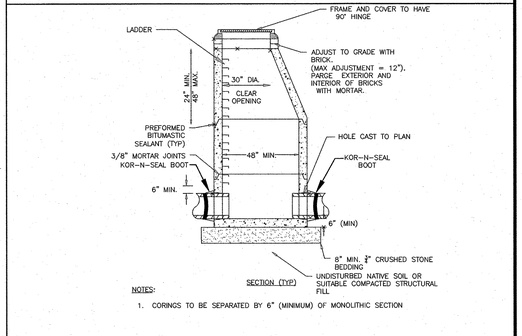
5 ROOF DRAIN W-TEE CLEANOUT
NOT TO SCALE



NOTES:
1. INSPECTION PORTS MAY BE CONNECTED THROUGH ANY CHAMBER CORRUGATION VALLEY
2. ALL SCHEDULE 40 FITTINGS TO BE SOLVENT CEMENTED.

CONNECTION DETAIL
NTS

6 STORMTECH-INSPECTION PORT
NOT TO SCALE

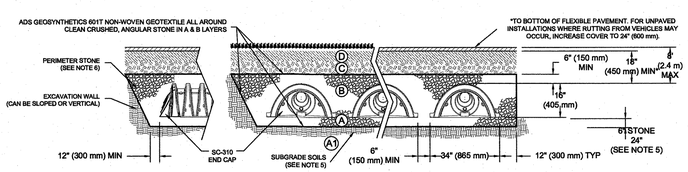


NOTES:
1. CORINGS TO BE SEPARATED BY 6" (MINIMUM) OF MONOLITHIC SECTION

8 DOVER STD. D-20 DRAIN MANHOLE
NOT TO SCALE

	MATERIAL LOCATION	DESCRIPTION	AASHTO MATERIAL CLASSIFICATIONS	COMPACTION / DENSITY REQUIREMENT
D	FINAL FILL: FILL MATERIAL FOR LAYER 'D' STARTS FROM THE TOP OF THE 'C' LAYER TO THE BOTTOM OF FLEXIBLE PAVEMENT OR UNPAVED FINISHED GRADE ABOVE. NOTE THAT PAVEMENT SUBBASE MAY BE PART OF THE 'D' LAYER	ANY SOIL/ROCK MATERIALS, NATIVE SOILS.	N/A	PREPARE PER SITE DESIGN ENGINEER'S PLANS.
C	INITIAL FILL: FILL MATERIAL FOR LAYER 'C' STARTS FROM THE TOP OF THE EMBEDMENT STONE ('B' LAYER) TO 18" (450 mm) ABOVE THE TOP OF THE CHAMBER.	GRANULAR WELL-GRADED SOIL/AGGREGATE MIXTURES, <35% FINES OR PROCESSED AGGREGATE.	AASHTO M145* A-1, A-2-4, A-3 OR AASHTO M43* 3, 357, 4, 467, 5, 56, 57, 6, 67, 68, 7, 78, 8, 89, 9, 10	BEGIN COMPACTIONS AFTER 12" (300 mm) OF MATERIAL OVER THE CHAMBERS IS REACHED. COMPACT ADDITIONAL LAYERS IN 6" (150 mm) MAX LIFTS TO A MIN. 95% PROCTOR DENSITY FOR WELL GRADED MATERIAL AND 95% RELATIVE DENSITY FOR PROCESSED AGGREGATE MATERIALS. ROLLER GROSS VEHICLE WEIGHT NOT TO EXCEED 12,000 lbs (53 kN). DYNAMIC FORCE NOT TO EXCEED 20,000 lbs (89 kN).
B	EMBEDMENT STONE: FILL SURROUNDING THE CHAMBERS FROM THE FOUNDATION STONE ('A' LAYER) TO THE 'C' LAYER ABOVE.	CLEAN, CRUSHED, ANGULAR STONE, NOMINAL SIZE DISTRIBUTION BETWEEN 3/4-2 INCH (20-50 mm)	AASHTO M43* 3, 357, 4, 467, 5, 56, 57	NO COMPACTION REQUIRED.
A	FOUNDATION STONE: FILL BELOW CHAMBERS FROM THE SUBGRADE UP TO THE FOOT (BOTTOM) OF THE CHAMBER.	CLEAN, CRUSHED, ANGULAR STONE, NOMINAL SIZE DISTRIBUTION BETWEEN 3/4-2 INCH (20-50 mm)	AASHTO M43* 3, 357, 4, 467, 5, 56, 57	PLATE COMPACT OR ROLL TO ACHIEVE A FLAT SURFACE. **

PLEASE NOTE:
1. THE LISTED AASHTO DESIGNATIONS ARE FOR GRADATIONS ONLY. THE STONE MUST ALSO BE CLEAN, CRUSHED, ANGULAR. FOR EXAMPLE, A SPECIFICATION FOR #4 STONE WOULD STATE: "CLEAN, CRUSHED, ANGULAR NO. 4 (AASHTO M43) STONE".
2. STORMTECH COMPACTION REQUIREMENTS ARE MET FOR 'A' LOCATION MATERIALS WHEN PLACED AND COMPACTED IN 6" (150 mm) (MAX) LIFTS USING TWO FULL COVERAGES WITH A VIBRATORY COMPACTOR.
3. WHERE INFILTRATION SURFACES MAY BE COMPROMISED BY COMPACTION, FOR STANDARD DESIGN LOAD CONDITIONS, A FLAT SURFACE MAY BE ACHIEVED BY RAKING OR DRAGGING WITHOUT COMPACTION EQUIPMENT. FOR SPECIAL LOAD DESIGNS, CONTACT STORMTECH FOR COMPACTION REQUIREMENTS.



9 STORMTECH ACCEPTABLE FILL MATERIALS
NOT TO SCALE

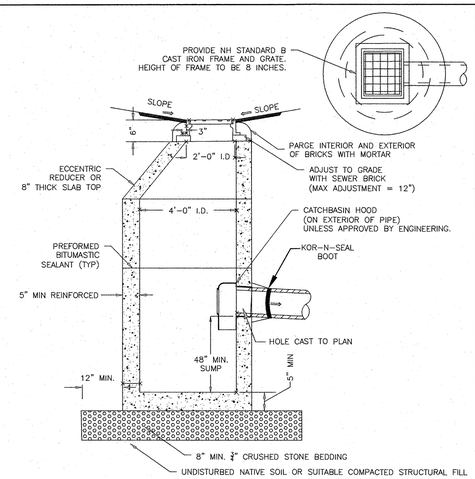
FILL SPECIFICATION A1

COMPONENT MATERIAL	PERCENT BY VOLUME	GRADATION OF MATERIAL	
		SIEVE No.	% PASSING BY WEIGHT
ASTM C-33 CONCRETE SAND	50-55%		
LOAMY SAND TOPSOIL	20-30%	200	15-25%
MODERATELY FINE SHREDDED BARK OR WOOD FIBER MULCH	20-30%	200	<5%

PROPOSED FILL UNDER INFILTRATION SYSTEM SHALL BE TESTED FOR INFILTRATION RATE PRIOR TO INSTALLATION BY THE LABORATORY METHOD DESCRIBED IN NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES Env-Wq 1504.14 (g). AFTER FILL IS PLACED BUT BEFORE THE PRACTICE IS INSTALLED, FILL SHALL BE TESTED BY FIELD MEASUREMENT METHOD DESCRIBED IN Env-Wq 1504.14 (b). A MINIMUM INFILTRATION RATE OF 4 INCHES PER HOUR MUST BE ACHIEVED IN BOTH TESTS.

NOTES:

1. SC-310 CHAMBERS SHALL CONFORM TO THE REQUIREMENTS OF ASTM F2418 "STANDARD SPECIFICATION FOR POLYPROPYLENE (PP) CORRUGATED WALL STORMWATER COLLECTION CHAMBERS", OR ASTM F2922 "STANDARD SPECIFICATION FOR POLYETHYLENE (PE) CORRUGATED WALL STORMWATER COLLECTION CHAMBERS".
2. SC-310 CHAMBERS SHALL BE DESIGNED IN ACCORDANCE WITH ASTM F2787 "STANDARD PRACTICE FOR STRUCTURAL DESIGN OF THERMOPLASTIC CORRUGATED WALL STORMWATER COLLECTION CHAMBERS".
3. "ACCEPTABLE FILL MATERIALS" TABLE ABOVE PROVIDES MATERIAL LOCATIONS, DESCRIPTIONS, GRADATIONS, AND COMPACTION REQUIREMENTS FOR FOUNDATION, EMBODIMENT, AND FILL MATERIALS.
4. THE "SITE DESIGN ENGINEER" REFERS TO THE ENGINEER RESPONSIBLE FOR THE DESIGN AND LAYOUT OF THE STORMTECH CHAMBERS FOR THIS PROJECT.
5. SUBBASE SOIL SHALL BE AS FOLLOWS: A1 FILL SECTION.
6. PERIMETER STONE MUST BE EXTENDED HORIZONTALLY TO THE EXCAVATION WALL FOR BOTH VERTICAL AND SLOPED EXCAVATION WALLS.



NOTES:
1. ENTIRE STRUCTURE SHALL BE H-20 LOAD RATED. PROVIDE MANUFACTURER REINFORCEMENT DETAILS TO THE CITY ENGINEER UPON REQUEST.
2. CONTRACTOR SHALL HAVE OPTION TO USE 6" OR 8" PRECAST GRADE RINGS TO ADJUST GRADE.

12 DOVER STD. D-19 CATCH BASIN
NOT TO SCALE

TRITECH
ENGINEERING CORPORATION
755 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820
TELEPHONE 603 742 8107
FAX 603 742 3830

ISSUED FOR PLANNING BOARD REVIEW
January 6, 2025

REVISIONS DATE:	DESCRIPTION:
8-12-24	REVISED PER TRC COMMENTS
10-24-24	REVISED PER TRC COMMENTS
12-9-25	REVISED PER TRC COMMENTS



CONSTRUCTION DETAILS

103 COURT STREET

103 COURT STREET
DOVER, NEW HAMPSHIRE
STRAFFORD COUNTY

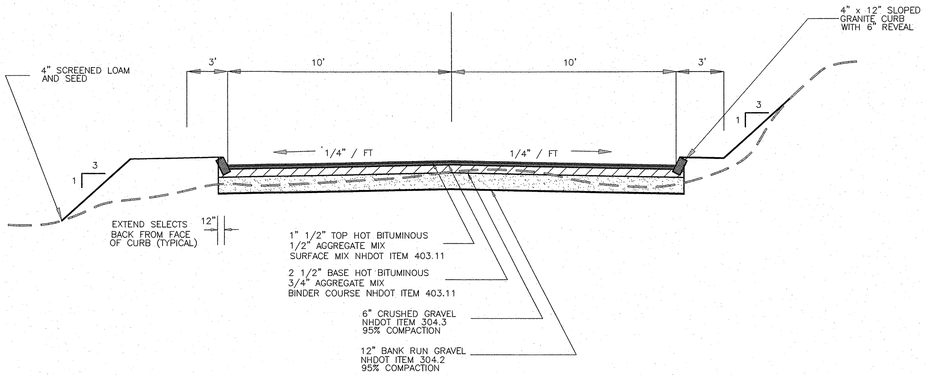
AUGUST 15, 2024

JOB No. 24101

SHEET No.

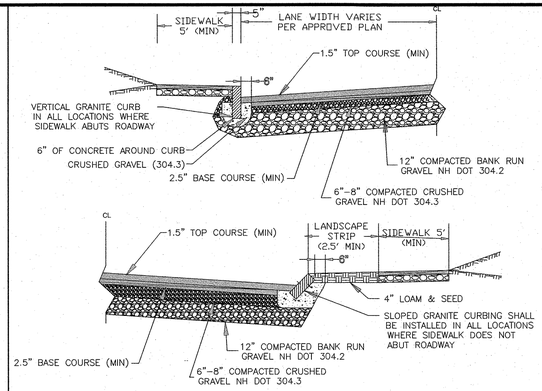
SP-7

(P24-0012)



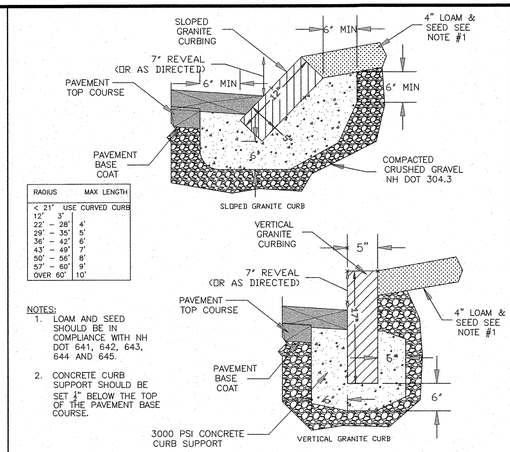
1. TACKIFIER TO BE APPLIED BETWEEN BINDER COURSE AND SURFACE COURSE, (BLACKLIDGE ULTRATACK OR EQUAL).
2. JOINT SEALANT TO BE APPLIED AT LANE JOINTS (SEALANT "C" PAVEMENT JOINT ADHESIVE).
3. SEE DOVER STANDARD DETAILS D-5 FOR ADDITIONAL INFO.
4. SEE DOVER STANDARD DETAILS D-8 FOR ADDITIONAL CURBING INFO.

1 TYPICAL DRIVEWAY CROSS SECTION
NOT TO SCALE



NOTES:
1. THIS DETAIL IS FOR GENERAL REVIEW PURPOSES ONLY, FINAL DESIGN SHALL BE BASED ON SPECIFIC SITE CONDITIONS AND APPROVED PLANS.
2. SIDEWALK LOCATION AND MATERIAL SHALL BE AS APPROVED BY THE CITY OF DOVER.

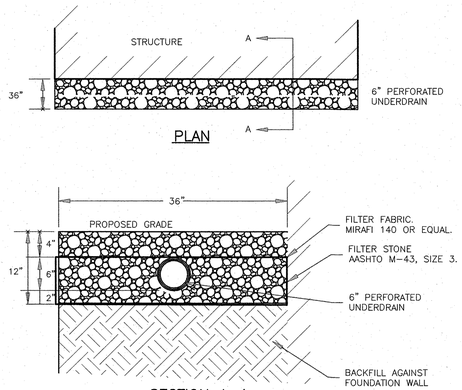
3 DOVER STD. D-5 Roadway Cross Section
NOT TO SCALE



RADIUS	MAX LENGTH
< 21'	USE CURVED CURB
12' - 21'	3'
22' - 28'	4'
29' - 35'	5'
36' - 42'	6'
43' - 49'	7'
50' - 56'	8'
57' - 60'	9'
OVER 60'	10'

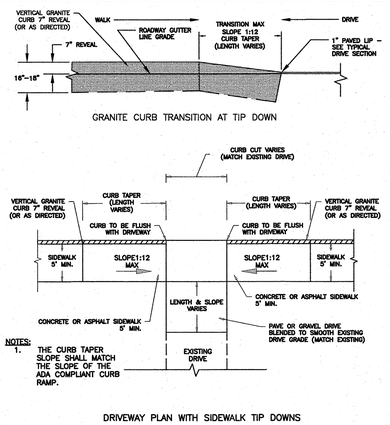
NOTES:
1. LOAM AND SEED SHOULD BE IN COMPLIANCE WITH NH DOT 641, 642, 643, 644 AND 645.
2. CONCRETE CURB SUPPORT SHOULD BE SET 1" BELOW THE TOP OF THE PAVEMENT BASE COURSE.

4 DOVER STD. D-8 Granite Curb
NOT TO SCALE



SECTION A-A

5 BUILDING DRIP EDGE
NOT TO SCALE

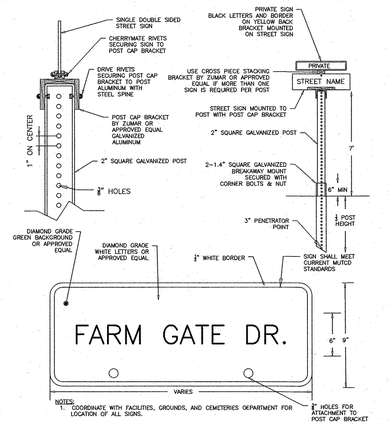


GRANITE CURB TRANSITION AT TIP DOWN

NOTES:
1. THE CURB TAPER SLOPE SHALL MATCH THE SLOPE OF THE ADA COMPLIANT CURB RAMP.

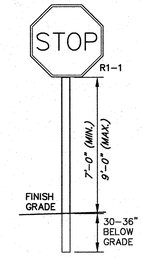
DRIVEWAY PLAN WITH SIDEWALK TIP DOWNS

6 DOVER STD. D-9 Sidewalk Tip Down At Driveway
NOT TO SCALE



NOTES:
1. COORDINATE WITH FACILITIES, GROUNDS, AND CEMETERIES DEPARTMENT FOR LOCATION OF ALL SIGNS.

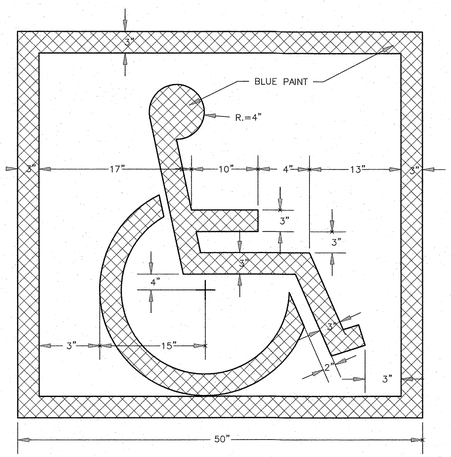
7 DOVER STD. D-1 Street Sign
NOT TO SCALE



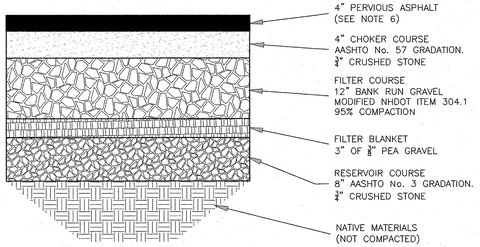
SEE SHEET SP-1 FOR LOCATION OF THIS SIGN.
(SET 2.0' HORIZONTALLY TO FACE OF CURBING OF THE STREET)

TYPICAL SIGNS
NOT TO SCALE

8 STOP SIGN
NOT TO SCALE



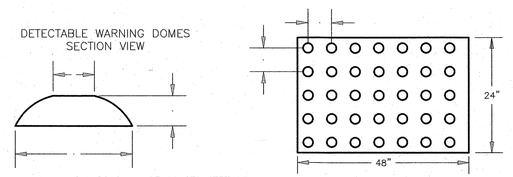
9 ACCESSIBLE SYMBOL DETAIL
NOT TO SCALE



GENERAL MATERIALS NOTES - APPLIES TO ALL DETAILS UNLESS NOTED.

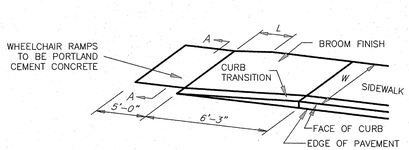
1.) MATERIALS AND CONSTRUCTION METHODS SHALL CONFORM TO THE STATE OF NEW HAMPSHIRE STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION.
2.) UNDERLYING MATERIALS SHALL NOT BE COMPACTED OR SUBJECTED TO EXCESSIVE CONSTRUCTION TRAFFIC PRIOR TO STONE BED PLACEMENT.
3.) CHOKER COURSE SHALL BE: SIEVE PERCENT PASSING (AASHTO No. 57) 1.5" 100%
1" 95 - 100%
.5" 25 - 60%
#4 0 - 10%
#8 0 - 5%
4.) FILTER COURSE SHALL BE: SIEVE PERCENT PASSING (MODIFIED NHDOT 304.1) 6" 100%
#4 25 - 70%
#200 0 - 6% (PREFERABLY LESS THAN 4" FINES)
5.) RESERVOIR COURSE SHALL BE: SIEVE PERCENT PASSING (AASHTO No. 3) 2.5" 100%
2" 90 - 100%
1.5" 35 - 70%
1" 0 - 15%
.5" 0 - 5%
6.) CONTRACTOR SHALL FOLLOW INSTALLATION AND QUALITY CONTROL/QUALITY ASSURANCE PROCEDURES, AND POROUS ASPHALT MIX DESIGN AND PRODUCTION IN "UNHSC DESIGN SPECIFICATIONS FOR POROUS ASPHALT PAVEMENT AND INFILTRATION BEDS"

10 TYPICAL POROUS PAVEMENT SECTION
NOT TO SCALE



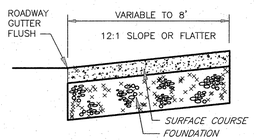
WARNING PADS SHALL BE CONSTRUCTED OF CAST IRON OR SIMILAR DURABLE MATERIAL APPROVED BY THE CITY OF DOVER.

DETECTABLE WARNING DOMES PLAN VIEW



4. INSTALL ACCESSIBLE REINFORCED CONCRETE RAMP (MAXIMUM SLOPE = 1" IN 12") FROM PAVEMENT GRADE TO SIDEWALK GRADE IN COMPLIANCE WITH ALL A.D.A. STANDARDS, PER DETAIL 6, SHEET SP-5.

NOTES:
1. THE DIMENSIONS SHOWN AT ROADWAY EDGE ARE FIXED DISTANCES.
2. RAMP CROSS SECTION TO BE SAME AS ADJACENT SIDEWALK; I.E., DEPTH OF SURFACE AND FOUNDATION.
3. PORTLAND CEMENT CONCRETE RAMPS ARE TO BE TEXTURED BY BROOMING IN A DIRECTION PARALLEL TO THE LENGTH OF THE RAMP.
4. SIDEWALKS THAT CROSS DRIVEWAYS SHALL BE RAMPED TO MEET THE GRADE OF DRIVEWAY.
5. THESE DIMENSIONS ARE SUBJECT TO CHANGE IN THE FIELD IF EXISTING APPURTENANCES OR CONDITIONS WILL MAKE THE RAMP LOCATIONS IMPRACTICAL OR UNSAFE.
6. DETECTABLE WARNINGS TO BE INSTALLED 6" FROM EDGE OF RAMP.
7. DETECTABLE WARNINGS PADS SHALL BE CONSTRUCTED OF CAST IRON OR SIMILAR DURABLE MATERIAL APPROVED BY THE CITY OF DOVER.



SECTION A-A

W	L	S.Y.
5'-0"	2'-9"±	6.3
6'-0"	2'-0"±	7.2
7'-0"	1'-3"±	8.0
8'-0"	0'-0"	8.1

11 WHEEL CHAIR RAMP
NOT TO SCALE

TRITECH
ENGINEERING CORPORATION
755 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820
TELEPHONE 603 742 8107
FAX 603 742 3830

ISSUED FOR PLANNING BOARD REVIEW
January 6, 2025

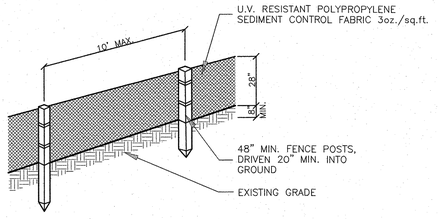
REVISIONS DATE:	DESCRIPTION:
9-12-24	REVISED PER TRC COMMENTS
10-24-24	REVISED PER TRC COMMENTS
10-23-25	REVISED PER TDR APPROVAL
12-9-25	REVISED PER TRC COMMENTS

STATE OF NEW HAMPSHIRE - ROBERT J. STOWELL No. 9855 - PROFESSIONAL ENGINEER

CONSTRUCTION DETAILS
103 COURT STREET
103 COURT STREET
DOVER, NEW HAMPSHIRE
STRAFFORD COUNTY
AUGUST 15, 2024
JOB No. 24101

SHEET No.
SP-8

(P24-0012)



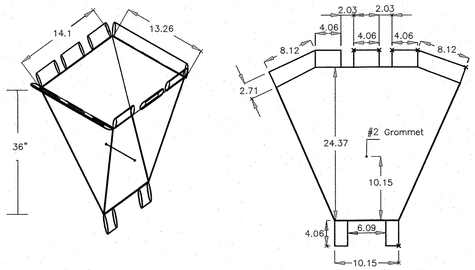
PERSPECTIVE VIEW

NOTES

1. THE GEOTEXTILE FABRIC SHALL MEET THE DESIGN CRITERIA FOR BEST MANAGEMENT PRACTICE FOR SILT FENCES, OF THE "STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL HANDBOOK FOR URBAN AND DEVELOPING AREAS IN NEW HAMPSHIRE" PREPARED BY ROCKINGHAM COUNTY CONSERVATION DISTRICT, DATED AUGUST 1992.
2. THE FABRIC SHALL BE EMBEDDED A MINIMUM OF 8 INCHES INTO THE GROUND AND THE SOIL COMPACTED OVER THE EMBEDDED FABRIC.
3. WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER, THEY SHALL BE OVERLAPPED BY 6 INCHES, FOLDED AND STAPLED.
4. FENCE POSTS SHALL BE A MINIMUM OF 36 INCHES LONG AND DRIVEN A MINIMUM OF 20 INCHES INTO THE GROUND. WOOD POSTS SHALL BE OF SOUND QUALITY HARDWOOD AND SHALL HAVE A MINIMUM CROSS SECTIONAL AREA OF 3.0 SQ.IN..
5. MAINTENANCE SHALL BE PERFORMED AS NEEDED TO PREVENT BULGES IN THE SILT FENCE DUE TO DEPOSITION OF SEDIMENT.
6. REMOVE BY HAND AND PROPERLY DISPOSE OF ALL SEDIMENT PRIOR TO REMOVING FENCE.

SECTION

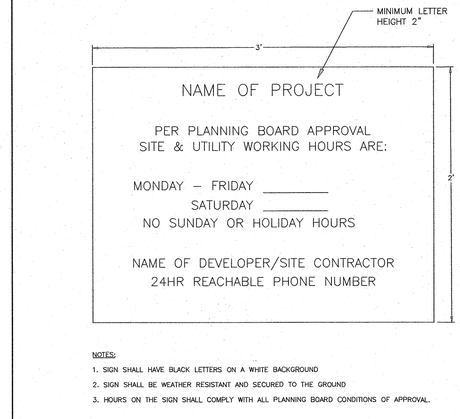
1 SILT FENCE
NOT TO SCALE



Specifications:

a) Fabric used should not be laminated.
b) Silt sack to have two #2 grommets, one on each of the two sides, 15" from the bottom of the silt sack.
c) Tie 1/4" wide yellow rope 19" long through the grommets on two sides of the silt sack.

2 Hi Vis Hi Flow Silt Sack
NOT TO SCALE



NOTES:

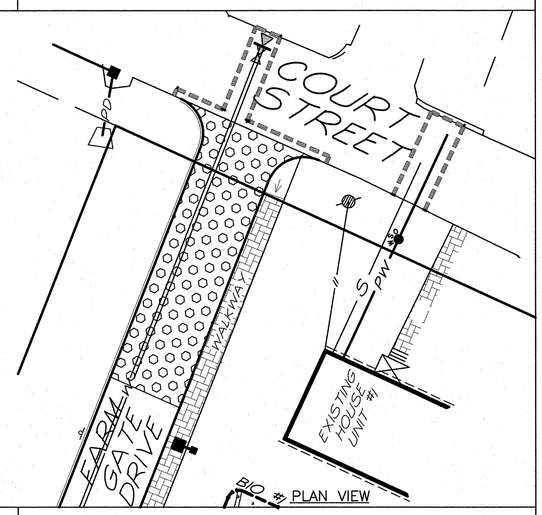
1. SIGN SHALL HAVE BLACK LETTERS ON A WHITE BACKGROUND
2. SIGN SHALL BE WEATHER RESISTANT AND SECURED TO THE GROUND
3. HOURS ON THE SIGN SHALL COMPLY WITH ALL PLANNING BOARD CONDITIONS OF APPROVAL.

3 DOVER STD. D-2 Construction Sign
NOT TO SCALE

1. GRADE AND COMPACT ACCESS ROAD ENTRANCE AS NECESSARY PLACE FILTER FABRIC (MIRAFI OR EQUAL) AND PLACE 6" OF 1" – 2" STONE TO MATCH SLOPE OF EXISTING ROAD
2. PROVIDE NECESSARY SWALES OR DIVERSIONS TO MINIMIZE DIRECT FLOW OF WATER ONTO STONE AREA.
3. CONSTRUCTION ENTRANCE SHALL BE MAINTAINED AS NECESSARY TO REMOVE SILT FROM TIRES PRIOR TO ENTERING PUBLIC ROADS. A SMALL SWALE SHALL BE CONSTRUCTED ON THE DOWN GRADIENT SIDE TO TRAP ANY SILT WASHED FROM THE STONE.
4. HAYBALES OR SILT FENCE SHALL BE PLACED ON THE DOWN GRADIENT SIDE AS SHOWN ON THE EROSION CONTROL PLAN.

PROFILE

5 STABILIZED CONSTRUCTION ENTRANCE
NOT TO SCALE



1. THE PROJECT SHALL BE MANAGED TO MEET THE REQUIREMENTS AND INTENT OF RSA 430:53 AND AGR 3800 RELATIVE TO INVASIVE SPECIES.
2. FUGITIVE DUST SHALL BE CONTROLLED IN ACCORDANCE WITH ENV-A 1000.

CRITICAL AREAS

Anywhere on the site that existing vegetation is to be removed will require immediate erosian cantral treatment. Special care shauld be taken where runaff enters wetlands. All starm water practices areas shall be stabilized priar ta directing storm water to them; specifically all biaretntian basins and all infiltration practices.

EROSION AND SEDIMENT CONTROL PRACTICES

Erasian and sediment cantral practices will include the use af rip-rap, and silt fence check dams. All erasian and sediment contral practices will be canstructed and maintained according to the minimum standards and specifications contained in the "New Hampshire Starmwater Manual, Volume 2".

A. Erosion and Sediment Control Measures

1. The erasian cantral procedures shall canform to Sectian 645 of the "Standard Specifications for Road and Bridge Canstruction" af the NH DOT, and the "New Hampshire Starmwater Manual."
2. During Canstructian and thereafter, erasion cantral measures are ta be implemented as nated. The smallest practical area of land shauld be exposed at any one time during development. The amaunt af expased areas which are temporarily stabilized without permanent stabilization shall be limited to 5 acres.
3. During grading operations, install stane check dams at 50 foot intervals in drainage swales and at drain inlets where shawn. Barriers are ta be maintained and cleaned until disturbed areas are stabilized.
4. Any disturbed areas which are ta be left temporarily, and which will be regraded later during canstructian shall be machine hay mulched and seeded with rye grass to prevent erosion.
5. Silt fences and ather erasian cantral measures shall be inspected weekly and after every 0.25" rainfall event during the life af the project. All damaged silt fences shall be repaired. Sediment deposits shall periadically be remaved.
6. Avaid the use at future apen spaces (laam and seed areas) wherever passible during the canstructian. Canstructian traffic shall use the raadbeds of future raads and parking areas.
7. Tapsail required far the establishment af vegetatian shall be stock piled in amaunts necessary ta complete finished grading of all expased areas.
8. Areas ta be filled shall be cleared, grubbed, and stripped af tapsail to remave trees, vegetatian, raats or ather objectionable material. Stumps shall be disposed by grinding ar fill in an approved facility.
9. All fills shall be placed and campacted to reduce erasion, slippage settlement, subsidence or other related problems.
10. All fill shall be placed and campacted in layers not to exceed 8 inches in thickness.
11. Frozen material or saft, mucky ar highly compressible material shall nat be incorparated inta fills.
12. Fill material shall nat be placed an a frazen foundation subgrade.
13. Disturbed areas shall be seeded immediately following finished grading.
14. Limit af expased area that is tempararily stabilized without permanent stabilizatian is 5 acres or less.
15. All areas nat stabilized by Nav. 1st must be protected by Erasion Cantral Blankets ar equivalent and mulched/seeded with winter rye ar aats.
16. All disturbed areas must be seed and mulched within 3 days af final grading, permanently stabilized within 15 days af final grading ar tempararily stabilized within 45 days of initial disturbance.
17. All ditches and swales are ta be stabilized priar to directing runaff ta these features.
18. All cut and fill slopes shall be seeded immediately.
19. An area shall be considered stable if one of the following has accurred:
    a.) Base caurse gravels are installed in areas to be paved
    b.) A minimum af 85% vegetated growth has been established
    c.) A minimum af 3" of non-erasive material such as stone ar riprap has been installed
    d.) Erasian cantral blankets have been properly installed.

B. Vegetative Practice

All graund areas opened up far canstructian will be regraded, loamed, seeded and mulched in the shartest practical time. All Temparary and Permanent Seeding must be applied priar to October 1st. Employ temparary erasion and sedimentation cantrol devices as detailed in this plan as necessary until adequate stabilizatian has been assured.

A. Temporary Seeding & Hay Mulching

1. At na time shall any disturbed area remain unstabilized far langer than 30 days. All areas where canstructian is nat completed within 30 days af the initial disturbance shall receive temparary seeding measures.
2. Fertilizer shall be spread an the tap layer af loam and warked into the surface. Fertilizer applicatian rate shall be 300 pounds per acre of 10-10-10 fertilizer.
3. Seed shall be Winter Rye, 112 LBS. per acre.
4. Remove stanes and trash that will interfere with seeding the area. Where feasible, till the sail ta a depth of abaut 3 inches to prepare a seedbed and mix fertilizer into the soil. The seedbed shauld be left in a firm and smaath canditian. The last tillage operation shauld be performed across the slape whenever practical.
5. If seeding between May 15th and August 15th, hay mulch shall be applied immediately after seeding at a rate of 1.5 to 2 tons per acre and shall be held in place using appropriate techniques from the Erasian and Sediment Cantral Handbaak.
6. The surface shall be watered and kept moist with a fine spray as required without washing away the soil, until the grass is well estoblished. Any areas which are not satisfactarily covered with grass shall be reseeded, and all naxious weeds are removed.

B. Permanent Seeding & Hay Mulching

1. All disturbed areas shall be loamed (4") and limed. Lime shall be thoraughly incorparated into the loam layer at a rate of 2 tons per acre.
2. Fertilizer shall be spread an the top layer af loam and warked inta then surface. Fertilizer applicatian rate shall be 500 pounds per acre of 10-20-20 fertilizer.
3. Seed shall be 48 lbs. per acre, SCS mixture "c" (20 lbs tall fescue, 20 lbs. creeping red fescue and 8 lbs. birds faat trefail = 48 lbs total.) The soil shall be lightly raked immediately before seeding. One half the seed shall be sawn in ane directian and the ather half at right angles to the original direction. It shall be lightly raked in to the soil to a depth not aver 1/4 inch and rolled with hand roller weighing nat aver 100 paints per linear faat to width.
4. Hay mulch shall be applied immediately after seeding at a rate of 1.5 to 2 tons per acre and shall be held in place using appropriate techniques from the Erasion and Sediment Cantral Handbaak. The surface shall be watered and kept moist with a fine spray as required, without washing away the soil, until the grass is well estoblished. Any areas which are not satisfactarily covered with grass shall be reseeded, and all naxious weeds remaved.

CONSTRUCTION SEQUENCE

1. Da not begin canstructian until all local, state and federal permits have been applied far and received.
2. Install silt fences filtrex sack as necessary to cantral erasion and prevent sediment contamination priar to any earth moving activities.
3. Cut and remave trees, shrubs, saplings, brush, vines and ather debris and rubbish as specified far canstructian.
4. Care shall be taken to preserve the infiltration capacity af the infiltrating soil. See the New Hampshire Starmwater Manual for additianal infarmation.
5. Construct stormwater Infiltration Proctice #1 and Bioretention Practice #1. Do not direct runaff to these practices until the practice and contributing areas are fully stabilized.
6. Building canstructian may begin.
7. Canstruct driveways, parking and utilities.
8. Loam and seed disturbed areas in accordance with vegetative practice and general canstructian notes. Cut and fill slopes shall be seeded immediately after their canstructian.
9. All areas receiving runoff, including but nat limited to the stormwater infiltration shall be stabilized priar to directing runaff to them.
10. All soils that are finish graded must be stabilized within 72 hours af disturbance.
11. Maintain disturbed areas as necessary.

MAINTENANCE

During the period af canstructian and/ar until lang term vegetatian is established:
1. Seeded areas will be fertilized and reseeded as necessary to insure vegetative establishment.
2. The side slapes will be checked after each significant rainfall.
3. The side slapes will be checked weekly and repaired when necessary until adequate vegetatian is established.
4. The silt fence barriers will be checked regularly. Necessary repairs will be made to correct undermining ar deterioration of the structures.

WINTER CONSTRUCTION NOTES

1. All prapased vegetated areas which da nat exhibit a minimum of 85% vegetatian growth by October 15th, ar which are disturbed after October 15th, shall be stabilized by seeding and installing erasian cantral blankets an slopes greater than 3:1, and seeding and placing 3 to 4 tans af mulch per acre, secured with anchared netting, elsewhere. The installatian af erasian cantral blankets ar mulch and netting shall nat accur aver accumulated snaw ar an frazen ground and shall be completed in advance of thaw or spring melts.
2. All ditches or swales which do not exhibit a minimum of 85% vegetatian growth by October 15th, ar which are disturbed after October 15th, shall be stabilized tempararily with staale ar erasian control blankets appropriate far the design flaw conditions.
3. After November 15th, incomplete raad ar parking surfaces, where wark has stapped far the winter season, shall be protected with a minimum af 3 inches af crushed gravel per NHDOT item 304.3.

12 EROSION AND SEDIMENT CONTROL NOTES

NOTES

1.) ALL MATERIAL TO MEET FILTREXX SPECIFICATIONS.
2.) THE CONTRACTOR SHALL MAINTAIN THE COMPOST FILTER BERM IN A FUNCTIONAL CONDITION AT ALL TIMES AND IT SHALL BE ROUTINELY INSPECTED.
3.) WHERE IT REQUIRES REPAIR , IT WILL BE ROUTINELY REPAIRED.
4.) THE CONTRACTOR SHALL REMOVE SEDIMENTS COLLECTED AT THE BASE OF THE BERM WHEN THEY REACH 1/3 OF THE EXPOSED HEIGHT OF THE BERM, OR AS DIRECTED BY THE ENGINEER.
5.) THE COMPOST FILTER BERM WILL BE DISPERSED ON SITE WHEN NO LONGER REQUIRED, AS DETERMINED BY THE ENGINEER.

9 FILTREXX SOCK – SILT FENCE
NOT TO SCALE

TYPICAL BERM FOR MINIMAL GRADES SHOWN. FOR STEEPER GRADES, I.E. 2:1 SLOPES INCREASE BERM SIZE AS DETERMINED ON SITE BY ENGINEER.

FILTER COMPOST MATERIAL AS PER SPECIFICATIONS.

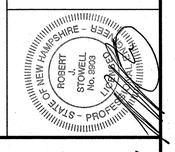
1. BERMS SHALL BE USED IN AREAS WHERE EROSION WILL OCCUR ONLY IN THE FORM OF SHEET EROSION AND THERE WILL BE NO CONCENTRATION OF WATER IN A CHANNEL OR DRAINAGE WAY ABOVE THE BERM.
2. THE BERMS SHALL BE INSTALLED FOLLOWING THE CONTOUR OF THE LAND AS CLOSE AS POSSIBLE.
3. THE BERMS SHALL BE INSTALLED ON SLOPES OF LESS THAN 5%.
4. THE MIX SHALL HAVE AN ORGANIC PORTION BETWEEN 80 AND 100%, DRY MASS WEIGHT BASIS, AND BE FIBEROUS AND ELONGATED SUCH AS FROM SHREDDED BARK, STUMP GRINDINGS, COMPOSED BARK, OR EQUIVALENT MANUFACTURED PRODUCTS.
5. WOOD AND BARK CHIPS, GROUND CONSTRUCTION DEBRIS, OR REPROCESSED WOOD PRODUCTS SHALL NOT BE USED AS ORGANIC MATERIALS.
6. THE MIX SHALL NOT CONTAIN SILTS, CLAY OR FINE SANDS.
7. THE MIX SHALL HAVE A PARTICLE SIZE BY WEIGHT OF 70 TO 85% PASSING A 6-INCH SCREEN AND A MAXIMUM OF 85% PASSING THE 0.75-INCH SCREEN.

11 EROSION CONTROL MULCH BERM
NOT TO SCALE

TRITECH
ENGINEERING CORPORATION
755 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820
TELEPHONE 603 742 8107
FAX 603 742 3830

ISSUED FOR PLANNING BOARD REVIEW
January 6, 2025

REVISIONS DATE:	DESCRIPTION:
9-12-24	REVISED PER TRC COMMENTS
10-23-25	REVISED PER TDR APPROVAL
12-9-25	REVISED PER TRC COMMENTS



CONSTRUCTION DETAILS

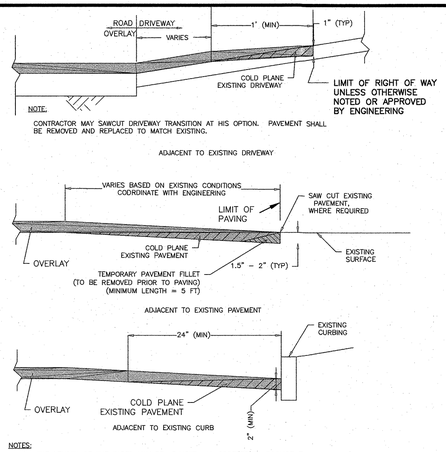
103 COURT STREET

103 COURT STREET
DOVER, NEW HAMPSHIRE
STRAFFORD COUNTY

AUGUST 15, 2024 JOB No. 24101

SHEET No. SP-9

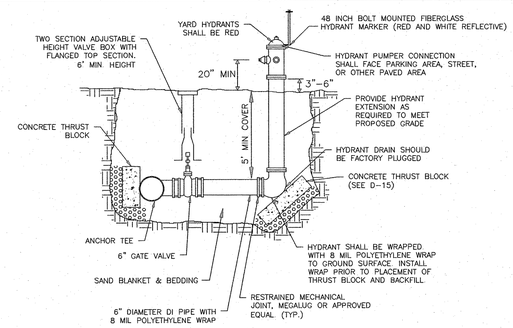
(P24-0012)



NOTES:

1. THE LENGTH OF THE TAPER MAY BE ADJUSTED AS ORDERED TO PROVIDE FOR VARYING FIELD CONDITIONS OR CHANGES IN SINGLE COURSE DEPTH

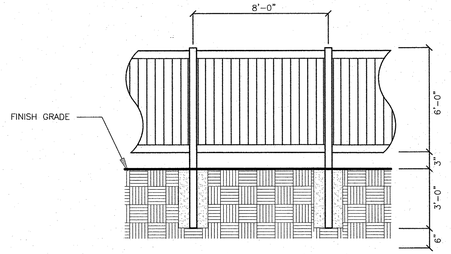
1 DOVER STD. D-12 Pavement Overlay Details
NOT TO SCALE



NOTES:

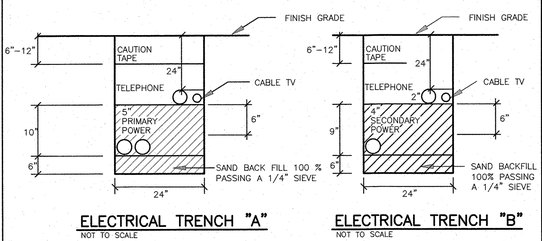
1. FIRE HYDRANTS SHALL BE FACTORY SEALED EDDY STYLE 2641.
2. HYDRANT SHALL BE PAINTED RED WITH EPOXY PAINT AS RECOMMENDED BY THE HYDRANT MANUFACTURER.
3. HYDRANT SHALL OPEN LEFT.
4. HYDRANT MARKER TO BE 3/8" FIBERGLASS RODS BY E-ZGUIDE PRODUCTS OR APPROVED EQUAL.
5. PIPE BEDDING AND BLANKET SHALL MEET THE STANDARD WATER TRENCH DETAIL D-4.

2 DOVER STD. D-14 FIRE HYDRANT
NOT TO SCALE



INSTALL 6' TALL VINYL FENCE
POSTS SHALL BE EMBEDDED 36" MINIMUM

3 VINYL STOCKADE FENCE DETAIL
NOT TO SCALE



ELECTRICAL TRENCH "A"
NOT TO SCALE

ELECTRICAL TRENCH "B"
NOT TO SCALE

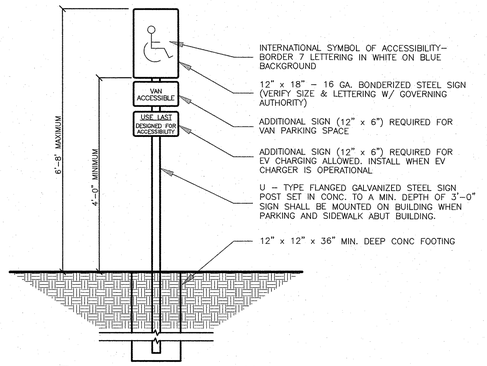
1.) TELEPHONE CONDUIT SHALL BE 3" SCHEDULE 40 PVC, WITH STEEL SWEEPS AT RISER POLE, 90° BENDS AND AT BUILDING.

2.) LEAVE PULL ROPE IN ALL CONDUITS FOR CABLE INSTALLATION.

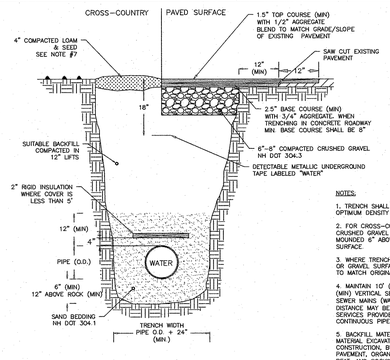
3.) FOR COMPLETE SPECIFICATION SEE "PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE CONSTRUCTION SPECIFICATIONS FOR UNDERGROUND CONDUIT SYSTEMS".

4.) CONTRACTOR SHOULD VERIFY THE NUMBER & SIZE OF CONDUIT WITH THE APPROPRIATE UTILITIES.

4 ELECTRICAL TRENCH
NOT TO SCALE



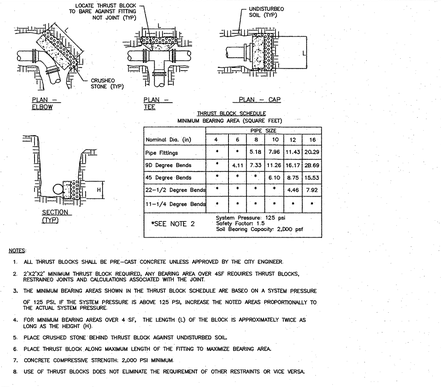
5 ACCESSIBLE-EV CHARGING SIGN
NOT TO SCALE



NOTES:

1. TRENCH SHALL BE COMPACTED TO 95% OPTIMUM DENSITY FOR EACH MATERIAL.
2. FOR CROSS-COUNTRY CONSTRUCTION 6" CRUSHED GRAVEL OR LOAM & SEED SHALL BE MOUNDED 6" ABOVE THE ORIGINAL GROUND SURFACE.
3. WHERE TRENCH IS LOCATED ON EXISTING LAWN OR GRAVEL SURFACE, TRENCH SHALL CONFORM TO MATCH ORIGINAL GROUND SURFACE.
4. MAINTAIN 10' (MIN.) HORIZONTAL AND 18" (MIN) VERTICAL SEPARATION BETWEEN WATER & SEWER MAINS (WATER ABOVE SEWER). HORIZONTAL DISTANCE MAY BE REDUCED TO 5' (MIN.) FOR SERVICES PROVIDED THE WATER SERVICE IS A CONTINUOUS PIPE WITHOUT JOINTS OR FITTINGS.
5. BACKFILL MATERIAL SHALL BE THE NATURAL MATERIAL EXCAVATED DURING THE COURSE OF CONSTRUCTION, BUT SHALL EXCLUDE: DEBRIS, PAVEMENT, ORGANIC MATTER, TOP SOIL, MUCK, PEAT, AND ROCKS OVER 6" IN LARGEST DIMENSION
6. PROVIDE MINIMUM 5' OF COVER. ENGINEERING APPROVAL REQUIRED FOR LESS THAN 5' OF COVER.
7. LOAM AND SEED SHOULD BE IN COMPLIANCE WITH NH DOT 641, 642, 643, 644 AND 645.

6 DOVER STD. D-4 Water Trench
NOT TO SCALE



THRUST BLOCK SCHEDULE
MINIMUM BEARING AREA (SQUARE FEET)

	PIPE SIZE					
Nominal Dia. (in)	4	6	8	10	12	16
Pipe Fittings	*	*	5.18	7.96	11.43	20.29
90 Degree Bends	*	4.11	7.33	11.26	16.17	28.69
45 Degree Bends	*	*	*	6.10	8.75	15.53
22-1/2 Degree Bends	*	*	*	*	4.46	7.92
11-1/4 Degree Bends	*	*	*	*	*	*

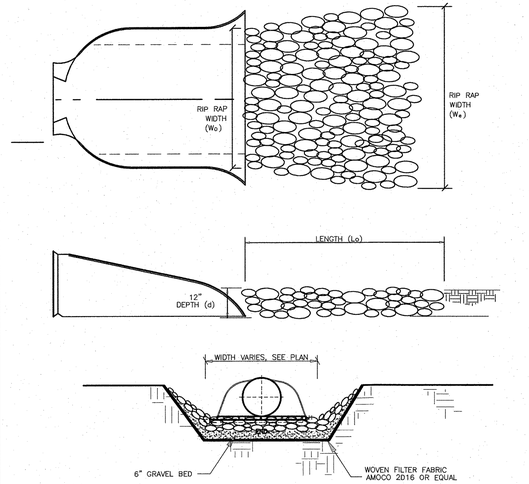
*SEE NOTE 2

System Pressure: 125 psi
Safety Factor: 1.5
Soil Bearing Capacity: 2,000 psf

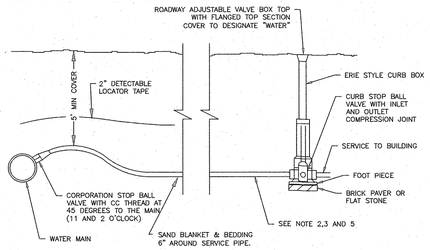
NOTES

1. ALL THRUST BLOCKS SHALL BE PRE-CAST CONCRETE UNLESS APPROVED BY THE CITY ENGINEER.
2. 2'X2'X0" MINIMUM THRUST BLOCK REQUIRED. ANY BEARING AREA OVER 4SF REQUIRES THRUST BLOCKS, RESTRAINED JOINTS AND CALCULATIONS ASSOCIATED WITH THE JOINT.
3. THE MINIMUM BEARING AREAS SHOWN IN THE THRUST BLOCK SCHEDULE ARE BASED ON A SYSTEM PRESSURE OF 125 PSI. IF THE SYSTEM PRESSURE IS ABOVE 125 PSI, INCREASE THE NOTED AREAS PROPORTIONALLY TO THE ACTUAL SYSTEM PRESSURE.
4. FOR MINIMUM BEARING AREAS OVER 4 SF, THE LENGTH (L) OF THE BLOCK IS APPROXIMATELY TWICE AS LONG AS THE HEIGHT (H).
5. PLACE CRUSHED STONE BEHIND THRUST BLOCK AGAINST UNDISTURBED SOIL.
6. PLACE THRUST BLOCK ALONG MAXIMUM LENGTH OF THE FITTING TO MAXIMIZE BEARING AREA.
7. CONCRETE COMPRESSIVE STRENGTH: 2,000 PSI MINIMUM.
8. USE OF THRUST BLOCKS DOES NOT ELIMINATE THE REQUIREMENT OF OTHER RESTRAINTS OR VICE VERSA.

7 DOVER STD. D-15 THRUST BLOCK
NOT TO SCALE



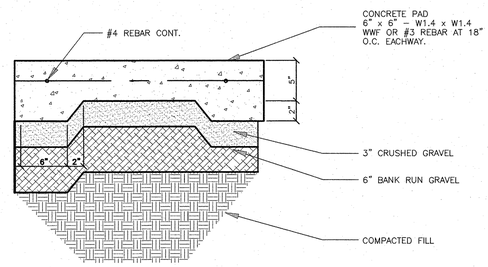
8 RIPRAP DETAIL
NOT TO SCALE



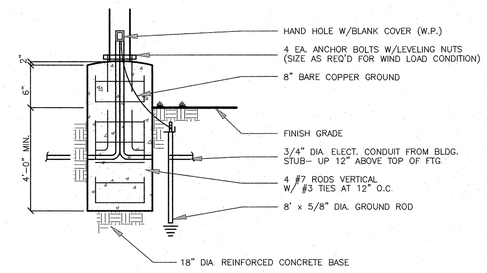
NOTES:

1. ALL WATER LINES 4" OR GREATER SHALL BE DUCTILE IRON WITH AN 8 MIL PDLYETHYLENE WRAP, INCLUDING TEE AND OTHER CONNECTIONS.
2. WATER SERVICE LINES SHALL BE COPPER TUBING (TYPE K) BETWEEN MAIN AND CURB STOP.
3. SERVICE BETWEEN CURB STOP AND BUILDING MAY BE (BLUE OR BLACK) CTS SDR 9 PLASTIC POLYETHYLENE RATED FOR 250 psi.
4. CAM-LOCK REQUIRED FOR CTS OR IPS, MJ ADAPTER REQUIRED FOR HDPE
5. ALL SERVICES SHALL BE 1". PROVIDE 1" TO 3/4" REDUCER COUPLING WHERE EXISTING SERVICES ARE 3/4", SUBSIDIARY.
6. APPROVED WATER SERVICE MATERIALS INCLUDE:
   - 3/4"- COPPER, CTS
   - 1"- COPPER, CTS
   - 2"- CTS, HDPE, IPS
7. ALL SADDLES USED AS SPECIFIED SHALL HAVE DOUBLE STAINLESS STEEL STRAPS.
8. TAPS TO BE MADE AT APPROX. 2:00 AND 10:00.

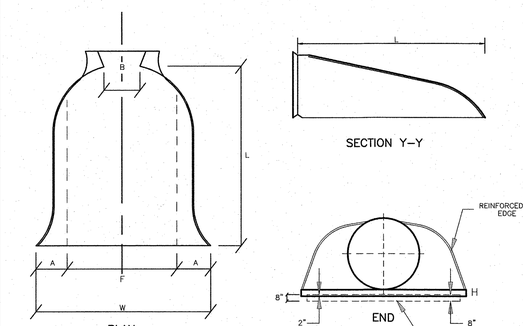
9 DOVER STD. D-13 WATER SERVICE CONNECTION
NOT TO SCALE



10 CONCRETE PAD DETAIL
NOT TO SCALE



11 SITE LIGHTING BASE
NOT TO SCALE



DIA	A	B	H	F	L	W
12"	5"	7"	6"	22"	21"	44"

12 CMP FLARED END SECTION
NOT TO SCALE

TRITECH
ENGINEERING CORPORATION
755 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820
TELEPHONE 603 742 8107
FAX 603 742 3830

ISSUED FOR PLANNING BOARD REVIEW
January 6, 2025

REVISIONS

DATE:	DESCRIPTION:
9-12-24	REVISED PER TRC COMMENTS
12-9-25	REVISED PER TRC COMMENTS

I HEREBY CERTIFY THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER IN THE STATE OF NEW HAMPSHIRE
ROBERT J. STOWELL
NO. 13580
LICENSED PROFESSIONAL ENGINEER
STATE OF NEW HAMPSHIRE

CONSTRUCTION DETAILS

103 COURT STREET

103 COURT STREET
DOVER, NEW HAMPSHIRE
STRAFFORD COUNTY

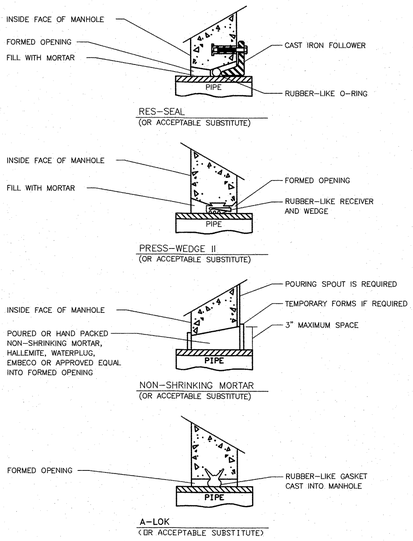
AUGUST 15, 2024

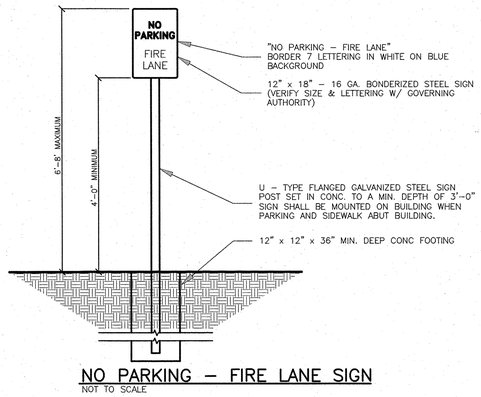
JOB No. 24101

SHEET NO.

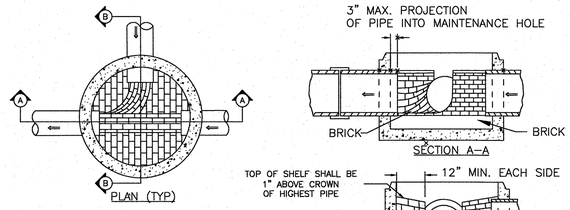
SP-10

(P24-0012)



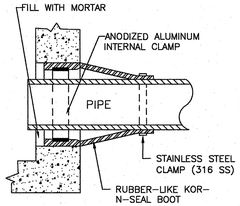


NO PARKING – FIRE LANE SIGN
NOT TO SCALE



NOTES:

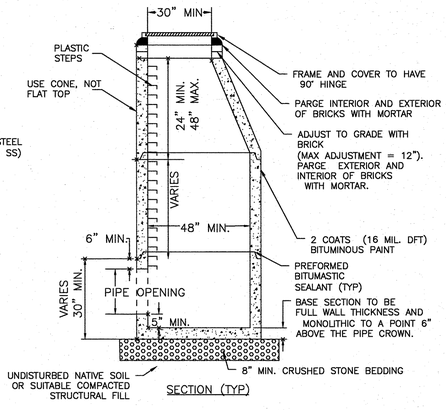
1. CORINGS TO BE SEPARATED BY 6" (MINIMUM) OF MONOLITHIC SECTION



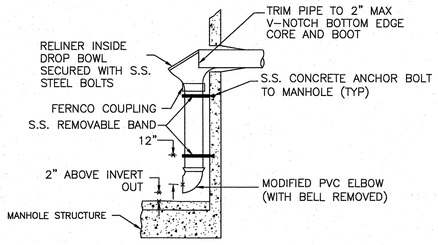
KOR-N-SEAL JOINT SLEEVE
(OR EQUAL)

NOTES:

1. ALL SEWER MAINTENANCE HOLES WITHIN CITY EASEMENTS OR RIGHT OF WAY SHALL HAVE LIFTMATE R-1743-LM COVERS OR APPROVED EQUAL.
2. SEWER MAINTENANCE HOLES NOT WITHIN CITY EASEMENTS OR RIGHT OF WAY SHALL BE SEALED TO PREVENT INFILTRATION.



DOVER STD. D-16 SEWER MAIN
NOT TO SCALE



INTERNAL DROP

NOTES:

1. INTERNAL DROPS ARE PROHIBITED UNLESS APPROVED BY THE CITY ENGINEER.
2. A MINIMUM 5 FT DIAMETER MANHOLE IS REQUIRED FOR AN INTERNAL DROP.
3. IF A DROP IS PROPOSED FOR AN EXISTING MANHOLE, THE BRICK SHELF SHALL BE REWORKED TO FORM A NEW CHANNEL, FOR NEW DROP CONNECTIONS. IF STRUCTURE IS LESS THAN 5 FT IN DIAMETER, A NEW PRECAST MANHOLE SHALL BE INSTALLED.
4. BRICK INVERT NOT SHOWN ON DETAIL.
5. EXTERNAL DROPS ARE NOT PERMITTED UNLESS AUTHORIZED IN WRITING BY COMMUNITY SERVICES.

DOVER STD. D-18 MH DROP INLET
NOT TO SCALE

GENERAL NOTES

1) IT IS THE INTENTION THAT THE MANHOLE, INCLUDING ALL COMPONENT PARTS, HAVE ADEQUATE SPACE, STRENGTH AND LEAK PROOF QUALITIES CONSIDERED NECESSARY FOR THE INTENDED SERVICE. SPACE REQUIREMENTS AND CONFIGURATIONS, SHALL BE AS SHOWN ON THE DRAWING. MANHOLES SHALL BE AN ASSEMBLY OF PRECAST SECTIONS, WITH STEEL REINFORCEMENT, WITH ADEQUATE JOINTING, OR CONCRETE CAST MONOLITHICALLY IN PLACE WITH REINFORCEMENT. IN ANY APPROVED MANHOLE, THE COMPLETE STRUCTURE SHALL BE OF SUCH MATERIAL AND QUALITY AS TO WITHSTAND LOADS OF 8 TONS(H-20 LOADING) WITHOUT FAILURE AND PREVENT LEAKAGE IN EXCESS OF ONE GALLON PER DAY PER VERTICAL FOOT OF MANHOLE, CONTINUOUSLY FOR THE LIFE OF THE STRUCTURE. A PERIOD GENERALLY IN EXCESS OF 25 YEARS IS TO BE UNDERSTOOD IN BOTH CASES.

2) BARRELS AND CONE SECTIONS SHALL BE PRECAST REINFORCED CONCRETE, OR POURED IN PLACE REINFORCED CONCRETE.

3) PRECAST CONCRETE BARREL SECTIONS, CONES AND BASES SHALL CONFORM TO ASTM C478.

4) LEAKAGE TEST SHALL BE PERFORMED IN ACCORDANCE WITH THE SPECIFICATIONS.

5) INVERTS AND SHELVES: MANHOLES SHALL HAVE A BRICK PAVED OR PRECAST CONCRETE SHELF AND INVERT, CONSTRUCTED TO CONFORM TO THE SIZE OF THE PIPE AND FLOW. AT CHANGES IN DIRECTIONS, THE INVERTS SHALL BE LAID OUT IN CURVES OF THE LONGEST RADIUS POSSIBLE TANGENT TO THE CENTER LINE OF THE SEWER PIPES. SHELVES SHALL BE CONSTRUCTED TO THE ELEVATION OF THE HIGHEST PIPE CROWN AND SLOPE TO DRAIN TOWARD THE FLOWING THROUGH CHANNEL. UNDERLAYMENT OF INVERT AND SHELF SHALL CONSIST OF BRICK MASONRY OR PRECAST CONCRETE.

6) FRAMES AND COVERS: MANHOLES FRAMES AND COVERS SHALL BE OF HEAVY DUTY DESIGN AND PROVIDE A 30-INCH CLEAR OPENING. A 3-INCH (MINIMUM HEIGHT) WORD "SEWER" FOR SEWERS AND "DRAIN" FOR DRAINS SHALL BE PLAINLY CAST INTO THE CENTER OF EACH COVER

7) BEDDING: SCREENED GRAVEL AND/OR CRUSHED STONE FREE FROM CLAY, LOAM, ORGANIC MATTER AND MEETING ASTM C33, SIZE NUMBER 67.
100% PASSING 1 INCH SCREEN 0-10% PASSING #4 SIEVE
90-100% PASSING INCH SCREEN 0-5% PASSING #8 SIEVE
20-55% PASSING INCH SCREEN
WHERE ORDERED BY THE ENGINEER TO STABILIZE THE BASE, SCREENED GRAVEL OR CRUSHED STONE INCH TO 1 INCH SHALL BE USED.

8) FLEXIBLE JOINT: A FLEXIBLE JOINT SHALL BE PROVIDE WITHIN THE FOLLOWING DISTANCES: RCP & CI PIPE – ALL SIZES – 48"

9) SHALLOW MANHOLE: IN LIEU OF A CONE SECTION, WHEN MANHOLE DEPTH IS LESS THAN 6 FEET, A REINFORCED CONCRETE SLAB COVER MAY BE USED HAVING AN ECCENTRIC ENTRANCE OPENING AND CAPABLE OF SUPPORTING H-20 LOADS.

10) MANHOLE STEPS MAY BE PERMITTED UPON REQUEST BY THE OWNER AS SECONDARY ADDITIONAL SAFETY FEATURE SUPPLEMENTARY TO THE PRIMARY PORTABLE LADDER ENTRY AND WHEN INSTALLED UNDER THE FOLLOWING CONDITIONS:

1. THE STEPS SHALL BE MANUFACTURED OF PLASTIC COVERED STEEL. THEY SHALL BE SHAPED SO THEY CANNOT BE PULLED OUT OF THE CONCRETE WALL IN WHICH THEY ARE EMBEDDED.
2. THE STEPS SHALL BE EMBEDDED IN THE CONCRETE BY THE MANUFACTURER DURING MANUFACTURE OR IMMEDIATELY FOLLOWING REMOVAL OF FORMS. SECURING THE STEPS WITH MORTAR IN DRILLED OR CAST HOLES, WILL NOT BE ACCEPTABLE.
3. THE STEPS SHALL BE OF THE DROP TYPE WITH A DEPRESSED SECTION FOR HANDHOLD. APPROXIMATELY 14"X10" IN DIMENSION.

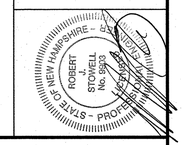
11) HORIZONTAL JOINTS BETWEEN SECTIONS OF PRECAST CONCRETE BARRELS SHALL BE OF A TYPE APPROVED BY THE ENGINEER, WHICH TYPE SHALL, IN GENERAL, DEPEND FOR WATERTIGHTNESS UPON AN ELASTOMERIC OR MASTIC-LIKE GASKET. APPROVED ELASTOMERIC SEALANTS ARE: RAM-NEK
KENT SEAL NO.2
EZ

12) PIPE TO MANHOLE JOINTS SHALL BE ONLY AS APPROVED BY THE ENGINEER AND IN GENERAL, WILL DEPEND FOR WATERTIGHTNESS UPON EITHER AN APPROVED NON-SHRINKING MORTAR OR ELASTOMERIC SEALANT.

TRITECH
ENGINEERING CORPORATION
755 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820
TELEPHONE 603 742 8107
FAX 603 742 3830

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January 6, 2025

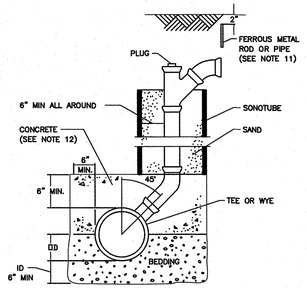
REVISIONS
DATE: DESCRIPTION:
9-12-24 REVISED PER TRC COMMENTS
10-24-24 REVISED PER TRC COMMENTS
12-9-25 REVISED PER TRC COMMENTS



SEWER DETAILS
103 COURT STREET
103 COURT STREET
DOVER, NEW HAMPSHIRE
STRAFFORD COUNTY
AUGUST 15, 2024
JOB No. 24101

SHEET No.
SP-11

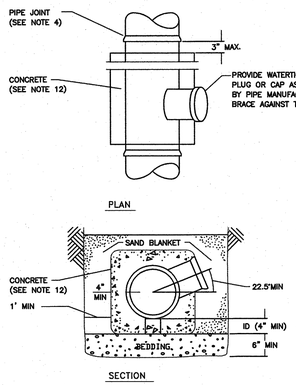
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NO BACKFILLING BEFORE CONCRETE HAS TAKEN INITIAL SET (7 HRS. MIN.). BACKFILLING TO BE BROUGHT UP EVENLY ON ALL SIDES.

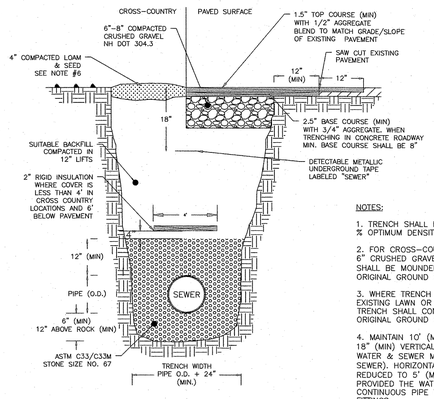
CHIMNEY (SEE NOTE 13)

NOT TO SCALE



CONCRETE FULL ENCASEMENT

NOT TO SCALE

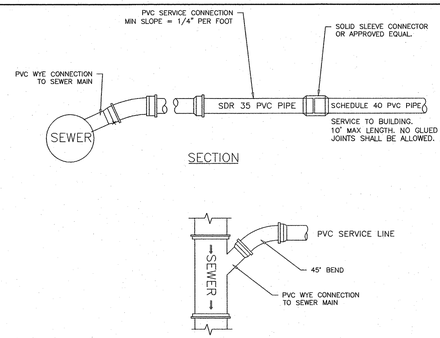


DOVER STD. D-3 Sewer Trench

NOT TO SCALE

NOTES:

1. TRENCH SHALL BE COMPACTED TO 95 % OPTIMUM DENSITY FOR EACH MATERIAL.
2. FOR CROSS-COUNTRY CONSTRUCTION 6" CRUSHED GRAVEL OR LOAM & SEED SHALL BE MOUNDED 6" ABOVE THE ORIGINAL GROUND SURFACE.
3. WHERE TRENCH IS LOCATED ON EXISTING LAWN OR GRAVEL SURFACE, TRENCH SHALL CONFORM TO MATCH ORIGINAL GROUND SURFACE.
4. MAINTAIN 10' (MIN.) HORIZONTAL AND 18" (MIN) VERTICAL SEPARATION BETWEEN WATER & SEWER MAINS (WATER ABOVE SEWER). HORIZONTAL DISTANCE MAY BE REDUCED TO 5' (MIN.) FOR SERVICES PROVIDED THE WATER SERVICE IS A CONTINUOUS PIPE WITHOUT JOINTS OR FITTINGS.
5. BACKFILL MATERIAL SHALL BE THE NATURAL MATERIAL EXCAVATED DURING THE COURSE OF CONSTRUCTION, BUT SHALL EXCLUDE; DEBRIS, PAVEMENT, ORGANIC MATTER, TOP SOIL, MUCK, PEAT AND ROCKS OVER 6" IN LARGEST DIMENSION
6. LOAM AND SEED SHOULD BE IN COMPLIANCE WITH NH DOT 641, 642, 643, 644 AND 645.



NOTES:

1. TRENCHING AND BEDDING REQUIREMENTS PER CITY SEWER TRENCH DETAIL (D-3).
2. SERVICE LATERAL DIAMETER VARIES PER APPLICATION. REVIEW SIZE WITH CITY ENGINEER PRIOR TO INSTALLATION.
3. SDR 35 SHALL NOT EXTEND INTO THE BUILDING

DOVER STD. D-17 SEWER SERVICE

NOT TO SCALE

GENERAL NOTES

1) MINIMUM SIZE PIPE FOR HOUSE SERVICE SHALL BE FOUR INCHES.

2) PIPE AND JOINT MATERIALS:

A. PLASTIC SEWER PIPE

1. PIPE AND FITTINGS SHALL CONFORM TO THE FOLLOWING ASTM STANDARDS:

ASTM STANDARDS	GENERIC PIPE MATERIAL	SIZES APPROVED
D3034	*PVC (SOLID WALL)	8" THROUGH 15" (SDR 35)
F679	PVC (SOLID WALL)	18" THROUGH 27" (T-1 & T-2)
F789	PVC (SOLID WALL)	4" THROUGH 18" (T-1 TO T-3)
F794	PVC (RIBBED WALL)	8" THROUGH 36"
D2680	*ABS (COMPOSITES WALL)	8" THROUGH 15"

*PVC: POLY VINYL CHLORIDE
*ABS: ACRYLONITRILE-BUTADIENE-STYRENE

2. JOINTS SEALS FOR PVC PIPE SHALL BE OIL RESISTANT COMPRESSION RINGS OF ELASTOMERIC MATERIAL CONFORMING TO ASTM D-3212 AND SHALL BE PUSH-ON, BELL AND SPIGOT TYPE.

ABS TRUSS PIPE AND FITTINGS SHALL CONFORM TO ASTM D-2680, POLYMER COMPOUNDING SHALL BE TO ASTM D-1788 (CLASS 322).

JOINTS FOR ABS TRUSS PIPE SHALL BE CHEMICAL WELDED COUPLINGS TYPE SC IN ACCORDANCE WITH ASTM D-2680, FORMING A CHEMICAL WELDED JOINT.

B. DUCTILE-IRON PIPE, FITTINGS AND JOINTS.

1. DUCTILE IRON PIPE AND FITTINGS SHALL CONFORM TO THE FOLLOWING STANDARDS OF THE UNITED STATES OF AMERICA STANDARDS INSTITUTE:
A21.50 THICKNESS DESIGN OF DUCTILE IRON PIPE AND WITH ASTM A-536 DUCTILE IRON CASTINGS.
A21.51 DUCTILE IRON PIPE, CENTRIFUGALLY CAST IN METAL MOLDS OR SAND-LINED MOLDS FOR WATER OR OTHER LIQUIDS.

2. JOINTS SHALL BE OF THE MECHANICAL OR PUSH-ON TYPE. JOINTS AND GASKETS SHALL CONFORM TO:
A21.11 RUBBER GASKETS JOINTS FOR CAST IRON PRESSURE PIPE & FITTINGS

3) DAMAGED PIPE SHALL BE REJECTED AND REMOVED FROM THE JOB SITE.

4) JOINTS SHALL BE DEPENDENT UPON A NEOPRENE OR ELASTOMERIC GASKET FOR WATER-TIGHTNESS. ALL JOINTS SHALL BE PROPERLY MATCHED WITH THE PIPE MATERIALS USED. WHERE DIFFERING MATERIALS ARE TO BE CONNECTED, AS AT THE STREET SEWER WYE OR AT THE FOUNDATION WALL, APPROPRIATE MANUFACTURED ADAPTERS SHALL BE USED.

5) TEES AND WYES: WHERE A TEE OR WYE IS NOT AVAILABLE IN THE EXISTING STREET SEWER, AN APPROPRIATE CONNECTION SHALL BE MADE, FOLLOWING MANUFACTURERS' INSTRUCTIONS USING A BOLTED, CLAMPED OR EPOXY-CEMENTED SADDLE TAPPED INTO A SMOOTHLY DRILLED OR SAWN OPENING IN THE SEWER. THE PRACTICE OF BREAKING AN OPENING WITH A SLEDGE HAMMER, STUFFING CLOTH OR OTHER SUCH MATERIAL AROUND THE JOINT, OR APPLYING MORTAR TO HOLD THE CONNECTION, AND ANY OTHER SIMILAR CRUDE PRACTICES OR INEPT OR HASTY IMPROVISATIONS WILL NOT BE PERMITTED. THE CONNECTION SHALL BE CONCRETE ENCASED AS SHOWN IN THE DETAIL UP TO AND INCLUDING 15" DIAMETER.

6) HOUSE SEWER INSTALLATION: THE PIPE SHALL BE HANDLED, PLACED AND JOINTED IN ACCORDANCE WITH INSTALLATION GUIDES OF THE APPROPRIATE MANUFACTURER. IT SHALL BE CAREFULLY BEDDED ON A 4 INCH LAYER OF CRUSHED STONE AND/OR GRAVEL AS SPECIFIED IN NOTE 10. BEDDING AND RE-FILL FOR DEPTH OF 12 INCHES ABOVE THE TOP OF THE PIPE SHALL BE CAREFULLY AND THOROUGHLY TAMPED BY HAND OR WITH APPROPRIATE MECHANICAL DEVICES.

THE PIPE SHALL BE LAID AT A CONTINUOUS AND CONSTANT GRADE FROM THE STREET SEWER CONNECTION TO THE FOUNDATION AT A GRADE OF NOT LESS THAN INCH PER FOOT. PIPE JOINTS MUST BE MADE UNDER DRY CONDITIONS. IF WATER IS PRESENT, ALL NECESSARY STEPS SHALL BE TAKEN TO DEWATER THE TRENCH.

7) TESTING: THE COMPLETED HOUSE SEWER SHALL BE SUBJECTED TO A LEAKAGE TEST IN ANY OF THE FOLLOWING MANNERS: (PRIOR TO BACKFILLING)

A. AN OBSERVATION TEE SHALL BE INSTALLED AS SHOWN AND WHEN READY FOR TESTING, AN INFLATABLE BLADDER OR PLUG SHALL BE INSERTED JUST UPSTREAM FROM THE OPENING IN THE TEE. AFTER INFLATION, WATER SHALL BE INTRODUCED INTO THE SYSTEM ABOVE THE PLUG TO A HEIGHT OF 5 FEET ABOVE THE LEVEL OF THE PLUG.

B. THE PIPE SHALL BE LEFT EXPOSED AND LIBERALLY HOSED WITH WATER, TO SIMULATE, AS NEARLY AS POSSIBLE, WET TRENCH CONDITIONS OR, IF TRENCH IS WET, THE GROUND WATER SHALL BE PERMITTED TO RISE IN THE TRENCH OVER THE PIPE. INSPECTIONS FOR LEAKS SHALL BE MADE THROUGH THE CLEANOUT WITH A FLASHLIGHT.

C. DRY FLUORESCENE DYE SHALL BE SPRINKLED INTO THE TRENCH OVER THE PIPE. IF THE TRENCH IS DRY, THE PIPE SHALL BE LIBERALLY HOSED WITH WATER, OR IF THE TRENCH IS WET, GROUND WATER SHALL BE PERMITTED TO RISE IN THE TRENCH OVER THE PIPE. OBSERVATION FOR LEAKS SHALL BE MADE IN THE FIRST DOWN-STREAM MANHOLE.

LEAKAGE OBSERVED IN ANY ONE OF THE ABOVE ALTERNATE TESTS SHALL BE CAUSE FOR NON-ACCEPTANCE AND THE PIPE SHALL BE DUG-UP IF NECESSARY AND RE-LAID SO AS TO ASSURE WATER TIGHTNESS.

8) ILLEGAL CONNECTIONS: NOTHING BUT SANITARY WASTE FLOW FROM HOUSE TOILETS, SINKS, LAUNDRY ETC. SHALL BE PERMITTED. ROOF LEADERS, FOOTING DRAINS, SUMP PUMPS OR OTHER SIMILAR CONNECTIONS CARRYING RAIN WATER, DRAINAGE OR GROUND WATER SHALL NOT BE PERMITTED.

9) HOUSE WATER SERVICE SHALL NOT BE LAID IN SAME TRENCH AS SEWER SERVICE.

10) BEDDING: SCREENED GRAVEL AND/OR CRUSHED STONE FREE FROM CLAY, LOAM, ORGANIC MATERIAL AND MEETING ASTM C33-67.

100% PASSING	1 INCH SCREEN
90%-100% PASSING	3/4 INCH SCREEN
20%- 55% PASSING	3/8 INCH SCREEN
0%- 10% PASSING	#4 SIEVE
0%- 5% PASSING	#8 SIEVE

WHERE ORDERED BY THE ENGINEER TO STABILIZE THE TRENCH BASE, SCREENED GRAVEL OR CRUSHED STONE 1/2 INCH TO 1 1/2 INCH SHALL BE USED.

11) LOCATION: THE LOCATION OF THE TEE OR WYE SHALL BE RECORDED AND FILED IN THE MUNICIPAL RECORDS. IN ADDITION, A FERROUS METAL ROD OR PIPE SHALL BE PLACED OVER THE TEE OR WYE AS DESCRIBED IN THE TYPICAL "CHIMNEY" DETAIL, TO AID IN LOCATING THE BURIED PIPE WITH A DIP NEEDLE OR PIPEFINDER.

12) CONCRETE: CONCRETE SHALL CONFORM TO THE REQUIREMENTS FOR CLASS A (3000 PSI) CONCRETE OF THE STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION STANDARDS SPECIFICATIONS AS FOLLOWS:

CEMENT: 6.0 BAGS PER CUBIC YARD
WATER: 5.75 GALLONS PER BAG CEMENT
MAXIMUM SIZE OF AGGREGATE: 1 INCH

13) CHIMNEYS: IF VERTICAL DROP INTO SEWER IS GREATER THAN 4 FEET, A CHIMNEY SHALL BE CONSTRUCTED FOR THE HOUSE CONNECTION. CHIMNEY INSTALLATION AS RECOMMENDED BY THE PIPE MANUFACTURER MAY BE USED IF APPROVED BY THE ENGINEER.

14) MAINTAIN A 10' HORIZONTAL SEPARATION BETWEEN SEWER LINES AND WATER LINES, AND AN 18" VERTICAL SEPARATION AT SEWER AND WATER CROSSINGS, WITH WATER OVER SEWER.

15) GRAVITY SEWER PIPE TESTING SPECIFICATIONS PER ENV.WQ 704.06

GRAVITY SEWER PIPE TESTING

(A) ALL NEW GRAVITY SEWERS SHALL BE TESTED FOR WATER TIGHTNESS BY THE USE OF LOW-PRESSURE AIR TESTS.
(B) LOW-PRESSURE AIR TESTING SHALL BE IN CONFORMANCE WITH THE FOLLOWING TESTING STANDARDS IN EFFECT AT THE TIME IS CONDUCTED:
(1) ASTM F1417 "STANDARD TEST METHOD FOR INSTALLATION ACCEPTANCE OF PLASTIC GRAVITY SEWER LINES USING LOW-PRESSURE AIR", AVAILABLE AS NOTED IN APPENDIX D; OR
(2) UNI-BELL PVC PIPE ASSOCIATION UNI-B-6, "LOW-PRESSURE AIR TESTING OF INSTALLED SEWER PIPE", AVAILABLE AS NOTED IN APPENDIX D.
(C) ALL NEW GRAVITY SEWERS SHALL BE:
(1) CLEANED AND VISUALLY INSPECTED USING A LAMP TEST AND BY INTRODUCING WATER TO DETERMINE THAT THERE IS NO STANDING WATER IN THE SEWER; AND
(2) TRUE TO LINE AND GRADE FOLLOWING INSTALLATION AND PRIOR TO USE.
(D) ALL PLASTIC SEWER PIPE SHALL BE VISUALLY INSPECTED AND DEFLECTION TESTED NOT LESS THAN 30 DAYS NOR MORE THAN 90 DAYS FOLLOWING INSTALLATION.
(E) THE MAXIMUM ALLOWABLE DEFLECTION OF FLEXIBLE SEWER PIPE SHALL BE 5% PERCENT OF AVERAGE INSIDE DIAMETER. A RIGID BALL OR MANDREL WITH A DIAMETER OF AT LEAST 95% OF THE AVERAGE INSIDE PIPE DIAMETER SHALL BE USED FOR TESTING PIPE DEFLECTION. THE DEFLECTION TEST SHALL BE CONDUCTED WITHOUT MECHANICAL PULLING DEVISES.

GENERAL NOTES

1) ORDERED EXCAVATION OF UNSUITABLE MATERIAL BELOW GRADE. REFILL WITH BEDDING MATERIAL. FOR TRENCH WIDTH SEE NOTE 7.

2) BEDDING: SCREENED GRAVEL AND/OR CRUSHED STONE FREE FROM CLAY, LOAM, ORGANIC MATTER AND MEETING ASTM C33 STONE SIZE NO. 67.

100% PASSING	1 INCH SCREEN
90%-100% PASSING	3/4 INCH SCREEN
20%- 55% PASSING	3/8 INCH SCREEN
0%- 10% PASSING	#4 SIEVE
0%- 5% PASSING	#8 SIEVE

WHERE ORDERED BY THE ENGINEER TO STABILIZE THE TRENCH BASE, GRADED SCREENED GRAVEL OR CRUSHED STONE 1/2 INCH TO 1 1/2 INCH SHALL BE USED.

3) SAND BLANKET: CLEAN SAND FREE FROM ORGANIC MATTER SO GRADED THAT 90%-100% PASSES A 1/2 INCH SIEVE AND NOT MORE THAT 15% WILL PASS A #200 SIEVE. BLANKET MAY BE OMITTED FOR DUCTILE IRON AND REINFORCED CONCRETE PIPE PROVIDED THAT NO STONE LARGER THAN 2 INCHES IS IN CONTACT WITH THE PIPE.

4) SUITABLE MATERIAL: IN ROADS, ROAD SHOULDERS, WALK-WAYS AND TRAVELED WAYS, SUITABLE MATERIAL FOR TRENCH BACKFILL SHALL BE THE NATURAL MATERIAL EXCAVATED DURING THE COURSE OF CONSTRUCTION, BUT SHALL EXCLUDE DEBRIS, PIECES OF PAVEMENT, ORGANIC MATTER, TOP SOIL, ALL WET OR SOFT MUCK, PEAT OR CLAY, ALL EXCAVATED LEDGE MATERIAL, AND ALL ROCKS OVER SIX INCHES IN LARGEST DIMENSION, OR ANY MATERIAL WHICH, AS DETERMINED BY THE ENGINEER, WILL NOT PROVIDE SUFFICIENT SUPPORT OR MAINTAIN THE COMPLETED CONSTRUCTION IN A STABLE CONDITION.

IN CROSS-COUNTRY CONSTRUCTION, SUITABLE MATERIAL SHALL BE AS DESCRIBED ABOVE, EXCEPT THAT THE ENGINEER MAY PERMIT THE USE OF TOP SOIL, LOAM, MUCK OR PEAT, IF HE IS SATISFIED THAT THE COMPLETED CONSTRUCTION WILL BE ENTIRELY STABLE AND PROVIDED THAT EASY ACCESS TO THE SEWER FOR MAINTENANCE AND POSSIBLY RECONSTRUCTION, WHEN NECESSARY WILL BE PRESERVED.

5) BASE COURSE, IF ORDERED BY THE ENGINEER, SHALL MEET THE REQUIREMENTS OF DIVISION 300 OF THE LATEST EDITION OF THE:
STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION
OF THE STATE OF NEW HAMPSHIRE, DEPARTMENT OF TRANSPORTATION.

6) WOOD SHEETING, IF REQUIRED. WHERE SHEETING IS PLACED ALONGSIDE THE PIPE AND EXTENDS BELOW MID-DIAMETER, IT SHALL BE CUT OFF AND LEFT IN PLACE TO AN ELEVATION NOT LESS THAN 1 FOOT ABOVE THE TOP OF THE PIPE. WHERE SHEETING IS ORDERED BY THE ENGINEER TO BE LEFT IN PLACE, IT SHALL BE CUT OFF AT LEAST 3 FEET BELOW FINISHED GRADE, BUT NOT LESS THAN 1 FOOT ABOVE THE TOP OF THE PIPE.

7) W= MAXIMUM ALLOWABLE TRENCH WIDTH TO A PLANE 12 INCHES ABOVE THE PIPE. FOR PIPES 15 INCHES NOMINAL DIAMETER OR LESS, W SHALL BE NO MORE THAN 36 INCHES, FOR PIPES GREATER THAN 15 INCHES NOMINAL DIAMETER, W SHALL BE 24 INCHES PLUS PIPE O.D. W SHALL ALSO BE THE PAYMENT WIDTH FOR LEDGE EXCAVATION AND FOR ORDERED EXCAVATION BELOW GRADE.

8) FOR CROSS COUNTRY CONSTRUCTION, BACKFILL OR FILL SHALL BE MOUNDED TO A HEIGHT OF 6 INCHES ABOVE THE ORIGINAL GROUND SURFACE.

9) CONCRETE FOR ENCASEMENT SHALL CONFORM TO THE REQUIREMENTS FOR CLASS A (3000 LB) CONCRETE OF THE NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS AS FOLLOWS: CEMENT: 6.0 BAGS PER CUBIC YARD
WATER: 5.75 GALLONS PER BAG CEMENT
MAXIMUM SIZE OF AGGREGATE: 1 INCH

10) IF FULL ENCASEMENT IS UTILIZED, DEPTH OF CONCRETE BELOW PIPE SHALL BE 1/4 I.D. (4" MIN.) BLOCK SUPPORT SHALL BE SOLID CONCRETE BLOCKS.

TRITECH
ENGINEERING CORPORATION
755 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820
TELEPHONE 603 742 8107
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ISSUED FOR PLANNING BOARD REVIEW
January 6, 2025

REVISIONS DATE:	DESCRIPTION:
8-12-24	REVISED PER TRC COMMENTS
10-24-24	REVISED PER TRC COMMENTS
10-23-25	REVISED PER TDR COMMENTS
12-9-25	REVISED PER TRC COMMENTS

ROBERT J. STOWELL NO. 9834 LICENSED PROFESSIONAL ENGINEER STATE OF NEW HAMPSHIRE

SEWER DETAILS

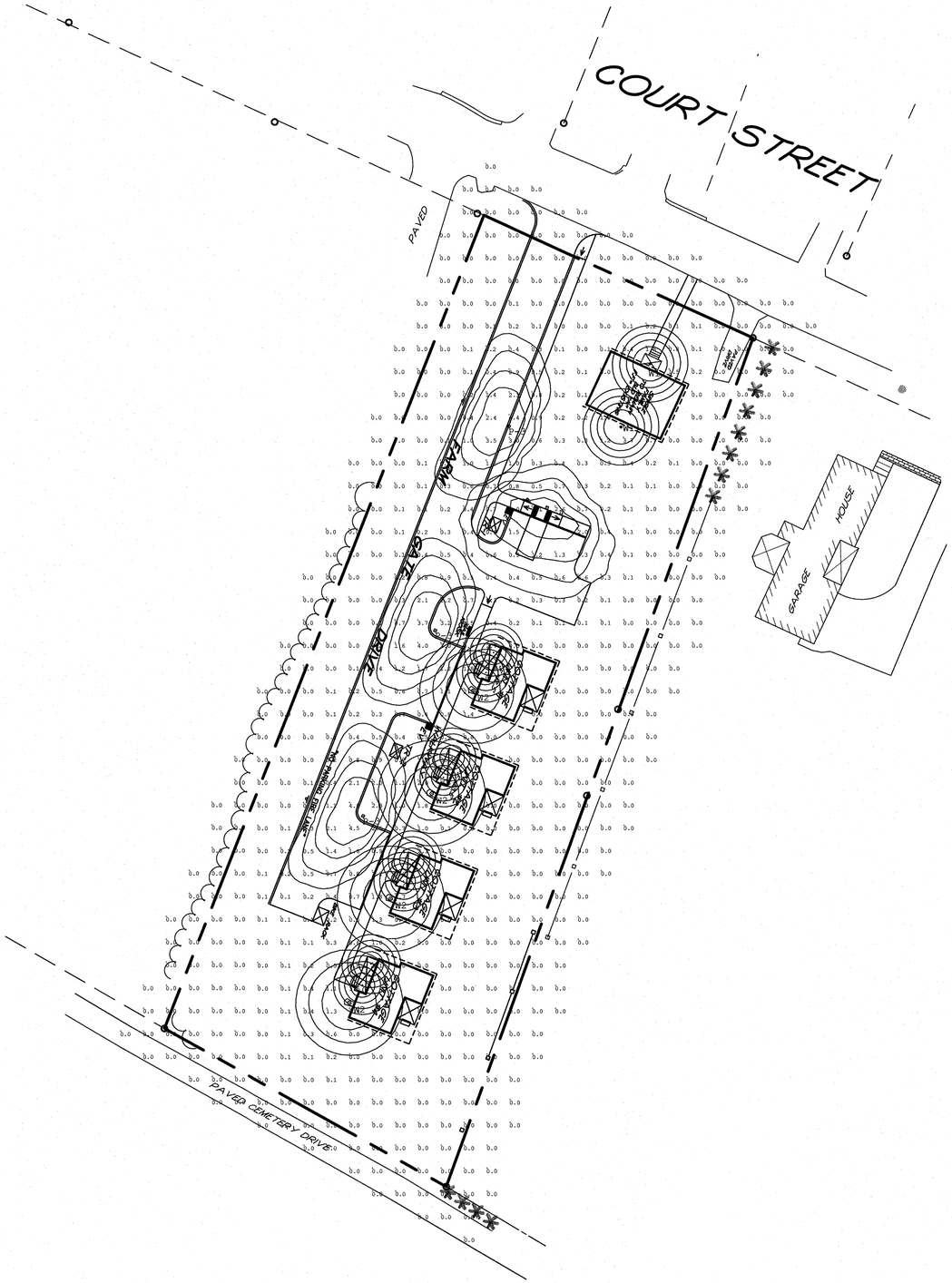
103 COURT STREET

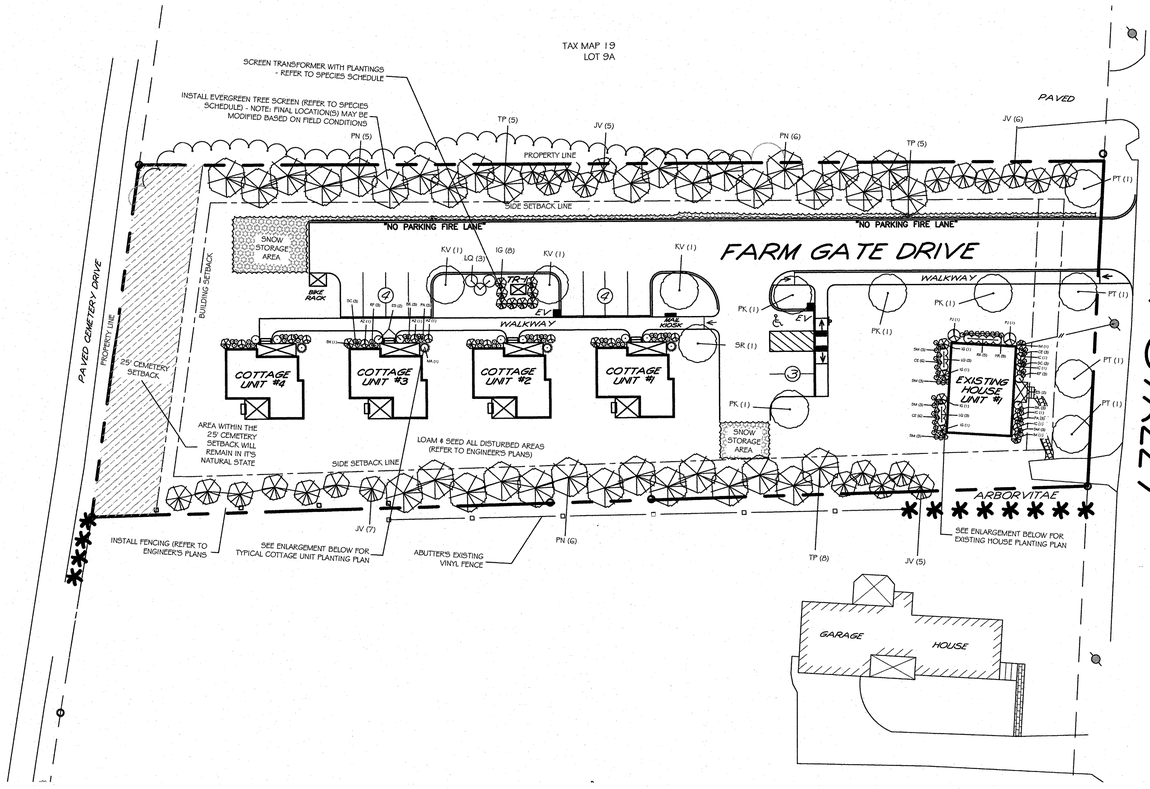
103 COURT STREET
DOVER, NEW HAMPSHIRE
STRAFFORD COUNTY

AUGUST 15, 2024 JOB No. 24101

SHEET No. SP-12

(P23-0012)


COURT STREET
PAVED
EARTH
GATE
GATE
HOUSE
GARAGE
PAVER CEMETERY DRIVE
PAVER CEMETERY DRIVE
PAVER CEMETERY DRIV



TRITECH ENGINEERING CORPORATION

terrain
planning & design llc
311 kast hill road
hopkinton nh 03229
603. 491. 2322
terrainplanning.com

PLANTING SCHEDULE

	SIZE	SYMBOL	QTY
TREES			
Juniperus virginiana 'Emerald Sentinel' / Emerald Sentinal Eastern Red Cedar	6-8' B&B	JV	23
Pinus nigra / Austrian Pine	6-8' B&B	PN	17
Prunus cerasifera 'Krauter Vesuvius' / Krauter Vesuvius Flowering Plum	3-3.5" CAL.	KV	3
Prunus serrulata 'Kwanzan' / Kwanzan Flowering Cherry	3-3.5" CAL.	PK	4
Platanus x acerifolia 'Exclamation' / Exclamation Planetree	3-3.5" CAL.	PT	4
Syringa reticulata 'Ivory Silk' / Ivory Silk Japanese Tree Lilac	3-3.5" CAL.	SR	1
Thuja plicata 'Green Giant' / Green Giant Arborvitae	6-8' B&B	TP	18
SHRUBS			
Azalea 'Bloom A Thon Double Pink' / Bloom A Thon Double Pink Azalea	2-2.5' B&B	AZ	12
Buxus 'Green Mountain' / Green Mountain Boxwood	2-2.5' B&B	BX	4
Hydrangea macrophyla 'Endless Summer' / Endless Summer Bigleaf Hydrangea	24-36"	ES	10
Hydrangea paniculata 'Little Quick Fire' / Little Quick Fire Panicle Hydrangea	24-36"	LQ	9
Ilex crenata 'Hetzii' / Hetzi Japanese Holly	24-36"	IC	4
Ilex glabra 'Compacta' / Compact Inkberry	2-2.5' B&B	IG	12
Ilex meservae 'Blue Maid' / Blue Maid Holly	2-2.5' B&B	IM	2
Pieris japonica 'Compacta' / Compact Japanese Andromeda	2.5'-3' B&B	PJ	2
Rosa 'Knockout Double' / Knockout Double Rose	24-36"	RK	5
GRASSES			
Miscanthus sinensis 'Adagio' / Dwarf Maiden Grass	#3	MA	4
PERENNIALS			
Coreopsis 'Enchanted Eve' / Enchanted Eve Tickseed	#1	CE	15
Echinacea 'Butterfly Kisses' / Butterfly Kisses Coneflower	#1	BK	15
Hemerocallis 'Happy Returns'/ Happy Returns Daylily	#1	HR	9
Pervoskia atriplicifolia / Russian Sage	#1	PA	15
Rudbeckia flugida 'Goldstrum' / Goldstrum Black-Eyed Susan	#1	RF	15
Salvia 'Caradonna' / Caradonna Sage	#1	SC	15
Salvia 'Marcus' / Marcus Sage	#1	SM	15

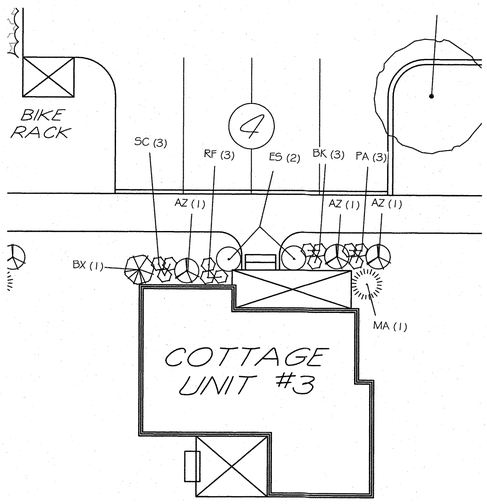
30 0 15 30 60 120
1"=30'

TRITECH ENGINEERING CORPORATION
795 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820
TELEPHONE 603 742 8107
FAX 603 742 3830

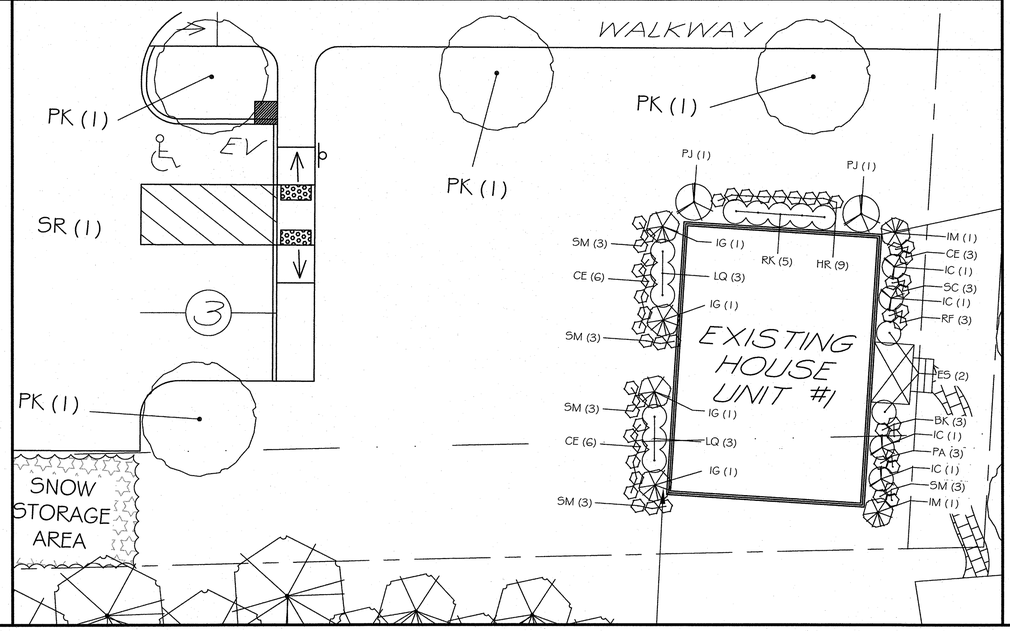
ISSUED FOR PLANNING BOARD REVIEW
January 6, 2025

REVISIONS DATE:	DESCRIPTION:
9-12-24	REVISED PER TRC COMMENTS
10-21-24	REVISED PER TRC COMMENTS
1-21-25	REVISED PER PLANNING BOARD COMMENTS.
10-23-25	REVISED PER TDR APPROVAL

TYPICAL COTTAGE UNIT PLANTING PLAN - 1" = 10'



EXISTING HOUSE PLANTING PLAN - 1" = 10'



LANDSCAPE CALCULATIONS:

INTERIOR PARKING LOT LANDSCAPING:
NOT REQUIRED FOR PARKING LOTS WITH 0-20 SPACES

STREETSCAPE LANDSCAPING:
REQUIRED: 1 STREET TREE / 35' LINEAR FEET OF ADJACENT ROADWAY
130 L.F. OF ADJACENT ROADWAY (COURT STREET) / 35 = 3.71 = 4 TREES REQUIRED
PROVIDED: 4 TREES PROPOSED ALONG COURT STREET

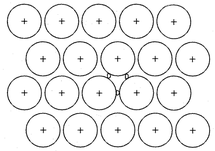
PLANTING NOTES

1. CONTRACTOR SHALL OBTAIN APPROVAL FROM LANDSCAPE ARCHITECT PRIOR TO PURCHASING AND/OR INSTALLING SUBSTITUTE PLANT MATERIAL PRIOR TO PURCHASE OF ANY SUBSTITUTE MATERIALS.
2. CONSTRUCTION ACCESS WILL BE AS DIRECTED BY LANDSCAPE ARCHITECT. CONTRACTOR IS RESPONSIBLE FOR RESTORATION OF ACCESS ROUTE AND ALL AREAS DISTURBED BY PLANTING OPERATIONS UPON COMPLETION OF CONSTRUCTION OPERATIONS, AT NO ADDITIONAL COST TO THE OWNER.
3. LAYOUT OF ALL PLANTING BEDS AND LOCATION OF PLANTS TO BE APPROVED BY LANDSCAPE ARCHITECT ON SITE PRIOR TO CONSTRUCTION AND INSTALLATION.
4. CONTRACTOR TO REMOVE ALL DEBRIS GENERATED BY PLANT INSTALLATION. DEBRIS TO BE DISPOSED OF IN A LEGAL MANNER.
5. ALL PLANT MATERIAL SHALL BE GUARANTEED TO BE IN GOOD, HEALTHY AND FLOURISHING CONDITION FOR TWO (2) YEARS FROM THE DATE OF FINAL INSTALLATION APPROVAL BY LANDSCAPE ARCHITECT. CONTRACTOR SHALL REPLACE, WITHOUT COST TO OWNER, AND AS SOON AS WEATHER CONDITIONS PERMIT, ALL DEAD AND NON-FLOURISHING PLANTS AS DETERMINED BY THE LANDSCAPE ARCHITECT. REPLACEMENT PLANTS SHALL BE BE GUARANTEED IDENTICALLY TO ORIGINAL PLANTS, TIME PERIOD COMMENCING FROM DATE OF REPLACEMENT PLANTING APPROVAL BY LANDSCAPE ARCHITECT.
6. ALL BEDS TO BE MULCHED WITH 4" DEPTH SHREDDED BARK MULCH UNLESS NOTED OTHERWISE.
7. CONTRACTOR TO PROVIDE NECESSARY TEMPORARY IRRIGATION IF NEEDED BASED ON TIME OF YEAR THE PROJECT IS IMPLEMENTED.
8. ALL LANDSCAPED AREAS SHALL RECEIVE REGULAR MAINTENANCE AND UPKEEP. SEVERELY INJURED, DISEASED, OR DEAD PLANT MATERIAL SHALL BE REPLACED IN KIND IN PERPETUITY (AVOID REPLACING LANDSCAPE MATERIALS IN THE PERIOD FROM NOVEMBER TO MARCH.)
9. BEST PRACTICES TO MINIMIZE ENVIRONMENTAL IMPACTS SUCH AS THE USE OF LOW PHOSPHOROUS FERTILIZER AND SLOW RELEASE NITROGEN, SHALL BE IMPLEMENTED.
10. IF OWNERSHIP OF A SITE IS CONVEYED TO A NEW PROPERTY OWNER, THE NEW OWNER SHALL BE RESPONSIBLE FOR MAINTAINING ALL LANDSCAPING IN ACCORDANCE WITH THE APPROVED FINAL LANDSCAPING PLAN.

LANDSCAPE PLAN
103 COURT STREET
103 COURT STREET
DOVER, NEW HAMPSHIRE
STRAFFORD COUNTY
AUGUST 15, 2024
JOB No. 24101

SHEET No.
La-1

(P24-0012)

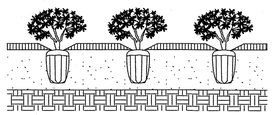


TYPICAL BED PLANT SPACING

NOTE:
D = DIMENSION OF PLANT SPACING (SHRUB OR GROUNDCOVER AS INDICATED ON PLANS)

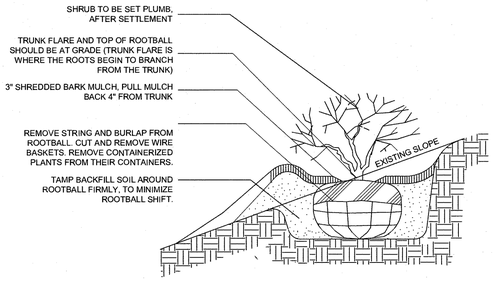
12" LOAM BACKFILL (CONTINUOUS THROUGHOUTBED AREA)

3" DEEP SHREDDED BARK MULCH



1 TYPICAL PERENNIAL PLANTING

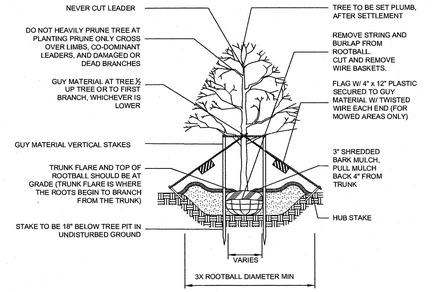
NO SCALE



NOTE:
1. DO NOT HEAVILY PRUNE SHRUB AT PLANTING, PRUNE ONLY CROSSOVER LIMBS AND DAMAGED OR DEAD BRANCHES.
2. BACKFILL WITH LOAM, AMEND AS REQUIRED BY LANDSCAPE ARCHITECT.
3. SHRUBS & GROUNDCOVER PLANTED ADJACENT TO CITY SIDEWALKS NEED TO BE PLACED SO THE PLANTS, AT THEIR MATURE HEIGHT & WIDTH, WILL NOT ENCROACH INTO THE CITY'S SIDEWALK.

2 TYPICAL SHRUB PLANTING

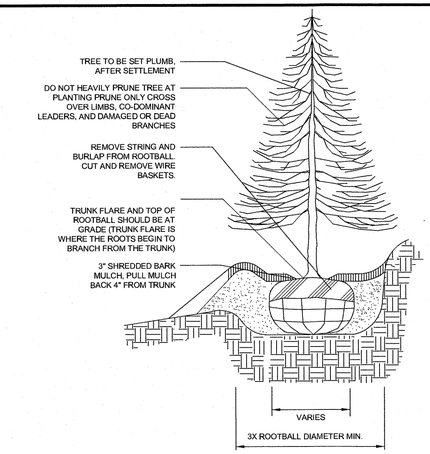
NO SCALE



NOTES:
1. GUYING AND STAKING TO BE DETERMINED IN THE FIELD BY THE LANDSCAPE ARCHITECT. LOCAL FIELD CONDITIONS AS WELL AS PLANT CHARACTERISTICS WILL DETERMINE THE NECESSITY OF GUYING AND STAKING.
2. TYPICALLY ONLY TREES WITH A 3" OR GREATER CALIPER NEED TO BE STAKED. TREES WITH LESS THAN A 3" CALIPER NEED TO BE STAKED ONLY AS REQUIRED BY LANDSCAPE ARCHITECT.
3. ONLY WRAP TREE TRUNKS AS REQUIRED BY LANDSCAPE ARCHITECT.
4. TREE SHALL BE SET PLUMB, AFTER SETTLEMENT.
5. LOAM FOR BACKFILLING SHALL BE AMENDED AS REQUIRED BY LANDSCAPE ARCHITECT.
6. CITY TREES PLANTED ON PRIVATE PROPERTY, ADJACENT TO A PUBLIC RIGHT-OF-WAY, NEED TO BE PLANTED A MINIMUM OF 5 FEET FROM THE EDGE OF THE CITY SIDEWALK.

3 DECIDIOUS TREE PLANTING

NO SCALE



NOTES:
1. DO NOT STAKE EVERGREEN TREES.
2. LOAM FOR BACKFILLING SHALL BE AMENDED AS REQUIRED BY LANDSCAPE ARCHITECT.
3. TAMP BACKFILL SOIL AROUND ROOTBALL FIRMLY TO MINIMIZE ROOTBALL SHIFT.

4 EVERGREEN TREE PLANTING

NO SCALE

TRITECH
ENGINEERING CORPORATION
755 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820
TELEPHONE 603 742 8107
FAX 603 742 3830

ISSUED FOR PLANNING BOARD REVIEW
January 6, 2025

REVISIONS

DATE:	DESCRIPTION:
9-12-24	REVISED PER TRC COMMENTS

terrain
planning & design llc
311 kast hill road
hopkinton nh 03229
603. 746. 3512
terrainplanning.com

LANDSCAPE DETAIL SHEET
103 COURT STREET
103 COURT STREET
DOVER, NEW HAMPSHIRE
STRAFFORD COUNTY
AUGUST 15, 2024 JOB No. 24101

SHEET No. **La-2**

(P24-0012)

TRITECH
ENGINEERING CORPORATION
755 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820
TELEPHONE 603 742 8107
FAX 603 742 3830

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January 6, 2025

FIRE TRUCK TURN EXHIBITS

103 COURT STREET

103 COURT STREET
DOVER, NEW HAMPSHIRE
STRAFFORD COUNTY
AUGUST 15, 2024
JOB No. 24101

SHEET No.

TR-1

(P24-0012)



5 SHERMAN STREET LLC
103 COURT STREET, DOVER, NH 03820 | **COTTAGE CONCEPT**













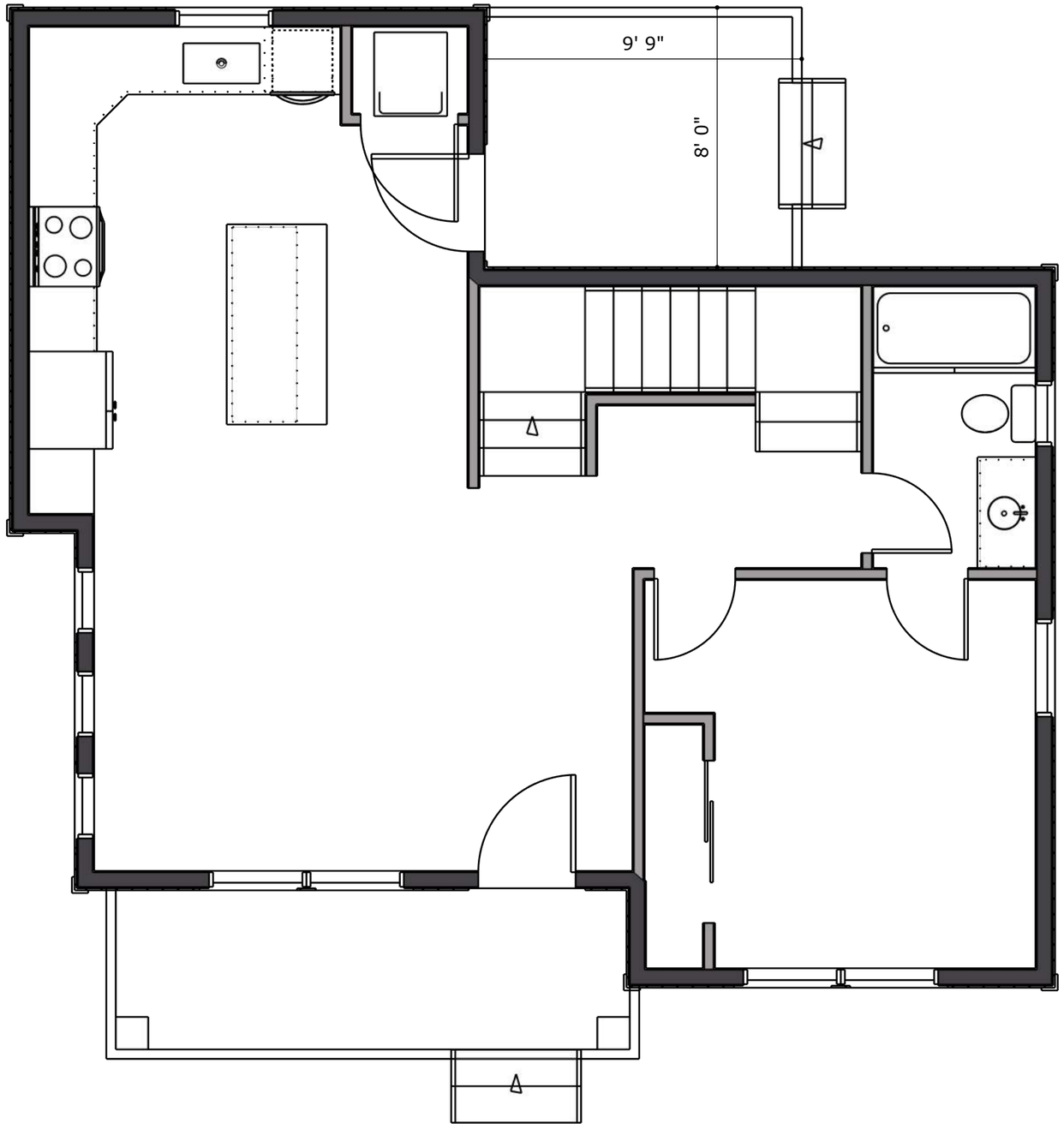


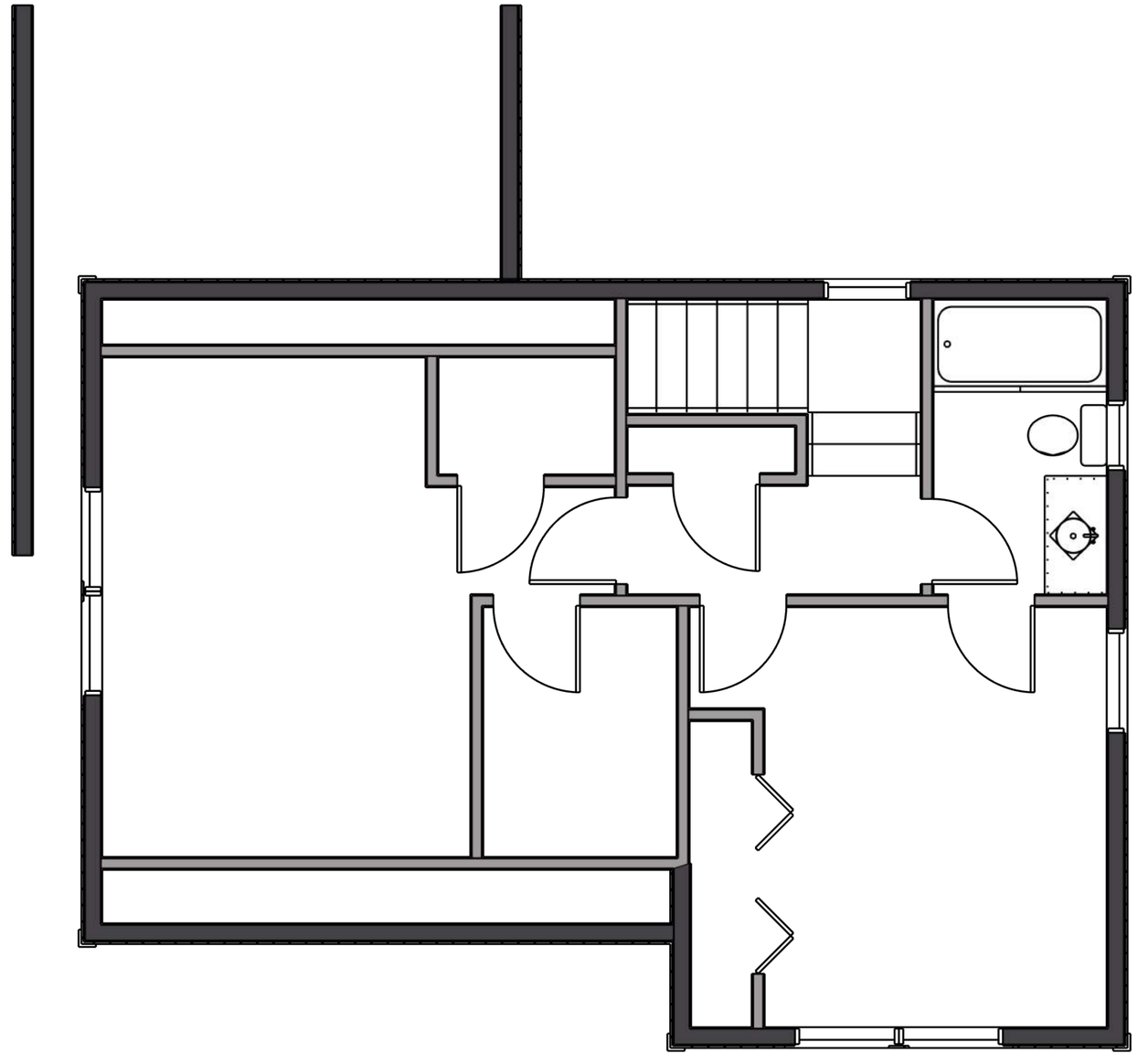



28'




30YR ARCHITECTURAL SHINGLES
PVC CORNER TRIM
BOARD AND BATTEN VINYL SIDING
BLACK WINDOWS
PVC DECK TRIM


9' 9"
8' 0"



From: Hilary Hamer <hilary.a.hamer@gmail.com>
Sent: Thursday, January 22, 2026 9:14 AM
To: Planning Board - All <PlanningBoard-All@dover.nh.gov>
Cc: Perez, Jennifer <J.Perez@dover.nh.gov>
Subject: Formal Objection: Jurisdictional Misclassification of 103 Court St, Request for Denial of Site Plan (Part 1 of 2)

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

Please see Attachments: January22_Hamer_MisclassifiedApplicationLetter.pdf
And attachments of Exhibits 1-8 in the following email (due to file size constraints)
Please include this email and attachments in the official project record before the Board for 103 Court St application.

Dear Dover Planning Board:

I am writing to formally request that the Board **deny the site plan application for 103 Court on the grounds of jurisdictional misclassification.** As detailed in the attachments, the proposed development of single-family residential units in a cluster arrangement constitutes a subdivision under NH RSA 672:14 and Dover Code §157-60, and specifically qualifies as an **Open Space Subdivision** under Dover Code §157-19, following the precedent set by the 210 Tolend Rd project.

Under Dover and New Hampshire laws, this residential project – consisting of single-family homes in a condominium format – legally must be processed as a **subdivision**, not a site plan. Site plans are reserved for nonresidential, multifamily or manufactured home developments. The "form of ownership" (fee-simple lots, or condominium association) is irrelevant to land-use jurisdiction. Because the design standards and legal requirements for subdivisions are fundamentally different from those of site plans, including a TDR subdivision 30-foot no-cut, no-disturb perimeter buffer, an outright denial is mandatory to ensure the project complies with all applicable zoning and subdivision laws.

Proposed Findings of Fact / Reasons to Deny

The following findings support the conclusion that the application for 103 Court St is misclassified and must be denied:

1. **Inconsistent Application of Precedent:** The 103 Court St proposal consists of a condominium association of single-family houses on a single lot, a cluster subdivision configuration identical to the 210 Tolend Rd development. Because 210 Tolend Rd was legally reviewed and approved under subdivision regulations in May 2025, there is no legal basis for the Board to apply a different regulatory standard to 103 Court St based on its ownership format.
2. **Statutory Definition of Subdivision:** Under **NH RSA 672:14** and **Dover Code §157-60**, a subdivision includes the division of land into "sites or other divisions of land" for the purpose of sale, rent or lease. The 103 Court St project creates distinct residential

sites; the absence of "fee-simple" lot lines does not exempt the project from the statutory definition of a subdivision.

3. **Creation of "Sites" and "Other Divisions of Land":** The Board's reliance on the absence of "fee simple lots" is a misapplication of the law. The law does not limit subdivisions to the creation of traditional or fee-simple lots but explicitly includes the division of a parcel into "two or more lots, plats, sites, or other divisions of land." "Fee-simple" is a form of ownership; "Subdivision" is a land-use action based on the physical creation of residential sites.
4. **Irrelevance of "Condominium Conveyance":** The City's exemption of "condominium conveyance" from Planning Board approval refers only to the administrative recording of deeds. It does not provide a jurisdictional exception for the physical development of land, which must be classified based on its physical use and layout.
5. **Failure to Meet Site Plan Criteria:** Under **NH RSA 674:43** and **Dover Code §170-6**, Site Plan Review is limited to nonresidential or multifamily developments. 103 Court St is strictly residential and does not meet the Dover definition of multifamily (which requires more than four units per structure). Therefore, the Board lacks the statutory authority to review this project as a site plan.
6. **Open Space Subdivisions per City Code and Handbook**: The placement of multiple principal buildings on a single residential lot is strictly limited to nonresidential, multifamily, or open space subdivisions as defined in **Dover Code §157-Article IV**. 103 Court St is a type of open space subdivision, regardless of ownership format. The *Dover Developer's Handbook* explicitly confirms that an OSS "may include lot lines or may be free of lot lines, in a condominium-like format."
7. **TDR Procedural Mandate**: The application uses the "Single-family detached" formula under the **TDR Ordinance §170-29-G-3-a**. This code section mandates that any plan using this formula "**shall be considered a subdivision application**." The alternative method provides no valid formula for the non-multifamily R-12 zone. The Board cannot legally grant the density benefits of this first TDR formula while ignoring its procedural requirements of a subdivision.
8. **Established Policy and Board Precedent**: A majority of the current Board members previously voted to approve 210 Tolend Rd as an OSS in May 2025 – a project identical in condominium ownership and cluster format as 103 Court St. Furthermore, the Deputy City Manager has formally stated that "Condominiums in Dover are Open Space Subdivisions." Proceeding with 103 Court St as a site plan would represent a knowing departure from this established policy and the principle of regulatory consistency.

The submission of 103 Court St under site plan regulations rather than subdivision regulations is not a matter of semantics; it is a matter of **jurisdictional authority resulting in the unlawful waiver of non-discretionary residential performance standards,** in particular a 30-foot no-

cut, no-disturb TDR perimeter buffer. Because the project does not meet the statutory definition of a site plan, yet satisfies the legal criteria for a subdivision, and because the chosen TDR method explicitly requires a subdivision application, the Planning Board's approval of this application as a site plan would constitute a reversible error of law.

Respectfully submitted,
Hilary Hamer, 91 Court St, Dover.

This correspondence is being copied to the Office of the City Attorney to ensure the City's legal counsel is apprised of the jurisdictional and procedural objections raised herein for the administrative record.

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

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

To: Dover Planning Board
From: Hilary Hamer, 91 Court St, direct abutter
Date: January 22, 2026

Subject: Request for Denial of Site Plan at 103 Court St for Misclassified Submission (Subdivision vs. Site Plan)

Dear Members of the Dover Planning Board:

I am writing to formally request that the Board **deny the site plan application for 103 Court on the grounds that it is a misclassified submission**. Under Dover and New Hampshire laws, this residential project – consisting of single-family homes in a condominium format – legally constitutes a **subdivision**, not a site plan. Specifically, under Dover's regulations, this proposal qualifies as a **cluster subdivision** – a subcategory of the Open Space Subdivision (OSS) and equivalent in format to the project at 210 Tolend Rd approved in May 2025.

The misclassification of this project is a substantial procedural error. Because the design standards and legal protections for subdivisions are fundamentally different from those of site plans, an outright denial is mandatory to ensure the project complies with all applicable zoning and subdivision laws.

I. Staff-Provided Reasoning

Planning Department staff have asserted that this project is a site plan rather than a subdivision due to being a condominium association, or "because they are proposing units instead of fee simple lots" (Exhibit 1, Exhibit 2):

D. Benton addressed public comment:

- She gave an explanation of the two sections of the TDR ordinance with different options and how they apply to this application.
- She explained a lot restoration for four lots at Locke St and Tranquility Way and the density options for those lots being more so than the current proposal.
- She discussed that some projects have the buffer and some do not. She appreciates the table provided by the resident, but it is not 100% accurate. Staff can review and comment.
- Why this proposal isn't a subdivision: In Dover, condominiums don't fall under subdivision. Dover subdivisions are focused on fee simple lot lines, rather than form of ownership.
- The 30' buffer is not required because they are proposing units instead of fee simple lots.

Figure 1: Section from Exhibit 1, Planning Board Minutes from January 28, 2025

> Donna Benton, the city's director of planning and community development, responded the reason is because the 103 Court St. proposal is not a subdivision project. In the case of other projects, such as Cullen's proposal, a subdivision was requested. The 103 Court St. proposal is seeking units to develop condominiums, not housing lots, and therefore is not required to adhere to the 30-foot buffer.

Figure 2: Section from Exhibit 2, Statement made to Foster's Daily Democrat Newspaper on January 30, 2025.

The following record disputes this claim, asserting that the current application is both unlawful and procedurally improper. Note that at no point have any Board members directly approached this subject themselves, only City Staff. The question was explicitly raised by the public at the TDR approval meeting on January 28, 2025. The question remains for the site plan application under review now, even while the TDR approval remains **under appeal at the New Hampshire Supreme Court (Docket #2025-0686)** and specifically deals with this question.

II. Contradiction with Statutory Definitions

The classification of 103 Court St as a site plan violates both the Dover City Code and NH state law. **103 Court St is a residential development involving the division of land into individual residential units for future sale, rent or lease. The nature of the division – whether by unit, fee-simple lot, or traditional lot – does not preclude it from the legal definition of a subdivision.** Furthermore, 103 Court St fails to meet the legal criteria for a site plan.

A. The Legal Definition of a Subdivision

Under local and state law, any form of division of land for building development constitutes a subdivision – including division into lots, plats, sites, or "other divisions of land":

Dover, §157-60 Definitions: Subdivision: The division of the lot, tract, or parcel of land into two or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale, rent, lease or building development. It includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided. A condominium conveyance, per RSA 356-B, shall not require Planning Board approval.

NH RSA 672:14 Subdivision. –
I. "Subdivision" means the division of the lot, tract, or parcel of land into 2 or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale, rent, lease, condominium conveyance or building

development. It includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided.

II. The division of a parcel of land held in common and subsequently divided into parts among the several owners shall be deemed a subdivision under this title.

The creation of individual residential "units" at 103 Court St constitutes "other divisions of land" and automatically triggers the subdivision classification.

B. On "Condominium Conveyance": Dover's Code states that "*A condominium conveyance, per RSA 356-B, shall not require Planning Board approval.*" In land-use planning, "conveyance" strictly refers to the *administrative act* of transferring title to a unit – the legal "disposition" defined in **NH RSA 356-B:3, XIV.** This statement is a clerical exemption ensuring that individual unit deeds do not require a separate Board vote for every sale.

However, **NH RSA 672:14** explicitly includes "condominium conveyance" as a purpose for which a **Subdivision** is required. The physical creation of these units—defined as "sites" or "units" on a plan—is the act of subdividing land. Under **RSA 356-B:11**, a condominium is created only upon the recording of condominium instruments. Because the 103 Court St proposal creates residential units for future sale, it satisfies the state definition of a subdivision, and Dover's administrative exemption for the *conveyance* (the deed) does not waive the Board's jurisdiction over the *subdivision* (the plan).

The Board is not currently being asked to approve administrative deeds (the condominium conveyance); rather, it is being asked to approve the physical development plan for 103 Court St, which involves the division of land into distinct residential sites.

C. Inapplicability of Site Plan Regulations
Site plan review is a narrow authority reserved for specific types of development. The 103 Court St proposal fails to meet any of the three criteria required for a site plan:

1. **Nonresidential:** In contrast, this project is strictly residential.
2. **Manufactured Home Development:** This project consists of traditional construction single-family homes.
3. **Multifamily:** Dover Code §170-6 defines Multifamily as a dwelling containing more than four units. This project consists of individual single-family structures (and in one version, a duplex).

Because the project is residential and not multifamily, the Planning Board lacks statutory authority under NH RSA 674:43 and Dover §170-6 to review it as a site plan.

Dover §170-6 Word usage and definitions: SITE DEVELOPMENT PLAN — Professionally rendered drawings which delineate a proposed nonresidential, multifamily or manufactured home development. Said plan shall include property lines, location of buildings, means of ingress and egress, access to off-site parking and all provisions as outlined in this chapter and Chapter 153, Site Review Regulations, of the Code of the City of Dover.

NH RSA 674:43 Power to Review Site Plans. I. A municipality, having adopted a zoning ordinance as provided in RSA 674:16, and where the planning board has adopted subdivision regulations as provided in RSA 674:36, may by ordinance or resolution further authorize the planning board to require preliminary review of site plans and to review and approve or disapprove site plans for the development or change or expansion of use of tracts for nonresidential uses or for multi-family dwelling units, which are defined as any structures containing more than 2 dwelling units, whether or not such development includes a subdivision or resubdivision of the site.

Note that Dover defines a multifamily differently from NH, under §170-6 Word usage and definitions: "*DWELLING, MULTIFAMILY – A dwelling containing more than four dwelling units."*

The proposal at 103 Court St is inarguably residential and not multifamily. There is no justification for it to be reviewed under site plan regulations instead of subdivision regulations.

D. Irrelevance of "Form of Ownership"

The Board's reliance on the absence of "fee simple lots" is a misapplication of the law. **NH RSA 672:14** and **Dover Code §157-60** do not limit subdivisions to the creation of fee simple lots or any other specific type of division; they explicitly include the division of a lot into "two or more lots, plats, sites, or other divisions of land."

The 103 Court St proposal creates distinct residential "sites" or "units" intended for individual sale/rent/lease and exclusive use. Whether these sites are conveyed via a fee simple deed or a condominium declaration is an administrative detail of ownership; it does not change the physical reality that the land is being divided. The lack of traditional lots or fee simple lots does not exempt this project from subdivision jurisdiction.

By processing 103 Court St as a site plan, the Board is applying the wrong set of design standards and bypassing the rigorous protections intended for residential subdivisions. This constitutes a reversible error of law.

III. Dover's Open Space Subdivisions – the Cluster Subdivision

Specifically in Dover, a residential development such as 103 Court St consisting of individual single-family houses as residential units under common ownership (such as a condominium association) has a unique subdivision classification, the **Open Space Subdivision (OSS)** (which is still a form of subdivision, and not a site plan).

A. Open Space Subdivisions in Dover

Dover's zoning ordinance provides a specific mechanism for placing multiple principal buildings on a single lot for residential units such as 103 Court St proposal: the **Open Space Subdivision**.

Dover §170-6 Word usage and definitions: LOT — A parcel of land which fronts on and has ingress and egress by means of a public vehicular right-of-way and is occupied by, or is intended to be occupied by, one principal building and its accessory buildings or uses customarily incidental to it, together with such open spaces and yards as are required by this chapter. More than one principal building may be placed on a lot located in the Central Business or Gateway District. More than one principal building may also be placed on a lot in all other districts with Planning Board approval for nonresidential developments, multifamily dwelling developments, and open space subdivisions.

Dover §170-6 Word usage and definitions: OPEN SPACE SUBDIVISION – An alternative form of residential development where, instead of subdividing an entire tract into lots of conventional size, a similar number of single-family housing units may be arranged on lots of reduced dimensions.

Dover §157 Land Subdivision Regulations, Article IV Open Space Subdivisions. 19 Concept and purpose.

A. An open space subdivision (OSS) represents a form of residential development where, instead of subdividing an entire tract of land into lots of conventional size and arrangement, a similar number of single-family housing units, duplexes in an R-12 Zone, may, at the discretion of the Planning Board, be arranged on the land in a more innovative fashion which better fits the topography and natural attributes of the site. The remaining land in the tract which has not been built upon shall be set aside for municipal use or integrated among the housing units and reserved for usable common open space. Said open space shall be held in a form of ownership that will prevent it from being further subdivided or developed.

B. The purpose for establishing this article is to promote a development pattern that creates areas of usable and accessible open space; provides land for

municipal use; prevents disruption of natural topography and drainage systems; maintains the rural and open character of the undeveloped area of the City; protects historically significant buildings, resources, and/or landscapes; protects valuable wildlife areas; allows for attractive site design; and encourages a lesser and more practical utility and street network.

In many ways, the OSS serves a similar intent as TDR in terms of supporting flexibility of development, except the absolute building density is limited by a yield plan based on a conventional subdivision, and there are strict overall dimensional requirements.

OSS allows for two formats for density allocation. 103 Court St falls under the **cluster subdivision** subtype:

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§157-21-D. Density. (1) Density allocation. The maximum number of dwelling units permitted in an open space subdivision shall be determined by a submitted yield plan. The resultant number shall not allow a higher density than that provided by a conventional subdivision on the same parcel. An open space subdivision may consist of the following:
(a) A subdivision of land into reduced sized individual house lots.
(b) Cluster subdivision. One parcel with individual detached single-family dwellings located in a cluster arrangement.

The "cluster subdivision" matches the format of 103 Court St, being an arrangement of single-family houses on one lot in a residential capacity. Note that nothing in the OSS regulations indicates the exact form of ownership for created units, and thereby does not exclude traditional lots, fee-simple lots, nor individual units in a condominium format.

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§157-21-G Project ownership. The subject land may be owned, leased or controlled either by a single person, a corporation or by a group of individuals or corporations. An approved open space subdivision shall be binding on the project land and owner(s) and shall be so indicated on each individual deed.

Further, the OSS regulations appear to be the source of the TDR 30-foot no-cut, no-disturb buffer (§170-29-G-7). One of the dimensional regulations is a minimum buffer distance, "minimum distance from external boundaries (feet)" which is 30-foot for R-12 (the smallest distance available). It is further specified in the OSS regulations, as in the TDR code, that this buffer is to be no-cut, no-disturb zone:

> ***§157-21-F(4)-(a):*** *"For the purposes of the external boundary buffers required above, the buffer areas shall be considered an undisturbed natural area for the purpose of shielding the development from abutting properties. The external boundary buffer shall be preserved or established to comply with the perimeter landscaping standards in § 157-35F."*

It follows that 103 Court St is a cluster subdivision of single-family houses on one lot in a residential capacity. The form of ownership as a condominium is consistent with the Open Space Subdivision requirements, does not trigger a site plan classification (as per statutory definitions), but the overall lot size, frontage and setbacks are waived in accordance with the TDR Ordinance §170-29-G-(4) through (6).

The Dover Developer's Handbook confirms the classification for 103 Court St's multiple principal buildings on one lot without lot lines as an open space subdivision. The Handbook explicitly defines Open Space Subdivisions as allowing for subdivisions which **"may be free of lot lines, in a condominium-like format"** (Figure 6). It further excludes single-family residential clusters from Site Plan Review (Figure 7).

> In Dover, a major subdivision may be developed as an open space subdivision. This format allows creativity and flexibility in layout and preserves open space by concentrating all of the units developed in a more clustered location on the original parcel. The subdivision may include lot lines or may be free of lot lines, in a condominium-like format. A roadway may be proposed as either public or private.

Figure 3: Exhibit 5, page 12

The Handbook's description of Site Plan Review excludes single-family residential clusters:

- New construction. Site Review and Planning Board approval will be required for development of land for:
  - Non-residential uses;
  - Multi-family dwellings of five (5) or more units; and
  - Construction of parking areas larger than 4,000 square feet.
  - Construction activities that result in a land disturbance of greater than or equal to one acre or less than one acre if part of a larger common plan of development that would disturb one acre or more.
  - Any construction activities that require a conditional use permit for work to be located in or within fifty (50) feet of a wetland or Conservation District.

Figure 4; Exhibit 5, page 12

B. Open Space Subdivision Example at 210 Tolend Road

The Planning Board's approval of 210 Tolend Road in May 2025 stands in direct opposition to the Department's current stance on 103 Court St. Despite possessing identical land use characteristics to the 103 Court St proposal, it was processed under subdivision regulations.

- **Identical Ownership Structure:** Like 103 Court St proposal, the 210 Tolend Road project featured a cluster arrangement of single-family residential units on one lot under a condominium association. Meeting minutes explicitly describe it as a "development of 29 cluster units….. 29 residential units) as opposed to fee-simple lots (Figure 5, Exhibit 3). At no point in the entire approval is a "site plan" required for the cluster development, rather it is specifically noted under subdivision regulations (Figure 6).
- **Condominium Documentation Requirements:** The Board required "Condominium documents" for 210 Tolend Road, just as 103 Court St (Figure 6). This demonstrates that a condominium framework does not inherently mandate a site plan classification.
- **Consistent Physical Design:** A side-by-side comparison of the plans (Figure 7) confirms that both projects consist of single-family houses acting as units in a cluster arrangement on a single parcel of land.

F. Consideration and acceptance of Open Space Subdivision for Tritech Engineering Corp, (Owner: 210 Tolend Road, LLC), Assessor's Map F, Lot 3, zoned R-40, located at 210 Tolend Road. (Proposal is for an Open Space Subdivision that will create five lots, including one lot for the development of 29 cluster units, one lot with an existing single-family home, one buildable vacant lot, and two lots to be conserved as open space areas.) *(SUBD-2025-0001)

E. Bassegio explained that the applicant is proposing an Open Space Subdivision that will subdivide the property at 210 Tolend Rd., which abuts a built-out open space subdivision on Emerald Lane, to create four new lots for a total of five lots.

The parent parcel, Map F, Lot 3, is proposed to be approximately 26.30 acres, and the new proposed lots are as follows: Map F, Lot 3-1, approx. 3.06 acres, Map F, Lot 3-2, approx. 12.11 acres, Map F, Lot 3-2-OPN, approx. 11.48 acres, and Map F, Lot 3-OPN, approx. 2.76 acres.

The parent parcel (Map F, Lot 3) will retain the existing single-family home. Map F, Lot 3-1 will become a buildable lot within the R-40 Zoning District. The proposed parcels, Map F, Lot 3-OPN and Map F, Lot 3-2-OPN, have been identified as conserved open space.

Map F, Lot 3-2, is proposed as a development with 29 residential units that will be accessed by Emerald Lane. Following Planning Board approval on December 10, 2024, the allowable yield for the subdivision is 31 units.

Figure 5: Excerpt from Exhibit 3, Planning Board meeting minutes for vote on subdivision at 210 Tolend Road. Note 210 Tolend Road language is specifically "units" (not fee-simple lots) and the last line, "the allowable yield for the subdivision is 31 units".

STAFF RECOMMENDATION- Open Space Subdivision

The plan is consistent with §157-15 of the City of Dover's Land Subdivision Regulations, which provides for subdivision of existing lots.

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 Signing of Plans:

1. Approval of COND-2025-0007;
2. Revised current use plan submitted to the City Assessor.
3. Condominium documents, including but not limited to reserve calculation, buffer and common space access and maintenance, Green SnowPro certification requirement, trail access and maintenance, and secondary groundwater protection measures, are reviewed and approved by the Director of Planning and Community Development with consultation by the City Attorney and City Engineer.

Figure 6: Section from Exhibit 3, showing that 210 was reviewed under "§157-15 of the City of Dover's Land Subdivision Regulations" and that a subsequent condition was the requirement for "Condominium documents", which demonstrates that condominium form of ownership does not trigger site plans – this was a Subdivision.

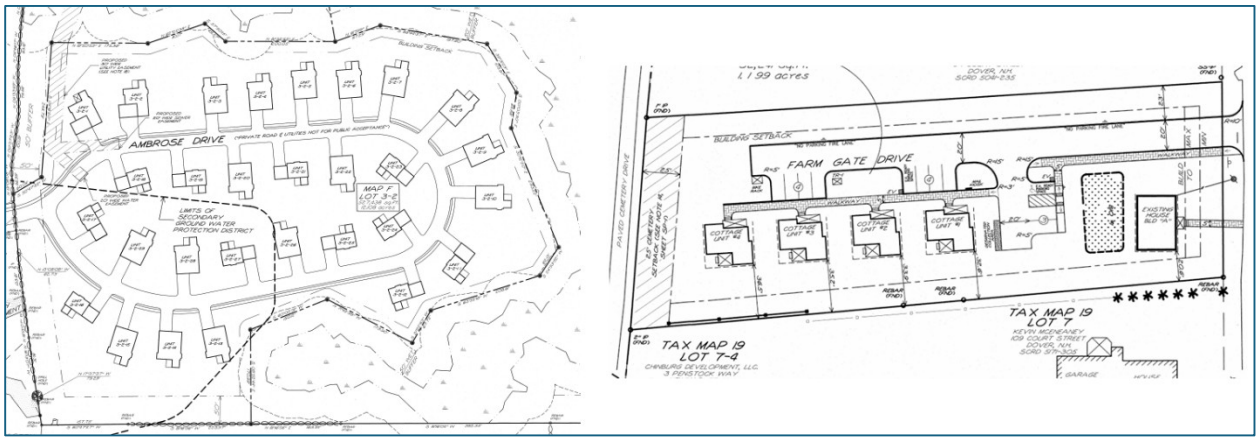


Figure 7: Plan at 210 Tolend Road "Open Space Subdivision" from Exhibit 4, compared directly next to 103 Court St both showing single-family residential units arranged in a cluster on a single lot without lot lines.

Despite having the same "unit-based" structure as 103 Court St and condominium form of ownership, the Board correctly processed and approved 210 Tolend Road as a subdivision, specifically an OSS. There is no mention of a site plan being required at any point and the subdivision regulations §157-15 are specifically identified as being the standard of review. **This proves that the form of ownership (condominium) and the cluster arrangement of individual units on one lot in Dover does not automatically trigger a site plan classification**. Instead, the physical format of the development proposal – as defined under NH and Dover laws – dictates the application type.

IV. INCOMPATIBILITY WITH TDR ORDINANCE

The application of the TDR Ordinance at 103 Court indicates that it must be processed as a

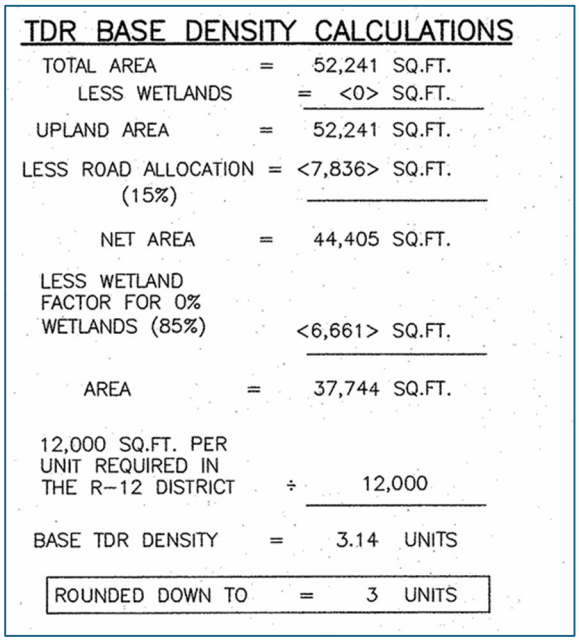
subdivision, and not a site plan. The application uses the TDR calculation from **§170-29-G-3-a,** which specifically mandates a subdivision application. The alternative site plan method §170-29-G-3-b is legally unavailable in this non-multifamily zone. By allowing a site plan to proceed while using the method (a) formula, the Board is creating a **'ghost method'** that does not exist in the City Code.

A. The TDR Calculation Mandate

Under Dover Code **§170-29-G Residential Performance Standards-3**, there are two mutually exclusive paths for applications:

> **1. Method (a) Single-family detached method:** This method uses a specific formula based on lot area. Crucially, §170-29-G-3-a-6 states "*The plan shall be considered a subdivision application. Prior to submission, a determination by the Director of Planning and Community Development shall be made whether to follow the minor or major subdivision regulations."*
>
> **2. Method (b) Single-family, two-family, three-family, and four or more method:** This method applies to mixed-use or multifamily zones, (line b-1-a) "*In mixed-use or multifamily zones, the base density shall be derived from the underlying zoning, and not through a formula.*" Under this path, projects are treated as site plan applications (line b-4).

The application for 103 Court St used the formula from (a) Single-family detached method. See page SP-1 (PDF page 9, figure 8) of the Site Plan Application, and Meeting Minutes, January 28, 2025 (Figure 9):



TDR BASE DENSITY CALCULATIONS

TOTAL AREA	=	52,241 SQ.FT.
LESS WETLANDS	=	<0> SQ.FT.
UPLAND AREA	=	52,241 SQ.FT.
LESS ROAD ALLOCATION (15%)	=	<7,836> SQ.FT.
NET AREA	=	44,405 SQ.FT.
LESS WETLAND FACTOR FOR 0% WETLANDS (85%)		<6,661> SQ.FT.
AREA	=	37,744 SQ.FT.
12,000 SQ.FT. PER UNIT REQUIRED IN THE R-12 DISTRICT	÷	12,000
BASE TDR DENSITY	=	3.14 UNITS
ROUNDED DOWN TO	=	3 UNITS

Figure 8: SP-1 of the application's Site Plan Application (PDF page 9) showing TDR Base Density Calculation using "Single-family detached" formula from the TDR Code.

The existing lot, Assessor's Map 19, Lot 8, contains one single-family dwelling. The current Zoning Ordinance permits the use of the Transfer of Development Rights ordinance (TDR) in the R-12 zone, but specifies that the applicant must apply single-family density for the creation of additional single-family homes. As the applicant is proposing single-family density, the single-family yield calculation has been used and has resulted in a base density calculation of three units. This, therefore, means that the remaining two sought units could be granted if the Planning Board votes to approve the use of TDR.

Figure 9: Excerpt from Meeting Minutes, Exhibit 1, when staff identifies method (a)Single-Family formula being used at 103 Court St, "the single-family yield calculation has been used".

Because 103 Court St is in a non-multifamily zone (R-12), method (b) is legally unavailable. The Board cannot unilaterally expand the scope of method (b) to include formulas reserved for method (a). Doing so contradicts the Code §170-29-G-3-b-4: "*the base density shall be derived from the underlying zoning, and not through a formula.*" As the New Hampshire Supreme Court held in **Harrington v. Town of Warner**, 152 N.H. 74, 79 (2005):

> *"Moreover, we will not guess what the drafters of the ordinance might have intended, or add words that they did not see fit to include."*

If Dover intended for the second method to be able to utilize the same formula as method a, or in some other way apply to non-multifamily zones, it would be spelled out.

The Board cannot legally accept the benefits of the method (a) TDR calculation for base density while simultaneously ignoring its explicit procedural requirement that the project be reviewed as a subdivision. The Planning Director failed to make the required determination of whether the project should follow "major or minor subdivision regulations," a step that is legally prerequisite to a valid submission.

B. Zonal Consistency

The structure of the TDR ordinance aligns with the **District Purpose Statements** in **§170-7 Establishment of Districts**. The code establishes a clear distinction between "conventional single-family" zones (TDR subdivision, method 'a' zones) and "multi-residential" or "Single-family, two-family, three- to four-or more" zones (TDR site plans, method 'b' zones) (Exhibit 6):

---

§170-7 Establishment of Districts B. District Purpose Statements. (1) Residential districts…

(a) Rural Residential District (R-40). The purpose of this residential district is to provide for conventional single-family neighborhoods in the more rural areas of the City. These areas have larger lot sizes (one or more acres) and the homes are most likely served by on-site septic systems and wells, but there are some portions of the district that have municipal sewer and water. New subdivisions are designed as open space developments with reduced lot sizes allowed in return for the permanent preservation of open space…

(b) Low-Density Residential District (R-20). The purpose of this residential district is to provide for conventional single-family neighborhoods on lots not less than 20,000 square feet. The homes in this district are likely served by municipal sewer and water, but there are some areas that still have on-site septic systems and wells. These districts are located near major roadways. The development of parcels with at least 15 acres can be done as open space subdivisions. ...

(c) Medium-Density Residential District (R-12). The purpose of this residential district is to provide for conventional single-family neighborhoods on lots not less than 12,000 square feet. The homes in this district are almost all served by municipal sewer and water. Many of the neighborhoods surrounding the elementary schools are in this district and have a sidewalk system that is conducive to children walking to school. The development of parcels with at least five acres can be done as open space subdivisions….

Conventional Single-Family Zones (R-40, R-20, R-12): The Purpose Statements for these districts all specify that larger developments should be done as "open space subdivisions." This aligns with TDR method (a) "single-family detached" and its subdivision mandate.

Multi-Residential Zones (RM-SU, RM-U): These districts are designed for a "variety of housing types," including "multifamily dwellings." This aligns with TDR method (b), whose formula for base TDR density refers specifically to "mixed-use or multifamily zones" and allows for site plan applications. Note that statutorily, site plans are intended for multifamily projects. It also shares the same language of "single-family, two-family, three-family, and four or more."

(d) Suburban Density Multi-Residential District (RM-SU) The purpose of this residential district is to provide an environment suitable for a variety of moderate-density housing types, including single-family, two-family, three- to four-family and multifamily dwellings. These districts are suburban neighborhoods located along major roadways outside of the center of the City….

(e) Urban Density Multi-Residential District (RM-U). The purpose of this residential district is to provide an environment suitable for a variety of moderate/high-density housing types, including single-family, two-family, and three- to four-family dwellings. These districts are urban neighborhoods

located close to the downtown area and contain many historic homes that are built close to the sidewalks and streets….

C. Conclusion of TDR Incompatibility

The language of the TDR residential performance methods indicates that (a) "Single-family detached" is meant for the non-multifamily zones (Rural, Low and Medium-density) which are then treated as subdivisions under the TDR law, versus the second method (b) "Single-family, two-family, three-family, and four or more method" tracks with the multifamily zones (RM-SU and RM-U), as it uses the same language, which is further consistent with the TDR calculation method of (b), "*In mixed-use or multifamily zones, the base density shall be derived from the underlying zoning….*"

This application has utilized a TDR calculation method designed specifically for single-family residential zones and mandates a subdivision yet has filed under a site plan process designed for multifamily zones. **This "procedural hybrid" is a violation of the TDR Performance Standards and does not exist in the City Code.**

As stated in *Harrington v. Town of Warner,* the Board cannot "add words" or "guess" at intent to bridge these two incompatible methods. This inconsistency is more than a clerical error and represents a reversible error of law.

V. Established Administrative Policy and Official Interpretation

The classification of condominium developments as Open Space Subdivisions in Dover is not merely a personal interpretation; it is the established position of Dover's City leadership and reflects the Board's own recent history.

A. Formal Interpretation by the Deputy City Manager

On April 7, 2025, during a TDR subcommittee meeting, Deputy City Manager Chris Parker provided a formal history of Dover's TDR program. He stated clearly and unequivocally:

> **"Condominiums in Dover are Open Space Subdivisions.**"

(Audio recording of meeting is online at Treeno - Docs or <https://publicrecords.dover.nh.gov/Tabs/Index/21359/public/1/deptnum/0/cab/Public_Meetings>).

This statement confirms that the City's administrative policy recognizes residential clusters – as proposed at 103 Court St – as subdivisions, not site plans, regardless of whether the developer utilizes "units" or "fee-simple lots."

B. Administrative Consistency and Board Precedent

It is critical to note that most of the Planning Board members have "actual knowledge" of this interpretation.

- **Subcommittee Presence:** Current Board members **Kyle Pimental** and **Douglas Glennon** serve on the TDR subcommittee and were present for Mr. Parker's formal statement.
- **Recent Voting Record:** Much of the current Board participated in the May 2025 vote to approve 210 Tolend Rd as an Open Space Subdivision, a project also utilizing a "unit" and condominium format. This includes **Chair Gina Cruikshank**, **Doug Glennon, Ken Mavrogeorge, George DeBoer, Fergus Cullen, Melina Gambino, Eric Salovitch** (Exhibit 3).

Proceeding with 103 Court St as a site plan would represent a significant departure from the City's own administrative policy, recent Board precedent, and statutory land-use definitions. To ensure regulatory consistency and the equal application of the law, the Board must apply the subdivision standard to 103 Court St.

VI. Proposed Findings of Fact

The following findings support the conclusion that the application for 103 Court St is misclassified and must be denied:

1. **Inconsistent Application of Precedent:** The 103 Court St proposal consists of a condominium association of single-family houses on a single lot, a cluster subdivision configuration identical to the 210 Tolend Rd development. Because 210 Tolend Rd was legally reviewed and approved under subdivision regulations in May 2025, there is no legal basis for the Board to apply a different regulatory standard to 103 Court St based on its ownership format.
2. **Statutory Definition of Subdivision:** Under **NH RSA 672:14** and **Dover Code §157-60**, a subdivision includes the division of land into "sites or other divisions of land" for the purpose of sale, rent or lease. The 103 Court St project creates distinct residential sites; the absence of "fee-simple" lot lines does not exempt the project from the statutory definition of a subdivision.
3. **Creation of "Sites" and "Other Divisions of Land":** The Board's reliance on the absence of "fee simple lots" is a misapplication of the law. The law does not limit subdivisions to the creation of traditional or fee-simple lots but explicitly includes the division of a parcel into "two or more lots, plats, sites, or other divisions of land." "Fee-simple" is a form of ownership; "Subdivision" is a land-use action based on the physical creation of residential sites.
4. **Irrelevance of "Condominium Conveyance":** The City's exemption of "condominium conveyance" from Planning Board approval refers only to the administrative recording of deeds. It does not provide a jurisdictional exception for the physical development of land, which must be classified based on its physical use and layout.

5. **Failure to Meet Site Plan Criteria:** Under **NH RSA 674:43** and **Dover Code §170-6**, Site Plan Review is limited to nonresidential or multifamily developments. 103 Court St is strictly residential and does not meet the Dover definition of multifamily (which requires more than four units per structure). Therefore, the Board lacks the statutory authority to review this project as a site plan.
6. **Open Space Subdivisions per City Code and Handbook**: The placement of multiple principal buildings on a single residential lot is strictly limited to nonresidential, multifamily, or open space subdivisions as defined in **Dover Code §157-Article IV**. 103 Court St is a type of open space subdivision, regardless of ownership format. The **Dover Developer's Handbook** explicitly confirms that an OSS "may include lot lines or may be free of lot lines, in a condominium-like format."
7. **TDR Procedural Mandate**: The application uses the "Single-family detached" formula under the **TDR Ordinance §170-29-G-3-a**. This code section mandates that any plan using this formula "**shall be considered a subdivision application**." The alternative method provides no valid formula for the non-multifamily R-12 zone. The Board cannot legally grant the density benefits of this first TDR formula while ignoring its procedural requirements of a subdivision.
8. **Established Policy and Board Precedent**: A majority of the current Board members previously voted to approve 210 Tolend Rd as an OSS in May 2025 – a project identical in condominium ownership and cluster format as 103 Court St. Furthermore, the Deputy City Manager has formally stated that "Condominiums in Dover are Open Space Subdivisions." Proceeding with 103 Court St as a site plan would represent a knowing departure from this established policy and the principle of regulatory consistency.

VII. Conclusion

The submission of 103 Court St under site plan regulations rather than subdivision regulations is not a matter of semantics; it is a matter of **jurisdictional authority**. Because the project does not meet the statutory criteria of a site plan, and because the chosen TDR method explicitly mandates a subdivision process, any approval under the current application would constitute a reversible error of law.

Procedural Error and Substantial Harm

Reviewing a subdivision as a site plan is a **prejudicial error**. Site plan review focuses primarily on the *placement* of buildings, whereas subdivision review focuses on *the legal division of land*, the adequacy of infrastructure, and specific residential standards intended to protect the character of residential neighborhoods.

Further, the Board has made it clear that residential TDR subdivisions are required to meet a mandatory TDR 30-foot no-cut, no-disturb perimeter buffer, while suggesting that TDR site plans are not. The application of the incorrect regulatory framework results in the **unlawful**

waiver of a non-discretionary environmental protection, fundamentally altering the site's impact on abutting properties. The buffer would require fundamental alterations in road, building, and drainage placement. By applying the wrong regulatory framework, the Board would deprive the public of the specific statutory buffer, protections and rigorous design standards mandated for residential subdivisions.

Requested Relief

Based on the facts presented, an outright denial of the site plan application is mandatory. The applicant must resubmit under the correct subdivision regulations to ensure all design standards, public protections, and legal requirements are upheld. This request is made to preserve all legal rights and to ensure an accurate administrative record is established for any subsequent judicial review.

VIII. Exhibit List (submitted as separate attached PDF documents)

Exhibit 1: Planning Board Minutes, January 28, 2025
Exhibit 2: Foster's Newspaper Article, January 30, 2025
Exhibit 3: Planning Board Minutes, May 13, 2025
Exhibit 4: Plan for 210 Tolend Rd, Open Space Subdivision
Exhibit 5: Developer's Handbook, City of Dover
Exhibit 6: R-12 Medium Density Residential from Dover Zoning
Exhibit 7: Additional 210 Tolend Rd documents for reference
Exhibit 8: Dover's Open Space Subdivisions Regulations

Respectfully submitted, Hilary Hamer, 91 Court Street, 1/22/2026

From: Hilary Hamer <hilary.a.hamer@gmail.com>
Sent: Thursday, January 22, 2026 9:15 AM
To: Planning Board - All <PlanningBoard-All@dover.nh.gov>
Cc: Perez, Jennifer <J.Perez@dover.nh.gov>
Subject: Formal Objection: Jurisdictional Misclassification of 103 Court St, Request for Denial of Site Plan (Part 2 of 2)

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

Dear Dover Planning Board and Staff:

As referenced in my previous email, please find the following Exhibits attached for the official project record regarding the 103 Court St application. These documents provide evidentiary support for the jurisdictional and procedural objections submitted today.

Attached Exhibits:

Exhibit 1: Planning Board Minutes, January 28, 2025
Exhibit 2: Foster's Newspaper Article, January 30, 2025
Exhibit 3: Planning Board Minutes, May 13, 2025
Exhibit 4: Plan for 210 Tolend Rd, Open Space Subdivision
Exhibit 5: Developer's Handbook, City of Dover
Exhibit 6: R-12 Medium Density Residential from Dover Zoning
Exhibit 7: Additional 210 Tolend Rd documents for reference
Exhibit 8: Dover's Open Space Subdivisions Regulations

Please confirm receipt of both the formal objection letter (Part 1) and these supporting exhibits (Part 2) to ensure they are included in the Board's packet.

Respectfully,

Hilary Hamer, 91 Court St, Dover

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

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

DOVER PLANNING BOARD – MINUTES

CITY OF DOVER

Meeting Type:	Regular Meeting
Meeting Location:	Council Chambers, City Hall, 288 Central Ave, Dover, NH.
Meeting Date:	**Tuesday, January 28, 2025**
Meeting Time:	**7:00 pm**

Members Present: Gina Cruikshank (Chair), Doug Glennon (Vice Chair), Ken Mavrogeorge, Kyle Pimental, Melina Gambino
Members on Phone: Fergus Cullen (Councilor)
Members Not Present (excused): George DeBoer, Tom Clark, Mallory Strange (Alternate), Jeff Sanborn (Alternate)
Staff Present: Donna Benton, Planning Director

Gina Cruikshank (Chair) called the meeting to order at 7:00p.m. and noted that Councilor Cullen is participating in the meeting by telephone.

1. CITIZENS' FORUM

Citizens Forum Open
Caitlin Wilkie, 568 Sixth St expressed concerns about the TDR program and education around the program. She described some clarifications she has received from staff and how she feels that contradicts the way TDR items have been handled at Planning Board level. If the staff and board are interpreting the code beyond its written language, then the language needs to be updated to maintain fairness and legality. She is also concerned about the TDR fees and how the funds have been used. She asked for transparency in this process. She asks the board members to take the time to fully understand the repercussions their decisions have on residents – especially with TDR.
Citizens Forum Closed

2. APPROVAL OF THE PRIOR MINUTES

- January 11, 2025 Special Meeting Minutes and January 14, 2025 Regular Meeting Minutes

Motion: K. Mavrogeorge moved to approve the special meeting minutes of January 11, 2025 and regular meeting minutes of January 14, 2025. Seconded by: D. Glennon.
Roll Call Vote: Passed unanimously (Cruikshank- yes, Glennon- yes, Pimental- yes, Mavrogeorge- yes, Gambino- yes, Cullen- yes)

3. OLD BUSINESS

4. NEW BUSINESS

A. Consideration and acceptance of a Lot Line Adjustment for Robert S. Mairs Revocable Trust, George Maglaras & Robert S, Mairs Trustee, & George Maglaras, Assessor's Map 24, Lots 141, 140 & 139, zoned CWD, located at 5, 11, and 31 Cocheco Street. *(LOTA-2024-0013)

D. Benton explained that the applicant is proposing a lot line adjustment to revise the lot lines between abutting properties located at 5 Cocheco St. (Map 24, Lot 141), 11 Cocheco St. (Map 24, Lot 140), and 31 Cocheco St. (Map 24, Lot 139).

F. Cullen disclosed that he has a professional relationship with Kevin McEneaney's firm who surveyed the property for this application, and he is a client of Mr. McEneaney's company. He does not have any financial, personal, or professional interest that would create a conflict of interest in relation to this application. His evaluation of this application is unbiased and impartial. If any member of the Planning Board objects to his participation with this application, he asked them to say so. (No one spoke)

This lot line adjustment dissolves lot 140 and adds ± 3,889 square feet to lot 139 and ±4,176 square feet to lot 141. Each lot's frontage and compliance with underlying zoning regulations (CBD-G and CWD) will remain post-adjustment.

As a Lot Line Adjustment, this application did not appear before the TRC.
Kevin McEneaney, McEneaney Survey, represented the application noted three abutting lots are proposed to adjust the lot lines. He listed the ownerships of the lots and noted though the total square footages of the two proposed lots will not be equal, they will each have equal frontages and waterfronts.

K. Pimental asked about the boundary of the zoning districts and how the adjustment of the lot line now puts one of the proposed lots in two different zoning districts.
D. Benton clarified that the rule is that the lot will have zoning regulations based on which district the majority of the lot encompasses, though the regulations allow for a change of zoning of moving the boundary 50' for that lot if necessary for a future use.

Motion: M. Gambino moved to accept the application and declared no regional impact. Seconded by: K. Mavrogeorge.
Roll Call Vote: Motion passed unanimously (Cruikshank- yes, Glennon- yes, Pimental- yes, Mavrogeorge- yes, Gambino- yes, Cullen- yes)

Citizens Forum Open
No one spoke
Citizens Forum Closed

STAFF RECOMMENDATION – Lot Line Adjustment
Chapter 157-17 of the Land Subdivision Regulations of the City Code provides for the adjustment of existing lot lines between two or more lots. This plan is consistent with those regulations.

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 Signing of Plans:

1. Provide physical and digital copies (including CAD) of complete plan set for recording at Strafford County Registry of Deeds which additionally shall include:
   1.1. Planning File Number #LOTA-2024-0013
   1.2. The owner's signatures
   1.3. City Assessor confirms lot numbering.

Motion: M. Gambino moved to approve the Lot Line Adjustment with subsequent conditions set by staff as it meets criteria. Seconded by: K. Mavrogeorge.
Roll Call Vote: Motion passed unanimously (Cruikshank- yes, Glennon- yes, Pimental- yes, Mavrogeorge- yes, Gambino- yes, Cullen- yes)

B. Consideration and acceptance of Transfer of Development Rights for 5 Sherman Street, LLC, Assessor's Map 19, Lot 8, zoned R-12, located at 103 Court Street. (Proposal is to purchase four (4) units through TDR.) *(TRAN-2024-0011)

C. Consideration and acceptance of Site Review for 5 Sherman Street, LLC, Assessor's Map 19, Lot 8, zoned R-12, located at 103 Court Street. (Proposal is to maintain an existing single-family dwelling, construct a two-family dwelling that is deed-restricted to Fair Market Rent, and construct four (4) new size-restricted single-family homes for a total of seven (7) dwelling units. *(SITE-2024-0012)

Motion: M. Gambino moved to remove this item from the table. Seconded by: D. Glennon.
Roll Call Vote: Cruikshank- yes, Glennon- yes, Pimental- yes, Mavrogeorge- yes, Gambino- yes, Cullen- yes

D. Benton explained that the applicant is proposing a residential project consisting of five residential units by purchasing two size restricted units through TDR. This item was before the board, accepted and tabled on December 10th, but the plan has been revised since then. The agenda reads as it does because this item was a continuance.

The proposal includes renovation of the existing single-family dwelling and the construction of four single-family "cottage" dwelling units. The duplex has been removed from the proposal and the applicant is requesting to purchase two units through TDR which will be size restricted to 1,400 sq ft.

A Site Visit was conducted on January 11, 2025, to allow staff, Planning Board members, and members of the public to review the site in person, observe existing conditions, and be able discuss how the proposed development aligns with the surrounding area and zoning requirements.

The applicant provided previous iterations of this proposal for increased units on the subject property. The applicant is now proposing a decrease in total units, an increase in perimeter screening, and a change to the site layout with the "cottage" units and access driveway being shifted further from the side property boundaries.

The existing lot, Assessor's Map 19, Lot 8, contains one single-family dwelling. The current Zoning Ordinance permits the use of the Transfer of Development Rights ordinance (TDR) in the R-12 zone, but specifies that the applicant must apply single-family density for the creation of additional single-family homes. As the applicant is proposing single-family density, the single-family yield calculation has been used and has resulted in a base density calculation of three units. This, therefore, means that the remaining two sought units could be granted if the Planning Board votes to approve the use of TDR.

Per the applicant's plan, the existing single-family home will be renovated and remain, and four single-family "cottage" dwelling units will be constructed. Two of the cottage units are proposed to be size-restricted to 1,400 square and purchased through TDR.

Because of the change of plans, the board can take action on the TDR request tonight but staff recommends the second item could be tabled so it can go to TRC.

Staff has reviewed the proposal and supplied a TDR memo to the applicant.

The Board has received comments tonight. Staff has tried to respond and reference the correct areas of the TDR code and try to ensure the public is informed.

Robert Baldwin, 5 Sherman St LLC represented the application and confirmed they are expecting to table the second request tonight to take the proposal to TRC.
He highlighted the changes to the plans: removed the duplex, straightened the driveway, noted the 25' cemetery setback, included a detailed landscape plan showing the screening, and fencing adjustments.
He described some other development options that they considered.

Board members asked clarifying questions of the applicant which were addressed. Topics included storm water, size restrictions (all four units are proposed restricted to 1,400 sf), ownership vs rental status.

The applicant reviewed the development options again while the plans were shown on the screen.

The TDR buffer was discussed and clarified that based on the plans presented and the section of the code they are developing under, the 30-foot buffer is not a requirement.

Public Hearing Open
Hilary Hamer, 91 Court St believes the 30-foot buffer does apply for this proposal and explained her reasoning and handed out a paper to the board members. She asked the board which residential performance standard applies to this project and why. She asked for an explanation for when the buffer does apply to residential TDRs. She believes this proposal is unlawful and unreasonable, that a buffer applies and has not been provided. She highlighted the state's definition of subdivision.

Merlin Mason, 91 Court St is concerned about the proposed increase to density, is in favor of the buffer, and he explained he and his wife want real neighbors in real homes.

Dorna Hamer, 18 Tuttle Ln is opposed to the project and is in favor the buffer. The parent lot is the existing lot. This density is out of place in this neighborhood. The TDR rules are vague, and this project should be put on hold until those can be clarified.

Keith Hamer, 18 Tuttle Ln is opposed to the project noting many of the neighbors and abutters have written to the office in opposition. If the board tables the item, he asks that the public hearing be tabled so it can be continued.

Caitlin Wilkie, 568 Sixth St is in opposition to the project. TDR is to be used to restrict density to appropriate locations and protect other areas. She agrees the buffer should apply. Proposed cottages have no consistency with the existing homes on the street. The proposal is also too dense for the neighborhood. She asked this proposal to be denied.

D. Benton noted emails were received from some who have already spoken tonight and summarized one from Lisa O'Grady of 100 Court St.
Public Hearing Closed

D. Benton addressed public comment:

- She gave an explanation of the two sections of the TDR ordinance with different options and how they apply to this application.
- She explained a lot restoration for four lots at Locke St and Tranquility Way and the density options for those lots being more so than the current proposal.
- She discussed that some projects have the buffer and some do not. She appreciates the table provided by the resident, but it is not 100% accurate. Staff can review and comment.
- Why this proposal isn't a subdivision: In Dover, condominiums don't fall under subdivision. Dover subdivisions are focused on fee simple lot lines, rather than form of ownership.
- The 30' buffer is not required because they are proposing units instead of fee simple lots.

Board members continued discussion about condominiums, 30-foot buffer applications to some types and not others, tightening up the zoning regulations as part of the review to require the buffer for consistency, allowed density by right, considering the reasons for a no-cut buffer and utilizing their ability to have applicants create buffers where they don't exist.

STAFF RECOMMENDATION - TDR
§170-29 provides for additional density to be purchased through Transfer of Development Rights. This application meets the ordinance.

Section 170.29G(8) states:

"Regardless of the method utilized, any other provision in this Chapter to the contrary, the density or intensity of development of a receiving parcel may be increased by the TRANSFER OF DEVELOPMENT RIGHTS so long as the increase in density or intensity meets the following criteria and a narrative is submitted indicating how those criteria are met:

(a) Is consistent with the Master Plan

(b) Is compatible with the land uses on neighboring LOTs (eg a multifamily building fits in with in a single family neighborhood). The applicant shall provide in their narrative an explanation of their neighborhood analysis.

(c) Is created on property served by public water and sanitary sewer.

(d) Any relief sought should not be caused by the additional density."

Section §170-29 provides for additional density to be purchased through Transfer of Development Rights, provided that four criteria are met: The proposal is consistent with the Master Plan; is compatible with the land uses on neighboring lots; is created on property served by public water and sanitary sewer; and not seeking permitted relief caused by additional density. This application meets the criteria.

Specifically, the lot is served by water and sewer, and the Master Plan supports housing diversity and encourages creating housing in walkable neighborhoods which encourage community engagement. Regarding the requested density, it is in line with neighboring land uses and development. The proposal is for single-family homes, and there are single- and two-family homes in the immediate area. Currently, the parcel has a single unit, and by right, the unit could be converted to a two-family dwelling unit. The applicant is proposing five total residential units, or an increase of four units. On the adjacent parcel at 109 Court Street, that and the three lots that were created from it, all meet the zoning to allow two-family units. These four lots equate to a similar-sized area, (1.5 acres), and with no Planning Board review, eight units could be constructed by right where one unit exists today. In regards to TDR buffers, as 170-29.G(7) states, "A continuous visual buffer shall be created along the perimeter of the parent parcel, which shall include a thirty-foot no cut, no disturb buffer," and the proposal is not indicating to subdivide or add new lot lines, staff's interpretation has been that the buffer is not required. However, staff has continually asked the applicant to add more green space and screening as possible and to ensure the 25' setback from the cemetery has been met. This revised plan meets those requests.

The Planning Department recommends that the Planning Board make the necessary and supporting findings of fact, and vote to find the criteria of the TDR ordinance has been met with the following subsequent conditions:

Subsequent Conditions to be Met Prior to Granting TDR:

1. A Site Plan application is required to be submitted for review and consideration;
2. Payment of TDR fees;
3. Add note to plan: "This site plan uses the Transfer of Development Rights ordinance which allows for relief to the setbacks, lot area, frontage, density and intensity of the development. The Board granted TDR relief to purchase up to two units for a maximum total of five units on the subject lot. The existing single-family unit and the proposed single-family dwellings may not be converted to a two-family dwelling without further review and approval by the Planning Board;"
4. The applicant provide a revised narrative including the latest TDR request;

5. Add note indicating which units will be purchased as size-restricted units through the TDR ordinance and that a deed restriction is required.
6. The board may decrease the total unit count based on TRC review.

Comments by board members:
M. Gambino:
Noted she thinks the developer has shown good faith and adjusted the project to be more clearly aligned with concerns around the density. This is a 50% decrease in the number of requested TDR units from 4 to 2. This TDR project will support and promote the City's diversity of ages and income which is part of the master plan by building more attainable housing on this lot that might otherwise be allowed by right.

A public comment mentioned wanting to see somebody with a garden and the swing set in the backyard. The reality is that not everybody wants that in their yard and so there needs to be diversity of housing.

She referred to the discussion about the 30-foot buffer clouded this project for her and is now confident that staff gave the Board the right information and is looking forward to having further discussions about the TDR regulations.

This project is in a place where TDR is appropriate. She prefers to see the TDR here in the R-12 zone rather than the rural zone.

K. Pimental:
Diversity of housing is important and emphasized that not everyone wants the same single-family home on a certain sized lot. This project has gotten better with public, staff and Planning Board input.

K. Mavrogeorge:
The difference tonight is the Board is being asked to approve the number of units and table the plan so it can go to TRC. The plan is heading in the right direction, but additional work is needed. Any vote tonight on number of units does not approve any particular plan or development option.

Motion: K. Pimental moved to grant Transfer of Development Rights request based on the comments and conditions set by the Planning Department. Seconded by: K. Mavrogeorge.
Roll Call Vote: Motion passed 5-1 (Cruikshank- yes, Glennon- no, Pimental- yes, Mavrogeorge- yes, Gambino- yes, Cullen- yes)

Motion: M. Gambino moved to table the site plan. Seconded by: K. Mavrogeorge.
Roll Call Vote: Motion passed unanimously (Cruikshank- yes, Glennon- yes, Pimental- yes, Mavrogeorge- yes, Gambino- yes, Cullen- yes)

The Chair announced Items 4D, E, F, & G would be heard together.

D. Consideration and acceptance of a Minor Subdivision for Allen & Major Associates, Inc., (Owners: 114 Silver Street Group, LLC), Assessor's Map 12, Lot 148, zoned HR, located at 114 Silver Street. (Proposal is to subdivide the parcel to make one (1) new lot for a total of two (2) lots.) *(SUBM-2024-0001)

E. Consideration and acceptance of a Conditional Use Permit for Allen & Major Associates, Inc., (Owners: 114 Silver Street Group, LLC), Assessor's Map 12, Lot 148, zoned HR, located at 114

Foster's Daily Democrat

LOCAL

Dover residents fight housing project, call for 'true family houses for neighbors like us'

Sarah Donovan Foster's Daily Democrat

Updated Jan. 30, 2025, 8:06 a.m. ET

Key Points AI-assisted summary

- A proposed housing development in Dover, New Hampshire, has sparked debate over the use of Transfer of Development Rights (TDR).
- The project at 103 Court St. has been reduced from nine to five units after neighbors raised concerns about density.
- The Dover Planning Board approved the TDR request, but the project will undergo further review by the Technical Review Committee.

DOVER — A housing proposal at 103 Court St., in the city's medium-density residential district, has sparked yet another debate over the use of Transfer of Development Rights.

The tool is used to created higher density housing than the city's zoning code typically allows. The TDR ordinance, instituted in Dover in 2018, simultaneously protects land with high conservation value, such as wetlands. Developers who accept size restrictions on the homes they are building are awarded "bonus units," meaning they can build more homes. They are charged a fee, with the money designated for Dover's Conservation Fund.

Members of Dover's Planning Department and City Council have said TDR has been successful in creating more housing and conserving land. But TDR projects have now become the epicenter of land-use debates in Dover, with opposition coming from neighboring property owners.

A proposal for four single family, cottage-style homes, and the renovation of an existing 1,700 square-foot single-family home at 103 Court St., was brought to the city's Planning Board for a third time Tuesday night. Robert Baldwin, manager for leasing and new construction at Central Falls Realty, presented the plan. It has been reduced in size since it was originally proposed in September.

The project initially intended to have a total of nine units comprised of two duplexes and five cottage-style single-family homes. One of the duplexes was to be created by renovating the existing single-family home on the property.

Since then, the project proposal has been shrunk to a total of five units. The plan now calls for four cottage-style homes and the renovation of the existing single-family home.

Project opponent takes aim at TDR rules

Hilary Hamer, whose home abuts 103 Court St., has criticized the project and the use of TDR.

"On the one hand, TDR was created with the goal to strategically develop affordable housing like the Back River Road project, but at what point have policies like this in Dover crossed a line violating existing homeowner's rights?" Hamer wrote in an email to Foster's Daily Democrat. "Homeowners have a right to expect a certain consistency to their neighborhoods guaranteed by zoning laws. Dover is failing to maintain a balance of development and respecting current residents."

Hamer on Tuesday night asked the Planning Board to table the developer's request to obtain TDR units until a 30-foot "no disturb" buffer had been clarified. In this proposal, a 25-foot buffer has been applied at the back of the property by the cemetery, different than the 30-foot no disturb buffer required at City Councilor Fergus Cullen's multi-family housing proposal. Hamer questioned the reasoning.

"I asked the Planning Board when looking at this which residential performance standard applies, and why? What is different between this project and recent

projects at Sixth Street that did require a 30-foot buffer? The buffers intent is to protect us, the abutters, from increased density under TDR. Don't all abutters deserve this regardless of the specific amount called out?" said Hamer.

Donna Benton, the city's director of planning and community development, responded the reason is because the 103 Court St. proposal is not a subdivision project. In the case of other projects, such as Cullen's proposal, a subdivision was requested. The 103 Court St. proposal is seeking units to develop condominiums, not housing lots, and therefore is not required to adhere to the 30-foot buffer.

'Real neighbors' and 'true family houses' wanted, neighbor says

Merlin Mason, Hamer's husband, spoke against the project, too.

"I am here because no one yet has asked us what we want. Yes, we want less density and proper protection from excess TDR density for our family, but also, my wife and I want real neighbors, people who can truly own and make a home their own," Mason said. "Invest in it, modify it, have an outdoor swing set for their children. This project creates a restricted condominium-style row of identical crammed together (housing)."

He added, "The Planning Board has already provided more than 1,800 apartments and townhouses coming to Dover in the next couple years. Let's maintain an inventory of sustainable, true family houses for Dover neighbors like us to own."

Dover development 2025: Hundreds of housing units in these 4 projects

Caitlin Wilkie, an abutter to Cullen's housing proposal site at 566 Sixth St., spoke in opposition to the Court Street project, stating she was also concerned about the buffer.

Planning Board member Kyle Pimental agreed there should be clearer language regarding buffers in the TDR ordinance. Benton said at the next board meeting the TDR ordinance will be reviewed in depth to work through some of these questions.

"I think the development team was trying to listen to the public," said Benton in an interview Tuesday. "Generally speaking, I think everyone agrees we need more housing" while maintaining the feel of Dover.

Planning Board awards TDR to 103 Court St. project

Baldwin said he's taken into consideration what the board has said, in addition to the public. The project has shrunk for multiple reasons, but feedback has been a part of the process. Increased shrubbery was added to act as an enhanced buffer.

Baldwin's TDR request passed in a 5-1 vote: Gina Cruikshank, Kyle Pimental, Ken Mavrogeorge, Fergus Cullen and Melina Gambino all voted in favor. Doug Glennon voted against it. Now that the TDR is approved, the site plan will be reviewed once again by Dover's Technical Review Committee.

DOVER PLANNING BOARD – MINUTES

CITY OF DOVER

Meeting Type:	Regular Meeting
Meeting Location:	Council Chambers, City Hall, 288 Central Ave, Dover, NH.
Meeting Date:	**Tuesday, May 13, 2025**
Meeting Time:	**7:00 pm**

Members Present: Gina Cruikshank (Chair), Doug Glennon (Vice-Chair), Ken Mavrogeorge, George DeBoer, Fergus Cullen (Councilor), Melina Gambino, Eric Salovitch (Alternate)
Members Not Present (excused): Tom Clark, Kyle Pimental, Jeff Sanborn
Staff Present: Erin Bassegio, City Planner, Paul Crouser, Zoning Administrator

Gina Cruikshank (Chair) called the meeting to order at 7:00p.m. and noted that Tom Clark, Jeff Sanborn and Kyle Pimental are absent and notified staff they would not be present and welcomed Eric Salovitch to the Planning Board who was recently appointed as an Alternate. E. Salovitch will sit for K. Pimental tonight.

1. CITIZENS' FORUM

Citizens Forum Open
Russ Warnock, 21 Whittier St, abutter to Silver St project on tonight's agenda, but is here to speak more broadly about the TDR program. He expressed that the balance of development verses residents is off.
The program needs reworking as it is not working as intended.
Also, the timeline is difficult for the abutters who are often unfamiliar with the program and how government works. The notification they receive about a project near them comes quite late in the process after developers have already met with and completed some steps with the staff.
Citizens Forum Closed

E. Bassegio noted the City is reviewing the TDR process and there is a subcommittee in place.

2. APPROVAL OF THE PRIOR MINUTES

- April 22, 2025 Regular Meeting Minutes

Motion: K. Mavrogeorge moved to approve the regular meeting minutes of April 22, 2025. Seconded by: D. Glennon. Vote: All in favor with E. Salovitch abstaining

3. OLD BUSINESS

4. NEW BUSINESS

A. Consideration for acceptance and a public hearing for an excavation permit by Owner: Stephen M. Brox Revocable Indenture of Trust (Applicant: Brox Industries, Inc.), Assessor's Map C, Lots 12-A, 13 & 14, zoned R-40, located on Glen Hill Road, Rochester Neck Road/Tolend Road. *(P25-01)

E. Bassegio explained that the Applicant has submitted excavation and reclamation plans for each of its three lots in Dover, along with an application for an excavation permit. This constitutes a renewal of the permit approved on May 9, 2023 (a biennial process). The subject property, (three lots in total), are located off of Glen Hill Road, Rochester Neck Road, and Tolend Road at both the Town of Barrington and City of Rochester municipal boundaries.
As in years past, regional impact was not found for this application.

Erik Stevenson, Brox Industries represented the application, introduced his team and was available for questions on the item.

Motion: M. Gambino moved to accept the application and declared no regional impact. Seconded by: G. DeBoer. Vote: U/A

Public hearing opened.
No one spoke
Public hearing closed.

STAFF RECOMMENDATION – Excavation Permit
Chapter 170-29 of the Zoning Ordinance of the City Code governs the excavation of earth in the City of Dover pursuant to the authority granted by NH RSA 155-E, and requires that earth excavations obtain a permit, which is valid for two years.

The Planning Department recommends that the Planning Board make the necessary and supporting findings of fact and vote to approve the Excavation Permit with the following subsequent conditions:

1. Confirmation from the City's Environmental Projects Manager that existing conditions are consistent with excavation plan.

Staff confirmed that condition two in the staff memo was already added to the submitted plan and does not need to be included as a condition of approval:

Motion: M. Gambino moved to approve the Excavation Permit, with Subsequent Condition, as it is consistent with the regulations. Seconded by F. Cullen Vote: U/A

B. Consideration for acceptance and a public hearing for an excavation permit by Branch Brook Holdings, LLC, Assessor's Map H, Lots 59, 60, 60A, 61 & 62, zoned IT, located on Mast Road. *(P25-02)

E. Bassegio explained that the applicant is requesting to continue to excavate materials from their long-standing gravel pit on Mast Road. The Applicant has submitted the required excavation and reclamation plans for its lots, along with an application for an excavation permit. This constitutes a renewal of the permit approved last May 9, 2023 (a biennial process).

The subject property, (5 lots in total), are located on Mast Road between Community Services and City-owned land, the Town of Madbury, and the Bellamy River. As in years past, regional impact was not found for this application.

Kevin McEneaney represented the application and explained the request and described the ongoing reclamation.

F. Cullen disclosed that he has a professional relationship with CivilWorks NE and McEneaney Survey Associates, and he is a client of these companies. He does not have any financial, personal, or professional interest that would create a conflict of interest in relation to this application. His evaluation of this application is unbiased and impartial. If any member of the Planning Board objects to his participation with this application, he asked them to say so. (No one spoke)

Mr. McEneaney addressed questions from the board relative to the lifespan of the pit.

Motion: M. Gambino moved to accept the application and declared no regional impact. Seconded by: G. DeBoer. Vote: U/A

Public hearing opened.
No one spoke
Public hearing closed.

STAFF RECOMMENDATION – Excavation Permit
Chapter 170-29 of the Zoning Ordinance of the City Code governs the excavation of earth in the City of Dover pursuant to the authority granted by NH RSA 155-E, and requires that earth excavations obtain a permit, which is valid for two years.

The Planning Department recommends that the Planning Board make the necessary and supporting findings of fact and vote to approve the Excavation Permit with the following subsequent conditions:

1. Confirmation from the City's Environmental Projects Manager that existing conditions are consistent with excavation plan.

Staff confirmed that condition two in the staff memo was already added to the submitted plan and does not need to be included as a condition of approval:

Motion: G. DeBoer moved to approve the Excavation Permit, with Subsequent Condition, as it is consistent with the regulations. Seconded by M. Gambino. Vote: U/A

C. Consideration and acceptance of a Lot Line Adjustment for Smith & Pospesil Land Surveying Company, LLC (Owners: Croisetiere Family Revocable Trust & Coldstream Properties, LLC) Assessor's Map I, Lots 129 & 132, zoned IT, located at 308 Durham Road Dover, NH and 314 Route 108 Madbury, NH. *(LOTA-2025-0004)

E. Bassegio explained that the applicant is proposing lot line adjustment to revise the lot lines between abutting properties located at 308 Durham Road in Dover (Map I, Lot 129) and the neighboring property, 314 Durham Road in Madbury (Map I, Lot 132) with the intent of adding approximately 2,449 square feet from the Madbury parcel (parcel no. I-132) to 308 Durham Rd. (parcel no. I-129).

The structure at 308 Durham Road currently crosses both the Dover/Madbury boundary and the property line and the lot is nonconforming. The lot will remain nonconforming in terms of the underlying IT District's dimensional regulations but the proposed adjustment aims to improve compliance and resolve the issue of the structure straddling the property line with neighboring Lot 132 in Madbury.

Tom Smith, Smith and Pospesil Land Surveying represented the application and explained the request. The request is a lot line adjustment due to the property line going through the existing structure.
He answered questions of the board relating to the two plans which will be recorded due to two different towns and two different parcel identifiers, reasons for non-conformity of the lot, reason for the initial error, and discussions of conditions of approval.

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

Public hearing opened.
Dave Greenshields, Coldstream Properties mentioned a discrepancy with the square footage.
Public hearing closed.

Mr. Smith noted the attorneys have signed off and the square footages are all set.

STAFF RECOMMENDATION – Lot Line Adjustment
Chapter 157-17 of the Land Subdivision Regulations of the City Code provides for the adjustment of existing lot lines between two or more lots. This plan is consistent with those regulations and though the lot and existing structure will remain nonconforming with underlying zoning, as a general principle, land use changes which increase conformity with underlying zoning are not only allowed, but actively encouraged.

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 Signing of Plans:
1. Acceptance of corresponding Madbury Lot Line Adjustment by the Madbury Planning Board; and
2. Provide physical and digital copies (including CAD) of complete plan set for recording at Strafford County Registry of Deeds which additionally shall include:
   1.1. Planning File Number #LOTA-2025-0004
   1.2. The owner's signatures
3. Provide a physical copy of the final version of complete plan set that includes approved revision in Madbury.

Motion: F. Cullen moved to approve the Lot Line Adjustment with subsequent conditions set by staff as it meets criteria. Seconded by: G. DeBoer. Vote: U/A

D. Consideration and acceptance of Transfer of Development Rights for Berry Surveying and Engineering, (Owners: Richardson Estates of Dover, LLC and Mohamed & Lisa K. Hamcha), Assessor's Map 35, Lots 64 and 72, zoned R-12, located 141 Sixth Street and 5 Dowaliby Court. (Proposal is to purchase eight (8) units through TDR.) *(TRAN-2025-0003)

E. Bassegio explained that the applicant is proposing a residential project consisting of twenty units within ten two-family structures. Using the TDR density calculation, the applicant demonstrated that the subject property can support twelve units (six two-family structures). Therefore, the applicant is requesting an additional eight units through TDR.

The subject property lies within the Secondary Groundwater Protection District (SGPD). Per §170-33D(5), impervious surface coverage is limited to 20% within the SGPD and the applicant would be proposing 34.43% coverage. As proposed, the applicant would need to request a Conditional Use Permit to allow for the increase in impervious surface coverage beyond the permitted amount.

This proposal, if approved, would need to come back for TRC and Planning Board review as a Site Plan Application.

Christopher Berry, Berry Surveying and Engineering represented the application and explained the request. He noted the board previously approved the lot line adjustment. He explained the scientific processes completed thus far and noted tonight's application is solely the purchase of the TDR units.
He explained the calculations for density and the fairly new allowable use of duplexes in the zone.

The proposal is a 10-duplex condo style development. He described the road location and design, stormwater, walkability. The applicant held a neighborhood meeting on the project a few weeks ago and took input from the abutters. They have requested the applicant work with them on buffering.
The applicant provided a comprehensive plan set to aid the board visualize the proposal.
The applicant provided a yield plan for a standard subdivision in the zone so the board can compare the overall coverage of that design to the proposal. He noted the coverage is nearly identical between the plans, but they will find ways to reduce the coverage during the process.
A CUP will be required for secondary ground water. This would also be necessary for a standard subdivision on this lot. No other CUPs would be required.

The proposal calls for 10 structures to be built. Per regulations, each unit will look like a single-family home from the street, though be a duplex. The sizes and footprints of the structures vary.
He addressed the mixed parcels of the neighborhood.

Mr. Berry addressed questions from the board relating to side porch entrances/ setbacks, 1500-1900 sq ft range of each home, 3-bedroom style, parking and road width, and comparison size to 10 single-family homes.

Motion: D. Glennon moved to accept the application and declared no regional impact. Seconded by: M. Gambino. Vote: U/A

Public hearing opened.
Marissa Soule, 4 Dowaliby Ct, abutter expressed concerns about the TDR density, compared the size of the proposed structures to her home, drainage- ponding and standing water at that location, lack of proposed stormwater management behind the four units that abut her property, proposed roadway leading to development access to the large, abutting lot. She requested a condition of approval that the HOA docs state the roadway cannot be extended to provide access for further development to the northern lot.
Public hearing closed.

Mr. Berry responded to public comment:

- Drainage
- Stormwater analysis will look at the wet area
- Access is not the intention, applicant will adjust limited common area for closest units and if future change is proposed, will need approval from those owners and all other owners.

M. Gambino commented that this is an appropriate lot for TDR use. It is close to downtown, compatible with the neighborhood and she is in favor of the 3-bedroom layout. She does have concerns about the increased wet areas.
Mr. Berry addressed concerns noting that once the plan is further down the process, mitigation will be proposed.

STAFF RECOMMENDATION – Transfer of Development Rights
Section §170-29 provides for additional density to be purchased through Transfer of Development Rights, provided that four criteria are met: The proposal is consistent with the Master Plan; is compatible with the land uses on neighboring lots; is created on property served by public water and sanitary sewer; and not seeking permitted relief caused by additional density. This application meets the criteria.

Section 170.29G(8) states:

"Regardless of the method utilized, any other provision in this Chapter to the contrary, the density or intensity of development of a receiving parcel may be increased by the TRANSFER OF DEVELOPMENT RIGHTS so long as the increase in density or intensity meets the following criteria and a narrative is submitted indicating how those criteria are met:

(a) Is consistent with the Master Plan

(b) Is compatible with the land uses on neighboring LOTs (eg a multifamily building fits in with in a single family neighborhood). The applicant shall provide in their narrative an explanation of their neighborhood analysis.

(c) Is created on property served by public water and sanitary sewer.

(d) Any relief sought should not be caused by the additional density."

Specifically, staff agrees that the proposal supports tenants of the Master Plan, including walkability, transit access, and intended stormwater compliance with local and state standards.

While the neighborhood consists primarily of single-family homes, two-family homes are allowed in the R-12 District if standards are met. The proposed density (1 unit per ~8,170 sq ft) is consistent with or lower than nearby properties and comparable with underlying zoning of 1 unit per 9,000 square feet for two-family dwellings.

The project will use municipal water and sewer. And finally, it is located in the Secondary Groundwater Protection District, which limits impervious coverage to 20%. The proposal exceeds this at 34.43%, requiring a Conditional Use Permit (CUP). The applicant provided a comparable concept design that shows a conventional single-family development within the R-12 District which also exceeded the permitted amount of cover at 34.31%, showing that a CUP would be required whether the project applies underlying zoning or utilizes TDR. Staff supports efforts to further reduce coverage in the final design.

The Planning Department recommends that the Planning Board make the necessary and supporting findings of fact, and vote to find the criteria of the TDR ordinance has been met with the following subsequent conditions:

Subsequent Conditions to be Met Prior to Granting TDR:

1. A Site Plan application is required to be submitted for review and consideration;
   1.1. Per §170-33D(5), the proposed development plan must incorporate a stormwater drainage plan that provides for the retention and percolation within the secondary groundwater protection zone of all development-generated stormwater runoff from a ten-year storm.
2. A Conditional Use Permit application for applicable impacts is required to be submitted for review and consideration;
3. Payment of TDR fees;
4. Revise plan to include the following notes:
   4.1. "A hydrogeologic study may be required by the Planning Board to investigate the impacts a proposed development or land use activity will have on an existing or future groundwater supply per §170-33D(7)."
   4.2. "This site plan uses the Transfer of Development Rights ordinance which allows for relief to the setbacks, lot area, frontage, density and intensity of the development. The Board granted TDR relief to purchase up to eight units for a maximum total of twenty units on the subject lot."

The Chair agrees the location is good for the TDR proposal and is in favor of the design of the units.
F. Cullen noted the requirement for duplexes to look like single-family homes is understandable for existing roads, but wondered if it's necessary for a new road being created for the development.

E. Bassegio confirmed it is a requirement of the underlying zone for duplexes.

Motion: G. DeBoer moved to grant Transfer of Development Rights request based on the conditions set by the Planning Department. Seconded by: K. Mavrogeorge. Vote: 6-1 with E. Salovitch opposed.

The Vice-Chair announced Items 4E & F would be heard together.

E. Consideration and acceptance of a Conditional Use Permit for 210 Tolend Road, LLC, Assessor's Map F, Lot 3, zoned R-40, located at 210 Tolend Road. (Proposal seeks to allow 25% impervious surface coverage within the Secondary Groundwater Protection District, where up to 20% is allowed.) *(COND-2025-0007)

F. Consideration and acceptance of Open Space Subdivision for Tritech Engineering Corp, (Owner: 210 Tolend Road, LLC), Assessor's Map F, Lot 3, zoned R-40, located at 210 Tolend Road. (Proposal is for an Open Space Subdivision that will create five lots, including one lot for the development of 29 cluster units, one lot with an existing single-family home, one buildable vacant lot, and two lots to be conserved as open space areas.) *(SUBD-2025-0001)

E. Bassegio explained that the applicant is proposing an Open Space Subdivision that will subdivide the property at 210 Tolend Rd., which abuts a built-out open space subdivision on Emerald Lane, to create four new lots for a total of five lots.

The parent parcel, Map F, Lot 3, is proposed to be approximately 26.30 acres, and the new proposed lots are as follows: Map F, Lot 3-1, approx. 3.06 acres, Map F, Lot 3-2, approx. 12.11 acres, Map F, Lot 3-2-OPN, approx. 11.48 acres, and Map F, Lot 3-OPN, approx. 2.76 acres.

The parent parcel (Map F, Lot 3) will retain the existing single-family home. Map F, Lot 3-1 will become a buildable lot within the R-40 Zoning District. The proposed parcels, Map F, Lot 3-OPN and Map F, Lot 3-2-OPN, have been identified as conserved open space.

Map F, Lot 3-2, is proposed as a development with 29 residential units that will be accessed by Emerald Lane. Following Planning Board approval on December 10, 2024, the allowable yield for the subdivision is 31 units.

A portion of Map F, Lot 3-2, is within the Secondary Groundwater Protection District (SGPD). Within this area, the applicant proposes approximately 25% impervious surface coverage, where up to 20% is allowed per §170-33D(5). The applicant has also applied for a related Conditional Use Permit to allow the approximately 7,239 square feet of impervious surface coverage beyond the permitted amount.

Two (2) waivers are also being proposed as part of this project requesting relief from a minimum pavement width of 28' and undisturbed natural external boundary buffers.

The Technical Review Committee reviewed the application most recently at their March 27, 2025 meeting.

The Conservation Commission reviewed and endorsed the application at their April 14, 2025 meeting.

Bob Stowell, Tritech Engineering represented the application and explained the request and the feedback and changes made to the original proposal verses what they have designed and are proposing this evening. He described the location, the different lots and proposals for each lot.
He explained the reason the CUP is needed for groundwater protection district is due to moving the development away from Tolend road to preserve the rural character and wildlife areas as was the feedback

received. He explained the compensations made to the plan to address the ground water/ impervious surface coverage proposed.
He addressed the waivers sought for road width and exterior boundary buffers.

Mr. Stowell addressed details for the board relating to access, walking trail, fire department input during TRC, and proposed lots on an existing sewer easement (proposed easement for these lots in case City extends sewer lines).

Motion: F. Cullen moved to accept the application and declared no regional impact. Seconded by: M. Gambino. Vote: U/A

Public hearing opened.
Robert Leopold, 165 Emerald Ln, Indian Ridge Development HOA board member noted the abutting Emerald Lane development had a promise of a walking trail that was never provided. The HOA board submitted a lengthy letter, but have not received any feedback from staff or board which is disappointing. They would like to receive a point-by-point response.
He highlighted a few of the concerns listed in the letter and explained details: stormwater runoff/ surface coverage waiver; children's safety at the tot lot (location).
He requested denial of the proposal, or if approved, to transfer the easement of the pond from their responsibility to the new Ambrose development. The pond is not on their land and treats the water that runs off the Ambrose development and City street.
They request a condition that a barrier be put in between the tot lot and connector road to keep the area safe.

Leon LaPierre, 159 Emerald Ln, Indian Ridge Development HOA board member highlighted additional concerns for the HOA. Easement rights assigned to the HOA can be reassigned. He gave details of previous issues due to water and noted the water will likely get worse and the burden should be moved to the appropriate development.

Email received from the Indian Ridge Homeowners Association Board of Directors. The HOA wrote in regards to the CUP application requesting 25% surface coverage within the Groundwater Protection District adjacent to their retention Pond No. 1. They reiterated concerns raised in previous communications about runoff and its impacts. They argued that the added impervious surfaces from the proposed development will worsen these issues and they are concerned that the HOA members will bear the cost of managing runoff from the proposed development and street. They proposed making the CUP conditional on the new HOA taking responsibility for managing the runoff of Pond No. 1.
Public hearing closed.

Mr. Stowell addressed public comment:

- Explanations and descriptions of Proposed Drainage/ NHDES AoT permit
- Tot lot barrier
- Other issues listed on the letter of concern
    - School bus/not age restricted units
    - Fire truck access
    - Site distance/ snow banks
    - Headlights
    - Condominium association will be created with condo docs

Board members asked additional questions which were addressed:

- Explanations to the public about how grading and stormwater maintenance is addressed by applicant engineers in the planning and designing process
- Credentials and BMP design
- Suggestions for applicant/ HOA to discuss bus stops with school/bus company
- Walking trail
- Biopond location discussion (John O'Neil addressed history, Emerald Ln phased plan and parcel location of pond)
- Additional drainage details
- Style description/rendering
- Landscape buffer vegetation

STAFF RECOMONDATION- CUP §170-33E(4)
The Groundwater Protection ordinance §170-33E(4) provides for Conditional Use Permits to allow relief from the ordinance if supported by expert technical documentation demonstrating consistency with the ordinance's purpose and intent, including submission of an environmental protection plan meeting NHDES Best Management Practices for Groundwater Protection, and provisions for routine monitoring and reporting. This application meets the criteria.

The applicant has shown compliance with the ordinance specifically that the Post Construction Drainage Plan and 10-Year Storm Drainage Analysis show that all stormwater runoff from a 10-year storm event will be retained and infiltrated within Bioretention Basin #4. The project follows Best Management Practices (BMPs) and requires an Alteration of Terrain Permit from NHDES. An annual Inspection and Maintenance Plan will be submitted to the City to meet ongoing monitoring and reporting requirements.

The Planning Department recommends that the Planning Board make the necessary and supporting findings of fact, and vote to approve the Conditional Use Permit with the following subsequent conditions:

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

1. Approval of SUBD-2025-0001.
2. Add note to plan that Secondary Groundwater Protection District requirements must be adhered to.
3. Add note to plan and condominium association documents that contractors maintaining winter maintenance activities hold Green SnowPro certification.

Motion: M. Gambino moved to approve Conditional Use Permit based on the conditions set by the Planning Department. Seconded by: K. Mavrogeorge. 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 rational for the waivers meets criterion (2) and waiving such standards and requirements will properly carry out the spirit and intent of the regulations.

The Planning Department recommends that the Planning Board make the necessary and supporting findings of fact, and vote to grant the waiver 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 in the specific areas of the development as identified on the final plat:
    - §157-32A, minimum pavement width of 28'.
    - §157-21F(4)(a), external boundary buffers must be undisturbed natural area.

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

STAFF RECOMMENDATION- Open Space Subdivision

The plan is consistent with §157-15 of the City of Dover's Land Subdivision Regulations, which provides for subdivision of existing lots.

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 Signing of Plans:

1. Approval of COND-2025-0007;
2. Revised current use plan submitted to the City Assessor.
3. Condominium documents, including but not limited to reserve calculation, buffer and common space access and maintenance, Green SnowPro certification requirement, trail access and maintenance, and secondary groundwater protection measures, are reviewed and approved by the Director of Planning and Community Development with consultation by the City Attorney and City Engineer.
4. Provide physical and digital copies (including CAD) of complete plan set which additionally shall include:
    - 4.1. Include the Planning File #SUBD-2025-0001;
    - 4.2. Confirm lot numbering with City Assessor;
    - 4.3. Signature and stamp of LLS on the final plans;
    - 4.4. The owners' signatures for recording at Strafford County Registry of Deeds.
    - 4.5. Note the passive recreation areas.
    - 4.6 Note that no additional street lighting beyond what is shown on the plan is proposed. Any additional exterior lighting will be limited to fixtures mounted on individual residential units.
    - 4.7 Move scale on SP-1 to allow a 2"x2" blank space in lower right corner for approval stamp.
    - 4.8 Label proposed location of walking trail on Map F, Lot 3-2-OPN.
    - 4.9 Note that a barrier will be installed at the City-owned playground area on Map F, Lot 15-0-TOT.
    - 4.10 Note that screening will be added along the connector road between Emerald Lane and Ambrose Drive.

Subsequent Conditions to Be Met Prior to Construction:

5. Conservation easements to be documented and recorded at SCRD or a development agreement between the Planning. Board and property owner be executed and recorded at SCRD outlining the conservation lots;
6. 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;
7. Wetland buffer placards are installed;

Subsequent Conditions to Be Met Prior to Building Permit:

8. Payment of Water and Sewer Investment Fees if applicable at time of request of service;
9. Satisfy any owed Land Use Change Tax obligations, or shall provide written documentation from the City Assessor confirming an alternative timeline has been reached to address any outstanding fees;

Subsequent Conditions to Be Met Prior to Occupancy:

10. Issuance of Certificate of Occupancy;
11. Surety or other form of security acceptable to the City is provided for any unfinished work;
12. Wetland buffer placards are still in place or replaced per the plan;
13. 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.
14. Design engineer meets with condominium association/homeowners regarding maintenance required, secondary groundwater protection requirements, and buffer expectations.

Additional discussion and clarifications occurred relating to fencing/screening at tot lot, follow up for City ownership of the tot lot park, ownership of the connector section of road, new road will be private.

F. Cullen commented the board has seen multiple versions of this project and each one was quite different based on feedback received. The board needs to be mindful of the positive and negative consequences of delaying a project during these feedback and review sessions.

Motion: F. Cullen moved to grant the Open Space Subdivision with the subsequent conditions set by staff as it meets criteria for relief. Seconded by: M. Gambino. Vote: U/A

5. STAFF COMMENT

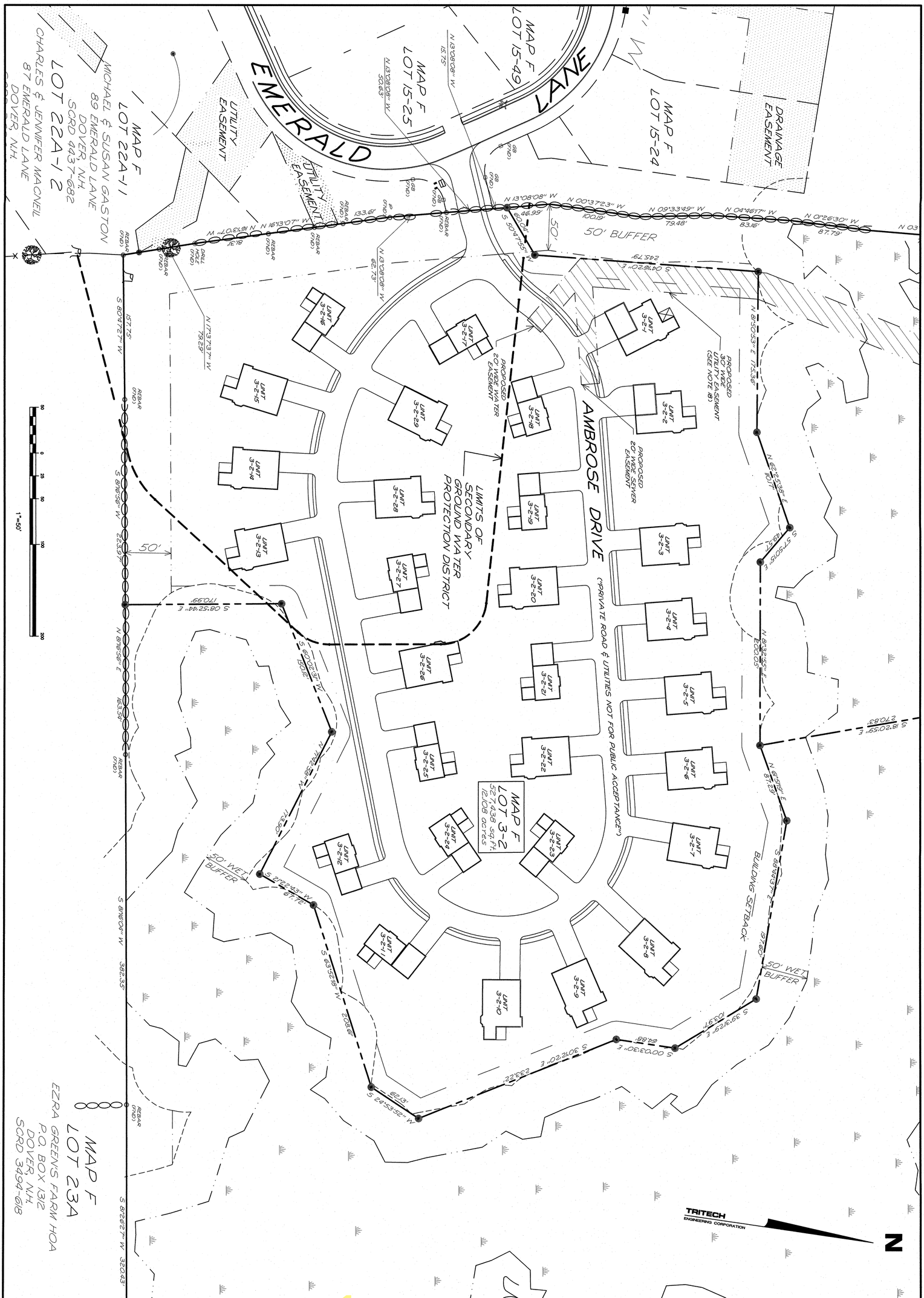
- Welcomed Eric Salovitch to the Planning Board who was recently appointed as an alternate.
- Stephen Anstey, Fire and Life Safety Inspector, started on May 5th.
- Abby Galloway-Burke, Housing Planner, is starting on May 19th.
- TRC items since last meeting:
    - April 24th- Site Plan, proposal on Mechanic Street to construct a five-story mixed-use structure with commercial space on the first floor.
    - May 8th- Site Plan, proposal on Crosby Road to construct a ground-mounted solar facility.
- One upcoming TRC item on May 15th:
    - Site Plan, proposal at 180 Crosby Rd. to construct a loading dock addition to an existing manufacturing facility, along with site improvements.

6. MEMBER COMMENTS

- E. Salovitch introduced himself
- M. Gambino
    - Chase bank completed quickly and looks good
    - McDonald's at 108 progress
        - No updated materials yet
    - TDR subcommittee update
        - D. Glennon noted the committee is still starting up. They had an organizational meeting and a brainstorming session to come up with a list of topics to be addressed. The plan for the next meeting is to start tackling the items.
        - Chair Cruikshank gave thoughts on the perception of TDR applications from abutters notices not being soon enough, but the first steps are to have the legal regulations followed which is why applicants meet with staff and go through TRC before the plan can be formed and provided to the Planning Board and abutters for review and comments.
- The Chair signed the following:
    - Development Agreement for residential development at 110 and 114 Silver Street and a Development Agreement for the minor subdivision and lot line adjustment for Waterside Land Holdings on Middle Road.
    - Lot Merger for properties at 2 and 4 Twombly St.
- K. Mavrogeorge expressed appreciation for Dover allowing the public to attend TRC meetings
    - Board members discussed the TDR items presented tonight
- G. DeBoer
    - Medical arts building at 15 Durham Rd. is a success
- E. Salovitch
    - Suggested abutters to TDR projects get more notice so they can have a professional review the matter if needed- something for the subcommittee to discuss
- K. Mavrogeorge
    - Suggested the subcommittee look at methods used by other municipalities – some have differing levels of review starting more bare-bones and working up over time
    - This Saturday 11-2 open house for Community Services

7. ADJOURNMENT

Motion: G. DeBoer to adjourn at 9:28 p.m. Seconded by D. Glennon. Vote: U/A



(SUBD-2025-0001)

SHEET No.

S-4

OPEN SPACE SUBDIVISION PLAN

AMBROSE WOODS

TAX MAP F LOT 3

210 TOLEND ROAD AND EMERALD LANE

DOVER, NEW HAMPSHIRE

MARCH 6, 2025 JOB No. 23118

SCALE: 1" = 50'

ISSUED FOR PLANNING BOARD REVIEW

April 22, 2025

STATE OF NEW HAMPSHIRE No. 884 ROBERT J. STOWELL LICENSED LAND SURVEYOR

REVISIONS	
DATE:	DESCRIPTION:
4-10-25	REVISED PER TRC COMMENTS

TRITECH
ENGINEERING CORPORATION

755 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820

TELEPHONE 603 742 8107
FAX 603 742 3830

CITY OF DOVER, NEW HAMPSHIRE

Developers' Handbook

Your Project = Our Project

DEVELOPERS' HANDBOOK

Your Project = Our Project

Department of Planning and Community Development
City of Dover, New Hampshire
288 Central Avenue; Dover, NH 03820
Phone 603.516.6008 • Fax 603.516.6049
http://www.dover.nh.gov/government/city-operations/planning/index

Facebook at www.facebook.com/pages/Dover-NH/City-of-Dover-NH-Planning/446789895351

Endorsed by the Planning Board: December 2009
Revised July 2018, May 2021, January 2022
Revised January 2023

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NOTE

This document should not be used for any purpose except as a reference manual. As such, persons using this document should not consider it to be a legal or binding covenant upon the City of Dover.

In every case, the Department of Planning and Community Development should be consulted prior to any development actions that may be taken based upon the contents of this handbook alone.

Finally, feedback is always appreciated. This handbook is designed to be a general introduction to the development process in Dover, and feedback from the end user will improve the book as well as the process. Please do not hesitate at any point in the process to provide questions, comments or suggestions.

Section

1

Goals and Objectives

This section describes the intent of this handbook and introduces the resources available during development.

Development in Dover is guided by principles rooted in its Master Plan. Specifically, the 2007 Land Use chapter provides guidance for context sensitive growth. This growth is sensible and well thought out. To assist property owners and developers with the development process, City staff has prepared this document. We have attempted to make this handbook easy to read and understand. It is designed to flow like a resource rather than a set of regulations. The guide outlines the process used in Dover, as well as the various boards, commissions and staff involved in the permit and review process for land development. By no means is this handbook a standalone document. Property owners, developers and their agents are encouraged to discuss any portion of the process with city staff to ensure that we are all working from the same page.

Introduction

In Dover, land development reaches back almost 400 years. As time has progressed, the development patterns and process has continually evolved. The early settlers at Hilton Point did not need a building permit to erect their houses, nor did they worry about setbacks or minimum lot sizes. In fact they would be bewildered by those concepts. Dover's Planning and Development staff and volunteers recognize that while terms change and processes are created, a degree in planning or engineering should not be required to develop your property.

It is with that understanding that the City of Dover has developed this *Handbook*. It will lay out the process and help property owners and developers find their way. It is written in simple and concise terms, and should be useful whether this is your first lot line adjustment, or you are an experienced developer.

Staff

The City of Dover operates with professional staff who review projects and advise volunteer boards and commissions. This staff is located throughout the city, but is connected in a variety of ways, and uses many methods to communicate and interact with our citizen clients.

DEPARTMENTS AND LOCATIONS

- Planning and Community Development | City Hall
- Business Development | City Hall
- Inspection Services | North End Fire Station (Sixth St)
- Community Services | Mast Road PW Facility

While staff may not all be located in one office, we work with developers as part of one team to shepherd a project from concept to certificate of occupancy.

Planning and Community Development

The Department of Planning and Community Development is located in the City Hall. The Department oversees planning, community development, zoning administration as well as parking and traffic review and permitting. The staff is available to assist in review and concept development, facilitate plan review and approval, as well as to inform residents and property owners on the project and to act as ombudsmen regarding development in Dover.

PLANNING

288 Central Avenue; Dover NH 03820

M –Th (8 am – 6 pm) F (8:30 – 4)

P: (603) 516-6008

www.dover.nh.gov/

Director: Donna P. Benton, AICP

Business Development

The Dover Business and Industrial Development Authority (DBIDA), located in City Hall, is a commercial property owner's resource for navigating through the development process. Staff will walk a project through the process, advocating needs and assisting the developer with understanding local and state codes.

DBIDA

288 Central Avenue; Dover NH 03820

M –Th (8 am – 6 pm) F (8:30 – 4)

P: (603) 516-6024

http://www.locateindovernh.com/

Deputy City Manager: Christopher G. Parker

Inspection Services

Located on Sixth Street in the Fire and Rescue Headquarters, the City of Dover's Inspection Services office consists of building, electrical, plumbing/mechanical, health and life safety inspectors. These inspectors will review plans during the concept phase, as part of the technical review process; be involved with the pre-construction meeting, issue permits, and advise applicants during the construction of a building. Staff also reviews existing structures to advise on reuse opportunities.

INSPECTION SERVICES

262 Sixth Street; Dover, NH 03820

M – F (8 am – 4 pm)

P: (603) 516-6038

www.dover.nh.gov/

Building Official: James Maxfield

Community Services

Located on Mast Road, and adjacent to Dover's recycling center is the Bouchard Public Works Facility. The Community Services department is a multi-faceted operation dealing with engineering, highways, utilities and oversight of environmental program components. Engineering staff will work with a developer to understand existing infrastructure and ensure that a developer has a cohesive understanding of at infrastructure. Additionally, utilities staff is available to discuss upgrades and alterations which might be needed for renovation/redevelopment work.

COMMUNITY SERVICES

271 Mast Road; Dover NH 03820

M – F (8 am – 4 pm)

P: (603) 516-6450

www.dover.nh.gov

Director: John B. Storer

Boards, Commissions and Committees

Conservation Commission:

This is a seven (7) member citizen commission with responsibility for locally advising the Planning Board on the City's Conservation and Wetland's districts. Any development project that involves filling, dredging, removing or altering any wetland area (including buffer areas) will require involvement with the Commission. The City Planner serves as staff support for this commission. Minutes and Agendas are drafted by the Commission and are available through the Planning Office. **The Conservation Commission meets on the second Monday of the month at 5:30 pm in regular session.**

Dover Business and Industrial Development Authority

This is an eleven (11) member 503(c)3 non-profit corporation that manages economic development for the City of Dover and is funded by the City. DBIDA works to retain, expand, and assist Dover businesses of all sizes, and works to identify and attract relocation candidate businesses and new businesses to Dover

locations. It also acts as the manager of the City's business park, Enterprise Park. **DBIDA meets on the first Tuesday of the month at 4:00 pm in regular session.**

Dover Utilities Commission

The seven (7) member citizen Utilities Commission advises the Community Services Department on the development, maintenance, operation and expansion of the water supply and sanitary sewer system in the City of Dover. This advisory role includes policy, rate structure, public relations and matters of general public interest. Finally, the Commission reviews, sets investment fees for the utility systems, and considers abatement requests. **The Commission meets on the third Monday of the month at 6:00 pm at the Community Services building on Mast Road.**

Planning Board

This is a nine (9) member citizen appointed body which is charged with review and approval of site plans and subdivisions which occur in the City. The Assistant City Manager serves as the Board's representative on a day-to-day basis. Minutes and agendas are drafted in the Planning Office. **The Planning Board meets on the second and fourth Tuesday of the month in regular session at 7:00 pm.**

Technical Review Committee

This is a staff committee which works with an applicant, to review technical aspects of a plan before he/she appears before the Planning Board. The Assistant City Manager, Zoning Administrator, Fire Chief, Police Chief, Business Development Director, Community Service Director and Planning Board Chair are all represented at the meetings. The City Planner is the liaison for the Committee. Minutes and agendas are drafted in the Planning Office. **The TRC meets every Thursday at 10:30 am.** Plans for review must be submitted three weeks prior to a meeting.

Zoning Board of Adjustment:

This is a five (5) member citizen; appointed body, responsible for hearing all variance requests and special exception requests. The Zoning Administrator serves as the Board's staff liaison. Minutes and agendas are drafted in the Planning Office. **The Zoning Board of Adjustment meets on the third Thursday of the month at 7:00 pm in regular session.**

Section

2

Plan Review Process

This section describes the plan review process in Dover and is divided into three sections.

Dover follows a process, outlined below, which is efficiently aimed at facilitating a transparent development process. Meetings are open to the public, and Planning Board meetings are conducted live on the City's local government access channel, television Channel 22. Staff works to keep abutters informed of development and encourages interaction between developers and their neighbors as much as possible during the process. At the same time, staff understands the needs for discreteness and will meet with property owners in a confidential manner throughout the process, recognizing that once a plan has been formally submitted, it is available to the public for review.

Pre-Approval Phase

Applicants are expected to review the City's Land Use Regulations, including the applicable Site plan, Subdivision regulations and Zoning ordinance prior to preparing plans for Planning Board review. These regulations will guide the Planning Board and applicant through the approval process. Included in these regulations are information on permitted uses, dimensional restrictions, application procedures to be consistent with others and specific plan requirements. Copies are available from the Planning Department or City Clerk's office and online at https://ecode360.com/DO0878 .

Concept Review

A project may start the development approval process with a meeting with the Planning staff. Staff is available during normal business hours, and can host virtual meetings, or meet in person. The City Planner will meet with a developer to review a potential concept as needed and is happy to outline the process with a developer. At this initial concept meeting, the developer will get feedback on basic concepts and elements on the plan. Additionally, this meeting will identify if a special exception, variance or conditional use permit is required.

Commercial projects may begin their process by meeting with the Business Development Director or City Planner. There are special requirements and opportunities which might apply to non-residential projects and these can be discussed during the concept meeting.

For site plans and larger subdivision projects, a pre-application meeting with the Technical Review Committee is also available. This meeting provides an informal, no cost opportunity for anyone with a development idea to receive feedback. Staff will listen to ideas and offer feedback which might avoid a log jam further into the process. The Technical Review Committee meets Thursday mornings at 10:30 in City Hall. Planning staff must be aware of your desire to be on the agenda seven (7) days prior to the meeting.

Technical review

Once a plan is ready to progress to the Planning Board, it may need a technical review by the City's professional staff. This review is necessary for site plans and most major subdivisions. The Technical Review process is a flexible and informal process. An applicant schedules the TRC meeting with the City Planner. These meetings are held once a week on Thursday mornings at 10:30. An applicant should submit online via https://permits.dover.nh.gov/and bring two (2) full size sets of plans, an 11x17 plan, and a completed application, and the review fee to the Planning Office to schedule the meeting, three weeks ahead of the desired meeting date.

TRC MEMBERS (OR DESIGNEES)
Planning Board Chair (Citizen)
Community Services Director
Fire Chief
Police Chief
Zoning Administrator
Business Development Coordinator
Planning Director

At the meeting, staff will bring a list of issues or concerns on a plan and review the list with the applicant. This list eventually becomes the basis for the conditions of approval necessary before a plan can be signed by the Planning Board Chair as being complete. These meetings are open to the public, but there is no public hearing involved. Depending on the scope and amount of changes required by the TRC, a second meeting may be required. It is advisable for large project developments to meet in concept TRC before submitting.

Approval Phase

Prior to appearance before the Planning Board or Conservation Commission, all plans must meet the City's Zoning ordinance. This may require an appearance to the Zoning Board of Adjustment to start the process.

Zoning Board of Adjustment Review

The ZBA is a quasi-judicial board which hears and votes on all requests for variances and special exceptions from the Zoning Ordinance. Additionally, the ZBA acts as the appeal board for interpretation of the zoning code. This appeal may be to any officer or Board of the City, which has made a zoning interpretation. The Zoning Board of Adjustment meets on the third Thursday of each month at 7:00 PM in the City Council Chambers of City Hall. Meetings are open to the public but are not televised.

ZBA MEMBERS (5 REGULAR)
Zoning Board Chair
Zoning Board Vice Chair
3 regular members
3 alternates
• 3 year terms, which are staggered
• Council appoints citizen members

Applications are due to the Planning office twenty-one (21) days prior to the scheduled meeting of the Board. Applications are available in the Planning Office, or online at www.dover.nh.gov, and includes a worksheet with the individual questions that need to be answered in front of the Board. The Zoning Administrator processes these applications, and acts as a point of contact with the ZBA. **Applicants should be aware that they will be charged a fee for processing the application, for notifying the abutters by certified mail, and to advertise the public hearing in the newspaper.**

During the hearing, the applicant will address the criteria for variance or special exception outlined in the application. The Board will decide whether to accept jurisdiction on an application, and then open a public hearing. During the public hearing, the public is invited to speak and express their opinions in regard to the proposed project and ask questions. The Board will act on the information that has been presented. In order for a finding in favor of the applicant, three (3) or more members of the Board need to vote in favor. If there are less than five (5) members present, the applicant may choose not to be heard that night. In the case of an appeal, the applicant shall present why they feel an error has been made.

Once a decision has been rendered, the applicant or an abutter may apply for a rehearing within thirty (30) days of the date of the hearing. A rehearing may be granted as part of the appeal. There are additional reasons that a rehearing may be warranted. If the Board approves the request, the rehearing will be scheduled at a subsequent meeting as a new case.

Within thirty (30) days after the decision of such a rehearing, the petitioner may appeal, by petition, to Superior Court.

After a petition has been granted by the ZBA, barring any requests for re-hearings or litigation from abutters, and upon waiting the thirty (30) day period, the next step is for the applicant to obtain the necessary building permits, and Planning Board approval, if necessary.

Conservation Commission Review

The Conservation Commission advises the Planning Board on all requests for environmental Conditional Use Permits. The Commission meets on the second Monday of each month at 5:30 PM in the City Council Chambers of City Hall. Meetings are open to the public but are not televised.

CONSERVATION COM MEMBERS (5 REGULAR)
Commission Chair
Commission Vice Chair
5 regular members
2 alternates
• 3 year terms, which are staggered
• Council appoints citizen members

Applications are due to the Conservation Commission Chair seven (7) days prior to the scheduled meeting of the Board. Applications are available in the Planning Office, or online at www.dover.nh.gov. Applications may be concurrent with site or subdivision applications, or may be submitted separately.

The Conservation Commission will review an application at its meeting and may or may not require a site walk. Additional meetings may be required for the Commission to fully understand and act on an application. The Commission acts as an advisory body and forwards recommendations for approval to the Planning Board for the ultimate decision. If Conservation Commission action is required, the Planning Board will not hear an application until the Conservation Commission it has completed its review.

Planning Board Review

The Planning Board meets on the second and fourth Tuesday of each month at 7:00 PM in the City Council Chambers of City Hall. Meetings are open to the public and televised. In addition to reviewing applications, Planning Board agendas include a Citizen's Forum agenda item where the public may speak to planning issues in the community. The Planning Board cannot act on a project that does not meet zoning requirements, so if an application needs ZBA approval, this must occur prior to Planning Board submission. In addition, any application that needs to be reviewed by the Conservation Commission, such as a Conditional Use Permit for wetlands and conservation district work, must meet with the Commission prior to Planning Board action.

PB MEMBERS (9 REGULAR)
Planning Board Chair (Citizen)
Planning Board Vice Chair (Citizen)
City Council Representative
Administrative Official (City Engineer)
City Manager or designee (Citizen)
4 regular members
3 alternates
• 3 year terms, which are staggered
• Council appoints citizen members

Applications must be submitted to the Planning Department at least twenty one (21) days prior to the meeting at which they are to be considered. If an application needs to be reviewed by the Technical Review Committee, this deadline may be increased by a month. Applications are available in the Planning Office, or online at www.dover.nh.gov. Five (5) hard copies and one PDF set of the plan must be submitted. **The applicants should be aware that they will be charged for processing the application, for notifying**

the abutters by certified mail, and to cover the cost of advertising the public hearing in the newspaper.

Once the plan is formally submitted and all fees paid, the plan is placed on an appropriate Planning Board meeting agenda. The PDF submittal of the project is placed, along with the application and TRC notes online with the agenda for the public to review. Additionally, staff notifies abutters with a comprehensive notice alerting the abutter of the intent of the project as well as other pertinent information.

The Planning Board normally reviews projects in one meeting. The Board will accept jurisdiction on an application and hold a public hearing, and deliberate. The Board is not required to act in one meeting and may table an item to hold a site walk or gather more information. The State of New Hampshire requires that once a plan is accepted by the Board, it must be acted upon within sixty five (65) days. If the decision cannot be made within sixty five (65) days, an applicant will be apprised and asked for an extension.

At the meeting, staff will introduce the application and apprise the Board of major issues, then the applicants' presents their plan and answers questions from the Board. The public is invited to speak during public hearings which are held for each new case. Abutters are invited to express their opinions in regard to the proposed project and ask questions. The applicant may have a designated agent represent the plan, such as an attorney, civil engineer, surveyor or other professional. Staff works with the applicant and/or agent to present the plan in an articulate manner. A laptop computer is available in the Council Chambers and is used to display the plan on televisions inside the Chambers and over Channel 22.

This process continues until the final hearing at which the Planning Board makes a decision to approve or disapprove the proposed project. As the project nears the approval stage, staff will draft a recommendation to the Board and create a list of preliminary conditions for approval. In order to ensure a smooth process, staff will communicate these conditions to the applicant as early as possible.

Types of development

The Planning Board reviews the following types of development:

- Subdivision (see section 157 – 28 for application requirements)
  - Minor
  - Major
  - Open Space
- Lot Line Adjustments (see section 157 – 18 for application requirements)
- Site Plan (see section 153-13 for application requirements)
- Conditional Use Permit

The following pages will describe the above applications and the process for each one. There will be redundancy in the processes. Readers are encouraged to review the individual sections on the Planning Board and Zoning Board above.

Subdivision

A subdivision is the division of the lot, tract, or parcel of land into two (2) or more lots, plats, sites or other divisions of land for the purpose, whether immediate or future, of sale, rent, lease or building development. It includes re-subdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided. **A condominium conveyance, per RSA 356-B, shall not require Planning Board approval.**

There are two (2) types of subdivisions in Dover, major and minor subdivisions. A major subdivision is one (1) where a lot, tract or parcel of land is divided into four (4) or more separate parcels, or a subdivision which requires new streets, the extension of municipal facilities or the

creation of any public improvements. In many cases, a major subdivision must follow the regulations of an Open Space Subdivision.

A minor subdivision is the division or re-division of a lot, tract or parcel of land into three (3) or fewer parcels within a four (4) year time period, provided that there shall be no extension of streets or other significant improvements required; or, any subdivision that, in the judgment of the Planning Board, will present no significant engineering and/or planning difficulties.

In Dover, a major subdivision may be developed as an open space subdivision. This format allows creativity and flexibility in layout and preserves open space by concentrating all of the units developed in a more clustered location on the original parcel. The subdivision may include lot lines or may be free of lot lines, in a condominium-like format. A roadway may be proposed as either public or private.

Lot Line Adjustment

A lot line adjustment alters the size of two (2) or more lots, but does not create a new buildable lot. This may be done as part of an accompanying subdivision or may be a standalone project.

Site Plan Review

A site plan is a professionally rendered drawing which delineates the proposed development of a site. This plan is required for non-residential development, creation of multi-family residential structures, and for extensions of parking lots and alteration of an acre or more of land.

Below are listings of projects types which require site plan approval, prior to the issuance of a building permit:

- New construction. Site Review and Planning Board approval will be required for development of land for:
    - Non-residential uses;
    - Multi-family dwellings of five (5) or more units; and
    - Construction of parking areas larger than 4,000 square feet.
    - Construction activities that result in a land disturbance of greater than or equal to one acre or less than one acre if part of a larger common plan of development that would disturb one acre or more.
    - Any construction activities that require a conditional use permit for work to be located in or within fifty (50) feet of a wetland or Conservation District.

- Expansions and/or additions. Technical Review Committee review will be required for the following expansion and/or additions to existing development:
    - Any increase of nonresidential development resulting in an expansion of gross floor area exceeding twenty-five hundred (2,500) square feet.
    - Any addition to a residential structure resulting in the creation of five (5) or more additional units.
    - Any accessory structures with floor areas exceeding fifteen hundred (1,500) square feet.
    - Any expansion of a parking area or paving of a gravel parking area larger than one thousand (1,000) square feet.
    - Any construction activities that result in a land disturbance of greater than or equal to one acre or less than one acre if part of a larger common plan of development that would disturb one acre or more.

- Any construction activities that result in a land disturbance of greater than or equal to one thousand (1,000) square feet if the activity is located in or within fifty (50) feet of a wetland or Conservation District.

- Change of use of Existing Structures. Site review will be required for a change in conforming use with a new use allowed in the zoning district in which the tract or structure is located. For the purposes of this subsection, the definition of a new USE shall not include any USES which have previously existed on the site since the adoption of the Dover Zoning Ordinance (July, 1948). The following criteria constitutes a change in use:
  - Development which causes a residential structure to be converted resulting in an increase of five (5) or more units.
  - Proposals that would change the USE of an existing structure containing twenty-five thousand (25,000) square feet or more of gross floor space. The proposed square footage shall be measured around the inside perimeter of the space to be changed, including all floors of a multi-floor structure. In the event that an existing structure is being subdivided and the new USE in only a section of the new space is known, the entire original space must be considered in the calculation.

Whether a plan is following the subdivision process or site plan review process, the Planning Board reserves the right to require additional information, such as a traffic impact study or drainage analysis. The costs associated with development and review of all studies is born by the applicant.

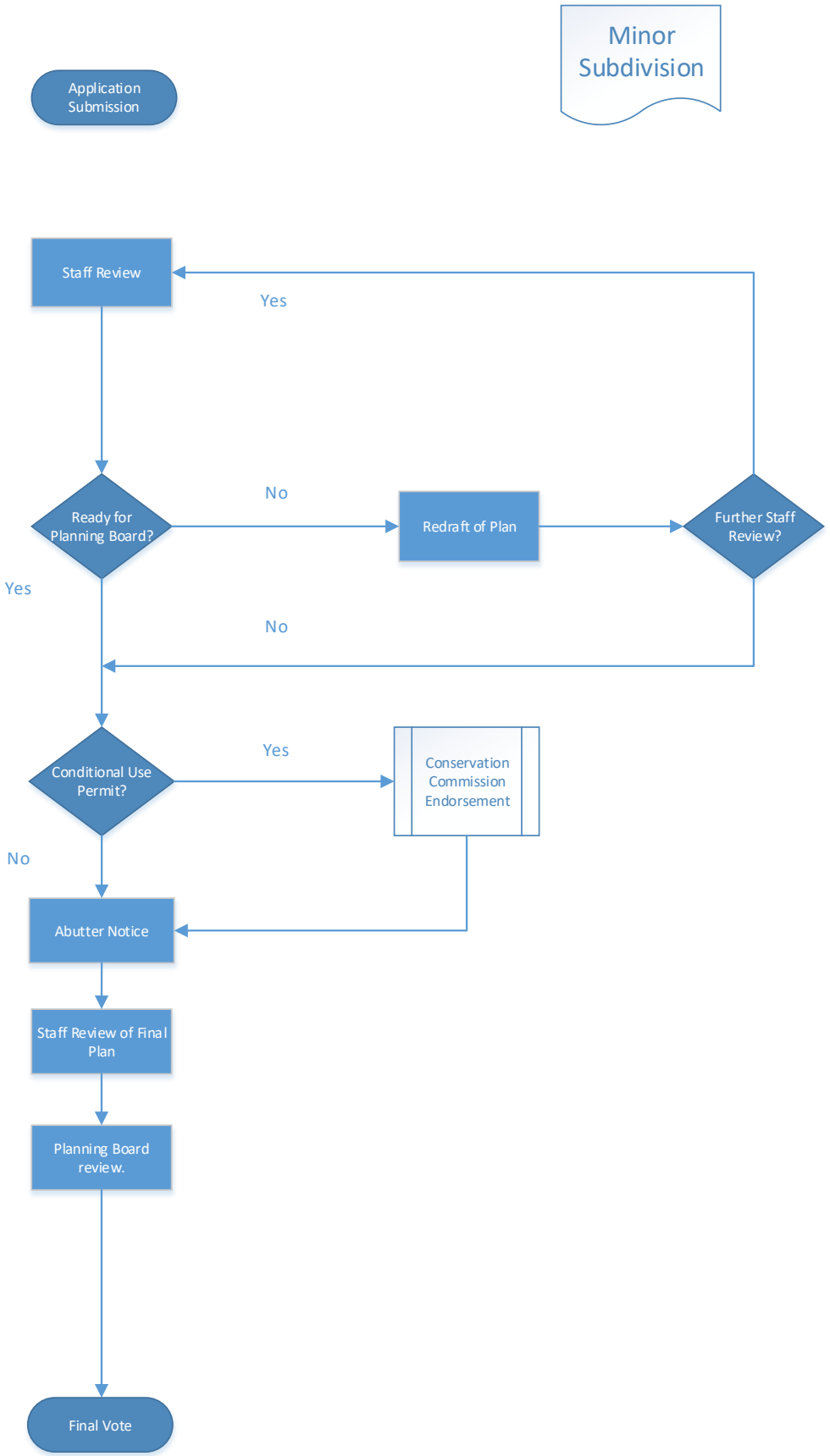
Conditional Use Permit

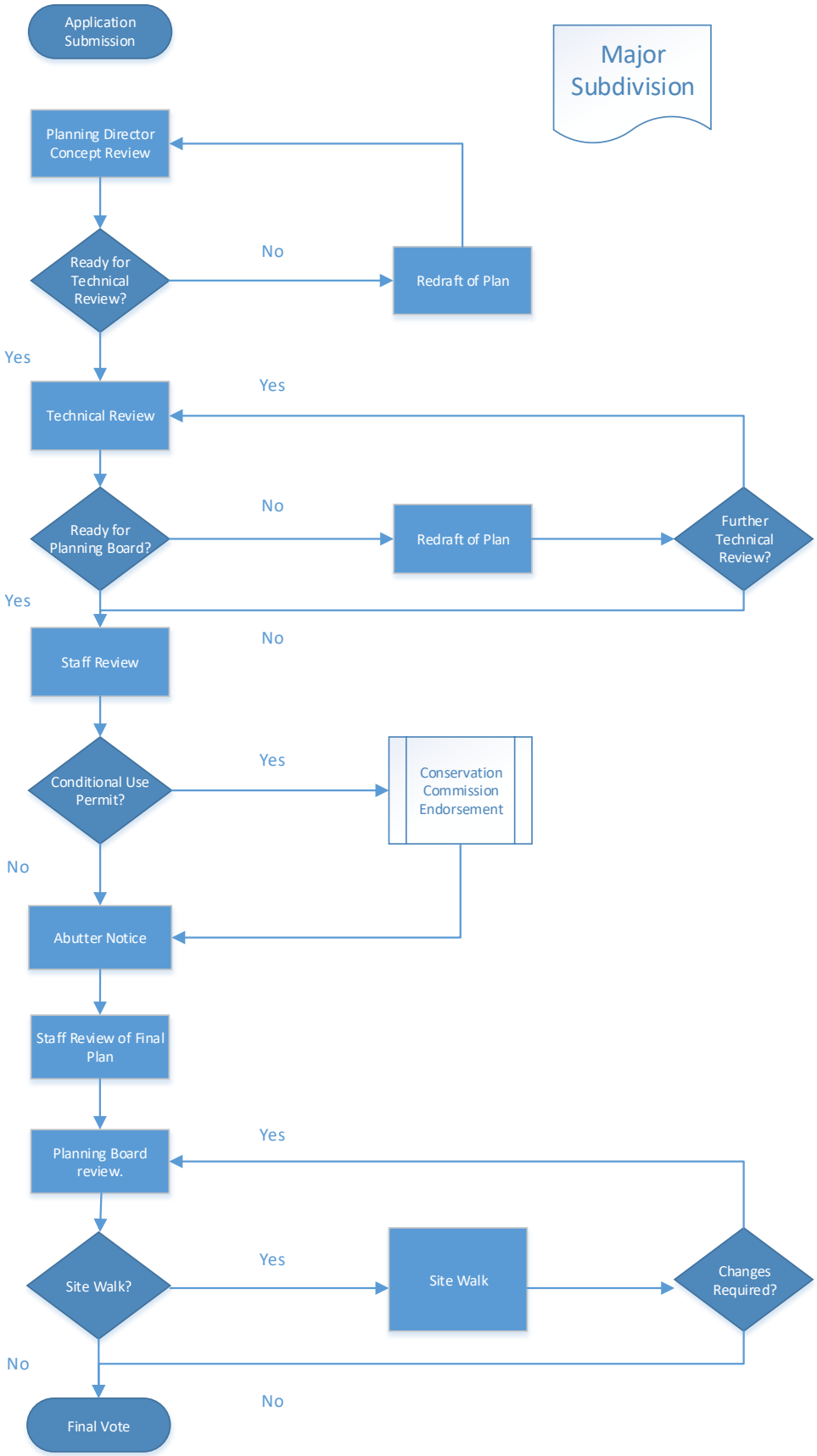
A conditional use permit is required for any alteration of wetlands, wetland buffers or work within the City's conservation district. Additionally, a conditional use permit could be issued for a larger development plan, as called for in the Residential Mixed Use Overlay District, for shared parking, or relief in the Central Business District. Environmental Conditional Use Permits are acted on by the Planning Board after the Conservation Commission has reviewed the applications.

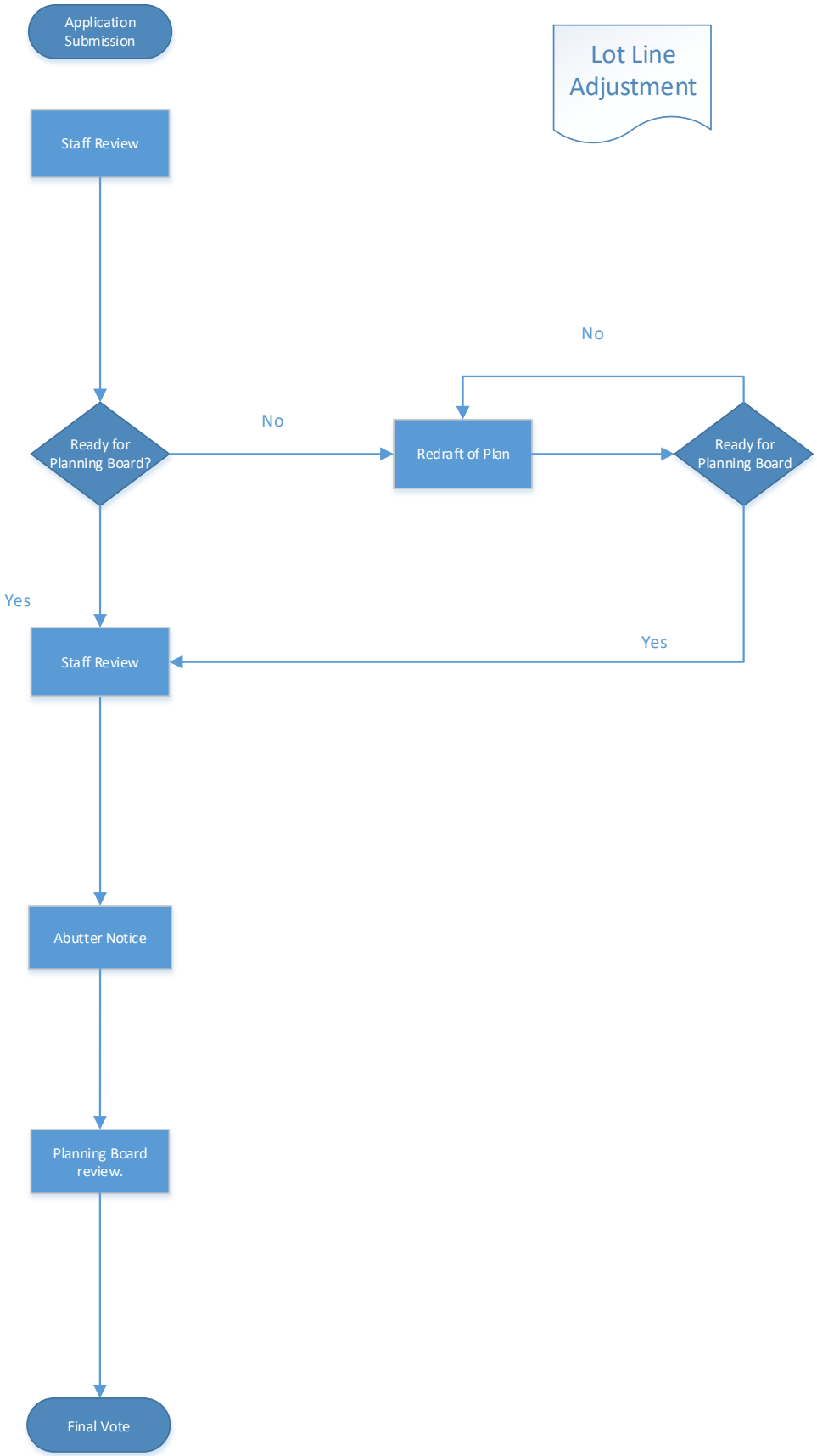
Development Flow Charts

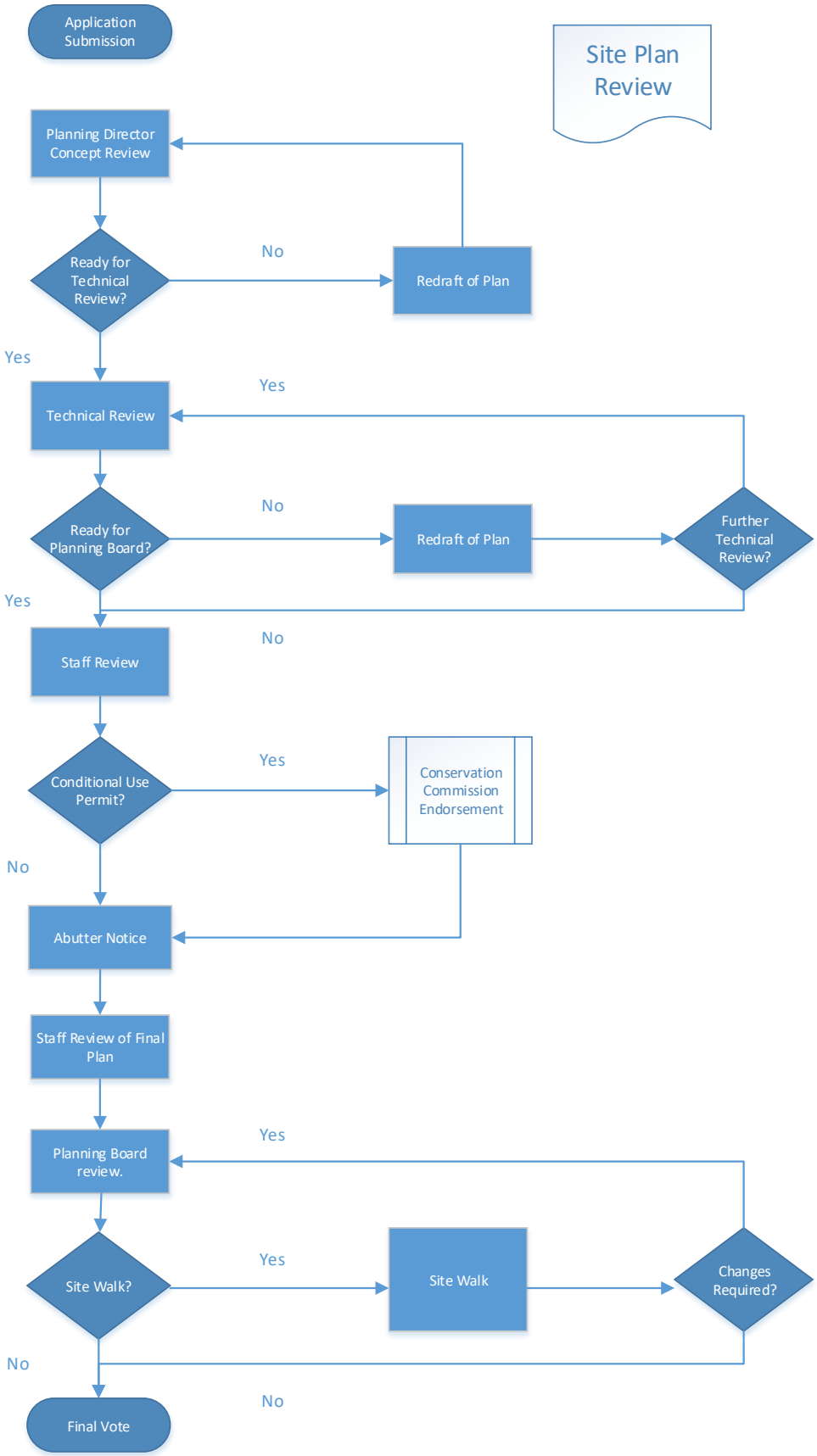
The following diagrams walk the applicant through the development review process.

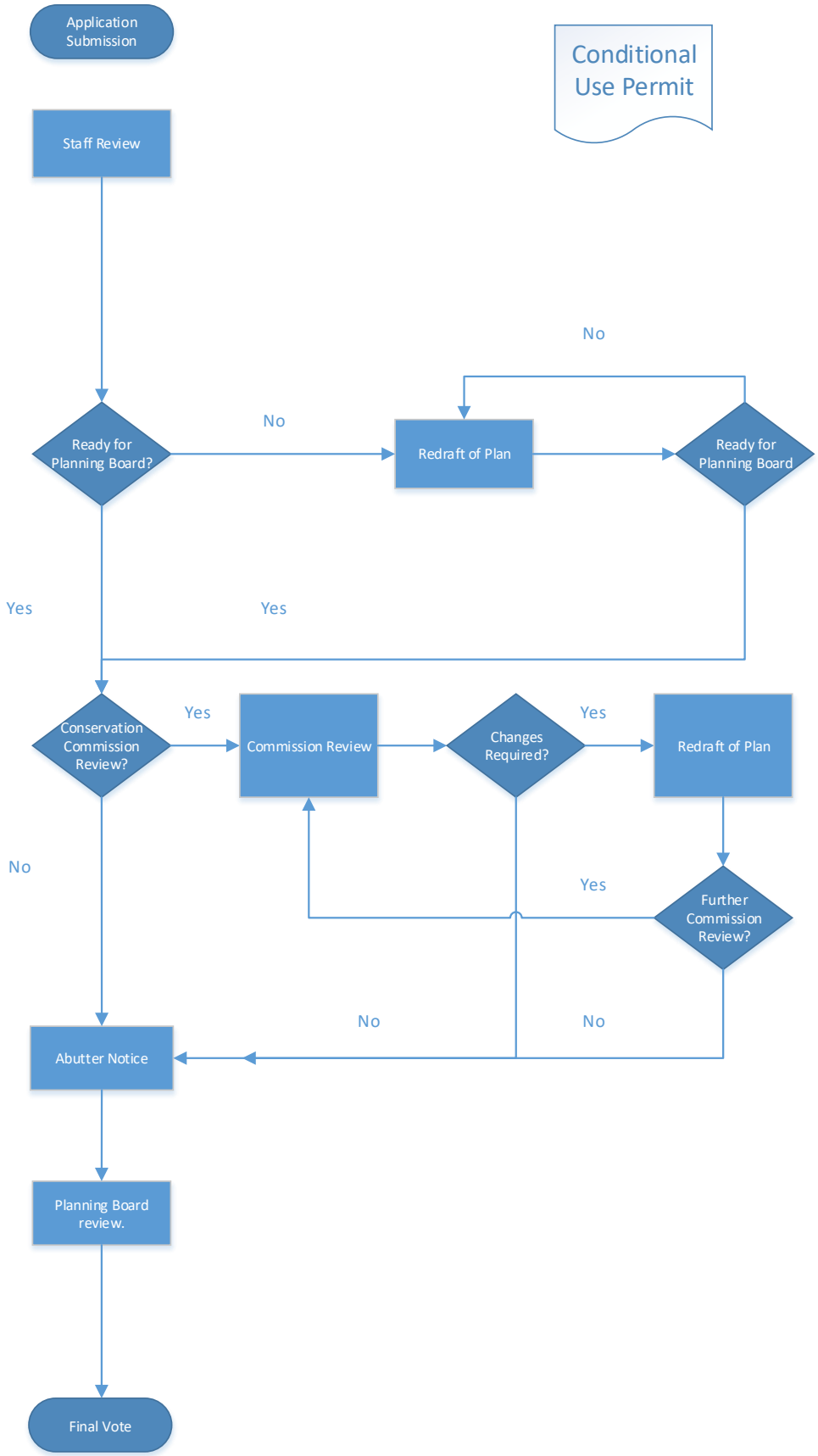
The step within a rectangle is a static step, while those steps within a diamond shape are ones which have more than one potential outcome. Lines connect the steps, but do not indicate a timeline. A project runs at its own pace, and staff will be open and upfront with an applicant at every step to ensure that the whole team understands where an application stands in the process.


Minor Subdivision
Application Submission
Staff Review
Yes
Ready for Planning Board?
No
Redraft of Plan
Further Staff Review?
Yes
No
Conditional Use Permit?
Yes
Conservation Commission Endorsement
No
Abutter Notice
Staff Review of Final Plan
Planning Board review.
Final Vote


Major Subdivision
Application Submission
Planning Director Concept Review
Ready for Technical Review?
No
Redraft of Plan
Yes
Technical Review
Yes
Ready for Planning Board?
No
Redraft of Plan
Further Technical Review?
Yes
Staff Review
No
Conditional Use Permit?
Yes
Conservation Commission Endorsement
No
Abutter Notice
Staff Review of Final Plan
Planning Board review.
Yes
Site Walk?
Yes
Site Walk
Changes Required?
No
Final Vote
No


Application Submission
Lot Line Adjustment
Staff Review
No
Ready for Planning Board?
No
Redraft of Plan
Ready for Planning Board
Yes
Yes
Staff Review
Abutter Notice
Planning Board review.
Final Vote


Site Plan Review
Application Submission
Planning Director Concept Review
Ready for Technical Review?
No
Redraft of Plan
Yes
Technical Review
Yes
Ready for Planning Board?
No
Redraft of Plan
Further Technical Review?
Yes
Staff Review
No
Conditional Use Permit?
Yes
Conservation Commission Endorsement
No
Abutter Notice
Staff Review of Final Plan
Planning Board review.
Yes
Site Walk?
Yes
Site Walk
Changes Required?
No
Final Vote
No


Application Submission
Conditional Use Permit
Staff Review
No
Ready for Planning Board?
No
Redraft of Plan
Ready for Planning Board
Yes
Yes
Conservation Commission Review?
Yes
Commission Review
Changes Required?
Yes
Redraft of Plan
No
Yes
Further Commission Review?
No
No
Abutter Notice
Planning Board review.
Final Vote

Post Approval Phase

Planning Board Applications

Following action by the Planning Board, a Notice of Decision letter, which lists any conditions of approval or reasons for disapproval, is sent to each applicant. When Conditions of Approval are included, they are listed in one of four categories. If a plan is disapproved, applicants may resubmit the plan or appeal the decision to the Strafford County Superior Court, or Housing Standards Board. An abutter may appeal the approval to either venue as well.

CATEGORIES OF CONDITIONS
Prior to signing of the plan
Prior to land disturbance
Prior to Building Permit
Prior to Certificate of Occupancy

When a plan is approved, an applicant has ninety (90) days to meet the conditions required prior to the signing of the plan. The Assistant City Manager may extend this deadline by an additional ninety (90) days. The final step for the applicant is to apply for, and receive, permits from the Building and Engineering Divisions.

Permitting – Pre-construction

After a plan has been signed by the Planning Board chair, it moves into the development phase. This phase is administered through the Inspections Services Office and Community Services Department which will work with an applicant to understand timelines and milestones. These are initially laid out at a pre-construction meeting, which is held prior to the issuance of a building permit and/or any land clearing. The Engineering Office inspects all site work associated with a project and building activities are handled by the Inspection services office of the Fire Department.

PERMITS
Building Construction/Addition
Demolition
Mechanical/Plumbing
Electrical
Certificate of Occupancy
Health
Public Assembly
Burn
Driveway

One function of the pre-construction meeting will be the establishment of truck routes to be used by the applicant during the construction phase of a project. These routes will be set up based upon existing truck routes within the City of Dover, and may not be the shortest route. Factors such as road durability and local traffic patterns are reviewed to develop this truck route.

As part of the pre-construction process, an applicant will work with the City Engineer to develop a surety (cash or letter of credit) for all site improvements, and letter of credit for erosion and sediment control. Surety must be in place before a building permit will be issued, for lots within a subdivision, and before Certificate of Occupancy is issued for a site plan. The surety is returned when the project has been completed and the City Engineer is comfortable with the long term stability of the infrastructure. In addition, the applicant will work with the Community Services Department to develop an operations and maintenance plan for any planned roadways. This plan will include timelines for paving, snow plowing and garbage collection. A separate bond will be collected to cover costs for these services.

When an applicant is ready to submit a building permit, the permit is processed through the Inspection Services Office, and is accompanied by specific building plans, and fees. Additional permits are required for electrical, plumbing and mechanical work. Life safety inspections are also conducted from this office and may be coordinated as needed.

Certificate of Occupancy

After the conditions of approval have been met and final inspections of a structure have been held, the Building Official will issue a Certificate of Occupancy. The Building Official works with the other staff, as needed, to review the sign off sheet required for the Certificate of Occupancy.

Other Elements

Follow up

The Certificate of Occupancy is issued for structures. Improvements to infrastructure must be approved by the Engineering office. The Engineering technician follows the site construction and works with the City Engineer to facilitate the development of a project's infrastructure. If a road is proposed to be turned over the City, the City Engineer will review and recommend acceptance to the City Council, which votes to accept the street as city maintained once a project is completed.

Some portions of a project's development do not require Planning Board approval. These include zoning verification, sign permits, or interpretation and driveway permits. In many cases staff has simple procedures in place for these applications.

Sign Permits

A sign permit is required prior to the installation of any sign within the City of Dover. Sign permits are available in the Planning Office and are approved by the Zoning Administrator. Once a permit has been issued, replacement of existing signs and support structures, where the area, location or materials are not being altered, do not require a permit, as long as such replacement conform to the regulations.

Site plan applicants may receive concurrent approval of site plans and sign permits during the Planning Board approval process.

Impact Fees

The City of Dover uses impact fees for new development, defined as the net increase of development to the community, for compensation to the City and the School District for the proportional share of capital facilities generated by the new development in the City of Dover. Any person who seeks a building permit for new development may be required to pay an impact fee in the manner set forth.

For projects appearing before the Planning Board, estimates of fees are brought to the TRC meeting, and fees themselves are assessed at the time of the Building Permit, and payable prior to the issuance of a Certificate of Occupancy. These fees are subject to review and change by the Planning Board, after a public hearing and notice.

Type of Development	Recreation	Police	Fire	Schools	Total Impact Fee Assessments
RESIDENTIAL PER UNIT					
Single Detached	$1,326	$325	$615	$6,629	$8,895
Townhouse	$1,138	$309	$548	$2,125	$4,120
Two to Three Family	$1,154	$357	$583	$4,346	$6,440
Apartments 4+ Units	$872	$279	$447	$3,003	$4,601
Manufactured Housing	$1,227	$402	$635	$4,338	$6,602
Accessory Dwelling Unit	$558	$179	$286	$1,989	$3,012

Apartment over Non-Residential	$872	$279	$447	$649	$2,247
Age restricted 55+	$349	$152	$1,163	Pro rata	$1,664
Age Restricted 62+ or Congregate	$183	$181	$1,609	$0	$1,973
NON-RESIDENTIAL PER SQ. FT.					
Retail, Including Restaurants, Clubs		$0.71	$0.87		$1.58
Offices and Commercial Services		$0.33	$0.59		$0.92
Industrial, Transportation, Whse, Comm.	no fee	$0.04	$0.04	no fee	$0.08
Nursing Homes & Assisted Living		$0.13	$2.37		$2.50
Other Institutional Uses		$0.23	$0.25		$0.48
Average Fee (all other)		$0.24	$0.39		$.063

Investment Fees

The City of Dover has made a long term investment in its water and sanitary sewer systems. When projects are required to tie into that system they are expected to pay their fair share of that investment. An investment fee shall be charged for all applicants entering into and utilizing the Municipal Water and Sanitary Sewer System either directly or indirectly. Current fees are available through the Community Services Department. These fees are reviewed and revised annually by the Dover Utilities Commission. Payment of these fees is due at the time of connection to the system, which is before the issuance of a Certificate of Occupancy.

Driveway Permit

A driveway permit is required for any construction, reconstruction, alteration, surfacing or resurfacing of any driveway in a manner which affects the size, elevation or grade of such driveway. The Community Services Department must review and approve such construction or alteration and issue a written permit for such work. These permits are available from the Engineering Office and require a schematic of the work to be completed as well as a narrative.

Should the permit be denied, an appeal may be made to the Planning Board for the issuance of the permit.

Private Roads

The City of Dover does not require that roads be developed with the anticipation of becoming public right of ways. Any subdivision wishing to have a private roadway developed may do so, provided it meets criteria laid out in Chapter 157, Subdivision of Land. If a private roadway is created, deeds need to reflect this, as should the official subdivision plan. Finally, operation and maintenance plans for solid waste disposal and roadway concerns shall be submitted as part of the home owner's documentation. Private roads shall be developed and marketed with the knowledge that they will not be turned over to the City after completion. A "private" sign over the street name will be installed.

Class VI Roads

Class VI roads are not maintained, and the City has no liability for damages incurred in their use. Development of Class VI roads is governed by NH RSA 231, and may require improvements to the road, and approval by the City Council. During the development process staff will identify special requirements.

Work in a Public Right of Way

Any work that is to be performed within the City's Right of Way for an accepted City street **must** be coordinated with the Community Services Department. This includes driveways and public or private utility line installation.

State/Federal Permits

Other permits may be required if a project falls under the jurisdiction of state or federal agencies. The most common of these permits are environmental (including wetlands, EPA notice of intent, and Alteration of Terrain permits.) or transportation (including signal alignment or driveway permits on a State road). During the concept and approval process staff will work to identify those permits, and work with the applicant during the post-approval process to navigate the obtaining of those permits.

Customary Home Occupation Permits

An occupation carried on as a secondary use in a dwelling unit or accessory building by the occupant of such unit is allowed via a Customary Home Occupation permit. These permits are issued by the Zoning Administrator and are allowed in all Residential Districts. Applicants must comply with criteria laid out in Section 170-18. These criteria were developed with the idea of allowing flexibility of use, but also to protect abutters from uses which are objectionable or detrimental to the residential character of the neighborhood.

Accessory Dwelling Unit Permits

Accessory Dwelling Units are secondary dwelling units (a) attached and subordinate to a single family dwelling or (b) constructed above a detached garage that is accessory and subordinate to a single family dwelling. A permit is issued, annually, by the Zoning Administrator for these units after a review of criteria laid out in Section 170-24. Single family dwellings with Accessory Dwelling Units are not considered Duplex units, as the two units must remain under the ownership of a resident of the address. A second ADU may be permitted in certain districts, as long as the second unit meets the HUD Fair Market Rate restrictions for eternity and said restrictions are recorded at the Registry of Deeds.

Historic District

Dover does not have a Historic District for review of projects.

Section 3

Resources

Contacts

PLANNING AND COMMUNITY DEVELOPMENT CONTACTS

City Planner	Zoning Administrator	Director of Planning and Community Development
TBD	Natasha Kypfer	Donna P. Benton, AICP
603.516.6008	603.516.6008	603.516.6008
@dover.nh.gov	n.kypfer@dover.nh.gov	d.benton@dover.nh.gov

BUSINESS DEVELOPMENT AND INSPECTION SERVICES CONTACTS

Business Development Specialist	Business Development Coordinator	Building Official
Reid Amy	James Burdin, AICP	James Maxfield
603.516.1560	603.516.6045	603.516.6038
r.amy@dover.nh.gov	j.burdin@dover.nh.gov	j.maxfield@dover.nh.gov

COMMUNITY SERVICES CONTACTS

City Engineer	Engineering Technician	Utilities Superintendent
Ken Mavrogeorge, PE	Jordan Chambers	Mike Nadeau
603.516.6450	603.516.6450	603.516.6450
d.white@dover.nh.gov	j.chambers@dover.nh.gov	m.nadeau@dover.nh.gov

Land Use Regulations

Site Review	Chapter 153
Subdivision of Land	Chapter 157

City Code Chapters

Building Construction	Chapter 57
Building Wrecking and Demolition	Chapter 61
Electrical Standards	Chapter 77
Food Service Establishments	Chapter 85
Housing Standards	Chapter 93
Manufactured Home Parks	Chapter 101
Plumbing	Chapter 113
Scenic Roads	Chapter 117
Sewer and Water Systems	Chapter 121
Streets and Sidewalks	Chapter 125
Vehicles and Traffic	Chapter 141
Zoning	Chapter 170

The above code chapters are available at https://ecode360.com/DO0878 and in the various City offices.

Standard Operating Procedures

The following pages are step by step outlines of permits and processes that can occur during plan review or during development.

Chapter 170. Zoning

Article III. Districts and District Boundaries

§ 170-7. Establishment of districts.

[Amended 8-22-2018 by Ord. No. 2018.08.08-009; 7-22-2020 by Ord. No. 2020.07.08-006; 7-22-2020 by Ord. No. 2020.07.08-007]

A. Districts. The City of Dover is hereby divided into the following districts:

(1) Residential.

R-40	Rural Residential District
R-20	Low-Density Residential District
R-12	Medium-Density Residential District
RM-SU	Suburban Density Multi-Residential District
RM-U	Urban Density Multi-Residential District
HR	Heritage Residential District

(2) Nonresidential.

C	Commercial District
CM	Commercial Manufacturing
IT	Innovative Technology

(3) Mixed-use.

G	Gateway
H	Hospital
LBW	Little Bay Waterfront District
O	Office District
CBD	Central Business District
CWD	Cochecho Waterfront District

(4) Overriding.

CD	Conservation District
URD	Urban Renewal District
RRD	Riverfront Residential Overlay District
GWP	Groundwater Protection District
HWD	Hazardous Waste Landfill District
RCM	Residential-Commercial Mixed-Use

SRD	Scenic Road Overlay District
TDR	Transfer of Development Rights
TEL	Telecommunications Facilities
WPD	Wetland Protection District

B. District purpose statements.

(1) Residential districts. The residential districts are intended to provide a wide range of residential units to provide the citizens of Dover with a balance of housing choices, with varying housing types, densities and costs. The goal is to preserve and create City neighborhoods that are safe and promote harmonious development.

(a) Rural Residential District (R-40). The purpose of this residential district is to provide for conventional single-family neighborhoods in the more rural areas of the City. These areas have larger lot sizes (one or more acres) and the homes are most likely served by on-site septic systems and wells, but there are some portions of the district that have municipal sewer and water. New subdivisions are designed as open space developments with reduced lot sizes allowed in return for the permanent preservation of open space. Agriculture and farming are promoted in this district. Some nonresidential uses that are compatible with single-family homes are permitted, including churches, hospitals, elementary schools, high schools and child-care facilities.

(b) Low-Density Residential District (R-20). The purpose of this residential district is to provide for conventional single-family neighborhoods on lots not less than 20,000 square feet. The homes in this district are likely served by municipal sewer and water, but there are some areas that still have on-site septic systems and wells. These districts are located near major roadways. The development of parcels with at least 15 acres can be done as open space subdivisions. Agriculture and farming are promoted in this district. Some nonresidential uses that are compatible with single-family homes are permitted, including churches, elementary schools, high schools and child-care facilities.

(c) Medium-Density Residential District (R-12). The purpose of this residential district is to provide for conventional single-family neighborhoods on lots not less than 12,000 square feet. The homes in this district are almost all served by municipal sewer and water. Many of the neighborhoods surrounding the elementary schools are in this district and have a sidewalk system that is conducive to children walking to school. The development of parcels with at least five acres can be done as open space subdivisions. Some nonresidential uses that are compatible with single-family homes are permitted, including churches, elementary schools, high schools, colleges and child-care facilities.

(d) Suburban Density Multi-Residential District (RM-SU) The purpose of this residential district is to provide an environment suitable for a variety of moderate-density housing types, including single-family, two-family, three- to four-family and multifamily dwellings. These districts are suburban neighborhoods located along major roadways outside of the center of the City. The homes in this district are almost all served by municipal sewer and water. Some nonresidential uses that are compatible with residences are permitted, including churches, elementary schools, high schools, and child-care facilities.

(e) Urban Density Multi-Residential District (RM-U). The purpose of this residential district is to provide an environment suitable for a variety of moderate/high-density housing types, including single-family, two-family, and three- to four-family dwellings. These districts are urban neighborhoods located close to the downtown area and contain many historic homes that are built close to the sidewalks and streets. The homes in this district are all served by municipal sewer and water. Some nonresidential uses that are compatible with residences are permitted, including churches, funeral parlors, elementary schools, high schools, and child-care facilities.

(f) Heritage Residential District (HR).

[1] These primarily residential neighborhoods surrounding the Silver Street area exhibit a rare collection of interesting architecture. While primarily Victorian and characterized by wide porches, bay windows, steep roofs, and intricate and involved woodwork, there are noteworthy Colonial buildings as well. In both instances, their original occupants were likely community leaders, whether early tavern keepers, or later senior managers and foremen from the mill facilities that lined the Cochecho River, as well as other community professionals.

[2] The common theme through all of these designs is both the massing and the placement of these structures in a manner that is compatible with what had gone before. It is the intent that in this district, new construction, replacement construction, and new additions should continue that tradition of compatibility with the existing neighborhood.

(2) Nonresidential districts. The nonresidential districts are intended to provide suitable areas for commercial, service, retail, office and industrial developments, to provide employment opportunities for citizens of Dover and the region, to enhance property values, and expand the tax base. Development that uses land efficiently and has high quality design is encouraged.

(a) Commercial District (C). The purpose of this business district is to provide an environment that encourages efficient and attractive automobile-oriented commercial development along major highways outside of the downtown. The minimum lot size of 20,000 square feet encourages moderately sized commercial uses. The district provides economic development opportunities for a mix of land uses, including retail sales, personal services, restaurants, automobile sales, hotels, offices, banks, and theaters. Other commercial uses and multifamily dwellings are allowed by special exception.

(b) Commercial Manufacturing District (CM). The purpose of this industrial district is to provide appropriate locations for manufacturing, assembly, fabrication, packaging, distribution, storage, warehousing, wholesaling and shipping activities that expand the economic base of the City and provide employment opportunities. This area is the location of one of the first industrial parks in the City, located off Littleworth Road and Knox Marsh Road in a more rural area. The smaller minimum lot size of 20,000 square feet also encourages business uses such as publishing, hotels, vehicle refueling/recharging stations, restaurants, car sales, offices, and personal services.

(c) Innovative Technology (IT). The purpose of this district is to provide appropriate locations for manufacturing, assembly, fabrication, packaging, distribution, laboratory, testing facility, warehousing, wholesaling, publishing and shipping activities that expand the economic base of the City and provide employment opportunities. These areas are located along major collector roads away from the downtown area. The newer business parks are located in this district. The minimum lot size in this district is two acres, which encourages larger assembling and manufacturing users.

(3) Mixed-use districts. The mixed-use districts are intended to provide suitable areas for a mixture of urban neighborhoods containing residential, commercial, service, retail, and office uses. The mixed-use development is intended to create a sense of community between the mixed uses and facilitate the economical and efficient use of land. The districts are intended to provide housing and employment opportunities for citizens of Dover and the region, to enhance property values, and expand the tax base. Development that uses land efficiently and has high-quality design is encouraged.

(a) Gateway (G). The purpose of this district is to mark a transition point where you move from the less developed area (the highway, the rural landscape, etc.) to a more formal, densely developed urban core (multistory buildings, civic buildings, etc.). In Dover the primary Gateways (e.g., Central Avenue north and south of the downtown core, Broadway, and Portland Avenue) are generally dominated by commercial activity, with buildings of a lower height than those located downtown. Some residual residential activity occurs occasionally as stand-alone buildings, but frequently residential activity is located above ground-floor

commercial uses. A modest distance between the building and the street exists, with a fair amount of landscaping.

(b) Hospital (H). The purpose of the Hospital District is to provide appropriate locations for hospitals and medical offices associated with a hospital. This district also encourages other health care services and various housing facilities providing levels of service for older persons. Single- and two-family residential uses are permitted along with commercial uses such as offices, banks, funeral parlors, assembly halls, and schools.

(c) Little Bay Waterfront District (LBW). The purpose of this mixed-use district is to provide locations for a mixture of residential and commercial uses on the waterfront parcels along a portion of the shores of the Little Bay. The small minimum lot size encourages a mix of various-sized commercial uses, with water-related uses, such as marinas, specifically permitted. Single- and two-family homes are allowed in recognition of the historically residential use of the area. Three- or four-family dwellings are allowed only as part of a mixed-use building. Businesses that take advantage of the unique location along Little Bay are encouraged.

(d) Office District (O). The purpose of this Office District is to provide appropriate locations for a mixture of residential and office uses along higher-volume streets. The remaining large historic homes are no longer suitable for single-family residential due to the high traffic. This district is a transition area between the more commercial areas and the urban residential areas on the side streets. Residential uses up to four dwelling units per structure are permitted, along with commercial uses such as offices, banks, funeral parlors, churches, schools, hospitals, nursing homes and congregate-care facilities. The density for residential uses is about eight units per acre, and in new buildings, residential is only allowed on the second floor or higher.

(e) Central Business District (CBD). The purpose of this district is to provide the appropriate locations for context-sensitive zoning. The form-based code in this district is intended to foster a vital main street both for itself and for its adjacent neighborhoods through a lively mix of uses, with shop fronts, sidewalk cafes, and other commercial uses at street level, overlooked by canopy shade trees, upper-story residences and offices. The district has an increased emphasis on the form and placement of structures and a decreased emphasis on the function(s) contained within them.

(f) Cochecho Waterfront District (CWD). The purpose of this mixed-use district is to provide appropriate locations for a mixture of residential and commercial uses on the waterfront parcels along the downtown portion of the Cochecho River. This district has very flexible dimensional requirements, with no minimum lot size, frontage or setback requirements and a density of 43 dwelling units per acre. Several water-related land uses are permitted in the district, including marinas, waterborne passenger transportation facilities and water-related education and resource centers. The architecture of the waterfront areas should encourage the development of marine-, history- or tourism-related land uses and activities, which take advantage of the unique characteristics of the waterfront as well as its central location and proximity to historic areas.

(4) Overriding districts. The purpose of the overriding districts is to provide an additional layer of land use regulation or protection in certain sensitive areas of the City. The requirements of these overlay districts are in addition to the underlying zoning districts. Most of the districts are intended to protect environmentally sensitive areas. For specific purpose statements, review the text of each overriding district.[1]

[1] *Editor's Note: See Art. **VIII**, Overriding Districts.*

CITY OF DOVER

TECHNICAL REVIEW COMMITTEE MINUTES – SUBD-2025-0001

Application Type:	Open Space Subdivision
Applicant(s):	Tritech Engineering Corp.
Owner(s):	210 Tolend Road, LLC
Location:	210 Tolend Road (Assessor's Map F, Lot 3)
Date:	March 27, 2025

INTENT: Proposal is for an Open Space Subdivision that will create five lots, including one lot for the development of 29 cluster units, one lot with an existing single-family home, one buildable vacant lot, and two lots to be conserved as open space areas.

LOTS/UNITS PROPOSED: Five (5) lots, 29 units

AGENDA ITEM #: 1

ACREAGE: ±54.90 ac.

ZONING DISTRICT: R-40, Wetland Protection District, Partially in Secondary Groundwater Protection District

EXISTING USE: Residential, Vacant

PROPOSED USE: Residential, Conservation

SURROUNDING USE: Residential

ZBA ACTION: N/A

PERMITS REQUESTED:
NHDES Subdivision

WAIVERS REQUESTED: N/A

ATTENDANCE:
Donna Benton, Planning
Paul Crouser, Zoning
Jim Maxfield, Inspection Services
Marn Speidel, Police Department
Ken Mavrogeorge, Engineering
Craig Chabot, Fire Department
James Burdin, Business Development
Tom Clark, Planning Board

Others:
Erin Bassegio, City Planner
Robert Stowell, Tritech
Robert Baldwin, Applicant
Jenna Green, Applicant
Michael Green, Applicant
John Bosen, Attorney

Approval of minutes from March 13, 2025:
T. Clark moved to approve the March 13, 2025 minutes. Seconded by J. Burdin. Vote: U/A.

PLAN REVIEW:
Planning:

- Reminder water and sewer investment fees
- Reminder HOA documents to be submitted for review including reserve calculation
- Open space calculation & percentage of uplands needed
    - S-1 includes calculation and indicates 31 units, confirm for the 29 lots.
- Confirm lot numbers with City Assessor
- Any currently protected areas?
- Any park/rec space being proposed? Please indicate
- Need percentage of Secondary Groundwater Protection District impervious disturbances.
- Provide waiver justifications
- Revise plans to include:
    - Fix Lot 5 buffer value in yield plan
    - Add note that this road is intended to be private and outline what is needed to become public
    - File #SUBD-2025-0001
    - Include list of all state permitting needed
    - Snow removal areas?
    - Detail gravel portion of walking trail vs. cut.
    - Add note that walking trail will be maintained by HOA.
    - Confirm no Saturday, Sunday, or Federal Holiday site construction hours
    - Note state permit numbers
    - Sheet SN-1, Note 4- if applicable, add in acreage in current use
        - If in current use, updated current use map will need to be supplied to City Assessor

Engineering:

- General Comment:
    - The City requests a narrative that describes in detail how each of the criteria in Section 153-14 are met, with a major focus on stormwater management requirements. The applicant should specify where each item required can be found in the application or whether it is or is not applicable.

- Note that the City of Dover construction guidelines will be available soon.

- Sheet T-1 Title Sheet:
  - Sewer capacity assessment for Crosby Road pump station is required. Applicant is requested to contribute to the cost of the analysis.
- Sheet SN-1 Standard Notes:
  - City requests a utility easement for possible future water and sewer, to Tolend Rd.
- Sheet SP-1a General Site Plan:
  - Show walking path with hatch to denote limits of gravel.
- Sheet SP-2 General Utility Plan:
  - Move SMH 13 to private property,
  - Show invert elevations for SMH-12,
  - Applicant to state on each drawing depicting road: "Private Road & Utilities Not For Public Acceptance."
- Sheet SP-2a Utility Plan:
  - Note 3: specify anchor and foster adapters,
  - Note 6: specify copper from main to CB,
- Sheet SP-2c Utility Plan:
  - Show rip rap dimensions on all drawings depicting rip rap.
- Sheet SP-3a Grading and Drainage Plan:
  - Request utility easement for City to install future sewer and water to Tolend Rd.
- Sheet SP-9 Construction Details:
  - Add Drain Pipe Table and Structure Table to grading plan.
- Sheet SP-10 Construction Details:
  - Show width of rip rap aprons on plans.
- Sheet C-1e Cross-Country Sewer Profile:
  - Recommend lowering sewer to maximum extent possible to enable future sewer down Tolend Rd.
- Stormwater Analysis and Erosion & Sediment Control Plan
  - Pre and post construction areas to do match.

Police:

- What would be the implications of making this a public road? Discuss these factors now and add this to project narrative. Note that future residents will likely follow the lead of those on Emerald and insist on it being changed.
- Adjust parking signage 90 degrees along interior of circle to have signs be 2-sided, faced to be visible for approaching traffic in both directions.
- If project name is Ambrose Woods, consider street name "Ambrose Drive" instead of "Signature Drive".

Inspection Services:

- Private road suffix is required to be Drive.
- SP -2 did not appear to indicate transformer locations
- Could not locate Redi Block retaining wall detail.
- Relocate fire hydrant at development entrance to inside of the circle.
- SP-1a clarify the number and location of "No Parking Fire Lane" signs.

Fire Department:

- Relocate hydrant (W-2) directly across to the inside of the circle.

Business Development:

- The overall scale of development and layout of residential parcels appears generally consistent with existing residential development in this zone. The applicant is advised that the eastern boundary line of the parent lot abuts land in the Innovative Technology (IT) district, which permits a variety of commercial and industrial uses (though conserved lands somewhat limit future development potential).

Planning Board:

- Include waivers in application for requested relief.

Next Steps: Revise plans per comments above and resubmit for informal TRC.

Adjournment: T. Clark moved to adjourn the meeting at 11:00 a.m. Seconded by K. Mavrogeorge. Vote: U/A.

TRITECH
ENGINEERING CORPORATION

755 Central Avenue
Dover, New Hampshire 03820

Telephone 603.742.8107
Facsimile 603.742.3830

April 10, 2025

Donna Benton, AICP
Director of Planning & Community Development
City of Dover, Planning Department
288 Central Avenue
Dover, New Hampshire 03820

Subject: Open Space Subdivision
Ambrose Woods
Dover Tax Map F Lot 3
210 Tolend Road
Dover, New Hampshire
Job No. 23118

Dear Donna:

At their meeting on March 27, 2025 the Dover Technical Review Committee (TRC) offered the following comments on the Open Space Subdivision for 210 Tolend Road, Inc. Our response to each of their comments is below in blue italicized text.

PLANNING

- Reminder water and sewer investment fees

  The applicant is aware of this requirement.

- Reminder HOA documents to be submitted for review including reserve calculation

  The Condominium documents and budget will be provided under separate cover.

- Open space calculation & percentage of uplands needed
  - S-1 includes calculation and indicates 31 units, confirm for the 29 lots

    The open space calculations on Sheet S-1 have been clarified. The overall project is for 31 Units. 29 of the units are included in the cluster development on Lot 3-2 and the other 2 units are the fee simple lots with frontage on Tolend Road. These two lots are created under open space regulations due to the reduced frontage. All of the open space calculation are based on 31 units.

- Confirm lot numbers with City Assessor

  The lot numbers have been confirmed with the City Assessor.

- Any currently protected areas?

  There are no protected areas on the site.

- Any park/rec space being proposed? Please indicate

  We have proposed a walking trail & path to connect the development to the open space.

- Need percentage of Secondary Groundwater Protection District impervious disturbances.

  The percentage of impervious disturbance in the Groundwater Protection District is 25% and will necessitate a Conditional Use permit. A CUP application has been submitted and we expect that this application will be heard at the Conservation Commission meeting on April 14th.

- Provide waiver justifications

  Attached please find our two waiver requests and justifications.

- Revise plans to include:
  - Fix Lot 5 buffer value in yield plan

    The buffer value for Lot 5 has been updated on the Yield Plan (Y-1).

  - Add note that this road is intended to be private and outline what is needed to become public

    Ambrose Drive is proposed as a private road as part of a Cluster type development. We have added Note 17 on Sheet S-1 indicating this.

  - File #SUBD-2025-0001

    The file number has been added to all plans.

  - Include list of all state permitting needed

    Note 33 on Sheet SN-1 has been revised to include a list of the state permitting required for this project. Specifically; NHDES Alteration of Terrain and NHDES Sewer Discharge.

  - Snow removal areas?

    Snow plowing will be consistent with typical roadway plowing. We have not included any designated snow storage areas.

  - Detail gravel portion of walking trail vs. cut.

    Note 16 on Sheet SP-1a has been revised to specify the type of construction.

  - Add note that walking trail will be maintained by HOA.

    This has been noted in Note 16 on Sheet SP-1a.

  - Confirm no Saturday, Sunday, or Federal Holiday site construction hours

    The site construction hours have been revised as Note 30 on Sheet SN-1.

  - Note state permit numbers

    State permit numbers will be added to Note 33 on Sheet SN-1 when obtained.

  - Sheet SN-1, Note 4- if applicable, add in acreage in current use
    - If in current use, updated current use map will need to be supplied to City Assessor

    Note 4 on Sheet SN-1 has been updated to show 52.74 Ac in current use.

ENGINEERING

- General Comment:
  - The city requests a narrative that describes in detail how each of the criteria in Section 153-14 are met, with a major focus on stormwater management requirements. The applicant should specify where each item required can be found in the application or whether it is or is not applicable.

    A stormwater narrative has been provided to the City Engineer.

  - Note that the City of Dover construction guidelines will be available soon.

    We have modified these plans with the current guidelines.

- Sheet T-1 Title Sheet:
  - Sewer capacity assessment for Crosby Road pump station is required. Applicant is requested to contribute to the cost of the analysis.

    The applicant has agreed to a $500.00 contribution for each of the 29 units that will have sewer flow to this pump station.

- Sheet SN-1 Standard Notes:
  - City requests a utility easement for possible future water and sewer, to Tolend Rd.

    The applicant is agreeable to providing the requested easement. The proposed location has been added to the plans. Note 18 has been added to Sheet S-1.

- Sheet SP-1a General Site Plan
  - Show walking path with hatch to denote limits of gravel.

    Note 16 on Sheet SP-1a has been revised.

- Sheet SP-2 General Utility Plan
  - Move SMH 13 to private property

    SMH 13 has been relocated from the sewer easement to the subject property.

  - Show invert elevations for SMH-12

    All inverts are shown on the roadway plan & profiles (Sheets C-1a thru C-1e).

  - Applicant to state on each drawing depicting road: "Private Road & Utilities Not for Public Acceptance."

    This language has been added to all sheets.

- Sheet SP-2a Utility Plan
  - Note 3: specify anchor and foster adapters

    Detail 2 on Sheet SP-11 and Water Note 3 on Sheet SP-2a have been revised to specify anchors and foster adapters.

  - Note 6: specify copper from main to CB.

    Note 6 on Sheet SP-2a has been revised to reflect this.

- Sheet SP-2c Utility Plan
  - Show rip rap dimensions on all drawings depicting rip rap.

    Dimensions of rip rap aprons have been added to Sheets SP-4 thru SP-6.

- Sheet SP-3a Grading and Drainage Plan
  - Request utility easement for City to install future sewer and water to Tolend Rd

    The applicant is agreeable to providing the requested easement. The proposed location has been added to the plans. Note 18 has been added to Sheet S-1.

- Sheet SP-9 Construction Details
  - Add Drain Pipe Table and Structure Table to grading plan.

    We have added a note to Sheets SP-3a thru SP-3d which identifies the location of the Drainage Pipe Schedule and Drainage Structure Schedule.

- Sheet SP-10 Construction Details
  - Show width of rip rap aprons on plans

    Dimensions of rip rap aprons have been added to Sheets SP-4 thru SP-6.

- Sheet C-1e Cross-Country Sewer Profile
  - Recommend lowering sewer to maximum extent possible to enable future sewer down Tolend Rd

    The applicant is agreeable to providing the requested easement. The proposed location has been added to the plans. Note 18 has been added to Sheet S-1. As the opportunity for the sewer extension via gravity flow is very low and cost would be excessive, we have not revised the elevations of our design.

- Stormwater Analysis and Erosion & Sediment Control Plan
  - Pre and post construction areas to do match

    There was a 45 square foot discrepancy. This discrepancy has been corrected. This correction did not affect the results of the stormwater analysis.

POLICE DEPARTMENT

- What would be the implications of making this a public road? Discuss these factors now and add this to project narrative. Note that future residents will likely follow the lead of those on Emerald and insist on it being changed.

  Ambrose Drive is proposed as a private road as part of a Cluster type development. We have added Note 17 on Sheet S-1 indicating this.

- Adjust parking signage 90 degrees along interior of circle to have signs be 2-sided, faced to be visible for approaching traffic in both directions.

  Detail 9 on Sheet SP-7 has been revised to show parking signage has been rotated and made double sided to be visible for traffic approaching from both directions.

- If project name is Ambrose Woods, consider street name "Ambrose Drive" instead of "Signature Drive"

  The street name has been changed to "Ambrose Drive".

INSPECTION SERVICES

- Private road suffix is required to be Drive

  The street name has been changed to "Ambrose Drive".

- SP-2 did not appear to indicate transformer locations

  Sheet SP-2 has been revised to show proposed transformer locations. Sheets La-1 & La-2 depict the typical transformer plantings.

- Could not locate Redi Block retaining wall detail.

  A detail for the Redi Rock retaining wall has been added as Detail 9 on Sheet SP-12.

- Relocate fire hydrant at development entrance to inside of the circle.

  The fire hydrant has been relocated as requested.

- SP-1a clarify the number and location of "No Parking Fire Lane" signs.

  Note 18 on Sheet SP-1a has been updated to clarify the number and location of the "No Parking Fire Lane" signs.

FIRE DEPARTMENT

- Relocate hydrant (W-2) directly across to the inside of the circle.

  The fire hydrant has been relocated as requested.

BUSINESS DEVELOPMENT

- The overall scale of development and layout of residential parcels appears generally consistent with existing residential development in this zone. The applicant is advised that the eastern boundary line of the parent lot abuts land in the Innovative Technology (IT) district, which permits a variety of commercial and industrial uses (though conserved lands somewhat limit future development potential).

  The applicant agrees that the style and scale of the project are consistent with abutting properties. The applicant is aware of (IT) zoning of the abutting property.

Enclosed please find;

- Four (4) Copies of this Response Letter.
- Four (4) Full Size Copies of the revised Plan Set.
- Four (4) Copies of the two (2) waiver requests.

We look forward to reviewing this Revised Plan Set with the Committee at their next available meeting.

Please advise should you have any questions.

Very truly yours,
TRITECH ENGINEERING CORP.

Robert J. Stowell, P.E., L.L.S.
President

RJS / cmp

Enclosures
\\21125-SRTC_&_Con_Com_Response_Lt

TRITECH
ENGINEERING CORPORATION

755 Central Avenue
Dover, New Hampshire 03820

Telephone 603.742.8107
Facsimile 603.742.3830

April 22, 2025

Donna Benton, AICP
Director of Planning & Community Development
City of Dover, Planning Department
288 Central Avenue
Dover, New Hampshire 03820

Subject: Ambrose Woods
Dover Tax F Map 3
210 Tolend Road & Emerald Drive
Dover, New Hampshire
Job No. 2118

Dear Donna:

Project Narrative

On behalf of the applicant / property owner 210 Tolend Road, LLC we are submitting an Application for Open Space Subdivision (OSS). The property is shown as City of Dover Tax Map F Lot 3 and is located at 210 Tolend Road and Emerald Lane. The property contains 55.698 acres of which approximately15.5 acres are wetlands and is located in the R-40 Zoning District.

On December 10, 2024, the Planning Board fully vetted the Yield Plan and requested the reduction in the total yield to 31 Units. The Yield Plan has been revised and is included in the submittal. The TRC has also reviewed this application and their comments with our responses are included herein.

The applicant proposes to develop Map F Lot 3 by utilizing the City of Dover Open Space Subdivision Regulations. Specifically, we propose to create 5 fee simple lots;

- Lot 3 contains the existing single-family home and is 26.295 acres.
- Lot 3-1 is proposed as an R-40 building lot and has 3.060 acres.
- Both Lots 3 & 3-1 will use the existing gravel driveway to access Tolend Road and will be serviced by municipal water and on-site septic.
- Lot 3-OPN is proposed as part of the City of Dover Open Space requirements. This lot will be jointly owned by lots 3 & 3-1 and protected under a conservation easement. This open space lot will only be for the benefit of Lots 3 & 3-1 and will allow for certain uses described in the HOA documents.
- Lot 3-2-OPN is proposed as the balance of the City of Dover Open Space requirement. This lot will be owned by the HOA and protected by a conservation easement. This lot will be for the benefit of all HOA members.
- Lot 3-2 will be developed with 29 cluster units and will include the construction of an 1816-foot roadway with associated infrastructure. This roadway will access Emerald Lane. This roadway is proposed as a private road and does not meet the City of Dover public roadway standards as shown.
- The proposed Open Space (3-OPN & 3-2-OPN) contains adequate Open Space for the development of 31 units (Lot 3, 3-1 & 29 Units on 3-2).

We are requesting a waiver to allow for a 24-foot roadway with no parking on one side of the road, where 28 feet is required. We are also requesting a waiver to the 50-foot perimeter buffer adjacent to the Ezra Green Open Space for the construction of drainage infrastructure.

The project also requires a Conditional Use Permit. Sheet CUP-1 depicts the limits of the Secondary Groundwater Protection District and the proposed impervious improvements proposed within the area. We have calculated the proposed impervious coverage with the Secondary Groundwater Protection District to be 25% where 20% is permitted without a Conditional Use Permit. The Conservation Commission voted to endorse this CUP at their meeting on April 14, 2025.

The applicant has worked with Planning staff, Planning Board and abutters to develop this very thoughtful and efficiently designed project. The project is proposed as an Open Space Subdivision. This is the City's preferred development style specifically for the environmental benefits associated with it. In addition, the project is designed with NO WETLAND OR WETLAND BUFFER IMPACTS.

We look forward to meeting with the Planning Board at their May 13th meeting and discussing this Open Space Subdivision as well as the Conditional Use Permit application.

OPEN SPACE SUBDIVISION

- 6 Copies of this Project Narrative.
- 6 Copies of the TRC Response Letter.
- 6 Copies of the Subdivision Application.
- 6 Copies of the Waiver Requests.
- 6 Copies of the Traffic Impact Analysis.
- 6 Copies of the Water & Sewer Demand Calculations.
- 6 Copies of the Landscape Operations & Maintenance Plan.
- 1 Copies full size of the Open Space Subdivision Plan set.
- 5 Copies half size (11x17) of the Open Space Subdivision Plan set.
- 6 Copies of the Site Development Design Criteria Narrative.

CONDITIONAL USE PERMIT (CUP) REQUEST

- 6 Copies of CUP Application Letter from 4/4/25.
- 6 Copies of the Conditional Use Permit Application.
- 6 Copies of the Conditional Use Permit Plan, Sheet CUP-1.
- 6 Copies of the Post Construction Drainage Plan, Sheet D-3a.
- 6 Copies of the Post Construction Drainage Analysis, 10-Year Storm Event.
- 6 Copies of the City of Dover, Development Review Model.

Please advise should you have any questions.

Very truly yours,
TRITECH ENGINEERING CORP.

Robert J. Stowell, P.E., L.L.S.
President

RJS / cmp
Attachments
\\23118_AmbrosePBSubmittal.docx

Chapter 157. Land Subdivision Regulations

Article IV. Open Space Subdivisions

§ 157-19. Concept and purpose.

[Amended 7-5-1988; 4-25-2000]

A. An open space subdivision (OSS) represents a form of residential development where, instead of subdividing an entire tract of land into lots of conventional size and arrangement, a similar number of single-family housing units, duplexes in an R-12 Zone, may, at the discretion of the Planning Board, be arranged on the land in a more innovative fashion which better fits the topography and natural attributes of the site. The remaining land in the tract which has not been built upon shall be set aside for municipal use or integrated among the housing units and reserved for usable common open space. Said open space shall be held in a form of ownership that will prevent it from being further subdivided or developed.

B. The purpose for establishing this article is to promote a development pattern that creates areas of usable and accessible open space; provides land for municipal use; prevents disruption of natural topography and drainage systems; maintains the rural and open character of the undeveloped area of the City; protects historically significant buildings, resources, and/or landscapes; protects valuable wildlife areas; allows for attractive site design; and encourages a lesser and more practical utility and street network.

§ 157-20. Approval procedure.

[Amended 7-5-1988; 2-10-2004]

A. An open space subdivision with subdivision lots or cluster arrangements shall be subject to the granting of a major subdivision approval pursuant to the regulations contained herein. A plan for an open space subdivision with cluster arrangements shall depict, in addition to the required contents of a subdivision plat, the locations of all proposed building sites, roads, driveways, parking lots and other features determined by the Planning Board to be necessary for proper review of the plan.

B. In specific cases, the Planning Board may vary the provisions contained herein, provided the modifications are consistent with the concept and purpose stated in § **157-19** above.

§ 157-21. General requirements.

[Amended 7-5-1988; 3-19-1991; 4-25-2000; 2-11-2003; 2-10-2004; 8-26-2008; 3-23-2010]

A. Location.

(1) Any major subdivision within an R-40 District shall be required to adhere to the following procedures for said development.

(2) Any proposed development in an R-20 or R-12 District that meets the minimum lot size requirement for an open space subdivision shall be required to adhere to the following procedures for said development.

B. Permitted uses shall be as follows:

(1) All uses permitted in the zoning district within which the open space subdivision is located.

(2) Open space, private or public, providing for both passive as well as active recreational facilities.

C. Minimum project area permitted for an open space subdivision shall be as follows:

	Contiguous Acres Required	
Zoning District	**Residential Only (acres)**	**With Commercial (acres)**
R-40	No minimum	50
R-20	15	50
R-12	5	20

(1) Projects not meeting the minimum acreage requirements of an open space subdivision shall follow these additional requirements:

(a) A preliminary public hearing shall be conducted by the Planning Board prior to an applicant's formal submittal application for major subdivision approval. Prior to this preliminary public hearing, the applicant shall submit two different design review plans for general discussion, one yield plan showing a subdivision plan based on conventional regulations and a second plan design as an open space subdivision. At said preliminary public hearing, the applicant shall be responsible for demonstrating that the characteristics of his/her plan warrant consideration for development as an open space subdivision.

[1] The disposition of the public hearing shall be executed as per the procedure established in § **157-12**.

[2] Within 30 calendar days of the date of public hearing, the Planning Board shall render a determination as to whether the applicant can process his/her application as an open space subdivision or as a conventional subdivision.

(b) An impact statement shall be submitted which details the probable effects of the subdivision on the following aspects of concern to the City:

[1] Attendance at public schools;

[2] Increase in vehicular traffic;

[3] Changes in the number of legal residents;

[4] Increases in municipal costs;

[5] Load on public utilities or future demand for them;

[6] Public safety;

[7] Changes in tax revenue;

[8] Changes in surface drainage;

[9] Increased consumption of groundwater;

[10] Increased refuse disposal;

[11] Pollution of water or air;

[12] Land erosion or loss of tree cover;

[13] Disturbance to other aspects of the natural ecology;

[14] Blocking of views;

[15] Harmony with the character of surrounding development; and

[16] Location of utilities.

D. Density.

(1) Density allocation. The maximum number of dwelling units permitted in an open space subdivision shall be determined by a submitted yield plan. The resultant number shall not allow a higher density than that provided by a conventional subdivision on the same parcel. An open space subdivision may consist of the following:

(a) A subdivision of land into reduced sized individual house lots.

(b) Cluster subdivision. One parcel with individual detached single-family dwellings located in a cluster arrangement.

(2) Density bonus.

(a) If the proposed development is located in an R-40 or R-20 Zone and is greater than 50 acres, or is located within the R-12 Zone and is more than 20 acres, a nonresidential component shall be allowed, meeting the following the criteria:

[1] No more than 50% of the development site, including open space, shall be devoted to parking, streets, buildings, and accessory structures.

[2] Nonresidential uses allowed in the underlying district, as well as those listed below, shall be permitted as long as they are constructed to be compatible in scale and design with residential uses, be attractive and low-key (in terms of building design, signage, lighting, and treatment of parking), and have a strong pedestrian orientation with a building footprint of not to exceed 10,000 square feet.

[a] Neighborhood scale personal service establishments, such as convenience stores, craft store, drugstores, beauty shops, tailors, laundromats, and banking establishments.

[b] Professional offices.

[c] Medical care uses, including medical care office buildings.

[d] Adult day-care facilities.

[e] Sales office for the sale or rental of property.

[f] Restaurants without a drive-up window.

[g] Elderly assisted care may have a building footprint of not to exceed 20,000 square feet.

[3] Prohibited uses and designs. The following uses and designs are not permitted in an open space subdivision unless they are already allowed in the underlying zoning district under an existing permit or as existing nonconforming uses: commercial telecommunication towers/wireless communications facilities as a primary use, gravel pits, hospitals, or wholesaling.

[4] The commercial uses delineated above may be located in a flexible spatial environment, assuring compatibility with residential uses and with the overall

development design, provided that nonresidential uses do not exceed 33% of the net tract area of the open space subdivision. These limitations herein are maximums and should not be construed as by right permitted levels of development.

[5] No building shall exceed four stories in height (except for cupolas, dormers, building towers, and similar elements).

E. No structures or septic systems will be allowed to be built in the following areas: areas with a slope greater than 20%; areas within conservation districts; all flood hazard areas, unless floodproofing standards can be met through construction practices; and undevelopable wetlands as defined in Chapter **170**, Zoning.

F. Dimensional requirements.

Zoning District	Minimum Lot Size for Subdivision Lots (square feet)	Minimum Frontage for Subdivision Lots (feet)	Minimum Buffer Along Frontage[1] (feet)
R-40	20,000	40	100
R-20	12,000	30	100
R-12	8,000	20	100

[1] Does not apply to an existing house on the lot, if part of the total lot yield. [Amended 5-24-2016]

	Minimum Distance Around Individual Units in Clusters		Minimum Building Setbacks for Subdivision Lots	
Zoning District	Street Sides of Units (feet)	Between Units (feet)	Abutting a Street (feet)	Abutting a Lot Line (feet)
R-40	20	30	20	20
R-20	15	25	15	15
R-12	10	20	10	10

(1) If a portion of a parcel of land is covered by a zoning district in which an open space subdivision is not permitted, this portion shall not be included in a proposed open space subdivision.

(2) If a parcel of land is covered by more than one of the R-40, R-20 or R-12 Zoning Districts, and more than 50% of the parcel lies in the more restrictive district, the more restrictive regulations shall apply to the entire parcel.

(3) Frontage requirements shall not apply to cluster subdivisions. Nevertheless, paved access suitable for emergency vehicles, and approved by the Planning Board, shall provide access from a City street or state highway to each of the units with the subdivision. All accessways shall be privately owned and comply with the private drive standards specified in Chapter **153**, Site Review Regulations, of the Code of the City of Dover.

(4) Notwithstanding the dimensional requirements outlined above, structures or dwelling units in a proposed open space subdivision must maintain the following minimum buffer distances from existing structures, dwelling units and external boundaries:

Zoning District	Minimum Distance from Existing Structures or Dwelling Units (feet)	Minimum Distance from External Boundaries (feet)
R-40	100	50
R-20	75	40
R-12	50	30

(a) For the purposes of the external boundary buffers required above, the buffer areas shall be considered an undisturbed natural area for the purpose of shielding the development from abutting properties. The external boundary buffer shall be preserved or established to comply with the perimeter landscaping standards in § **157-35F**.
[Amended 12-18-2012]

G. Project ownership. The subject land may be owned, leased or controlled either by a single person, a corporation or by a group of individuals or corporations. An approved open space subdivision shall be binding on the project land and owner(s) and shall be so indicated on each individual deed.

H. Additional considerations. In addition to the information required to be presented on the preliminary and final plat layout (see §§ **157-27** and **157-28**), the following additional information shall be required:

(1) Dimensions and locations of all proposed common open spaces.

(2) The external dimensions of open space subdivision boundaries (see § **157-22**).

(3) Appropriate documents defining the deed restrictions and other provisions under which all common open spaces will be established.

(4) A fiscal analysis demonstrating that the submitted yield plan is realistic shall be required of the applicant. At a minimum the following items shall be included:

(a) Potential road costs.

(b) Potential utility costs.

(c) Potential miscellaneous costs (to include the cost of moving existing structures).

I. Community leach (septic) systems. An open space subdivision (OSS) may include a community or common leach system for the disposal of the effluent from household septic tanks. Such a system shall be installed by the subdivider and shall be installed under the following conditions:

(1) Community leach systems (CLS) may only be used in those areas of the appropriate zones served by the public water system of the City of Dover.

(2) All CLS shall meet the design requirements of the State of New Hampshire Department of Environmental Services and this chapter.
[Amended 1-14-2020]

(a) Each structure shall have its own septic tank sized according to the requirements of the New Hampshire Department of Environmental Services. Access to the septic tank cover should be provided by risers as necessary and location shown on the as-built plan submitted to the Dover City Engineer as described in Subsection **I(3)** below.

(b) Leach fields shall be located on land held in common by the property owners to be used exclusively for wastewater disposal. Each area designated for wastewater disposal shall be large enough to accommodate the required leach field and associated fill as well as an alternate reserve leach field, should replacement of the original field become necessary. The leach field and reserve field must have suitable soil according to the New Hampshire Department of Environmental Services rules for sewage disposal system design.

(c) All piping connecting septic tanks to leach systems and other mechanical equipment such as pumps, valves, etc., shall meet the standards of the State of New Hampshire and the City of Dover as detailed in § **157-41**. All such equipment used by more than one dwelling shall be placed in an easement which shall be deeded to the maintaining authority, and such authority shall have the right to access at any time for the purposes of maintaining the system. All construction under this article shall be explicitly subject to the provisions of Article **V** of this chapter.

(d) The developer and homeowners' association are required to provide each new resident in the development a copy of the New Hampshire Department of Environmental Services pamphlet "You and Your Septic System."

(3) Facility ownership. At the conclusion of the construction of all piping, equipment and leach fields, a complete set of as-built drawings of the systems will be filed with the City Engineer. The owners of the CLS shall also comply with the following requirement:

(a) Whether or not the developer has opted to establish a cooperative legal entity to own and manage the common space, such an entity shall be set up to own and manage the common leach system. The bylaws of such an entity shall be established in accordance with state law governing such organizations (RSA 479-A:1 to 479-A:23, inclusive, as amended) and shall include the provisions of Article **IV**, § **157-22E**, Requirements of a homeowners' association, by substituting the words "common leach system" for "common open space" in those regulations.

(4) Facility maintenance requirements. The following requirements shall be made part of any homeowners' association agreement:

(a) The owner of the common leach system shall maintain a service contract with a licensed septic system service and installation contractor to perform the required maintenance. Such a contract shall detail the periodic maintenance to be performed on the distribution/collection system, including leach fields, distribution boxes, pumps, and collection pipes, etc. The service contract shall provide for an annual report to the City Engineer by the licensed septic system installer detailing the condition of the system and any repairs made that year or anticipated at the time of the report. A copy of the service contract shall be delivered to the City Engineer for review at least 30 days before it goes into force.

(b) The owner of the common leach system shall collect from the users of the system an annual fee equal to the cost of repairs and an amount sufficient to establish a reasonable cost of replacement reserve. The fee should be assessed annually based upon the previous year's experience and the forthcoming service contract amount.

(c) The maintaining authority shall keep a record of each individual septic tank, showing its location and the frequency of its pumping. As a guide to maintenance, each tank should be pumped at least once in every five-year period and not more frequently than every two years.

(d) No structure shall be built on a leach field lot.

§ 157-22. Common open space.

[Amended 7-5-1988; 4-25-2000]

A. General common open space shall be set aside for the use and benefit of the residents in an open space subdivision or dedicated to a public or nonprofit organization. Generally, the open space shall be usable for recreation and integrated into the layout and design of the subdivision. The location and configuration of the open space shall be at the discretion of the Planning Board.

B. External boundaries. A buffer zone of 100 feet shall be provided along the perimeter of the subject tract that fronts existing public roadways, and a buffer zone equal to the external boundaries required by § **157-21F(4)** shall be provided along the perimeter of the subject tract that abuts all adjacent parcels. If said perimeter is predominantly open land, it shall be suitably landscaped at the discretion of the Planning Board. Should the Planning Board find that the unique topography and other site conditions warrant a certain degree of flexibility in the extent of the required buffer zone, a waiver of the affected portion of said buffer will be taken under consideration.
[Amended 12-18-2012]

C. Open space requirements.

(1) The common open space for an open space subdivision that contains subdivision lots shall be depicted on the subdivision plat as bounded by property lines and as being exclusive of house lots; streets, driveways and parking lots; stormwater collection ponds; land area dedicated to septic systems; and easements and rights-of-way for stormwater drainage ways, streets or utilities. The common open space for an open space subdivision that contains dwelling units in cluster arrangements on a single parcel shall be depicted on the subdivision plat as land area exclusive of dwelling units and accessory structures; streets, driveways and parking lots; areas required for minimum buffers around dwelling units; land area required for septic systems; area covered by easements or rights-of-way for stormwater drainage systems, streets or utilities; and stormwater collection ponds. The legal and spatial disposition of such open space is at the sole discretion of the Planning Board.

(2) The area of the open space shall equal or exceed the total allowed reduction in the lot sizes within the open space subdivision and shall be permanently dedicated as open space or for municipal use, as agreed upon. A minimum of 50% of the total open space land must be usable uplands and reasonably accessible to all property owners in the project.

(3) The open space shall be deeded to the City of Dover for municipal use or deeded to a nonprofit organization, or a deed restriction or easement shall be placed upon all common open space so that all said open space remains open space in perpetuity and shall never be developed or further subdivided. Acceptance of ownership of deeded open space is at the discretion of the City or nonprofit organization.

(4) Said deed restrictions and documents shall be placed on file with the City Clerk upon receipt of Planning Board subdivision approval and duly recorded at the Strafford County Registry of Deeds, where appropriate.

(5) The required common open space shall be owned and maintained by the developer until it is owned in one or more of the following ways:

(a) By the City of Dover, subject to acceptance by the City.

(b) By a private, nonprofit organization (such as the Nature Conservancy or Audubon Society) which has as its purpose the preservation of open space through ownership and control; provided, however, that the residents within the open space subdivision have access to the common open space for appropriate recreational uses.

(c) By a private, nonprofit corporation, association or other nonprofit legal entity, such as homeowners' association, established by the applicant for the benefit and enjoyment of the residents of the subdivision and over which said residents have control.

(6) No privately owned recreation structures shall be built in the open common space without the approval of the Planning Board.

(7) Current use limitation. The common land areas, open space areas and natural areas in an approved development are considered to be a part of the residential use of such development and shall not be considered to be open space land, farmland, wetlands, recreation land, floodplain or wild land within the meaning of RSA 79-A except where such consists of actively operated farmland.

D. In the event that an open space subdivision is to be owned by a cooperative legal entity, all common open space shall be governed in accordance with the requirements of the RSA 479-A:1 to 479-A:23, inclusive, as amended.
[Amended 2-26-2019]

E. Requirements of a homeowners' association.

(1) The financial and administrative obligations for future maintenance of common open space and other common facilities shall be clearly stated, adequate and enforceable by the City, at the association's expense, in the event of negligence.

(2) In the event that the homeowners' association established to own and maintain common open space or any successor organization shall fail to maintain the common open space/facilities in a reasonable order and condition, the Planning Board may serve written notice upon such organization and shall demand that any deficiencies of maintenance be cured in 30 days of receipt of said notice. In addition, a trustee shall be designated by the homeowners' association to ensure that proper care of said common open space is continued. The trustee's responsibilities shall include, but not be limited to, passive and active recreational areas, retention ponds, drainage easements and common septic disposal systems.

(3) In the event that the maintenance deficiencies have not been resolved within said prescribed time limits, the cost of maintenance by another party, other than the City of Dover, shall become a tax lien on the properties within the subdivision. Entry and maintenance of said common open space shall not exceed a period of one year.

(4) Before the expiration of said year, the Planning Board shall, upon its initiative or upon the request of the organization heretofore responsible for the maintenance of the common open space, call a public hearing upon 15 days' notice to such organization or to the residents and owners of the development, at which hearing such organization or the residents or owners of the development shall show cause why such maintenance by the third party shall not, at the election of the City, continue for a succeeding year.

(a) If the Planning Board determines that said organization is able to maintain said common open space in a reasonable condition, the City shall cease to have such space maintained at the end of the prescribed time limit.

(b) If the Planning Board determines that such organization is not able to maintain said common open space in a reasonable condition, the City may continue to have such land maintained by a third party for a succeeding year, subject to a similar hearing and determination in each year thereafter. The decision of the Planning Board in each such case shall constitute the final administrative decision subject to judicial review.

(5) The cost of such maintenance shall be assessed proportionately against the properties within the development that have a right of enjoyment of the common open space and shall become a tax lien on said properties. The City, at the time the third party enters upon said common open space for the purpose of maintenance, shall file a notice of such lien in the office of the City Assessor and the Registrar of Deeds for Strafford County upon the properties affected by such lien within the development, and the same shall be discharged by the City upon payment as with other liens.

Bassegio, Erin

From: Hilary Hamer <hilary.a.hamer@gmail.com>
Sent: Friday, January 23, 2026 9:11 AM
To: Planning Board - All
Cc: Perez, Jennifer
Subject: Urgent: 103 Court St, Denial without Prejudice for Prematurity, Buffer, (Part 1 of 4)
Attachments: January_Hamer_BufferLetter.pdf

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

Dear Planning Board:

I am writing to request that the Board **deny without prejudice** the site plan application for 103 Court St.

The City's recent staff memo suggests that because the Supreme Court has not yet issued a ruling on the TDR, the Board is "required" to move forward. This is a narrow and risky interpretation. Proceeding with an approval while the foundational TDR authority is under Supreme Court review creates a legal paradox: **If the Court strikes down the TDR, you have already *de facto* approved a project that has lost its legal basis.**

The City's proposed conditions of approval offer no protection against this. The conditions literally assume that the TDR is valid (see condition 1.); therefore, approving the site plan now "completes the circuit," potentially allowing the applicant to pull permits and break ground on a project that the Highest Court may soon declare illegal. **To proceed with an approval under these circumstances is a premature rush to judgment that completely ignores Due Process for the affected neighbors.**

I am asking for a "Denial Without Prejudice" based on Prematurity. This allows the application to return once the law is settled, without any prejudice toward the applicant. So much time, energy and emotion could be preserved here. A resubmittal after the Court has resolved the matter is non-problematic; an approval now is a gamble with our future.

We live here because of the community. We aren't asking for special treatment; simply asking for the "quid pro quo" buffer and regulatory protections that the Dover City Council promised us when they wrote the TDR ordinance.

As it stands now, I request the Board deny this project based on the following findings (full legal arguments attached):

1- **Legislative Intent:** The TDR buffer was added to the TDR code in 2018, before the procedural distinction between subdivision and site plan existed (2020). The intent was clearly a universal standard for all TDR, since the different "tracks" for subdivision and site plan didn't even exist yet.

2- **Plain Meaning:** The plain meaning of the buffer in the code is clear. It does not say anything to restrict the buffer to only *some* TDR projects. It is nonsensical that only *some* TDR projects get buffers when the impact on the immediate neighbors is the same regardless.

3- **Breach of the Good-Faith Agreement:** The official project record, staff communications, and public documents - including over 10 technical documents and emails from the Zoning Administrator -

all promised the buffer for this TDR project. Stripping it away now is an inconsistent and unfair action, especially while this exact matter is at the Highest Court for review.

4- **Precedent:** There is a long history of TDR site plans with the buffer enforced. The precedent is clear that the buffer applies: Whittier St, 757 Central Ave, Cielo Drive, Bellamy Rd, etc. There is no reasonable explanation why this TDR site should be the exception.

It is within your discretionary authority to deny for prematurity while the Supreme Court is still pending, if not for the arguments I continue to provide.

Respectfully,
Hilary Hamer, 91 Court St, Dover.

Please see Attachments: January_Hamer_BufferLetter.pdf
And attachments of Exhibits 1-35 in the following emails (due to file size constraints)
Please include this email and attachments in the official project record before the Board for 103 Court St application. This correspondence is being copied to the Office of the City Attorney to ensure the City's legal counsel is apprised of the jurisdictional and procedural objections raised herein for the administrative record.

To: Dover Planning Board
From: Hilary Hamer, 91 Court St
Date: January 23, 2026

Subject: Formal Request for Denial: Site Plan Application for 103 Court St – Non-Compliance with Mandatory TDR Buffer (§170.29 G(7))

Dear Dover Planning Board:

I am writing to formally request that the Board deny the site plan application for 103 Court St. The proposal fails to provide the **30-foot "no-cut, no-disturb" perimeter buffer** mandated by Dover Ordinance **§170.29 G(7)**.

Legislative history, the plain language of the Ordinance, and established City precedent all confirm that this buffer is a mandatory mitigation measure for Transfer of Development Rights (TDR) projects such as 103 Court St. The Board has consistently enforced this requirement or required a formal waiver for relief, as evidenced by the following preceding TDR Site Plans:

- **51&65 Bellamy Road:** Multifamily Site Plan with a 30-foot buffer (11/9/2021)
- **48 Whittier Street:** Multifamily Site Plan with formal waiver granted for 30' buffer relief (6/28/2022)
- **757 Central Ave:** Multifamily Site Plan with formal waiver granted for 30' buffer relief (7/26/2022)
- **Cielo Drive:** Condominium association of multifamily buildings site plan granted formal waiver for partial relief of 30' buffer where an adjacent site already maintained a buffer (11/14/2023)

Note: Waivers were granted prior to the 2023 amendment §170-29-G-8-d, "Any relief sought should not be caused by the additional density," except in Cielo Drive where reasoning was not additional relief (adjacent lot already had buffer).

Evidence of Non-Compliance

The proposed plan for 103 Court contains two primary violations of the mandatory 30-foot buffer:

- **Eastern boundary:** The proposed access road is located only **23 feet** from the property line, encroaching 7 feet into the "no-disturb" zone.
- **Western Boundary:** While new structures are sited at **32.6 to 36.5 feet**, standard construction practices will inevitably result in activity within the 30-foot "no-disturb" zone.

Without a formal waiver even considered, the Board cannot approve a plan that shows intentional disturbance within this protected area.

Legal Statute

The language of **§170.29 G(7)** is unambiguous:

> "A continuous visual buffer shall be created along the perimeter of the parent parcel, which shall include a thirty-foot no cut, no disturb buffer."

The use of the word "shall" renders this a prerequisite for the density bonuses granted under the TDR program. As the NH Supreme Court held in *Harrington v. Town of Warner,* 152 N.H. 74, 79 (2005), the Board lacks authority to "add words" to an ordinance to create exemptions not present in the text. Since the code does not limit this buffer solely to subdivisions, the Board cannot administratively waive this requirement for a site plan without following the formal waiver process.

Preservation of Rights and Administrative Record

Please be advised that this jurisdictional issue is currently the subject of an appeal before the **New Hampshire Supreme Court (Docket #2025-0686).** While I maintain that this application is "unripe" for approval pending the Court's decision, I am submitting these legal citations and municipal precedents to preserve all legal rights and to ensure a complete administrative record.

This filing serves to formally refute claims that objections to this project lack a basis in fact. This record provides a robust factual and legal foundation for objection, intended for both the current proceedings and any subsequent judicial review.

I. Inconsistency with the Legislative History of the TDR Code

The Transfer of Development Rights (TDR) Ordinance underwent several key amendments between 2018 and 2023 (Exhibit 1 2018, Exhibit 2 2020, Exhibit 3 current). The legislative evolution of the code over this time demonstrates that the buffer was intended as a universal requirement for all residential TDR projects. Because the buffer requirement predates the current procedural distinctions between subdivisions and site plans, it applies regardless of the application type.

A. The 2018 Framework: A "continuous visual buffer …of the parent parcel" precedes subdivision and site plan specifications

In 2018, the TDR code was amended to replace the "Private land transfer" with the "Single Family Detachment method" for density purchase. A specific formula was introduced to calculate base density and the subsequent purchase cost for additional units. Critically, at this time, the Code made no procedural distinction between subdivisions and site plans (Figure 1, from Exhibit 1, page 5-6).

(3) A residential TRANSFER OF DEVELOPMENT RIGHTS APPLICANT may pursue one of the following methods for TRANSFERING DEVELOPMENT RIGHTS.
(a) ~~Private land transfer~~ Single Family Detached method.

i. An applicant shall develop a baseline yield for the lot to be developed, through the following formula
   1. The square footage of the parent lot minus environmental constraints (wetlands, conservation areas etc) is the base lot size.
   2. The base lot size is then reduced by fifteen (15) percent to account for roadway, this creates the net area.
   3. The net area is then multiplied by a factor determined by the amount of wetlands over the parent lot. This is the developable area.

Percentage of Parcel that is wetlands	Factor
0<10%	0.85
10<20%	0.8
20<30%	0.75
30%<	.7

   4. The developable area is the divided by the minimum lot size, and the whole number value is the base number, with no rounding.
      a. This base number is not required to be restricted by the requirements in subsection iii.

ii. The transfer shall equate to one of the following calculations:
   1. For construction of units no larger than one thousand (1,000) square feet, of total living area, two (2) units per DEVELOPMENT RIGHT purchased shall be allowed.
   2. For construction of units no larger than fourteen hundred (1,400) square feet, of total living area, one and a half (1.5) units per DEVELOPMENT RIGHT purchased shall be allowed. The unit count shall be the whole number value and not rounded up.
      a. If the math to devise the base number ends in more than half a unit but less than a whole, and a transfer is purchased, the result would be two (2) dwelling units.

iii. The units created, through the transfer must be:
   1. Sold, and are not for rental purposes
   2. Limited to the square footage originally constructed.

iv. A note shall be placed on the approved plan and any Building Permit shall note the adherence to this section of the Code.

v. A note shall be placed in the property/unit deed citing the restrictions listed above.

Figure 1: From Exhihit 1, page 5 – 2018 Amendment introducing the "Single Family Detached" method for residential TDR (note underlined is 'new' in the amendment, versus strikethrough is removed). Neither subdivision nor site plan is specified at this time.

A second “land bank” method was replaced with “Attached Single Family, Two family, three family and 4 or more method.” It included options for TDR through purchase of individual acres of Open Space in Dover, or purchase of conservation easement land. In the 2018 amendment, this method also included no specification of subdivision or site plan application type (Figure 2, Exhibit 1, page 6).

(b) ~~Land bank~~ Attached Single Family, Two family, three family and 4 or more method

(i) The transfer may be through the purchase of development rights, as described in G) (1) and (2), or through the protection of land via a permanent conservation easement as per section E) (5). ~~For land in the sending district to be eligible for a TRANSFER OF DEVELOPMENT RIGHTS, it must be a parcel or easement purchased by the City through the use of Conservation funds allocated and approved by the City Council.~~

(ii) The transfer shall equate to one (1) unit per acre preserved, or purchased. If the end result is a village themed residential/commercial project, the transfer shall equate to one (1) unit per tenth (10th) of an acre preserved or purchased. ~~Annually, the City shall update a document identifying the cumulative cost per acre spent to preserve OPEN SPACE within the City of Dover. This list shall be kept on file in the Department of Planning and Community Development, and coordinated with the Conservation Commission.~~

~~(iii) Proceeds from the purchase of DEVELOPMENT RIGHTS, shall be placed into the Conservation Fund to be used to purchase future property or easements, and not into the general fund.~~

Figure 2: Second TDR method, amendment in 2018, Exhibit 1, page 6. Does not specify site plan (or subdivision).

2018 also introduced amendments to the general Residential Performance Standards criteria which largely defines the Planning Board's authority, §170-29-G-4 through 8 (Figure 3, Exhibit 1, 6-7):

(4) ~~Regardless of the method utilized, the transfer shall equate to one (1) unit per acre preserved. If the end result is a village themed residential/commercial project, the transfer shall equate to one (1) unit per tenth (10th) of an acre preserved. A minimum of three (3) acres shall be purchased.~~ Regardless of the method utilized, the minimum LOT size requirement may be waived by the PLANNING BOARD for land subjected to the TRANSFER OF DEVELOPMENT RIGHTS.

(5) Regardless of the method utilized, the setbacks shall be:

MINIMUM DISTANCE AROUND INDIVIDUAL UNITS IN CLUSTERS		MINIMUM BUILDING SETBACKS FOR SUBDIVISION LOTS	
STREET Sides of Units	Between Units	Abutting A STREET	Abutting A LOT LINE
20 feet	20 feet	20 feet	10 feet

(6) Regardless of the method utilized, the minimum LOT size requirement may be ~~waived by the PLANNING BOARD for land subjected to the TRANSFER OF DEVELOPMENT RIGHTS.~~ FRONTAGE requirement may be waived by the PLANNING BOARD, for land subjected to the TRANSFER OF DEVELOPMENT RIGHTS provided that paved access to all developed areas suitable for emergency vehicles is approved by the PLANNING BOARD.

a. If lots are proposed, the minimum frontage allowed shall be forty (40) feet per unit

(7) ~~Regardless of the method utilized, the minimum FRONTAGE requirement may be waived by the PLANNING BOARD for land subjected to the TRANSFER OF DEVELOPMENT RIGHTS provided that paved access to all developed areas~~ suitable for emergency vehicles is approved by the PLANNING BOARD. A continuous visual buffer shall be created along the perimeter of the parent parcel.

(8) Regardless of the method utilized, any other provision in this Chapter to the contrary, the density or intensity of development of a receiving parcel may be increased by the TRANSFER OF DEVELOPMENT RIGHTS so long as the increase in density or intensity:

(a) Is consistent with the Master Plan

(b) Is not incompatible with the land uses on neighboring LOTs (eg a multifamily building in a single family neighborhood)

Figure 3: Exhibit 1, page 6-7, with the amendments to the general TDR powers of the Planning Board to reduce frontage, lot size, and setbacks, and adding the "continuous visual buffer along the perimeter of the parent parcel."

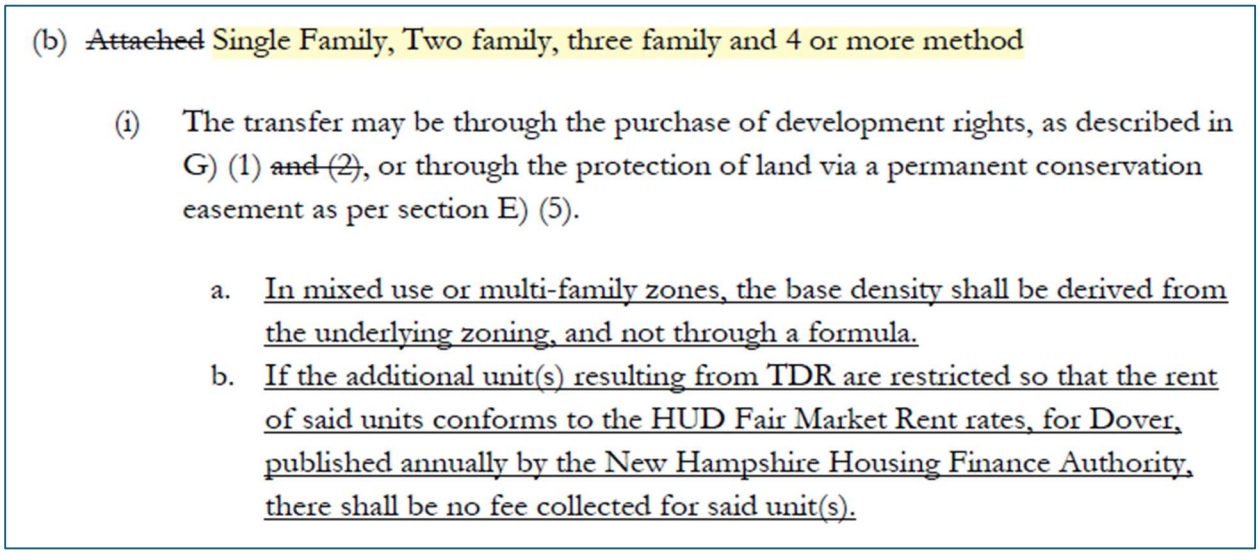
In 2018 is also when the TDR buffer was officially introduced, §170-29-G, "A continuous visual buffer shall be created along the perimeter of the parent parcel." At the time of this adoption, the Code provided no differentiation between subdivisions and site plans for TDR projects. Consequently, the legislative intent is unequivocal: the buffer was established as a universal requirement for all residential TDR developments operating under this section. The absence of

procedural distinctions in 2018 confirms that the buffer is a substantive condition of the TDR density bonus itself, rather than a variable requirement dependent on the type of application filed.

B. The 2020 Amendment adding Subdivision and Site Plan

It was not until 2020 that the TDR Code was further amended to introduce the specific procedural tracks for different development methods. Under these amendments, Method (a) "Single Family Detached"…. "shall be considered a subdivision application" (Exhibit 2, page 27). Conversely, method (b) "Single Family, Two Family, three family and 4 or more method" "shall be treated as a site plan application, unless otherwise determined by the Director of Planning….." (Exhibit 2, pages 27-28).

Further, method (b) "Single Family, Two family, three family and 4 or more method" was revised adding base density calculations for "mixed use or multi-family zones" (Figure 4). Notably, while these 2020 amendments created distinct administrative pathways (subdivision vs. site plan), they did not rescind or narrow the 2018 universal buffer mandate under §170-29-G-7. The 2020 changes were procedural in nature, intended to provide a framework for application review, and do not logically or legally supersede the pre-existing requirement for a continuous visual buffer on the parent parcel.



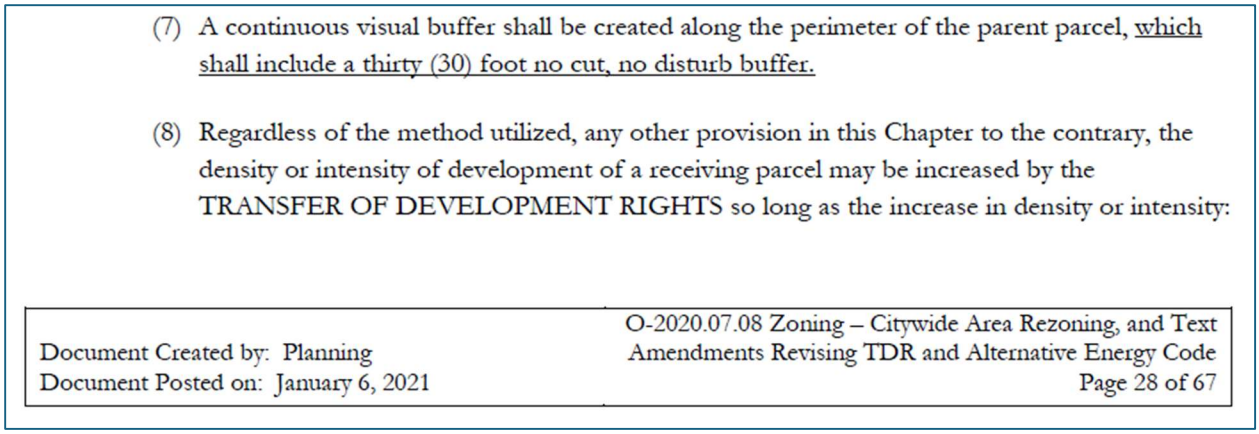
(b) ~~Attached~~ Single Family, Two family, three family and 4 or more method

(i) The transfer may be through the purchase of development rights, as described in G) (1) ~~and (2)~~, or through the protection of land via a permanent conservation easement as per section E) (5).

a. In mixed use or multi-family zones, the base density shall be derived from the underlying zoning, and not through a formula.
b. If the additional unit(s) resulting from TDR are restricted so that the rent of said units conforms to the HUD Fair Market Rent rates, for Dover, published annually by the New Hampshire Housing Finance Authority, there shall be no fee collected for said unit(s).

Figure 4: From Exhibit 2, page 27. Amendment to introduce language about base density calculation under method (b) for mult-family and mixed use zones.

The 2020 amendments further strengthened the environmental protections of the TDR Code. Specifically, the general buffer requirement under §170-29-G-7 was refined to mandate a "30-foot no cut, no disturb buffer." This continuity is telling: while the City saw fit to specify the *intensity* and *depth* of the buffer, it did not narrow the *applicability* of the requirement. By maintaining the "parent parcel" language predating the administrative methods, the legislative record confirms that this 30-foot protection remains a non-negotiable prerequisite for any project utilizing the TDR density bonus.



(7) A continuous visual buffer shall be created along the perimeter of the parent parcel, which shall include a thirty (30) foot no cut, no disturb buffer.

(8) Regardless of the method utilized, any other provision in this Chapter to the contrary, the density or intensity of development of a receiving parcel may be increased by the TRANSFER OF DEVELOPMENT RIGHTS so long as the increase in density or intensity:

Document Created by: Planning
Document Posted on: January 6, 2021

O-2020.07.08 Zoning – Citywide Area Rezoning, and Text Amendments Revising TDR and Alternative Energy Code
Page 28 of 67

Figure 5: Exhibit 2, page 28. The "continuous visual buffer shall be created along the perimeter of the parent parcel" already existed, and the thirty feet was then amended to specify the exact buffer.

C. Legislative Intent

The TDR perimeter buffer (§170-29-G-**7**) was introduced in 2018, well before the Code differentiated between TDR subdivisions and site plans. The historical use of the term "parent parcel" is dispositive; in 2018, the Code recognized no procedural "tracks." Therefore, the term "parent parcel" could only refer to the underlying lot receiving the density bonus.

There is no plausible interpretation where this requirement was intended to be restricted to a single TDR application type – whether subdivisions or site plans – as those distinctions did not exist in the TDR Code when the perimeter buffer mandate was enacted. To suggest otherwise would be to assign a retroactive narrowness to the law that the original drafters never codified.

D. Conclusion of Legislative History

The mandate of a TDR perimeter buffer fundamentally predates the later administrative specifications of "site plan" versus "subdivision" application tracks. The buffer was enacted as a **mandatory, universal mitigation measure** – a necessary *quid pro* quo to protect existing neighbors from the increased density inherent in any TDR project, regardless of its legal form.

Because the 2018 TDR framework applied these performance standards to the underlying "parent parcel" before any procedural distinctions were added in 2020, the Board lacks the authority to retroactively narrow the Ordinance's scope in favor of the developer. The 2020 addition of the "30-foot no-cut, no-disturb" language only further solidified these protections for abutters.

To exempt the 103 Court St TDR site plan from a provision authored to protect all abutters would be to ignore the clear legislative history and the plain intent of the TDR Ordinance. There is no legal or logical justification for the Planning Board to waive a provision that applies, by design, to all residential TDR development.

II. Plain Meaning and the Harrington Standard

Under the **Harrington** Standard (and general principles of statutory construction), the words of an ordinance must be given their plain and ordinary meaning. The language of §170-29-G-7 is unambiguous and contains no restrictive qualifiers. The Ordinance does not state the buffer applies "only to subdivisions" or "only to projects with new lot lines." It applies broadly to the parcel of the residential TDR project.

A. The Interoperability of "Parent Parcel" and "Parent Lot"

Any suggestion that the term "parent parcel" is intended to limit the buffer requirement solely to subdivisions is legally and linguistically groundless for two reasons (besides the aforementioned legislative history):

1. **Unique Usage:** The term "parent parcel" is never defined in the Dover Code's general definitions. In fact, its **only appearance** in the entire Code is within the TDR clause (G)7. Because the term is unique to this section, it cannot be imported from other contexts to imply a subdivision-only restriction that does not exist in the text.
2. **Internal Consistency:** The TDR ordinance itself uses "parent" as a descriptor for the underlying land. In §170-29-G-3-a, the Code defines the receiving lot as the "**parent lot**" for the purposes of calculating base density.

(a) Single-family detached method.

[1] An applicant shall develop a baseline yield for the lot to be developed through the following formula:
[Amended 10-13-2021 by Ord. No. 2021.09.08-006]

[a] The square footage of the parent lot minus unsuitable areas is the base lot size.

[b] The base lot size is then reduced by 15% to account for roadway; this creates the net area.

[c] The net area is then multiplied by a factor determined by the amount of unsuitable development area over the parent lot. This is the developable area.

(7) A continuous visual buffer shall be created along the perimeter of the parent parcel, which shall include a thirty-foot no cut, no disturb buffer.
[Amended 7-22-2020 by Ord. No. 2020.07.08-007]

Figure 6: Excerpt from current Dover TDR Code, Exhibit 3.

By using "parent lot" to determine density and "parent parcel" to define the buffer, the Code creates a symmetrical requirement: the land that *receives* the extra units (the parent) is the same land that *must provide* the buffer.

To interpret "parent parcel" as a subdivision-only term while "parent lot" defines the density calculation would create an internal contradiction that violates the standard of legislative

consistency. In this context, "parent lot" and "parent parcel" are functionally and legally interchangeable. Under the principle of ***In Pari Materia*** (statutes on the same subject must be interpreted together), the "parent" entity that provides the density is the same "parent" entity that must provide the buffer.

This is further evidenced by the specifics of this case:

- **Reliance on Formula of §170-29-G-3-a**: The application for 103 Court St explicitly utilizes this section to calculate its TDR units.
- **Planning Department Concurrence:** The Planning Department's own memo to the board (Jan 22, 2025) identifies the "single-family yield method" as the basis for this project's density (see *January22_Hamer_MisclassifiedApplicationLetter.pdf*, pp 10-11)

Because the application has relied on the status of the 103 Court St parcel as a "parent lot" to acquire additional density, it is legally and logically bound by the "parent parcel" buffer requirements contained within that same section.

B. The "Shall" Mandate and Judicial Standard

Section §170-29-G-7 utilizes the legal term "**shall**", which New Hampshire courts have long interpreted as a mandatory command, not a discretionary option. The Planning Board lacks the authority to unilaterally restrict the scope of this mandate or to "interpret" a meaning that contradicts the plain text.

As the New Hampshire Supreme Court held in **Harrington v. Town of Warner, 152 N.H. 74, 79 (2005):**

> *"Moreover, we will not guess what the drafters of the ordinance might have intended, or add words that they did not see fit to include."*

If the City of Dover intended for only a subset of residential TDR projects to provide a buffer, the Ordinance would have been drafted with that restrictive language. To "add words" now to excuse 103 Court St from this requirement would be a direct violation of the *Harrington* standard and would constitute a reversible error of law.

Furthermore, the Court in **Trottier v. City of Portsmouth**, 142 N.H. 275 (1997) reaffirmed this principle:

> *"We will focus on the **plain and ordinary meaning** of the terms used… if the language is plan and unambiguous, we need not look beyond the ordinance itself for further indications of legislative intent."*

The language of §170-29-G-7 is both plain and unambiguous. It mandates a buffer for the "parent parcel." Because the 103 Court St application relies on its status as a "parent" lot to secure increased density, it must follow the plain command of the ordinance. The Board must apply the law as written, not as the applicant wishes it had been drafted.

III. Administrative Acknowledgement in the Project Record

The requirement for a 30-foot TDR buffer at 103 Court St is not a matter of subjective interpretation; it is an established fact acknowledged repeatedly by City staff throughout the official project record and in direct communications with the public.

A. Consistent Findings by City Staff and Technical Review

From the initial Technical Review Committee (TRC) meetings in September through December 2024, City staff consistently identified the 30-foot buffer as a **mandatory requirement** that the current application fails to satisfy.

- **TRC Minutes (Sept 5 & 25, 2024):** Official minutes reflect repeated staff comments regarding the inadequacy of the provided buffer (Figures 7&8, Exhibits 4&5). These documents establish that the professional staff viewed the buffer as a prerequisite for approval.
- **Plan Snapshot & Staff Memos:** Internal tracking reports and formal memos explicitly cite the "required 30' perimeter buffer" (Figures 9&10, Exhibits 6&7).
- **Written Applicant Responses:** In formal letter reply to the City TRC comments, the applicant explicitly addressed the difficulty of "complying with the 30-foot buffer." The City and applicant did not argue then that it was inapplicable; they argued they had trouble meeting it.
- **Original TDR Application Form:** In the original TDR application form, the applicant checked the box for "**relief sought**" specifically regarding the buffer (Figure 11&12, Exhibits 8&9).

Under the doctrine of **Party Admission**, the City and the applicant have already conceded that the buffer applies to this project by repeatedly mentioning a waiver or relief for the buffer. An application cannot seek "relief" from a requirement they now claim does not exist. This constitutes a clear admission that the project is subject to §170-29-G-7.

If the Staff and application treated the buffer as a fact for four months, the Board should not suddenly treat it as a "question of interpretation" later.

PLAN REVIEW:
Planning:

- Reminder: Impact fees, Water and sewer investment fees
- Provide letters to serve when received.
- Provide HOA and
- Remove unit from the rear setback.
- Shrink common area or unit count to gain more than the 10' visual buffer. Narrative would be needed for TDR relief being sought from setback and buffer. However, seeing the density being sought is double what the base calculates out to be would indicate the buffers and setbacks should be met or unit request reduced.

Figure 7: Excerpt from Exhibit 4, Technical Review Committee (TRC) minutes from September 5, 2024.

PLAN REVIEW:
Planning:

- *Reminder: Water and sewer investment fees*
- *Provide City of Dover letter to serve when received.*
- *Shrink common area or unit count to gain more than the 10' visual buffer. Narrative would be needed for TDR relief being sought from setback and buffer. However, seeing the density being sought is double what the base calculates out to be would indicate the buffers and setbacks should be met or unit request reduced.*
    - This comment has not been adequately addressed. Still seems to have too many units and not enough buffer area.

- Many structures/areas of disturbance are within the TDR 30' no-cut-no-disturb area/still do not appear to have a visual buffer in place. If requesting a waiver, data suggestions above would also be important for evaluating waiver.

Figure 8: Excerpts from Exhibit 5, TRC minutes, September 26, 2024.

Description: The applicant proposes utilizing the City of Dover Transfer of Development Rights (TDR) regulations to redevelop Map 19 Lot 8. The proposal calls for the existing home to remain, the construction of a duplex and the construction of four (4) new single-family homes for a total of seven (7) units. The TDR Base Density Calculation provide for Base Density of three (3) units, therefore, four (4) of these units will be obtained under the TDR regulations. The existing house is proposed to remain and will be an unrestricted unit. The (2) two units located in the duplex building will be dead restricted to a Fair Market Rent (FMR) set by Housing Urban Development (HUD). The four (4) new single-family homes will be size restricted to a maximum of 1400 squarefeet of total living space per unit. The TDR application still requests relief from thirty (30) foot buffer requirement. The Landscape Design provides for new screening as mitigation for this relief.

Submittal Name	Status	Received Date	Due Date	Complete Date	Resubmit	Completed
Land Use Plan Technical Review v.2	Requires Re-submit	09/12/2024	09/25/2024	11/01/2024	Yes	Yes

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Business Development	Business Development	Burdin, James	Requires Re-submit	09/12/2024	10/10/2024	09/26/2024

Comments: • The narrative says that the design is context-sensitive with the neighborhood and consistent with the master plan, but doesn't provide much analysis to support the claims. The following information would make it easier to evaluate compatible density vs. overdevelopment:
- o Define the "surrounding area" for the purposes of evaluating density and visual character
- o Provide density comparisons between the proposed development and surrounding area (units/acre, building massing, lot coverage, presence of duplexes, prevailing setbacks and/or separation of buildings, etc.)
- o The narrative cites goals to increase housing supply, but has limited discussion of the Master Plan's vision for the future of this area in Dover.
- • Many structures/areas of disturbance are within the TDR 30' no-cut-no-disturb area/still do not appear to have a visual buffer in place. If requesting a waiver, data suggestions above would also be important for evaluating waiver.
- • Is there an opportunity to adapt the rear wing of the existing house or build the new duplex within the same footprint? If that is a viable solution it may improve both the architectural consistency and free up space to lessen buffer impacts.
- • Review RSA 289:3 III for compliance – "no new construction, excavation, or building" within 25' of the boundary of an established cemetery.
- • Plan orientation is not consistent across all sheets (e.g. both Court Street and the Cemetery appear on plan left on different sheets) – it is confusing the way it flips.

Figure 9: Excerpts from Exhibit 6, City's 'Plan Snapshot Report' at 103 Court St.

Staff Recommendation

While the applicant is seeking a waiver for the required 30' perimeter buffer, per the TDR ordinance, staff notes that this project is not proposing new lot lines but encourages the applicant to provide as much buffer and screening as possible to the neighbors. Staff would also like to see more assurance that the 25' cemetery buffer is maintained per RSA 289:3.

Figure 10: From Exhibit 7, Staff Memo noting specifically the "required 30' perimeter buffer."
Note: *Here the City acknowledges the "required 30' perimeter buffer, per the TDR ordinance". However, the City simultaneously suggests – without statutory citation – that the absence of new lot lines may render this requirement inapplicable. By 'encouraging' a voluntary buffer in lieu of enforcing the "required" 30-foot standard, the City is attempting to substitute a mandatory performance standard with discretionary staff preferences, effectively bypassing the formal waiver process required by law.*

- *Shrink common area or unit count to gain more than the 10' visual buffer. Narrative would be needed for TDR relief being sought from setback and buffer. However, seeing the density being sought is double what the base calculates out to be would indicate the buffers and setbacks should be met or unit request reduced.*
    - This comment has not been adequately addressed. Still seems to have too many units and not enough buffer area.

      The revised Site Plan provides a radical revision to the site layout. The unit count has been reduced by 2 units. The existing house will remain as a single-family home, which will utilize its existing utilities, trash collection and driveway. The new duplex has been moved slightly to more closely coincide with the existing barn foot print and will provide additional buffer to the east. These units will remain HUD restricted. Cottage #5 has been removed. The remaining cottages have been pushed to the west another 15 feet and completely out side of the 30-foot buffer.

      The aerial photographs from the City of Dover GIS shows that in 2005, 2010 and as recently as 2018 much of the property was maintained as field and much of the growth on site does not provide effective screening. The proposal still requests a waiver from the 30-foot perimeter buffer which will allow for clearing of the existing undergrowth and the installation of stockade fence with an additional vegetative screen.

- Many structures/areas of disturbance are within the TDR 30' no- cut-no-disturb area/still do not appear to have a visual buffer in place. If requesting a waiver, data suggestions above would also be important for evaluating waiver.

  The unit count has been reduced by 2 units. The new duplex has been moved slightly to more closely coincide with the existing barn foot print and will provide additional buffer to the east. Cottage #5 has been removed. The remaining cottages have been pushed to the west another 15 feet and completely out side of the 30-foot buffer.

  The aerial photographs from the City of Dover GIS shows that in 2005, 2010 and as recently as 2018 much of the property was maintained as field and much of the growth on site does not provide effective screening. The proposal still requests a waiver from the 30-foot perimeter buffer which will allow for clearing of the existing undergrowth and the installation of stockade fence with an additional vegetative screen.

Figure 11: Excerpts from Exhibit 8 - letter from Applicant responding to City Staff comments at TRC.

The 30' Buffer is even indicated on the TDR application form from the city, and was checked off by the applicant in the original submission for "relief sought" (Figure 12, Exhibit 9):

TRANSFER OF DEVELOPMENT RIGHTS INFORMATION

Type of TRANSFER OF DEVELOPMENT RIGHT REQUEST (Check All That Apply):

☐ Residential ☒ Residential (reduced size) ☐ Industrial | ☒ Purchase ☐ Land Preservation

Relief sought (Check All That Apply):

☐ Lot Size ☐ Frontage ☐ Setback ☒ 30' Buffer ☒ Increase by 4 units

Describe Proposed Use or Activity that requires TDR; describe any impacts and document mitigation:

See Project Narrative

Figure 12: Excerpt from Exhibit 9, the actual TDR application form indicating "30' Buffer" as a general checkbox item, not restricted to subdivision or site plan.

Furthermore, audio recordings from the TRC confirms that Planning Director Donna Benton explicitly linked the buffer to the 103 Court St project on September 29 stating:

[1:30] "I know we chatted last time about trying to add more than the existing 10 foot visual buffer so if we can still look to make that the 30 that is technically required"
[7:17]"Yeah, because the buffer is a requirement…. The issue is the TDR ordinance is clear that if you're asking for relief because of the extra density then you shouldn't be getting the extra density."
[25:20] "Yeah, because the buffer is a requirement."
See at: https://publicrecords.dover.nh.gov/Tabs/Index/21116/public/1/deptnum/0/cab/Public_Meetings

B. Direct Confirmation to Abutters

The Planning Department's stance was not merely internal; it was formally communicated to the public as an authoritative interpretation of the Code. In response to direct inquires from abutter Hilary Hamer, the Planning Department's Zoning Administrator Paul Crouser repeatedly confirmed the buffer's applicability to 103 Court St via email (Figure 13, more in attached Exhibit 10).

As the official charged with the administration and enforcement of the Zoning Ordinance, Mr. Crouser's confirmation creates a high threshold for any subsequent "re-interpretation." For the Board to reverse this position now would not only contradict the City's own expert but would also violate the public's right to rely on official municipal guidance.

On Mon, Sep 30, 2024 at 10:29 AM Crouser, Paul <P.Crouser@dover.nh.gov> wrote:

> Good morning, Hilary.
>
> Apologies for the delay in response. I wanted to let you know that the Planning Department echoed your concerns regarding the 30' buffer to the Applicant during last week's TRC. Please note that the buffer has been waived in the past for existing structures which are part of the development, and while that is the case with the proposed project at 103 Court, we do recognize that the cottages in the rear of the development all violate the 30' buffer, and the Applicant was directed to bring the project into compliance with that specific regulation as the relief requested is from the density sought, as you pointed out.
>
> If you have any other questions or concerns, please feel free to reach out.
>
> Best,
>
> **Paul R. Crouser**
> Zoning Administrator / Assistant City Planner
> Planning & Community Development
>
> City of Dover, NH
>
> 288 Central Avenue
>
> Dover, NH 03820
> e: P.Crouser@dover.nh.gov
> p: 603.516.6007 / f: 603.516.6049
>
> *Dover: First in New Hampshire, First with you!*
>
> www.dover.nh.gov

Figure 13: Email excerpt from Exhibit 10. "we do recognize that the cottages in the rear of the development all violate the 30' buffer, and the Applicant was directed to bring the project into compliance with that specific regulation."

C. The Error of Relying on "Staff's Interpretation" Over Law

Following a consistent four-month trail of official documents indicating that the 30-foot TDR buffer is required, the narrative abruptly changed at the January 28, 2025, Planning Board meeting. Despite the prior record, the Board voted under the interpretation that the buffer was not required. This decision remains a central issue in ongoing litigation at the New Hampshire Supreme Court (Docket #2025-0686), and it remains a major question now for the site plan still.

Notably, in the official record of that meeting in January, the Board did not cite a legal statute or an amendment to justify this change; they relied solely on "**staff's interpretation**" (see Figure 14, from January 28, 2025 Planning Board meeting minutes):

right where one unit exists today. In regards to TDR buffers, as 170-29.G(7) states, "A continuous visual buffer shall be created along the perimeter of the parent parcel, which shall include a thirty-foot no cut, no disturb buffer," and the proposal is not indicating to subdivide or add new lot lines, staff's interpretation has been that the buffer is not required. However, staff has continually asked the applicant to add more green

Figure 14: From Meeting Minutes January 28, "In regard to TDR buffers.... staff's interpretation has been that the buffer is not required."

This statement is factually contradicted by the preceding four months of documents and the Zoning Administrator's own emails. More importantly, it is **legally insufficient**. In New Hampshire land-use law, a Board's duty is to the Ordinance and the Law, not to the shifting opinions of City Staff.

1. **The Non-Delegable Duty of the Board**
   The NH Supreme Court held in ***Duffy v. City of Dover***, 149 N.H. 178 (2003) that the interpretation of an ordinance is a **question of law**, not a matter of administrative discretion. The Board has a non-delegable duty to apply the law as written. Because the TDR Ordinance states the project "shall create a perimeter buffer" and does *not* state "only for subdivisions," a staff member's "interpretation" cannot override the express mandate of the City Council's enacted law.
2. **The Limits of Administrative Weight**
   In ***Working Stiff Partners, LLC v. City of Portsmouth***, 172 N.H. 611 (2019), the court again clarified that while administrative interpretations can be considered, the court (and the Board) must ultimately follow the plain meaning of the words in the Ordinance.

The record proves that the City regarded the buffer as a requirement from September through December. The sudden "re-interpretation" in January 2025 lacks any statutory basis and represents an attempt to rewrite the TDR Code from the bench – an action that exceeds the Board's authority.

D. The Doctrine of Administrative Estoppel

The Planning Board is further constrained by the principle of **Administrative Estoppel**. For over four months – from the first TRC meeting through the January Site Walk – the City's professional staff, the Zoning Administrator, and the applicant's own filings consistently represented to the public that a 30-foot "no-cut" buffer was a mandatory component of this project.

The abutters and the general public have a right to rely on the written word of the Zoning Administrator and the official public record. As a matter of equity and law:

- **Induced Reliance:** The abutters relied on these official representations when evaluating the project's impact and preparing their testimony. By the time the "interpretation" was abruptly changed in January 2025, the public had been denied the opportunity to challenge the project under this new, narrower framework.

- **Prohibition Against Inconsistent Positions:** A municipality cannot affirm a requirement for months – inducing reliance from the neighbors – only to "pivot" to a contradictory interpretation at the final hour. This "bait-and-switch" regarding an environmental protection violates the basic tenets of due process and administrative fairness.

IV. The Prohibition Against Relief: Density-Driven Hardship

While the record for 103 Court St mentions "possible relief" for the TDR 30-foot buffer, no waiver or relief has ever been formally considered or granted by the Planning Board. Consequently, the site plan remains in direct violation of the Ordinance.

More importantly, the Board is legally prohibited from granting such relief in this instance. **Dover Code §170-29-G-8(d)** establishes a clear restriction:

"Any relief sought should not be caused by the additional density."

As both the Planning Director and Zoning Administrator acknowledged on the record (in TRC and in email, Figure 13), the conflict with the 30-foot buffer at 103 Court St is **directly caused by the additional density being sought.** The volume of houses, parking, and necessary drainage infrastructure for this density cannot physically fit on the lot while simultaneously respecting a 30-foot "no-disturb" area.

A. The Applicant's Admission of Cause

The applicant has explicitly admitted that their desire for increased density is the sole reason they cannot comply with the buffer. In their letter responding to the Technical Review Committee (TRC), the applicant stated (Figure 15), "Strict compliance with the 30-foot perimeter buffer would leave development of the property limited…":

- Shrink common area or unit count to gain more than the 10' visual buffer. Narrative would be needed for TDR relief being sought from setback and buffer. However, seeing the density being sought is double what the base calculates out to be would indicate the buffers and setbacks should be met or unit request reduced.

  Our TDR request has been revised to eliminate the relief from the R-12 setback requirement. The revised plan has reduced the common area to increase the distance from the proposed cottages to the easterly property. The property is approximately 135 feet wide and strict compliance with the 30-foot perimeter buffer would leave development of the property limited. We feel the proposed landscaping is adequate mitigation for the reduction in the buffer.
  The Applicant has prepared a Transfer Development Rights Narrative (see attached).

Figure 15: Excerpt from Exhibit 9

This statement is a formal admission that the need for relief is a direct consequence of the proposed density. A less dense development on this same property is entirely possible while

maintaining full compliance with the 30-foot buffer. By stating that the buffer "limits" development, the applicant confirms that the conflict is not caused by the land itself, but by the **amount of development** they are trying to force onto it.

B. Conclusion of Law
Under the ***Harrington*** standard, the Board cannot "add words" to the ordinance to bypass the restriction in §170-29-G-8(d). The Ordinance is clear: if the density causes the problem, relief cannot be granted.

Because the applicant has admitted that the buffer restricts their *desired* level of development (their density), the Board lacks the statutory authority to grant a waiver or relief. To grant the density bonus while simultaneously allowing encroachment into the mandatory mitigation buffer would be a violation of the Code and a reversible error of law.

V. Public Representations and the Preservation of Public Trust

The City of Dover has made specific, public-facing representations regarding the protections afforded to neighborhoods adjacent to TDR projects. These official promises created a reasonable expectation of protection that the City is now attempting to discard.

A. The Residential TDR Fact Sheet: A Universal Promise
The City's own "Residential TDR Fact Sheet," which is widely circulated and hosted on the City's official website, explicitly cites the buffer as a foundational requirement of the program.

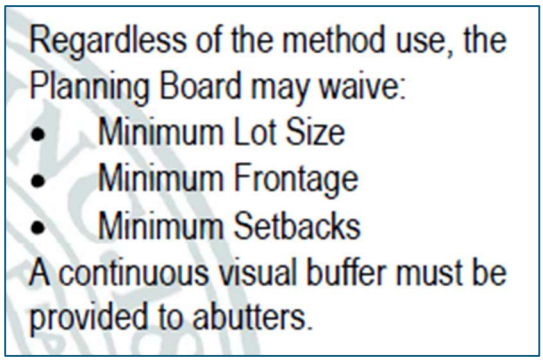


Figure 16: Excerpt from Exhibit 11, Dover's Residential TDR Fact Sheet"

The document notes that a "continuous visual buffer" is required for TDR projects, directly referencing **§170-29-G-7**. Critically, this public document contains no qualifiers, footnotes, or language suggesting that this requirement is restricted to *some* TDR projects. It presents the buffer as a universal standard for all TDR developments.

B. Breach of Public Trust and Equitable Estoppel
The circulation of this document raises a fundamental question of government accountability: Why has the City marketed the TDR program to its residents by promising a perimeter buffer as

a mitigation measure for density if it did not intend to provide that buffer to the neighbors of 103 Court St?

By promoting the TDR program as having a mandatory "continuous visual buffer", the City induced the public to accept higher-density zoning under the promise that neighborhood character would be preserved by a buffer zone. To deny this protection now – after the public has relied on these official representations – is more than a violation of the Ordinance's plain meaning; it is a breach of the public trust and a violation of the principle of **Equitable Estoppel**.

VI. Failure of Regular Consistency: A Multi-Year Record of Precedent

An interpretation that the TDR buffer does not apply to TDR site plans is a radical departure from years of established Board precedent. There is a lengthy and consistent record of residential TDR projects across Dover – both subdivision and multifamily site plans – where the Planning Board has uniformly applied the 30-foot TDR buffer.

A. TDR Site Plans Requiring Buffers or Formal Waivers

The following multifamily projects were processed as TDR Site Plans, yet the Board explicitly acknowledged the 30-foot TDR buffer as a mandatory requirement either by enforcing it or requiring a formal waiver of relief (largely preceding §170-29-G-8(d) *no additional relief* clause). In the cases where the Board held formal votes to grant waivers, these votes would have been legally unnecessary and nonsensical if the buffer did not apply to site plans.

51&65 Bellamy Road: The proposal included "4-unit structures that look like single-family homes which are centered away from the housing on Bellamy Rd with a 30ft buffer along the property lines." By definition, in Dover a 4-unit is a multifamily, so this was reviewed as a site plan. Even so, **as a site plan, it required the 30ft perimeter buffer**. (Exhibit 12, pages 5-7) Current Board members Kyle Pimental and Tom Clark participated in the November 9, 2021 vote.

48 Whittier Street: A "six-unit multi-family residential building utilizing TDR to purchase 4 units." As a multi-family building, this was a site plan. The Planning Board for this project voted to formally waive the no-cut, no-disturb 30' perimeter butter. **A formal vote to waive the buffer at this site plan, demonstrates unequivocally that the buffer applies to site plans.** The waiver was granted before the TDR amendment §170-29-G-8(d): ""Any relief sought should not be caused by the additional density." Current Board members Gina Cruikshank, Fergus Cullen and Kyle Pimental participated on June 28th, 2022. (Exhibit 13, pages 6-8)

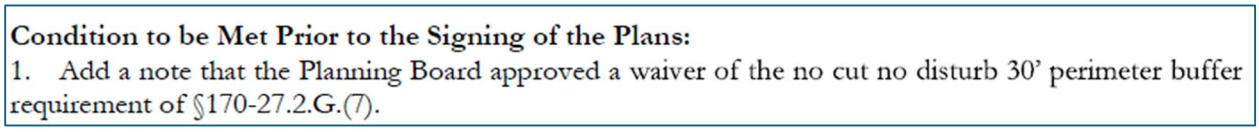

Condition to be Met Prior to the Signing of the Plans:
1. Add a note that the Planning Board approved a waiver of the no cut no disturb 30' perimeter buffer requirement of §170-27.2.G.(7).

Figure 17: Excerpt from Exhibit 13 Meeting Minutes for the Multifamily TDR Site Plan at 48 Whittier Street.

757 Central Ave: A large proposal for two-multifamily buildings and therefore a site plan. Like Whittier Street, a formal vote to grant "relief to the 30' buffer requirement" was granted, demonstrating that **the buffer applies to TDR site plans.** Again, this was before addition of §170-29-G-8(d): ""Any relief sought should not be caused by the additional density." Current Board members Gina Cruikshank, Ken Mavrogeorge, Dennis Shanahan and Kyle Pimental participated in the July 26, 2022 vote. (Exhibits 14, pages 7, Exhibit 15, 16).

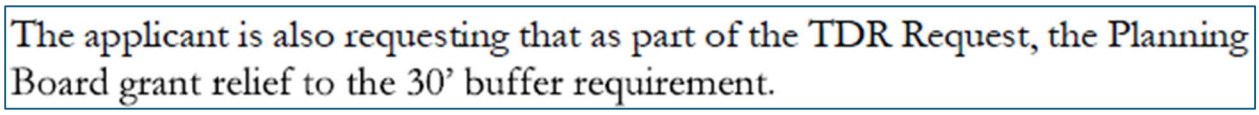
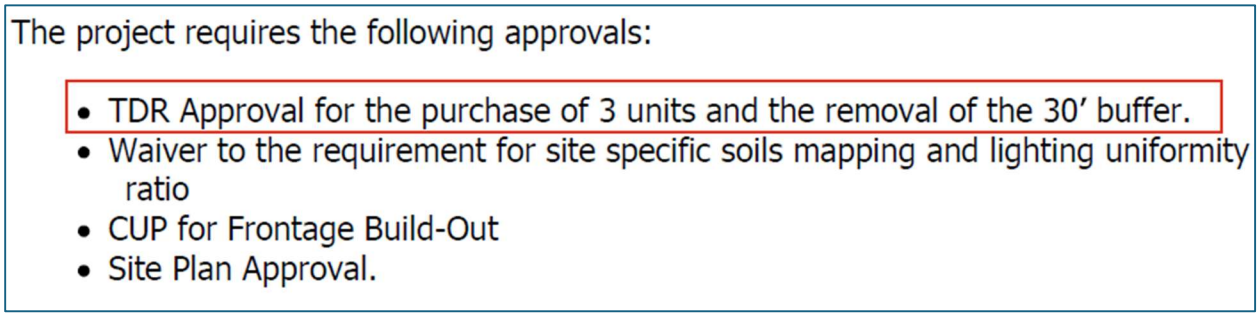

The applicant is also requesting that as part of the TDR Request, the Planning Board grant relief to the 30' buffer requirement.

Figure 18: Excerpt from Exhibit 15 for 757 Central Ave, Staff Memo.


The project requires the following approvals:

- TDR Approval for the purchase of 3 units and the removal of the 30' buffer.
- Waiver to the requirement for site specific soils mapping and lighting uniformity ratio
- CUP for Frontage Build-Out
- Site Plan Approval.

Figure 19: Excerpt from Exhibit 16, application letter.

Amendment "no additional relief": In July of 2023, the TDR ordinance is revised to add §170-29-G-8-d, "Any relief sought should not be caused by the additional density." (Exhibit 17)

Cielo Drive: A condominium association of 56 residential townhomes in a series of 8 buildings; treated as a multi-family site plan. The Planning Board granted a formal waiver for *partial relief* from the 30' TDR buffer. **As before, the waiver for this site plan proves that the TDR buffer applies to site plans**. This waiver did not conflict with §170-29-G-8-d because the reasoning given was not due to the additional density (Exhibits 18, 19 pages 4-7, 20):

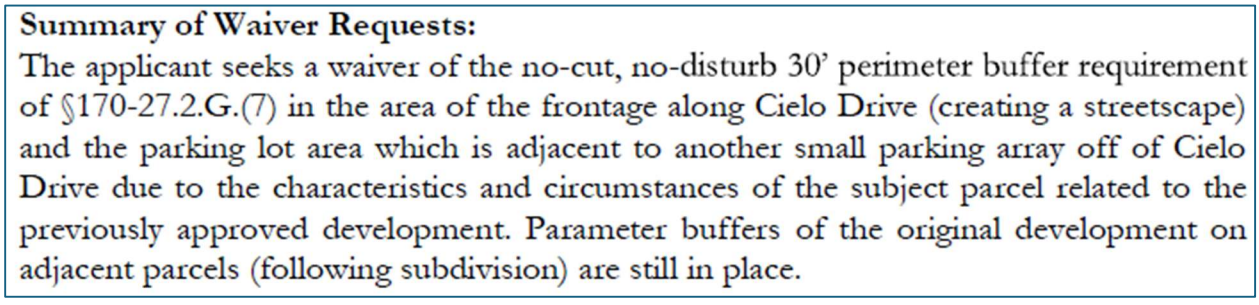

Summary of Waiver Requests:
The applicant seeks a waiver of the no-cut, no-disturb 30' perimeter buffer requirement of §170-27.2.G.(7) in the area of the frontage along Cielo Drive (creating a streetscape) and the parking lot area which is adjacent to another small parking array off of Cielo Drive due to the characteristics and circumstances of the subject parcel related to the previously approved development. Parameter buffers of the original development on adjacent parcels (following subdivision) are still in place.

Figure 20: Excerpt from Exhibit 18, discussing waiver of the 30' TDR buffer for the SITE PLAN at Cielo Drive.

Site Plan Waivers – Subsequent Conditions to Be Met Prior to the Signing of Plans:

1.) Add a note that the Planning Board approved waivers for (1) Partial relief from no cut no disturb 30' perimeter buffer requirement of Chapter 170-27.2.G.(7) in the area of the frontage along Cielo Drive and the parking lot area which is adjacent to another small parking array off of Cielo Drive; (2) The road grade within 75' of an intersection standard of Chapter 157-32.G and found that the criteria of Chapter 153-21.A have been met. **This has been added to the Overview Site Plan at the end of the Waiver Request Table.**

Figure 21: Excerpt from Exhibit 20, letter from applicant acknowledging condition of approval including waiver of the 30' buffer for the SITE PLAN.

Current Board members Fergus Cullen and Kyle Pimental participated in the vote on November 14th, 2023. (Exhibit 19)

In New Hampshire, administrative agencies must act consistently. When a Board has a longstanding history of interpreting a rule a certain way – and has even forced other developers to seek formal waivers – it cannot "re-interpret" that rule for an application now. To exempt 103 Court St now due to being a TDR site plan – without a waiver and despite the density-driven conflict – represents an "arbitrary and capricious" application of the law.

B. TDR Subdivisions Enforcing the 30-Foot Buffer

The Board has been equally consistent in enforcing the 30-foot mandate for TDR subdivision projects:

26 ½ Bellamy Road: TDR Subdivision with plans including a labeled 30-foot no cut, no disturb buffer, with the exception of encroaching at the right of way. The Board specifically had to grant a waiver for encroachment on the buffer in the right of way. (Exhibits 21, 22 pages 4-7). Current Board members Gina Cruikshank and Kyle Pimental participated in the June 22nd, 2021 vote.

Wildcat Drive (Sixth St): A subdivision proposal for "11 single family lots plus 3 open space, non-buildable lots." Conditions to be met prior to occupancy included "Documentation that the HOA has been created and is in place." The plan provided either a 50' wetland buffer or a 30' TDR buffer around the perimeter. This was a type of open space subdivision. (Exhibits 12, pages 1-3, Exhibit 23, 24). Current Board members Kyle Pimental and Tom Clark participated in the November 9, 2021 vote.

42 Long Hill Rd: A TDR subdivision with the explicit condition "that the 30' buffer is shown on the plans." (Exhibit 25, pages 6-8). Current Board members Gina Cruikshank and Fergus Cullen participated on March 28th, 2023

566 Sixth St: TDR application from Board member Fergus Cullen for two duplexes and a single-family house was denied by Planning Board vote. The plan included a labeled 30' no-cut, no-disturb buffer and was assured in the presentation of the application. Later, this was reversed by the NH Housing Appeals Board, Case No. 2024-029-PBA, and then approved by new Planning Board vote. (Exhibits 26, 27 pages 10-12, 28, 29) Current Board members Gina Cruikshank, Kyle Pimental and Melina Gambino participated on October 22nd, 2024.

C. The 2023 Amendment: The "No Relief" Standard

In July of 2023, the TDR ordinance was revised to add §170-29-G-8-d, "*Any relief sought should not be caused by the additional density.*" This amendment, led by current board member Kyle Pimental, was intended to prevent "double dipping" – where a developer receives a density bonus (TDR) and then seeks relief from other zoning protections.

While projects prior to 2023 (Whittier St, Central Ave) could legally be granted waivers for the buffer even if due to additional density, 103 Court St cannot for the same reasons. Because the applicant at 103 Court St has admitted that compliance with the buffer would "limit development" (ie. reduce density), any waiver would be a direct violation of this 2023 amendment (Figure 15). The Board cannot grant the same relief it previously allowed in these older cases.

D. More Recent Administrative Admission - Littleworth Rd

The Planning Department has continued to enforce the 30-foot TDR buffer standard across projects in more recent reviews. **Littleworth Road** was a site plan proposal for a cluster arrangement of residential duplexes on a single lot as a condominium association, nearly identical in structure to 103 Court St. The Planning Staff issued a negative recommendation, citing insufficient space outside the "**required no-cut, no-disturb buffers**" (Figure 22, Exhibit 30, 31):

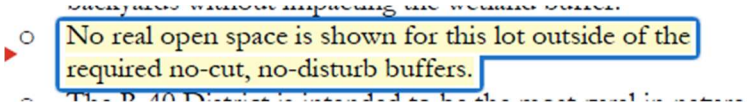


Figure 22: Excerpt from Exhibit 30, Staff Memo for Littleworth Road with rejection noting required no-cut, no-disturb buffers for this site plan application.

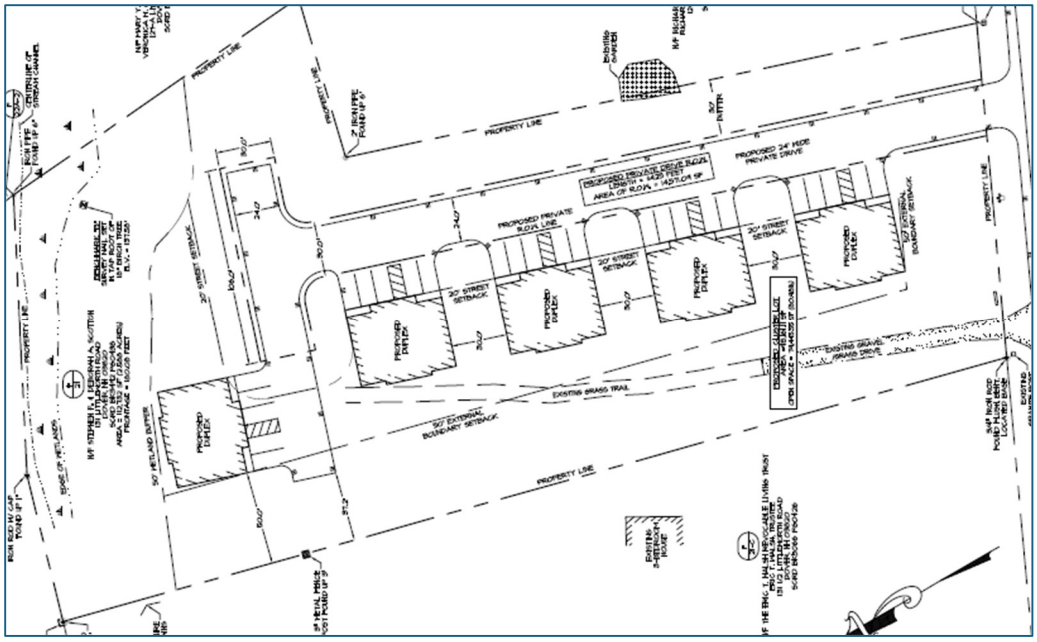


Figure 23: Plan for Littleworth Road from Exhibit 31 showing the cluster arrangement of multiple residential duplex units on one lot, like 103 Court St.

E. Summary of Precedence

The multi-year record of TDR administration in Dover is that the 30' TDR buffer has been required for both site plans and subdivisions. While waivers have been granted, a waiver has not even been formally considered by the Planning Board for 103 Court St, and conflicts with §170-29-G-8-d, "*Any relief sought should not be caused by the additional density.*" Regulatory consistency and the principle of **Equal Protection** demand that the TDR 30' buffer be considered at 103 Court St.

VII. Technical Impossibility of the Current Site plan with Buffer

The proposal places an access road at 23 feet and building footprints at 32.6 feet from the property line. This makes physical compliance with a 30-foot "no-disturb" mandate physically impossible. A "no-disturb" buffer is not a simple setback; it is a protected zone where the soil, roots, and vegetation must remain untouched by mechanical activity.

A. Encroachment of the Access Road

The proposed access road is located 23 feet from the boundary line. This is a per se violation of § 170-29-G-7. Clearing land, grading a roadbed, and laying asphalt within 30 feet of the perimeter "disturbs" the buffer.

B. The 2.6 foot "Buffer Gap" is Insufficient for Construction

While the proposed new buildings are just outside 30 feet from the property boundary, the **limit of disturbance (LOD)** required to construct them will inevitably cross into the 30-foot no-disturb zone. Standard construction practices require:

- **Excavation and "Over-dig":** Foundations require a "bench" or "over-dig" area typically extending **5 to 10 feet** beyond the foundation wall to allow for waterproofing, drainage tiling, and safety sloping for workers. A building at 32.6 feet would require excavation as close as **22 feet** from the property line.
- **Grading and Drainage:** Site plans must demonstrate how water sheds away from buildings. Sloping the land from a 32.6 foot setback to a 0-foot property line requires grading activity that will fundamentally alter the soil and vegetation within the 30-foot buffer. **Sheet SP-2** confirms this, showing erosion control measures extending directly to the property boundary.
- **Scaffolding and Equipment:** The physical act of framing and siding a building requires scaffolding and "man-lifts" that require a level operating radius. It is a physical impossibility to construct a multi-story residence with only **2.6 feet** of clearance without heavy machinery compacting the soil within the "no-disturb" zone.

C. Contradiction of the "Visual Buffer" Requirement

The Ordinance further mandates a "**continuous visual buffer**". If the application intends to plant new trees to meet the "visual" requirement because existing vegetation is sparse, the act of planting – digging holes, bringing in equipment, and altering the grade – **violates the "no-disturb" provision**. Conversely, if they intend to keep existing trees, the "over-dig" for the foundations and roadbed will sever the root systems of those trees, leading to "hazard trees" that will eventually fail, destroying the visual buffer they were meant to provide.

IX. Procedural Failures and the "Loophole" Admission

The public repeatedly exercised every available opportunity to raise concerns regarding the 30-foot buffer at 103 Court St (Exhibits 32, 33, 34 pages 7-10). Despite these efforts, there has been no legal clarity provided from the Board on the statutory language and history as presented. Ultimately, the Board's voted on the TDR in January 2025 relied on a self-described "loophole" – a decision now under review by the NH Supreme Court (**Docket #2025-0686**).

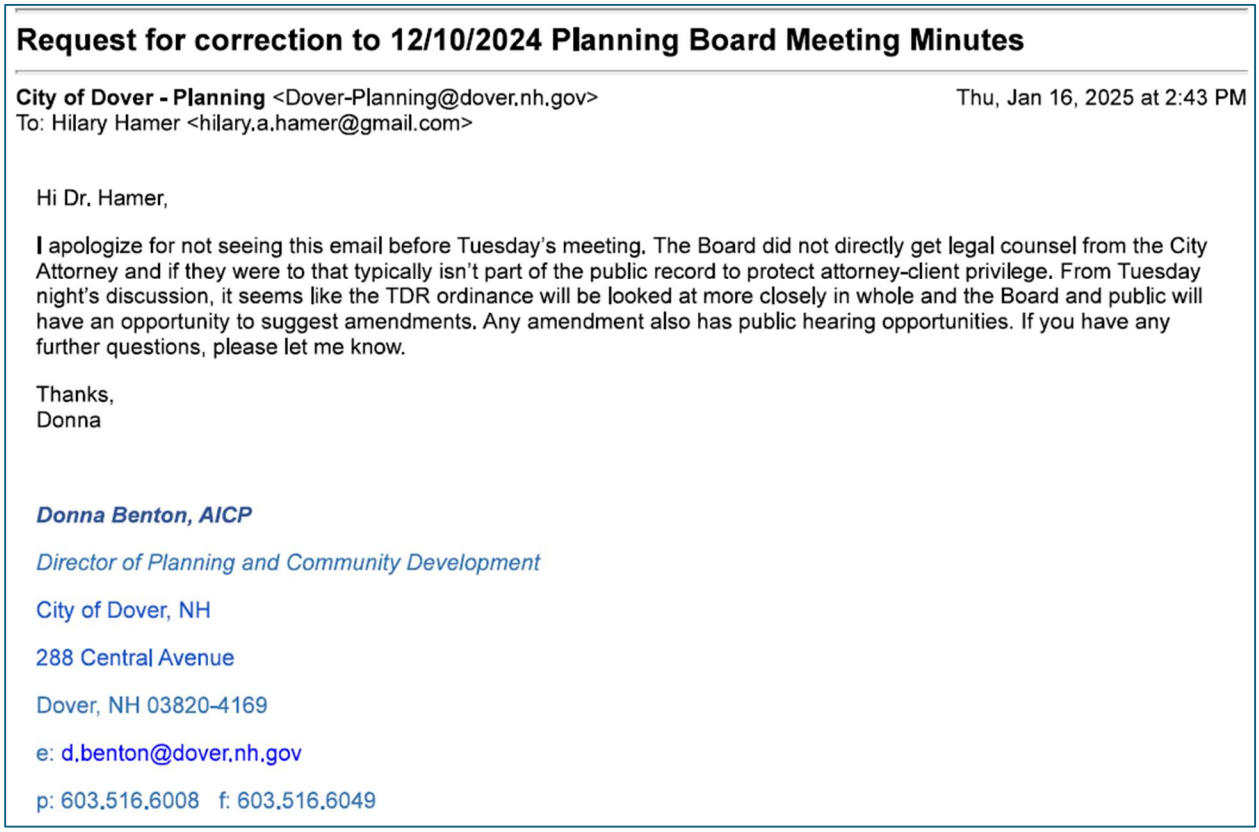
A. Broken Assurances of Legal Review

During the December 10, 2024 Planning Board meeting, Chair Cruikshank responded to public concerns by asserting there would be "no rewriting or ignoring of regulations" (minute reference 2:19). Crucially, the Chair stated (minute reference in the meeting recording 2:31):

"I think we'll probably have the City Attorney weigh in and get further clarification [about the buffer]. If not by the site walk, by the next time we see it"

Relying on this promise of legal oversight, abutters attended the January 11, 2025, site walk, where the **30-foot buffer was physically flagged with surveying tape** – further reinforcing the public's reasonable expectation that the buffer was a mandatory project component (request to mark the buffers is in the meeting minutes for 12/10, Exhibit 34, page 10). However, Planning

Director Donna Benton later confirmed that **no legal counsel was ever sought** before the January 28, 2025 meeting (Exhibit 35). This failure to seek legal review, while relying instead on "staff interpretation," is a violation of the Board's non-delegable duty to apply the law as written (***Duffy v. City of Dover***).



Request for correction to 12/10/2024 Planning Board Meeting Minutes

City of Dover - Planning <Dover-Planning@dover.nh.gov> Thu, Jan 16, 2025 at 2:43 PM
To: Hilary Hamer <hilary.a.hamer@gmail.com>

Hi Dr. Hamer,

I apologize for not seeing this email before Tuesday's meeting. The Board did not directly get legal counsel from the City Attorney and if they were to that typically isn't part of the public record to protect attorney-client privilege. From Tuesday night's discussion, it seems like the TDR ordinance will be looked at more closely in whole and the Board and public will have an opportunity to suggest amendments. Any amendment also has public hearing opportunities. If you have any further questions, please let me know.

Thanks,
Donna

Donna Benton, AICP

Director of Planning and Community Development

City of Dover, NH

288 Central Avenue

Dover, NH 03820-4169

e: d.benton@dover.nh.gov

p: 603.516.6008 f: 603.516.6049

Figure 24: From Exhibit 35, email response from Planning Director indicating minutes would not be amended and no Legal Counsel was sought.

B. Admission of a "Loophole" vs. Plain Intent

At the January 28, 2025, meeting, Board members explicitly admitted that treating site plans differently than subdivisions was a "loophole" that defied the intent of the TDR program:

Kyle Pimental [45:40]: "…I think that the comments that have been raised in terms of whether or not the 30 foot buffer should be applied to a site plan versus subdivision. To me, I think I agree that they should be treated the same. I feel like this is almost kind of like a loophole, that the way in which this is defined is causing some ambiguity here. Where this is being treated differently. It's also, I think, opening the door for developers to see a way to not have to use the 30 foot buffer if they utilize this part of the regulations which I don't think was the intent. So I would advocate that when we take this up for our goal setting - is that we really consider treating these the same. I honestly

> really don't see why there should be a difference. …I don't necessarily see why utilizing a certain part of the regs. It seems like a loophole to me that I think we should tighten up that way. This is no longer a discussion that whether or not you want to utilize this piece or if you want to actually put them on their own lots regardless, it's gonna be a 30 foot buffer. If you're utilizing the TDR, you should have to do that."
>
> *Ken Mavrogeorge [47:40]:* "I do think it needs to be clarified and I would be in favor of them being treated the same. … I don't think it's possible to get a 30 foot no cut."

The Board's decision to approve the TDR while simultaneously acknowledging that the exclusion of the buffer was a "loophole" that defied "intent" constitutes an arbitrary and capricious application of the law. The statements indicate that both Board members here agree that TDR subdivisions and TDR site plans should be treated the same. There is no "loophole"; there is only an error in legal application that ignores the plain language and precedent presented herein. The Board now has a chance to rectify this error by denying the site plan for not providing the TDR buffer now.

C. Lack of Ripeness and Pending Litigation

As before noted, this matter is currently before the **New Hampshire Supreme Court (Docket #2025-0686)** to resolve this exact question of law, whether the Ordinance requires a 30-foot TDR buffer for *all* residential TDR projects or not. Proceeding with any decision on the site plan while the underlying TDR authority is under review by the state's highest court is premature and "unripe." A site plan denial on the grounds of prematurity, deferring to the High Court, is appropriate by itself, but further the evidence and record provided herein by itself justifies that the buffer is mandatory, not provided, and legally required. To approve a site plan based on a contested "loophole" while that very loophole is being litigated is a waste of resources and a further injury to the due process rights of the abutters. (*Note that the Supreme Court Appeal document was previously submitted to Planning Board record on January 13, 2026, and being a ~100 page PDF is not repetitively included as an Exhibit here, but is reflected in the Record*.)

X. Direct Knowledge and Precedent of the Board

The record herein established that multiple current Board members participated in numerous TDR votes – for both site plans and subdivisions – where the TDR 30-foot buffer was applied. This demonstrates a clear, prior knowledge and understanding of the Ordinance and its intended application.

A refusal to apply the buffer at 103 Court St is not a "new" interpretation; it is a departure from the City's own administrative policy raised repeatedly by the Public. To proceed with an

approval vote for 103 Court St site plan now – despite the record of clear precedent, the broken promise of legal counsel, and the pending Supreme Court litigation – would be a failure of the Board's duty to apply the law consistently.

A Board that ignores its own precedent, legislative history, and the plain language of its ordinance – while admitting it is exploiting a "loophole" – executes an inconsistent application of the law and unreasonable departure from precedent.

XI. PROPOSED FINDINGS OF FACT

The following findings support the conclusion that the application for 103 Court St is misclassified and must be denied:

Proposed Findings of Fact / Reasons to Stay or Deny

1. **Legislative Intent:** The 2018 TDR Ordinance established the buffer requirement for the "parent parcel" two years before the City introduced separate subdivision and site plan tracks. Because the buffer predates these procedural distinctions, the buffer must be intended as a universal mandate for all TDR projects.
2. **Plain Meaning and the Harrington Standard:** The Court has established that the Board may not "add words" to change the meaning of the Ordinance in ***Harrington v. Town of Warner***. Per ***Trottier v. City of Portsmouth***, the plain and ordinary meaning of the text must be upheld: the buffer applies to the TDR parcel receiving the density.
3. **Administrative Record of Applicability:** The official project record – including Technical Review Committee (TRC) minutes, staff memos, and direct email confirmation from the Zoning Administrator – repeatedly and explicitly identified the 30-foot buffer as a requirement for 103 Court St.
4. **The Board's Non-Delegable Duty:** Per ***Duffy v. City of Dover***, the interpretation of an ordinance is a question of the law, not a matter of administrative discretion. While staff's interpretations can be considered, also under ***Working Stiff Partners, LLC v. City of Portsmouth***, the Board must ultimately follow the plain meaning of the Ordinance, which states that a buffer shall be required.
5. **Failure to Seek Lawful Relief:** The Board has not formally considered or granted a waiver for relief from the 30-foot buffer. Consequently, the site plan as proposed is in direct violation of the Dover Code.
6. **Statutory Prohibition of Relief:** Under **§170-29-G-8-d**, relief cannot be granted for conflicts caused by additional TDR density. Staff statements and the applicant's own filings conceded that compliance with the buffer is only "limited" by their desired density level; therefore, the Board is legally prohibited from granting a waiver in this instance.
7. **Equitable Estoppel and Public Promise:** The project record, staff communications, and public City documents have induced reliance or trust that the buffer applies to this

residential TDR project. Denying this protection now constitutes a breach of public trust and a violation of equitable principles.

8. **Requirements for Regulatory Consistency:** The Board has historically enforced the 30-foot buffer on TDR site plans including Bellamy Rd, Whittier St, Central Ave and Cielo Drive. A consistent and equitable administration of the law demands 103 Court St be treated the same.
9. **Physical and Technical Impossibility:** The proposal at 103 Court St cannot be physically constructed without significant impact within a 30-foot buffer zone. A road at 23-feet and building "over-digs" at 32 feet ensure the destruction of the protected buffer zone.
10. **Functional Failure of Duty:** The Board has admitted on the record that the current application relies on a "loophole" that defies the intent of the TDR program. Proceeding with an approval based on a self-described loophole, contradicting the plain language of the Code and project precedent, while failing to seek the legal counsel promised to the public on December 10, 2024 is unreasonable and unlawful.

XII. CONCLUSION

Based on the extensive record presented here that the site plan fails to provide the mandatory 30-foot buffer – and that the Board lacks the authority to grant relief for a density-driven conflict – the application must be **denied**.

We request the minimum *quid pro quo* of the TDR buffer be upheld. An increase in density of this magnitude fundamentally alters the immediate neighborhood. All residents are entitled to expect the City to uphold the basic tenets of zoning law established under **NH 674:36** which mandates the Board:

> (b) Provide for the **harmonious development** of the municipality and its environs;
> (d) Provide for **open spaces** of adequate proportions;
> (j) Include provisions which will tend to create conditions favorable to **health, safety, convenience, or prosperity**;

Statement of Prejudice: Not enforcing the buffer is a **prejudicial error**. The buffer directly impacts the actual *placement* of buildings, access road, drainage and utilities. By ignoring this mandate, the Board would deprive the public of specific statutory protection and cause permanent harm to the character and value of the abutting properties.

Requested Relief: An **outright denial of the site plan application** is required. The applicant must redesign the project to comply with the 30-foot "no-cut, no-disturb" buffer. This request is made to preserve all legal rights and to ensure an accurate administrative record is established for any subsequent judicial review.

12. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-25 "Floodplain Development", by revising section D – "Standards and regulations", to read as follows:

"(c) Certification by a registered engineer or architect that the FLOOD PROOFING methods for any nonresidential STRUCTURE meet the FLOOD PROOFING criteria in subsection KL(2)."

13. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-27 "Conservation District", by revising section D – "Procedures for Subdivision", to read as follows

"D. Procedures for subdivision. No subdivision of land shall be permitted which would create a LOT or parcel or leave as a remainder a LOT or parcel which does not have, outside the Conservation District, an area equal to the minimum LOT size required for the underlying zoning district, or one (1) acre, whichever is less. The ZONING BOARD OF ADJUSTMENT may grant an exception to this rule if unless such a LOT or parcel is to be permanently dedicated to OPEN SPACE or natural uses and is to be dedicated to a public or private agency having as a purpose the holding of such land in a natural state in perpetuity. The lot area outside of the Conservation District may be non-contiguous."

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-27 "Conservation District", section E – "Other provisions", by deleting section (9) as follows and renumbering the subsequent sections:

"Land area contained within the Conservation District can be counted in determining the gross land area of a tract, LOT or parcel."

14. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-27.2 "Transfer of Development Rights" to read as follows

"170-27.2. TRANSFER OF DEVELOPMENT RIGHTS. **[Amended on 10-31-90 by Ord. No. 16-90; Amended on 01-22-2003 by Ord.35-02; Amended on 12-09-2009 by Ord. No. 2009.09.09-15; Amended on 02-22-2012 by Ord. No. 2012.01.25.]**

A. Authority. By the authority granted under RSA 674:21, this section creates overlay district(s) for the purpose of transferring DEVELOPMENT RIGHTS (TDR) within said districts.

B. Purpose and Intent. Within the City of Dover there are certain lands that possess significant conservation features, including but not limited to wetlands, groundwater recharge zones, forested areas, wildlife habitat, farmland, scenic viewsheds, historic landmarks, and linkages to other such areas. Because of their unique assemblages of flora and fauna and their significant contribution to the ecological system and/or the cultural identity of our community, these lands are worthy of special protection. The City of Dover furthermore, has a limited supply of land suitable for development. The purpose of this overriding district is to promote intensive development on the developable land possessing the least conservation value and to permanently protect lands possessing significant conservation features that provide unique values in their undisturbed condition.

   Additionally, it is recognized that the City of Dover has an Open Lands Committee and Conservation Commission who are active in protecting and preserving OPEN SPACE.

C. Applicability. Upon request by an APPLICANT for development approval and at the discretion of the PLANNING BOARD, the provisions of this subsection may apply to the district(s) defined in this subsection E below.

D. Districts Defined.

   (1) The Industrial TDR DISTRICT is hereby determined to be any I-4 or B-4 zoning district as shown on the Zoning Map for the City of Dover, New Hampshire, adopted December 9, 2009. The SENDING AREA is defined to be OPEN SPACE and related SETBACKs as defined by the City of Dover Wetland Protection District, Chapter 170-27.1, which are located in any I-4 or B-4 zoning district. The RECEIVING AREA is defined to be all remaining land in be any I-4 or B-4 zoning district.

   (2) The Residential TDR DISTRICT is hereby determined to be Residential districts noted or displayed on the Zoning Map for the City of Dover, New Hampshire, adopted December 9, 2009. The SENDING AREA is defined to be any land preserved by the City of Dover through conservation programs in the R-40 or R-20 residential zoning districts. The RECEIVING AREA is defined to be all non-R-40 or R-20 zoning districts east of the Spaulding Turnpike which allow residential development.

      a. <u>If the units created are purchased, the receiving area may be any zoning district that allows residential development.</u>

E. Procedural Requirements.

(1) At the discretion of the PLANNING BOARD, an APPLICANT for development approval within the RECEIVING AREA of the defined Industrial TDR DISTRICT may apply the performance standards specified in Subsection F below in return for the acquisition of land or DEVELOPMENT RIGHTS from the SENDING AREA within the same TDR DISTRICT. The performance standards for the Residential TDR DISTRICT are outlined in Subsection G below.

(2) A certified boundary survey of the associated land in the SENDING AREA shall be submitted as a supplement to the site plan or subdivision plan for development within the RECEIVING AREA. ~~For residential application, proof of previous preservation by the City of Dover is required.~~

(3) The owner of the subject OPEN SPACE within the SENDING AREA of the TDR DISTRICT shall SIGN all application materials as a co- APPLICANT of the development application. For residential application, proof of an agreement to sell DEVELOPMENT RIGHTS must be provided by the Conservation Commission.

(4) A sketch plan estimating layout of the development site and identifying the OPEN SPACE associated with the plan shall be submitted to the PLANNING BOARD for review at a regularly scheduled meeting. The PLANNING BOARD, within thirty (30) days of its review of the sketch plan, shall determine if waivers will be granted as allowed in Subsections ~~G~~ F and ~~H~~ G below. Following this decision, a final application is prepared. The final application for development approval shall be reviewed in accordance with the standard plan review process and subjected to all applicable development regulations, except as provided in this section.

(5) A perpetual easement or restrictive covenant shall be recorded at the Strafford County Registry of Deeds that preserves the designated OPEN SPACE within the SENDING AREA. Said easement or covenant may allow for the continuance of existing residential and agricultural activities, and may allow for utility and access crossings in accordance with subsection I below. The designation of the land protection agency to hold the easement shall be approved by the PLANNING BOARD.

F. Industrial Performance Standards.

(1) Land within a SENDING AREA, when surveyed, approved by the PLANNING BOARD and preserved by easement or covenant as specified in Subsection E above, may be counted for the OPEN SPACE requirement for a development site in a RECEIVING AREA. The amount of land preserved in a SENDING AREA shall equal or exceed the OPEN SPACE requirement for the development site, but in no case be less than one (1) acre. Notwithstanding, development sites within the I-4 and

B-4 zoning districts shall maintain OPEN SPACE or landscaped area on at least ten percent (10%) of the site. The design of the development site shall locate the OPEN SPACE or landscaped area to maximize the aesthetic value of the site.

(2) The minimum LOT size requirement may be waived by the PLANNING BOARD for land subjected to the TRANSFER OF DEVELOPMENT RIGHTS.

(3) The minimum FRONTAGE requirement may be waived by the PLANNING BOARD for land subjected to the TRANSFER OF DEVELOPMENT RIGHTS provided that paved access to all developed areas suitable for emergency vehicles is approved by the PLANNING BOARD.

(4) SETBACKs for parking, paved areas, and BUILDINGs may be waived by the PLANNING BOARD, and be consistent with the intent to promote intensive development of suitable development sites. Notwithstanding, BUILDINGs shall be at least one hundred fifty (150) feet from residential STRUCTUREs that exist on the date of enactment of the I-4 and B-4 Zoning districts, and seventy five (75) feet from the LOT LINE of a disagreeing residential ABUTTER.

(5) The developer shall record covenants that address architectural considerations for STRUCTUREs, SIGNAGE and lighting that are designed to promote the highest possible aesthetic quality of the development site.

(6) A landscaping plan shall be submitted with a development application that depicts landscaping or OPEN SPACE around the perimeter of the site, near the proposed BUILDINGs, and within the parking LOT that promotes the highest possible aesthetic quality of the development.

G. Residential Performance Standards.

(1) ~~A residential TRANSFER OF DEVELOPMENT RIGHTS APPLICANT may pursue one of the following methods for TRANSFERING DEVELOPMENT RIGHTS.~~ Annually, the City shall update a document identifying the cumulative cost per acre spent to preserve OPEN SPACE within the City of Dover. This list shall be kept on file in the Department of Planning and Community Development, and coordinated with the Conservation Commission. This cost shall become the value at which DEVELOPMENT RIGHTS may be purchased.

(2) Proceeds from the purchase of DEVELOPMENT RIGHTS, shall be placed into the Conservation Fund to be used to purchase future property or easements, or monitor easements, and not into the general fund.

(3) A residential TRANSFER OF DEVELOPMENT RIGHTS APPLICANT may pursue one of the following methods for TRANSFERING DEVELOPMENT RIGHTS.
(a) ~~Private land transfer~~ Single Family Detached method.

i. An applicant shall develop a baseline yield for the lot to be developed, through the following formula
   1. The square footage of the parent lot minus environmental constraints (wetlands, conservation areas etc) is the base lot size.
   2. The base lot size is then reduced by fifteen (15) percent to account for roadway, this creates the net area.
   3. The net area is then multiplied by a factor determined by the amount of wetlands over the parent lot. This is the developable area.

Percentage of Parcel that is wetlands	Factor
0<10%	0.85
10<20%	0.8
20<30%	0.75
30%<	.7

   4. The developable area is the divided by the minimum lot size, and the whole number value is the base number, with no rounding.
      a. This base number is not required to be restricted by the requirements in subsection iii.

ii. The transfer shall equate to one of the following calculations:
   1. For construction of units no larger than one thousand (1,000) square feet, of total living area, two (2) units per DEVELOPMENT RIGHT purchased shall be allowed.
   2. For construction of units no larger than fourteen hundred (1,400) square feet, of total living area, one and a half (1.5) units per DEVELOPMENT RIGHT purchased shall be allowed. The unit count shall be the whole number value and not rounded up.
      a. If the math to devise the base number ends in more than half a unit but less than a whole, and a transfer is purchased, the result would be two (2) dwelling units.

iii. The units created, through the transfer must be:
   1. Sold, and are not for rental purposes
   2. Limited to the square footage originally constructed.

iv. A note shall be placed on the approved plan and any Building Permit shall note the adherence to this section of the Code.

v. A note shall be placed in the property/unit deed citing the restrictions listed above.

~~(i) For land in the sending district to be eligible for a TRANSFER OF DEVELOPMENT RIGHTS, it must be a parcel of at least five (5) acres, and developable under the existing land use regulations.~~

~~(ii) Land within a SENDING AREA, when surveyed, endorsed by the Conservation Commission/Open Lands Committee, approved by the PLANNING BOARD and preserved by easement or covenant as specified in subsection E above, may be counted for the minimum lot size requirement for a development site in a RECEIVING AREA. The criteria used by Open Lands Committee to rank parcels shall be listed on the application.~~

(b) ~~Land bank~~ Attached Single Family, Two family, three family and 4 or more method

(i) The transfer may be through the purchase of development rights, as described in G) (1) and (2), or through the protection of land via a permanent conservation easement as per section E) (5). ~~For land in the sending district to be eligible for a TRANSFER OF DEVELOPMENT RIGHTS, it must be a parcel or easement purchased by the City through the use of Conservation funds allocated and approved by the City Council.~~

(ii) The transfer shall equate to one (1) unit per acre preserved, or purchased. If the end result is a village themed residential/commercial project, the transfer shall equate to one (1) unit per tenth (10th) of an acre preserved or purchased. ~~Annually, the City shall update a document identifying the cumulative cost per acre spent to preserve OPEN SPACE within the City of Dover. This list shall be kept on file in the Department of Planning and Community Development, and coordinated with the Conservation Commission.~~

~~(iii) Proceeds from the purchase of DEVELOPMENT RIGHTS, shall be placed into the Conservation Fund to be used to purchase future property or easements, and not into the general fund.~~

(4) ~~Regardless of the method utilized, the transfer shall equate to one (1) unit per acre preserved. If the end result is a village themed residential/commercial project, the transfer shall equate to one (1) unit per tenth (10th) of an acre preserved. A minimum of three (3) acres shall be purchased.~~ Regardless of the method utilized, the minimum LOT size requirement may be waived by the PLANNING BOARD for land subjected to the TRANSFER OF DEVELOPMENT RIGHTS.

(5) Regardless of the method utilized, the setbacks shall be:

MINIMUM DISTANCE AROUND INDIVIDUAL UNITS IN CLUSTERS		MINIMUM BUILDING SETBACKS FOR SUBDIVISION LOTS	
STREET Sides of Units	Between Units	Abutting A STREET	Abutting A LOT LINE
20 feet	20 feet	20 feet	10 feet

(6) Regardless of the method utilized, the minimum ~~LOT size requirement may be waived by the PLANNING BOARD for land subjected to the TRANSFER OF DEVELOPMENT RIGHTS.~~ FRONTAGE requirement may be waived by the PLANNING BOARD, for land subjected to the TRANSFER OF DEVELOPMENT RIGHTS provided that paved access to all developed areas suitable for emergency vehicles is approved by the PLANNING BOARD.

a. If lots are proposed, the minimum frontage allowed shall be forty (40) feet per unit

(7) ~~Regardless of the method utilized, the minimum FRONTAGE requirement may be waived by the PLANNING BOARD for land subjected to the TRANSFER OF DEVELOPMENT RIGHTS provided that paved access to all developed areas suitable for emergency vehicles is approved by the PLANNING BOARD.~~ A continuous visual buffer shall be created along the perimeter of the parent parcel.

(8) Regardless of the method utilized, any other provision in this Chapter to the contrary, the density or intensity of development of a receiving parcel may be increased by the TRANSFER OF DEVELOPMENT RIGHTS so long as the increase in density or intensity:

(a) Is consistent with the Master Plan

(b) Is not incompatible with the land uses on neighboring LOTs (eg a multifamily building in a single family neighborhood)

~~H. Conditional Uses.~~

~~(1) The PLANNING BOARD may grant conditional use permits to allow STREETs, roads, utilities, or other infrastructure improvements to cross wetlands within the RECEIVING AREA of the TDR DISTRICT, provided said infrastructure is essential to the productive use of land within the RECEIVING AREA of a TDR DISTRICT, and further provided that no possible location exists for said infrastructure in non-wetland areas."~~

EXHIBIT LIST (submitted as separate attached PDF documents)

1. 2018 TDR Amendments Document
2. 2020 TDR Amendments Document
3. Current Dover TDR Code
4. TRC Minutes September 2024
5. Second TRC Minutes September 2024
6. City Snapshot Report 103 Court St
7. December 2024 Staff Memo
8. Applicant Response to TRC
9. Original TDR Application Form
10. Emails with Zoning Administrator Paul Crouser
11. Dover Residential TDR Fact Sheet
12. November 2021 Minutes
13. June 2022 Minutes
14. July 2022 Minutes
15. Staff Memo for TDR Site Plan
16. TDR Site Plan Request for Waiver
17. 2023 TDR Amendment Document
18. Cielo Drive Staff Memo
19. November 2023 Minutes
20. Cielo Drive Letter
21. Staff Memo Bellamy Rd
22. Bellamy Meeting minutes
23. Wildcat Plan with Buffer
24. Wildcat Staff Comments
25. March 2023 Minutes
26. 566 Sixth St Plan with Buffer
27. October 2024 Minutes
28. Subdivision Approval at 566
29. Cullen's Appeal to HAB citing Buffer
30. Littleworth Rejection Memo
31. Littleworth Plan
32. Abutter Emails 1
33. Abutter Emails 2
34. December 2024 Minutes
35. Email Director Benton Re: Legal Counsel

Respectfully, Hilary Hamer, 91 Court St.

CITY OF DOVER – ORDINANCE

CITY OF DOVER

Agenda Item: 12.A.3.

Ordinance Number: **O – 2020.07.08 – 007**
Ordinance Title: Zoning – Citywide Area Rezoning, and Text Amendments Revising TDR and Alternative Energy Code
Chapter: 170

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to amend Chapter 170 of the Code of the City of Dover, entitled Zoning, by updating the Code to reflect changes to zoning, certain textual modifications, updates to provisions concerning transfers of development rights, and adoption of an alternative energy code, all as recommended and adopted by the Planning Board.

2. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Section 170-7 "Establishment of Districts", to add a new "Gateway" (G) district to subsection A (3) "Mixed Use".

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Section 170-7 "Establishment of Districts", to add a new subsection (f) and purpose statement to subsection B (3) to read as follows:

"(f) Gateway (G). The purpose of this district is to mark a transition point where you move from the less developed area (the highway, the rural landscape, etc.) to a more formal, densely developed urban core (multi-story buildings, civic buildings, etc.). In Dover the primary Gateways (eg Central Avenue north and south of the downtown core, Broadway, and Portland Avenue) are generally dominated by commercial activity, with buildings of a lower height than those located downtown. Some residual residential activity occurs occasionally as stand-alone buildings, but frequently residential activity is located above ground floor commercial uses. A modest distance between the building and the street exists, with a fair amount of landscaping."

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

"The official Zoning Map of the City of Dover, New Hampshire, dated September 11, 2019, is amended by changing from "Central Business District" (CBD) "Downtown Gateway sub-district" to "Gateway" (G) District an area of approximately 109 acres located along Broadway from New York Street to Oak Street, Portland Avenue from Chapel Street to Atlantic Avenue and Central Avenue between Stark Avenue and Silver Street, and Ham Street to Abbey Sawyer Memorial Highway, consisting of Map 12 lots 1, 2, 3, 4, 5, 6, 20, 21 and 25, Map 15 lots 67, 68, 69, 70, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101,102,

103, 105, 106, 107, 111, 112, 112A, 113 and 113A Map 19 Lots 31, 32, 48, 49, 50 and 51 Map 20 lots 60, 61, 62, 63 and 64 Map 24 lots 1, 2J, 62, 64, 68, 68C, 69, 70, 71, 72, 73, 74, 75, 76, 77109, 110, 111, 111A, 114, 115, 115A, 115B, 116A, 128, 128-B, 129,129-1, 129-2, 130 and 131 Map 26 lots 6, 7A, 8, 9,10,11, 12 and 28A Map 27 Lots 53, 66, 67, 68, 68A, 69, 70, 71, 72, 73, 74, 75143, 144, 145, 147, 148, 149, 150, 169, 170, 171, 184, 185, 186, 203, 204, 205, 219, 222, 223, 224, 225, 226, 227, 273, 274, 275, 276, 277, 278, 286A, 291A, 291C, 291D and 292 Map 28 lots 7, 9A, 10, 11, 12, 12A, 13, 18, 18B and 19 Map 29 Lots 2, 3, 4, 9, 10, 11, 12, 16, 17, 19, 20 and 100 Map 30 lots 120, 120-1, 126, 127, 128, 129-1, 130, 131, 132, 133, 134, 135, 136, 137, 138 and 139 and the portion of Map 24 lot 115B that is within the Downtown Gateway District"

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

"The official Zoning Map of the City of Dover, New Hampshire, dated September 11, 2019, is amended by changing from "Office" (0) to "Gateway" (G) District an area of approximately .77 acres located along Reservoir Street and Mount Vernon Street, consisting of Map 29 lots 1, 5, 6 and 7"

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

"The official Zoning Map of the City of Dover, New Hampshire, dated September 11, 2019, is amended by changing from Urban Density Multi-Residential District (RM-U) to "Gateway" (G) District an area of approximately .38 acres located along Reservoir Street and Mount Vernon Street, consisting of Map 30 lots 141-B"

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

"The official Zoning Map of the City of Dover, New Hampshire, dated September 11, 2019, is amended by changing from "Restricted Industrial" (I-1) to "Gateway" (G) District an area of approximately 24 acres located along Locust Street and Rutland Street, consisting of Map 15 lots 35, 36, 37, 38, 39, 41, 42, 21, and 62 as well as the portion of Map 15 lots 40, 45 and 51 zoned I-1"

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

"The official Zoning Map of the City of Dover, New Hampshire, dated September 11, 2019, is amended by changing from "Restricted Industrial" (I-1) to "Gateway" (G) District an area of approximately 9.4 acres located along Oak Street, consisting of the portions of Map 24 lot 2-A and Map 26 lot 3-1 zoned I-1"

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

"The official Zoning Map of the City of Dover, New Hampshire, dated September 11, 2019, is amended by changing from "Thoroughfare Business" (B-3) to "Gateway" (G) District an area of approximately 21.9 acres located along Portland Avenue and Oak Street, consisting of Map 25 Lots 43, 43-A, 43-C, 43-D, 43-E, 43-F, 43-G, 43-H, 47, and 48 and the portion of Map 25 lots 43-B, 46 zoned B-3."

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

"The official Zoning Map of the City of Dover, New Hampshire, dated September 11, 2019, is amended by changing from "Office" (O) to "Gateway" (G) District an area of approximately 25 acres located along New Rochester Road, consisting of Map 39 lots 17, 18, 29, 26, 27, 28, 29, 36, 37, 38, 39, 49, 50, 51, 52, 63, 64, 69A, 69E, 69F, 69I, 69J, 69K, 99, 100, 101, and 106 and Map 40 lots 4, 5, 6, 13, 14, 15, 16, 35, 35-A, 36, 37 and 38 and the portions of Map 39 lots 34, 47, 53, 61, 66, 75, 102, 103, 104 and 105 and Map 40 lots 2, 7, 12, 38, 38B, 38F, 47 and 17 zoned O"

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

"The official Zoning Map of the City of Dover, New Hampshire, dated September 11, 2019, is amended by changing from "Neighborhood Business" (B-1) to "Gateway" (G) District an area of approximately 5.2 acres located along Dover Point Road and Old Dover Point Road, consisting of Map M lots 24, 24-A, 25, 26, 48, and 49."

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

"The official Zoning Map of the City of Dover, New Hampshire, dated September 11, 2019, is amended by changing from "Highway Business" (B-5) to "Gateway (G) District an area of approximately 30 acres located along Central Avenue, consisting of Map 15 lots 4, 19, 20 and 71 and Map 16 lots 1, 2, 3, 5, 6, 7, 8, 9, 10. 11. 13-A and 38 and Map 17 lots 76 and 76-E-1."

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

"The official Zoning Map of the City of Dover, New Hampshire, dated September 11, 2019, is amended by changing from "Low Density Residential" (R-20) to "Gateway" (G) District an area of approximately 7.4 acres located along Durham Road, consisting of Map H lot 11, and Map I lot 7"

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

"The official Zoning Map of the City of Dover, New Hampshire, dated September 11, 2019, is amended by changing from "Medium Density Residential" (R-12) to "Gateway" (G) District an area of approximately 17.2 acres located along Cataract Avenue and Rutland Street, consisting of Map 13 lots 23, 24, 25, 26, 27, and Map 15 lots 14, 15, 16, 17, 18, 58, 59, 60, 61, 63, 65, 66A, 15-1, 66."

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

"The official Zoning Map of the City of Dover, New Hampshire, dated September 11, 2019, is amended by changing from "Suburban Density Multi-Residential" (RM-SU) to "Gateway" (G) District an area of approximately 7.9 acres located along Cataract Avenue and Rutland Street, consisting of Map 14 lots 14, 16, 17, 17-A, and Map 15 lotS 12, 13, 13-A, 13-B."

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Section 170-20 "Central Business District Regulations" as a whole by replacing any instance of the term "Downtown Gateway Sub-district " with Gateway District"

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Section 170-12 "Applicability of tables of use and dimensional regulations by district", to remove the "Downtown Gateway" table and replace it with a "Gateway" table, in the same order as 170-7, to read as attached:

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Section 170-6 "Definitions", to amend the definition of "Lot" to read as attached:

> **LOT** means a parcel of land which fronts on and has ingress and egress by means of a public vehicular right-of way and is occupied by, or is intended to be occupied by one (1) PRINCIPAL BUILDING and its accessory BUILDINGs or uses customarily incidental to it, together with such OPEN SPACEs and yards as are required by this Chapter. More than one (1) PRINCIPAL BUILDING may be placed on a LOT located in the Central Business or Gateway District. More than one (1) PRINCIPAL BUILDING may also be placed on a LOT in all other districts with PLANNING BOARD approval for non-residential developments, MULTI-FAMILY DWELLING developments, and OPEN SPACE subdivisions.

3. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Section 170-7 "Establishment of Districts", to remove the "Restricted Industrial" (I-1) district from subsection A (2) "Nonresidential".

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Section 170-7 "Establishment of Districts", to remove the "Restricted Industrial" (I-1) district from subsection B (2) (e) "Nonresidential", eliminating the purpose statements [1] and [2] and renumbering subsequent items to reflect the elimination.

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

"The official Zoning Map of the City of Dover, New Hampshire, dated September 11, 2019, is amended by changing from Restricted Industrial (I-1) to Urban Density Multi-Residential District (RM-U) District an area of approximately 4.2 acres located along Maple Street, consisting of Map 30 lots 19, 19-A and 19-B, and the portion of Map 30 lots 4 and 18 zoned I-1"

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Section 170-12 "Applicability of tables of use and dimensional regulations by district", to remove the "Restricted Industrial" (I-1) table in its entirety.

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by eliminating Section 170-19 "Flexible Uses in the I-1 District" in its entirety and replacing it with a "reserved" notation.

4. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

"The official Zoning Map of the City of Dover, New Hampshire, dated September 11, 2019, is amended by changing from "Medium Density Residential" (R-12) to "Hotel/Retail" (B-4) District an area of approximately 20 acres located along Indian Brook Drive, Alder Lane, Wilbroad Ave and Glenwood, consisting of Map D lots 18-3, 18-4, 18-5, 18-6, 18-9, 18-10 and the portion of Map D lots 18-7 and 18-8 from the Centerline of Indian Brook drive into the lot 200' and the portion of Map D lots 19 and 20, the portion of the lot between the Indian Brook Drive centerline and 400; from Glenwood."

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

"The official Zoning Map of the City of Dover, New Hampshire, dated September 11, 2019, is amended by changing from "Medium Density Residential" (R-12) to "Executive and Technology

Park" (ETP) District an area of approximately 14 acres located along Sixth Street, consisting of Map E lots 20, 20-D, 73, 73-A, and the portion of Map E lot 19 up to 400' from the Sixth Street centerline and Map E lots 19 and 19B."

5. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Section 170-7 "Establishment of Districts", to remove the "Neighborhood Business" (B-1) district from subsection A (2) "Nonresidential".

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Section 170-7 "Establishment of Districts", to remove the "Neighborhood Business" (B-1) district from subsection B (2) (a) "Nonresidential", eliminating the purpose statements and renumbering subsequent items to reflect the elimination.

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

"The official Zoning Map of the City of Dover, New Hampshire, dated September 11, 2019, is amended by changing from "Neighborhood Business" (B-1) to "Thoroughfare Business" (B-3) District an area of approximately .5 acres located along Weeks Lane, consisting of Map 39 lot 4 and Map 38 lot 38."

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

"The official Zoning Map of the City of Dover, New Hampshire, dated September 11, 2019, is amended by changing from "Medium Density Residential" (R-12) to "Thoroughfare Business" (B-3) District an area of approximately .4 acres located along Pinecrest Lane, consisting of Map 38 lots 38 Lots 41 and 42."

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Section 170-12 "Applicability of tables of use and dimensional regulations by district", to remove the "Neighborhood Business" (B-1) table in its entirety.

6. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

"The official Zoning Map of the City of Dover, New Hampshire, dated September 11, 2019, is amended by changing from "Rural Residential" (R-40) to "Hotel/Retail" (B-4) District an area of approximately 39 acres located along Durham Road and Mast Road, consisting of Map H lots 4-2, 4-B, 4-G, 4-L, 5 and 5A and Map I lot 22A, and the portion of Map I lot 22 that is 225' off the centerline of Mast Road and 194' off Durham Road."

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

"The official Zoning Map of the City of Dover, New Hampshire, dated September 11, 2019, is amended by changing from "Low Density Residential" (R-20) to "Hotel/Retail" (B-4) District an area of approximately 3.4 acres located along Durham Road and Mast Road, consisting of Map I lots 20-E, 20-F, 20-G, 20-H, 21, and 20-J."

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

7"The official Zoning Map of the City of Dover, New Hampshire, dated September 11, 2019, is amended by changing from "Low Density Residential" (R-20) to "Suburban Density Multi-Residential" (RM-SU) District an area of approximately 2.3 acres located along Surrey Run, consisting of Map I lot 20I"

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

"The official Zoning Map of the City of Dover, New Hampshire, dated September 11, 2019, is amended by changing from "Rural Residential" (R-40) to "Office and Assembly" (I-4) District an area of approximately 29 acres located off Durham Road and Spruce Lane, consisting of a portion of Map I lot 27."

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

"The official Zoning Map of the City of Dover, New Hampshire, dated September 11, 2019, is amended by changing from "Hotel/Retail" (B-4) to "Office and Assembly" (I-4) District an area of approximately 45 acres located along Durham Road, consisting of Map I lots 22D, 24, 122, 123, 129, 131 and 132."

7. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

"The official Zoning Map of the City of Dover, New Hampshire, dated September 11, 2019, is amended by changing from "Low Density Residential" (R-12) to "Rural Restricted Industrial District" (I-2) District an area of approximately 101 acres located along Littleworth Road and Old Littleworth Road, consisting of Map H lots 25, 26, 26-1, 26A, 27, 28A, 28, 28-1, 29-A, 29-A-1, 29-A-2, 29-A-3, 29-A-4, 29-A-5, 30, 31and 31-A, and Map 11 lots 1 and 2A and the portion of Map G lot 5 zoned R-20"

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

"The official Zoning Map of the City of Dover, New Hampshire, dated September 11, 2019, is amended by changing from "Hotel/Retail" (B-4) to "Rural Restricted Industrial District" (I-2) District an area of approximately 54 acres located along Knox Marsh Road, consisting of Map H lots 32, 32A-1, 32A-2, 33, 33A, 33B, 33-B, 33-C, 33-E and 34."

8. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Section 170-7 "Establishment of Districts", to rename the "Rural Restricted Industrial" (I-2) District to "Commercial Manufacturing" (CM) District in subsection A(2) "Nonresidential".

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Section 170-7 "Establishment of Districts", to rename the "Rural Restricted Industrial" (I-2) District to "Commercial Manufacturing" (CM) District in subsection B(2).

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Section 170-12 "Applicability of tables of use and dimensional regulations by district", to remove the "Rural Restricted Industrial" (I-2) table and replace it with the "Commercial Manufacturing" (CM) District, in the same order as 170-7, to read as attached:

9. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Section 170-7 "Establishment of Districts", to rename the "Thoroughfare Business" (B-3) District to "Commercial" (C) District in subsection A (2) "Nonresidential".

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Section 170-7 "Establishment of Districts", to rename the "Thoroughfare Business" (B-3) District to "Commercial" (C) District in subsection B(2).

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Section 170-12 "Applicability of tables of use and dimensional regulations by district", to remove the "Thoroughfare Business" (B-3) table and replace it with the "Commercial" (C) District, in the same order as 170-7, to read as attached:

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

"The official Zoning Map of the City of Dover, New Hampshire, dated September 11, 2019, is amended by changing from "Highway Business" (B-5) to "Commercial" (C) District an area of approximately 30 acres located along •Indian Brook Drive, New Rochester Rd and Willand Pond Ave, consisting of Map 39 lots 9, 11, 11-B, 15, 16, 76, 79, 80, 81, 82, 83, 93, 94, 95, 96, 97 and 113-B."

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

"The official Zoning Map of the City of Dover, New Hampshire, dated September 11, 2019, is amended by changing from "Hotel/Retail" (B-4) to "Commercial" (C) District an area of approximately 108 acres located along Indian Brook Drive, Heather Lane and Sixth Street, consisting of Map D lots 16-A, 16-F, 16-G, 17, 17-B, 17-C , 17-D, 17-E, 17-F , 18, 18-10, and the portion of Map D lots 16 and 16-B that is within 400' of the centerline of Sixth Street."

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

"The official Zoning Map of the City of Dover, New Hampshire, dated September 11, 2019, is amended by changing from "Hotel/Retail" (B-4) to "Office and Assembly" (I-4) District an area of approximately 72.3 acres located along Sixth Street, consisting of Map D lots 5A and 15 and the portion of Map D lot 16 and 16-B that is further than 400' from the centerline of Sixth Street."

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

"The official Zoning Map of the City of Dover, New Hampshire, dated September 11, 2019, is amended by changing from "Hotel/Retail" (B-4) to "Commercial" (C) District an area of approximately 77 acres located along Knox Marsh Road, consisting of Map H lots 37, 37-A, 37-B, 37-C, 38, 38-A, 38-B, 39, 40-B, 40, 40-6, 40-C, 40-C-1, 40-D, 40-E, 40-F, 40-G, and the portion of Map H lot 35-D that is zoned B-4."

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

"The official Zoning Map of the City of Dover, New Hampshire, dated September 11, 2019, is amended by changing from "Hotel/Retail" (B-4) to "Commercial" (C) District an area of approximately 48 acres located along Durham Road and Mast Road, consisting of Map H lots 1, 1-B, 2, 2B, 3, 4N, 4-1 and 4-3."

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Section 170-7 "Establishment of Districts", to eliminate the "Hotel/Retail" (B-4) and "Highway Business" (B-5) District in subsection A(2).

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Section 170-7 "Establishment of Districts", to eliminate the "Hotel/Retail" (B-4) and "Highway Business" (B-5) District in subsection B(2).

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Section 170-12 "Applicability of tables of use and dimensional regulations by district", to remove the "Hotel/Retail" (B-4) table and "Highway Business" (B-5) table.

10. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Section 170-7 "Establishment of Districts", to rename the "Office and Assembly" (I-4) District to "Innovative Technology" (IT) District in subsection A(2) "Nonresidential".

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Section 170-7 "Establishment of Districts", to rename the "Office and Assembly" (I-4) District to "Innovative Technology" (IT) District in subsection B(2).

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Section 170-12 "Applicability of tables of use and dimensional regulations by district", to remove the

"Office and Assembly" (I-4) table and replace it with the "Innovative Technology" (IT) District, in the same order as 170-7, to read as attached:

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

"The official Zoning Map of the City of Dover, New Hampshire, dated September 11, 2019, is amended by changing from "Executive Technology Park" (ETP) to "Innovative Technology" (IT) District an area of approximately 406 acres located along Sixth Street, consisting of Map E lots 24, 24-1, 26-B, 27-1, 27-A, 27-B, 27-C, 17-D, 27-E, 28, 29, 31, 32, 32-1, 32-2, 32-4, 33, 70A and 70B."

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

"The official Zoning Map of the City of Dover, New Hampshire, dated September 11, 2019, is amended by changing from "Executive Technology Park" (ETP) to "Innovative Technology" (IT) District an area of approximately 102 acres located along Pointe Place, consisting of Map K lots 18A-10, 19, 19-1, 19-2, 19-3, 19-4, 19-5, 19-7 and Map M lots 4, and 4-OPN, and the portion of Map K lots 19-C, 19-B, 22, 23, 24, 25, 25-B zoned ETP."

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Section 170-7 "Establishment of Districts", to eliminate the "Executive Technology Park" (ETP) District in subsection A(2).

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Section 170-7 "Establishment of Districts", to eliminate the "Executive Technology Park" (ETP) District in subsection B(2).

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Section 170-12 "Applicability of tables of use and dimensional regulations by district", to remove the "Executive Technology Park" (ETP) District table.

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Section 170-15 "Recreation Space and Separation between Use Requirements", to amend sub section F as follows:

"F. All screening and setback requirements pursuant to this section shall not be binding in the ~~ETP~~ IT or any Mixed Use Zoning District."

11. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Section 170-21 "Small Wind Energy Systems" to update and amend as follows:

" 170-21. ~~SMALL WIND~~ Alternative ENERGY SYSTEMS.

A. Authority/Purpose:

This ~~SMALL WIND~~ Alternative ENERGY SYSTEMs ordinance is enacted in accordance with RSA 674:62-66, and the purposes outlined in RSA 672:1-III-a. The purpose of this ordinance is to accommodate ~~SMALL WIND~~ Alternative ENERGY SYSTEMs in appropriate locations, while protecting the public's health, safety and welfare. In addition, this ordinance provides a permitting process for ~~SMALL WIND~~ Alternative ENERGY SYSTEMs to ensure compliance with the provisions of the requirements and standards established herein.

B. Procedure for Review:

(1) Building Permit: ~~SMALL WIND~~ Alternative ENERGY SYSTEMs and met TOWERs are an ACCESSORY USE permitted in all zoning districts where STRUCTUREs of any sort are allowed. No ~~SMALL WIND~~ Alternative ENERGY SYSTEM shall be erected, constructed, or installed without first receiving a BUILDING permit from the Building Inspector. A BUILDING permit shall be required for any physical MODIFICATION to an existing ~~SMALL WIND~~ Alternative ENERGY SYSTEM. Met TOWERs that receive a BUILDING permit shall be permitted on a temporary basis not to exceed three (3) years from the date the BUILDING permit was issued.

(2) Consumer Use. For the purposes of this Section, Alternative energy systems are intended to be incidental and subordinate to a use on the same parcel and shall supply electrical power principally for on-site consumption.

a. To the extent net metering is allowed, excess power may be contributed to the grid. Should the excess power contributed exceed 125% of the power required on site for one year, the use shall be considered no longer be incidental and subordinate, and shall require Technical Review.

(3) Application: Applications submitted to the Building Inspector shall contain a site plan with the following information where appropriate:

(a) Property lines and physical dimensions of the APPLICANT's property.

(b) Location, dimensions, and types of existing major STRUCTUREs on the property.

(c) Location of the proposed ~~SMALL WIND~~ Alternative ENERGY SYSTEM, including, foundations, guy anchors and associated equipment.

(d) TOWER foundation blueprints or drawings.

(e) TOWER blueprints or drawings.

(f) SETBACK requirements as outlined in this ordinance.

(g) The RIGHT-OF-WAY of any public road that is CONTIGUOUS with the property.

(h) Any overhead utility lines.

(i) SMALL WIND ENERGY SYSTEM:

i. Specifications, including manufacturer, model, rotor diameter, TOWER HEIGHT, TOWER type, nameplate generation capacity.

ii. SMALL WIND ENERGY SYSTEMs that will be connected to the POWER GRID shall include a copy of the application for interconnection with their electric utility provider.

iii. Sound level analysis prepared by the WIND GENERATOR manufacturer or qualified engineer.

iv. Electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the NH State Building Code.

v. Evidence of compliance or non-applicability with Federal Aviation Administration requirements.

(j) Solar Panel Systems

i. Specifications, including manufacturer, model, type, nameplate generation capacity.

ii. Solar Panels that will be connected to the POWER GRID shall include a copy of the application for interconnection with their electric utility provider.

iii. Electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the NH State Building Code, as well as applicable Electric Code.

(k) List of ABUTTERs to the APPLICANT's property.

(4) ABUTTER and Regional Notification: In accordance with RSA 674:66, the Building Inspector shall notify all ABUTTERs and the local governing body by certified mail upon application for a BUILDING permit to construct an ~~SMALL WIND~~ Alternative ENERGY SYSTEM. The public will be afforded 30 days to submit comments to the Building Inspector prior to the issuance of the BUILDING permit. The Building Inspector shall review the application for regional impacts per RSA 36:55. If the proposal is determined to have potential regional impacts, the Building Inspector shall follow the procedures set forth in RSA 36:57, IV.

C. SMALL WIND ENERGY SYSTEM Standards:

(1) The Building Inspector shall evaluate the application for compliance with the following standards;

(a) SETBACK: The SETBACK shall be calculated by multiplying the minimum SETBACK requirement number by the SYSTEM HEIGHT and measured from the center of the

TOWER base to property line, public roads, or nearest point on the foundation of an occupied BUILDING.

Minimum SETBACK Requirements			
Occupied BUILDINGs on Participating Landowner Property	Occupied BUILDINGs on Abutting Property	Property Lines of Abutting Property and Utility Lines	Public Roads
0	1.5	1.1	1.5

(i) SMALL WIND ENERGY SYSTEMs must meet all SETBACKs for principal STRUCTUREs for the zoning district in which the system is located.

(ii) Guy wires used to support the TOWER are exempt from the SMALL WIND ENERGY SYSTEM SETBACK requirements.

(b) TOWER: The maximum TOWER HEIGHT shall be restricted to thirty five (35) feet above the tree canopy within three hundred (300) feet of the SMALL WIND ENERGY SYSTEM. In no situation shall the TOWER HEIGHT exceed one hundred fifty (150) feet.

(c) Sound Level: The SMALL WIND ENERGY SYSTEM shall not exceed sixty (60) decibels using the A scale (dBA), as measured at the site property line, except during short-term events such as severe wind storms and utility outages.

(d) SHADOW FLICKER: SMALL WIND ENERGY SYSTEMs shall be sited in a manner that does not result in significant SHADOW FLICKER impacts. Significant SHADOW FLICKER is defined as more than thirty (30) hours per year on abutting occupied BUILDINGs. The APPLICANT has the burden of proving that the SHADOW FLICKER will not have significant adverse impact on neighboring or adjacent uses. Potential SHADOW FLICKER will be addressed either through siting or mitigation measures.

(e) SIGNs: All SIGNs including flags streamers and decorative items, both temporary and permanent, are prohibited on the SMALL WIND ENERGY SYSTEM, except for manufacturer identification or appropriate warning SIGNs.

(f) Code Compliance: The SMALL WIND ENERGY SYSTEM shall comply with all applicable sections of the New Hampshire State BUILDING Code.

(g) Aviation: The SMALL WIND ENERGY SYSTEM shall be built to comply with all applicable Federal Aviation Administration regulations including but not limited to 14 C.F.R. part 77, subpart B regarding installations close to airports, and the New Hampshire Aviation regulations, including but not limited to RSA 422-b and RSA 424.

(h) Visual Impacts: It is inherent that SMALL WIND ENERGY SYSTEMs may pose some visual impacts due to the TOWER HEIGHT needed to access wind resources. The purpose of this section is to reduce the visual impacts, without restricting the owner's access to the optimal wind resources on the property.

(i) The APPLICANT shall demonstrate through project site planning and proposed mitigation that the SMALL WIND ENERGY SYSTEM's visual impacts will be minimized for surrounding neighbors and the community. This may include, but not be limited to information regarding site selection, WIND GENERATOR design or appearance, buffering, and screening of ground mounted electrical and control equipment. All electrical conduits shall be underground, except when the financial costs are prohibitive.

(ii) The color of the SMALL WIND ENERGY SYSTEM shall either be the stock color from the manufacturer or painted with a non-reflective, unobtrusive color that blends in with the surrounding environment. Approved colors include but are not limited to white, off-white or gray.

(iii) A SMALL WIND ENERGY SYSTEM shall not be artificially lit unless such lighting is required by the Federal Aviation Administration (FAA). If lighting is required, the APPLICANT shall provide a copy of the FAA determination to establish the required markings and/or lights for the SMALL WIND ENERGY SYSTEM.

(i) Approved WIND GENERATORS: The manufacturer and model of the WIND GENERATOR to be used in the proposed SMALL WIND ENERGY SYSTEM must have been approved by the California Energy Commission or the New York State Energy Research and Development Authority, or a similar list approved by the state of New Hampshire, if available.

(j) Utility Connection: If the proposed SMALL WIND ENERGY SYSTEM is to be connected to the POWER GRID through NET METERING, it shall adhere to RSA 362-A:9.

(k) Access: The TOWER shall be designed and installed so as not to provide step bolts or a ladder readily accessible to the public for a minimum HEIGHT of eight (8) feet above the ground. All ground-mounted electrical and control equipment shall be labeled and secured to prevent unauthorized access.

(l) Clearing: Clearing of natural vegetation shall be limited to that which is necessary for the construction, operation and maintenance of the SMALL WIND ENERGY SYSTEM and as otherwise prescribed by applicable laws, regulations, and ordinances.

D. Solar Panel Standards

a. Lot Coverage: solar systems do not constitute an increase to lot coverage unless the panel(s)/collector(s) and supporting structures constitute a building.

b. Placement of solar systems:

i. The height of a roof mounted solar panel shall not be counted towards the maximum permitted height of the structure it is affixed to the zoning district.

ii. Ground-mounted solar panels, shall not be located in the front yard and shall meet or exceed required side and rear yard setbacks for accessory buildings.

iii. In no case shall a ground mounted unit exceed 20 feet in height.

iv. When solar storage batteries are included as part of the solar energy system, they must be housed in a secure space or enclosure meeting the requirements of the City's building and electrical codes when in use and, when no longer used, shall be disposed of in accordance with all applicable City, state and federal laws and regulations.

E. ~~D.~~ Abandonment:

(1) At such time that a SMALL WIND ENERGY SYSTEM is scheduled to be abandoned or discontinued, the APPLICANT will notify the Building Inspector by certified U.S. mail of the proposed date of abandonment or discontinuation of operations.

(2) Upon abandonment or discontinuation of use, the owner shall physically remove the SMALL WIND ENERGY SYSTEM within ninety (90) days from the date of abandonment or discontinuation of use. This period may be extended at the request of the owner and at the discretion of the Building Inspector. "Physically remove" shall include, but not be limited to:

(a) Removal of the WIND GENERATOR and TOWER and related above-grade STRUCTUREs.

(b) Restoration of the location of the SMALL WIND ENERGY SYSTEM to its natural condition, except that any landscaping, grading or below-grade foundation may remain in its same condition at initiation of abandonment.

(3) In the event that an APPLICANT fails to give such notice, the system shall be considered abandoned or discontinued if the system is out-of-service for a continuous twelve (12) month period. After the twelve (12) months of inoperability, the Building Inspector may issue a Notice of Abandonment to the owner of the SMALL WIND ENERGY SYSTEM. The owner shall have the right to respond to the Notice of Abandonment within thirty (30) days from Notice receipt date. After review of the information provided by the owner, the Building Inspector shall determine if the SMALL WIND ENERGY SYSTEM has been abandoned. If it is determined that the SMALL WIND ENERGY SYSTEM has not been abandoned, the Building Inspector shall withdraw the Notice of Abandonment and notify the owner of the withdrawal.

(4) If the owner fails to respond to the Notice of Abandonment or if, after review by the Building Inspector, it is determined that the SMALL WIND ENERGY SYSTEM has been abandoned or discontinued, the owner of the SMALL WIND ENERGY SYSTEM shall remove the WIND GENERATOR and TOWER at the owner's sole expense within 3 months of receipt of the Notice of Abandonment. If the owner fails to physically remove the SMALL WIND ENERGY SYSTEM after the Notice of Abandonment procedure, the Building Inspector may pursue legal action to have the SMALL WIND ENERGY SYSTEM removed at the owner's expense.

F. ~~E.~~ Violation:

It is unlawful for any person to construct, install, or operate a SMALL WIND ENERGY SYSTEM that is not in compliance with this ordinance. SMALL WIND ENERGY SYSTEMs installed prior to the adoption of this ordinance are exempt from this ordinance except when MODIFICATIONs are proposed to the SMALL WIND ENERGY SYSTEM.

G. Penalties:

Any person who fails to comply with any provision of this ordinance or a BUILDING permit issued pursuant to this ordinance shall be subject to enforcement and penalties as allowed by RSA 676:17.

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Section 170-6 "Definitions" to add the following terms to read as follows:

"Alternative energy System means a system where energy is derived from a renewable natural source, such as the sun, wind, tides, or waves."

"Energy storage is the capture of energy produced at one time for use at a later time. A device that stores energy is generally called an accumulator or battery. Energy comes in multiple forms including radiation, chemical, gravitational potential, electrical potential, electricity, elevated temperature, latent heat and kinetic. Energy storage involves converting energy from forms that are difficult to store to more conveniently or economically storable forms."

"Geothermal energy means a system generating electricity by tapping into steam or hot water reservoirs underground; the heat is used to drive an electrical generator."

"Ground mounted solar means a system installed on the ground rather than on the roof of a building. This allows the solar panels to be placed anywhere on the property and mounted at any height, from a few inches to many feet off the ground. Ground mounted solar may include motorized ground-mounts that track the sun throughout the day, ensuring the panels are facing the sun at all times."

"Rooftop solar mean a photovoltaic system that generates electricity by capturing solar thermal energy and is mounted on the rooftop of a residential or commercial building or structure"

12. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Section 170-27.2 "Transfer of Development Rights" to update and amend as follows:

"170-27.2. TRANSFER OF DEVELOPMENT RIGHTS.

A. Authority. By the authority granted under RSA 674:21, this section creates overlay district(s) for the purpose of transferring DEVELOPMENT RIGHTS (TDR) within said districts.

B. Purpose and Intent. Within the City of Dover there are certain lands that possess significant conservation features, including but not limited to wetlands, groundwater recharge zones, forested areas, wildlife habitat, farmland, scenic viewsheds, historic landmarks, and linkages to other such areas. Because of their unique assemblages of flora and fauna and their significant contribution to the ecological system and/or the cultural identity of our community, these lands are worthy of special protection. The City of Dover furthermore, has a limited supply of land suitable for development. The purpose of this overriding district is to promote intensive development on the developable land possessing the least conservation value and to permanently protect lands possessing significant conservation features that provide unique values in their undisturbed condition.

   Additionally, it is recognized that the City of Dover has an Open Lands Committee and Conservation Commission who are active in protecting and preserving OPEN SPACE.

C. Applicability. Upon request by an APPLICANT for development approval and at the discretion of the PLANNING BOARD, the provisions of this subsection may apply to the district(s) defined in this subsection E below.

D. Districts Defined.

   (1) The Industrial TDR DISTRICT is hereby determined to be any ~~I-4~~ IT or ~~B-4~~ CM zoning district as shown on the Zoning Map for the City of Dover, New Hampshire, adopted December 9, 2009. The SENDING AREA is defined to be OPEN SPACE and related SETBACKs as defined by the City of Dover Wetland Protection District, Chapter 170-27.1, which are located in any ~~I-4~~ IT or ~~B-4~~ CM zoning district. The RECEIVING AREA is defined to be all remaining land in be any ~~I-4~~ IT or ~~B-4~~ CM zoning district.

   (2) The Residential TDR DISTRICT is hereby determined to be Residential districts noted or displayed on the Zoning Map for the City of Dover, New Hampshire, adopted December 9,

2009. The SENDING AREA is defined to be any land preserved by the City of Dover through conservation programs in the R-40 or R-20 residential zoning districts. The RECEIVING AREA is defined to be all non-R-40 or R-20 zoning districts east of the Spaulding Turnpike which allow residential development.

a. If the units created are purchased, the receiving area may be any zoning district that allows residential development.

E. Procedural Requirements.

(1) At the discretion of the PLANNING BOARD, an APPLICANT for development approval within the RECEIVING AREA of the defined Industrial TDR DISTRICT may apply the performance standards specified in Subsection F below in return for the acquisition of land or DEVELOPMENT RIGHTS from the SENDING AREA within the same TDR DISTRICT. The performance standards for the Residential TDR DISTRICT are outlined in Subsection G below.

(2) A certified boundary survey of the associated land in the SENDING AREA shall be submitted as a supplement to the site plan or subdivision plan for development within the RECEIVING AREA.

(3) The owner of the subject OPEN SPACE within the SENDING AREA of the TDR DISTRICT shall SIGN all application materials as a co- APPLICANT of the development application. For residential application, proof of an agreement to sell DEVELOPMENT RIGHTS must be provided by the Conservation Commission.

(4) A sketch plan estimating layout of the development site and identifying the OPEN SPACE associated with the plan ~~shall~~ ~~may~~ be submitted to the PLANNING BOARD for review at a regularly scheduled meeting. The PLANNING BOARD, within thirty (30) days of its review of the sketch plan, shall determine if waivers will be granted as allowed in Subsections G and H below. Following this decision, a final application is prepared. The final application for development approval shall be reviewed in accordance with the standard plan review process and subjected to all applicable development regulations, except as provided in this section.

a. <u>The determination of whether a proposed TDR project requires a sketch plan review shall be made by the Director of Planning and Community Development based on initial discussions with the applicant. The determination, made in writing,</u>

shall be made prior to the submittal of any plans and shall specify the Director's reasoning, including a review of known conditions, including: traffic, existing layout/topography, environmental. This determination shall be included in the staff report to the Board. If the applicant does not agree with the Director's determination, they may appeal the decision to the Board at its next meeting.

b. If the sketch plan requires an environmental Conditional Use Permit to develop homes, the applicant must appear before the Conservation Commission for review and endorsement prior to the Planning Board's review.

(5) A perpetual easement or restrictive covenant shall be recorded at the Strafford County Registry of Deeds that preserves the designated OPEN SPACE within the SENDING AREA. Said easement or covenant may allow for the continuance of existing residential and agricultural activities, and may allow for utility and access crossings in accordance with subsection I below. The designation of the land protection agency to hold the easement shall be approved by the PLANNING BOARD.

F. Industrial Performance Standards.

(1) Land within a SENDING AREA, when surveyed, approved by the PLANNING BOARD and preserved by easement or covenant as specified in Subsection E above, may be counted for the OPEN SPACE requirement for a development site in a RECEIVING AREA. The amount of land preserved in a SENDING AREA shall equal or exceed the OPEN SPACE requirement for the development site, but in no case be less than one (1) acre. Notwithstanding, development sites within the ~~I-4~~ IT or ~~B-4~~ CM zoning districts shall maintain OPEN SPACE or landscaped area on at least ten percent (10%) of the site. The design of the development site shall locate the OPEN SPACE or landscaped area to maximize the aesthetic value of the site.

(2) The minimum LOT size requirement may be waived by the PLANNING BOARD for land subjected to the TRANSFER OF DEVELOPMENT RIGHTS.

(3) The minimum FRONTAGE requirement may be waived by the PLANNING BOARD for land subjected to the TRANSFER OF DEVELOPMENT RIGHTS provided that paved access to all developed areas suitable for emergency vehicles is approved by the PLANNING BOARD.

(4) SETBACKs for parking, paved areas, and BUILDINGs may be waived by the PLANNING BOARD, and be consistent with the intent to promote intensive development of suitable development sites. Notwithstanding, BUILDINGs shall be at least one hundred fifty (150) feet from residential STRUCTUREs that exist on the date of enactment of the ~~I-4~~ IT or ~~B-4~~ CM Zoning districts, and seventy five (75) feet from the LOT LINE of a disagreeing residential ABUTTER.

(5) The developer shall record covenants that address architectural considerations for STRUCTUREs, SIGNAGE and lighting that are designed to promote the highest possible aesthetic quality of the development site.

(6) A landscaping plan shall be submitted with a development application that depicts landscaping or OPEN SPACE around the perimeter of the site, near the proposed BUILDINGs, and within the parking LOT that promotes the highest possible aesthetic quality of the development.

G. Residential Performance Standards.

(1) Annually, the City shall update a document identifying the cumulative cost per acre spent to preserve OPEN SPACE within the City of Dover. This list shall be kept on file in the Department of Planning and Community Development, and coordinated with the Conservation Commission. This cost shall become the value at which DEVELOPMENT RIGHTS may be purchased.

(2) Proceeds from the purchase of DEVELOPMENT RIGHTS, shall be placed into the Conservation Fund to be used to purchase future property or easements, or monitor easements, and not into the general fund.

(3) A residential TRANSFER OF DEVELOPMENT RIGHTS APPLICANT may pursue one of the following methods for TRANSFERING DEVELOPMENT RIGHTS.

(a) Single Family Detached method

i. An applicant shall develop a baseline yield for the lot to be developed, through the following formula

1. The square footage of the parent lot minus environmental constraints (wetlands, conservation areas etc) is the base lot size.
2. The base lot size is then reduced by fifteen (15) percent to account for roadway, this creates the net area.
3. The net area is then multiplied by a factor determined by the amount of wetlands over the parent lot. This is the developable area.

Percentage of Parcel that is wetlands	Factor
0<10%	0.85
10<20%	0.8
20<30%	0.75
30%<	.7

4. The developable area is the divided by the minimum lot size, and the whole number value is the base number, with no rounding.

    a. This base number is not required to be restricted by the requirements in subsection iii, unless the formula defined in item ii 1. is utilized.

5. The development plan shall be laid out in a design that meets the requirements for block length and cu de sac length.

ii. The transfer shall equate to one of the following calculations:

1. For construction of units no larger than six hundred (600) square feet of total living area, including the base calculated units, there shall be no density limit. The monthly cost of said units shall conform to the HUD Fair Market Rent rates, for Dover, published annually by the New Hampshire Housing Finance Authority, and there shall be no TDR fee collected for said unit(s).

2. For construction of units no larger than one thousand (1,000) square feet, of total living area, two (2) units per DEVELOPMENT RIGHT purchased shall be allowed.
3. For construction of units no larger than fourteen hundred (1,400) square feet, of total living area, one ~~and a half~~ (1~~.5~~) unit per DEVELOPMENT RIGHT purchased shall be allowed. The unit count shall be the whole number value and not rounded up.

a. ~~If the math to devise the base number ends in more than half a unit but less than a whole, and a transfer is purchased, the result would be two (2) dwelling units.~~ Total living area shall mean the size of the home (in square feet) based upon the exterior dimensions, excluding unconditioned spaces.

iii. The units created, through the transfer must be

1. ~~Sold, and are not for rental purposes~~
2. Limited to the square footage originally constructed.

iv. A note shall be placed on the approved plan and any Building Permit shall note the adherence to this section of the Code.

v. A note shall be placed in the property/unit deed citing the restrictions listed above.

vi. The plan shall be considered a subdivision application. Prior to submission, a determination by the Director of Planning and Community Development shall be made whether to follow the minor or major subdivision regulations.

(b) ~~Attached~~ Single Family, Two family, three family and 4 or more method

(i) The transfer may be through the purchase of development rights, as described in G) (1) ~~and (2)~~, or through the protection of land via a permanent conservation easement as per section E) (5).

a. In mixed use or multi-family zones, the base density shall be derived from the underlying zoning, and not through a formula.
b. If the additional unit(s) resulting from TDR are restricted so that the rent of said units conforms to the HUD Fair Market Rent rates, for Dover, published annually by the New Hampshire Housing Finance Authority, there shall be no fee collected for said unit(s).

(ii) The transfer shall equate to one (1) unit per acre preserved, or purchased. If the end result is a village themed residential/non-residential ~~commercial~~ project, whereby 35% of the square footage being created is non-residential the transfer shall equate to one (1) unit per 2,500 square feet ~~tenth (10th)~~ of an acre preserved or purchased.

(iii) Any development approved by the Planning Board after July 1, 2020, which will create a manufacturing or assembly facility over 40,000 square feet, may create and transfer one (1) unit per 2,000 square feet of building approved. The transfer shall not be completed prior to the issuance of the Certificate of Occupancy for the additional space.

(iv) The plan shall be treated as a site plan application, unless otherwise determined by the Director of Planning and Community Development, prior to final submission.

(4) Regardless of the method utilized, the minimum LOT size requirement may be waived by the PLANNING BOARD for land subjected to the TRANSFER OF DEVELOPMENT RIGHTS.

(5) Regardless of the method utilized, the setbacks shall be:

~~**MINIMUM DISTANCE AROUND INDIVIDUAL UNITS IN CLUSTERS**~~		**MINIMUM DISTANCE AROUND INDIVIDUAL UNITS IN CLUSTERS**		
~~STREET Sides of Units~~	~~STREET Sides of Units~~	Abutting A STREET	Abutting A SIDE LOT LINE	Abutting A REAR LOT LINE
~~20 feet~~	~~20 feet~~	20 feet	10 feet	30 feet

(6) Regardless of the method utilized, the minimum FRONTAGE requirement may be waived by the PLANNING BOARD, to no less than forty feet (40') ~~for land subjected to the TRANSFER OF DEVELOPMENT RIGHTS provided that paved~~ Paved access to all developed areas shall be suitable for emergency vehicles ~~is approved by the PLANNING BOARD~~.

(a) ~~If lots are proposed, the minimum frontage allowed shall be forty (40) feet per unit~~

(7) A continuous visual buffer shall be created along the perimeter of the parent parcel, which shall include a thirty (30) foot no cut, no disturb buffer.

(8) Regardless of the method utilized, any other provision in this Chapter to the contrary, the density or intensity of development of a receiving parcel may be increased by the TRANSFER OF DEVELOPMENT RIGHTS so long as the increase in density or intensity:

(a) Is consistent with the Master Plan

(b) Is not incompatible with the land uses on neighboring LOTs (eg a multifamily building in a single family neighborhood)

(c) Is created on property served by public water and sanitary sewer

13. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Section 170-28.2 "Residential-Commercial Mixed Use (RCM) Overlay" to update and amend as follows:

A. **"**Purpose and intent.

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

(2) The mixed residential and commercial uses are intended to be complementary to one another and to create a sense of community between the mixed uses. Housing and commercial uses can be developed to provide appropriate use of land, facilitate the economical and efficient provision of public services, promote open space conservation, protect the natural and scenic attributes of the land, and expand opportunities for the development of housing ~~for older persons, as defined under RSA 354-A:15~~, outside the traditional residential developments.

B. Conditional use permit.

(1) Conditional use approval may be granted by the Planning Board (RSA 674:21, II) after proper public notice and public hearing, provided that the proposed project complies with the following standards:

(a) The applicant demonstrates that the development complies with the design guidelines that are outlined in § 153-16 of the Site Review Regulations. These guidelines encourage a context-sensitive development, which encourages components that act as one project and not as two adjacent projects.

(b) The applicant demonstrates that the development poses no detrimental effects on surrounding properties. Potential areas of impact that need to be analyzed include, but are not limited to, vehicular traffic, noise, property value, visual blight, natural resources degradation, light pollution, and offensive emissions such as dust, odor, or smoke.

(c) The applicant shall submit a fiscal impact analysis as defined in § 157- 21C(1)(b) of the Land Subdivision Regulations. The analysis shall demonstrate that the project is at least a cost-neutral project for the City at present and 10 years from the occupation.

(2) Conditional use approval shall be subject to a formal agreement between the Planning Board and the applicant. Said agreement shall be recorded at the Strafford County Registry of Deeds.

C. Location. The Residential-Commercial Mixed Use Overlay District shall include any parcel located within the CM, IT ~~B-4, I-4~~ or ~~ETP~~ R-40 zone which is greater than 50 acres and has the ability to connect into municipal water and sewer.

D. Permitted uses. The following uses are permitted:

(1) Principal uses.

(a) Housing ~~for older persons as that term is defined under RSA 354-A:15 and 42 U.S.C. § 3607(b)(2) and the regulations adopted thereunder in the following settings:~~

(3) Single-family dwelling, including the use of manufactured housing.
(4) Two-family dwelling.
(5) Three- to four-family dwelling.
(6) Multifamily dwelling.
(7) Manufactured housing parks (permitted outright without a special exception).

B. Public and private utilities.

C. Nonresidential uses as allowed as follows:

(1) Any use allowed in the underlying zone ~~that is compatible with housing for older persons.~~
(2) Barber or beauty shop.
(3) Bank.
(4) Eating/drinking establishments (no drive-through service).
(5) Bed-and-breakfast.
(6) Office.
(7) Retail store.
(8) Theater.
(9) Adult day care.

(10) Nursing homes ~~(in areas not serviced by City water and sewer utilities at a density of one bedroom per 10,000 square feet of land; in areas serviced by City water and sewer utilities~~ at a density of one bedroom per 7,500 square feet of land).

(11) Congregate care facilities ~~(in areas not serviced by City water and sewer utilities at a density of one unit per 10,000 square feet of land; in areas serviced by City water and sewer utilities~~ at a density of one unit per 7,500 square feet of land).

(12) Other uses compatible with housing ~~for older persons~~ may be approved via Conditional Use, using the criteria in 170-20 B(2).

(13) Nonresidential uses in existence at the adoption of this section on adjacent parcels shall be allowed to expand within the development if conceptually shown on the approved plan.

(2) Accessory uses.

(a) Recreational facilities.

(b) "Community building," ~~(i)~~ defined as a building used as a place of meeting, recreation or social activity typically for use by the residents of a particular development.

(c) Maintenance buildings.

(d) Rental and sales offices.

E. Procedural concepts.

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

(2) A minimum of 20% of the area of the original tract shall be reserved as open space and identified as such on the development plan. Fifty percent of the required open space (as defined in § ~~155~~157-60) must be usable uplands and reasonably accessible to all property owners in the project. Any open space provided above 20% may be mixed wetlands and upland.

(3) Residential uses require that the calculation of permitted density shall be completed through the submission of a yield plan (as defined in § ~~155~~157-60) applied to the development lot and not individually to the internal dwelling lots.

(4) For residential development that includes single family homes over 1,001 square feet of total living area, ~~two-family,~~ three- to four-family or multifamily dwellings, density shall be based upon calculating one unit per 40,000 square feet of contiguous upland, and using 150 feet of frontage on a public roadway.

(5) For single-family residential homes 1,000 or less square feet of total living area, development, or two-family dwellings density shall be based upon calculating one unit per 10,000 square feet of contiguous upland, and using 100 feet of frontage on a public roadway.

(6) The development plan may be phased for a term of five years. The phasing plan shall contain provisions which promote the mixed use of the site consistent with Subsection A. For the purposes of this section, development shall include:
   (a) Construction of structures;
   (b) Environmental remediation;
   (c) Site preparation or demolition;
   (d) Roadway utility or recreation and common area design and construction; and
   (e) Bonding or other security for site development.

(7) The phasing plan shall provide that no more than 50% of the residential development may be occupied prior to completion of between 25% and 50% of the nonresidential structures, as negotiated between the Planning Board and the developer, and included in the Conditional Use Approval.

(8) Provided that the developer is making reasonable efforts to develop the site, the Planning Board may extend the initial five-year phasing period, provided a request for extension is submitted before the expiration of the initial five-year phasing term.

(9) Residential development plan guidelines.
   (a) The developer shall be permitted to allocate permitted density among internal dwelling lots in a flexible and creative manner. The sum total of the permitted density shall not exceed the permitted density of the development lot or legal lot, unless the additional density is derived from the Transfer of Development Rights Ordinance. Layouts may include individual lots or a cluster of units without lot lines.
   (b) Dwelling layouts shall be so designed that parking is screened from external roadways by garages, building locations, grading or screening. Major topographical changes or removal of existing trees shall be avoided wherever possible, and water, wetlands, and other scenic views from the external streets shall be preserved as much as possible.

(c) Where possible, it is desirable and encouraged to mix residential and nonresidential uses. This may be achieved through situating the buildings close to each other, or though allowing structures to house residential, preferably on the second or above floor, with nonresidential on the first floor. Creativity and flexibility is encouraged, and the development plan may offer another option for mixing uses. ~~Units created through the TDR program are not required to be housing for the elderly, as that term is defined under RSA 354-A:15 and 42 U.S.C. § 3607(b)(2).~~

(d) All residential development must adhere to architectural design guidelines. Said standards will reflect a New England village motif and include structures with peaked roofs and architectural shingles. The guidelines for this development are included in Chapter 153, Site Review Regulations,

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

(10) Nonresidential development plan guidelines.

(a) The general character of the nonresidential structures within the development lot is intended to be a pedestrian-friendly setting, with emphasis on the natural characteristics of the site. The site design should create a sense of character and cohesiveness through landscaping, facade treatment, and signage.

(b) The guidelines for this development are included in Chapter 153, Site Review Regulations, § 153-16.

F. Standards and regulations.

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

(a) Minimum internal right-of-way.

(1) Maximum residential: 35 feet.

(2) Maximum nonresidential: 50 feet.

(b) Minimum pavement width.

(1) Minimum residential: 20 feet.

(2) Minimum nonresidential: 28 feet.

(3) Minimum sidewalk pavement width: five feet.

(4) Minimum bike/Segway®/golf cart path width: five feet.

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

(d) Maximum street angle at intersections: 60°.
(e) Minimum center-line radius: 100 feet.
(f) Minimum tangent length between reverse curves: 50 feet.

(2) Dimensional requirements.
(a) Nonresidential/mixed-use buildings.
[1] Minimum structure setback from external lot line: 50 feet. Expanding existing nonresidential uses are not held to this setback.
[2] Minimum structure setback from external right-of-way: 50 feet.
[3] Maximum nonresidential building height: 55 feet.
[4] For all other dimensional requirements for nonresidential structures and parking setbacks refer to the underlying zone.
(b) Residential dwellings.
[1] Minimum structure and parking setback from external lot line: 50 feet.
[2] Minimum structure and parking setback from external row: 100 feet.
[3] Maximum residential building height: 35 feet.
[4] Minimum frontage on internal road: 40 feet.
[5] Minimum setbacks:
[a] Front yard setbacks: 20 feet.
[b] Distance between buildings: 24 feet.
(c) <u>There shall be no minimum lot size or frontage for internal lots created.</u>

(3) Parking.
(a) All dwelling units shall require two independently accessible parking spaces per unit, except that the congregate-care and nursing-home requirements shall be as otherwise defined by this chapter. Nonresidential uses shall comply with parking requirements defined by this chapter.
(b) Overnight parking shall not be permitted on internal roadways.
(c) <u>Parking shall be utilized and available to all components of the Development Plan, through the recording of access and parking easements."</u>

14. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Section 170-32 "Signs", to amend sub sections E-Q as follows:

Purpose. The purpose of this Section is to create a legal framework for SIGNAGE regulations that is intended to facilitate a flexible and agreeable communication between people. Such an ordinance acknowledges the need to protect the safety and welfare of the public, the need for a well-maintained and attractive appearance throughout the City of Dover and the need for adequate business identification,

advertising and communication. While this Section recognizes that aesthetics and design quality cannot be satisfactorily legislated, it does, however, operate on the premise that a large percent of that which is unattractive can be eliminated by sensible quality control through maintenance and inspection and by guidelines formulated to minimize clutter.

A. Permitted SIGNs. No SIGN shall be permitted within the City of Dover, except in accordance with the provisions of this Section. See tables of Use and Dimensional Regulations by District for overview of permitted SIGNs.

B. Permit required. No SIGN, other than a residential nameplate or a SIGN exempted from the permitting requirements of this Section as described herein shall be erected or placed in the City of Dover without a SIGN permit. Said permit shall be issued by the Zoning Administrator, provided that the SIGN meets all the regulations of this Section, after the submission of an application and a set of plans to an appropriate scale, showing site location, dimensions, method of illumination, if any, and types of materials to be used in construction. Replacement of existing SIGNs and support STRUCTUREs, where the area, location or materials are being altered, shall require a permit, and such replacement shall conform to the regulations of this Section.

C. General provisions. All SIGNs shall conform to the following regulations:

(1) SIGN Location. SIGNS shall relate only to the premises upon which they are located, excluding TEMPORARY SIGNs as regulated in Subsection Q.

(2) All SIGNs shall be constructed, erected and maintained so as not to present a hazard to persons and property.

(3) All SIGNs shall be erected in such a manner so as not to obstruct free and clear vision along or onto a public right-of-way.

(4) All SIGNs shall be erected in such a manner so as not to obstruct the view of, be confused with or mistaken for any authorized traffic SIGN, signal or like device.

(5) The illumination of any SIGN shall be nonflashing; spot or floodlights shall be arranged so that the direct rays of light do not shine or reflect directly into adjacent properties or the line of vision of a motorist.

(a) FLASHING SIGNs are prohibited.

(b) Illuminance of the SIGN face shall not exceed the following standards:

(i) EXTERNAL ILLUMINATION: fifty (50) foot-candles as measured on the SIGN face.

(ii) INTERNAL ILLUMINATION: five thousand (5,000) nits (candelas per square meter) during daylight hours, and five hundred (500) nits between dusk and dawn, as measured at the SIGN's face.

(iii) DIRECT ILLUMINATION: five thousand (5,000) nits during daylight hours, and five hundred (500) nits between dusk and dawn, as measured at the SIGN's face.

(6) The top edge of a WALL SIGN shall be at least one (1) foot below the top of the wall or PARAPET wall. The top edge of a roof SIGN shall be at least one (1) foot below the roof ridge or the highest point of the roof if no ridgepole exists.[1]

(7) No SIGN shall be painted or affixed with adhesive directly on the surface of a BUILDING.

(8) Rotating SIGNs or beacons, waving pennants or whirling devices are prohibited.

(9) TEMPORARY SIGNs are prohibited, except as otherwise provided in Subsection Q.

(10) All SIGNs are prohibited within the public right- of-way, except as otherwise provided in this Section.

(11) The terms of this Section shall not apply to SIGNs being necessary for the public welfare and, as such, are required by the municipal, State, or Federal government.

(12) The material and construction of any SIGN or supporting elements shall be in accordance with the Building and Electrical Codes (in use by the City at the time of installation) and all other applicable City regulations.

(13) On a CORNER LOT, no FREESTANDING SIGN or support element shall be erected to materially impede vision between a HEIGHT of two and a half (2 ½) feet and eight (8) feet above curb grades in the same area bounded by the STREET lines of such CORNER

[1]See Figure 1 of the SIGN Diagrams, Part I, included at the end of this Chapter

LOT and a straight line joining points along said STREET lines thirty (30) feet from point of their intersection except as otherwise provided in this Section.

(14) Essential directional SIGNs not exceeding four (4) square feet in area are permitted indicating entrance and exit driveways. Said SIGNs shall not be subject to the permitting requirements of this Section.

(15) SIGNs not exceeding two (2) square feet in area are permitted in parking LOTs indicating aisles or reserved areas or spaces. Said SIGNs shall not be subject to the permitting requirements of this Section.

(16) On a BUILDING or project under construction, or on a property currently for sale or rent, one additional SIGN is permitted and shall conform to the following additional regulations:

(a) One (1) SIGN not exceeding thirty-two (32) square feet is permitted on a BUILDING or project under construction. Such SIGN shall be removed upon the receipt of a CERTIFICATE OF OCCUPANCY or upon the expiration of the BUILDING permit. Said SIGN shall not be subject to the permitting requirements of this Section.

(b) One (1) SIGN not to exceed four (4) square feet may be erected on a property currently for sale or rent. Said SIGN shall not be subject to the permit requirements of this Section.

(17) WALL SIGNs shall conform to the following additional regulations:

(a) No WALL SIGN shall be located in such a manner so as to extend above the next floor's window sill or descend below the top of the lower floor's lintel.[2]

(b) In all nonresidential zoning districts where a business/premises fronts on more than one (1) public STREET or municipal parking LOT, one (1) WALL SIGN shall be permitted upon each FRONTAGE. The SIGN AREA displayed shall not exceed that area permitted by the FRONTAGE on that public STREET or parking LOT.[3]

[2]See Figure 2 of the SIGN Diagrams, Part I, included at the end of this Chapter.
[3] See Figure 3 of the SIGN Diagrams, Part I, included at the end of this Chapter.

(c) In all nonresidential zoning districts, one (1) informational/directional WALL SIGN shall be permitted for each BUILDING entryway. Said SIGN shall not exceed four (4) square feet in area and shall not be illuminated. Said SIGN shall not be subject to the permitting requirements of this Section.

(18) All FREESTANDING SIGNs shall conform to the following regulations:

(a) No FREESTANDING SIGNs shall be located in an area designated for parking unless said SIGN is protected along all sides by curbing. A four (4) foot clear space is required along all approaches.[4]

(b) No FREESTANDING SIGN shall be placed within fifty (50) feet of a low-density residential district (R-40, R-20) boundary.

(19) All PROJECTING SIGNs shall conform to the following additional regulations:

(a) PROJECTING SIGNs shall be attached to the main wall of the BUILDING.

(b) PROJECTING SIGNs shall be prohibited from projecting over a STREET, alley or other PUBLIC SPACE beyond four (4) feet, eight (8) inches from a BUILDING facade or two-thirds (2/3) of the width of the SIDEWALK, whichever is less.[5]

(c) A clear space of not less than ten (10) feet shall be provided below all parts of a PROJECTING SIGN, except for residential nameplates.

(d) In all nonresidential zoning districts where a business/premise fronts on more than one (1) public STREET or municipal parking lot, one (1) PROJECTING SIGN shall be permitted upon each FRONTAGE. The SIGN AREA displayed shall not exceed that area permitted by the FRONTAGE on that public STREET or parking lot.

(20) Awnings may be used in lieu of permitted WALL SIGNs provided said letters, insignia or emblems do not exceed the square footage allowed for a WALL SIGN in the applicable zoning district.

[4] See Figure 4 of the SIGN Diagrams, Part I, included at the end of this Chapter.
[5] See Figure 5 of the SIGN Diagrams, Part I, included at the end of this Chapter.

D. SIGNs permitted in residential districts. Any SIGN permitted in a Residential District shall conform to the following regulations (See tables for overview of permitted SIGNs):

(1) CUSTOMARY HOME OCCUPATION SIGNs shall identify only the name of each occupant and the STREET address. Said SIGN shall not exceed two (2) square feet and shall not be subject to the permit requirements of this Section.

(2) One (1) SIGN not to exceed sixteen (16) square feet may be erected in connection with any legally permitted non-residential use, excepting home occupations and BED AND BREAKFASTs.

(3) One (1) SIGN may be erected in connection with a lawfully maintained NONCONFORMING USE.

(4) All nonresidential SIGNs may only be illuminated by constant EXTERNAL ILLUMINATION. The lighting element shall be shielded and shall illuminate only the SIGN. No SIGN shall be illuminated after 9:00 p.m. or before 6:00 a.m.

(5) One (1) SIGN not to exceed four (4) square feet may be erected in connection with a BED AND BREAKFAST.

(6) No SIGN shall be located greater than eight (8) feet above the ground, whether freestanding or attached to a BUILDING

E. SIGNs permitted in CBD and CWD Districts. ~~No SIGN in the CBD Downtown Gateway sub-district shall be illuminated after 9:00 p.m. or before 6:00 a.m.~~ (See table for overview of permitted SIGNs.)

(1) WALL SIGNs[6]

(a) An additional one (1) square foot of SIGN AREA per one (1) foot of BUSINESS FRONTAGE shall be permitted, provided that the character of the SIGN conforms to mill motif design criteria. Refer to Subsection O for applicable criteria.

[6] See Figure 6 of the SIGN Diagrams, Part II, included at the end of this Chapter.

F. SIGNs permitted in ~~B-3~~ C district. (See table for overview of permitted SIGNs.)

(1) FREESTANDING SIGNs

(a) Where a PRINCIPAL BUILDING fronts on more than one (1) STREET, one (1) FREESTANDING SIGN may be erected upon each FRONTAGE, provided that the BUILDING complies with applicable SETBACKs.

(b) One (1) FREESTANDING SIGN shall be permitted for every principal entryway to a SHOPPING CENTER. Such SIGNAGE shall be a distance of five hundred (500) feet apart.

(c) Each FREESTANDING SIGN shall not exceed sixteen (16) feet in HEIGHT, except as provided for below, and shall be permanently affixed to the ground. Notwithstanding, FREESTANDING SIGNs fronting on the Spaulding Turnpike shall not exceed thirty (30) feet in HEIGHT.

(d) Notwithstanding, no FREESTANDING SIGN shall be allowed on Old Rochester Road.

~~G. SIGNs permitted in B-1 districts. No SIGN shall be illuminated after 9:00 p.m. or before 6:00 a.m. (See table for overview of permitted SIGNs.)~~

~~(1) PROJECTING SIGNs~~

~~(a) All PROJECTING SIGNs shall only be illuminated by constant EXTERNAL ILLUMINATION. The lighting element shall be shielded and shall illuminate only the SIGN.~~

H. SIGNs permitted in O and Gateway districts. No SIGN shall be illuminated after 9:00 p.m. or before 6:00 a.m. (See table for overview of permitted SIGNs.)

(1) SIGNs shall only be illuminated by constant EXTERNAL ILLUMINATION. The lighting element shall be shielded and shall illuminate only the SIGN.

I. SIGNs permitted in ~~I-1~~, ~~I-2~~, CM ~~I-4~~ district~~s~~. (See table for overview of permitted SIGNs.)

(1) FREESTANDING SIGNs

(a) Where a PRINCIPAL BUILDING fronts on more than one (1) STREET, one (1) FREESTANDING SIGN may be erected upon each FRONTAGE, provided that the BUILDING complies with applicable SIGNAGE SETBACKs.

(b) Two (2) FREESTANDING DEVELOPMENT IDENTIFICATION SIGNs shall be permitted per approved industrial park, provided that the combined square footage of such SIGNs does not exceed five hundred (500) square feet in area, and that, if on a CORNER LOT, such SIGNs shall be set so as to not materially impede vision.

J. SIGNs permitted in ~~ETP~~ IT ~~and B-4 d~~istrict~~s~~. (See table for overview of permitted SIGNs.)

(1) FREESTANDING SIGNs

(a) Where a development fronts on more than one (1) public STREET or roadway, one (1) FREESTANDING SIGN shall be permitted upon each FRONTAGE.

(b) Each FREESTANDING SIGN shall not exceed sixteen (16) feet in HEIGHT, except as provided for below, and shall be permanently affixed to the ground. Notwithstanding, FREESTANDING SIGNs fronting on the Spaulding Turnpike shall not exceed thirty (30) feet in HEIGHT.

(c) SIGN AREA shall not exceed sixty (60) square feet in area. Notwithstanding, a FREESTANDING SIGN fronting the Spaulding Turnpike shall not exceed one hundred (100) square feet in area.

~~K. SIGNs permitted in the B-5 District. (See table for overview of permitted SIGNs.)~~

~~(1) FREESTANDING SIGNs.~~

~~(a) Where a development fronts on more than one (1) public STREET, one (1) FREESTANDING SIGN shall be permitted upon each FRONTAGE.~~

~~Notwithstanding, no FREESTANDING SIGN shall be allowed on Old Rochester Road."~~

L. Political advertising SIGNs. Political advertising SIGNs are permitted per the political advertising SIGN provisions of State law.

M. Obsolete SIGNs. Any SIGN which is located on property which becomes vacant and unoccupied for a period of more than six (6) months shall be deemed to have been abandoned, and the SIGN shall be considered obsolete. Such obsolete SIGNs are prohibited and shall be removed by the owner of the SIGN or owner of the premises. In the event that the said SIGN(s) and support(s) are not removed as requested by the Zoning Administrator, the City of Dover may remove said STRUCTURE(s) and assess all costs and expenses incurred in said removal against the STRUCTURE's owners and/or the owner of the land upon which said STRUCTURE(s) is located.

N. Nonconforming SIGNs. A SIGN installed prior to the effective date of this Section which meets the applicable requirements of the zoning code then in effect but which is not in conformance with the provisions of this code, shall be deemed a permitted nonconforming SIGN. Such nonconforming SIGN shall, however, be subject to the following regulations:

(1) No nonconforming SIGN shall be ALTERed in any way in STRUCTURE or material, which makes the SIGN less in compliance with the requirements of this Section than it was before the ALTERATIONs.

(2) No nonconforming SIGN shall be relocated to a position making it less compliant with the requirements of this Section.

(3) Non-conforming FREESTANDING SIGNs and PROJECTING SIGNs may be replaced upon approval of a SIGN permit application, provided that the support STRUCTURE of the SIGN remains in place and the dimensions of the SIGN are the same or smaller. If any other nonconforming SIGN is replaced, it shall be replaced in total with a SIGN that is in conformance with the provisions of this Section.

(4) Should a nonconforming SIGN be destroyed by any means to an extent of more than seventy-five percent (75%) of its replacement cost at the time of its destruction, it shall not be reconstructed except in conformity with the provisions of this Section.

O. Mill motif design criteria.

(1) Intent.

a. A recurring architectural theme exists within the Central Business District, where the use of brick, granite and slate dominates much of the existing commercial BUILDING

stock. Influenced by the early 19th century mill development, SIGNAGE was closely integrated with the style and composition of the BUILDING, often consisting of handsomely carved and painted wooden signboards. The use of dark background tones, highlighted with bright lettering was dominant. PROJECTING SIGNs were typically constructed from dark-hued metal, cast iron in particular, and internal lighting or use of plastics, aluminum and vinyl was nonexistent.

b. The use of a mill motif SIGNAGE theme is an attempt to promote a style or architectural continuity within Dover's urban center. Within the defined mill motif theme, a great amount of flexibility is permitted where design and materials are involved, and all SIGNAGE should be guided by general design criteria.

(2) SIGN location.

(a) Every SIGN shall be required to be an integral part of its BUILDING.

SIGNs shall be located with respect to the basic architectural framework of the BUILDING, so as not to obscure the primary elements (door and window openings and decorative facade treatments) of a BUILDING's framework.

(3) SIGN composition.

(a) Lettering.

(i) No more than one (1) font shall be permitted per SIGN. More than one (1) size is permitted.

(ii) Letters may be attached to the BUILDING façade.

(iii) Light-colored letters on a dark background are required.

(iv) Lettering shall be located so as not to obstruct architectural detailing on the BUILDING face.

(v) Product trademarks are not permitted. Generic trade symbols (e.g., a shoe for a cobbler, a mortar and pestle for a druggist) are permitted.

(vi) Letter styles shall be limited to the classic genre, i.e., Copperplate Gothic, Times, Franklin Gothic, Benton, Clarendon, Haas Helvetica, Folio Caravelle Medium, Windsor, and Times Roman.

(vii) The size of the lettering shall be in proportion to both the SIGN configuration and the BUILDING.

(b) Color.

(i) No more than three (3) colors are preferred, plus black and white. Differences in shade or hue are considered different colors. Lettering is limited to one (1) color.

(ii) Colors used in SIGNAGE should relate to the color composition of the BUILDING material and be compatible with them.

(iii) The determination of SIGN color must relate to the degree of contrast between the SIGN lettering and SIGN background.

(c) Lighting.

(i) INTERNAL ILLUMINATION and DIRECT IILLUMINATION are prohibited.

(ii) Only shielded EXTERNAL ILLUMINATION shall be permitted if lighting is used.

(d) Materials.

(i) The appearance of traditional materials, such as wood, glass, brass, bronze or iron, is required.

(ii) Wooden SIGNs shall be constructed of dense, clear wood that adapts to engraving/carving and paint or stain. The use of plywood shall be limited to overlay, exterior or marine plywood.

(iii) PROJECTING SIGNs shall be supported by black, iron attachments to the BUILDING. Guy wires shall not be permitted as a principle SIGN support member.

(iv) No support for a PROJECTING SIGN shall extend above the cornice line of the BUILDING to which it is attached.

(2) Permit process

(a) The Zoning Administrator shall be responsible for the issuance of SIGN permits relative to mill motif accessory SIGNs. Application for said SIGNs shall include the following items:

(i) A scaled elevation drawing of the entire BUILDING façade(s).

(ii) Proposed SIGN clearly delineated on the elevation drawing.

(iii) Detailed drawings indicating materials, size, colors and style of lettering, lighting and attachment method.

(iv) A photograph of the BUILDING.

(v) A sample color rendering of the intended SIGN.

(b) Upon completion of the review, the Zoning Administrator will approve or disapprove the application and inform the APPLICANT of the decision in writing.

P. Fees for the review of SIGNAGE are set annually and may be found in the City's Fee Schedule.

Q. TEMPORARY SIGNs. No TEMPORARY SIGN shall be erected or placed in the City of Dover without a TEMPORARY SIGN permit issued by the Planning Department, except as noted in Subsections (1)(b). The following regulations shall apply:

(1) TEMPORARY SIGNs are prohibited in all residential zoning districts (R-40, R-20, R-12, RM-SU, RM-U, HR, and CBD-R) ~~and the NEIGHBORHOOD Business District (B-1)~~. Where permitted TEMPORARY SIGNS are subject to the following regulations:

(i) One-week TEMPORARY SIGN permits are valid for a consecutive seven (7) day period and may be obtained once every three (3) months, for a maximum of four (4) one-week TEMPORARY SIGNs per year. If the permit is not used in one (1) quarter, it shall not be carried over to the next quarter.

(ii) The TEMPORARY SIGN shall be limited to twenty-four (24) square feet in size and shall not be placed in such a manner so as to create a traffic or safety hazard. Banner type TEMPORARY SIGNs are permitted only in the ~~B-3 and B-5~~ C Zoning Districts~~s~~.

(iii) The TEMPORARY SIGN shall be removed within twenty-four (24) hours after the end of the approved display period. If the TEMPORARY SIGN or banner is not removed within twenty-four (24) hours, the TEMPORARY SIGN or banner may be removed by the City of Dover.

(iv) If the TEMPORARY SIGN is located on a City SIDEWALK or within a public right-of-way directly in front of the BUILDING, the requirements in Subsection Q.(1)(d) must be met.

(b) TEMPORARY SIGNS Allowed Without a Permit. One (1) A-frame sandwich board TEMPORARY SIGN is permitted per LOT or tenant and does not require a permit, provided all of the following conditions are met:

(i) The TEMPORARY SIGN is not located on a City SIDEWALK or within a public right-of-way.

(ii) The maximum size of the TEMPORARY SIGN is eight (8) square feet.

(iii) The TEMPORARY SIGN must be placed directly in front of the BUILDING at a distance no greater than two (2) feet from the BUILDING and must not impede pedestrian or handicapped access to the business or adjacent businesses.

(c) TEMPORARY SIGNs Allowed With Annual Permit. One (1) TEMPORARY SIGN shall be permitted per each PRINCIPAL BUILDING. BUILDINGs with an excess of one hundred (100) feet of STREET FRONTAGE shall be permitted one (1) additional TEMPORARY SIGN per every additional one hundred (100) feet of STREET FRONTAGE. See District Tables of Use for additional requirements.

(i) If the TEMPORARY SIGN is located on a City SIDEWALK or within a public right-of-way directly in front of the BUILDING, the requirements in Subsection Q.(1)(d) must be met.

(ii) The following additional regulations shall apply to TEMPORARY SIGNs located in the CBD-General District:

1. The structure of the TEMPORARY SIGN must consist of medium density overlay plywood, or a similar durable wood-like material which can withstand the weather, or metal (except as supplemented by material for changeable messages, see below). The use of other materials is permitted if styled and composed to imitate wood or metal.

2. Any graphics, lettering, words, numbers, messages and/or symbols on the TEMPORARY SIGN shall be applied directly onto the surface of the SIGN and/or shall be made with SIGN plastic film.

3. The material for changeable messages shall be either chalk board or dry erase board. TEMPORARY SIGNs with moveable slide-in plastic letters are not permitted.

4. TEMPORARY SIGNs using stencils or spray paint are not permitted.

5. TEMPORARY SIGNs may not be painted traffic yellow or construction-zone orange or use any reflective or fluorescent materials.

(d) TEMPORARY SIGNs Located on a City SIDEWALK or Within a Public Right-of-Way. TEMPORARY SIGNs located on a City SIDEWALK or within a public right-of-way shall meet the following requirements:

(i) A certificate of insurance in the amount of one hundred thousand ($100,000.00) dollars (bodily injury/property damage) shall be filed as part of the TEMPORARY SIGN permit application to ensure sufficient liability coverage of the APPLICANT.

(ii) A hold-harmless certification letter shall be filed as part of the temporary SIGN permit application to relieve the City of Dover from bodily injury and property damage liability.

(iii) TEMPORARY SIGNs shall only be displayed during business hours.

(iv) A five (5) foot, clear passageway must be maintained at all times.

(v) TEMPORARY SIGNs shall be located directly in front of the BUILDING or in front of the space within the BUILDING occupied by the TEMPORARY SIGN owner.

(2) Community SIGNS. With a permit, TEMPORARY SIGNs may be located in the public right of way at Central Square, Weeks Crossing, and the intersections of Durham Road and Back River Road, Sixth Street and Indian Brook Drive, and Knox Marsh Road and Littleworth Road provided that the following requirements are met:

(a) Community SIGNs shall be a-frame/sandwich board type and no larger than six (6) square feet in area and no greater than three (3) feet in height.

(b) No more than three (3) permits shall be issued per location, per display period.

(c) Each week of the year shall constitute one display period. No APPLICANT will be issued a community SIGN permit for more than twelve (12) display periods per calendar year.

(d) Applications for community SIGN permits will be accepted by the Planning and Community Development Department only during the week prior to the display period. Applications will not be accepted in advance unless an entire calendar year's display schedule and payment of fees are submitted by the APPLICANT. Permits will be granted on a first-come, first-served basis.

(e) Applications must be signed by the property owner (APPLICANT or APPLICANT's landlord) and shall include:

(i) A certificate of insurance in the amount of one hundred thousand dollars ($100,000.00) (bodily injury/property damage) to ensure sufficient liability coverage of the APPLICANT.

(ii) A hold-harmless certification letter to relieve the City of Dover from bodily injury and property liability.

(f) A display period sticker will be issued with the community SIGN permit and shall be affixed to the lower right corner of the SIGN face.

15. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Section 170-33 "Fence Review and Regulations", to amend sub section C as follows:

A. FENCE HEIGHTs. No person, or other entity shall erect or cause to be erected a FENCE exceeding four (4) feet in HEIGHT between the RIGHT OF WAY and either ten (10) feet from the RIGHT OF WAY or a line parallel with the front of the house closest to the RIGHT OF WAY, whichever is less. FENCES may be up to eight (8) feet in HEIGHT for the remainder of the lot. HEIGHT is measured from ground level.

B. FENCE design.

(1) The finished side of a FENCE shall face outward from the property on which the FENCE is located. The side of a FENCE containing the posts or poles and other bracing appurtenances shall face inward to the property being FENCED in or on which the FENCE is located. When erected on a property or LOT boundary line, all of the FENCE and any of its supporting STRUCTUREs or appurtenances shall be contained within the LOT or property of the person erecting said FENCE.

(2) On a CORNER LOT, no FENCE or vegetal elements shall be erected or placed in such a manner(s) as to materially impede vision between that area bounded by the STREET lines of such CORNER LOT and a straight line joining points along said STREET lines thirty (30) feet from the point to the intersection. For CORNER LOTs that are located on the inside curve of STREETs and at intersections that are not perpendicular, adequate and safe sight distances in both directions, as determined by the Zoning Administrator, shall be provided. Property owners shall maintain vegetation such that it does not grow to limit site distance.

C. Exceptions. The provisions described in Subsection A shall not apply in ~~Industrial (I-2)~~ Commercial Manufacturing (CM), ~~Restricted Industrial (I-1), Thoroughfare Business (B-3)~~ Commercial (C), Central Business (CBD), Gateway (G), OFFICE (O), and Cochecho Waterfront (CWD) Zoning Districts, or whenever the ZONING BOARD OF ADJUSTMENT, as a condition attached to the granting of a variance or special exception to this Chapter, requires for screening purposes a FENCE exceeding eight (8) feet."

16. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Section 170-7 "Establishment of Districts", to replace as a whole, based upon the preceding amendments, follows:

"A. Districts. The City of Dover is hereby divided into the following districts:

(1) Residential.

HR	Heritage Residential District
R-40	Rural Residential District
R-20	Low-Density Residential District
R-12	Medium-Density Residential District
RM-SU	Suburban Density Multi-residential District
RM-U	Urban Density Multi-residential District

(2) Nonresidential. **[Amended 8-22-2018 by Ord. No. 2018.08.08-009]**

C	Commercial District
CM	Commercial Manufacturing
IT	Innovative Technology

(3) Mixed-use.

G	Gateway
H	Hospital
LBW	Little Bay Waterfront District
O	Office District
CBD	Central Business District
CWD	Cocheco Waterfront District

(4) Overriding.

CD	Conservation District
URD	Urban Renewal District
RRD	Riverfront Residential Overlay District
GWP	Groundwater Protection District
HWD	Hazardous Waste Landfill District
RCM	Residential-Commercial Mixed-Use
SRD	Scenic Road Overlay District
TDR	Transfer of Development Rights
TEL	Telecommunications Facilities

WPD Wetland Protection District

D. District purpose statements.

(1) Residential districts. The residential districts are intended to provide a wide range of residential units to provide the citizens of Dover with a balance of housing choices, with varying housing types, densities and costs. The goal is to preserve and create City neighborhoods that are safe and promote harmonious development.

(a) Rural Residential District (R-40). The purpose of this residential district is to provide for conventional single-family neighborhoods in the more rural areas of the City. These areas have larger lot sizes (one or more acres) and the homes are most likely served by on-site septic systems and wells, but there are some portions of the district that have municipal sewer and water. New subdivisions are designed as open space developments with reduced lot sizes allowed in return for the permanent preservation of open space. Agriculture and farming are promoted in this district. Some nonresidential uses that are compatible with single-family homes are permitted, including churches, hospitals, elementary schools, high schools and child-care facilities.

(b) Low-Density Residential District (R-20). The purpose of this residential district is to provide for conventional single-family neighborhoods on lots not less than 20,000 square feet. The homes in this district are likely served by municipal sewer and water, but there are some areas that still have on- site septic systems and wells. These districts are located near major roadways. The development of parcels with at least 15 acres can be done as open space subdivisions. Agriculture and farming are promoted in this district. Some nonresidential uses that are compatible with single-family homes are permitted, including churches, elementary schools, high schools and child-care facilities.

(c) Medium-Density Residential District (R-12). The purpose of this residential district is to provide for conventional single-family neighborhoods on lots not less than 12,000 square feet. The homes in this district are almost all served by municipal sewer and water. Many of the neighborhoods surrounding the elementary schools are in this district and have a sidewalk system that is conducive to children walking to school. The development of parcels with at least five acres can be done as open space subdivisions. Some nonresidential uses that are compatible with single-family homes are permitted, including churches, elementary schools, high schools, colleges and child-care facilities.

(d) Suburban Density Multi-Residential District (RM-SU) The purpose of this residential district is to provide an environment suitable for a variety of moderate-density housing types, including single-family, two-family, three- to four-family and multifamily dwellings. These districts are suburban neighborhoods located along major roadways outside of the center of the City. The homes in this district are almost all served by municipal sewer and water. Some nonresidential uses that are compatible with residences are permitted, including churches, elementary schools, high schools, and child- care facilities.

(e) Urban Density Multi-Residential District (RM-U). The purpose of this residential district is to provide an environment suitable for a variety of moderate/high-density housing

types, including single-family, two-family, and three- to four-family dwellings. These districts are urban neighborhoods located close to the downtown area and contain many historic homes that are built close to the sidewalks and streets. The homes in this district are all served by municipal sewer and water. Some nonresidential uses that are compatible with residences are permitted, including churches, funeral parlors, elementary schools, high schools, and child-care facilities.

(f) Heritage Residential District (HR).

(a) These primarily residential neighborhoods surrounding the Silver Street area exhibit a rare collection of interesting architecture. While primarily Victorian and characterized by wide porches, bay windows, steep roofs, and intricate and involved woodwork, there are noteworthy Colonial buildings as well. In both instances, their original occupants were likely community leaders, whether early tavern keepers, or later senior managers and foremen from the mill facilities that lined the Cocheco River, as well as other community professionals.

(b) The common theme through all of these designs is both the massing and the placement of these structures in a manner that is compatible with what had gone before. It is the intent that in this district, new construction, replacement construction, and new additions should continue that tradition of compatibility with the existing neighborhood.

E. Nonresidential districts. The nonresidential districts are intended to provide suitable areas for commercial, service, retail, office and industrial developments, to provide employment opportunities for citizens of Dover and the region, to enhance property values, and expand the tax base. Development that uses land efficiently and has high quality design is encouraged.

(1) Commercial District (C). The purpose of this business district is to provide an environment that encourages efficient and attractive automobile-oriented commercial development along major highways outside of the downtown. The minimum lot size of 20,000 square feet encourages moderately sized commercial uses. The district provides economic development opportunities for a mix of land uses, including retail sales, personal services, restaurants, automobile sales, hotels, offices, banks, and theaters. Other commercial uses and multifamily dwellings are allowed by special exception.

(2) Commercial/Manufacturing District (CM). The purpose of this industrial district is to provide appropriate locations for manufacturing, assembly, fabrication, packaging, distribution, storage, warehousing, wholesaling and shipping activities that expand the economic base of the City and provide employment opportunities. This area is the location of one of the first industrial parks in the City, located off Littleworth Road and Knox Marsh Road in a more rural area. The smaller minimum lot size of 20,000 square feet also encourages business uses such as publishing, hotels, vehicle refueling/recharging stations, restaurants, car sales, offices, and personal services.

(3) Innovative Technology (IT). The purpose of this district is to provide appropriate locations for manufacturing, assembly, fabrication, packaging, distribution, laboratory, testing facility, warehousing, wholesaling, publishing and shipping activities that expand the economic base of the City and provide employment opportunities. These areas are located along major collector roads away from the downtown area. The newer business

parks are located in this district. The minimum lot size in this district is two acres, which encourages larger assembling and manufacturing users.

(3) Mixed-use districts. The mixed use districts are intended to provide suitable areas for a mixture of urban neighborhoods containing residential, commercial, service, retail, and office uses. The mixed-use development is intended to create a sense of community between the mixed uses and facilitate the economical and efficient use of land. The districts are intended to provide housing and employment opportunities for citizens of Dover and the region, to enhance property values, and expand the tax base. Development that uses land efficiently and has high- quality design is encouraged.

(a) Gateway (G). The purpose of this district is to mark a transition point where you move from the less developed area (the highway, the rural landscape, etc.) to a more formal, densely developed urban core (multi-story buildings, civic buildings, etc.). In Dover the primary Gateways (eg Central Avenue north and south of the downtown core, Broadway, and Portland Avenue) are generally dominated by commercial activity, with buildings of a lower height than those located downtown. Some residual residential activity occurs occasionally as stand-alone buildings, but frequently residential activity is located above ground floor commercial uses. A modest distance between the building and the street exists, with a fair amount of landscaping.

(b) Hospital (H). The purpose of the Hospital District is to provide appropriate locations for hospitals and medical offices associated with a hospital. This district also encourages other health care services and various housing facilities providing levels of service for older persons. Single- and two- family residential uses are permitted along with commercial uses such as offices, banks, funeral parlors, assembly halls, and schools.

(c) Little Bay Waterfront District (LBW). The purpose of this mixed-use district is to provide locations for a mixture of residential and commercial uses on the waterfront parcels along a portion of the shores of the Little Bay. The small minimum lot size encourages a mix of various-sized commercial uses, with water-related uses, such as marinas, specifically permitted. Single- and two-family homes are allowed in recognition of the historically residential use of the area. Three- or four-family dwellings are allowed only as part of a mixed-use building. Businesses that take advantage of the unique location along Little Bay are encouraged.

(d) Office District (O). The purpose of this Office District is to provide appropriate locations for a mixture of residential and office uses along higher-volume streets. The remaining large historic homes are no longer suitable for single-family residential due to the high traffic. This district is a transition area between the more commercial areas and the urban residential areas on the side streets. Residential uses up to four dwelling units per structure are permitted, along with commercial uses such as offices, banks, funeral parlors, churches, schools, hospitals, nursing homes and congregate- care facilities. The density for residential uses is about eight units per acre, and in new buildings, residential is only allowed on the second floor or higher.

(e) Central Business District (CBD). The purpose of this district is to provide the appropriate locations for context-sensitive zoning. The form-based code in this district is intended to foster a vital main street both for itself and for its adjacent

neighborhoods through a lively mix of uses, with shop fronts, sidewalk cafes, and other commercial uses at street level, overlooked by canopy shade trees, upper story residences and offices. The district has an increased emphasis on the form and placement of structures and a decreased emphasis on the function(s) contained within them.

(f) Cocheco Waterfront District (CWD). The purpose of this mixed use district is to provide appropriate locations for a mixture of residential and commercial uses on the waterfront parcels along the downtown portion of the Cocheco River. This district has very flexible dimensional requirements, with no minimum lot size, frontage or setback requirements and a density of 43 dwelling units per acre. Several water-related land uses are permitted in the district, including marinas, waterborne passenger transportation facilities and water-related education and resource centers. The architecture of the waterfront areas should encourage the development of marine-, history- or tourism-related land uses and activities, which take advantage of the unique characteristics of the waterfront as well as its central location and proximity to historic areas.

(4) Overriding districts. The purpose of the overriding districts is to provide an additional layer of land use regulation or protection in certain sensitive areas of the City. The requirements of these overlay districts are in addition to the underlying zoning districts. Most of the districts are intended to protect environmentally sensitive areas. For specific purpose statements, review the text of each overriding district.

~~A. Districts:~~

~~The City of Dover is hereby divided into the following districts:~~

~~Residential~~

~~HR Heritage Residential District~~

~~R-40 Rural Residential District~~

~~R-20 Low-Density Residential District~~

~~R-12 Medium-Density Residential District~~

~~RM-SU Suburban Density Multi-residential District~~

~~RM-U Urban Density Multi-residential District~~

~~Nonresidential~~

~~B-1 NEIGHBORHOOD Business District~~

~~B-3 Thoroughfare Business District~~

~~B-4 HOTEL/Retail District~~

~~B-5 Highway Business District~~

~~I-1 Restricted Industrial District~~

~~I-2 Rural Restricted Industrial District~~

~~I-4 Assembly and OFFICE~~

~~ETP Executive and Technology Park~~

~~Mixed -Use~~

~~H Hospital~~

~~LBW Little Bay Waterfront District~~

~~O OFFICE District~~

~~CBD Central Business District~~

~~CWD Cocheco Waterfront District~~

~~Overriding~~

~~CD Conservation District~~

~~URD Urban Renewal District~~

~~RRD Riverfront Residential Overlay District~~

~~GWP Groundwater Protection District~~

~~HWD Hazardous Waste Landfill District~~

~~RCM Residential-Commercial Mixed Use~~

~~SRD Scenic Road Overlay District~~

~~TDR TRANSFER OF DEVELOPMENT RIGHTS~~

~~TEL TELECOMMUNICATIONS FACILITIES~~

~~WPD Wetland Protection District~~

~~B. District Purpose Statements:~~

~~(1) RESIDENTIAL DISTRICTS~~

~~The residential districts are intended to provide a wide range of residential units to provide the citizens of Dover with a balance of housing choices, with varying housing types, densities and costs. The goal is to preserve and create City NEIGHBORHOODs that are safe and promote harmonious development.~~

~~(a) Rural Residential District (R-40)~~

~~The purpose of this residential district is to provide for conventional single-family NEIGHBORHOODs in the more rural areas of the city. These areas have larger LOT sizes (1+ acres) and the homes are most likely served by on-site septic systems and wells, but there are some portions of the district that have municipal sewer and water. New subdivisions are designed as OPEN SPACE developments with reduced LOT sizes allowed in return for the permanent preservation of OPEN SPACE. AGRICULTURE and farming are promoted in this district. Some non-residential uses that are compatible with single-family homes are permitted, including churches, hospitals, elementary schools, high schools and CHILD CARE FACILITIES.~~

~~(b) Low-Density Residential District (R-20)~~

~~The purpose of this residential district is to provide for conventional single-family NEIGHBORHOODs on LOTs not less than twenty thousand (20,000) square feet. The homes in this district are likely served by municipal sewer and water, but there are some areas that still have on-site septic systems and wells. These districts are located near major roadways. The development of parcels with at least fifteen (15) acres can be done as OPEN SPACE subdivisions. AGRICULTURE and farming are promoted in this district. Some non-residential uses that are compatible with single-family homes are permitted, including churches, elementary schools, high schools and CHILD CARE FACILITIES.~~

~~(c) Medium-Density Residential District (R-12)~~

~~The purpose of this residential district is to provide for conventional single-family NEIGHBORHOODs on LOTs not less than twelve thousand (12,000) square feet. The homes in this district are almost all served by municipal sewer and water. Many of the NEIGHBORHOODs surrounding the elementary schools are in this district and have a SIDEWALK system that is conducive to children walking to school. The development of parcels with at least five acres can be done as OPEN SPACE subdivisions. Some non-residential uses that are compatible with single-family homes are permitted, including churches, elementary schools, high schools, colleges and CHILD CARE FACILITIES.~~

~~(d) Suburban Density Multi-residential District (RM-SU)~~

~~The purpose of this residential district is to provide an environment suitable for a variety of moderate density housing types, including SINGLE-FAMILY, two family, 3-4 family and MULTI-FAMILY DWELLINGs. These districts are suburban NEIGHBORHOODs located along major roadways outside of the center of the city. The homes in this district are almost all served by municipal sewer and water. Some non-residential uses that are compatible with residences are permitted, including churches, elementary schools, high schools, and CHILD CARE FACILITIES.~~

~~(e) Urban Density Multi-residential District (RM-U)~~

~~The purpose of this residential district is to provide an environment suitable for a variety of moderate/high density housing types, including SINGLE-FAMILY, two family, and 3-4 family dwellings. These districts are urban NEIGHBORHOODs located close to the downtown area and contain many historic homes that are built close to the SIDEWALKs and STREETs. The homes in this district are all served by municipal sewer and water. Some non-residential uses that are compatible with residences are permitted, including churches, funeral parlors, elementary schools, high schools, and CHILD CARE FACILITIES.~~

~~(f) Heritage Residential District (HR)~~

~~These primarily residential NEIGHBORHOODs surrounding the Silver Street area exhibit a rare collection of interesting architecture. While primarily Victorian and characterized by wide porches, bay windows, steep roofs, and intricate and involved woodwork, there are noteworthy Colonial BUILDINGs as well. In both instances their original occupants were likely community leaders, whether early tavern keepers, or later senior managers and foremen from the mill facilities that lined the Cocheco River, as well as other community professionals.~~

~~The common theme through all of these designs is both the massing and the placement of these STRUCTUREs in a manner that is compatible with what had gone before. It is the intent that in this district new construction, replacement construction, and new additions should continue that tradition of compatibility with the existing NEIGHBORHOOD.~~

~~(2) NONRESIDENTIAL DISTRICTS~~

~~The nonresidential districts are intended to provide suitable areas for commercial, service, retail, OFFICE and industrial developments, to provide employment opportunities for citizens of Dover and the region, to enhance property values, and expand the tax base. Development that uses land efficiently and has high quality design is encouraged.~~

~~(a) NEIGHBORHOOD Business District (B-1)~~

~~The purpose of this business district is to provide small sites for commercial use in or near dense residential NEIGHBORHOODs without having significant impact upon residential uses. The district encourages traditional small scale retail and service uses that are convenient for the nearby residents. Development is intended to be pedestrian-oriented and compatible with the scale of the residential uses.~~

~~(b) Thoroughfare Business District (B-3)~~

~~The purpose of this business district is to provide an environment that encourages efficient and attractive automobile oriented commercial development along major highways outside of the downtown. The twenty thousand (20,000) square foot minimum LOT size encourages moderately sized commercial uses. The district provides economic development opportunities for a mix of land uses, including retail sales, personal services, restaurants, automobile sales, HOTELS, OFFICEs, banks, and theaters. Other commercial uses and MULTI-FAMILY DWELLINGs are allowed by special exception.~~

~~(c) HOTEL/Retail District (B-4)~~

~~The purpose of this business district is to provide an environment that encourages efficient and attractive commercial development on a larger scale along major highways outside of the downtown. The minimum LOT size of five acres encourages larger commercial development. The district provides economic development opportunities for a mix of land uses, including retail sales, personal services, restaurants, HOTELS, OFFICEs, banks, and theaters.~~

~~(d) Highway Business District (B-5)~~

~~The purpose of this business district is to provide an environment that encourages efficient and attractive commercial development along major highways that are gateways to the city. The minimum LOT size of twenty thousand (20,000) square feet encourages a mix of various sized commercial uses. The district provides economic development opportunities for a mix of land uses, including retail sales, personal services, restaurants, VEHICLE REFUELING/RECHARGING STATION, automobile sales, HOTELs, OFFICEs, banks, and theaters.~~

~~(e) Restricted Industrial District (I-1)~~

~~The purpose of this industrial district is to provide appropriate locations for manufacturing, assembly, fabrication, packaging, distribution, storage, WAREHOUSING, WHOLESALING and shipping activities that expand the economic base of the city and provide employment opportunities. These areas tend to be smaller sites closer to the downtown area containing older BUILDINGs that have historically been used for industrial and business uses. The smaller minimum LOT size of forty thousand (40,000) square feet also encourages business uses such as PUBLISHING, HOTELs, VEHICLE REFUELING/RECHARGING STATION, car sales, OFFICEs, and personal services. The close proximity of these areas to older residential NEIGHBORHOODs requires careful consideration of impacts on adjacent uses in other districts.~~

~~In 2009 the zoning for this district was amended to allow for the redevelopment of this industrial property in a more flexible and context sensitive method. The district encourages mixed residential and commercial uses that complement one another and create a sense of community between the mixed uses.~~

~~(f) Rural Restricted Industrial District (I-2)~~

~~The purpose of this industrial district is to provide appropriate locations for manufacturing, assembly, fabrication, packaging, distribution, storage, WAREHOUSING, WHOLESALING and shipping activities that expand the economic base of the city and provide employment opportunities. This area is the location of one of the first industrial parks in the city, located off Littleworth Road and Knox Marsh Road in a more rural area. The smaller minimum LOT size of twenty thousand (20,000) square feet also encourages business uses such as PUBLISHING, HOTELs, VEHICLE REFUELING/RECHARGING STATION, restaurants, car sales, OFFICEs, and personal services.~~

~~(g) Assembly and OFFICE (I-4)~~

~~The purpose of this industrial district is to provide appropriate locations for manufacturing, assembly, fabrication, packaging, distribution, laboratory, testing facility, WAREHOUSING, WHOLESALING, PUBLISHING and shipping activities that expand the economic base of the city and provide employment opportunities. These areas are located along major collector roads away from the downtown area. The newest industrial park developed by the city is located in this district. The minimum LOT size in this district is five acres, which encourages larger industrial users.~~

~~(h) Executive and Technology Park (ETP)~~

~~The purpose of this executive and technology district is to provide appropriate locations for large-scale high technology, research, professional OFFICE, and clean manufacturing uses that need large sites and high aesthetic standards. The general character of the district is intended to be a campus or park-like setting that encourages creative design and innovation is site planning and development, while protecting the natural resources. In this district the minimum LOT size is three acres and there is no FRONTAGE requirement, which encourages larger users in campus settings. Some of the city's largest employers are located in this district. This district includes special design standards for BUILDINGs, parking LOTs and landscaping.~~

~~(3) MIXED–USE DISTRICTS~~

~~The mixed use districts are intended to provide suitable areas for a mixture of urban NEIGHBORHOODs containing residential, commercial, service, retail, and OFFICE uses. The mixed use development is intended to create a sense of community between the mixed uses and facilitate the economical and efficient use of land. The districts are intended to provide housing and employment opportunities for citizens of Dover and the region, to enhance property values, and expand the tax base. Development that uses land efficiently and has high quality design is encouraged.~~

~~(a) OFFICE District (O)~~

~~The purpose of this OFFICE district is to provide appropriate locations for a mixture of residential and OFFICEs uses along higher volume STREETs. The remaining large historic homes are no longer suitable for single family residential due to the high traffic. This district is a transition area between the more commercial areas and the urban residential areas on the side STREETs. Residential uses up to four DWELLING UNITS per STRUCTURE are permitted, along with commercial uses such as offices, banks, funeral parlors, churches, schools, hospitals, NURSING HOMES and~~

~~CONGREGATE CARE FACILITIES. The density for residential uses is about eight units per acre and in new BUILDINGs residential is only allowed on the second floor or higher.~~

~~(b) Central Business District (CBD)~~

~~The purpose of this district is to provide the appropriate locations for context sensitive zoning. The form based code in this district is intended to foster a vital main STREET both for itself and for its adjacent NEIGHBORHOODs through a lively mix of uses—with shop fronts, SIDEWALK cafes, and other commercial uses at STREET level, overlooked by canopy shade trees, upper story residences and OFFICEs. The district has an increased emphasis on the form and placement of STRUCTUREs and a decreased emphasis on the function(s) contained within them.~~

~~(c) Cochecho Waterfront District (CWD)~~

~~The purpose of this mixed use district is to provide appropriate locations for a mixture of residential and commercial uses on the waterfront parcels along the downtown portion of the Cochecho River. This district has very flexible dimensional requirements, with no minimum LOT size, FRONTAGE or SETBACK requirements and a density of forty three (43) DWELLING UNITS per acre. Several water related land uses are permitted in the district, including MARINAS, WATERBORNE PASSENGER TRANSPORTATION FACILITIES and WATER RELATED EDUCATION AND RESOURCE CENTERS. The architecture of the waterfront areas should encourage the development of marine, history or tourism related land uses and activities, which take advantage of the unique characteristics of the waterfront as well as its central location and proximity to historic areas.~~

~~(d) Hospital (H)~~

~~The purpose of the hospital district is to provide appropriate locations for hospitals and medical OFFICEs associated with a hospital. This district also encourages other health care services and various housing facilities providing levels of service for older persons. Single and two family residential uses are permitted along with commercial uses such as OFFICEs, banks, funeral parlors, ASSEMBLY HALLs, and schools.~~

~~(e) Little Bay Waterfront (LBW)~~

~~The purpose of this mixed use district is to provide locations for a mixture of residential and commercial uses on the waterfront parcels along a portion of the shores of the Little~~

~~Bay. The small minimum LOT size encourages a mix of various sized commercial uses, with water related uses, such as MARINAS, specifically permitted. Single and two family homes are allowed in recognition of the historically residential use of the area. Three or four family dwellings are allowed only as part of a mixed use BUILDING. Businesses that take advantage of the unique location along Little Bay are encouraged.~~

~~(4) OVERRIDING DISTRICTS~~

~~The purpose of the overriding districts is to provide an additional layer of land use regulation or protection is certain sensitive areas of the city. The requirements of these overlay districts are in addition to the underlying zoning districts. Most of the districts are intended to protect environmentally sensitive areas. For specific purpose statements review the text of each overriding district.~~"

17. TAKES EFFECT

This ordinance shall take effect upon passage and publication of notice as required by RSA 47:18.

To the extent this Ordinance amends a section of Chapter 170 that is also the subject of a companion ordinance amending Chapter 170 being filed and considered contemporaneously herewith, and there is any conflict or concurrent amendment to the same language, then as between the two sets of amendments this Ordinance shall control.

REQUIRES A PUBLIC HEARING

AUTHORIZATION

CITY OF DOVER – ORDINANCE

CITY OF DOVER

Agenda Item: 12.A.3.

Ordinance Number: **O – 2020.07.08 – 007**
Ordinance Title: Zoning – Citywide Area Rezoning, and Text Amendments Revising TDR and Alternative Energy Code
Chapter: 170

Approved as to Funding:	Daniel R. Lynch Finance Director	Sponsored by:	Deputy Mayor Dennis Ciotti, City Council Planning Board Representative
Approved as to Legal Form and Compliance:	Joshua M. Wyatt City Attorney		
Recorded by:	Susan Mistretta City Clerk		

DOCUMENT HISTORY:

First Reading Date:	07/08/2020	Public Hearing Date:	07/22/2020
Approved Date:	07/22/2020	Effective Date:	07/29/2020

DOCUMENT ACTIONS:

Deputy Mayor Ciotti moved for its adoption; seconded by Councilor Manley.

Deputy Mayor Ciotti moved to make the first of three amendments as follows:

Amend amendment 2, on page 4 to include Map H lot 11 A.

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

"The official Zoning Map of the City of Dover, New Hampshire, dated September 11, 2019, is amended by changing from "Low Density Residential" (R-20) to "Gateway" (G) District an area of approximately 7.4 acres located along Durham Road, consisting of Map H lot 11, and Map I lot 7"

Should be amended as follows:

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

"The official Zoning Map of the City of Dover, New Hampshire, dated September 11, 2019, is amended by changing from "Low Density Residential" (R-20) to "Gateway" (G) District an area of approximately ~~7.4~~7.73 acres located along Durham Road, consisting of Map H lot<u>s</u> 11 <u>and 11A</u>, and Map I lot 7"

Motion was seconded by Councilor O'Connor.
Roll Call Vote: 8/0.

Deputy Mayor Ciotti moved to make the second of three amendments as follows:

Also Amend amendment 4 to on page 7 to clarify that the area is going from R-12 to Commercial:

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

"The official Zoning Map of the City of Dover, New Hampshire, dated September 11, 2019, is amended by changing from "Medium Density Residential" (R-12) to "Hotel/Retail" (B-4) District an area of approximately 20 acres located along Indian Brook Drive, Alder Lane, Wilbroad Ave and Glenwood, consisting of Map D lots 18-3, 18-4, 18-5, 18-6, 18-9, 18-10 and the portion of Map D lots 18-7 and 18-8 from the Centerline of Indian Brook drive into the lot 200' and the portion of Map D lots 19 and 20, the portion of the lot between the Indian Brook Drive centerline and 400; from Glenwood."
To
Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

"The official Zoning Map of the City of Dover, New Hampshire, dated September 11, 2019, is amended by changing from "Medium Density Residential" (R-12) to "~~Hotel/Retail~~Commercial" (~~B-4~~C) District an area of approximately 20 acres located along Indian Brook Drive, Alder Lane, Wilbroad Ave and Glenwood, consisting of Map D lots 18-3, 18-4, 18-5, 18-6, 18-9, 18-10 and the portion of Map D lots 18-7 and 18-8 from the Centerline of Indian Brook drive into the lot 200' and the portion of Map D lots 19 and 20, the portion of the lot between the Indian Brook Drive centerline and 400; from Glenwood."

Motion was seconded by Councilor Manley.
Roll Call Vote: 8/0.

Deputy Mayor Ciotti moved to make the third of three amendments as follows:

Also Amend amendment 6 to on page 8/9 to clarify that the areas are going to Commercial:

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

"The official Zoning Map of the City of Dover, New Hampshire, dated September 11, 2019, is amended by changing from "Rural Residential" (R-40) to "~~Hotel/Retail~~Commercial" (~~B-4~~C) District an area of approximately 39 acres located along Durham Road and Mast Road, consisting of Map H lots 4-2, 4-B, 4-G, 4-L, 5 and 5A and Map I lot 22A, and the portion of Map I lot 22 that is 225' off the centerline of Mast Road and 194' off Durham Road."

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

"The official Zoning Map of the City of Dover, New Hampshire, dated September 11, 2019, is amended by changing from "Low Density Residential" (R-20) to "~~Hotel/Retail~~Commercial" (~~B-4~~C) District an area of approximately 3.4 acres located along Durham Road and Mast Road, consisting of Map I lots 20-E, 20-F, 20-G, 20-H, 21, and 20-J."

Motion was seconded by Councilor O'Connor.
Roll Call Vote: 8/0.

Deputy Mayor Ciotti moved for the adoption of the amended Resolution; seconded by
Roll Call Vote: 8/0.

Ordinance Number: **O – 2020.07.08 – 007**
Ordinance Title: Zoning – Citywide Area Rezoning, and Text Amendments Revising TDR and Alternative Energy Code
Chapter: 170

VOTING RECORD Date of Vote: 07/22/2020	YES	NO
Mayor Robert Carrier	X	
Councilor Michelle Muffett-Lipinski, Ward 1	X	
Councilor Dennis Ciotti, Ward 2	X	
Councilor Deborah Thibodeaux, Ward 3	Absent	
Councilor Joshua Manley, Ward 4	X	
Councilor Dennis Shanahan, Ward 5	X	
Councilor Fergus Cullen, Ward 6	X	
Councilor John O'Connor, At Large	X	
Councilor Lindsey Williams, At Large	X	
Total Votes:	8	0
Resolution does pass.		

ORDINANCE BACKGROUND MATERIAL:

The amendments provided to the Council for ratification are derived from suggestions resulting from a subcommittee created by the Planning Board in 2018 to review opportunities to increase commercially zoned land. In addition, the City's Master Plan recommends the City adopt an Alternative Energy Code and the Planning Board created a subcommittee to review the Transfer of Development Right's Ordinance. After public hearings in April, May and June, the Planning Board adopted the amendments set forth in this ordinance on June 23, 2020, summarized in a reference table below.

It is requested that the City Council waive the notice by first class mail in accordance with Dover Code Chapter 170-53(G)(2).

Included as part of the background are the following documents:

- Updated Zoning Tables (Gateway, CM, C and IT)
- Memorandum from Christopher Parker to the Dover City Council dated July 2, 2020, containing the required report of findings;
- A copy of the letter mailed to each property owner in Dover.
- A copy of the "Rezoning 2020" presentation to the City Council with background information.
- A red-lined version of Chapter 170 showing the resulting effect of all amendments set forth in this Ordinance and a companion Ordinance being filed and considered contemporaneously with terms, syntax, and numbering changes.
- A matrix explaining where land is changing from one zone to another.

Amendment # (as listed above)	Section	Summary	Why
2	170-7, 8, 11, 12	Create a new Gateway District	Create a zone with aesthetic and architectural requirements for entrances to Dover.
3	170-7, 8, 12, 19	Eliminate the Restricted Industrial district and associated sections.	District is out of line with current trends and context of surrounding areas.
4	170-8, 11, 12	Expand B-4 District on Indian Brook Drive, and ETP on Sixth Street	Expand Commercial Zoning
5	170-7, 8, 12	Eliminate B-1 District and rezone small R-12 on Week's Crossing	Expand Commercial Zoning
6	170-8	Rezone Mast and Durham Intersection to B-4	Expand Commercial Zoning
7	170-8	Rezone Littleworth and Knox Marsh Roads to I-2	Expand Commercial Zoning
8	170-7, 12	Replace I-2 with new Commercial Manufacturing district	Update commercial zoning with more modern uses
9	170-7, 8, 12	Merge B-4, B-5 and B-3 into new Commercial district	Update commercial zoning with more modern uses
10	170-7, 8, 12, 15	Merge I-4 and ETP into new Innovative Technology district	Update commercial zoning with more modern uses
11	170-21, 6	Expand Small Wind Energy Systems to include other Alt. Energy sources	Master Plan recommendation
12	170-27.2	Update Transfer of Development Rights	Clarify application process, add 600 sf units, and industrial units
13	170-28.2	Update RCM district	Remove age restrictions, update uses, and criteria
14	170-32	Update Sign Ordinance	To reflect district changes
15	170-33	Update Fence regulation exemptions	To reflect district changes
16	170-7	Replace listing of zones	To reflect district changes

Chapter 170. Zoning

Article VIII. Overriding Districts

§ 170-29. Transfer of development rights.

A. Authority. By the authority granted under RSA 674:21, this section creates overlay district(s) for the purpose of transferring development rights (TDR) within said districts.

B. Purpose and intent. Within the City of Dover, there are certain lands that possess significant conservation features, including but not limited to unsuitable development areas, groundwater recharge zones, forested areas, wildlife habitat, farmland, scenic view sheds, historic landmarks, and linkages to other such areas. Because of their unique assemblages of flora and fauna and their significant contribution to the ecological system and/or the cultural identity of our community, these lands are worthy of special protection. The City of Dover, furthermore, has a limited supply of land suitable for development. The purpose of this overriding district is to promote intensive development on the developable land possessing the least conservation value and to permanently protect lands possessing significant conservation features that provide unique values in their undisturbed condition. Additionally, it is recognized that the City of Dover has an Open Lands Committee and Conservation Commission which is active in protecting and preserving open space.
[Amended 10-13-2021 by Ord. No. 2021.09.08-006]

C. Applicability. Upon request by an applicant for development approval and at the discretion of the Planning Board, the provisions of this section may apply to the district(s) defined in Subsection **D** below.

D. Districts defined.
[Amended 8-22-2018 by Ord. No. 2018.08.08-009; 9-11-2019 by Ord. No. 2019.08.28-012]

(1) The Industrial TDR District is hereby determined to be any IT or CM Zoning District as shown on the Zoning Map for the City of Dover, New Hampshire, adopted September 11, 2019. The "sending area" is defined to be open space and related setbacks as defined by the City of Dover Wetland Protection District, § **170-28**, which are located in any IT or CM Zoning District. The "receiving area" is defined to be all remaining land in be any IT or CM Zoning District.
[Amended 7-22-2020 by Ord. No. 2020.07.08-007]

(2) The Residential TDR District is hereby determined to be residential districts noted or displayed on the Zoning Map for the City of Dover, New Hampshire, adopted September 11, 2019. The "sending area" is defined to be any land preserved by the City of Dover through conservation programs in the R-40 or R-20 residential zoning districts. The "receiving area" is defined to be all non-R-40 or -R-20 zoning districts east of the Spaulding Turnpike which allow residential development.

(a) If the units created are purchased, the receiving area may be any zoning district that allows residential development.

E. Procedural requirements.

(1) At the discretion of the Planning Board, an applicant for development approval within the receiving area of the defined Industrial TDR district may apply the performance standards

specified in Subsection **F** below in return for the acquisition of land or development rights from the sending area within the same TDR district. The performance standards for the Residential TDR district are outlined in Subsection **G** below.

(2) A certified boundary survey of the associated land in the sending area shall be submitted as a supplement to the site plan or subdivision plan for development within the receiving area.
[Amended 8-22-2018 by Ord. No. 2018.08.08-009]

(3) The owner of the subject open space within the sending area of the TDR district shall sign all application materials as a co-applicant of the development application. For residential application, proof of an agreement to sell development rights must be provided by the Conservation Commission.

(4) A sketch plan estimating layout of the development site and identifying the open space associated with the plan may be submitted to the Planning Board for review at a regularly scheduled meeting. The Planning Board, within 30 days of its review of the sketch plan, shall determine if waivers will be granted as allowed in Subsections **F** and **G** below. Waivers shall be reviewed using the same criteria as are used for site plan waivers. Following this decision, a final application is prepared. The final application for development approval shall be reviewed in accordance with the standard plan review process and subjected to all applicable development regulations, except as provided in this section.
[Amended 8-22-2018 by Ord. No. 2018.08.08-009; 7-22-2020 by Ord. No. 2020.07.08-007; 8-9-2023 by Ord. No. 2023.07.12-008]

(a) The determination of whether a proposed TDR project requires a sketch plan review shall be made by the Director of Planning and Community Development based on initial discussions with the applicant. The determination, made in writing, shall be made prior to the submittal of any plans and shall specify the Director's reasoning, including a review of known conditions, including: traffic, existing layout/topography, environmental. This determination shall be included in the staff report to the Board. If the applicant does not agree with the Director's determination, they may appeal the decision to the Board at its next meeting.

(b) If the sketch plan requires an environmental conditional use permit to develop homes, the applicant must appear before the Conservation Commission for review and endorsement prior to the Planning Board's review.

(5) A perpetual easement or restrictive covenant shall be recorded at the Strafford County Registry of Deeds that preserves the designated open space within the sending area. Said easement or covenant may allow for the continuance of existing residential and agricultural activities, and may allow for utility and access crossings in accordance with Subsection H below. The designation of the land protection agency to hold the easement shall be approved by the Planning Board.

F. Industrial performance standards.

(1) Land within a sending area, when surveyed, approved by the Planning Board and preserved by easement or covenant as specified in Subsection **E**, above, may be counted for the open space requirement for a development site in a receiving area. The amount of land preserved in a sending area shall equal or exceed the open space requirement for the development site, but in no case be less than one acre. Notwithstanding, development sites within the IT and CM Zoning Districts shall maintain open space or landscaped area on at least 10% of the site. The design of the development site shall locate the open space or landscaped area to maximize the aesthetic value of the site.
[Amended 7-22-2020 by Ord. No. 2020.07.08-007]

(2) The minimum lot size requirement may be waived by the Planning Board for land subjected to the transfer of development rights.

(3) The minimum frontage requirement may be waived by the Planning Board for land subjected to the transfer of development rights, provided that paved access to all developed areas suitable for emergency vehicles is approved by the Planning Board.

(4) Setbacks for parking, paved areas, and buildings may be waived by the Planning Board and be consistent with the intent to promote intensive development of suitable development sites. Notwithstanding, buildings shall be at least 150 feet from residential structures that exist on the date of enactment of the IT and CM Zoning Districts, and 75 feet from the lot line of a disagreeing residential abutter.
[Amended 7-22-2020 by Ord. No. 2020.07.08-007]

(5) The developer shall record covenants that address architectural considerations for structures, signage and lighting that are designed to promote the highest possible aesthetic quality of the development site.

(6) A landscaping plan shall be submitted with a development application that depicts landscaping or open space around the perimeter of the site, near the proposed buildings, and within the parking lot that promotes the highest possible aesthetic quality of the development.

G. Residential performance standards.
[Amended 8-22-2018 by Ord. No. 2018.08.08-009]

(1) Annually, the City shall update a document identifying the cumulative cost per acre spent to preserve open space within the City of Dover. This list shall be kept on file in the Department of Planning and Community Development and coordinated with the Conservation Commission. This cost shall become the value at which development rights may be purchased.

(2) Proceeds from the purchase of development rights shall be placed into the Conservation Fund to be used to purchase future property or easements, or monitor easements, and not into the general fund.

(3) A residential transfer of development rights applicant may pursue one of the following methods for transferring development rights.

(a) Single-family detached method.

[1] An applicant shall develop a baseline yield for the lot to be developed through the following formula:
[Amended 10-13-2021 by Ord. No. 2021.09.08-006]

[a] The square footage of the parent lot minus unsuitable areas is the base lot size.

[b] The base lot size is then reduced by 15% to account for roadway; this creates the net area.

[c] The net area is then multiplied by a factor determined by the amount of unsuitable development area over the parent lot. This is the developable area.

Percentage of Parcel That Is Unsuitable Development Area	Factor
0% to < 10%	0.85
10% to < 20%	0.8
20% to < 30%	0.75
30%	0.7

[d] The developable area is then divided by the minimum lot size, and the whole number value is the base number, with no rounding.

[i] This base number is not required to be restricted by the requirements in Subsection **G(3)(a)[3]**, unless the formula defined in Subsection G[2][a] is utilized.
[Amended 7-22-2020 by Ord. No. 2020.07.08-007]

[e] The development plan shall be laid out in a design that meets the requirements for block length and cul-de-sac length.
[Added 7-22-2020 by Ord. No. 2020.07.08-007]

[2] The transfer shall equate to one of the following calculations:
[Amended 7-22-2020 by Ord. No. 2020.07.08-007]

[a] For construction of units no larger than 600 square feet of total living area, including the base calculated units, there shall be no density limit. The monthly cost of said units shall conform to the HUD Fair Market Rent rates, for Dover, published annually by the New Hampshire Housing Finance Authority, and there shall be no TDR fee collected for said unit(s).

[b] For construction of units no larger than 1,000 square feet of total living area, two units per development right purchased shall be allowed.

[c] For construction of units no larger than 1,400 square feet of total living area, one unit per development right purchased shall be allowed. The unit count shall be the whole number value and not rounded up.

[i] Total living area shall mean the size of the home (in square feet) based upon the exterior dimensions, excluding unconditioned spaces.

[3] The units created through the transfer must be:
[Amended 7-22-2020 by Ord. No. 2020.07.08-007]

[a] Limited to the square footage originally constructed.

[4] A note shall be placed on the approved plan, and any building permit shall note the adherence to this section of the Code.

[5] A note shall be placed in the property/unit deed citing the restrictions listed above.

[6] The plan shall be considered a subdivision application. Prior to submission, a determination by the Director of Planning and Community Development shall be made whether to follow the minor or major subdivision regulations.
[Added 7-22-2020 by Ord. No. 2020.07.08-007]

(b) Single-family, two-family, three-family, and four or more method.
[Amended 7-22-2020 by Ord. No. 2020.07.08-007]

[1] The transfer may be through the purchase of development rights, as described in Subsection **G(1)**, or through the protection of land via a permanent conservation easement as per Subsection **E(5)**.

[a] In mixed-use or multifamily zones, the base density shall be derived from the underlying zoning, and not through a formula.

[b] If the additional unit(s) resulting from TDR is restricted so that the rent of said unit(s) conforms to the HUD Fair Market Rent rates, for Dover, published annually by the New Hampshire Housing Finance Authority, there shall be no fee collected for said unit(s).

[2] The transfer shall equate to one unit per acre preserved or purchased. If the end result is a village-themed residential/nonresidential project, whereby 35% of the square footage being created is nonresidential, the transfer shall equate to one unit per 2,500 square feet preserved or purchased.

[3] Any development approved by the Planning Board after July 1, 2020, which will create a manufacturing or assembly facility over 40,000 square feet may create and transfer one unit per 2,000 square feet of building approved, above the 40,000 square foot base. The transfer shall not be completed prior to the issuance of the certificate of occupancy for the additional space.
[Amended 10-13-2021 by Ord. No. 2021.09.08-006]

[a] If the units are to be placed upon the same lot, the layout must be shown on the site plan for the development.

[4] The plan shall be treated as a site plan application, unless otherwise determined by the Director of Planning and Community Development, prior to final submission.

(4) Regardless of the method utilized, the minimum lot size requirement may be waived by the Planning Board for land subjected to the transfer of development rights.

(5) Regardless of the method utilized, the setbacks shall be:
[Amended 7-22-2020 by Ord. No. 2020.07.08-007]

Minimum Building Setbacks for Subdivision Lots		
Abutting a Street	Abutting a Side Lot Line	Abutting a Rear Lot Line
20 feet	10 feet	30 feet

(6) Regardless of the method utilized, the minimum frontage requirement may be waived by the Planning Board, to no less than 40 feet. Paved access to all developed areas shall be suitable for emergency vehicles.
[Amended 7-22-2020 by Ord. No. 2020.07.08-007]

(7) A continuous visual buffer shall be created along the perimeter of the parent parcel, which shall include a thirty-foot no cut, no disturb buffer.
[Amended 7-22-2020 by Ord. No. 2020.07.08-007]

(8) Regardless of the method utilized, any other provision in this chapter to the contrary, the density or intensity of development of a receiving parcel may be increased by the transfer of development rights so long as the increase in density or intensity meets the following criteria and a narrative is submitted indicating how those criteria are met:
[Amended 7-22-2020 by Ord. No. 2020.07.08-007; 8-9-2023 by Ord. No. 2023.07.12-008]

(a) Is consistent with the Master Plan.

(b) Is compatible with the land uses on neighboring lots (e.g., a multifamily building fits in within a single-family neighborhood). The applicant shall provide in their narrative an explanation of their neighborhood analysis.

(c) Is created on property served by public water and sanitary sewer.

(d) Any relief sought should not be caused by the additional density.[1]

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

CITY OF DOVER

TECHNICAL REVIEW COMMITTEE MINUTES – SITE-2024-0012

Application Type:	Site Review
Applicant(s):	5 Sherman Street, LLC
Owner(s):	5 Sherman Street, LLC
Location:	103 Court St. (Assessor's Map 19, Lot 8)
Date:	September 5, 2024

INTENT: Convert an existing home into a two-family dwelling, construct a second two-family dwelling, and construct an additional five (5) new single-family homes for a total of nine (9) dwelling units.

UNITS PROPOSED: Nine (9) units including one (1) existing unit and six (6) TDR units

AGENDA ITEM #: 1

ACREAGE: 1.20± ac.

ZONING DISTRICT: R-12

EXISTING LAND USE: Residential

PROPOSED LAND USE: Residential

SURROUNDING LAND USE: Residential, Cemetery

ZBA ACTION: None.

PERMITS REQUIRED: None.

WAIVERS REQUESTED: None.

ATTENDANCE:
Donna Benton, Planning
Paul Crouser, Zoning
Jim Maxfield, Inspection Services
Ken Mavrogeorge, Engineering
Craig Chabot, Fire Department
James Burdin, Business Development

Others:
Erin Bassegio, Assistant City Planner
Rob Baldwin, Applicant/Owner
Bob Stowell, Tritech Engineering

Approval of minutes from August 29, 2024:
J. Burdin moved to approve the August 29, 2024 minutes. Seconded by K. Mavrogeorge. Vote: U/A.

PLAN REVIEW:
Planning:

- Reminder: Impact fees, Water and sewer investment fees
- Provide letters to serve when received.
- Provide HOA and
- Remove unit from the rear setback.
- Shrink common area or unit count to gain more than the 10' visual buffer. Narrative would be needed for TDR relief being sought from setback and buffer. However, seeing the density being sought is double what the base calculates out to be would indicate the buffers and setbacks should be met or unit request reduced.
- Setback measurements should be detailed on plan
- Active recreation and passive recreation is required.
- Floor plan of restricted units needed (probably only for TDR app at PB)
- Parking space dimensions need to be listed on plan
- Internal parking aisleways w/ one entrance/exit must be 24' wide
- R-12 zoning indicates duplexes should look like a one-family. Please provide justification for barn design.
- Provide detail for fencing shown on the landscape plan behind cottage units 3 & 4
- Any additional screening planned behind cottage units?
- Consider moving sewer line
- Replace "handicap" with "accessible"
- Update note 13 regarding Locke Street and Tranquility Way
- Indicate snow storage
- Revise note 30 to indicate no Saturday hours
- Bioretention area seems close to right of way
- Easement/license needed for walkway onto City property to cemetery
- Note congregate trash site as discussed and explain how odor and pests will be controlled.

CITY OF DOVER

TECHNICAL REVIEW COMMITTEE MINUTES – SITE-2024-0012

Application Type:	Site Review
Applicant(s):	5 Sherman Street, LLC
Owner(s):	5 Sherman Street, LLC
Location:	103 Court St. (Assessor's Map 19, Lot 8)
Date:	September 5, 2024

Engineering:

- General Comment:
  - Applicant and contractor shall review the Dover Construction Guidelines prior to scheduling a Preconstruction meeting with City staff. The guidelines can be found on the City of Dover Website on the Engineering page. https://www.dover.nh.gov/Assets/government/city-operations/1form/community-services/engineering/engineering-documents/Construction%20Guidelines.pdf
  - Coordinate with Community Services (Engineering Department) for latest City Standard Details for utilities and curbing.
  - Add note that Design Engineer shall provide signed letter to City Engineer certifying that the stormwater management system has been installed in accordance with approved plans.
  - Recommend providing 1 sf of snow storage per 10 sf of pavement to be cleared. Verify snow storage meets or exceeds this recommendation or provide note to remove excess snow when storage areas are filled.
  - Sewer manhole covers shall be Liftmate R-1743-LM or approved equal with 90 deg hinge
  - The City recommends that the applicant source out ductile iron piping, which is the City preferred material, in advance commencing construction.
  - Change "handicap" references to "accessible" where applicable throughout documents.
  - ***Engineering requests a letter certifying the tie in locations or discharge points for all sump pumps and roof leaders for existing structures on the property.***
  - Check the finished floor elevation of the duplex immediately on Court Street.
  - Applicant shall review the section 153-14 of the Dover Code and clarify how the design meets each of the criteria of the City's requirements.
  - Sanitary Sewer shall be PVC pipe SDR35.
  - How will trash be managed for the property?
  - Recommend individual water shut offs be located outside of paved surfaces and in grass. All shut offs in City ROWs must be in grass at the edge of the ROW. If shut offs on the private road remain in the paved surface, a road box should be provided.
  - Provide confirmation that 400 foot of sight distance is provided in each direction as required by the Dover Code.
  - It is strongly recommended that the Applicant submit a detailed breakdown of proposed HOA costs for annual maintenance and replacement of private infrastructure including backup as to how the fees are estimated.
  - Provide drainage pipe material.
  - Landscaping may obstruct site distance. Please confirm trees at driveway exit will not obstruct site lines.
  - Show locations of electrical infrastructure (transformers, switch gear, and/or communication pedestals. Each of these will need to be screened.
  - Sewer main on eastern property line looks close to the PL. Can this be constructed without an easement from the abutter?
  - Applicant shall provide an easement to the City along the private drives within the property to allow for access and operation of the water infrastructure (hydrants and shut offs) to maintain water quality.
  - Each unit should have unique address (Building A has units 1 and 2… Building B has units 2 and 3).
- C-1:
  - Provide a minimum 6-inch water main down the private drive with a standard hydrant at the end.
- C-3:
  - Show a core and boot on existing sewer tie in.
  - Confirm that the proposed sewer main tie in is above or below the new City drainage proposed as part of the Court St Reconstruction. Coordinate with CS. City

preference is to have an internal drop SMH on private property.
  - Rebuild inverts in SMHs.
- SP-2:
  - Show location of EV charging station and accessible charging station.
  - Consolidate the utility trenches within City ROW and provide overlay of entire area of disturbance from curb to curb. *Note: The City is expected to reconstruct Court Street in 2025 and work in the road including pedestrian and utility areas should be coordinated with the City and their Engineer.*
- SP-4:
  - Please show the water connection(s) to Duplex A.
  - Clarify if two water and sewer services will be provided to Duplex A. If only one water line is proposed, only one meter will be provided by the City.
  - It appears that first 50+ feet of the driveway will be discharging water into the City ROW. Please add structures to ensure private water stays on private property.
  - Multiple pipes in the chart have slopes exceeding 17% with some as high as 50%. The locations of these pipes was not found.
  - All pipes are required a minimum of 3 feet of cover per the Dover code or a waiver must be requested.
  - Grading adjacent to the southern property line is very close. It appears a temporary construction easement will be required.
- SP-5:
  - Please confirm if the intent of the design is to have the bioretention soil mix up the side slopes of the basin. It seems excessive and could potentially wash out into the basin.

Police:

- Consider a street name for the proposed driveway, to facilitate assignment of addresses and public safety benefit.
- Was any consideration given to connecting to "Locke Street" right-of-way, or what appears to be referred to in City GIS records as Tranquility Way? (This is at the rear of proposed Cottage #1)
- Is it feasible to shorten the landscape bump-out in front of Cottage #2, and pull Cottage #5 to meet the rear setback without losing parking?
- Add sign at the end of proposed walkway before entrance to cemetery: "Dogs Not Allowed in Cemetery". Contact Facilities and Grounds Division of Community Services for sign specs and desired language.
- Sheet SN-1, Note 41: I realize this is a standard Dover note, but security system is not applicable for this project . Amend note to indicate this, to avoid future confusion over "multi-family dwelling" language.
- Sheet SP-2, Note C-9: pavement marking FIRE LANE stenciling is fine, but must be supplemented or replaced with at least 2 "No Parking Fire Lane" signs on the northerly side of driveway.

Inspection Services:

- Provide street name for the proposed private roadway.

Fire Department:

- Fire truck detail is appropriate.
- Fire hyrant to be installed at end of road.

Business Development:

- Should duplex "B" units be relabeled as 3 & 4?
- The combination of architectural styles and use of the cottage court layout add visual interest to the site and maintain the look and feel of traditional New England development.
- Proximity of this site to RM-U zoning district mitigates the impacts of the extra density.

Planning Board:

- No comments.

Next Steps: Revise plans per comments above and resubmit for second official TRC.

Paused TRC at: 11:11 a.m.

CITY OF DOVER

TECHNICAL REVIEW COMMITTEE MINUTES – SITE-2024-0012

Application Type:	Site Review
Applicant(s):	5 Sherman Street, LLC
Owner(s):	5 Sherman Street, LLC
Location:	103 Court St. (Assessor's Map 19, Lot 8)
Date:	September 26, 2024

INTENT: Convert an existing home into a two-family dwelling, construct a second two-family dwelling, and construct an additional five (5) new single-family homes for a total of nine (9) dwelling units. *[This item was previously heard on Thursday, September 5, 2024]*

UNITS PROPOSED: Nine (9) units including one (1) existing unit and six (6) TDR units

AGENDA ITEM #: 1

ACREAGE: 1.20± ac.

ZONING DISTRICT: R-12

EXISTING LAND USE: Residential

PROPOSED LAND USE: Residential

SURROUNDING LAND USE: Residential, Cemetery

ZBA ACTION: None.

PERMITS REQUIRED: None.

WAIVERS REQUESTED: None.

ATTENDANCE:
Donna Benton, Planning
Paul Crouser, Zoning
Jim Maxfield, Inspection Services
Ken Mavrogeorge, Engineering
Marn Speidel, Police Department
James Burdin, Business Development
Tom Clark, Planning Board

Others:
Erin Bassegio, Assistant City Planner
Rob Baldwin, Applicant/Owner
Bob Stowell, Tritech Engineering

Approval of minutes from September 5, 2024:
J.Burdin moved to approve the September 5, 2024 minutes. Seconded by K. Mavrogeorge. Vote: U/A.

PLAN REVIEW:
Planning:

- *Reminder: Water and sewer investment fees*
- *Provide City of Dover letter to serve when received.*
- *Shrink common area or unit count to gain more than the 10' visual buffer. Narrative would be needed for TDR relief being sought from setback and buffer. However, seeing the density being sought is double what the base calculates out to be would indicate the buffers and setbacks should be met or unit request reduced.*
    - This comment has not been adequately addressed. Still seems to have too many units and not enough buffer area.
- *Internal parking aisleways w/ one entrance/exit must be 24' wide*
    - TRC response indicates a waiver has been submitted. Could not locate in materials.
- *Any additional screening planned behind cottage units?*
    - Visual buffer is needed behind cottage units in addition to existing fencing.
    - Provide more robust landscaping plan
- How do you ensure critters don't get into or attracted to the toters stored outside?
- Sight distance photo looking northwest should be taken from a ~1ft back. The photo seems to be taken from a spot where the front of the car would already be in the street.
- How do you ensure snow storage does not get pushed up again abutter's fence?
- The streetscape rendering doesn't seem to accurately show how tall the barn building is compared to the front dwelling.
- Show 25' cemetery line setback per RSA 289:3 III. No excavation can occur with that 25' buffer so stormwater and utilities will need to be adjusted.

Engineering:

- General Comment:
    - Condo Docs are provided. Please revise to include maintenance of private sewer and water systems.
    - HOA fee breakdown:
        - Show cost of routine pavement maintenance (crack sealing, striping, etc.).

  - Is $1800 per year in maintenance for catch basin cleanings and basin O&M too low?
  - $15000 for fence repair in year 30 seems low.
- SP-7:
  - Drainage trench does not meet City standards. Stone bedding and backfill are required.
- SP-11:
  - Sewer manhole detail is not consistent with the City standard. City of Dover uses plastic steps in SMHs.
- SP-12:
  - Sewer trench details need to show stone bedding and backfill above pipe to match the City standard.
- TR-1:
  - Fire truck movement into the site crosses over the curbing. Please revise.

Police:

- Sheet SP-2, notes C-19 and C-20: do these 2 pads serve the entire lot? Access to C-19 appears mostly obstructed by adjacent parking space.
- Label the "designated collection area" per the Trash Management Protocol - particularly if out at Court Street - or indicate if toters would simply be collected straight from the storage pads.
- RE: Sheet LI-1, Lighting Note 2: regarding the reference to timers and 10pm shutoff, is there any site lighting that this pertains to? Wall packs seem likely to be controlled by individual unit owners; would this impact any lighting of community space and/or parking areas?

Inspection Services:

- Farm Gate Drive is an acceptable private drive name.

Fire Department:

- Yard hydrant is no longer an issue as it has been changed to a fire service hydrant on a 6" main.
- Truck 1 turning template is not within the confines of the curbed area in two locations and appears to get into a walkway in another. See attached.

Business Development:

- The narrative says that the design is context-sensitive with the neighborhood and consistent with the master plan, but doesn't provide much analysis to support the claim. The following information would make it easier to evaluate compatible density vs. overdevelopment:
  - Define the "surrounding area" for the purposes of evaluating density and visual character
  - Provide density comparisons between the proposed development and surrounding area (units/acre, building massing, lot coverage, presence of duplexes, prevailing setbacks and/or separation of buildings, etc.)
  - The narrative cites goals to increase housing supply, but has limited discussion of the Master Plan's vision for the future of this area in Dover.
- Many structures/areas of disturbance are within the TDR 30' no-cut-no-disturb area/still do not appear to have a visual buffer in place. If requesting a waiver, data suggestions above would also be important for evaluating waiver.
- Is there an opportunity to adapt the rear wing of the existing house or build the new duplex within the same footprint? If that is a viable solution it may improve both the architectural consistency and free up space to lessen buffer impacts.
- Review RSA 289:3 III for compliance – "no new construction, excavation, or building" within 25' of the boundary of an established cemetery.
- Plan orientation is not consistent across all sheets (e.g. both Court Street and the Cemetery appear on plan left on different sheets) – it is confusing the way it flips.

Planning Board:

- *No comments.*

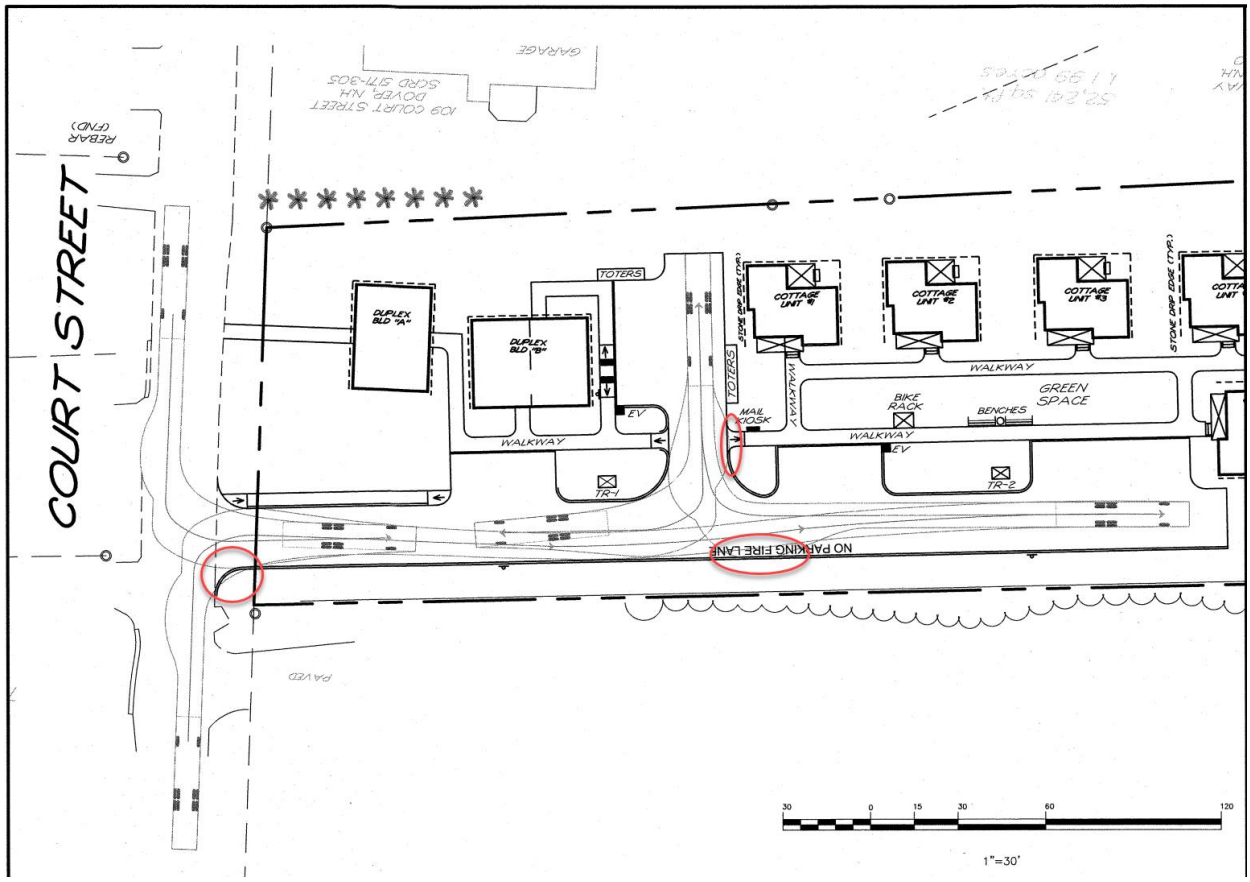
Next Steps: Revise plans per comments above and resubmit for subsequent TRC.

Adjournment: P. Crouser moved to adjourn the meeting at 11:25 a.m. Seconded by M. Speidel. Vote: U/A

CITY OF DOVER

TECHNICAL REVIEW COMMITTEE MINUTES – SITE-2024-0012

Application Type:	Site Review
Applicant(s):	5 Sherman Street, LLC
Owner(s):	5 Sherman Street, LLC
Location:	103 Court St. (Assessor's Map 19, Lot 8)
Date:	September 26, 2024



PLAN SNAPSHOT REPORT SITE-2024-0012
FOR CITY OF DOVER, N.H.

Plan Type:	Site Plan - Major	**Project:**		**App Date:**	08/15/2024
Work Class:	New Construction	**District:**	None	**Exp Date:**	NOT AVAILABLE
Status:	In Review	**Square Feet:**	0.00	**Completed:**	01/13/2025
Valuation:	$0.00	**Assigned To:**	Blonigen, Rachel	**Approval Expire Date:**	01/12/2030

Description: The applicant proposes utilizing the City of Dover Transfer of Development Rights (TDR) regulations to redevelop Map 19 Lot 8. The proposal calls for the existing home to remain, the construction of a duplex and the construction of four (4) new single-family homes for a total of seven (7) units. The TDR Base Density Calculation provide for Base Density of three (3) units, therefore, four (4) of these units will be obtained under the TDR regulations. The existing house is proposed to remain and will be an unrestricted unit. The (2) two units located in the duplex building will be dead restricted to a Fair Market Rent (FMR) set by Housing Urban Development (HUD). The four (4) new single-family homes will be size restricted to a maximum of 1400 squarefeet of total living space per unit. The TDR application still requests relief from thirty (30) foot buffer requirement. The Landscape Design provides for new screening as mitigation for this relief.

Parcel:	19008-000000 Main	**Address:**	103 Court St Dover, NH Main	**Zone:**	R-12(Residential - Medium Density)

Engineer
Tritech Engineering Corp.
755 Central Avenue
Dover, NH 03820
Business: (603) 742-8107

Surveyor
Tritech Engineering Corp.
755 Central Avenue
Dover, NH 03820
Business: (603) 742-8107

Applicant
Tritech Engineering Corp.
755 Central Avenue
Dover, NH 03820
Business: (603) 742-8107

Applicant
Robert Baldwin
242 CENTRAL AV
DOVER, 03820
Home: (603) 986-2373
Business: (603) 986-2373
Mobile: (603) 986-2373

Plan Custom Fields

Total	0	Total2	0	Total3	0
Total4	0	Total5	0	Total6	7
Total7	0	Total8	0	Total9	0
Street Classification Type	Municipal	Net Change in # Parking Spaces (+/-)	16	Water Service	Municipal
Recording Number		Sewer Service	Municipal	Total Acres (GIS)	1.19
Deed Book	5172	Total SQFT	51836.4	Deed Page	55
Deed Date	03/15/2024	Proposed Property Use	The applicant proposes utilizing the City of Dover Transfer Development Rights (TDR) regulations to redevelop Map 19 Lot 8. The proposal calls for the conversion of the existing home into a duplex, the construction of an additional duplex and the construction of five (5) new single-family homes for a total of nine (9) units. The TDR Base Density Calculation provide for a Base Density of three (3)units, therefore, six (6) of these units will be obtained under the TDR regulations. The four (4) units located in the two (2) duplex buildings will be deed restricted to a		Fair Market Rent (FMR) set by Housing Urban Development (HUD). The five (5) new single-family homes with be size restricted to maximum of 1400 square feet of total living space per unit. The TDR application also request relief from the thirty (30) foot buffer requirement and relief from the thirty (30) foot rear setback requirement. The Landscape Design provides for new screening as mitigation for this relief.

PLAN SNAPSHOT REPORT (SITE-2024-0012)

Area of Parcel to be Developed (SQFT)	52000	Number of Parking Spaces Existing	2	Number of Parking Spaces Proposed	18
Number of Employees Total	0	Number of Employees in Max Shift	0	Distance to City Water	20
Distance to City Sewer	20	Type of Building to be Built	Wood Frame	Estimated Construction Value	1600000.00
Refuse Removal	Private	Is there an existing Conservation Easement?	No	Existing Conservation Easement Details	
TotalImpactFeeSDTOD	0.00	TotalImpactFeeTHTOD	0.00	TotalImpactFee23FTOD	0.00
TotalImpactFeeA4TOD	0.00	TotalImpactFeeMHTOD	0.00	TotalImpactFeeADUTOD	0.00
TotalImpactFeeAONRTOD	0.00	TotalImpactFeeAR55TOD	0.00	TotalImpactFeeAR62TOD	0.00
Sub Total Residential	0.00	TotalImpactFeeRIRCTOD	0.00	TotalImpactFeeOCSTOD	0.00
TotalImpactFeeITWCTOD	0.00	TotalImpactFeeNHALTOD	0.00	TotalImpactFeeOIUTOD	0.00
TotalImpactFeeAFAOTOD	0.00	Sub Total Non-Residential	0.00	Total of Impact Fees to be Assessed	0.00

Attachment File Name	Added On	Added By	Attachment Group	Notes
Signature_Robert_Stowell_8/15/2024.jpg	08/15/2024 11:52	Stowell, Robert		Uploaded via CSS
2024.09.05_PlanningTechnicalReviewCommittee.Agenda.pdf	08/27/2024 11:29	Blonigen, Rachel		TRC Agenda
2024.09.26_PlanningTechnicalReviewCommittee.Agenda.pdf	09/12/2024 16:14	Blonigen, Rachel		TRC Agenda
2024.09.26_PlanningTechnicalReviewCommittee.103Court_SITE-2024-0012.pdf	10/04/2024 12:06	Blonigen, Rachel		Approved TRC Minutes
2024.11.14_PlanningTechnicalReviewCommittee.Agenda.pdf	11/01/2024 11:51	Blonigen, Rachel		TRC Agenda
2024.09.05_PlanningTechnicalReviewCommittee.103Court_SITE-2024-0012.pdf	11/01/2024 11:54	Blonigen, Rachel		Approved TRC Minutes
2024.11.14_PlanningTechnicalReviewCommittee.103Court_SITE-2024-0012.pdf	11/22/2024 15:11	Blonigen, Rachel		Approved TRC Minutes
PB12-10-2024 SITE-2024-0012.pdf	12/06/2024 11:12	Blonigen, Rachel		Staff Memo
2024.12.10_PlanningBoard.Agenda.rev2.pdf	12/20/2024 9:01	Blonigen, Rachel		PB Agenda
PB12-10-2024 SITE-2024-0012.pdf	12/20/2024 9:01	Blonigen, Rachel		Staff Memo
Plan Detailed Report.pdf	01/13/2025 16:12	Service, EnerGov	Available Online	Attached by EnerGov's IO Automation Service (ATTACH: Attach copy of Notice of Decision)
2025.01.11_PlanningBoard.SW.Agenda.pdf	01/22/2025 14:41	Blonigen, Rachel		SW PB Agenda
2025.01.11_PlanningBoard.Minutes.draft.pdf	01/22/2025 14:42	Blonigen, Rachel		Draft PB Minutes
100 Court Street Abutter 2025.01.17.pdf	01/23/2025 11:48	Blonigen, Rachel		Abutter Email
H. Hamer submission 2025.01.14 PB meeting_0001.pdf	01/23/2025 11:48	Blonigen, Rachel		Abutter Correspondence
PB01-28-2025 SITE-2024-0012.pdf	01/24/2025 11:38	Blonigen, Rachel		Staff Memo
2024.12.10_PlanningBoard.Minutes.pdf	01/29/2025 16:50	Blonigen, Rachel		Final PB Minutes
2025.01.28 PlanningBoard.Minutes.pdf	03/18/2025 16:02	Blonigen, Rachel		Final PB Minutes

Note	Created By	Date and Time Created
1. Applicant Emailed TRC Agenda- RLB	Rachel Blonigen	11/01/2024 12:01
2. Impervious Paved Area found in TRAN-2024-0011	Rachel Blonigen	11/07/2024 10:27

3. No abutter notices for 2nd PB meeting as this was continued from the previous PB meeting on 12/10/2024.	Rachel Blonigen	01/15/2025 10:40

Invoice No.	Fee		Fee Amount	Amount Paid
INV-00008987	Planning General Application Fee		$200.00	$200.00
		Total for Invoice INV-00008987	$200.00	$200.00
INV-00010224	Planning Residential Fee		$700.00	$700.00
	Planning Public Notice in Newspaper		$120.00	$120.00
		Total for Invoice INV-00010224	$820.00	$820.00
		Grand Total for Plan	**$1,020.00**	**$1,020.00**

Activity Type	Activity Number	Name	Workflow Action Name	User	Created On
Recommendation to Planning Board	RCMND-000093-2024		Planner Creates Staff Recommendations v.1.00	Rachel Blonigen	12/06/2024

Activity Custom Fields

Agenda Item	4-H	Application Complete?	Yes	Summary Request & Background	INTENT: Project proposes the purchase of four (4) units through the Transfer of Development Rights (TDR) for a total of seven (7) units, where three (3) units are allowed by right, to include the renovation of the existing single-family home and the construction of a duplex and four (4) size-restricted, single-family cottages. AGENDA ITEM #: 4-H FILE: SITE-2024-0012 APPLICANT/OWNER: 5 Sherman Street, LLC LOCATION: 103 Court St. (Assessor's Map 19, Lot 8) LOTS/UNITS PROPOSED: Four (4) TDR units, Seven (7) units total (the TDR application being heard during this same meeting) ACREAGE: ±1.20 ac. ZONING DISTRICT: R-12 EXISTING USE: Residential PROPOSED USE: Residential SURROUNDING USE: Residential, Cemetery PERMITS: None WAIVERS REQUESTED: §153-14.D.6(a) and §153-14.D.6(b), requiring an aisle width of 22' or 24', where an aisle width of 20' is being proposed. (Note the applicant is also requesting partial relief of the 30' buffer) ZBA ACTION: None CONSERVATION COMMISSION: N/A TRC: Reviewed on 09/06/2024, 09/26/2024 and 11/14/2024 ATTACHMENTS: Application materials

including site plan.

Summary of Request and Background
The applicant is proposing a residential project consisting of seven (7) residential units by purchasing four (4) units through TDR. The proposal includes reconstruction of the existing single-family dwelling and the construction of a duplex and four (4) size-restricted, single-family cottages.
The base density for the parcel was determined to be three units and the additional four units are to be ruled on at the same meeting by the Planning Board.
The Technical Review Committee reviewed the application at their September 6 and 26, 2024 and November 7, 2024. meetings. (minutes attached)
Consistency with Land Use Regulations – Site Plan
§153-4 of the Site Review Regulations of the City Code provides for site review by the Planning Board of new construction of various types. This plan is consistent with those regulations.

STAFF RECOMMENDATION- Site Plan:
The Planning Department understands changes to the plan may still be needed and could be subsequent conditions of approval or made before the Board votes on the TDR request. The Planning Department also recognizes the public comments received so far and recommends the Planning Board accept the application, open the public hearing, and provide the applicant any feedback based on the application, presentation, and public hearing and then table the item to a date certain.

Planning Board Decision	DEC-000004-2025	Planning Board Decision v.1.00	Rachel Blonigen	01/13/2025

Activity Custom Fields

Documents	Provide one PDF, one CAD and two paper plan sets.	Planning Board Decision	Tabled	Planning Board Decision2	Site and parcel walk-through scheduled for January 11, 2025.

Recommendation to Planning Board	RCMND-000009-2025	Planner Creates Staff Recommendations v.1.00	Rachel Blonigen	01/24/2025

Activity Custom Fields

Agenda Item	4-C	Application Complete?	Yes	Summary Request & Background	INTENT: Project proposes the purchase of two (2) size-restricted (1,400 s.f.) units through the Transfer of Development Rights (TDR) for a total of five (5) units, where three (3) units are allowed by right via single-family base density calculation, to include the renovation of the existing single-family home and the construction of four (4) single-family cottages (two would be size restricted) along with parking, landscaping and utilities. AGENDA ITEM #: 4-C FILE: SITE-2024-0012 APPLICANT/OWNER: 5 Sherman Street, LLC LOCATION: 103 Court St. (Assessor's Map 19, Lot 8) LOTS/UNITS PROPOSED: Two (2) TDR units, Five (5) units total (the TDR application being heard during this same meeting) ACREAGE: ±1.20 ac. ZONING DISTRICT: R-12 EXISTING USE: Residential PROPOSED USE: Residential SURROUNDING USE: Residential, Cemetery PERMITS: None WAIVERS REQUESTED: §153-14.D.6(b), requiring an aisle width of 24', where an aisle width of 20' is being proposed. ZBA ACTION: None CONSERVATION COMMISSION: N/A TRC: Reviewed on 09/06/2024, 09/26/2024 and 11/14/2024 (Subsequent TRC Review Required prior to Planning Board Review) NOTICES: Abutter notices went out for the December meeting ATTACHMENTS: Application materials including site plan. Summary of Request and Background The applicant is proposing a residential project consisting of five (5)

residential units by purchasing two (2) units through TDR. The proposal includes reconstruction of the existing single-family dwelling and the construction four (4), single-family cottages, two of which would be size restricted.
The base density for the parcel was determined to be three units and the additional two (2) units are to be ruled on by this Board (TRAN-2024-0011)
The Technical Review Committee reviewed the application at their September 6 and 26, 2024 and November 7, 2024. Meetings, with a subsequent TRC review required due to substantial plan changes. (minutes previously attached for December meeting)
Consistency with Land Use Regulations – Site Plan
§153-4 of the Site Review Regulations of the City Code provides for site review by the Planning Board of new construction of various types. Staff feels based on the design and location of this project that site plan review by TRC and the Planning Board is still required even with the reduction to 4 new units. While this plan currently does not meet the requirements of a site plan, the applicant is seeking to continue this site review item to a future meeting so that the Technical Review Committee can review a full revised site plan set and revised stormwater plans and then come back for Planning Board review should the Planning Board vote on the TDR request.

STAFF RECOMMENDATION- Site Plan:
The Planning Department recognizes that the proposed plan has been scaled-back to reduce density and improve visual screening, per Planning Board and abutter request. The TDR application associated with this site plan, TRAN-2024-0011, is to be reviewed and possibly voted on this meeting, with the applicant seeking to continue this item to a future Planning Board meeting, pending the TDR application's approval. As such, staff recommends the Planning Board should continue the site plan item.

Hearing Type	Location	Scheduled Date	Status	Subject
Planning Board Hearing v.1	Council Chambers	12/10/2024	Complete	Site Review
Planning Board Hearing v.1	Council Chambers	01/28/2025	Scheduled	Site Review

Comments: Tabled

Meeting Type	Location	Scheduled Date	Subject
Technical Review Committee Meeting v.1	City Hall, Second Floor Conference Room	09/05/2024	Technical Review Committee Meeting

Comments: Requires 2nd TRC

Submittal Name	Status	Received Date	Due Date	Complete Date	Resubmit	Completed
Land Use Plan Technical Review v.1	Requires Re-submit	08/27/2024	09/05/2024	09/06/2024	Yes	Yes

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Business Development	Business Development	Burdin, James	Requires Re-submit	08/27/2024	09/24/2024	09/06/2024

Comments: -Should duplex "B" units be relabeled as 3 & 4?
-The combination of architectural styles and use of the cottage court layout add visual interest to the site and maintain the look and feel of traditional New England development.
-Proximity of this site to RM-U zoning district mitigates the impacts of the extra density.

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
City Engineer	Community Services - Engineering	Mavrogeorge, Kenneth	Requires Re-submit	08/27/2024	09/05/2024	09/06/2024

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Planning	Planning	Bassegio, Erin	Requires Re-submit	08/27/2024	09/24/2024	09/06/2024

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Zoning Administrator	Planning	Crouser, Paul	Requires Re-submit	08/27/2024	09/05/2024	09/06/2024

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
IS Building Official	Planning / Inspection Services	Maxfield, Jim	Requires Re-submit	08/27/2024	09/05/2024	08/28/2024

Comments: Provide street name for the proposed priivate roadway

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Traffic Coordinator	Police	Speidel, Marn	Requires Re-submit	08/27/2024	09/05/2024	09/06/2024

Submittal Name	Status	Received Date	Due Date	Complete Date	Resubmit	Completed
Land Use Plan Technical Review v.2	Requires Re-submit	09/12/2024	09/25/2024	11/01/2024	Yes	Yes

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Business Development	Business Development	Burdin, James	Requires Re-submit	09/12/2024	10/10/2024	09/26/2024

Comments: • The narrative says that the design is context-sensitive with the neighborhood and consistent with the master plan, but doesn't provide much analysis to support the claims. The following information would make it easier to evaluate compatible density vs. overdevelopment:
o Define the "surrounding area" for the purposes of evaluating density and visual character
o Provide density comparisons between the proposed development and surrounding area (units/acre, building massing, lot coverage, presence of duplexes, prevailing setbacks and/or separation of buildings, etc.)
o The narrative cites goals to increase housing supply, but has limited discussion of the Master Plan's vision for the future of this area in Dover.
• Many structures/areas of disturbance are within the TDR 30' no-cut-no-disturb area/still do not appear to have a visual buffer in place. If requesting a waiver, data suggestions above would also be important for evaluating waiver.
• Is there an opportunity to adapt the rear wing of the existing house or build the new duplex within the same footprint? If that is a viable solution it may improve both the architectural consistency and free up space to lessen buffer impacts.
• Review RSA 289:3 III for compliance – "no new construction, excavation, or building" within 25' of the boundary of an established cemetery.
• Plan orientation is not consistent across all sheets (e.g. both Court Street and the Cemetery appear on plan left on different sheets) – it is confusing the way it flips.

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
City Engineer	Community Services - Engineering	Mavrogeorge, Kenneth	Requires Re-submit	09/12/2024	09/25/2024	11/01/2024

Comments: Project: SITE-2024-0012
TRC Meeting: 2024.09.20
Reviewer: Kenneth Mavrogeorge, PE – City Engineer
Checked by: Engineering Staff
General Comment:
- Condo Docs are provided. Please revise to include maintenance of private sewer and water systems.
- HOA fee breakdown:
o Show cost of routine pavement maintenance (crack sealing, striping, etc.).
o Is $1800 per year in maintenance for catch basin cleanings and basin O&M too low?
o $15000 for fence repair in year 30 seems low.
SP-7:
- Drainage trench does not meet City standards. Stone bedding and backfill are required.
SP-11:
- Sewer manhole detail is not consistent with the City standard. City of Dover uses plastic steps in SMHs.
SP-12:
- Sewer trench details need to show stone bedding and backfill above pipe to match the City standard.
TR-1:
- Fire truck movement into the site crosses over the curbing. Please revise.

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Planning	Planning	Bassegio, Erin	Requires Re-submit	09/12/2024	10/10/2024	11/01/2024

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Zoning Administrator	Planning	Crouser, Paul	Requires Re-submit	09/12/2024	09/25/2024	11/01/2024

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
IS Building Official	Planning / Inspection Services	Maxfield, Jim	Requires Re-submit	09/12/2024	09/25/2024	11/01/2024

Comments: Farm Gate Drive is an acceptable private Drive name

Fire Department Comments:
TRC Fire Department Comments: 103 Court St.
Yard hydrant is no longer an issue as it has been changed to a fire service hydrant on a 6” main.
Truck 1 turning template is not within the confines of the curbed area in two locations and appears to get into a walkway in another.

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Traffic Coordinator	Police	Speidel, Marn	Requires Re-submit	09/12/2024	09/25/2024	11/01/2024

Submittal Name	Status	Received Date	Due Date	Complete Date	Resubmit	Completed
Land Use Plan Technical Review v.3	Approved	11/01/2024	11/14/2024	12/06/2024	No	Yes

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Business Development	Business Development	Burdin, James	Approved	11/01/2024	11/29/2024	11/18/2024

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
City Engineer	Community Services - Engineering	Mavrogeorge, Kenneth	Approved	11/01/2024	11/14/2024	11/18/2024

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Planning	Planning	Bassegio, Erin	Approved	11/01/2024	11/29/2024	11/18/2024

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Zoning Administrator	Planning	Crouser, Paul	Approved	11/01/2024	11/14/2024	11/18/2024

PLAN SNAPSHOT REPORT (SITE-2024-0012)

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
IS Building Official	Planning / Inspection Services	Maxfield, Jim	Approved	11/01/2024	11/14/2024	11/05/2024

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Traffic Coordinator	Police	Speidel, Marn	Approved	11/01/2024	11/14/2024	11/18/2024

Workflow Step / Action Name	Action Type	Start Date	End Date
Review v.1		08/16/2024 9:52	12/06/2024 11:13
Confirm application complete v.1	Generic Action		08/16/2024 9:52
Confirm application complete v.1	Generic Action		10/27/2025 14:48
Technical Review Committee Meeting Agenda v.1	Task	10/27/2025 14:47	
Technical Review Committee Meeting Agenda v.1	Task	08/16/2024 9:52	08/27/2024 11:29
Land Use Plan Technical Review v.1	Receive Submittal	08/27/2024 0:00	09/06/2024 13:17
Land Use Plan Technical Review v.1	Receive Submittal		
Land Use Plan Technical Review v.2	Receive Submittal	09/12/2024 0:00	11/01/2024 11:37
Land Use Plan Technical Review v.3	Receive Submittal	11/01/2024 0:00	12/06/2024 11:13
Technical Review Committee Meeting v.1	Hold Meeting	08/27/2024 11:29	09/06/2024 13:17
Technical Review Committee Meeting v.1	Hold Meeting		
Planning Board v.1		01/13/2025 16:12	
Planning Board Agenda v.1	Task	01/13/2025 16:12	01/24/2025 11:34
Planning Board Agenda v.1	Task	12/06/2024 11:13	12/06/2024 11:16
Invoice for Notices v.1	Task	01/24/2025 11:34	01/24/2025 11:35
Invoice for Notices v.1	Task	12/06/2024 11:13	12/06/2024 11:16
Send Notices v.1	Task	12/06/2024 11:14	12/06/2024 11:16
Send Notices v.1	Task		01/24/2025 11:35
Planner Creates Staff Recommendations v.1	Plan Activity	01/24/2025 11:35	01/24/2025 11:36
Planner Creates Staff Recommendations v.1	Plan Activity	12/06/2024 11:15	12/06/2024 11:16
Distribute Planning Board Materials v.1	Task	12/06/2024 11:16	12/06/2024 11:16
Distribute Planning Board Materials v.1	Task	01/24/2025 11:36	01/24/2025 11:37
Planning Board Hearing v.1	Hold Hearing	12/06/2024 11:16	01/13/2025 16:12
Planning Board Hearing v.1	Hold Hearing	01/24/2025 11:37	06/24/2025 11:39
Planning Board Decision v.1	Plan Activity		
Planning Board Decision v.1	Plan Activity	01/13/2025 16:11	01/13/2025 16:12
NOD Sent to Applicant v.1	Create Report		01/13/2025 16:12
NOD Sent to Applicant v.1	Create Report		
Final Plan v.1			
Land Use Plan Stamped and Signed v.1	Generic Action		
Recording v.1	Task		
Document Archival v.1	Generic Action		
Internal Notification of Plan Completion v.1	Generic Action		
Building Official Notifies Address v.1	Generic Action		
Pre-Con Meeting v.1	Hold Meeting		
Create/Link to Records v.1			
Create / Link to Permit - Building Major v.1	Create Sub Permit		
Create / Link to Permit - Site Work, Construction v.1	Create Sub Permit		

To: 5 Sherman Street, LLC, Applicant
From: Donna Benton, AICP
Cc: Tritech Engineering Corp.
Date: December 4, 2024
Re: TDR 103 Court Street

ISSUE:
In February 2020, the Board recommended amendments to the Transfer of Development Rights (TDR) Ordinance. In June 2020, the Planning Board approved the amendments and on July 22, 2020, the City Council ratified them. One element is the requirement for staff to draft a review statement on the need for a sketch plan. Since then the criteria for TDR has also been amended.

INTENT:
This memo will serve as part of the staff report.

GOALS:
Provide background on balancing development vs. conservation needs and current housing shortage, and describe the TDR applications in Dover.

Background

On behalf of your client, you submitted a TDR plan for a project to purchase four (4) residential units, two (2) HUD-restricted units, and two (2) 1,400 s.f. size-restricted, single-family cottage units. The project also calls for the reconstruction of the existing single-family home on the subject parcel.

The existing lot, Assessor's Map 19, Lot 8, contains one single-family dwelling. The current Zoning Ordinance permits TDR in the R-12, but specifies that the applicant must either use single-family density for the creation of additional single-family homes, or, if using two-family density, any TDR-purchased unit must be a duplex. Therefore, since the applicant seeks to construct a mixture thereof, it was determined by staff, per the applicant's yield plan, that three (3) units would be allowed by right, requiring that the remaining four units be purchased through TDR.

Staff performed this review based upon the information below, and is now providing the required staff report (Chapter 170-27.2 E.(4)a).

Project Information

Project:	103 Court Street, TDR
Where:	103 Court St. (Assessor's Map 19, Lot 8)
What:	Seven (7) units total. Four (4) of which are requested to be purchased through TDR, two (2) HUD-restricted units, and two (2) 1,400 s.f. size-restricted, single-family cottage units. The density calculation per R-12 specific zoning regulations, as stated above, was used to determine a base density calculation of three (3) units, requiring the purchase of the four (4) proposed units.
Acres:	±1.20 acres (no change in acreage) Assessor's Map 19, Lot 8 = 52,241± s.f. (1.20± ac.)
Zone:	R-12
Public Water:	Lot is serviced by municipal water.
Public Sewer:	Lot is serviced by municipal sewer.
Units:	Seven (7) total units are proposed, staff considers three (3) of the units to be the base density as the applicant proposes a mixture of 2-family and single-family structures, therefore requiring the applicant to purchase four (4) TDR units.
CUP:	Not applicable to this proposal.

Staff Comment

When reviewing projects, review the context, discuss options with the applicant, and advise on the feasibility of requesting the purchase or exchange before or after designing a fully laid out plan.

In reviewing this project, we note:

- Traffic
  - Court Street is a moderate-traffic thoroughfare connecting Central Ave. to Back and Middle Roads.
- Layout/topography
  - There is currently an existing residence onsite.
  - The cumulative lot coverage of all proposed structures is approximately 15.3%, which is roughly half of the R-12's underlying maximum lot coverage requirement.

- Environmental
  - The property boundary is currently moderately wooded. Per the applicant's proposal, the majority of the existing trees will be removed, although per the plan, will include both fencing and a vegetative buffer around the lot's perimeter.
  - The R-12 District is characterized by its medium density, requiring a minimum lot size of 12,000 square feet, 100 feet of frontage, and a maximum underlying density of 2 units per lot, with varying lot size requirements for 2-family structures, depending on whether they're newly constructed, or converted from an existing single-family home.

Staff Recommendation

While the applicant is seeking a waiver for the required 30' perimeter buffer, per the TDR ordinance, staff notes that this project is not proposing new lot lines but encourages the applicant to provide as much buffer and screening as possible to the neighbors. Staff would also like to see more assurance that the 25' cemetery buffer is maintained per RSA 289:3.

TRITECH
ENGINEERING CORPORATION

755 Central Avenue
Dover, New Hampshire 03820

Telephone 603.742.8107
Facsimile 603.742.3830

October 24, 2024

Donna Benton, AICP
Director of Planning & Community Development
City of Dover, Planning Department
288 Central Avenue
Dover, New Hampshire 03820

Subject: Technical Review Committee Response Letter #2
103 COURT STREET
Dover Tax Map 19 Lot 8
103 Court Street
Dover, New Hampshire
Job No. 24101
City of Dover Planning # Site-2024-0012

Dear Donna:

At their meeting on September 26, 2024 the Dover Technical Review Committee (TRC) offered the following comments. Our response to each of their comments are identified in blue text.

PLANNING

- *Reminder: Water and sewer investment fees.*

  The Applicant is aware of this requirement.

- *Provide City of Dover letter to serve when received.*

  The City Engineer indicated at the TRC meeting that he was preparing a letter to serve regarding city services.

- *Shrink common area or unit count to gain more than the 10' visual buffer. Narrative would be needed for TDR relief being sought from setback and buffer. However, seeing the density being sought is double what the base calculates out to be would indicate the buffers and setbacks should be met or unit request reduced.*
  - This comment has not been adequately addressed. Still seems to have too many units and not enough buffer area.

    The revised Site Plan provides a radical revision to the site layout. The unit count has been reduced by 2 units. The existing house will remain as a single-family home, which will utilize its existing utilities, trash collection and driveway. The new duplex has been moved slightly to more closely coincide with the existing barn foot print and will provide additional buffer to the east. These units will remain HUD restricted. Cottage #5 has been removed. The remaining cottages have been pushed to the west another 15 feet and completely out side of the 30-foot buffer.

    The aerial photographs from the City of Dover GIS shows that in 2005, 2010 and as recently as 2018 much of the property was maintained as field and much of the growth on site does not provide effective screening. The proposal still requests a waiver from the 30-foot perimeter buffer which will allow for clearing of the existing undergrowth and the installation of stockade fence with an additional vegetative screen.

- *Internal parking aisleways w/ one entrance/exit must be 24' wide*
  - TRC response indicates a waiver has been submitted. Could not locate in materials.

    Attached please find our waiver request for relief to this requirement.

- *Any additional screening planned behind cottage units?*
  - Visual buffer is needed behind cottage units in addition to existing fencing.

    The landscape plan has been revised with extra attention given to the area behind the cottages.

  - Provide more robust landscaping plan.

    The landscape plan has been revised with significantly more plantings.

- How do you ensure critters don't get into or attracted to the toters stored outside?

  The Applicant has updated the Trash Management Protocol (see attached).

- Sight distance photo looking northwest should be taken from a ~1ft back. The photo seems to be taken from a spot where the front of the car would already be in the street.

  The sight distance photographs were taken slightly closer to the travel way than normal due to existing vegetation on the site. We are comfortable that the photographs correctly demonstrates the sight distance.

- How do you ensure snow storage does not get pushed up against abutter's fence?

  This revised layout has moved the pavement / snow storage farther way from the lot line.

- The streetscape rendering doesn't seem to accurately show how tall the barn building is compared to the front dwelling.

  The applicant has revised the streetscape to be consistent with the site design.

- Show 25' cemetery line setback per RSA 289:3 III. No excavation can occur with that 25' buffer so stormwater and utilities will need to be adjusted.

  The revised layout complies with this statue. We have limited activity in this area to landscaping.

ENGINEERING

- General Comment:
  - Condo Docs are provided. Please revise to include maintenance of private sewer and water systems.

    The Applicant has updated the Home Owners Association (HOA) documents (see attached) to address the private sewer and water systems maintenance.

  - HOA fee breakdown:
    - Show cost of routine pavement maintenance (crack sealing, striping, etc.).

      The Applicant has updated the Home Owners Association (HOA) documents (see attached) to include these maintenance items.

    - Is $1800 per year in maintenance for catch basin cleanings and basin O&M too low?

      The Applicant has updated the Home Owners Association (HOA) documents (see attached) which adjusts this value.

- $15000 for fence repair in year 30 seems low.

  The Applicant has updated the Home Owners Association (HOA) documents (see attached) which adjusts this value.

- SP-7:
  - Drainage trench does not meet City standards. Stone bedding and backfill are required.

    This detail has been revised as requested.

- SP-11:
  - Sewer manhole detail is not consistent with the city standard. City of Dover uses plastic steps in SMHs.

    This detail has been revised as requested.

- SP-12:
  - Sewer trench details need to show stone bedding and backfill above pipe to match the city standard.

    This detail has been revised as requested.

- TR-1:
  - Fire truck movement into the site crosses over the curbing. Please revise.

    The revised layout address this concern.

POLICE

- Sheet SP-2, notes C-19 and C-20: do these 2 pads serve the entire lot? Access to C-19 appears mostly obstructed by adjacent parking space.

  The toter pads have been combined and relocated the rear of the site.

- Label the "designated collection area" per the Trash Management Protocol - particularly if out at Court Street - or indicate if toters would simply be collected straight from the storage pads.

  The toter pad has been identified on the plans as the "designated collection area".

- RE: Sheet LI-1, Lighting Note 2: regarding the reference to timers and 10pm shutoff, is there any site lighting that this pertains to? Wall packs seem likely to be controlled by individual unit owners; would this impact any lighting of community space and/or parking areas?

  The lighting note has been revised to indicated that the pole lights only will be controlled by the timers / 10 pm shutoff.

INSPECTION SERVICES

- Farm Gate Drive is an acceptable private drive name.

  The revised plan have noted Farm Gate Drive as the name of the proposed driveway.

FIRE DEPARTMENT

- Yard hydrant is no longer an issue as it has been changed to a fire service hydrant on a 6" main.

  Addressed, thank you.

- Truck 1 turning template is not within the confines of the curbed area in two locations and appears to get into a walkway in another. See attached.

  The revised layout address this concern.

BUSINESS DEVELOPMENT

- The narrative says that the design is context-sensitive with the neighborhood and consistent with the master plan, but doesn't provide much analysis to support the claim. The following information would make it easier to evaluate compatible density vs. overdevelopment:
  - Define the "surrounding area" for the purposes of evaluating density and visual character

    The applicant has updated the TDR Narrative to address this comment (see attached).

  - Provide density comparisons between the proposed development and surrounding area (units/acre, building massing, lot coverage, presence of duplexes, prevailing setbacks and/or separation of buildings, etc.)

    The applicant has updated the TDR Narrative to address this comment (see attached).

  - The narrative cites goals to increase housing supply, but has limited discussion of the Master Plan's vision for the future of this area in Dover.

    The applicant has updated the TDR Narrative to address this comment (see attached).

- Many structures/areas of disturbance are within the TDR 30' no- cut-no-disturb area/still do not appear to have a visual buffer in place. If requesting a waiver, data suggestions above would also be important for evaluating waiver.

  The unit count has been reduced by 2 units. The new duplex has been moved slightly to more closely coincide with the existing barn foot print and will provide additional buffer to the east. Cottage #5 has been removed. The remaining cottages have been pushed to the west another 15 feet and completely out side of the 30-foot buffer.

  The aerial photographs from the City of Dover GIS shows that in 2005, 2010 and as recently as 2018 much of the property was maintained as field and much of the growth on site does not provide effective screening. The proposal still requests a waiver from the 30-foot perimeter buffer which will allow for clearing of the existing undergrowth and the installation of stockade fence with an additional vegetative screen.

- Is there an opportunity to adapt the rear wing of the existing house or build the new duplex within the same footprint? If that is a viable solution it may improve both the architectural consistency and free up space to lessen buffer impacts.

  The new duplex has been moved slightly to more closely coincide with the existing barn foot print and will provide additional buffer to the east.

- Review RSA 289:3 III for compliance – "no new construction, excavation, or building" within 25' of the boundary of an established cemetery.

  The revised layout comply with this statue. We have limited activity in this area to landscaping.

- Plan orientation is not consistent across all sheets (e.g., both Court Street and the Cemetery appear on plan left on different sheets) – it is confusing the way it flips.

  The site plans (designated as SP-) follow conventional drafting standard with North pointing up the page or to the right of the page.
  The construction plans (designated as C-) follow conventional road design standard with the roadway stationing increasing form left to right.

UPDATED TDR REQUEST

The applicant proposes utilizing the City of Dover Transfer Development Rights (TDR) regulations to redevelop Map 19 Lot 8. The proposal calls for the existing home to remain, the construction of a duplex and the construction of four (4) new single-family homes for a total of seven (7) units. The TDR Base Density Calculation provide for a Base Density of three (3) units, therefore, four (4) of these units will be obtained under the TDR regulations. The existing house is proposed to remain and will be an unrestricted unit. The two (2) units located in the duplex building will be deed restricted to a Fair Market Rent (FMR) set by Housing Urban Development (HUD). The four (4) new single-family homes with be size restricted to maximum of 1400 square feet of total living space per unit. The TDR application still requests relief from the thirty (30) foot buffer requirement. The Landscape Design provides for new screening as mitigation for this relief.

PROJECT SUBMITTAL

Attached please find the supporting documentation:

- Five (5) Copies of this TRC Response Letter.
- Five (5) Copies of the Revised Site Development Plan set.
- Five (5) Copies of the Revised Color Renderings and Streetscape.
- Five (5) Copies of the Waiver Request (driveway width).
- Five (5) Copies of the Updated Home Owners Association (HOA) documents.
- Five (5) Copies of the Updated Transfer Development Rights (TDR) Narrative.
- Five (5) Copies of the Updated Trash Management Protocol.
- One (1) Copy of the Revised Stromwater Analysis.

We look forward to meeting with the Technical Review Committee (TRC) at their next available meeting and discussing these revised development plans.

Please advise should you have any questions.

Very truly yours,
TRITECH ENGINEERING CORP.

Robert J. Stowell, P.E., L.L.S.
President

RJS / cmp
Enclosures
\\24101_CourtStSubmittalltr3.docx

City of Dover, New Hampshire
SITE REVIEW APPLICATION

[Revision Date: July 1, 2021]

Office Use Only	Project #:		Date Received:	
	Amount Paid:		Time Received:	

APPLICANT AND OWNER INFORMATION

Name of Applicant: 5 Sherman Street, LLC Telephone #_____

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

E-Mail Address: robert@centralfallsrealty.com

Name of Property Owner (*if different from applicant*): _____ Telephone #_____

Address of Property Owner: _____

PROPERTY INFORMATION

Address of Property: 103 Court Street Dover, NH 03820

Assessor's Map # 19 Lot(s) # 8

Zoning District(s) R-12 Overlay District(s) N/A

Size of Parcel: 52,241 sq. ft. 1.199 ac. Property Deed: Book 5172 Page: 55

Existing Use of Property: Single Family Residence

SITE PLAN INFORMATION

Describe Proposed Use: (2) Two Duplexes (4 Units) & 5 Single Family

Area of Parcel to be Developed: 52,000 sq. ft.

If Multi-family Residential: Number of Units 7 & Buildings Proposed 6

If lodging: Number of Units _____ & number of Buildings _____

Number of Parking Spaces: Existing 2 Proposed 14

Highway Access (check where applicable): X City Street ____ State Highway

Number of Employees Total: N/A In Maximum Shift: N/A

Disposition of Parcel:

Building Footprint Varies sq. ft.

Total Building Area Varies sq. ft.

Paved Area 11,000 sq. ft.

Building Setbacks:

Front Yard 15 ft.

Rear Yard 30 ft.

Side Yard: Right 15 ft. Left 15 ft.

City Water? X Yes ___ No How far is city water from the property? At Property

City Sewer? X Yes ___ No How far is city sewer from the property? At Property

TRANSFER OF DEVELOPMENT RIGHTS INFORMATION

Type of TRANSFER OF DEVELOPMENT RIGHT REQUEST (Check All That Apply):

□ Residential ☒ Residential (reduced size) □ Industrial | ☒ Purchase □ Land Preservation

Relief sought (Check All That Apply):

□ Lot Size □ Frontage □ Setback ☒ 30' Buffer ☒ Increase by 4 units

Describe Proposed Use or Activity that requires TDR; describe any impacts and document mitigation:

See Project Narrative

BUILDING INFORMATION

Type of Building to be Built: Wood Frame

Height of Building: Varies Finished Floor Elevation: Varies

Number of Seats (where applicable) N/A

Estimated value of construction: $1,300,000 Refuse removal: Public/Private (circle one)

WAIVER REQUESTS

Site Review Regulations section(s) to be waived: _____

Justification for waiver request(s) (*attach additional sheets as needed*):

SURVEYOR INFORMATION

Name of Surveyor and Company (Licensed in N.H.) Robert Stowell; Tritech Engineering Corp.

Address 755 Central Ave. Dover, NH Telephone #: 603 742 8107

Professional License #: 884 E-mail address: rjs@tritecheng.com

ENGINEER INFORMATION

Name of Engineer and Company (Licensed in N.H.) Robert Stowell; Tritech Engineering Corp.

Address 755 Central Ave. Dover, NH Telephone #: 603 742 8107

Professional License #: 884 E-mail address: rjs@tritecheng.com

ARCHITECT INFORMATION

Name of Architect and Company (Licensed in N.H.) _____

Address _____ Telephone #: _____

Professional License #: _____ E-mail address: _____

LANDSCAPE ARCHITECT INFORMATION

Name of Landscape Architect and Company (Licensed in N.H.) Romy N. Maurer; Terrain Planning & Design

Address 311 Kost Hill Rd. Hopkinton, NH 03229 Telephone #: 603 746 3512

Professional License #: 086 E-mail address: romy@terrainplanning.com

SOIL SCIENTIST INFORMATION

Name of Soil Scientist and Company (Licensed in N.H.) Michael Mariano; Highland Soil Services

Address 75 Prospect St. Somersworth, NH Telephone #: 609 692 4457

Professional License #: 76 E-mail address: highlandsoilservices@comcast.net

CONSERVATION EASEMENT HOLDER

Name of Easement Holder: _____ Telephone #_____

Address Easement Holder: _____

SIGNATURES

I/We hereby submit this application to the City of Dover Planning Board and attest that to the best of my knowledge all of the information on this application form and in the accompanying application materials and documentation is true and accurate. Furthermore, I/we submit that the existing conditions sheet of the plan represents the lot in question, and that no alteration of the site shall take place during Planning Board review up to and including the pre-construction meeting. As applicant or as agent, I attest that I am duly authorized to act in this capacity.

Signature of Property Owner: _____ Date: _____

Signature of Applicant (*if different from owner*): _____ Date: _____

Signature of Agent: _____, PRESIDENT Date: 08/15/24

AUTHORIZATION TO ENTER SUBJECT PROPERTY

I, and my successors, hereby authorize members of the Dover Planning 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: _____

AUTHORIZATION TO COMPLETE THE PROJECT ON SUBJECT PROPERTY

I, and my successors, hereby the City of Dover or its assigns to enter my property for the purpose of completing the site work as required by the approved plan should the letter or credit or other surety be called. It is understood that these individuals must use all reasonable care, courtesy, and diligence when on the property.

Signature of Property Owner: _____ Date: _____

Signature of Applicant (*if different from owner*): _____ Date: _____

CERTIFICATION OF FEES

I, and my successors, hereby certify that I understand that the City of Dover collects impact fees, utility investment fees and inspection fees for projects developed in Dover. Said fees must be paid before a Certificate of Occupancy can be obtained for a structure, unless a different payment schedule is agreed to by the applicant and the City prior to approvals being issued by the Dover Planning Board. Additionally, should the property be in "Current Use" it will be subject to the Land Use Change Tax.

Signature of Property Owner: _____ Date: _____

Signature of Applicant (*if different from owner*): _____ Date: _____

CITY OF DOVER SITE REVIEW
LIST OF ABUTTERS

Pursuant to RSA 676:4, the State Law of New Hampshire, the City of Dover is required to notify the applicant, abutters (including holders of conservation easements), and any professional whose seal is on the plan, of the public hearing by certified mail, return receipt requested. Staff will provide the abutter information, while the applicant must provide accurate contact information for the owner, applicant and professional agents representing the project.

Owner:

TAX MAP	LOT #	PROPERTY OWNER	MAILING ADDRESS
19	8	5 Sherman Street, LLC	242 Central Ave. Dover, NH 03820

Applicant (if different from owner):

APPLICANT NAME	APPLICANT COMPANY	MAILING ADDRESS
Robert Baldwin	5 Sherman Street, LLC	242 Central Ave. Dover, NH 03820

Surveyor and/or Engineer/Professional Agent:

NAME	COMPANY	MAILING ADDRESS
Robert J. Stowell	Tritech Engineering Corp.	755 Central Ave. Dover, NH 03820
Michael Mariano	Highland Soil Services	75 Prospect St. Somersworth, NH 03878
Romy N. Maurer	Terrain Planning & Design	311 Kost Hill Rd. Hopkinton, NH 03229

Conservation Easement Holder:

TAX MAP	LOT #	NAME OF EASEMENT HOLDER	MAILING ADDRESS

PLANNING BOARD FEE SCHEDULE/INVOICE

(Revised July 24, 2023)

Below are the fees associated with plan review and are subject to a nonrefundable application fee to cover administrative expenses. Please complete the information below and provide payment with your application submittal. **Plan review fees shall be paid prior to technical review committee (TRC) being scheduled.** For plans not requiring TRC review, **fees are due 21 days prior** to the Planning Board meeting. Staff will coordinate abutter/notice fees, which will be invoiced and must be paid 28 hours before the Planning Board meeting for an application to be heard. Fees shall be paid by cash or check made payable to "City of Dover".

A. Plan Review Fees

1. Application fee for the following (SELECT ALL THAT APPLY):

- ☐ SUBDIVISION Application fee $200.00 + $150.00 x # _____ new lots created = $_____
- ☐ LOT LINE ADJUSTMENT Application fee $200.00 + $100.00 X # ___ of lots involved = $_____
- ☐ TRANSFER OF DEVELOPMENT RIGHTS Application fee $200.00 = $_____
- ☒ SITE REVIEW – RESIDENTIAL Application fee $200.00+ $100.00 x # 7 per dwelling unit = $ 900.00
- ☐ SITE REVIEW – NON-RESIDENTIAL Application fee $200.00 + (not to exceed $10,000)
  - New construction $.15 sq. ft. x # _____ sq. ft.= $_____
  - Additions (new floor space) $.10 per sq. ft. x # _____sq. ft.= $_____
- ☐ MOTEL/HOTEL $35.00 x # ___ per lodging unit= $_____
- ☐ CHANGE OF USE Application fee $200.00 + (not to exceed $5,000)
  - Existing floor spaces $.10 per sq. ft. x # _____ sq. ft. = $_____
- ☐ CONDITIONAL USE PERMIT Application fee $200.00 x # _____ per Application = $_____
- ☐ GRAVEL PIT/ EXCAVATIONS
  - Application fee $50.00= $_____
  - Permit fee $75.00= $_____
- ☐ EXTENSIONS/AMENDMENTS/WAIVERS FOR AN APPROVED PLAN Application fee $200.00 = $_____
- ☐ REQUEST FOR REZONING Application fee $200.00 = $_____
- ☐ DRIVEWAY WAIVER Application fee $200.00 = $_____
- ☒ **TOTAL IMPERVIOUS PAVED AREA** (for new development, roadways or additions to existing parking lots, (not to exceed $10,000)) Application fee of $200.00 is N/A if it is part of a Site Review or Subdivision Plan. $200.00 + $.07 per sq. ft. x # 11,000 sq. ft. = $ 770

SUBTOTAL PLAN REVIEW FEE = $ 1670

AND

B. Abutter Notification/Mailing Labels - this office will create and print the abutter list and provide labels in triplicate for each abutter. The applicant/owner will review the list for accuracy and provide to us the engineer, architect, licensed land surveyor (LLS), licensed landscape architect (LLA) and/or soil scientist whose professional seal appears on the plan with names and addresses for notices.

- ☐ Applicant & Owner, engineer, architect, LLS, LLA and/or soil scientist
  - Certified letters fee # _____ of x $10.00= $_____
- ☐ Certified letters fee: # of abutters _____ X $10.00= $_____
- ☐ First Class Mail fee (for individual owner of units within a condominium or other collective form of ownership): # of abutters _____ X $1.00= $_____
- ☐ Creating/Printing Abutter Labels in triplicate per sheet _____ x $10.00= $_____

C. Foster's newspaper public notice fee $120.00 x # _____ applications = $_____

SUBTOTAL = $_____

TOTAL INVOICE AMOUNT = $_____

PLAN REVIEW FEE COLLECTED/PAID = $ _____

BALANCE DUE = $ _____

The amount due must be paid 28 hours prior to the Planning Board Meeting, to be heard.

City of Dover, New Hampshire
SITE PLAN REVIEW SUBMISSION CHECKLIST

[Revision Date: June 4, 2019]

This site plan review checklist, as required by Chapter 153-6-B(2), should be completed by the applicant. It is intended to assist the applicant in the planning process of preparing a Site Plan Review application for Planning Board action. The size of the project will determine the types of information required for review, therefore, a **pre-application conference** with the Planning Department to determine the list of items that must be completed is strongly encouraged.

The first step would be to appear before the Technical Review Committee, to apply, eight (8) folded copies of the site plan with scale of not less than 1"=50' or 1" =100' for larger site plans, need to be provided, along with payment of plan review fees.

Two weeks prior to Planning Board, three (3) full size and twelve (12) half size (11x17), folded, copies of the plan set and materials, including response to TRC comments, will be due. Abutter/Notice Fees will be invoiced and need to be paid 28 hours prior to the Planning Board meeting.

The applicant is cautioned that this checklist is only a guide and is not intended to be a complete list of all site plan review requirements. Please refer to the Site Plan Review Regulations for full details.

APPLICANT: 5 Sherman Street, LLC File Number: _____

PROJECT TITLE: 103 Court Street

PROPERTY LOCATION: 103 Court St. Dover, NH Tax Map: 19 Lot: 8

	Where/How Provided	Reviewed
1. Completed and signed Application form	Attached	
2. Plan Review Fees are provided	Hand Delivered	
3. Electronic copy of the engineered/surveyed plan layout	Via Portal	
4. Electronic copy of supplementary materials and application	Via Portal	
5. Traffic Impact Assessment and Analysis (Standard or Advanced)	Attached	
6. Waiver requests to the Site Plan Review Regulations, with written justification	N/A	
7. Conditional Use Permit applications	N/A	
8. A colored rendering of the streetscape that will be created along the existing public right-of-way	Architectural Plans	
9. A colored architectural plan showing all sides of buildings	Architectural Plans	
10. Folded copies of site plan w/scale of not less than 1"=50' or 1"=100' for larger site plans, for TRC. Plans shall contain the following items as appropriate:	Attached	
Location map at appropriate scale	Sheet Ex-1 Locus Map	
Proposed Project name and title and Planning File #	Title Block	
Date, north arrow and scale	Shown	
Names of all abutting property owners	Shown	
Name and address of owners and/or applicants	Shown	
Signature & stamp of NH licensed land surveyor and/or engineer	Shown on Applicable Sheets	
Zoning District boundaries, including any special or overlay districts	Sheet SP-1	
Location of Conservation District areas	N/A	
Location, names and widths of existing and proposed streets, including pavement widths, grades, curbs and crosswalks	Sheet SP-1	
Location and widths of existing & proposed easements & right of ways	Sheet SP-1	
Location and width of existing and proposed access/egress ways	Sheet SP-1	

	Explain How Provided	Reviewed
Depict pedestrian walkways and accessible access	Sheet SP-1	
Existing and proposed property lines with dimensions and bearings tied into Dover's Geographic Information System coordinate system	Shown All Plans	
Existing and proposed topographic information at two foot intervals	Shown All Plans	
Existing and proposed buildings and structure locations	Sheet SP-1	
Minimum building setbacks or build to lines on all lots	Sheet SP-1	
Location and size of existing and proposed electric, telephone, gas cable and other underground utilities	Sheet SP-3	
Existing and proposed water lines and fire hydrants, including materials and capacity needed	Sheet SP-3	
Location and materials of sanitary sewage facilities within project site and projected additional peak hour sewer load	Sheet L-3	
Existing and proposed stormwater lines and facilities	Sheet L-1 & SP-5	
Lighting plan depicting all existing and proposed exterior light fixtures and a lighting level analysis for parking lots	Sheet L-1	
Location of Flood Hazard Zone	N/A	
Location of all bodies of water and watercourses	N/A	
Location of wetlands and buffers	N/A	
Neighborhood plan with aerial underlay showing how project relates to abutting uses within the plan set	Sheet T-2	
Existing natural features and/or significant vegetation on property	Sheet EX-1	
Depict existing contours up to 100 ft. beyond project limits	Sheet EX-1	
Landscape plan depicting existing and proposed landscaping, prepared by a licensed Professional Landscape Architect	Sheet LA-1	
Location of parking layout delineating spaces and arrangement; note addressing maximum required spaces	Sheet SP-1	
Location, material and size of existing and proposed pavement area	Sheet SP-1	
Location of proposed fire lanes	Sheet SP-2	
Specify finished floor elevations of buildings	Sheet SP-4	
Location of solid waste disposal facilities (dumpster, pad and screening, etc.), including required screening	N/A - Private Pickup	
Depict all service, storage, loading bays and utility areas	N/A	
All applicable Dover Common Site Plan notes	Sheet SN-1	
11. Additional Information if appropriate		
Stormwater Management Plan depicting the existing & proposed storm drainage system and engineered drainage analysis	Drainage Report	
Stormwater Management System Operation and Maintenance Plan	Stormwater Mgmt., Maintenance & Insp. Plan	
Letter to Serve from Public and Private Utilities	Pending	
Erosion and Sedimentation Control Plan	Drainage Report	
Landscape Operation and Maintenance Plan	Sheet LA-1	
Proposed restrictive covenants or homeowners association documents	Pending	
Dates and permit numbers of all required state and federal permits	Pending	
If wetland buffer, indicate placards locations, as applicable	N/A	
Depict test boring locations, groundwater elevations and soil profiles and/or soils types call-outs	Sheet SSS-1	
Location of proposed drive-in facilities	N/A	
Provide additional exhibits/technical data determined appropriate by the Planning Board or its staff as required	N/A	

REVIEWED BY: _____ DATE_____ TRC DATE_____

Email Thread 1:

Sent 9/5/2024:

Hilary Hamer <hilary.a.hamer@gmail.com> Thu, Sep 5, 2024 at 9:12 PM
To: ZoningBoard-All@dover.nh.gov
Bcc: Dorna <dorna.hamer@gmail.com>, Merlin Money Mason <nilrem254@gmail.com>

Hello,

I am writing to formally request clarification to zoning code 170-27.2 F(4): "SETBACKs for parking, paved areas, and BUILDINGs may be waived by the PLANNING BOARD, and be consistent with the intent to promote intensive development of suitable development sites. Notwithstanding, BUILDINGs shall be at least one hundred fifty (150) feet from residential STRUCTUREs that exist on the date of enactment of the I-4 and B-4 Zoning districts, and seventy five (75) feet from the LOT LINE of a disagreeing residential ABUTTER."

My understanding in the context of the 103 Court St site would be that the existing single-family homes abutting at both 91 and 109 Court St as existing older residential structures would therefore require new construction to be located at least 150ft away if built under TDR code at 103 Court St, and not susceptible to waiving by the planning board as specifically written.

Furthermore, I understand that if either the owners of 91 or 109 Court St which abut the parent property at 103 Court St disagree with a proposed TDR building, then it must be set a minimum of 75ft away from either's entire property line. Otherwise, how is a disagreeing residential abutter defined? Again, as specifically written this is not susceptible to waiving by the planning board.

Additionally, I am writing to formally request the zoning board recognize and enforce the abutter right to continuous visual barrier for any considered TDR development. The zoning code 170-27.2 G(7) states, "A continuous visual buffer shall be created along the perimeter of the parent parcel." Continuous by definition would imply no gaps or interruptions. A 'tree screen' would hardly seem to meet this requirement and by definition a perimeter would include all sides of the parent lot. A reasonable interpretation might be a solid fence in the 7-8ft height which city guidelines allows for along each side and back of the property.

Thank you,

Hilary Hamer, OD, FAAO

(603) 361-9428

Reply Paul Crouser 9/6/2024:

Crouser, Paul <P.Crouser@dover.nh.gov> Fri, Sep 6, 2024 at 11:05 AM
To: Hilary Hamer <hilary.a.hamer@gmail.com>
Cc: "Benton, Donna" <d.benton@dover.nh.gov>

Hi Hilary,

Thanks for your email – I'd be happy to clarify a few things for you.

1. TDR projects are under the purview of the Planning Board, not the Zoning Board;
2. Procedurally, the project will take on the following order of operations;
   a. Review by the Technical Review Committee (we had our first meeting yesterday, 9/5/24, in which we made recommendations and requirements for the project to move forward, including the visual buffer which you expressed concern about. The TRC required the applicant to make plan revisions and return for a second TRC review, the date of which has yet to be determined.)
   b. Second TRC review
   c. Planning Board Review, which separates the project into two discreet review processes, which are:
      i. TDR Project Application compliance
      ii. Site Review compliance
   d. Preconstruction meeting

   Only when a-d are complete may the applicant begin construction on their project, and it is likely that the plan will be amended several times prior to that happening, both at the TRC and Planning Board level.

3. The section you referenced, Section 170-27.2(F)4 refers to Industrial TDR projects, not residential;
4. Under Residential TDR Standards, setback, frontage, and lot size requirements may be waived
5. Regarding your suggestion about the fence as a visual buffer – staff agrees and made that exact same recommendation to the applicant, who is revising the plan to reflect a joint landscaping/fence buffer. The minutes for the TRC meeting have not yet been posted, but they will shortly (likely by end of business today), while the recordings and materials are available to view right now via this link: Treeno - Docs (nh.gov)

If you have any other questions, please let me know. I'd also be happy to have a phone conversation with you to clarify anything you wish.

Regards,

Paul R. Crouser
Zoning Administrator / Assistant City Planner
Planning & Community Development

City of Dover, NH

288 Central Avenue

Dover, NH 03820
e: P.Crouser@dover.nh.gov
p: 603.516.6007 / f: 603.516.6049

No statement made by Paul Crouser that (G)7 30-foot buffer does not apply to 103 Court St.

Email Thread 2:

Sent 9/19/2024:

Hilary Hamer <hilary.a.hamer@gmail.com> Thu, Sep 19, 2024 at 8:27 AM
To: "Crouser, Paul" <P.Crouser@dover.nh.gov>
Cc: "Benton, Donna" <d.benton@dover.nh.gov>
Bcc: Dorna <dorna.hamer@gmail.com>, Merlin Money Mason <nilrem254@gmail.com>

Good morning,

Thank you for addressing my questions so far. I saw that an updated plan has been submitted for 103 Court St with a TRC meeting date of 9/26. I believe you explained that there is no opportunity for public questions at TRC meetings; is this correct, please? Is there a way to formally request the TRC answer a question by submitting in advance of the meeting? Would a formal letter be acknowledged or does an email suffice, such as this?

I want to inquire to the code 170-27.2(G)7: "A continuous visual buffer shall be created along the perimeter of the parent parcel, which shall include a thirty (30) foot no cut, no disturb buffer." I am looking at the updated plan and do not see a 30-foot buffer adjacent to my property still. If I am to read the scale, there is approximately 10' between my property line and the road being created. This TDR places a road within 30' of my family's bedrooms. Now I see the proposal is specifically asking for relief from this 30-foot buffer. 170-27.2(G)8d reads, "Any relief sought should not be caused by the additional density." Now this was a more recent amendment it seems, but by this statement Dover cannot offer this relief for the 30-foot buffer just to make more units work in this lot. Part of the updated materials from the developer says "...strict compliance with the 30-foot perimeter buffer would leave development of the property limited." This exactly acknowledges that buffer relief is required to fit this extent of dense development on this lot. 170-27.2(G)8d states this relief is not allowed.

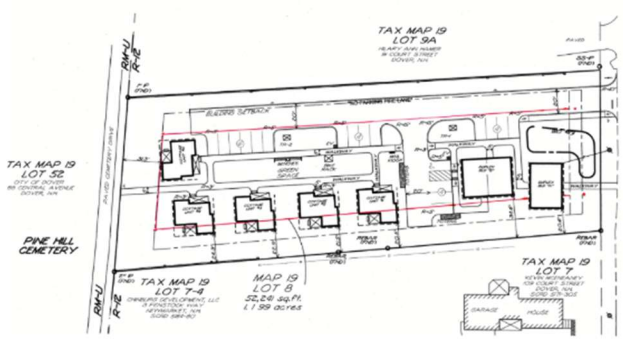
Thank you,
Hilary Hamer, OD, FAAO
cell: (603)361-9428

No reply, sent morning of second TRC 9/26/2024:

Hilary Hamer <hilary.a.hamer@gmail.com> Thu, Sep 26, 2024 at 8:20 AM
To: "Crouser, Paul" <P.Crouser@dover.nh.gov>
Cc: "Benton, Donna" <d.benton@dover.nh.gov>

Good morning,

I wanted to provide a diagram that shows (in red) where the 30-ft buffer should actually extend against the proposal being reviewed today:



170-27.2(G): Any relief sought should not be caused by the additional density.

Thank you,
Hilary Hamer, OD, FAAO
cell: (603)361-9428
[Quoted text hidden]

Reply 9/302024 after second TRC:

Crouser, Paul <P.Crouser@dover.nh.gov> Mon, Sep 30, 2024 at 10:29 AM
To: Hilary Hamer <hilary.a.hamer@gmail.com>
Cc: "Benton, Donna" <d.benton@dover.nh.gov>

Good morning, Hilary.

Apologies for the delay in response. I wanted to let you know that the Planning Department echoed your concerns regarding the 30' buffer to the Applicant during last week's TRC. Please note that the buffer has been waived in the past for existing structures which are part of the development, and while that is the case with the proposed project at 103 Court, we do recognize that the cottages in the rear of the development all violate the 30' buffer, and the Applicant was directed to bring the project into compliance with that specific regulation as the relief requested is from the density sought, as you pointed out.

If you have any other questions or concerns, please feel free to reach out.

Best,

Paul R. Crouser
Zoning Administrator / Assistant City Planner
Planning & Community Development

City of Dover, NH

288 Central Avenue

Dover, NH 03820
e: P.Crouser@dover.nh.gov
p: 603.516.6007 / f: 603.516.6049

Paul Crouser acknowledges concern with applying 30-foot buffer to 103 Court St. Paul Crouser states relief requested is due to density sought.

TRC Meeting Recording 9/26/2024:

(By minute reference in audio recording)

1:30 Director Benton: “I know we chatted last time about trying to add more than the existing 10 foot visual buffer so if we can still look to make that the 30 that is technically required”

7:17 Director Benton “the issue is the TDR ordinance is clear that if you're asking for relief because of the extra density then you shouldn't be getting the extra density

[Clarification request from Developer]

The issue is the TR ordinance is clear that if you're asking for relief because of the extra density, then you shouldn't be getting the extra density. So we're just trying to make sure that you're meeting the buffer requirements and the setbacks. So you may need to lose units or figure out a redesign “

25:20 Director Benton: “Yeah, because the buffer is a requirement.”

Email Thread 3, after revised proposal posted 10/24:

Sent 11/6/2024:

Hilary Hamer <hilary.a.hamer@gmail.com> Wed, Nov 6, 2024 at 8:00 AM
To: "Crouser, Paul" <P.Crouser@dover.nh.gov>
Cc: "Benton, Donna" <d.benton@dover.nh.gov>

Good morning,

There is a broken link to a document for 103 Court St from 10.24 the file, "103 Court St TRC Response Ltr #2.pdf" - last link at:
https://publicrecords.dover.nh.gov/Files/Index/9833/public/1/deptnum/6/cab/Property_Information/Applications73758602
Hoping to please get access to this document.

I am also confused by contradicting statements about unit count in these new documents. The snapshot document still says 9 total units, but the site development plan says 7 units in some spots (looks like 7 in the drawings) but also says the existing single family will be a duplex still under the 'Intent' paragraph and statement 10 says 9 units. What is the new proposal actually for- two duplexes, four cottages (8 units)- or one single family (existing) with one duplex and four cottages (7 units), or somehow the 9 units still?

Where is the 30' no-cut, no-disturb perimeter buffer still? There is a setback line drawn on the plans but no representation of the 30' no-cut, no-disturb perimeter buffer.

It looks like there is now a second driveway in the plan for the existing single family house to have parking. How is the existing single family going to continue to have sufficient parking once Court St is reconstructed (losing about 10' within the city's right of way)? What is the new site parking plan for each unit exactly - again, very unclear as even the number of units contradicts throughout the documents. In the drawing it looks like 12 parking spots? Does a second driveway have appropriate sight distances or drainage- does not seem to be included in information.

The new narrative document also says there will be a shared "large outdoor fireplace". Where is this going (do not see it on the site plan)? The fire department has strict requirements for outdoor fires being located near any structures and dimensions of any fire pit so would really like to see where they are placing this and how it will comply with the fire codes. I personally have to have a permit for anything on my property. I question who will be responsible for an outdoor fire here/who will hold the permit and who is going to be ultimately responsible for the shared fireplace.

Thank you,
Hilary Hamer, OD, FAAO
cell: (603)361-9428

Reply 11/13/2024, morning of third TRC:

Crouser, Paul <P.Crouser@dover.nh.gov> Wed, Nov 13, 2024 at 5:23 PM
To: Hilary Hamer <hilary.a.hamer@gmail.com>
Cc: "Benton, Donna" <d.benton@dover.nh.gov>, "Bassegio, Erin" <E.Bassegio@dover.nh.gov>

Hi Hillary,

Apologies for the broken link -- it has since been fixed but I've also attached the letter you referenced for your review/records.

As for the conflicting notes re: density – you are correct in that it is confusing. The snapshot report, as well as the "intent" note on the new plan set refer to the originally-sought density of 9 units (existing single-fam converted to a duplex, one new duplex, and five new single-fam cottages = 9).

The revised drawings are the correct density (7) – it would just appear as though the engineers drafting the plan failed to update relevant notes throughout the plan – all of which will be highlighted as issues during this Thursday's TRC.

Re: the 30' buffer – Staff will be asking them to better label it on the plan. All structures appear to adhere to the buffer requirements, although staff will be seeking clarification on the apparent pavement impacts to the 30' buffer to the west of the parcel.

Re: the driveway of the existing single-fam home – I had the same thought when this revision was submitted. It turns out that the driveway already exists and simply was not included on the original plan set because alternative parking for the existing structure was proposed, which has now been scrapped, necessitating showing parking for the existing single-fam home on the revised plan set. Regarding this driveway's compliance with sight distances and drainage, as the driveway is existing, there are no grounds for the City to require it to meet current standards.

As to the parking for the new structures, there are indeed 12 new spaces being proposed, with each unit being provided two parking spaces per, which is shown on the plan. I don't believe there is any plan to assign parking spaces for this project.

Finally, regarding the communal fireplace, I don't believe there are municipal rules governing open fires, rather, all such regulations are codified and enforced through the NH Division of Forests & Lands, through which burn permits are issued.

[Quoted text hidden]

[Quoted text hidden]

3. 103 Court Street TRC Response Ltr #2.pdf
3052K

Paul Crouser states staff will clarify 30-foot buffer. There is no statement that 30-foot buffer does not apply for the updated project plan.

Email Thread 4:

Sent 11/15/2024 after third TRC:

Hilary Hamer <hilary.a.hamer@gmail.com> Fri, Nov 15, 2024 at 8:00 AM
To: t.retrosi@dover.nh.gov

Dear Councilor Retrosi,

I am writing to express my deep concern regarding the misuse of Transfer of Development Rights (TDR) in Dover, particularly the proposed development at 103 Court Street. As a resident of Ward 3, I am frustrated by the lack of enforcement of TDR regulations, especially given TDR already bypasses traditional zoning laws.

The 103 Court Street proposal blatantly disregards ordinance 170-27.2(G)7: "A continuous visual buffer shall be created along the perimeter of the parent parcel, which shall include a thirty (30) foot no cut, no disturb buffer." The plan places a road within 10-feet of my property line, a clear violation of this buffer regulation. This TDR places a road within 30-feet of my family's bedrooms. Additionally, the developer's request for relief from the buffer requirement contradicts 170-27.2(G)8d, which states, "Any relief sought should not be caused by the additional density." This TDR project simply does not fit in this 129-foot-wide lot and undermines the purpose of zoning laws, which is to protect quality of life.

Despite failing two previous Technical Review Committees, this project has inexplicably advanced to the Planning Board. I am deeply concerned about the Planning Board being allowed to even consider a proposal that so blatantly violates the law.

I urge you to investigate this matter and advocate for strict enforcement of the TDR regulation. Watching this process has been incredibly stressful and is affecting my family's very wellbeing. This review process will now drag into the holidays. Your intervention could help expedite the process and prevent additional unnecessary stress for residents like myself.

Thank you for your time and attention to this matter.

Sincerely,
Hilary Hamer
91 Court Street
(603) 361-9428
Hilary.A.Hamer@gmail.com

Reply 11/18/2024:

Retrosi, Anthony <A.Retrosi@dover.nh.gov> Mon, Nov 18, 2024 at 3:50 PM
To: Hilary Hamer <hilary.a.hamer@gmail.com>

Ms Hamer.

I reached out to planning board and Donna Benton, director of Planning and Community Development. Although I do not feel this is necessarily the answer you were hoping for- it is a start and I am confident that now that there are some complaints that the city will keep a closer eye on this project.

Tony

Hi Councilor Retrosi,
Thanks for reaching out for more information. As you're likely aware the Transfer of Development Ordinance allows for housing density to occur in excess of the underlying zoning allowances providing the Planning Board grant the request. Ms. Hamer raises two main questions I want to address. The first being the 30' visual buffer on the parent parcel. The parcel is not seeking a subdivision and therefore "parent" is a key word. There have been other instances where the Planning Board has not required the 30' visual buffer depending on the site, proximity to urban core, lack of subdivision or new lot lines, etc.
The other is the criteria of no additional relief being sought. This was added about 2 years ago to the Zoning Ordinance and the intention was in terms of wetland or wetland buffer impacts and not to parts of the TDR ordinance itself. The 30' buffer is a part of the TDR ordinance not underlying zoning like an environmental conditional use permit would be. Relief from wetlands impacts due to additional development is a different level of relief than providing or not providing a 30' visual buffer. Due to discussion during the TRC process, the applicant is proposing fencing and additional landscaping to try to meet the same intent and help screen the project from abutting properties.
Certainly this zoning ordinance could use clearer word smithing which staff plans to discuss with the Planning Board during its annual goal setting in January.
Please let me know if you or Ms. Hamer have any additional questions.
Thanks,
Donna Benton, AICP
Director of Planning and Community Development

Director Benton states 30-foot buffer does not apply to 103 Court St now. Director Benton states (G)8d (no additional relief sought) does not apply to buffers now.

City of Dover, Department of Planning And Community Development

TRANSFER OF DEVELOPMENT RIGHTS

Residential Development Rights

ZONES AFFECTED:

Residential

R-40

R-20

R-12

RM-U

RM-SU

HR

Non-Residential

C

CM

IT

Mixed-Use

O

LBW

RCM

CWD

Fees

600 sf: $0 per credit*
1,000 sf: $7,500 per credit
1,400 sf: $11,000 per credit
Other: $15,000 per credit**
Village: $788 per credit
*requires HUD rent rates
** multi may be $0 if HUD rent

For More Information:

Department of Planning and Community Development
288 Central Ave.
Dover, NH 03820
(603) 516-6008

Introduction

In Dover there are certain lands that possess significant conservation features, including but not limited to wetlands, groundwater recharge zones, forested areas, wildlife habitat, farmland, scenic view sheds, historic landmarks, and linkages to other such areas. Because of their unique assemblages of flora and fauna and their significant contribution to the ecological system and/or the cultural identity of our community, these lands are worthy of special protection.

The City of Dover furthermore, has a limited supply of land suitable for development. Included in Dover's zoning ordinance is an overriding district for transferring development rights (TDR). The purpose is to promote intensive development on the developable land possessing the least conservation value and to permanently protect lands possessing significant conservation features that provide unique values in their undisturbed condition.

Conservation Option

A property owner can conserve land west of the Spaulding and send the development rights to any zone that allows residential uses east of the Spaulding Tpk.

Purchase Option

A property owner may purchase one unit per credit, above the allowed density of a parcel. If the purchaser is willing to limit the size of the resulting single family detached homes, to 600, 1,000 or 1,400 sf, they get bonus units. The number of bonus units depends on if they are free market or rent restricted.

Industrial Option

A property owner who constructs a commercial manufacturing facility get a one unit credit for each 2,000 sf of space constructed above 40,000 sf.

Standards/Process

A property owner uses the formula (see call out) for single family detached units. All other's follow yield plan process, based upon density allowed in the zone. Units above the allowed density may be sold or rented.

Purchase Formula:

- SF of parent lot – Environ constraints: **BASE**
- BASE – * .85: **Net**
- Net * .85 [sliding]: **Developable Area**
- Developable Area/Min lot size: **base units**

Regardless of the method use, the Planning Board may waive:

- Minimum Lot Size
- Minimum Frontage
- Minimum Setbacks

A continuous visual buffer must be provided to abutters.

Any increases in density/intensity of development, on a receiving parcel, is allowed so long as the increase is:
- Consistent with the Master Plan
- Not incompatible with the land uses on neighboring lots

Proceeds from the sale of units are placed within the Conservation Fund and utilized for land preservation. These funds are utilized by the Open Lands Committee and the Conservation Commission to secure fee simple and easement protection.

FACTS ABOUT DOVER'S TDR POLICY

- The TDR process is a discretionary process, and the Planning Board is not obligated to sell units.
- The residential TDR was created in 2003, and revised in 2009, 2018 and 2020.
- TDR promotes intensive development on land that is better suited for development, allows for preservation of more sensitive areas, and provides funding for future preservation.
- The preservation option has sending and receiving areas. They do not have to be in the same ownership.
- The credit purchase option reimburses the City for past land preservation costs, like a revolving loan.
- Since 2018, over $2,000,000 have been raised and placed within the Conservation fund.

CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: City Council Chamber's 288 Central Avenue
Meeting Date: **Tuesday, November 9, 2021**
Meeting Time: **7:00 pm**

Members Present: Dennis Ciotti (Councilor), Hayley Harmon (Vice Chair), Dave White, Kyle Pimental, Frank Torr, Tom Clark, Steph George (Alternate), Dave Landry, Mark Speidel, Erinn Reville (Alternate), Jackie Walker (Alternate)
Members Not Present (excused): Gina Cruikshank (Chair)
Members Not Present (un-excused): None
Staff Present: Donna Benton, City Planner

The Chair called the meeting to order at 7:02 p.m and noted he (M. Speidel) would sit as Chair for G. Cruikshank and E. Reville would sit for him.

1. CITIZENS' FORUM

Citizens Forum Open.
No One Spoke.
Citizens Forum Closed.

2. APPROVAL OF THE PRIOR MINUTES

October 26, 2021 Regular Meeting Minutes

Motion: F. Torr moved to approve the minutes as submitted. Seconded by D. White. Vote: U/A

3. OLD BUSINESS

4. NEW BUSINESS

The Chair noted items 4A and B will be heard together.

A. Consideration and acceptance of a Conditional Use Permit for Settlement on 6th, LLC., Assessor's Map B, Lot 5, zoned R-40, located on Sixth Street. (Proposal is for a 14 lot open space subdivision with a 900 foot long road and associated driveways and drainage facilities, creating 131 sq. ft. of temporary impact and 1,613 sq. ft. of permanent impact to a wetland and 12,394 sq.ft. of wetlands buffer impacts). *(P21-44)

B. Consideration and acceptance of a Subdivision/Site Plan using Transfer of Development Rights for Settlement on 6th LLC., Assessor's Map B, Lot 5, zoned R-40, located at Sixth Street. (Proposal is to construct a private roadway with access to a proposed 11 single family lots (including purchasing 1 using TDR) plus 3 open space, non-buildable lots) *(P21-43)

D. Benton noted that this is only the second TDR open space subdivision in the R-40 since the TDR ordinance was amended in 2018. Staff and the applicant reviewed concepts and were originally asking for additional TDR units. Based on those concepts and the environmental constraints, the request tonight has been reduced to only one unit. The Board will be asked to vote separately on the CUP, the TDR, and the Subdivision. The Board may have noticed in the packet a lot line adjustment plan and application. This will appear before the Board in December as it was an oversight on tonight's agenda and there is a recommended condition of approval. This application appeared before the TRC most recently on October 14, 2021 and was endorsed by the Conservation Commission on September 13, 2021.

Christopher Berry of Berry Surveying and Engineering represented the applications. Earlier this year they conducted an existing conditions plan of the site, and wetlands and soils were mapped. The plans have been revised since the initial concept reducing the number of units as well as the environmental impacts. The wetlands permit has been approved by DES and the Alteration of Terrain permit is in progress. A sewer discharge permit will also be required.

Motion: D. White moved to accept the applications and noted that this is not a development of regional impact. Seconded by D. Ciotti. Vote: U/A

Public Hearing Opened
No one spoke. No calls or emails were received.
Public Hearing Closed

C. Berry explained why a sewer hook up to Cottonwood is not feasible due to wetlands.

STAFF RECOMMENDATION- CUP:
The Wetlands Protection District ordinance provides for Conditional Use Permits to allow impacts to wetlands and wetland buffers if standards related to demonstration that no practicable alternative exists, impact avoidance was considered, impacts were minimized, and mitigation has been sought.
This project is consistent with those standards, and staff recommends approval with the following conditions.

Staff understands that the applicant considered the criteria when designing the plan and has altered the plan since the initial concepts to be able to consider alternatives, avoid as much wetland and wetland buffer as reasonably possible and minimize impacts such as with the shared driveways, reduced buffers and lot areas utilizing the TDR ordinance. The applicant further explains their process and how the criteria have been met in the narrative attached to the CUP application.

STAFF RECOMMENDATION:
The Planning Department recommends the Planning Board vote to grant the Conditional Use Permit with the following conditions to be met prior to issuance of the CUP:

1. The Transfer of Development Rights request be approved.
2. Subdivision request be approved.
3. The applicant shall supply the Planning Department with a copy of the NHDES Wetland Impact Permit.

Motion: D. White moved to approve the Conditional Use Permit with conditions, as the request is consistent with the regulations. Seconded by D. Ciotti. Vote: U/A.

STAFF RECOMMENDATION- TDR:
D. Benton noted that the plan is consistent with the TDR ordinance in Chapter 170-27.2.G and that the Planning Department recommends that the Planning Board vote to find the criteria of the TDR ordinance has been met with the following conditions:

1. Payment of TDR fees.
2. Add a note to the plat that the Board found the criteria of Chapter 170-27.2.G(8) have been met.

Motion: F. Torr moved to approve the Transfer of Development Rights request to purchase one unit with conditions, as the request is consistent with the regulations. Seconded by D. White. Vote: U/A.

STAFF RECOMMENDATION- Subdivision
The Planning Department recommends that the Planning Board vote to approve the subdivision with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

1. The Planning Board approve
    a. The TDR application.
    b. The Conditional Use Permit.
    c. A lot line adjustment plan to remediate the existing encroachment.
2. The applicant shall provide
    a. A revised current use plan to the satisfaction of the City Assessor.
    b. The letter to serve from Eversource and City of Dover.
3. The Planning Director, in consultation with the City's General Legal Counsel, will review and approve the homeowners association to ensure private road, stormwater infrastructure maintenance, buffer and common space, conservation district maintenance, prior to converting ownership and maintenance obligations, and deed/easement requirements per Section 170.27.2.
4. Provide physical and digital copies (including CAD) of complete plan set which additionally shall include:
    a. Add signature and stamp of CWS, LLS and PE
    b. Add owners' signatures for recording at Strafford County Registry of Deeds
    c. Add permit numbers

Conditions to be Met Prior to Construction Activities:

5. A site construction sign with the contact information for the general contractor must be located and approved by the City Engineer or Planning Director.

Conditions to be Met Prior to Building Permit:

6. The new dwellings shall be assessed and pay the current Water and Sewer Investment Fees in place at the time of application for service.
7. The applicant shall provide a letter of credit or other form of security acceptable to the City for any unfinished work.

Conditions to Be Met Prior to Occupancy:

8. Issuance of the Certificate of Occupancy.
9. Any applicable easements shall be recorded.
10. Documentation that the HOA has been created and is in place.
11. Impact fees per unit shall be paid per the invoice attached to the Notice of Decision.
12. Prior to the last Certificate of Occupancy being issued, the Engineer of Record shall meet with the Association and review the as-builts for the project.
13. Land use change tax has been paid.

Motion: D. White moved to approve the Major Subdivision with conditions, as the request is consistent with the regulations. Seconded by D. Ciotti. Vote: U/A.

C. Consideration and acceptance of a Transfer of Development Request for Dover Coast, LLC., Assessor's Map 28, Lot 13 & 14, zoned Gateway G&O, located at 725 Central Ave and 4 Brick Road. (Proposal is to purchase 12 units). *(P21-54)

D. Benton noted that the applicant has been to TRC and has done quite a bit of progress on a full site plan, some of which is included in the packets by the nature of the request. The applicant is securing additional parking off site further down on Brick Road and still needs to come back to TRC with fully engineered plans for that parking lot. At this time, the Board is requested to vote on the Transfer of Development Rights request which is to purchase 12 units to total 15 units in the multi-family residential building with associated parking.

Arthur Guadano, AG Architects, PC represented the application to combine two lots and build a three-story plus walk-out basement 15-unit apartment building. They are seeking to purchase 12 TDR units. (14 2-bedroom units and one 1-bedroom unit) Parking will be met by 17 spaces behind the building and across Jefferson Dr will be purchased with 12 spaces there.

Motion: D. White moved to accept the application and noted that this is not a development of regional impact. Seconded by D. Landry.

T. Clark asked for clarification on the ownership of 4 Brick Rd. The property is currently in probate and the applicant has an agreement with the owner. They have a purchase and sale for 10 Brick Rd for the parking lot. T. Clark was concerned about acting on the application before the applicant owns the property.

D. Benton clarified that the applicant has to come back before the board with a full site plan. Tonight's vote is just for the maximum number of units. Everything will have to be in order when they come back for site plan approval.

Scott Silver, Dover Coast LLC confirmed there is a purchase and sale agreement in progress for 4 Brick Rd. The previous owners passed away from COVID and the property is going through probate with their children.
T. Clark withdrew his objection.
Vote: U/A

Public Hearing Opened
Peter Menounos, 720 Central Ave expressed concerns about the traffic.

No calls or emails were received.
Public Hearing Closed

T. Clark is concerned about the number of units requested. It's far above the number allowed by right.
D. Ciotti agreed with T. Clark and noted the proposed building is too large for the area. It is also a high-traffic area.
D. White believes this is a perfect location to use the TDR and for an infill project. If the applicant used only the existing lot, they could provide multiple units with one parking space per unit. By purchasing the additional lot, they are providing more housing as well as two parking spaces per unit. The location is close to downtown and services which make it ideal for a project with increased density.
K. Pimental is concerned about the number of units- not the size of the building. Traffic is a concern.
F. Torr agrees with D. White. The proposal is a massive improvement from what's there now. There were no traffic issues with the project that went in behind.
D. Landry noted the traffic issue is pre-existing, and should be looked at by the traffic commission. The density and size of the building are not an issue for him. It's not directly downtown, but it is close and walkable. The extra parking area is more than what's been offered on other projects.

E. Reville agreed with D. Ciotti and T. Clark that the proposal is too large of a building for the density. She is concerned approving this will set precedence to other properties. D. Ciotti noted each project is looked at individually. All other buildings in the area are two stories.
M. Speidel asked about snow removal and trash, building height, and affordable housing options for some units. Mr. Guadano addressed the questions.

STAFF RECOMMENDATION:
D. Benton noted that the plan is consistent with the TDR ordinance in Chapter 170-27.2.G and that the Planning Department recommends that the Planning vote to find the criteria of the TDR ordinance has been met with the following conditions:

Conditions to Be Met Prior to Granting of the TDR:
1. Payment of the TDR fee
2. Site Plan come back to the Planning Board for review and approval.
3. Lots 13 & 14 be merged.

D. Benton clarified for the Board the two options for the applicant in this zone are to either apply for affordable units or to request to purchase TDR units. TDR fees would be waived if they created HUD rent-restricted approved units.

Mr. Guadano responded to board member comments.

Motion: D. White moved to approve the TDR request and the purchase of up to 12 units with conditions, as the request is consistent with the regulations. Seconded by F. Torr.
E. Reville noted Dover is the fastest growing city in NH and we should start looking at building height as a way to incorporate more density.
Vote: 6-3 with D. Ciotti, K. Pimental and T. Clark opposed.

D. Consideration and acceptance of a TDR Request for Knox Marsh Development, LLC. (Owners: Knox Marsh Development and Gary and Kim Bates), Assessor's Map H, Lot 46 & 50, zoned R-40, located at 51 & 65 Bellamy Road. (Proposal is to purchase 22 units via TDR for a 31 total units). (P21-65)

D. Benton noted that this project has also come to TRC once but needs to return for a follow up TRC. Tonight's vote is to allow the applicant to purchase up to 22 units via TDR to total 31 units. The Board may recall that it approved a 4 unit subdivision on one of these subject lots so if the Board sees the number 18 referenced, that is the difference between what has currently been approved and what they are seeking tonight. The applicant would need to come back to the Planning Board for the lot merger and full site plan and if approved, at that time the previous approval would be considered null and void.

Christopher Berry, Berry Surveying and Engineering represented the application. Part of the project was approved by the board as a private road with 4 units. The abutters approached the applicant to work together on a larger project. He explained the methodology of how they laid out the project.

The original project was 4 units that matched the character of the neighborhood with small homes. They are now looking to extend that Sophie Dr project onto the Bates land and continue with additional single-family homes and 4-unit structures that look like single-family homes which are centered away from the housing on Bellamy Rd with a 30ft buffer along the property lines. There is an existing duplex on site which will be renovated and incorporated into the project. There is an existing barn on site which is proposed to be

converted into four units. The view from Bellamy Rd would remain the same with the duplex the only visible structure.

All single-family homes are proposed at 1,400 sq. ft. The applicant is looking to restrict 25% of the project for HUD housing rates. The applicant will work to provide housing to Dover residents prior to opening to the market.

K. Pimental asked if the rent restricted units will be so in perpetuity. Yes, they will be deed restricted.

Motion: D. White moved to accept the application and noted that this is not a development of regional impact. Seconded by H. Harmon. Vote: U/A

Public Hearing Opened
Helen Labrie, 55 Bellamy is concerned about traffic especially in relation to the high school traffic. She does think the development will be visible- especially to her as a direct abutter. She wondered what environmental impacts there might be for pollution and wildlife.
She works at Dover school district and the classrooms are already full.

Patrick Labrie, 55 Bellamy thanked the developer for sitting down with him to go over some concerns. He doesn't understand why Dover needs more development. Traffic is bad, the schools are full and he is concerned about infrastructure. Other towns should take over development. He expressed concerns about rain gardens and if they work to handle storm water.

Donald Chandler, 65A Bellamy Road is concerned about traffic especially from Sophie Dr. It's dangerous for the students to cross the road to get to the school and this subdivision will be attractive location for families to live. There should be a safer solution for kids crossing there.

D. Benton addressed some of the public comments. The traffic study has been submitted and is being reviewed at TRC.
C. Berry noted as the project goes through the TRC process, pedestrian enhancements can and should be addressed for that area since it is such a walkable area.

K. Pimental listed the current affordable market rental rates for the public.
T. Clark noted just because the TDR ordinance allows for the purchase of more units, doesn't mean we have to sell the additional units. We have to look at density. 31 units is too many units at this location.

One of the applicants spoke about affordability. He is glad the board member listed the rental amounts. These affordable units would qualify for single or two-income families who work as nurses, teachers, city employees. The way the project is affordable for the developer is to have more units so that they can make up the difference from offering affordable units.

Public Hearing Closed

STAFF RECOMMENDATION:
D. Benton noted the plan is consistent with Chapter 170-27.2 of the Zoning Ordinance which allows for developments to buy additional units through the process of Transfer of Development Rights and that the Planning Department recommends that the Planning Board vote to find the criteria of the TDR ordinance

has been met, and the applicant may proceed with laying out up to 31 units on a Site Plan with the following conditions:

Condition to Be Met Prior to Granting of the TDR:

1. Payment of the TDR fee
2. Site Plan come back to the Planning Board for review and include notes about size restrictions
3. That 25% of the 31 units have the HUD rent rate and/or pricing restrictions

Motion: F. Torr moved to approve the TDR request and the purchase of up to 22 units with conditions, as the request is consistent with the regulations. Seconded by D. White. Vote: 6-3 with T. Clark, D. Ciotti and D. Landry opposed.

E. Consideration and acceptance of a Minor Subdivision for Dahn H. & Norma M. Tibbett, (Owner: Jahn H. & Susan G. Janetos), Assessor's Map N, Lot 13, zoned R-40, located at Oak Street. (1 new lot) *(P21-78)

D. Benton noted the applicant is requesting to subdivide lot N/13 into two lots. The lot would be serviced by public water and private septic. As a Minor Subdivision, this application did not appear before the TRC.

When staff received the minor subdivision plans and saw the existing barn was to remain as the only building on the lot, they reached out to the applicant requesting more information on the use of the barn and the lot. The applicant responded with the three letters dated September 30, 2021, October 18, 2021, and October 26, 2021. All have been supplied to the Board. Staff has heard that the owner will be present at the meeting to speak to the farm/haying use of the barn further. The Board can then determine if they have enough information to accept the application as complete to review.

The applicant originally requested the Board grant a waiver from the requirement to survey the lot boundary lines, including the proposed lot line, but is now willing to have that be a condition of approval. They also seek a waiver to not reference the US Geological Survey for topography, rather they use LIDAR. Finally, the property is within 100' of public sewer on Elmwood Avenue, and while no waiver was requested, it is required if they seek to use private subsurface septic systems. Staff notes the need for a waiver, but no explanation or request was provided for this until just before the meeting.

Kevin McEneaney, McEneaney Surveying, represented the application. The new lot will be 1.5 Ac and will have the barn on it. The other lot is 34.3 Ac. He confirmed they will do the survey and are only requesting the two waivers. The barn will be an agricultural use and won't have any occupancy need for sewer hook-up. He clarified the owners of N-13F.

Discussion occurred about water at the barn. There is no sewer, there is no well or city water supply on site. The barn will continue to function as it has for haying purposes.

The applicant addressed the question why they are subdividing this lot. Right now, the property is owned in joint ownership by four individuals. One person will retain the smaller lot and the larger lot will ideally be sold off to a separate buyer.

Motion: F. Torr moved to accept the application and noted that this is not a development of regional impact. Seconded by D. White. Vote: U/A

Public Hearing Opened

Jeff Andress, 2A Country Club Estates is an abutter and spoke in favor of the proposal. The barn is 100 years old and there is a better chance of the barn being preserved if this lot can be divided before the larger parcel is sold to a developer.

Ann Marie Day, 104 Gulf Road is an abutter and is in favor of the barn being subdivided out so it can be preserved.

George Heilshorn, 108 Gulf Rd is an abutter and noted the area is vibrant with habitat and a rich history. The barn is a memento of days gone by and it's an important piece to preserve.

Public Hearing Closed

D. Ciotti asked what the utility easement is for on the plan. Is that for servicing the 34-acre lot when it's developed?
Mr. McEneaney explained the easement is for access to the abutting lot 13-F. The board and applicant discussed future sewer access to the 34-acre lot. There are a few options, but it is not through that easement.
D. Ciotti is concerned that the easement is shown on the plan on the barn parcel, yet the applicant plans to keep the parcel in current use. Mr. McEneaney wasn't sure about the location of the easement and will need to check.

Jahn Janetos, applicant and owner of parcel 13-F clarified the easement is to service 13-F. The lot line should be at the southern end of the fence which puts the easement on the 34-acre lot.
That is not what shows on the plan, but it should be revised. The surveyor said he will make the adjustment.

Mr. McEneaney suggested the board make a condition of approval that the lot line be adjusted to keep the easement in the same location, but it will be on the larger parcel.
Since that will adjust the square footage of each parcel, the board suggested tabling the item for a new plan to be submitted.

Motion: D. White moved to table the application including waiver requests to December 14, 2021. Seconded by D. Ciotti. Vote: U/A.

5. STAFF COMMENTS

- D. Benton updated the Board on:
    - Staff attended the Northern New England planning conference. Some of D. Benton's and C.Parker's takeaways were included in the Planning e-newsletter.
    - Staff received a good amount of interest in both open Assistant City Planner positions and will begin interviewing next week.
    - the latest TRC: the waterfront development both CPI's mixed use project as well as the public right of way and park, both will be coming back for second TRCs. The TRC also reviewed a site plan for Q, LLC on Quality Way and 51 Bellamy Road that the Board reviewed the TDR for tonight.
    - Applications for CDBG projects are due at 4pm on the 19th and are available on the Community Development page on the Planning Department's website.

6. MEMBER COMMENTS

- The Chair signed the subdivision plans for 50 Education Way and revised for Venture Drive and Site Plans for Atlantic Broadband.

- D. Benton welcomed new Planning Board alternate, Jackie Walker.
- Tom Clark requested men take off their hats at the podium.
- E. Reville asked if TDR could be reviewed to cap a percentage of how many units can be purchased over what's allowed.
    - D. Landry noted this is the time of year for the board to think about what to focus on next year and that should be one of the items including whether the TDR is appropriate in the R40 zone.
    - K. Pimental noted he was more open to the project tonight which offered affordable rates. He wondered if we could look at the end of the year how much money has come in from TDR and what land acquisitions have been made with it.
    - D. Ciotti noted there is $1M in the TDR funds. Perhaps if applicants don't incorporate rent restricted units to their projects, those TDR funds could go towards funding a homeless shelter.
- K. Pimental suggested the board members look ahead at the Waterfront plans that will be coming before the board soon. Dennis and Kyle will not be able to sit for those Planning Board meetings since they are on the Waterfront Committee.
- M. Speidel noted NH just received funds for roads, bridges, and water infrastructure. He asked what share Dover can expect. D. Benton wasn't sure of the amount, but noted Dover has several projects ready and can apply for funding for multiple projects that should be good choices for those funds.

7. ADJOURNMENT

Motion: D. White moved to adjourn at 9:28p.m. Seconded by F. Torr. Vote: U/A

DOVER PLANNING BOARD – MINUTES

CITY OF DOVER

Meeting Type:	Regular Meeting
Meeting Location:	City Council Chamber's 288 Central Avenue
Meeting Date:	**Tuesday, June 28, 2022**
Meeting Time:	**7:00 pm**

Members Present: Gina Cruikshank (Chair), Mark Speidel, Ken Mavrogeorge, Frank Torr, Tom Clark, Fergus Cullen (Councilor), Kyle Pimental, and Erinn Kaspari
Members Not Present (excused): Hayley Harmon (Vice Chair)
Members Not Present (un-excused): Stephanie George (Alternate)

Staff Present: Donna Benton, Director of Planning and Development; Mike Asciola, City Planner

G. Cruikshank called the meeting to order at 7:00 p.m., noted items New Business B, C, and F will be continued to another meeting. And noted Erinn Kaspari will sit in for Vice Chair Harmon.

1. **CITIZENS' FORUM**
   Citizens Forum Open
   No one spoke
   Citizens Forum Closed

2. **APPROVAL OF THE PRIOR MINUTES**
   June 14, 2022 Regular Meeting Minutes
   Motion: F. Torr moved to approve the minutes as submitted. Seconded by T. Clark
   Vote: All in favor with Pimental abstaining

3. **OLD BUSINESS**
   A. Public hearing to consider amendments to Chapter 170 entitled "Zoning Ordinance" of the code of the City of Dover. Amendments include changes to vehicle refueling and recharging stations and auto service stations, self-storage facilities criteria, rezoning of lots on Fisher St and Rutland St to HR, amending Gateway District Table of Use, replacing sub-grade with "fully below-grade", adding solar/green roof requirements to the C, CM, and IT Districts, and fixing an errant reference in the sign ordinance.

   D. Benton noted the board has been looking at these amendments since February and this is the second of three public hearings for public input.

   Public hearing opened.
   Elizabeth Bratter, 16 St John St commented about drive thru buffers and screening and green roof/solar requirements

   Christopher Parker, Deputy City Manager spoke on behalf of the Dover Business Industrial Development Authority and commented that they endorsed these amendments. They also suggest two changes regarding self-storage.

   Motion: T. Clark moved to table the public hearing to July 26th. Seconded by: M. Speidel. Vote: U/A

   Public hearing tabled.

4. **NEW BUSINESS**
   A. Consideration and possible adoption of the 2022 Community Infrastructure Chapter of the Master Plan.

   D. Benton described to the board the updated 2022 Community Infrastructure Master Plan Chapter draft and general process. She thanked the consultant, committee members, and city staff who helped put this

chapter together. She announced that Liz Kelly from Resilience Planning and Design was here with a brief presentation and to answer any questions.

Motion: F. Cullen voted to adopt the 2022 Facilities and Utilities Chapter of the Master Plan. Seconded by: T. Clark. Vote: U/A

B. Consideration and acceptance of a Minor Subdivision for Canney Brook Engineering and Consulting, CBF2 LLC., (Owners: Canney Brook Engineering and Consulting, CBF2 LLC. and Helen F. Preston Revocable Trust of 2009), Assessor's Map K, Lot 6, zoned R-40, located at 105 Middle Road and Back Road. (2 new lots) (P22-09)

Motion: T. Clark moved to continue this item to July 26, 2022. Seconded by: M. Speidel. Vote: U/A

C. Consideration and acceptance of a Conditional Use Permit for Unitil Granite State Transmission, Assessor's Map M, Lot 47-C, zoned R-12, located at Gerrish Road. (Proposal is to construct a pipeline inspection equipment station which will impact 3,500 s.f. of wetlands.) *(P22-36)

Motion: F. Torr moved to continue this item to August 23, 2022. Seconded by: M. Speidel. Vote: U/A

D. Consideration and acceptance of a Transfer of Development Rights for John P. Warren, Assessor's Map 32, Lot 21, zoned R-12 and located at 16 Prospect Street. (Proposal is to relocate current apartment in rear of house to above a newly constructed garage.) *(P22-40)

D. Benton introduced the proposed project to relocate an apartment in rear of an existing three (3) family residential structure to above a newly constructed detached garage. The applicant requests a TDR unit to allow the unit to be relocated. The request will not create an additional residential unit on the property. This application was not heard by the Technical Review Committee, as it was below the review threshold. Should the applicant wish to create an additional unit rather than move the unit, the Board would need to be clear on that vote tonight.

Jack Warren, owner, represented the application.

Motion: F. Torr moved to accept and declared no regional impact for the application. Seconded by T. Clark. Vote: U/A.

Public hearing opened.
Don Briand, abutter at Washington St supports the application, but is concerned about the displacement of rainwater onto his property due to the new garage.

Catherine Casey, abutter supports the application, but has concerns about parking on the property.
Public hearing closed.

D. Benton addressed public comment.
Mr. Warren addressed the parking and water concerns. K. Mavrogeorge suggested a condition of approval for engineering.

Consistency with Land Use Regulations
§170-27.2 provides for additional density to be purchased through Transfer of Development Rights. The process allows the applicant to come to the Board with a plan indicating the TDR but does not trigger the need of full site plan review.

The proposed TDR creates no additional units and relocates an existing unit into a newly constructed an accessory structure.

STAFF RECOMMENDATION:
The Planning Department recommends that the Planning Board vote to find the criteria of the TDR ordinance has been met with the following conditions:

Conditions to Be Met Prior to Granting of the TDR:

1. Proposed garage and TDR unit footprint may not exceed the existing multifamily building.
2. Record deed restriction for TDR unit at SCRD to the satisfaction of the Planning Director.
3. Revise plan and resubmit for Final Planning Board signature with:
   - 3.1. Add owner's signature
   - 3.2. Update title to TDR Plan
   - 3.3. Add TDR unit to "proposed" garage
   - 3.4. Add note to the plan that no additional dwelling units may added to the property without review and approval by the Planning Board or Zoning Board.
   - 3.5. One of the existing Certificate of Occupancy be relinquished or Planning Board agree to an extra unit and payment of the TDR fees is provided.
4. Prior to construction, coordinate with engineering office on drainage/stormwater

Motion: F. Torr moved to approve the TDR with the recommended conditions. Seconded by T. Clark. Vote: U/A

E. Consideration and acceptance of a Minor Lot Line Adjustment for Northam Survey LLC., (Owners: Carrie & Scott Vaughn and Gabriel P. & Brittany R. Edgar & Paul T. & Susan D. Edgar), Assessor's Map D, Lots 18A & 18P, zoned R-12, located at 101 & 103 Glenwood Avenue. (Between 2 lots) *(P22-42)

D. Benton explained the applicant is before the board requesting to complete a lot line adjustment between two lots, totaling in 3,000± s.f. The lots would still meet the minimum lot area post adjustment, as well as the required frontage. As a Lot Line Adjustment, this application did not appear before the TRC.

Eric Salovitch, Northam Survey, LLC represented the application explaining that the lot line between the two properties is curved and both owners agree to have it straightened out. One party is interested in selling, and this would make the boundaries clearer for the new owners.

Motion: F. Torr moved to accept and declared no regional impact for the application. Seconded by T. Clark. Vote: U/A.

Public hearing opened.
No one spoke
Public hearing closed.

Consistency with Land Use Regulations
Chapter 157-17 of the Land Subdivision Regulations of the City Code provides for the adjustment of existing lot lines between two or more lots. This plan is consistent with those regulations.

STAFF RECOMMENDATION:
The Planning Department recommends the Planning Board to vote to approve the application with the following conditions:

Conditions to Be Met Prior to Signing of Plans:
1. Provide physical and digital copies (including CAD) of complete plan set for recording at Strafford County Registry of Deeds which additionally shall include:
    a. Planning File Number P22-42
    b. Add line of intent as a plan note (Common Note 1)
    c. Revise references to the satisfaction of the City Assessor
    d. Revise signature block to be 2" x 2" blank square
    e. The owner's signatures
    f. The LLS stamp and signature
    g. Indicate which lot the tree near new property line is on

As staff started verbally reading the conditions of approval (previously read into record by Surveyor Erik Salovitch), further discussion on the application ensued regarding two questions. Afterwards, the Chair understood there to be an intended motion by F.Torr, or an assumed motion, to approve the lot line adjustment subject to the staff conditions outlined above, seconded by T.Clark.

Motion: Motion to approve the Lot Line Adjustment with the recommended conditions. Seconded by T. Clark. Vote: U/A

F. Consideration and acceptance of a Transfer of Developments Rights Request for Scott & Heidi Drapeau & Anthony Sillitta, (Owners: Scott & Heidi Drapeau and Anthony Sillitta), Assessor's Map 35, Lot 1, zoned R-12, located at 77 Sixth Street. (Requesting to purchase 1 new lot) *(P22-43)

Motion: M. Speidel moved to continue this item to July 26, 2022. Seconded by: E. Kaspari. Vote: U/A

G. Consideration and acceptance of Conditional Use Permit for Jeffrey Loring, Assessor's Map 15, Lot 106, zoned Gateway, located at 132-134 Central Avenue. (Proposal is to remove existing garage and construct a 1-unit residential building behind the existing duplex whereas the front buildout is 54% whereas 60% is required, a side setback of 5' where 10 is required and front build to line of approximately 100' where 20' is required). *(P22-45)

D. Benton introduced the proposal to remove existing garage and construct a one (1) unit residential building behind the existing duplex whereas the front buildout is 54% whereas 60% is required, a side setback of 5' where 10' is required and front build to line of approximately 100' where 20' is required.

The property is within the Gateway Zoning District which has a density requirement of 4,000 sf.

Jeff Loring, owner, represented the application noting that the reasons not to add to the back of the duplex: keep the green space, work well for parking, and maintain the look of the lot. He mentioned a few of the conditions for approval and asked for some clarifications.

The board asked some clarifying questions which were answered.

Motion: F. Torr moved to accept and declared no regional impact for the application. Seconded by T. Clark. Vote: U/A.

Public hearing opened.
No one spoke
Public hearing closed.

Consistency with Land Use Regulations
§170-20.B.(1) Zoning Ordinance allows for Conditional use approval for relief from the standards herein may be granted by the PLANNING BOARD (RSA 674:21 II) after proper public notice and public hearing provided that the proposed project complies with the standards of §170-20B.(1)(a)-(i).

Planning Staff believes this proposal is consistent with the §170-20.B.(1)(a)-(i) criteria as described in the applicant's narrative. The applicant's design supports the intent and goals of the Gateway District, to be a mixed use transitional neighborhood from less densely developed area to the urban core of the City.

STAFF RECOMMENDATION:
The Planning Department recommends the Planning vote to grant the Conditional Use Permit with the following conditions, as the plans meet the standards outlined:

Conditions to Be Met Prior to Issuance of Conditional Use Permit:
1. A survey or plan performed by a NH licensed land surveyor and/or engineer be submitted to the satisfaction of the Planning Director to ensure compliance with dimensional regulations and granting of Conditional Use Permit.
2. A Development Agreement per Chapter 170-27.B.(3) be signed and recorded at the Strafford County Registry of Deeds.
3. Add rear setback dimension to plan.
4. Existing trees on subject property to remain in place unless determined to be diseased or a safety hazard by the City Arborist.
5. Define on the plan the walkway between parking area and structure.

M. Speidel expressed concerns about the side setback being less than 10'.

Motion: T. Clark moved to approve the Conditional Use Permit with the recommended conditions. Seconded by F. Cullen. Vote: 7-1 with Speidel opposed.

H. Consideration and acceptance of a Minor Subdivision for Fortuna North III, LLC. Assessor's Map D, Lot 17-F, zoned Commercial, and located at 343 Sixth Street. (1 new lot) *(P22-41)

D. Benton explained the applicant is proposing to subdivide Assessor's Map D Lot 17-F into two lots, resulting in the creation of one new lot. Both lots would be accessed from Sixth Street. The lots are

proposed to be serviced by municipal water and sewer. As a minor subdivision, this application did not appear before the TRC.

Kevin McEneaney represented the application.

T. Clark mentioned a previous condition to stake out a green orchid and asked for that condition to be added.

Motion: T. Clark moved to accept and declared no regional impact for the application. Seconded by F. Cullen. Vote: U/A.

Public hearing opened.
No one spoke
Public hearing closed.

Consistency with Land Use Regulations
The plan is consistent with Chapter 157-15 of the City of Dover's Land Subdivision Regulations, which provides for subdivision of existing lots.

STAFF RECOMMENDATION - Minor Subdivision:
The Planning Department recommends that the Planning Board Planning Board vote approve the minor subdivision with the following conditions:

Conditions to Be Met Prior to Signing of Plans:
1. Provide physical and digital copies (including CAD) of complete plan set for recording at Strafford County Registry of Deeds which additionally shall include:
    1.1. The owner's signatures
    1.2. Include Planning File Number, P22-41
    1.3. Stamp and signature of the LLS
    1.4. Add signature block, 2" by 2" square
    1.5. Add note 10 that wetlands survey will need to occur before any development on new vacant lot.
    1.6. Stake out and note to plan indicating steel fence posts and wetland placards around green orchids.

Motion: T. Clark moved to approve the Minor Subdivision with the recommended conditions. Seconded by F. Torr. Vote: U/A

I. Consideration and acceptance of a Site Review for Dover Housing Authority Assessor's Map 33, Lot 1-A, zoned RM-U, located at 48 Whittier Street. (Proposal is to construct a six-unit multi-family residential building utilizing TDR to purchase 4 units.) *(P21-37)

D. Benton provided the Board with an overview of the proposal to construct a six (6)-unit multi-family residential building utilizing TDR to purchase four (4) units on a 0.37 acre vacant lot on Whittier Street in the Urban Density Multi Residential (RM-U) District. All proposed units will be HUD restricted units to increase the attainable housing stock within the City. TDR Fees will be waived due to the HUD rental restrictions option being chosen.

This application was most recently before the Technical Review Committee on May 27, 2021.

Christopher Berry, Berry Survey and Engineering, represented the application and explained the details of the project.

Motion: F. Torr moved to accept and declared no regional impact for the application. Seconded by T. Clark. Vote: U/A.

Public hearing opened.
Lynn Marie Reid, 1 Arcola St is concerned about traffic and pedestrian safety.
Public hearing closed.

D. Benton clarified there was a traffic study done during the TRC process. No improvements were determined necessary for this project.

Consistency with Land Use Regulations
§170-27.2 provides for additional density to be purchased through Transfer of Development Rights. The process allows the applicant to come to the Board with a plan indicating the TDR but does not trigger the need of full site plan review.

The applicant seeks a waiver of the no cut no disturb 30' perimeter buffer requirement of §170-27.2.G.(7) due to the characteristics and circumstances of the subject parcel.

STAFF RECOMMENDATION- Waiver:
The Planning Department recommends that the Planning Board vote to grant the waiver with the following condition:

Condition to be Met Prior to the Signing of the Plans:
1. Add a note that the Planning Board approved a waiver of the no cut no disturb 30' perimeter buffer requirement of §170-27.2.G.(7).

Motion: F. Torr moved to grant the waiver and that §153-21 has been met. Seconded by: T. Clark. Vote: U/A.

STAFF RECOMMENDATION - TDR:
The Planning Department recommends that the Planning vote to find the criteria of the TDR ordinance has been met with the following conditions:

Conditions to Be Met Prior to Granting of the TDR:
1. Add note to the plan that no additional dwelling units may added to the property without Planning Board approval and note TDR restrictions.
2. Provide draft deed/leases noting TDR/HUD restrictions to the Planning Department.
3. Submit a development agreement to be reviewed in consultation with the Legal Department and recorded at the SCRD indicating the HUD rental restriction, income verification requirements, TDR restrictions.

Motion: F**.** Torr moved to approve the Transfer Development Rights application with the recommended conditions. Seconded by T. Clark. Vote: U/A

STAFF RECOMMENDATION – Site Plan:
The Planning Department recommends that the Planning Board vote to approve the Site Plan with the following conditions:

Conditions to Be Met Prior to Signing of the Plans:
1. Address the following concerns to the satisfaction of the City Engineer:
    1.1. Revise detail C5 to show the underdrain in relation to the porous pavement section;
    1.2. Consider reducing the amount of porous pavement on property by limiting porous pavement to parking spaces. Porous in areas of high vehicle movements (aisles and entrance) are not recommended;
    1.3. Provide a sign identifying porous asphalt is present and that there are restrictions on deicing materials on porous surfaces are noted in the inspection and maintenance plan that is provided;
    1.4. Provide a commitment to maintain stormwater and specifically the porous pavement that can be recorded at the registry of deeds; and
    1.5. According to the BMP worksheets, groundwater is expected to be into the filter media, applicant shall provide a liner below the porous pavement section or explain how the system will properly function as submitted.
2. Revise plan and resubmit for Final Planning Board signature and then recording at the SCRD with:
    2.1. Add owner's signature;
    2.2. Add architect stamp and signature to Architectural Plan Set;
    2.3. Add LLS signature to Sheet 2 of Site Plan Set; and
    2.4. Remove reference to Shoreland file no. 2021-02336 accepted 7/26/2021 as it is no longer applicable due to the use of pervious pavement.

Conditions to Be Met Prior to Building Permit:
3. Payment of the water/sewer fees at time or request of service.
4. Development agreement has been recorded.
5. Construction sign with hours of operation has been installed to the satisfaction of the City Engineer and Planning Director.

Conditions to Be Met Prior to Occupancy:
6. Issuance of Certificate of Occupancy.
7. Payment of Impact Fees as noted in the invoice attached to the Decision Letter.
8. Surety or other form of security acceptable to the City is provided for any unfinished work.

Motion: T. Clark moved to approve the Site Plan application with the recommended conditions. Seconded by F. Torr. Vote: U/A

The Vice Chair noted Items 4J, K, and L will be heard together.

J. Consideration and acceptance of a Conditional Use Permit for Equine Properties, LLC., Assessor's Map H, Lot 37A, zoned Commercial, located at 239 Knox Marsh Road. (Proposal is to allow 10,699 square feet of wetland buffer.) *(P21-05)

K. Consideration and acceptance of a Conditional Use Permit for Equine Properties, LLC., Assessor's Map H, Lot 37A, zoned Commercial, located at 239 Knox Marsh Road. (Proposal is 33.8% impervious cover in a Secondary Groundwater Protection Zone, where 20% is allowed.) *(P22-46)

L. Consideration and acceptance of a Site Review for Equine Properties, LLC., Assessor's Map H, Lot 37A, zoned Commercial, located at 239 Knox Marsh Road. (Proposal is to construct two(2) three-story mixed - use buildings with 26 residential units on the second and third stories and non-residential uses on the first story of each building, 12 single family residences, and a private roadway to provide access) *(P21-04)

D. Benton introduced the proposed project as a multi-family, mixed-use development consisting of two (2) three-story mixed-use buildings with 26 residential units on the second and third stories and non-residential uses on the first story of each building, 12 single family residences, and a private roadway to provide access in two phases. The development requires two (2) CUP requests for wetland buffer disturbance and additional impervious surface in the Secondary Groundwater Protection Zone. The development as proposed, requires the Board to grant waivers of §157-32.G, for 3% road grade within 75' of an intersection and §153-14.K.(1)(a), to require 70% of parking behind the principal buildings.

The applicant seeks a CUP for an impervious surface cover of 33.8% exceeding the 20% maximum requirement of the Groundwater Protection Secondary Zone. A second CUP for wetland buffer impact 10,394 sf of permanent buffer disturbance and 456 sf of temporary disturbance is also requested for the proposed development. All of this disturbance will be for the construction of the proposed road and relating grading through the buffer, as well as the construction of a gravel wetland for stormwater treatment.

The site is proposed to be serviced by municipal water and sewer. The plan appeared before the TRC on February 11, 2021, June 24, 2021, & February 24, 2022. The CUPs were endorsed by the Conservation Commission at their July 12, 2021 meeting.

Christopher Berry, Berry Survey and Engineering represented the application. He explained the single family home that used to be there has been demolished. The applicants had taken the plan to ZBA prior to the zoning change which now allows for much of what is proposed. They had received zoning board approval for the mixed-use buildings (which are now allowed by right) and also for the 12 additional units.
He described the details of the proposed project.

The board members asked some clarifying questions which were answered by Mr. Berry.

Motion: F. Torr moved to accept and declared no regional impact for the application. Seconded by M. Speidel. Vote: U/A.

Public hearing opened.
Richard Keyes 251 Knox Marsh Rd is an abutter and is concerned about traffic, wondered if the traffic study has occurred, and would like more information about lighting.

Brandon Kimble, 756 Knox Marsh Rd is concerned about traffic and the extra traffic anticipated as well as the added impervious surfaces being asked for. There is currently some pooling.

Mr. Berry addressed public comment regarding traffic. He asked the state to reduce the speed in that area. He encouraged the City to look into this. He also explained the proposed lighting and drainage for the site.
Public hearing closed.

Summary of Waiver Requests:
The applicant is requesting the Board grant a waiver from the §157-32.G requirement that the Board to allow -4% grad off Knox Marsh rather than 3% within 75' of an intersection. The applicant believes that although the proposed roadway has -4% road grade within 75' of the intersection, it will still be a safe intersection. The road is designed to transition from a -4% grade to a 2% grade. And they believe this will allow for a safe platform for vehicles to stop at. The -4% slope is a requirement of NHDOT and the applicant would be nonconforming to NHDOT regulations if held to the City's requirement set forth in §157-32.G.

The applicant is also requesting the Board grant a waiver from the §153-14.K.(1)(a) to require 70% of parking behind the principal buildings where 47% is being proposed. Due to the street facing location of the commercial uses access to the mixed-use buildings, parking is provided in the front for pedestrian access and safety.

Consistency with Land Use Regulations – Waiver
§153-21 of the Site Plan Review Regulations and §157-51 of the Land Subdivision Regulations both 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."

STAFF RECOMMENDATION- Waiver:
Planning Staff finds the waiver requests are supported under criterion (1) above and the intent of the requirements are upheld.

Motion: T. Clark moved to grant the waivers and that §153-21 and §157-51 requirements have been met. Seconded by: F. Torr. Vote: U/A.

Consistency with Land Use Regulations - CUP Wetlands
The Wetlands Protection District ordinance provides for Conditional Use Permits to allow impacts to wetlands and wetland buffers if standards related to demonstration that no practicable alternative exists, impact avoidance was considered, impacts were minimized, and mitigation has been sought.

Staff feels that the applicant reviewed options and due to existing site conditions, there were no additional design alternatives for the impacts, which have been minimized and mitigation actions taken to improve the impacted wetland buffer function. Staff believes this proposal conforms to the standards set forth in §170-27.1.F.(1) and is consistent with the CUP's intent and purpose.

STAFF RECOMMENDATION - CUP Wetlands:
The Planning Department recommends the Planning Board to vote to grant the Conditional Use Permit with the following conditions, as the plans meet the standards outlined:

Condition to Be Met Prior to Signing of Plans:
1. Site Plan (P21-04) and Conditional Use Permit (P22-46) be approved.

Motion: F. Torr moved to approve the Wetlands Protection District CUP application with the recommended condition. Seconded by K. Mavrogeorge. Vote: U/A

Consistency with Land Use Regulations - CUP Secondary Groundwater Protection Zone:
The Secondary Groundwater Protection Zoning Ordinance §170-28.3., provides for Conditional Use Permits approved by the Planning Board to allow certain land uses within the Groundwater Protection Primary and Secondary Zones and provide additional development performance standards.

Staff feels that the applicant reviewed options and due to existing site conditions related to hydrology and poor soil drainage and mitigation actions taken to improve the impacted hydrological function. Staff believes this proposal conforms to the standards set forth in §170-28.3. is consistent with the CUP's intent and purpose.

STAFF RECOMMENDATION - CUP Secondary Groundwater Protection Zone:
The Planning Department recommends the Planning Board vote to grant the Conditional Use Permit with the following conditions, as the plans meet the standards outlined:

Conditions to Be Met Prior to Signing of Plans:
1. Site Plan (P21-04) and Conditional Use Permit (P21-05) be approved.
2. Applicant must resubmit and receive Conservation Commission endorsement of the current site plan as the impervious surface increased from 28.6% to 33.8%.
3. NHDES grant the waiver of the Water Recharge requirements of Env-Wq 1507.04(b)

Condition to Be Met Prior to Issuance of a Building Permit:
4. The applicant shall prepare the Development Review Model required by Chapter 170-28.3-G and submit it to the City Engineer for review and approval.

Motion: T. Clark moved to approve the Secondary Groundwater Protection Zone CUP application with the recommended conditions. Seconded by K. Pimental. Vote: U/A

STAFF RECOMMENDATION – Site Plan:
The Planning Department recommends the Planning Board vote to approve the Site Plan with the following conditions, as the plans meet the standards outlined:

Conditions to Be Met Prior to Signing of Plans:
1. Conditional Use Permit (P21-05) and Conditional Use Permit (P22-46) be approved.
2. The applicant shall provide the Planning Department with a digital version of the final plan set.
3. Provide a CAD file to the satisfaction of the Asset Management Administrator's satisfaction.
4. The applicant shall enter into a development agreement with the City of Dover to provide a payment in lieu of construction of a sidewalk towards Progress Drive;
5. Notice of Restriction be filed regarding the living space square foot restriction;
6. Letter to serve from Eversource.
7. The applicant shall revise the plan set to:
   7.1. Add owners' signatures;
   7.2. Revise street name spelling;

7.3. Add all professional signatures and stamps for each submission;
7.4. Add permit numbers when received; and
7.5. Add snow storage details.

Conditions to Be Met Prior to any Construction:

8. A site construction sign with the contact information for the general contractor must be located and approved by the City Engineer or Planning Director.
9. The wetland buffer placards be installed every 30 feet;
10. Off-site traffic improvements to the satisfaction of the City Engineer and NHDOT in consultation with the TAC be added to the plan.

Conditions to Be Met Prior to Issuance of a Building Permit:

11. Payment of Water and Sewer Investment Fees;
12. The applicant shall provide payment for active and passive recreation. Active Rec fee will be $500 per unit. Passive Rec fee will be $500 per unit as well;

Conditions to Be Met Prior to Occupancy:

13. Impact fees per unit shall be paid per the invoice attached to the Notice of Decision;
14. Confirmation, by staff, that the wetlands buffer signs are in place, or replaced if damaged during construction;
15. The applicant shall provide a letter of credit or other form of security acceptable to the City for any unfinished work;
16. Issuance of the Certificate of Occupancy.

Motion: F. Cullen moved to approve the Secondary Site Plan application with the recommended conditions. Seconded by E. Kaspari. Vote: U/A

5. STAFF COMMENTS

- *TRCs since last meeting*:
  - Site Review using Transfer of Development Rights Knox Marsh Development LLC.'s 8 unit residential development, zoned G, located at 757 Central Avenue;
  - Site Review for City of Dover Recreation Skate Park
  - Site Review for Bonterra Farms accessory building, located at 31 Saddle Trail Drive.
- *Upcoming TRCs:*
  - Site Review for Dover Coast, LLC., located at 725 Central Ave & 4 Brick Road to construct a new 4 story apartment building with 13 units;
  - Site Review using Transfer of Development Rights for Heron Bay Partners, LLC located at Cielo Drive to construct 51 TDR age restricted (55+) units in seven (7) townhouse style multi-family buildings in place of the two previously approved congregate care buildings;
  - Site Review located at 6 Trask Drive to pave 5,400 sf of private driveway;
  - Site Review for Weave Filtration, LLC, located at Quality Way to construct a 23,125 sf building for manufacturing with office space. A CUP for wetland impact will also appear before the Planning Board; and
  - Site Review for Storage Barn, LLC, Assessor's Map D, Lot 12-2, zoned IT, located at Production Drive to construct five (5) storage buildings totaling 12,000 sf. A CUP for wetland impact will also appear before the Planning Board.

- RFP for Vision Chapter of the Master Plan is out, then we will be looking for a PB representative for that steering committee.
- Still looking for members to serve on a subcommittee regarding the Gateway District.
- We have received applications for the alternate vacancies and is expected to be filled soon. The Appointments Committee meeting on June 1st was cancelled and yet to be rescheduled.
- New permitting software will launch July 1st. Plans will be filed electronically.
- Congratulations to Jackson Kaspari who successfully defended his PhD dissertation yesterday.
- Congratulations to Mike Asciola for passing his AICP exam.

6. MEMBER COMMENTS

- T. Clark commented he prefers to receive the packets electronically, but they are many pages (500-1400) and difficult to maneuver through.
    - Board members gave added info on how to review separate batches of information by using the agenda links and meeting materials tab
    - Other board members agreed to have the traffic studies/ drainage research pulled out and accessible as a separate document.
- F. Torr commented:
    - encouraged other members of the board to make motions
    - round-about at Silver St is something the City should be proud of regarding maintenance
    - sign pollution: example = on 108 directional sign/ weight limit sign. Example = one on his road which is rusted out
        - K. Mavrogeorge noted a consultant just went through and assigned condition ratings to all signs. They have been photographed and located on GIS. They will be updated as needed.
- K. Pimental noted:
    - he wasn't sure where the crosswalk is that the woman mentioned, but that area is where the trails link up and it is very dangerous for pedestrians to cross
    - the Dover Download podcast is really great. He listened to all three episodes that are out.

7. ADJOURNMENT

Motion: F. Torr moved to adjourn at 9:07 pm. Seconded by M. Speidel. Vote: U/A

DOVER PLANNING BOARD – MINUTES

CITY OF DOVER

Meeting Type:	Regular Meeting
Meeting Location:	City Council Chamber's 288 Central Avenue
Meeting Date:	**Tuesday, July 26, 2022**
Meeting Time:	**7:00 pm**

Members Present: Gina Cruikshank (Chair), Hayley Harmon (Vice Chair), Ken Mavrogeorge, Frank Torr, Dennis Shanahan (Councilor), and Kyle Pimental
Members Not Present (excused): Mark Speidel, Fergus Cullen (Councilor), Erinn Kaspari, Tom Clark,
Members Not Present (un-excused):
Staff Present: Donna Benton, Director of Planning and Development; Mike Asciola, City Planner

G. Cruikshank called the meeting to order at 7:00 p.m.

1. CITIZENS' FORUM

Citizens Forum Open
No one spoke
Citizens Forum Closed

2. APPROVAL OF THE PRIOR MINUTES

June 28, 2022 Regular Meeting Minutes
D. Benton explained that there was an intended motion and clear vote but no clear motion and second on the lot line adjustment on Glenwood at the last meeting. The Board could make a motion to amend the minutes as outlined that there was an intended motion by F. Torr and seconded by T. Clark.
F. Torr confirmed.
Motion: F. Torr moved to amend the minutes and approve as amended. Seconded by D. Shanahan.
Vote: U/A

3. OLD BUSINESS

A. Public hearing to consider amendments to Chapter 170 entitled "Zoning Ordinance" of the code of the City of Dover. Amendments include changes to vehicle refueling and recharging stations and auto service stations, self-storage facilities criteria, rezoning of lots on Fisher St and Rutland St to HR, amending Gateway District Table of Use, replacing sub-grade with "fully below-grade", adding solar/green roof requirements to the C, CM, and IT Districts, and fixing an errant reference in the sign ordinance.

Motion: F. Torr moved to remove the item from the table. H. Harmon seconded. Vote: U/A

D. Benton noted the board has been looking at these amendments since February and this is the third of three public hearings for public input. Following public input, staff recommends the board forward these to Council.

Public hearing opened.
Laurie Smith, 36 Fisher St spoke in favor of expanding the Heritage district and to implement the height restrictions in that area. She proposed that parcel 15042 be added to the height restriction as well.
(it was clarified later in the meeting that the parcel in question is actually 15040A)

Chad Kageleiry, asked why his property is on the screen. Board and staff explained a citizen is requesting it be added to the Heritage district. He expressed he would not be in favor of that and made comments about the history of the property.

Letters of support were received from the following residents:

Melissa Henerberry	26 Fisher Street
James Henerberry	26 Fisher Street
Katherine Cox & Jason Lucey	101 Belknap St

Laurie Smith	36 Fisher St
Peter Michaud & Paul Chung	93 Belknap Street
Matthew B. Cox, Esq.	255 Washington Street
Marisa Didio	105 Belknap St.
Sandra Cohen-Holmes	34 Fisher Street
Lauren Serafin	54A Rutland St

Mary and Carly Glovinski and Tyler Conaway 92 Belknap Street
Anthony McManus (provided in packets)
Public hearing closed.

D. Benton noted staff is not proposing any changes to the posted amendments as they would relate to the discussion thus far this evening but that staff is proposing changes to other amendments. D. Benton reviewed these changes to the amendments for the board including clarifying the same language regarding vehicle refueling and recharging stations, adding the IT district to the self-storage amendments and clarifying screening and parking requirements, and a few minor changes to verbiage in the Gateway amendments for further clarification for future interpretation.

Motion: D. Shanahan moved to amend the amendments. Seconded by: F. Torr.

K. Pimental asked if staff has considered forming a sub-committee to look at the property mentioned in public comment this evening. D. Benton noted it has been requested that a sub-committee be formed to look at all gateways and that no Planning Board members had volunteered when she had asked previously. D. Shanahan commented that lot is uniquely shaped and should be looked into from all points of view. Changes should not be made today- but having a sub-committee look into it seems right.
K. Pimental and G. Cruikshank volunteered to be on the sub-committee.

Vote: U/A

Motion: K. Mavrogeorge moved to vote to recommend the amendments to City Council. Seconded by: H. Harmon. Vote: U/A

4. NEW BUSINESS

A. Consideration and acceptance of a Minor Subdivision for Canney Brook Engineering and Consulting, CBF2 LLC., (Owners: Canney Brook Engineering and Consulting, CBF2 LLC. and Helen F. Preston Revocable Trust of 2009), Assessor's Map K, Lot 6, zoned R-40, located at 105 Middle Road and Back Road. (2 new lots) (P22-09)

K. Mavrogeorge and F. Torr would have recused themselves from this case.
Therefore, there was not a quorum available to hear the case. (No motion could be made without a quorum, but the Chair announced that the case is continued to August 23, 2022.

B. Consideration and acceptance of a Site Review for City of Dover Recreation, Assessor's Map 26, Lot 2, zoned RM-U, located at 150 Portland Avenue. (Proposal is to construct a 17,000 s.f. skate park in two phases.) RSA 674:54 Governmental Land Use applies. *(P22-25)

D.Benton introduced the proposal to develop a skate park at Guppy Park in the field adjacent to Oak St. and the park and ride. The proposal is to develop the 17,000 sq ft concrete structures in two phases to replace the

current skate park on River St. Additional improvements will include access paths, additional parking spaces, a gazebo, and stormwater management infrastructure.

She explained the Planning Board will review the entire proposal and may approve it as a whole, however, an additional plan review will be required prior to the construction of phase 2.

Bob Stowell, Tritech Engineering represented the application. The parking is in place. This proposal takes lawn area and converts it into the skate park. Mr. Stowell addressed drainage, walkways, lighting.
There are a couple of waiver requests for EV charging and landscaping as those are intended to be looked at as part of the full park and park and ride area rather than just the skate park portion. There is also a drainage waiver which deals with storm water runoff.

The Recreation Director commented that this project is 20 years in the making. He gave a few details about how the process has come to be.

F. Torr asked about parking details which Gary addressed.

K. Pimental had comments regarding pedestrian safety and arts commission mural/ graffiti art. Gary addressed the comments in response.

Motion: F. Torr moved to accept and declared no regional impact for the application. Seconded by K. Pimental. Vote: U/A.

Public hearing opened.
Andy Cochran, Salmon Falls Stoneware spoke to the railroad, and they are concerned about kids walking the tracks. This is unsafe. His building gets vandalized by graffiti. He requested a property value impact report. Money should be set aside to compensate for abutters needing to clean the vandalism.

Matt Johnson, 26 Sunset Dr spoke in favor of the new skate park. He has been trying to get this going for 17 years.

Nelson Wormstead, 17 Sunset Dr commented having a world class facility in the City is important. It will attract world-class level competitors. It could be a site where qualifying events are held for Olympic level competition.
Public hearing closed.

Summary of Waiver Requests:
The applicant is requesting the Board grant a waiver from §153-14.A.(3)(b)[3] "Measures shall be taken to control the post-development surface water runoff volume so that it does not exceed predevelopment runoff for the two-, ten-, twenty-five- and fifty year, twenty-four-hour storm events...", §153-14.D.(3) "Electric Vehicle Supply Equipment (EVSE) and dedicated charging spaces and from §153-14.G. "Landscaping".

The applicant is requesting these waivers due to the complex nature of the multi-use park and believes that such improvements should be part of the Guppy Park Master Plan with input from all park stakeholders. They believe that they should look to make these drainage, EVSE and landscaping improvements as part of a larger parking redesign that could be funded through possible outside grant sources in the near future and that the existing landscaping is adequate and meets the intent of the regulations.

STAFF RECOMMENDATION-Waivers:
§153-21 of the Site Plan Review Regulations 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."

The Planning Department recommends the Planning Board vote to grant the waivers with the following non-binding conditions, as the plans meet the standards outlined.

Condition to be Met Prior to the Signing of the Plans:
1. Add a note to plan that the Planning Board approved waivers for §153-14.A.(3)(b)[3] "Measures shall be taken to control the post-development surface water runoff volume so that it does not exceed predevelopment runoff...", §153-14.D.(3) "Electric Vehicle Supply Equipment (EVSE) and dedicated charging spaces and from §153-14.G. "Landscaping" that the criteria for Chapter 153-21 have been met.

K. Pimental stressed that if we are putting EV requirements on private developments, the City also needs to adhere to them. D. Benton clarified the plan is to have them on site in a later phase, just not at this time.

Motion: F. Torr moved to grant the waiver and that §153-21 criteria has been met. Seconded by: K. Mavrogeorge. Vote: U/A.

STAFF RECOMMENDATION-Site Plan:
RSA 674:54 provides for Planning Board review of governmental land uses with nonbinding written comments relative to conformity or nonconformity of the proposal with normally applicable land use regulations.

§153-4 of the Site Review Regulations of the City Code provides for site review by the Planning Board of new construction of various types. This plan is consistent with those regulations.

The Planning Department recommends the Planning Board vote to approve the Site Plan with the following non-binding conditions, as the plans meet the standards outlined:

Conditions to Be Met Prior to Signing of Plans:
1. The applicant shall provide the Planning Department with a digital version of the final plan set.
2. Provide a CAD file to the satisfaction of the Asset Management Administrator's satisfaction.
3. Provide copies of permits once received;
4. The applicant shall revise the plan set to:
   4.1. Add owner's signatures;
   4.2. Combine plan sets into one set;
   4.3. Add all professional signatures and stamps to final plans;
   4.4. Add note stating construction is permitted for phase 1 only;
   4.5. Add snow storage details.

Conditions to Be Met Prior to any Construction:
5. A site construction sign with the contact information for the general contractor must be located and approved by the City Engineer or Planning Director.

Conditions to Be Met Prior to Occupancy:
6. Issuance of the Certificate of Occupancy.

Motion: K. Pimental moved to approve the Site Plan application with the non-binding conditions. Seconded by K. Mavrogeorge. Vote: U/A

C. Consideration and acceptance of an amendment to a previously approved Site Review for Katz Development Corporation, Assessor's Map K, Lot 19-10, zoned IT and RCM overlay, and located at Pointe Place. (Proposal is to amend to one of the previously approved buildings to 24 residential units instead of 40 units and a building footprint of 14,575 sq. ft. instead of 16,770 sq. ft. from the original approved Site Plan.) *(P18-37A)

D. Benton introduced the proposal to amend to one of the previously approved buildings to 24 residential units instead of 40 units and a building footprint of 14,575 sq. ft. instead of 16,770 sq. ft. from the original approved Site Plan.

She explained the original project was approved by the Planning Board on September 25, 2018 (P18-37), as part of the Pointe Place Master Plan development and consisted of three buildings located on the south side of Pointe Place roadway. The buildings have access from the parking and sidewalks along Pointe Place, as well as from the parking lot and access drive that loops around the south side of the buildings. The three buildings are identified as buildings #3, #4, and #5 on the site approved plans. The westerly most Building #3 is completed and construction is continuing with the remaining portions of the site. This proposed amendment is for the westerly Building #5 only.

The site plan amendment is brought before the Board to allow an opportunity for a public hearing and the Board to review and vote on the amendment to the previous plan with slight alterations to the access and parking and architecture. The remaining conditions of approval for P18-37 would still apply. The Board should review the proposed materials with the applicant at the meeting.

FX Bruton, Bruton & Berube represented the application.
The proposal is a minor alteration to the plan. He handed out a document which explains the changes.

K. Pimental asked what is the reason for reducing the number of units with the need for housing so great.
Mr. Bruton explained this developer is more familiar and interested in building the newly proposed style of structure which he has built before.

Motion: F. Torr moved to accept and declared no regional impact for the application. Seconded by D. Shanahan. Vote: U/A.

Public hearing opened.
No one spoke
Public hearing closed.

Chair Cruikshank asked if the photo shown tonight is an exact rendering of the proposal.
Eric Katz, developer explained the new proposal is for condo ownership where the previous approval was for apartments. These units are a little bigger. This will be the 20th building of this style they have built and will be built as shown in the updated photo presented tonight.

STAFF RECOMMENDATION:
§153-4 of the Site Review Regulations of the City Code provides for site review by the Planning Board of new construction of various types. This plan is consistent with those regulations.
The Planning Department recommends the Planning Board vote to approve the Site Plan amendment with the following conditions, as the plans meet the standards outlined:

Conditions to Be Met Prior to Signing of Plans:
1. The applicant shall provide the Planning Department with a digital version of the final plan set.
2. Provide a CAD file to the satisfaction of the Asset Management Administrator's satisfaction.
3. The applicant shall revise the plan set to:
   3.1. Add owner's signatures;
   3.2. Add 2" x 2" Planning Board approval block;
   3.3. Add all professional signatures and stamps for each submission;
   3.4. Add materials to building elevations.
   3.5. Replace architectural rendering with one less pixelated.
   3.6. Update landscape plan and building floor plans to match amended site plan including egresses, bike rack location, sidewalk connections, and lighting changes.
   3.7. Update grading plan to provide ADA compliant grades in accessible parking spaces and accessible routes
   3.8. Update utility plan to show connections to previously installed utilities.
   3.9. Note all previous conditions of approval for P18-37 are still in place.

Motion: F. Torr moved to approve the Site Plan Amendment with the recommended conditions. Seconded by H. Harmon. Vote: U/A

D. Consideration and acceptance of an amendment to a previously approved Site Review for Little Bay Development, LLC., Assessor's Map 8, Lot 9, zoned LBW, and located at 5 Little Bay Dr. (Proposal is to revise the building elevation of the marina building to increase the living area of the existing dwelling unit by increasing the building height from two (2) to three (3) stories.) *(P19-04B)

D. Benton explained the proposed amendment is to add an additional story to the mixed use building identified as 5 Little Bay Drive containing the retail use and accessory apartment unit. She further informed the board of the previously approved site plan (P19-04A) as a condominium development containing 25 units plus marina/marina office with one (1) accessory apartment and 27 parking spaces. This project was previously approved by the Planning Board for TDR (P18-41), then received site plan approval (P19-04), then amended to add 2 units (P18-41A), and then received approval relocate 2 units (P19-04A), and is now seeking to have the marina building with accessory apartment be 3 stories instead of 2 as previously presented to the Planning Board.

The site plan amendment was below the threshold for TRC review but was a significant enough of a change that staff wanted the Planning Board to hold a public hearing and vote.

Tim Noonan, managing partner for Little Bay Development LLC represented the application and was available for questions. The rest of the proposed and approved project includes 3-story buildings so this would mirror those designs. The footprint would not change- only the height. There is no opposition from the neighbors- in fact a letter of support was sent in by the neighbors.

Board members asked some clarifying questions which Mr. Noonan answered.

Motion: F. Torr moved to accept and declared no regional impact for the application. Seconded by K. Mavrogeorge. Vote: U/A.
Public hearing opened.
D. Benton noted two emails which came into the office:

- Ann Shine and Kevin Callaghan in opposition to the added floor.
- The abutters (Blackwells) sent in a letter of support included in the packet

Public hearing closed.

STAFF RECOMMENDATION:
§153-4 of the Site Review Regulations of the City Code provides for site review by the Planning Board of new construction of various types. The proposed amendment does not add additional uses or units and is consistent with the regulations and prior Planning Board approvals.

The Planning Department recommends the Planning Board vote to approve the Site Plan amendment with the following conditions, as the plans meet the standards outlined:

Conditions to Be Met Prior to Signing of Plans:
1. The applicant shall provide the Planning Department with a digital version of the final plan set.
2. The applicant shall revise the plan set to:
   2.1. Add owner's signatures;
   2.2. Add 2" x 2" Planning Board approval block to lower corner
   2.3. Add all applicable professional signatures and stamps;
   2.4. Add note that all previous conditions of approval still apply.

Motion: F. Torr moved to approve the Site Plan Amendment with the recommended conditions. Seconded by H. Harmon. Vote: U/A

F. Torr suggested newer board members go to the property to take a look if they weren't at the original site walk. There has been major improvement to the site.

The Vice Chair noted Items 4E & F will be heard together.

E. Consideration and acceptance of a Conditional Use Permit for Knox Marsh Development LLC., Assessor's Map 28, Lot 7, zoned G, located at 757 Central Avenue. (Proposal is to allow a frontage build-out of 57.5% where 60% is required.) *(P22-17)
F. Consideration and acceptance of a Site Review using Transfer of Development Rights for Knox Marsh Development LLC., Assessor's Map 28, Lot 7, zoned G, and located at 757 Central Avenue. (Proposal is to construct two (a 4-unit & a 2-unit) multi-family buildings on a site with an existing single-family home. Three (3) of the seven (7) proposed units are to be purchased through TDR.)*(P22-15)

D. Benton introduced the proposal seeking to further develop a 0.45 acre under developed lot containing a single family residence in the Gateway District by constructing a duplex and four unit townhouse building. The proposed development requires three (3) of the proposed units through the Transfer Development Rights (TDR) process for density purposes.

Vehicular site access will be off of Abbey Sawyer Memorial Drive. Streetscape and sidewalk improvements are proposed adjacent to Central Ave. A CUP (P22-17) is requested for frontage buildout along Central Ave and Abbey Sawyer Memorial Drive. The property is to be serviced by City Water and Sewer.

She also described the Conditional Use Permit sought by the applicant for frontage buildout in the Gateway District. She also stated the applicant is seeking two waivers for site specific soils and lighting uniformity ratio.

Christopher Berry, Berry Surveying and Engineering represented the applications. He explained the project including layout, stormwater and amenities ironed out through TRC process.

The buffer reduction request was explained and discussed with staff as to whether it's even needed for this project.

Motion: F. Torr moved to accept and declared no regional impact for the applications. Seconded by K. Pimental. Vote: U/A.

Public hearing opened.
No one spoke
Public hearing closed.

Summary of Waiver Requests:
The applicant seeks the following waivers:

§153:14.A.(3)(f)[2][c] Site Specific Soils Map (SSSM) due to the existing development on the parcel and the relatively small site the applicant believes using a Natural Resources Conservation Services (NRCS) soil mapping dataset as a substitute to a SSSM will not adversely affect stormwater calculation accuracy.

§153:14.E.(2)(b) Lighting uniformity ratio (5:1) due to the size and the shape of the site the applicant believes in order to achieve this ratio, additional light fixtures would have to be added which they believe would adversely affect abutting residences and contrary to the intent of the lighting requirements.

STAFF RECOMMENDATION-Waivers:
Section 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."

The Planning Department recommends the Planning vote to grant the waivers with the following condition:

Condition to be Met Prior to the Signing of the Plans:
1. Add a note to plan that the Planning Board approved waivers for §153:14.E.(2)(b) Lighting uniformity ratio (5:1) and §153:14.A.(3)(f)[2][c] Site Specific Soils Map and that the criteria for Chapter 153-21 have been met.

Motion: F. Torr moved to grant the waivers and that §153-21 requirements have been met. Seconded by: D. Shanahan. Vote: U/A.

STAFF RECOMMENDATION-TDR:
§170-27.2 provides for additional density to be purchased through Transfer of Development Rights.

The Planning Department recommends the Planning Board vote to grant the TDR request of purchasing 3 units by finding the criteria of the TDR ordinance has been met with the following conditions:

Condition to be Met Prior to Granting of TDR:
1. Payment of the TDR Fees

Motion: F. Torr moved to approve the Transfer Development Rights application with the recommended condition. Seconded by D. Shanahan. Vote: U/A

STAFF RECOMMENDATION – Conditional Use Permit:
§170-20.B(1) Zoning Ordinance allows for Conditional use approval for relief from the standards herein may be granted by the PLANNING BOARD (RSA §674:21 II) after proper public notice and public hearing provided that the proposed project complies certain standards.

Planning staff finds that the Conditional Use Permit request is reasonable due to the following:
- The existing development is non-conforming to many standards of the Gateway District and is not in the intended spirit of the district. The proposed development significantly improves zoning conformity.
- The proposed development supports the intent of the Gateway District and meets criteria set forth in §170-20.B(1).
- The proposed development significantly improves the streetscape along Central Ave.

The Planning Department recommends the Planning Board vote to grant the Conditional Use Permit with the following conditions, as the plans meet the standards outlined.

Conditions to Be Met Prior to Issuance of Conditional Use Permit:
1. A Development Agreement per Chapter 170-27.B(3) be signed and recorded at the Strafford County Registry of Deeds.
2. The Site Plan (P22-15) shall be approved.

Motion: D. Shanahan moved to approve the CUP application with the recommended conditions. Seconded by K. Mavrogeorge. Vote: U/A

STAFF RECOMMENDATION-Site Plan:
The Planning Department recommends the Planning vote to approve the Site Plan with the following conditions, as the plans meet the standards outlined:
1. Conditional Use Permit (P22-17) be approved;
2. The applicant shall provide the Planning Department with a digital version of the final plan set;
3. Provide a CAD file to the satisfaction of the Asset Management Administrator;
4. The applicant shall revise the plan set to:

4.1. Add owners' signatures;
4.2. Revise indicated black chain link fence with slats to the satisfaction of the Planning Director;
4.3. Add note to plan regarding TDR being utilized and if any size restrictions are to be used;
4.4. Add CUP (P22-17) approval note.

5. Provide draft deeds, lease, or COA documents to the satisfaction of the Planning Director to be reviewed in consultation with the City Attorney. Said documents should discuss long term operation and maintenance, common areas, reserve amount, and TDR restrictions;
6. Provide letters to serve from utility providers;

Condition to Be Met Prior to any Construction:

7. A site construction sign with the contact information for the general contractor must be located and approved by the City Engineer and Planning Director.

Conditions to Be Met Prior to Issuance of a Building Permit:

8. Payment of Water & Sewer Investment Fees at the time of request for service;
9. The applicant shall provide payment for active and passive recreation.

Conditions to Be Met Prior to Occupancy:

10. Issuance of the Certificate of Occupancy.
11. The applicant shall pay impact fees according to the invoice attached to the Notice of Decision.
12. The Engineer of Record go over any operation and maintenance needs with owner at the time.

Motion: K. Mavrogeorge moved to approve the Site Plan application with the recommended conditions. Seconded by D. Shanahan. Vote: U/A

5. STAFF COMMENTS

- *TRCs since last meeting*:
  - Site Review for Storage Barn, LLC, located at Production Drive. (Proposal is to construct five (5) storage buildings totaling 12,000 sf). A CUP for wetland impact will also appear before the Planning Board. (P22-50);
  - Site Review for Michael Robinson, located at 6 Trask Drive. (Proposal is to pave 5,400 sf of private driveway)(P22-49); and
  - Site Review for Weave Filtration, LLC., (located at Quality Way. (Proposal is to construct a 23,125 sf building for manufacturing with office space). A CUP for wetland impact will also appear before the Planning Board. (P22-47).
- *Upcoming TRCs:*
  - Site Review for Knox Marsh Development LLC., zoned Gateway & R-12, located at 36 & 38 New Rochester Road. (Proposal is for construction of six single family homes behind the existing single-family homes for a total of 8 units);
  - Site Review for Tolwood Realty Group LLC, zoned CBD- Mixed Use, located at 53 Silver Street. (Proposal is for the construction of a residential building containing three (3) townhouse style units partially developed within a portion of the existing parking lot to the rear of the commercial office building.); and
  - Site Review for Storage Barn, LLC, (Owner: TSB Properties, LLC.) zoned IT, located at Production Drive. (Proposal is to construct five (5) storage buildings totaling 12,000 sf). CUPs for use and wetland impact will also appear before the Planning Board. (P22-50)
  - Site Review for Pope Memorial Humane Society on County Farm to add a pavilion.

DRAFT

- Staff are finalizing the Steering Committee for the Vision Chapter of the Master Plan and hope to have those appointed in August by the Planning Board Chair.
- Staff have received applications for the alternate vacancies and they are expected to be filled soon.
- New permitting software launched July 1st. Plans will be filed electronically.
- The Planning Department Staff would also like to congratulate Erinn Reville Kaspari on her dissertation defense.
- The Planning Department Staff would also like to congratulate Mike Asciola on getting his AICP officially today.

6. MEMBER COMMENTS

- K. Pimental
    - Relay to DPW: trees hanging over are blocking the light at Oak St and Rt 4
    - NHMA has a webinar tomorrow on grants program as part of INVESTNH
- Chair read lot merger for Littleworth Road and signed it with consensus of the board
- Chair Cruikshank noted that S. George resigned from the Planning Board.

7. ADJOURNMENT

Motion: K. Pimental moved to adjourn at 8:29 pm. Seconded by M. K. Mavrogeorge. Vote: U/A

DRAFT

CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P22-15

Application Type:	TDR Site Review
Applicant(s):	Knox Marsh Development LLC
Owner(s):	Knox Marsh Development LLC
Location:	757 Central Avenue (Tax Map 28, Lot 7)
Meeting Date:	July 26, 2022

INTENT: To construct one (1) 4-unit multi-family and one (1) duplex buildings utilizing TDR (requesting three (3) units to be purchased) with parking under the structure as well as purchase the existing single-family home.

AGENDA ITEM #: 4-F

UNITS PROPOSED: 7 (4-plex & duplex) + existing SFR

ACREAGE: 0.45± acres

ZONING DISTRICT: Gateway, Conservation District Overlay (20% slope)

EXISTING LAND USE: Single family residence

PROPOSED LAND USE: Residential (Multi-family)

SURROUNDING LAND USE: - Residential, mixed use, commercial, vacant land, Wentworth-Douglass Hospital, Garrison Hill Park

ZBA ACTION: None

PERMITS REQUIRED: (P22-17) CUP for Frontage Build-out

WAIVERS REQUESTED:
-§153:14.A.(3)(f)[2][c] Site Specific Soils Map
-§153:14.E.(2)(b) Lighting uniformity ratio (5:1)

TRC: March 17, 2022 & June 16, 2022

APPLICATION IS COMPLETE: Yes

ATTACHMENTS: Application materials, Site & Architectural Plan Sets, Traffic analysis

Summary of Request and Background
The applicant is seeking to further develop a 0.45 acre under developed lot containing a single family residence in the Gateway District by constructing a duplex and four unit townhouse building. The proposed development requires three (3) of the proposed units through the Transfer Development Rights (TDR) process for density purposes.

Vehicular site access will be off of Abbey Sawyer Memorial Drive. Streetscape and sidewalk improvements are proposed adjacent to Central Ave. A CUP (P22-17) is requested for frontage buildout along Central Ave and Abbey Sawyer Memorial Drive. The property is to be serviced by City Water and Sewer.

Summary of Waiver Requests:
The applicant seeks the following waivers:

§153:14.A.(3)(f)[2][c] Site Specific Soils Map (SSSM) due to the existing development on the parcel and the relatively small site the applicant believes using a Natural Resources Conservation Services (NRCS) soil mapping dataset as a substitute to a SSSM will not adversely affect stormwater calculation accuracy.

§153:14.E.(2)(b) Lighting uniformity ratio (5:1) due to the size and the shape of the site the applicant believes in order to achieve this ratio, additional light fixtures would have to be added which they believe would adversely affect abutting residences and contrary to the intent of the lighting requirements.

The applicant is also requesting that as part of the TDR Request, the Planning Board grant relief to the 30' buffer requirement.

Consistency with Land Use Regulations -TDR
§170-27.2 provides for additional density to be purchased through Transfer of Development Rights.

Consistency with Land Use Regulations – Waiver
Section 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 rational for the waivers meets criterion (1) and waiving such standards and requirements is not contrary to the spirit or intent.

CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P22-15

Application Type:	TDR Site Review
Applicant(s):	Knox Marsh Development LLC
Owner(s):	Knox Marsh Development LLC
Location:	757 Central Avenue (Tax Map 28, Lot 7)
Meeting Date:	July 26, 2022

Consistency with Land Use Regulations – Site Plan
§153-4 of the Site Review Regulations of the City Code provides for site review by the Planning Board of new construction of various types. This plan is consistent with those regulations.

Planning staff believes the proposed development meets the intent and spirit of the Gateway District by providing dense infill development which improves the streetscape of Central Avenue close to the CBD and urban center. The design of the development manages the increased density purchased through TDR and is in harmony with the neighborhood. Site design requirements were met unless waivers or CUPs were sought.

STAFF RECOMMENDATION-TDR:
The Planning Department recommends the Planning Board accept the application, open the public hearing, and vote to grant the TDR request of purchasing 3 units by finding the criteria of the TDR ordinance has been met with the following conditions:

Condition to be Met Prior to Granting of TDR:
1. Payment of the TDR Fees

STAFF RECOMMENDATION-Waivers:
The Planning Department recommends the Planning vote to grant the waivers with the following condition:

Condition to be Met Prior to the Signing of the Plans:
1. Add a note to plan that the Planning Board approved waivers for §153:14.E.(2)(b) Lighting uniformity ratio (5:1) and §153:14.A.(3)(f)[2][c] Site Specific Soils Map and that the criteria for Chapter 153-21 have been met.

STAFF RECOMMENDATION-Site Plan:
The Planning Department recommends the Planning vote to approve the Site Plan with the following conditions, as the plans meet the standards outlined:

Conditions to Be Met Prior to the Signing of Plans:
1. Conditional Use Permit (P22-17) be approved;
2. The applicant shall provide the Planning Department with a digital version of the final plan set;
3. Provide a CAD file to the satisfaction of the Asset Management Administrator's satisfaction;
4. The applicant shall revise the plan set to:
   4.1. Add owners' signatures;
   4.2. Revise black chain link fence with slats to the satisfaction of the Planning Director;
   4.3. Add note to plan regarding TDR being utilized and if any size restrictions are to be used;
   4.4. Add CUP (P22-17) approval note.
5. Provide draft deeds, lease, or COA documents to the satisfaction of the Planning Director to be reviewed in consultation with the City Attorney. Said documents should discuss long term operation and maintenance, common areas, reserve amount, and TDR restrictions;
6. Provide letters to serve from utility providers;
7. Payment of the TDR fees.

Condition to Be Met Prior to any Construction:
8. A site construction sign with the contact information for the general contractor must be located and approved by the City Engineer and Planning Director.

Conditions to Be Met Prior to Issuance of a Building Permit:
9. Payment of Water & Sewer Investment Fees at the time of request for service;
10. The applicant shall provide payment for active and passive recreation.

Conditions to Be Met Prior to Occupancy:
11. Issuance of the Certificate of Occupancy.
12. The applicant shall pay impact fees according to the invoice attached to the Notice of Decision.
13. The Engineer of Record go over any operation and maintenance needs with owner at the time.

BERRY SURVEYING & ENGINEERING
335 Second Crown Point Road
Barrington, NH 03825
Phone: (603) 332-2863
Fax: (603) 335-4623
www.BerrySurveying.Com
crberry@metrocast.net

February 22, 2022 / Rev: July 13, 2022

City of Dover
Attention: Donna Benton, Director of Planning and Community Development
288 Central Ave
Dover, NH 03820

Re: TDR Site Plan
Knox Marsh Development LLC
757 Central Ave
Tax Map 28, Lot 7
Dover File #P22-15

Dear Mrs. Benton,

On behalf of our client Knox Marsh Development LLC, Berry Surveying & Engineering (BS&E) is submitting a proposed TDR Site plan for 757 Central Ave.

Background and General Narrative:

Knox Marsh Development LLC, owns the parcel known as 757 Central Ave in Dover, NH (Tax Map 28, Lot 7). Berry Surveying & Engineering has conducted an on-site survey of the parcel which includes a topographic analysis as well as a wetlands analysis. No wetlands were found on site as determined by Deidra Benjamin CWS. The site contains an historical single-family structure, which is accessed from Central Ave., with two driveway curb cuts which loop around the rear of the site. The site sits on the corner of Abbey Sawyer Memorial Drive and contains 0.45 acres. On the south there exists an existing white vinyl fence which is owned by the abutting land owner. The north side of the site, abutting Abbey Sawyer, contains woodland as does the rear of the site. The rear of the site contains slopes that are greater than 20%, however the land mass on the site which contains the slope is less than 2,000 Sq.Ft. The site is located in the Gateway District. There are no other overlays which affect the project site.

The Proposal:

The Gateway District permits the establishment of residential housing in a multifamily format with a maximum density requirement of one unit for every 4,000 Sq.Ft., free of wetlands. To develop a site which conforms closely with frontage build-out

requirements, additional building and density is required above what is permitted in the underlying zone. The unit density that is permitted on site using the Gateway requirement is 4.9 residential units, which rounds to 4 units, with one of those units being the existing single-family home on site. The applicant is requesting to purchase 3 additional units through the Transfer of Development Rights (TDR) program. The purchase will allow for the construction of a 2 unit multi-family building, which will contain two bedroom units to be constructed along the frontage of Central Ave. The proposed architecture of this building was taken from many of the surrounding structures keeping with a colonial style streetscape. The additional 4 units will be used to construct a multi-family structure in a townhouse style format. The chosen building design works with the topography on site, allowing the building to be benched into the slope. This style building also provides for parking under the structure, which increases the availability for building coverage and reduces the need for at grade parking. The private driveway will be known as Goose Tail Drive.

The TDR request also proposes to remove the 30' buffer required by the TDR. In this case the buffer is not needed to abutting land owners whereas they are either remote to the site or commercial in nature.

Access to the site is modified through this design to remove both of the current driveways on Central Ave. in favor of one main access point off the low volume Abbey Sawyer Memorial Drive. The curbing and sidewalk panels will be replaced along Central Ave. at the former driveway locations, which will create a more congruent sidewalk at the front of the site, increasing the pedestrian safety in the area. Access to the existing structure will be taken from the rear parking area, however pedestrian accesses are created for both structures to the sidewalk along Central Ave. The area between the buildings is proposed to be landscaped and lighted to invite pedestrian use to the surrounding amenities.

Street scape is enhanced through the use of landscaping, hardscaping and typical urban amenities. The existing tree found along the southern boundary is proposed to remain and project design was careful to be as far from the root structure as practical. Bushes and ornamental grasses are used at the front of the site and at proposed walk areas to create an inviting entrance, while flower beds are used to fill in smaller areas so as to not over power the site with shrubbery. The rear of the site, due to the intensity of use, has less opportunity for larger landscaping features. It does, however, provide space for flower beds and lower bushes to soften the feel of the entrance areas, creating an inviting residential nature to the rear of the project.

Water utility and power utility is proposed to be taken from Abbey Sawyer Memorial Drive. Water utility is proposed to be a 6" CLDI line which is then run to a fire hydrant

at the end of Goose Tail Drive. A 2" fire line is run to the water closet for the townhouse for fire protection/will be sprinkled. Individual units receive a 1" water service with curb stop. Sewer is serviced via gravity to central Avenue. The proposed 2 unit building is currently 15' from the existing structure to remain. Central Ave and Abbey Sawyer Memorial Drive are considered fire lanes whereas the furthest corner from either roadway is 124'. The drive aisle is less than 150' in length so no turn around is required, though it is designed to be 20' in width for accessibility. "No Parking" signs are placed where appropriate. Dover T1 Fire Truck turning template into the site is provided within the plan set. There is a hydrant on the opposite corner of Old Rollinsford Road, which 370'+/- from the southerly corner of the project site.

Stormwater is collected in catch basins and a slot drain on site and routed to an underground sand filter for attenuation and treatment. Off site flow is routed around the buildings and around the sand filter and discharged directly to the municipal system. Existing flows from the site as well as some off-site flows enter the municipal system at the catch basins at the front of the project site.

The project requires the following approvals:

- TDR Approval for the purchase of 3 units and the removal of the 30' buffer.
- Waiver to the requirement for site specific soils mapping and lighting uniformity ratio
- CUP for Frontage Build-Out
- Site Plan Approval.

Respectfully Submitted,
BERRY SURVEYING & ENGINEERING

Christopher R. Berry
Principal, President

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

18. AMENDMENT

Chapter 170 entitled "Zoning" is hereby amended by revising Section 170-27.2, "Transfer of Development Rights", to read as follows:

(8) Regardless of the method utilized, any other provision in this Chapter to the contrary, the density or intensity of development of a receiving parcel may be increased by the TRANSFER OF DEVELOPMENT RIGHTS so long as the increase in density or intensity meets the following criteria and a narrative is submitted indicating how those criteria are met: ~~A narrative shall be submitted indicating how the following criteria are met.~~

(a) Is consistent with the Master Plan

(b) Is compatible with the land uses on neighboring LOTs (e.g. a multifamily building fits in within a single family neighborhood). The applicant shall provide in their narrative an explanation of their neighborhood analysis.

(c) Is created on property served by public water and sanitary sewer.

(d) Any relief sought should not be caused by the additional density.

19. AMENDMENT

Chapter 170 entitled "Zoning" is hereby amended by revising Section 170-32, "Sign Review and Regulations", to read as follows:

C. General provisions. All SIGNs shall conform to the following regulations:

(1) SIGN Location. SIGNS shall relate only to the premises upon which they are located, excluding TEMPORARY SIGNs as regulated in Subsection O.

(2) All SIGNs shall be constructed, erected and maintained so as not to present a hazard to persons and property.

(3) All SIGNs shall be erected in such a manner so as not to obstruct free and clear vision along or onto a public right-of-way.

(4) All SIGNs shall be erected in such a manner so as not to obstruct the view of, be confused with or mistaken for any authorized traffic SIGN, signal or like device.

(5) The illumination of any SIGN shall be nonflashing; spot or floodlights shall be arranged so that the direct rays of light do not shine or reflect directly into adjacent properties or the line of vision of a motorist.

(a) FLASHING SIGNs are prohibited.

(b) Illuminance of the SIGN face shall not exceed the following standards:

(i) EXTERNAL ILLUMINATION: fifty (50) foot-candles as measured on the SIGN face.

(ii) INTERNAL ILLUMINATION: five thousand (5,000) nits (candelas per square meter) during daylight hours, and five hundred (500) nits between dusk and dawn, as measured at the SIGN's face.

(iii) DIRECT ILLUMINATION: five thousand (5,000) nits during daylight hours, and five hundred (500) nits between dusk and dawn, as measured at the SIGN's face.

CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #TRAN-2023-0004

Application Type:	Transfer of Development Rights
Applicant(s):	Heron Bay Partners, LLC
Owner(s):	Heron Bay Partners, LLC
Location:	Cielo Drive (Assessor's Map H, Lot 4)
Meeting Date:	November 14, 2023

INTENT: Proposal is to develop 56 residential units in a townhouse development. TDR is requested for 20 of the 56 units. The units are intended to be age restricted at the request of the applicant but no TDR size or HUD restrictions.

UNITS PROPOSED: 56 Units (20 TDR)

AGENDA ITEM #: 4-D

ACREAGE: 9.6 ±acres

ZONING DISTRICT:
IT, RCM Overlay & Secondary Groundwater Protection

EXISTING USE: SFR and Duplex Residential Condominium Development with Club House

PROPOSED USE: Eight (8) building multi-family development

SURROUNDING USE: Retail, Residential, Industrial, Vacant, Utility Easement

ZBA ACTION: N/A

ATTACHMENTS: Application materials including site plan

APPLICATION IS COMPLETE: Yes

REGIONAL IMPACT: No

NOTICES SENT: Abutter notices were sent by certified mail to all abutters for this meeting

PERMITS REQUIRED:
NHDES AOT, Sewer Discharge, DWGB Permits; - Natural Heritage Bureau (NHB); - Department of Historical Resources (DHR); US EPA NOI & SWPPP;
PB - TDR Site Plan, Subdivision, & CUP Amendment

TRC: April 28 & June 30, 2022

Summary of Request and Background
The applicant is proposing to construct fifty-six (56) residential townhouse units in a series of eight (8) buildings. Twenty (20) of the units are to be achieved by acquiring Transfer Development Rights (TDR) which would not be restricted in size or HUD rates and therefore would require the full TDR fee. There was a previous request for 52 TDR units however the applicant has completed a new yield plan that indicates 20 units would need to be purchased through the TDR ordinance.

The proposal is a to amend a previously approved Site Plan Approval dated 12/20/2011 allowing a total of seventy-two (72) residential units (single family homes, duplexes, and triplexes) and seventy-two (72) congregate care units between two (2) buildings. To date sixty-nine (69) of the residential units have been constructed. The applicant is proposing an age restriction on the proposed units, however, there are no requirements or standards in the City's Site Plan Regulations that relate to age restricting the development.

The development will create a new private road (Windsor Dr.) which will be part of a private roadway system which connects to Durham Rd. and Mast Rd. It will be serviced by public water and sewer. Twenty-two stand-alone parking spaces are provided in two areas for visitors and guests.

This application was most recently before the Technical Review Committee on June 30, 2022 (minutes attached).

This site plan had been reviewed and approved by Planning Board but the approval expired so they are coming back for another review and vote.

Summary of Waiver Requests:
The applicant seeks a waiver of the no-cut, no-disturb 30' perimeter buffer requirement of §170-27.2.G.(7) in the area of the frontage along Cielo Drive (creating a streetscape) and the parking lot area which is adjacent to another small parking array off of Cielo Drive due to the characteristics and circumstances of the subject parcel related to the previously approved development. Parameter buffers of the original development on adjacent parcels (following subdivision) are still in place.

Consistency with Land Use Regulations –Waiver/Relief
Section 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."

and requirements is not contrary to the spirit or intent.

STAFF RECOMMENDATION - Waivers/Relief:
The Planning Department recommends that the Planning Board accept the application as complete, note it is not of regional impact, hold a public hearing, 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 approved waiver for the road grade within 75' of an intersection standard of §157-32.G and found that the criteria of Chapter 153-21.A have been met.

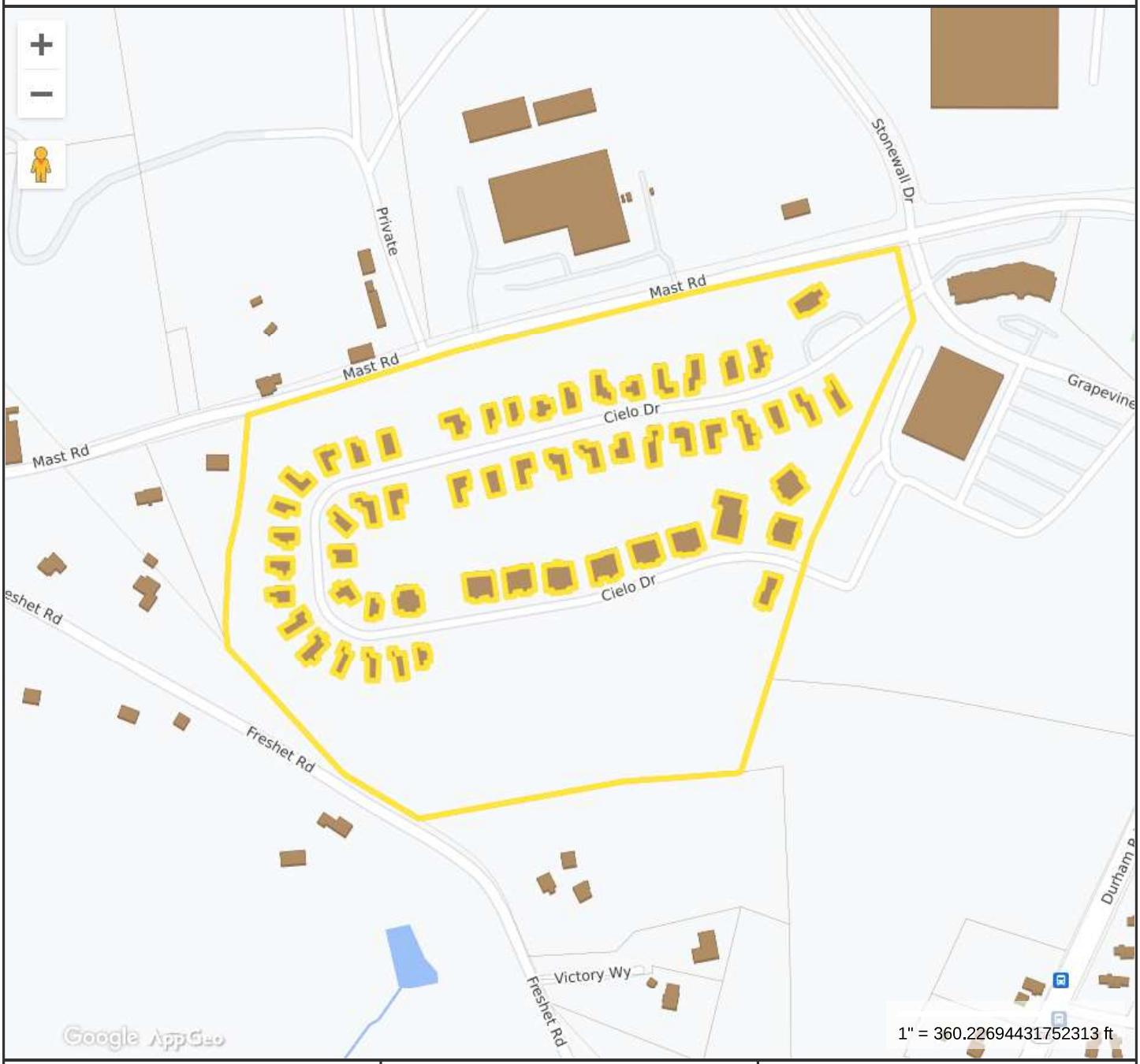
Consistency with Land Use Regulations - TDR
§170-27.2 provides for additional density to be purchased through Transfer of Development Rights. This application meets the ordinance.

STAFF RECOMMENDATION - TDR:
The Planning Department recommends that the Planning Board vote to find the criteria of the TDR ordinance has been met with the following subsequent conditions:

Subsequent Conditions to Be Met Prior to Granting of the TDR:
1. Approval of Site Plan (SITE-2023-00016) and approval of the one lot subdivision (SUBM-2023-0006);
2. Add note to the plan that no additional dwelling units may added to the property without Planning Board approval and note number of TDR units approved; and
3. Payment of TDR fees for each TDR unit approved.

Planning Staff believes the applicant's rational for the waiver meets both criterion and waiving such standards

TRAN-2023-0004 Cielo Drive



Property Information

Property ID	H0004-000000
Location	CIELO DR
Owner	HERON BAY PARTNERS LLC
Land Use	386
Zoning Code	IT

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.

CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type:	Regular Meeting
Meeting Location:	City Council Chamber's 288 Central Avenue
Meeting Date:	**Tuesday, November 14, 2023**
Meeting Time:	**7:00 pm**

Members Present: Mark Speidel, Fergus Cullen (Councilor), Tom Clark, Erinn Kaspari, Kyle Pimental, Ken Mavrogeorge, and George DeBoer (Alternate)
Members Not Present (excused): Gina Cruikshank (Chair), Hayley Harmon (Vice Chair), Jon Elliard, Melina Gambino (Alternate)
Members Not Present (un-excused): None
Staff Present: Donna Benton, Director of Planning and Community Development

K. Pimental called the meeting to order at 7p.m, explained the citizens' forum process and noted that M. Speidel would Vice Chair and that G. DeBoer would sit in for Hayley Harmon.

1. CITIZENS' FORUM

Citizens Forum Open
No one spoke
Citizens Forum Closed

2. APPROVAL OF THE PRIOR MINUTES

- October 24, 2023 Regular Meeting Minutes

Motion F. Cullen moved to approve October 24, 2023 as amended. Seconded by: T. Clark. Vote: U/A

3. OLD BUSINESS

None

4. NEW BUSINESS

A. Consideration and acceptance of a Conditional Use Permit for A & H Welding Academy (Owner: Carlton Realty, LLC), Assessor's Map D, Lot 14-3B, zoned IT, located at 69 Venture Drive. (Proposal is the start-up of a welding school with ten (10) welding booths and a large classroom to teach students). *(COND-2023-0057)

D. Benton explained that the applicant is proposing to open a welding school at 69 Venture Drive. This type of use requires a Conditional Use Permit per the Zoning Ordinance which can be granted after two criteria have been met. However, as part of an Industrial Park and depending on the size of the change of use, additional review by Dover Business and Industrial Development Authority (DBIDA) and the Technical Review Committee (TRC) are suggested as precedent conditions of approval.

This application was not reviewed by the Technical Review Committee.

Adrian Hill, A&H Welding Academy represented the application and discussed the need for the CUP and that they meet the criteria of the school being a trade, vocational, career technical school and accredited by NH.
The course is a six-month course to teach the skill of welding. Various certifications are available to receive. Operating hours are 7am-3:30pm Monday through Friday.

Board members asked clarifying questions.
Mr. Hill clarified that they will be an approved trade school before they start, but in order to get accredited by the state, they have to run the school for two years.

F. Cullen commented that he believes the applicant meets the intent of the criteria and would not want the accreditation criteria to be a barrier towards the applicant's progress. M. Speidel agreed.

Jesse Anderson, A&H Welding Academy, noted they will be a licensed secondary trade school through NH immediately once the building is set up and inspected.

The applicants further clarified there will be four courses offered and 10 students per course.

Motion: T. Clark moved to accept the application and declared no regional impact. Seconded by: E. Kaspari. Vote: U/A

Public hearing opened
No one spoke
Letter from James Kenny, President of Sarnia Properties, 71 Venture Dr is not opposed to the school, but does not want the parking to affect his property.
Public hearing closed.
The applicants confirmed they have adequate parking on-site.

STAFF RECOMMENDATION:
The second page of the Innovative Technology (IT) Tables of Use provides the Conditional Use Permit Criteria for Educational Institution, Post Secondary:

A. The school is a trade/vocational/career technical school
B. The school is accredited by the State of New Hampshire

The Planning Department recommends that the Planning Board make findings, and vote to approve the Conditional Use Permit with the following precedent conditions:

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

1. The applicant shall:
   a. Provide overall site plan to show any site changes to parking, lighting, landscaping, stormwater, number of employees, number of students for review with by the Technical Review Committee.
   b. Get endorsement from Dover Business and Industrial Development Authority.
   c. Provide proof that the school is licensed by the State of New Hampshire.
   d. Impact fees are paid as applicable prior to occupancy.
   e. Water and Sewer Investment fees, as applicable, shall be paid prior to renovations.
   f. Provide proof of accreditation by the State of NH after two years of operation.

Motion: F. Cullen moved to approve the Conditional Use Permit with precedent conditions as it meets the criteria of type of school and on a path to accreditation. Seconded by: G. DeBoer. Vote: U/A

B. Consideration and acceptance of a Site Review for Horizons Engineering, Inc. (Owners: Hellenic Realty Partners, LLC), Assessor's Map 2, Lot 19, zoned CBD-G, located at 333 Central Avenue. (Proposal is to convert 3,155 sf on 2nd floor space into 2 residential units and retain 1,875 sf for commercial space). *(SITE-2023-0014)

D. Benton explained the applicant is the applicant had previous approval for a mixed-use project in the former Fosters Daily Democrat building. The previously approved plan (P18-04) was amended (building façade, minor site changes) on October 9, 2018 (P18-04A). To fulfill one of the conditions of approval for the amendment, the applicant needed to come back to the Planning Board for a compliance hearing regarding architectural changes to the façade of the building which was held on December 11, 2018 (P18-04B). Then another amendment to add 14 residential units was conditionally approved by the Planning

Board on July 23, 2019 (P18-04C). Now the applicant is looking to convert approximately 3,155 s.f. on the second floor into 2 residential units and retain approximately 1,875 s.f. for commercial space.
The applicant is back for another amendment to allow 2 additional residential units to be built.
This application was reviewed by the TRC on October 12, 2023 (minutes attached).

George Kostis, Hellenic Realty and Mike Sievert, Horizons Engineering, represented the application.
Their plan when they purchased the property in 2018 was to keep the historic building and with that comes challenges. The property topography is such that one side of the building's first floor lines up with the third floor on the other side. They have tried to lease the building, but the feedback from interested parties in the post-COVID world is that the space is too large, and could it be subdivided?
They are now proposing to subdivide in a way where the front half would be commercial and visible from the street and the back half would divide into apartments.

The applicant answered some clarifying questions from board members.

Motion: M. Speidel moved to accept the application and declared no regional impact. Seconded by: E. Kaspari. Vote: U/A

Public hearing opened
No one spoke
Public hearing closed.

STAFF RECOMMENDATION:
Chapter 153-4 of the Site Review Regulations of the City Code provides for site review by the Planning Board of new construction or redevelopment of various types. This plan is consistent with those regulations.

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

Subsequent Conditions to Be Met Prior to the Signing of the Plans:

1. All conditions of approval from the December 11, 2018 meeting be met and July 23, 2019 shall be met.
2. The applicant shall provide:
   a. A digital version of plan set
   b. Copy of lease for 3-4 additional parking spaces off-site at lot 23/21 or alternative
3. The applicant must revise final plan set to:
   a. Add the owner's signatures to the final plat
   b. Add PE and Architect signatures and stamps to final plan
   c. Replace planning file number with SITE-2023-0014

Subsequent Condition to Be Met Prior to Issuance of a Building Permit:

4. The amended building shall be assessed and pay the current water and sewer investment fees in place at the time of application for service.

Subsequent Conditions to Be Met Prior to Occupancy:

5. Issuance of a certificate of occupancy.
6. Impact fees shall be paid per the invoice.

7. The applicant shall provide a letter of credit or other form of security acceptable to the City for any unfinished work.

Motion: F. Cullen moved to approve the Site Plan Amendment with subsequent conditions as it meets land use regulations. Seconded by: K. Mavrogeorge. Vote: U/A

The Vice Chair noted that Items 4C, D, & E would be heard together.

C. Consideration and acceptance of a Minor Subdivision for Berry Surveying & Engineering (Owners: Heron Bay Partners, LLC), Assessor's Map H, Lot 4, zoned IT, located at Cielo Drive. (Proposal is to subdivide 1 lot into a total of 2 lots). *(SUBM-2023-0006)

D. Consideration and acceptance of a Transfer of Development Rights for Berry Surveying & Engineering (Owners: Heron Bay Partners, LLC), Assessor's Map H, Lot 4, zoned IT, located at Cielo Drive. (Proposal is to purchase 20 units through Transfer of Development Rights). *(TRAN-2023-0004)

E. Consideration and acceptance of a Site Review for Berry Surveying & Engineering (Owners: Heron Bay Partners, LLC), Assessor's Map H, Lot 4, zoned IT, located at Cielo Drive. (Proposal is for the construction of 56 townhouses along Cielo Drive). *(SITE-2023-0016)

D. Benton explained that the applicant is requesting to construct fifty-six (56) residential townhouse units in a series of eight (8) buildings. Twenty (20) of the units are to be achieved by acquiring Transfer Development Rights (TDR) which would not be restricted in size or HUD rates and therefore would require the full TDR fee. There was a previous request for 52 TDR units however the applicant has completed a new yield plan that indicates 20 units would need to be purchased through the TDR ordinance.

The proposal is to amend a previously approved Site Plan Approval dated 12/20/2011 allowing a total of seventy-two (72) residential units (single family homes, duplexes, and triplexes) and seventy-two (72) congregate care units between two (2) buildings. To date sixty-nine (69) of the residential units have been constructed. The applicant is proposing an age restriction on the proposed units, however, there are no requirements or standards in the City's Site Plan Regulations that relate to age restricting the development.

It will be serviced by public water and sewer. This application was most recently before the Technical Review Committee on June 30, 2022 (minutes attached).

The first item is to subdivide lot H/4 into two lots, resulting in the creation of one new lot. The new lot is to be accessed from Cielo Drive. The lots are proposed to be serviced by municipal water and sewer.

The Planning Board had conditionally approved this request in September 2022, but their approval expired so the applicant is back with the same subdivision request and site plan. The CUP is still active. There are two waiver requests as well that the applicant can go into more detail on.

Christopher Berry, Berry Surveying and Engineering represented the application. He confirmed this is the same project approved last year with no changes. The TDR fee was not paid in time, so the approvals have lapsed. Tonight, they seek reapproval of the same project previously presented and approved. The request for TDR units is less, but the total units remains the same.

Motion: T. Clark moved to accept all three applications and declared no regional impact. Seconded by: E. Kaspari. Vote: U/A.

Public hearing opened
A letter was received from Richard Dolbec, 47 Cielo Drive which outlined questions about the subdivision of the lots, age restriction and regulations, parking and crosswalks.
Public hearing closed

Mr. Berry noted they have met with Mr. Dolbec and resolved the questions he has.
He confirmed for the board it is still an age restricted development and the amenities will be separate from the existing development.

STAFF RECOMMENDATION - Minor Subdivision:
The plan is consistent with Chapter 157-15 of the City of Dover's Land Subdivision Regulations, which provides for subdivision of existing lots.

The Planning Department recommends that the Planning Board make the necessary and supporting findings of fact, and vote to approve the minor subdivision with the following subsequent conditions:

Subsequent Conditions to Be Met Prior to Signing of Plans:
1. Provide physical and digital copies (including CAD) of complete plan set for recording at Strafford Country Registry of Deeds, which additionally shall include:
    1.1. The owner's signatures
    1.2. Include the Planning File #SUBM-2023-0006
    1.3. The stamp and signature of the LLS on the final plans
    1.4. Confirm lot numbering with City Assessor

Motion: M. Speidel moved to approve the Minor Subdivision with subsequent conditions set by staff and amended by the Planning Board. Seconded by: T. Clark. Vote: U/A.

STAFF RECOMMENDATION – Transfer of Development Rights Waivers:
The applicant seeks a waiver of the no-cut, no-disturb 30' perimeter buffer requirement of §170-27.2.G.(7) in the area of the frontage along Cielo Drive (creating a streetscape) and the parking lot area which is adjacent to another small parking array off of Cielo Drive due to the characteristics and circumstances of the subject parcel related to the previously approved development. Parameter buffers of the original development on adjacent parcels (following subdivision) are still in place.

Section 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."

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 approved waiver and found that the criteria of Chapter 153-21.A have been met.

Mr. Berry clarified for the board the need for this waiver and where on the property it applies.

Motion: T. Clark moved to grant the waiver with subsequent conditions set by staff. Seconded by: F. Cullen. Vote: U/A.

STAFF RECOMMENDATION-TDR:

§170-27.2 provides for additional density to be purchased through Transfer of Development Rights. This application meets the ordinance.

STAFF RECOMMENDATION - TDR:

The Planning Department recommends that the Planning Board vote to find the criteria of the TDR ordinance has been met with the following subsequent conditions:

Subsequent Conditions to Be Met Prior to Granting of the TDR:

1. Approval of Site Plan (SITE-2023-0016) and approval of the one lot subdivision (SUBM-2023-0006);
2. Add note to the plan that no additional dwelling units may added to the property without Planning Board approval and note number of TDR units approved; and
3. Payment of TDR fees for each TDR unit approved.

Motion: T. Clark moved to grant the Transfer of Development Rights request with subsequent conditions set by staff. Seconded by: E. Kaspari. Vote: U/A.

STAFF RECOMMENDATION- SITE PLAN WAIVERS:

A waiver of §157-32.G: Road grade within 75' of an intersection is being sought for a grade greater than 4% on a collector road. The applicant proposes a 5% grade where Windsor Dr. intersects Cielo Dr. The applicant's original amendment proposal featured a designed cul-de-sac, which was replaced by a loop road to satisfy TRC comments from several departments to provide two points of access into the development.

Section 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 waivers meets both criterion and waiving such standards and requirements is not contrary to the spirit or intent.

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 approved waiver for the road grade within 75' of an intersection standard of §157-32.G and found that the criteria of Chapter 153-21.A have been met.

Motion: F. Cullen moved to grant the waivers with subsequent conditions set by staff. Seconded by: T. Clark. Vote: U/A.

STAFF RECOMMENDATION – Site Plan:
§153-4 of the Site Review Regulations of the City Code provides for site review by the Planning Board of new construction of various types. This plan is consistent with those regulations.

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:

Subsequent Conditions to Be Met Prior to Signing of the Plans:
1. Final Approval of the revised CUP (P06-25G) and minor subdivision (SUBM-2023-0006);
2. Revise plan and resubmit for Final Planning Board signature with the following revisions:
   2.1. Add owner's signature;
   2.2. Add at least two windows to the ends of the townhouse buildings;
   2.3. Add architect stamp and signature to Architectural Plan Set; and

Subsequent Condition to Be Met Prior to Construction:
3. A 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; and

Subsequent Conditions to Be Met Prior to Building Permit:
4. Payment of the water/sewer fees at time or request of service;
5. Development agreement has been recorded;

Subsequent Conditions to Be Met Prior to Occupancy:
6. Issuance of Certificate of Occupancy.
7. Payment of Impact Fees as noted in the invoice.
8. Surety or other form of security acceptable to the City is provided for any unfinished work.

Mr. Berry explained the payment timeline proposed by the applicant. D. Benton further explained the financing proposal and how it will be implemented. Board discussion ensued.

Motion: T. Clark moved to approve the site plan with subsequent conditions set by staff. Seconded by: F. Cullen. Vote: U/A.

5. STAFF COMMENTS

- CIP joint meeting will be at 7pm on the 29th
- Seacoast Workforce Housing Coalition Visionary Award recipient on the 30th.
- Housing Committee held its first meeting and will continue to meet monthly
- We have a conditional offer out to a Zoning Administrator candidate. Hopefully starting in a couple of weeks.
- TRCs since last meeting:

- Site Review for Stonefield Engineering & Design (Owners: Dover Retail Management, LLC & R W Realty Inc.), zoned Commercial, located at 1-3 Webb Place and Webb Place. (Proposal is for demolition of current building and constructing a 3,300-sf bank with a drive through ATM, (28) twenty-eight parking spaces. One (1) related Conditional Use Permit application would also appear before the Planning Board. (SITE-2023-0011 & COND-2023-0054)
- Site Review for Jared Lusk (Owners: Lionel R Jr & Kristina L Paradis), zoned IT and R-40, located at 180 Tolend Road. (Proposal is to construct and operate a 104' wireless telecommunications facility) (SITE-2023-0012)

- TRCs coming up:
  - Site Review for H.J. Stabile & Son, Inc, zoned G, located at Locust Street. (Proposal is to construct a Townhouse Condominium Complex of 22 units with associated parking & drainage. A Conditional Use Permit application would also appear before the Planning Board. (SITE-2023-0015)
  - Site Review for TF Moran (Owners 256-264 Central Avenue, LLC), zoned Central Business District, located at 256 & 264 Central Avenue. (Proposal is to replace gravel parking with 10,595 sf of paved parking related to their renovation of the buildings). (SITE-2023-0013)
  - Site Review for Knox Marsh Development, LLC, (Owner: Robert Baldwin), Assessor's Map 39, Lot 103, zoned Gateway, located at 34 New Rochester Road. (Proposal is to construct 6 duplex structures (12 units total) with the single-family dwelling to remain on the property). (SITE-2023-0007). [*This item was previously heard on October 12, 2023]*

6. MEMBER COMMENTS

- The amendment at the corner of Grove St (retaining wall) is ready for the Chair's signature.
- K. Pimental
  - Fosters building applicant noted 2,000 sq ft is optimal size for filling commercial space leases which is interesting. He wondered if the mixed used buildings which have remained vacant would benefit from subdividing the spaces.
- D.Benton answered questions about the Planning Board meeting schedule.

7. ADJOURNMENT

Motion: G. DeBoer moved to adjourn at 8:11pm. Seconded by K. Mavrogeorge. Vote: U/A

BERRY SURVEYING & ENGINEERING
335 Second Crown Point Road
Barrington, NH 03825
Phone: (603) 332-2863
Fax: (603) 335-4623
www.BerrySurveying.Com

City of Dover
Planning Office
Attn: Mrs. Donna Benton, Director of Planning and Community Development
288 Central Ave
Dover, NH 03820

November 29, 2023

Re: Notice of Decision Response
Berry Surveying & Engineering
Heron Bay Partners, LLC
Cielo Drive & Windsor Drive
Tax Map H, Lot 4
Dover File #SITE-2023-0016

Based on comments from the Conditions of Approval from November 14, 2023, we respectfully submit the following comments and revisions. Our comments are in **bold**.

Site Plan Waivers – Subsequent Conditions to Be Met Prior to the Signing of Plans:

1.) Add a note that the Planning Board approved waivers for (1) Partial relief from no cut no disturb 30' perimeter buffer requirement of Chapter 170-27.2.G.(7) in the area of the frontage along Cielo Drive and the parking lot area which is adjacent to another small parking array off of Cielo Drive; (2) The road grade within 75' of an intersection standard of Chapter 157-32.G and found that the criteria of Chapter 153-21.A have been met.
This has been added to the Overview Site Plan at the end of the Waiver Request Table.

Site Plan: Subsequent Conditions to be Met Prior to Signing of the Plans

1.) Final Approval of revised CUP (P06-25G) and minor subdivision (SUBM-2023-0006)
The required approvals has been received at this time.

2.) Revised plan and resubmit for Final Planning Board signature with the following revisions:
2.1) Add owners' signatures
Please find owner's signature on the cover sheet and recording plans.

2.2) Add at least two windows to the ends of the townhouse buildings
Please find revised architectural renderings.

2.3) Add architectural stamp and signature to the architectural plan set.
Please find revised architectural renderings.

Very truly yours,
BERRY SURVEYING & ENGINEERING

Christopher R. Berry
Principal, President

Kenneth A. Berry, PE, LLS
VP – Technical Operations

BERRY SURVEYING & ENGINEERING
335 Second Crown Pt. Rd., Barrington, NH 03825
(603) 332-2863 / (603) 335-4623 FAX
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CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P21-25

Application Type:	TDR Major Subdivision
Applicant(s):	Zeland Schwartz Revocable Trust
Owner(s):	Zeland Schwartz Revocable Trust
Location:	26.5 Bellamy Road (Tax Map H, Lot 14D)
Meeting Date:	June 22, 2021

INTENT: To subdivide one lot into five and increase residential units from 3 to 5 via a TDR subdivision (two being existing residential structures).

UNITS PROPOSED: 3 new

AGENDA ITEM #: 4-C

ACREAGE: 3.71 acres

ZONING DISTRICT: R-20

EXISTING LAND USE: Residential

PROPOSED LAND USE: Residential

SURROUNDING LAND USE: Residential, Bellamy River, Dover High School

ZBA ACTION: N/A

ATTACHMENTS: Application materials including subdivision plan, abutter list

APP. COMPLETE: Yes

DECLARE REGIONAL IMPACT: No

NOTICES SENT: Abutter notices were sent by certified mail to all abutters for this meeting

PERMITS REQUIRED: -
NHDES Shoreland Permit
-CUPs for steep slope and 100' Conservation District

WAIVERS REQUESTED:
-Traffic Impact (157-10.D)
-Block Length and Dead end streets (157-31.F and 32.J)
-Road width (157-47.A)
-allow ROW within the 30' no cut/no disturb buffer

Summary of Request and Background
The applicant is requesting to subdivide one lot into 5 using Transfer of Development Rights. The lots would be 0.36 acres, 0.91 acres, 0.63 acres, 0.75 acres and 0.52 acres. The site is proposed to be serviced by municipal water and sewer.

As a Major Subdivision, this application appeared twice before the TRC, most recently on April 22, 2021 (minutes attached). The Conservation Commission endorsed the CUP application on June 14, 2021 with the condition that the reforested area will remain undisturbed except for tree removal consistent with DES Shoreland rules.

The applicant is requesting the Board grant a waiver to Section 157-10.D to waiver the full traffic impact analysis, Section 157-31.F/32.J Block Length of Dead-end Streets to allow approximately 397' instead of the required 500', Section 157-47.A to allow a road width of 20' instead of 24'and to allow the right of way to be within the 30' no cut no disturb buffer.

This is a TDR subdivision. The Board will need to take three votes.

Consistency with Land Use Regulations
The plan is consistent with Chapter 157-15 of the City's Land Subdivision Regulations, which provides for subdivision of existing lots.

Chapter 157-51 states a waiver may be granted if the Board finds 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 subdivision, indicate that the waiver will properly carry out the spirit and intent of the regulations."
Staff believes criterion 2 has been met for this request.

STAFF RECOMMENDATION- TDR:
The Planning Department recommends that the Planning Board accept the TDR application for review, open the public hearing, and vote to grant the additional 2 units via Transfer of Development Rights with the following conditions:

1. Payment of TDR fees.
2. Add a note to the plat that the Board granted a waiver to Chapter 170-27.2.G(7) and 170-27.2.G(7)

STAFF RECOMMENDATION- Waivers:
The Planning Department recommends that the Planning Board accept the application for review, open the public hearing, and vote to grant the waivers with the following condition:

Condition to Be Met Prior to Signing of Plans:

1. Add a note to the plat that the Board granted a waiver to Chapter 157-10.D (traffic impact analysis), Chapter 157-31.F and 32.J (for road/block length), and Section 157-47.A (minimum road width) and that the

CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type:	Regular Meeting, continued
Meeting Location:	City Council Chamber's 288 Central Avenue
Meeting Date:	**Tuesday, June 22, 2021**
Meeting Time:	**7:00 pm**

Members Present: Gina Cruikshank (Chair), Dennis Ciotti (Councilor), Steph George (Alternate), Mark Speidel (Alternate), Dave Landry, Jackson Kaspari, Dave White, Kyle Pimental, Hayley Harmon (Vice Chair), Erin Allgood (Alternate)
Members Not Present (excused): Tom Clark, Frank Torr
Members Not Present (un-excused): None
Staff Present: Christopher Parker, Assistant City Manager

Chair G. Cruikshank called the meeting to order at 7:00 p.m and noted Frank Torr and Tom Clark are absent, and Erin Allgood and Steph George will be sitting in. She also noted that the City of Dover has taken extra steps to ensure the physical location of this meeting conforms with all safety provisions during the pandemic, including social distancing, face coverings, and frequently sanitized facilities. Although qualified members of the public can participate in the meeting by speaking at the physical location, the public is encouraged to leave comments in advance by calling 516-MEET (6338), emailing Dover-Planning@dover.nh.gov, or mailing written comments to Planning Board, 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.

1. CITIZENS' FORUM

Citizens Forum Open.
None
Citizens Forum Closed.

2. APPROVAL OF THE PRIOR MINUTES

May 25, 2021 Regular Meeting Minutes

Motion: D. White moved to approve the minutes as submitted. Seconded by H. Harmon. Vote: U/A

3. OLD BUSINESS

A. Public hearing to consider amendments to Chapter 170, entitled "Zoning Ordinance" of the code of the City of Dover. Amendments include changes to the wetland protection district, floodplain ordinance, accessory structure definition, rezoning part of the R-40 to R-20 on Bellamy Road and Cold Springs Road, allowing all residential structures in the R-12, R-20, and R-40 districts to be converted into a duplex, increasing lot area required in the RM-U table for 3-4 family dwellings, revising exceptions to lot size, frontage and setback requirements using TDR, swimming pools, customary home occupations, allowing residential to make up any 20% of a building in the CBD, allowing an extra Accessory Dwelling unit if it meets HUD Fair Market rent rates, revising the RCM Overlay District, nonconforming structure setbacks, TDR regulations, changing definitions of nonconforming lot and conservation lot.*

C. Parker explained the process to develop these zoning amendments and reviewed the posted zoning amendments. He noted tonight is the first of three public hearings that will be held on this item to hear public comment. No Board action will be taken tonight.

D. Landry asked about the properties not fronting on Bellamy and where the access is. C. Parker explained. D. Ciotti asked if a particular lot is losing access and becoming landlocked and commented to make sure the parcel doesn't get left off the maps in the future. C. Parker noted the deed says they have access through Cold Springs off Bellamy.

D. Landry asked for clarification on amendment 10: more than one ADU. The density for the R40 zone is bothersome to him. C. Parker noted the amendment will affect any zone that allows residential.

K. Pimental asked if the second ADU is accepted by any other communities in NH and is there anything in place to prevent the additional ADUs from becoming condos (separate ownership).
C. Parker is not aware of any other community in NH looking to allow this. The ordinance restricts that the ADU can be a rental but cannot be a condo. The deed has to be restricted to ensure it stays with the land.

Public Hearing Opened
No calls were received. An email from Liz Brater, 77 Spur Road, and Kyle Dacruzer were received and forwarded on to the Board.
Public Hearing Closed

B. Public hearing to consider amendments to Chapter 153, entitled "Site Review Regulations" of the code of the City of Dover. Amendments include electric vehicle charging readiness and stations, eliminating I-1, replacing I-2 with CM, replacing B-1 with G, replacing I-4 or ETP with IT, replacing B-3, B-4, or B-5 with C, revising certification section, location of parking lots section, revising Various Sections of the City section, and Physical Arrangements section to allow outdoor dining and display of goods.*

C. Parker explained the process that there will be one more public hearing on this item next month and the Board can take action at that next meeting if they want.

Public Hearing Opened
No calls were received. An email from Liz Brater, 77 Spur Road, was received with suggestion about Electric Vehicles.
Public Hearing Closed

C. Public hearing to consider amendments to Chapter 157, entitled "Land Subdivision Regulations" of the code of the City of Dover. Amendments include revising the Final Plat requirements, street layouts to a 30 ft easement, reference monument size, street markers and traffic signs to conform with MUTCD.*

C. Parker explained the process that there will be one more public hearing on this item next month and the Board can take action at that next meeting if they want.

Public Hearing Opened
No calls or emails were received.
Public Hearing Closed

4. NEW BUSINESS

Motion: K. Pimental moved to hear item E first. Seconded by J. Kaspari Vote: U/A

K. Pimental recused himself from item E because he works for the consulting firm Dover used. M. Speidel sat in.

E. Discussion of Complete Street Policy endorsed by the Transportation Advisory Committee

C. Parker noted the City created a Complete Street and Traffic Calming policy in 2014. As part of a resiliency grant the City and Strafford Regional Planning reviewed the policy after reviewing and creating the downtown street tree plan. The Transportation Advisory Commission reviewed and endorsed the policy in May and it is before the Board for endorsement.

C. Parker reviewed the proposed changes.
Colin Lentz, SRPC, was present to address technical questions.

D. Landry asked about regional projects and if the other cities have a similar document as this. C. Lentz noted Somersworth and Rochester agree with it and follow it, but might not have a document this specific.

J. Kaspari asked if once we start gathering data, target values will be placed on the metrics so we understand of our performance. The consultant did not go that far, but the City can look at that.

Motion: D. Landry moved to endorse the policy changes and encourage staff to use them as a guide in creating Capital Improvements Program projects. Seconded by H. Harmon. Vote: U/A

A. Consideration and acceptance of a waiver request for Stabile Townhomes at the Landing, LLC., Assessor's Map K, Lot 19, zoned IT & RCM, located at Pointe Place. (Proposal is for minor architectural adjustments). *(P20-32A)

C. Parker explained the amendment was a result of the developer wishing to change the basic look of the townhomes from "Craftsman Style" to "Farmhouse" to help differentiate the units from units on Artisan Way. The Board doesn't have jurisdiction over the color, but it does over the shingle style vs board and batten and the stonework on the columns.

This amendment was simple enough to not require review by the Technical Review Committee.

Eric Jackson, Stabile Homes, 1 Steeple Ln Amherst NH, presented the request.

D. Landry clarified that there are some units already built in the craftsman style.

Motion: D. Ciotti moved to accept the application and that it is not a development of regional impact. Seconded by D. White. Vote: U/A

Public Hearing Opened
Debbie Impietro, 53Artisan Way would like more screening between the buildings.
No calls or emails were received to the office
Public Hearing Closed

C. Parker noted the Planning Department finds that request is within the Board's purview under 153-4 of the Site Review Regulations of the City of Dover Code. Staff recommends the Planning Board vote to amend the original approval to allow for the proposed architectural features and materials provided in this application with the following conditions:

Conditions to Be Met Prior to Amending the Plans:

1. Four copies of the revised architectural design be submitted for review by staff and signature by the Planning Board Chair.

2. All other Conditions Prior to Building Permit and Occupancy from P20-32 must also be met.

Motion: D. Ciotti moved to approve the amendment. Seconded by D. White. Vote: U/A

The Vice Chair noted that items B and C would be heard together.

B. Consideration and acceptance of a Conditional Use Permit for Zeland Schwartz Revocable Trust, (Agent: Stephen Haight, Civilworks New England), Assessor's Map H, Lot 14D, zoned R-20, located at 26 ½ Bellamy Road. (Proposal is for a 5 lot subdivision with the construction of a 400 foot long road. The project proposes 23 s.f. impact to a 20% slope and 8,630 s.f of grading impact in the Conservation District adjacent to the Bellamy River). *(P21-27)

C. Consideration and acceptance of a Subdivision using Transfer of Development Rights for Zeland Schwartz Revocable Trust, Assessor's Map H, Lot 14D, zoned R-20, located at 26 ½ Bellamy Road. (Proposal is to buy 2 units through TDR and subdivide one lot into 5 with the existing house and converting accessory structure). *(P21-25)

C. Parker explained the applicant is requesting to subdivide one lot into 5 using Transfer of Development Rights. The lots would be 0.36 acres, 0.91 acres, 0.63 acres, 0.75 acres and 0.52 acres. Twenty-three square feet of impact is expected to the 20% slope/Conservation District area and 8,630 square feet of grading impact is expected in the Conservation District to the Bellamy River.

As a Major Subdivision, this application appeared twice before the TRC, most recently on April 22, 2021, and the project is served by municipal water and sewer.

The applicant is requesting the Board grant a waiver to Section 157-10.D to waiver the full traffic impact analysis, Section 157-31.F/32.J Block Length of Dead-end Streets to allow approximately 397' instead of the required 500', Section 157-47.A to allow a road width of 20' instead of 24'and to allow the right of way to be within the 30' no cut no disturb buffer.

The Conservation Commission endorsed the CUP application on June 14, 2021 with the condition that the reforested area will remain undisturbed except for tree removal consistent with DES Shoreland rules which is a recommended condition of approval for this CUP and the Site Plan.

There will be four votes tonight, CUP for steep slope impact, TDR, waivers, and subdivision.

Steve Haight and Jayce Gregwire, Civilworks New England reviewed the application and project.

J. Kaspari asked some clarifying questions regarding drainage and flooding which Mr. Gregwire and Mr. Haight answered.

K. Pimental asked if there is a chance of undercutting/ river erosion on the property. S. Haight explained there isn't an issue.

D. Landry asked about the shore land impact permit and impervious surfaces. Mr. Haight explained this plan addresses the shore land permit regulations.

D. Ciotti is concerned about the spacing of the walkway and the trees and the building. If it's paved, that will cause issues with the root system of the trees.

M. Speidel had a question about vegetation in front of unit 26 which makes turning around difficult. S. Haight noted that vegetation will be cut back.
The width of the road is only 20' and M. Speidel is concerned about fire access. S. Haight noted this is designed to handle a fire truck, there are hydrants and no parking signs.

Discussion occurred regarding the road width of 20' vs 24'.

Motion: D. White moved to accept the applications and noted that this is not a development of regional impact. Seconded by J. Kaspari. Vote: U/A

Public Hearing Opened
No calls or emails were received.
Public Hearing Closed

STAFF RECOMMENDATION: CUP
C. Parker noted the plan is consistent with the Conservation District ordinance which provides for Conditional Use Permits to allow impacts to conservation districts if standards related to demonstration of need, avoidance, minimization, and mitigation are met. The Planning Department recommends that the Planning Board vote to grant the Conditional Use Permit with the following conditions:
Conditions to Be Met Prior to Granting of the Conditional Use Permit:

1. Provide copy of the NHDES Shoreland Permit to the Planning Department.
2. Revise plan set to add a note that that the reforested area will remain undisturbed except for tree removal consistent with DES Shoreland rules
3. Revise plan set to indicate the walkway from new driveway to existing home be pavers or permeable-not paved.

Motion: D. White moved to grant the Conditional Use Permit with Conditions, as it is consistent with the regulations. Seconded by E. Allgood. Vote: 8-1 with D. Landry opposed.

STAFF RECOMMENDATION- TDR:
C. Parker noted the proposal is consistent with Chapter 170-27.2 for the sale of units, if the proposed intensity and density is consistent with the neighborhood and master plan. The Planning Department recommends that the Planning Board vote to grant the additional 2 units via Transfer of Development Rights with the following conditions:

1. Payment of TDR fees.
2. Add a note to the plat that the Board granted a waiver to Chapter 170-27.2.G(7).

Motion: D. White moved to approve the sale of two units with conditions, as the request is consistent with the regulations. Seconded by J. Kaspari. Vote: 8-1 with D. Landry opposed.

STAFF RECOMMENDATION- Waivers:
C.Parker noted that Chapter 157-51 states a waiver may be granted if the Board finds 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 subdivision, indicate that the waiver will properly carry out the spirit and intent of the regulations."

Staff believes criterion 2 has been met for this request, and recommends that the Planning Board vote to grant the waivers with the following condition:

Condition to Be Met Prior to Signing of Plans:

1. Add a note to the plat that the Board granted a waiver to Chapter 157-10.D (traffic impact analysis), Chapter 157-31.F and 32.J (for road/block length), and Section 157-47.A (minimum road width) and that the Board found the criteria of Chapter 157-51.A have been met.

Motion: D. White moved to approve the waiver with conditions, as the request is consistent with the regulations. Seconded by D. Landry. Vote: 8-1 with D. Ciotti opposed

STAFF RECOMMENDATION- Subdivision

C. Parker noted that the plan is consistent with Chapter 157-15 of the City's Land Subdivision Regulations, which provides for subdivision of existing lots. The Planning Department recommends that the Planning Board vote to approve the subdivision with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

1. The Planning Board approve
    a. The TDR application
    b. The Conditional Use Permit.
2. The applicant shall provide the Planning Department with:
    a. A digital version of the final plat.
    b. A CAD file to the satisfaction of the Asset Management Administrator.
    c. A Copy of a sample deed for lots 3 and 4 documenting that portions of the property within the 250' shoreline buffer, 100' conservation district, and the 100-year floodplain, and that the reforested area will remain undisturbed except for tree removal consistent with DES Shoreland rules
3. The Assistant City Manager in consultation with the City's General Legal Counsel will review and approve the homeowners association to ensure private road, stormwater infrastructure maintenance, buffer and common space, space, conservation district maintenance, prior to converting ownership and maintenance obligations, and deed/easement requirements per Section 170.27.2.
4. The applicant shall revise the plat to:
    a. Add signature and stamp of LLS and PE
    b. Add owners' signatures for recording at Strafford County Registry of Deeds
    c. Add a note that that the reforested area will remain undisturbed except for tree removal consistent with DES Shoreland rules.
    d. Show new water line from street be added rather than reuse existing water line to the satisfaction of the City Engineer.
    e. Add a note that the existing detached garage structure and the single family dwelling at 26 ½ Bellamy Road will require renumbering.

Conditions to be Met Prior to Building Permit:

5. The new dwellings shall be assessed and pay the current Water and Sewer Investment Fees in place at the time of application for service.
6. The applicant shall provide a letter of credit or other form of security acceptable to the City for any

unfinished work.

7. A site construction sign with the contact information for the general contractor must be located and approved by the City Engineer or Assistant City Manager.

Conditions to Be Met Prior to Occupancy:

8. Issuance of the Certificate of Occupancy.
9. Any applicable easements shall be recorded.
10. Documentation that the HOA has been created and is in place.
11. Impact fees per unit shall be paid per the invoice attached to the Notice of Decision.
12. Prior to the last Certificate of Occupancy being issued, the Engineer of Record shall meet with the Association and review the as-builts for the project.
13. Proof that the deeds to be recorded for lots 3 and 4 match the sample deeds provided.

Motion: D. White moved to approve the site plan, with Conditions, as it is consistent with the regulations. Seconded by K. Pimental. Vote: 8-1 with D. Landry opposed

D. Consideration and acceptance of an Extension Request for a previously approved Site Plan for Gulf Landing Properties, Assessor's Map 38, Lot 9-A-2, zoned C, and located at Central Avenue. (Proposal was to construct a three story medical rehabilitation facility). The Site Plan was approved by the Board, with conditions, on October 27, 2020. *(P19-85B)

C. Parker noted the applicant received conditional approval (for a second time) in December 2020. Due to financing, the applicant was not able to meet the initial 90 day period to meet conditions of approval or the extra 90 day administrative extension and is now requesting a second extension which requires Planning Board approval.

The administrative extension expired on June 13th. The request was made before that, so the Board is acting to extend the request until September 12, 2021.

The applicant is still proposing a medical withdrawal management facility on Central Ave near Dover Bowl. The secured building is proposed to have 64 beds and 24/7 staff.

James Hayden, Berry Survey and Engineering presented the request.

Motion: D. White moved to accept the applications and noted that this is not a development of regional impact. Seconded by D. Ciotti. Vote: U/A

Public Hearing Opened
No calls or emails were received.
Public Hearing Closed

C. Parker noted Chapter 153-8 of the Site Review Regulations of the City Code provides that the Planning Director may grant one 90-day administrative extension for Conditional Approvals. Any further extensions must be approved by the Planning Board. This request is consistent with those regulations.

The Planning Department recommends the Planning Board vote to approve the extension request, establishing a new date for completion of September 12, 2021.

Motion: D. White moved to grant the 90-day extension. Seconded by J. Kaspari. Vote: U/A

5. STAFF COMMENTS

- C. Parker updated the Board on:
  - the latest TRC: Old Courthouse Project, two adjacent projects on Dover Point Road
- FY 22 Budget includes a new position: Resiliency Coordinator. Position is posted and interviews will be the end of July.
- The bus tour did not happen as planned two weeks ago, but if the Board is interested it can be scheduled.

6. MEMBER COMMENTS

- G. Cruickshank noted she had signed plans for 379 Tolend Road
- K. Pimental asked why there are updates to the signs. One was hit so needs to be replaced.
- D. Ciotti received a complaint that a sign was put right in a resident's yard. He wondered if those affected were notified. C. Parker said they were notified, and no changes will be made in the first few months.
- D. Ciotti asked for an update with the City's talks with Severino. As far as C. Parker knows, all changes discussed have been made and there have been no additional complaints.
- D. Landry noted the SRPC annual meeting is coming up on Thursday June 24th and C. Parker will be speaking about pipelines for funding projects and how to use the funds.
- K. Pimental noted Mirage Studios on Union St is being recognized as the birthplace of Teenage Mutant Ninja Turtles
- K. Pimental noted a conversation occurred whether the NH Planners Association spring conference should be virtual or in-person

7. ADJOURNMENT

Motion: D. White made a motion to adjourn at 8:38 p.m. Seconded by H. Harmon.

N/F DODIER, SCOTT B. & SARAH J.
147 COTTONWOOD DRIVE
DOVER, NH 03820
TAX MAP B, LOT 4-52
S.C.R.D. BOOK 2303, PAGE 535
PLAN REF. #10 & #11

N/F WORKMAN, MARSHALL K. & CATHERINE A.
151 COTTONWOOD DRIVE
DOVER, NH 03820-6027
TAX MAP B, LOT 4-51
S.C.R.D. BOOK 3559, PAGE 166
PLAN REF. #10 & #11

MATCH POINT (TYP.)
3/4" REBAR W/ ID CAP ~SET~ (0.6' HIGH)
3/4" REBAR W/ ID CAP ~SET~ (0.5' HIGH)
24" PINE W/ BARBED WIRE ~HELD~
16" MAPLE W/ BARBED WIRE ~HELD~
1 1/2" IRON PIPE ~FND~ (2.0' HIGH)
S33°31'20"W 84.81'
S33°31'20"W 150.18'
S33°31'20"W 160.78'
S33°31'20"W 190.10'
S38°39'21"W 160.58'
S26°45'46"W 108.56'
30' EXTERIOR BUFFER

TAX MAP B, LOT 5-10
26,736 Sq. Ft.
0.61 Ac.
N40°17'43"W 151.01'
TAX MAP B, LOT 5-10
26,736 Sq. Ft., 0.61 Ac.
CONTIGUOUS UPLAND AREA:
24,424 Sq. Ft
CONTIGUOUS UPLAND AREA
OUTSIDE WETLAND BUFFER:
17,997 Sq. Ft.
N1°11'45"W 82.50'
3/4" REBAR W/ ID CAP ~SET~ (0.8' HIGH)
N21°39'11"W 103.74'
164.16' N34°45'44"E
R 225.00' L 140.67'
GRANITE BOUND ~TBS~ (TYP.)
S34°45'44"W 56.00'
WILDCAT DRIVE (PVT.)
R =175.00 L =169.60
BUILDING SETBACK LINE (TYP.)
WATER LINE
R 225.00' L 77.38'
S89°42'36"E 39.19'
24.92' N89°42'36"W
L =64.61' R =60.00'
L =34.83' R =25.00'
92.00' N89°42'36"W
259.92' N00°19'36"E
323.06' N00°19'36"E
20.0'
10.0'
5.94' N89°42'36"W
R =60.00 L =28.37
R =60.00 L =59.89
R =60.00' L =41.18'
R =60.00' L =43.71'
R =60.00' L =34.54'
S17°06'45"W 180.00'
N13°34'23"E 180.00'
60.36' N13°34'23"E
275.52' N25°28'40"W
50.0'
TAX MAP B, LOT 5-9
59,692 Sq. Ft., 1.16 Ac.
CONTIGUOUS UPLAND AREA:
31,064 Sq. Ft
CONTIGUOUS UPLAND AREA
OUTSIDE WETLAND BUFFER:
17,889 Sq. Ft.
TAX MAP B, LOT 5-9
50,692 Sq. Ft.
1.16 Ac.
TAX MAP B, LOT 5-2
31,962 Sq. Ft., 0.73 Ac.
CONTIGUOUS UPLAND AREA:
24,539 Sq. Ft
CONTIGUOUS UPLAND AREA
OUTSIDE WETLAND BUFFER:
12,845 Sq. Ft.
TAX MAP B, LOT 5-12
51,695 Sq. Ft.
1.18 Ac.
TAX MAP B, LOT 5-3
26,817 Sq. Ft., 0.62 Ac.
CONTIGUOUS UPLAND AREA:
24,226 Sq. Ft
CONTIGUOUS UPLAND AREA
OUTSIDE WETLAND BUFFER:
14,979 Sq. Ft.
TAX MAP B, LOT 5-4
22,241 Sq. Ft., 0.51 Ac.
CONTIGUOUS UPLAND AREA:
22,241 Sq. Ft
CONTIGUOUS UPLAND AREA
OUTSIDE WETLAND BUFFER:
22,241 Sq. Ft.
TAX MAP B, LOT 5-5
18,490 Sq. Ft., 0.42 Ac.
CONTIGUOUS UPLAND AREA:
18,490 Sq. Ft
CONTIGUOUS UPLAND AREA
OUTSIDE WETLAND BUFFER:
18,490 Sq. Ft.
TAX MAP B, LOT 5-6
25,492 Sq. Ft., 0.58 Ac.
CONTIGUOUS UPLAND AREA:
23,285 Sq. Ft
CONTIGUOUS UPLAND AREA
OUTSIDE WETLAND BUFFER:
19,439 Sq. Ft.
N85°28'40"W 165.28'
N25°50'02"W 178.26'
BUILDING SETBACK LINE (TYP.)
TAX MAP B, LOT 5-13
OPEN SPACE #2
68,695 Sq. Ft.
1.58 Ac.
(NON BUILDABLE LOT)
S5°13'38"E 130.00'
EDGE OF POORLY DRAINED JURISDICTIONAL WETLANDS (TYP.)
BY: FRAGGLE ROCK ENVIRONMENTAL
DAMON BURT CWS#163
PROPOSED GRADING, DRAINAGE AND ACCESS EASEMENT #4
13,026 Sq. Ft.
TAX MAP B, LOT 5-8
83,212 Sq. Ft., 1.91 Ac.
CONTIGUOUS UPLAND AREA:
59,168 Sq. Ft
CONTIGUOUS UPLAND AREA
OUTSIDE WETLAND BUFFER:
42,354 Sq. Ft.
TAX MAP B, LOT 5-2
83,212 Sq. Ft.
1.91 Ac.
PROPOSED GRADING, DRAINAGE AND ACCESS EASEMENT #3
16,903 Sq. Ft.
TAX MAP B, LOT 5-7
67,623 Sq. Ft., 1.55 Ac.
CONTIGUOUS UPLAND AREA:
62,986 Sq. Ft
CONTIGUOUS UPLAND AREA
OUTSIDE WETLAND BUFFER:
46,938 Sq. Ft.
420.80' N06°05'47"W
50' WETLAND BUFFER (TYP.)
3/4" REBAR W/ ID CAP ~SET~ (0.5' HIGH)
3/4" REBAR W/ ID CAP ~SET~ (0.7' HIGH)
3/4" REBAR W/ ID CAP ~SET~ (0.6' HIGH)
S44°30'07"W 273.08'
50.0'
88.09' N48°33'18"W
DRILL HOLE ~SET~
4.08' N39°41'26"W
22" TREE W/ BARBED WIRE ~HELD~
74.70' N47°37'59"W
36" PINE W/ BARBED WIRE ~HELD~
80.65' N43°35'33"W
130.62' N49°07'09"W
N/F FARMHAVEN DEVELOPMENT ASSOCIATES, LLC
24 FARMHAVEN LANE
DOVER, NH 03820
TAX MAP B, LOT 21-33
S.C.R.D. BOOK 4808, PAGE 822
PLAN REF. #6 & #9
70.86' N45°09'35"W
114.49' N 46°30'27" W
N/F MERKLEY, MARY B.
98 COUNTY FARM CROSS ROAD
DOVER, NH 03820
TAX MAP B, LOT 12
S.C.R.D. BOOK 2160, PAGE 276
PLAN REF. #7
FRAGGLE ROCK ENVIRONMENTAL
DAMON BURT, CWS 163
SEE OVERVIEW PLAN FOR WETLAND NOTE
30' EXTERIOR BUFFER
30.0'
N34°57'27"E
DRILL HOLE ~SET~
119.56' N36°17'54"E
1.69' N35°35'50"E
52.82' N32°29'17"E
DRILL HOLE ~SET~
2" ALUMINUM PIPE ~FND~ (2.2' HIGH) NOT HELD OFF STONE WALL
N35°35'50"E 95.00'
DRILL HOLE ~SET~
N35°35'50"E 67.75'
LLS 941 IRON BOUND ~FND~ (0.3' HIGH)
PROPOSED 30' TDR BUFFER
AREA OF TDR RELIEF 891 Sq.Ft.
169.57' N36°32'23"E
16.88' N46°49'04"W
62.74' N33°29'00"E
DRILL HOLE ~SET~
LLS 941 IRON BOUND ~FND~ (0.6' HIGH) NH GRID COORD. N: 266887.15 E: 1179766.76 ELEV.: 178.58
PROPOSED GRADING AND ACCESS EASEMENT #5
1,478 Sq. Ft.
PROPOSED GRADING AND DRAINAGE EASEMENT #2
6,226 Sq. Ft.
3/4" REBAR W/ ID CAP ~SET~ (0.3' HIGH)
N/F SEAVER, PAUL J. & PENNY L.
30 COUNTY FARM CROSS ROAD
DOVER, NH 03820
TAX MAP B, LOT 6-H
S.C.R.D. BOOK 3500, PAGE 327
PLAN REF. #1-4
N/F TORR, ZACHARY J. & MEAGAN L.
62 COUNTY FARM CROSS ROAD
DOVER, NH 03820
TAX MAP B, LOT 6-D
S.C.R.D. BOOK 4471, PAGE 958
PLAN REF. #5
N/F SIGNH, RAGHBIR
15 OLIVE MEADOW LANE
DOVER, NH 03820
TAX MAP B, LOT 6-C-OPN
S.C.R.D. BOOK 4436, PAGE 810
PLAN REF. #5 & #6
N/F MERKLEY, MARY B.
98 COUNTY FARM CROSS ROAD
DOVER, NH 03820
TAX MAP B, LOT 12
S.C.R.D. BOOK 2160, PAGE 276
PLAN REF. #7

LEGEND:
- 3/4" REBAR W/ ID CAP ~SET OR TBS~
- GRANITE BOUND ~TBS~
- 1/2" EASEMENT REBAR W/ ID CAP ~TBS~
- DRILL HOLE ~FND OR SET~
- IRON PIPE ~FND~
- IRON BOUND ~FND~
- UTILITY POLE
- TREE W/ BARBED WIRE
- STONE WALL
- PERIMETER BOUNDARY
- APPROX. ABUTTING LOT LINE
- POORLY DRAINED WETLAND LINE
- 50' WETLAND SETBACK
- BUILDING SETBACK LINE
- PROPOSED PROPERTY LINE
- PROPOSED EASEMENT LINE
- TBS TO BE SET
- FND FOUND
- S.C.R.D. STRAFFORD COUNTY REGISTRY OF DEEDS

GRAPHIC SCALE
40 0 20 40 80 160
(IN FEET)
1 inch = 40 ft.

LOCATION PLAN
DOVER, NH
NOT TO SCALE
COUNTY FARM CROSS ROAD
LONG HILL ROAD
ROUTE 16
SINGH DRIVE
APPROX. LOCATION
WILDERWOOD LANE
SIXTH STREET
COUNTY FARM ROAD
N

NOTES:

OWNER: SETTLEMENT ON 6TH, LLC
4 HALL STREET
DOVER, NH 03820

OWNER SIGNATURE

APPLICANT: SETTLEMENT ON 6TH, LLC
4 HALL STREET
DOVER, NH 03820

1. TAX MAP B, LOT 5
2. LOT AREA: 836,616 Sq. Ft., 19.21 Ac.
3. S.C.R.D. BOOK 4861, PAGE 409
4. ZONING: RURAL RESIDENTIAL, R-40
   LOT SIZE: 40,000 Sq. Ft.
   MAX. LOT COVERAGE: 10%
   MINIMUM FRONTAGE: 150'
   FRONT SETBACK: 40'
   ABUT A STREET SETBACK: 40'
   SIDE SETBACK: 25'
   REAR SETBACK: 30'

   ZONING: TRANSFER OF DEVELOPMENT RIGHTS (TDR)
   LOT SIZE: N/A Sq. Ft.
   MAX. LOT COVERAGE: N/A
   MINIMUM FRONTAGE: 40'
   FRONT SETBACK: 20'
   ABUT A STREET SETBACK: 20'
   SIDE SETBACK: 10'
   REAR SETBACK: 30'
5. I HEREBY CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE & BELIEF, THIS PARCEL DOES NOT FALL WITHIN THE FLOOD PLAIN FLOOD HAZARD REF.: FEMA COMMUNITY #330145, MAP #33017C0310E, DATED: SEPTEMBER 30, 2015.
6. VERTICAL DATUM BASED ON NAVD88 ELEVATIONS. HORIZONTAL COORDINATES BASED ON NAD83. COORDINATES GATHERED USING TOPCON HIPER SR SURVEY GRADE GPS RECEIVERS.
7. THE BOUNDARY LINES SHOWN ON THIS PLAN ARE THE RESULT OF A CLOSED TRAVERSE PERFORMED BY THIS OFFICE IN FEBRUARY OF 2021, WITH AN ERROR OF CLOSURE BETTER THEN 1 PART IN 10,000.
8. THE INTENT OF THIS PLAN IS TO SHOW THE TDR SUBDIVISION PLAN OF TAX MAP B, LOT 5.
9. ALL LOTS WILL BE SERVICED BY MUNICIPAL WATER AND SEWER.
10. WILDCAT DRIVE IS PROPOSED TO BE PRIVATE. REFER TO THE HOA DOCUMENTS FOR ROAD & DRAINAGE RESPONSIBILITIES. 155-48B THERE ARE NO CITY SERVICES PROVIDED UNLESS THE ROADWAY CONFORMS WITH PUBLIC ROAD SPECIFICATIONS AND THE PLANNING BOARD HAS REVIEWED AND AGREED TO AMEND THE APPROVAL TO ALLOW A PUBLIC ROADWAY.
11. SEE OVERVIEW SUBDIVISION FOR PLAN REFERENCES AND ADDITIONAL NOTES.
12. THE BOARD HAS FOUND THAT THE CRITERIA OF CHAPTER 170-27-2.G(8) HAVE BEEN MET.

STATE OF NEW HAMPSHIRE
DAMON E. BURT
No. 163
WETLAND SCIENTIST
1-21-22

APPROVED
DATE 2/8/22
City of Dover, N.H.
PLANNING BOARD
CHAIRMAN / DIRECTOR
APPROVED DOVER

I CERTIFY THAT THIS PLAT EXCEEDS THE MINIMUM REQUIREMENT FOR ACCURACY AND COMPLETENESS OF THE STATE OF N.H. AND OF THE CITY OF DOVER, N.H. – 1:10,000–
KENNETH A. BERRY L.L.S. 805 DATE 1-21-22

#	REVISION	DATE	DESCRIPTION
#8		1-21-22	REVISED PER FINAL CONDITIONS OF APPROVAL SHOW BOUNDS SET & REVISIONS PER STAKEOUT

DETAIL TDR SUBDIVISION PLAN WEST
LAND OF
SETTLEMENT ON 6TH, LLC
SIXTH STREET
DOVER, N.H.
TAX MAP B, LOT 5

BERRY SURVEYING & ENGINEERING
335 SECOND CROWN POINT ROAD
BARRINGTON, NH 03825 (603)332-2863

SCALE : 1 IN. EQUALS 40 FT.
DATE : JUNE 10, 2021
FILE NO. : DB 2021-011

STATE OF NEW HAMPSHIRE No. 805 KENNETH A. BERRY LICENSED LAND SURVEYOR SIGNATURE

CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P21-43

Application Type:	TDR Major Subdivision
Applicant(s):	Settlement on 6th, LLC
Owner(s):	Settlement on 6th, LLC
Location:	Sixth Street (Tax Map B, Lot 5)
Meeting Date:	November 9, 2021

INTENT: To subdivide one lot 14 including one utilizing Transfer of Development Rights, and three open space lots.

UNITS PROPOSED: 11 new

AGENDA ITEM #: 4-B

ACREAGE: 19.3 acres

ZONING DISTRICT: R-40

EXISTING LAND USE: Vacant

PROPOSED LAND USE: Residential

SURROUNDING LAND USE: Residential and vacant

ZBA ACTION: None

ATTACHMENTS: Application materials including subdivision plan

APPLICATION COMPLETE: Yes

DECLARE REGIONAL IMPACT: No

NOTICES SENT: Abutter notices were sent by certified mail to all abutters for this meeting

PERMITS REQUIRED: CUPs for wetland buffer, NHDES AOT, NHDES Wetland Impact Permit, NHDES Sewer Discharge Permit, US EPA NOI and SWPPP, NHB NHDHR

WAIVERS REQUESTED: None

Summary of Request and Background
The applicant is requesting to subdivide one lot into 14 (11 residential lots, 3 common open space lots). They also seek to use the Transfer of Development Rights to purchase 1 lot. The site is proposed to be serviced by municipal water and sewer.

As a Major Subdivision, this application appeared twice before the TRC, most recently on October 14, 2021 (minutes attached). Previous concepts including purchasing more units but based on the environmental constraints the current proposal is requesting only one TDR unit. The Conservation Commission endorsed the CUP application on September 13, 2021.

The TDR relief allows for a 30' perimeter buffer instead of 50' required in Open Space subdivisions. The applicant has applied that buffer to the plan.

This is a TDR subdivision. The Board will need to vote on the TDR request and the subdivision separately.

Consistency with Land Use Regulations
The plan is consistent with Chapter 157-15 of the City's Land Subdivision Regulations, which provides for subdivision of existing lots, and by following the TDR ordinance in Chapter 170-27.2.G.

STAFF RECOMMENDATION- TDR:
The Planning Department recommends that the Planning Board accept the applications for review, open the public hearing, and vote to grant the additional unit via Transfer of Development Rights with the following conditions:

1. Payment of TDR fees.
2. Add a note to the plat that the Board found the criteria of Chapter 170-27.2.G(8) have been met.

STAFF RECOMMENDATION- Subdivision
The Planning Department recommends that the Planning Board vote to approve the subdivision with the following conditions:
Conditions to Be Met Prior to Signing of Plans:

1. The Planning Board approve
    a. The TDR application.
    b. The Conditional Use Permit.
    c. A lot line adjustment plan to remediate the existing encroachment.
2. The applicant shall provide
    a. A revised current use plan to the satisfaction of the City Assessor.
    b. The letter to serve from Eversource and City of Dover.
3. The Planning Director, in consultation with the City's General Legal Counsel, will review and approve the homeowners association to ensure private road, stormwater infrastructure maintenance, buffer and common space, space, conservation district maintenance, prior to converting ownership and maintenance obligations, and deed/easement requirements per Section 170.27.2.

3. Provide physical and digital copies (including CAD) of complete plan set which additionally shall include:
    a. Add signature and stamp of CWS, LLS and PE
    b. Add owners' signatures for recording at Strafford County Registry of Deeds
    c. Add permit numbers

Conditions to be Met Prior to Construction Activities:

4. A site construction sign with the contact information for the general contractor must be located and approved by the City Engineer or Planning Director.

Conditions to be Met Prior to Building Permit:

5. The new dwellings shall be assessed and pay the current Water and Sewer Investment Fees in place at the time of application for service.
6. The applicant shall provide a letter of credit or other form of security acceptable to the City for any unfinished work.

Conditions to Be Met Prior to Occupancy:

7. Issuance of the Certificate of Occupancy.
8. Any applicable easements shall be recorded.
9. Documentation that the HOA has been created and is in place.
10. Impact fees per unit shall be paid per the invoice attached to the Notice of Decision.
11. Prior to the last Certificate of Occupancy being issued, the Engineer of Record shall meet with the Association and review the as-builts for the project.
12. Land use change tax has been paid.

CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type:	Regular Meeting
Meeting Location:	City Council Chamber's 288 Central Avenue
Meeting Date:	**Tuesday, March 28, 2023**
Meeting Time:	**7:00 pm**

Members Present: Gina Cruikshank (Chair), Hayley Harmon (Vice Chair), Mark Speidel, Ken Mavrogeorge, Fergus Cullen (Councilor), Tom Clark, and George DeBoer (Alternate)
Members Not Present (excused): Erinn Kaspari, Frank Torr, and Jon Elliard (Alternate), Kyle Pimental, Melina Gambino (Alternate)
Members Not Present (un-excused):
Staff Present: Donna Benton, Director of Planning and Development

G. Cruikshank called the meeting to order at 7p.m. and noted that George DeBoer would sit for Frank Torr.

1. CITIZENS' FORUM

Citizens Forum Open
No one spoke
Citizens Forum Closed

2. APPROVAL OF THE PRIOR MINUTES

- February 14, 2023 Regular Meeting Minutes

Motion: M. Speidel moved to approve February 14, 2023 Regular Meeting Minutes. Seconded by: T. Clark. Vote: U/A

3. OLD BUSINESS

A. Consideration and possible vote on posting the proposed Amendments to Chapter 170 (Zoning). The full text of the amendments is available in Planning Department & at www.dover.nh.gov located under meeting materials and on the Planning Department page. *

F. Cullen recused himself from the item.

Motion: H. Harmon moved to remove this item from the table. Seconded by: K. Mavrogeorge. Vote: U/A

D. Benton mentioned the Board last reviewed these at their February meeting. Staff made some adjustments based off feedback from Mr. Packy Campbell and the Board with the intention of providing a compromise to providing mechanisms and more flexibility for solar trackers but still maintaining the charm, look, and feel to Dover. She reviewed the changes for the board.

Public Hearing opened
Packy Campbell, Bright Spot Solar appreciates the changes to the language and requested some additional changes:

- Amendment 2 language change relating to location of the solar in relation to the primary structure rather than setback distances
- Change/remove language: 'clearly visible'

He expounded on how he uses solar arrays on a couple of car washes he owns and the savings in cost and propane consumption.
Public hearing closed

D. Benton noted that this amendment will be valid for every property in the City. There are options for property owners to receive exceptions or relief on location of the panels through the Planning Board processes.

D. Benton addressed for board members some of the concerns brought up in public hearing comments.

Motion: T. Clark moved to post the amendments as submitted by staff. Seconded by: K. Mavrogeorge. Vote: U/A

4. NEW BUSINESS

A. Consideration and acceptance of a Lot Line Adjustment for Laurie S. Anderson and Andrew R. and Holly Welsh Smith, Assessor's Map 17, Lots 132 and 131, zoned R-12, located at 13 & 11 Hawthorn Road. *(LOTA-2023-0001)

Chair Cruikshank announced the applicant has withdrawn this application.

B. Consideration and acceptance of an Amendment of Site Review for American Durafilm Co., Inc. (Owner: AD Dover, LLC), Assessor's Map D, Lot 11-10, zoned (IT), located at 9 Innovation Way. (Proposal is to relocate a transformer pad and site landscaping, including a request for a waiver to not screen the transformer). *(WAIV-2023-0002)

D. Benton explained that certain site plan amendments that are made out in the field are large enough to need Planning Board approval. This application is for two parts, one is the request for the waiver to not screen a transformer and the second to approve the amendment to the approved site plan.

Jase Gregoire, CivilWorks, NE presented the application and explained the move of the transformer to a different location.

Motion: T. Clark voted to accept and declared no regional impact. H. Harmon seconded. Vote: U/A

Public hearing opened
None
Public hearing closed

STAFF RECOMMENDATION-Waiver:
Section 153-21 of the Site Plan Review Regulations states 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."

Staff was informed by the applicant that Eversource placed the transformer at that location and that due to sight distance concerns at the driveway, vegetation or other screening cannot be used as required. Staff typically would not support transformers or generators not being screened but in this case understands the applicant was not provided an option that would meet the regulations and that criterion 1 would be met.

The Planning Department recommends the Planning Board to vote to grant the waiver 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 approved waiver to Section 153-15.B(5) utility screening and have found the criteria of Chapter 153-21.A. have been met.

Motion: M. Speidel moved to grant the waiver as it met the criteria of Section 153-21. Seconded by T. Clark. Vote: U/A

STAFF RECOMMENDATION-Amendment:
The Planning Department recommends the Planning Board vote to grant the amendment with the following subsequent conditions:

Subsequent Conditions to be Met Prior to the Plans Being Signed:

1. The applicant shall provide the Planning Department with:
    a. Electronic copy of the revised site plan including in PDF and DWG formats
    b. A note be added to the amended site plan sheet that all previous conditions of approval still apply.
    c. Two full size copies of the plan are submitted to the Planning Department and submitted on the online portal.

Motion: T. Clark moved to approve the amendment as it met the criteria of Section 153-21. Seconded by H. Harmon. Vote: U/A

C. Consideration and acceptance of an Amendment of Site Review for Macs Convenience Stores, LLC, Assessor's Map K, Lot 19-C, zoned R-12, C & IT, located at 30 Dover Point Road. (Proposal is to relocate landscaping and an additional transformer for EV charging). *(WAIV-2023-0003)

D. Benton explained that this is a similar amendment request that Eversource informed the applicant that a second transformer would be needed for the EV charging which is added to the as-built and that the applicant has bonded for the shrubs shown on the landscaping plan but is requesting to relocate one of the street trees so that it doesn't block the sign that was installed.

Steve Haight, CivilWorks, NE presented the application and explained the need for the changes.

Motion: T. Clark voted to accept and declared no regional impact. G. DeBoer seconded. Vote: U/A

Public hearing opened
None
Public hearing closed

STAFF RECOMMENDATION-Amendment:
The Planning Department recommends the Planning Board vote to grant the amendment with the following subsequent conditions:

Subsequent Conditions to be Met Prior to the Plans Being Signed:

1. The applicant shall provide the Planning Department with:
    a. Electronic copy of the revised site plan including in PDF and DWG formats
    b. A note be added to the amended site plan sheet that all previous conditions of approval still apply.
    c. Provide shrubs around existing and proposed sign bases.
    d. Two full size copies of the plan are submitted to the Planning Department and submitted on the online portal.

Motion: T. Clark moved to approve the amendment as it met the criteria. Seconded by G. DeBoer. Vote: U/A

The Vice Chair announced items D-H will be heard together.

D. Consideration and acceptance of a Conditional Use Permit for Public Service Company of New Hampshire, (d/b/a Eversource Energy, c/o Kurt Nelson), Assessor's Map H, Lot 4, zoned IT, located near Cielo Drive. (Proposal is to perform maintenance work on the 345kV 307 Transmission Line involving a single utility structure replacement and optical ground wire replacement creating 773 sf of temporary impact to wetlands and 624 sf of temporary impact to the wetland buffer). *(COND-2023-0029)

E. Consideration and acceptance of a Conditional Use Permit for Public Service Company of New Hampshire (d/b/a Eversource Energy, c/o Kurt Nelson), Assessor's Map K, Lots 2 & 4-C, zoned R-12 & CWD, located in an existing M183 utility ROW, between Henry Law Avenue & the Cocheco River. (Proposal is the replacement of 5 wooden utility poles with weathered steel structures creating 3,489 sf of temporary impact to wetlands and 12,100 sf of temporary impact to the wetland buffer). *(COND-2023-0030)

F. Consideration and acceptance of a Conditional Use Permit for Public Service Company of New Hampshire, (d/b/a Eversource Energy, c/o Kurt Nelson), Assessor's Map K, Lot 6 & Map M, Lot 4-OPN, zoned R-40 & IT, located at existing M183 ROW between Pointe Place and Middle Road. (Proposal is the replacement of 3 wooden utility poles with weathered steel structures creating 2,494 sf of temporary impact to wetlands and 6,915 sf of temporary impact to the wetland buffer). *(COND-2023-0031)

G. Consideration and acceptance of a Conditional Use Permit for Public Service Company of New Hampshire, (d/b/a Eversource Energy, c/o Kurt Nelson), Assessor's Map M, Lots 47,49, 138, 142, 143 & 163, zoned R-12, G & R-20, located at existing M183 ROW between Polly Ann Trailer Park, Dover Point Road & Toftree Lane. (Proposal is the replacement of 3 wooden utility poles with weathered steel structures creating 9,416 sf of temporary impact to wetlands and 9,835 sf of temporary impact to the wetland buffer. *(COND-2023-0032)

H. Consideration and acceptance of a Conditional Use Permit for Public Service Company of New Hampshire, (d/b/a Eversource Energy, c/o Kurt Nelson), Assessor's Map M, Lots 83-5, 10, 9, 6, 11,12 & 13, zoned R-40, located at 38, 39, 47 & 48 Overlook Drive, 8 Canney Lane, 34 & 44 Quaker Lane. (Proposal is the maintenance work on the 345KV 307 Transmission Line involving a single utility structure replacement and optical ground wire replacement creating 2,023 sf of temporary impact to wetlands and 12,847 sf of temporary impact to the wetland buffer). *(COND-2023-0033)

D. Benton explained that PSNH/Eversource requests to do some pole replacements and other improvements to their transmission lines. Staff has separated the items by area which will require separate votes, though the item can be heard together with one public hearing.

Matthew Carden, Eversource presented the applications. He explained for M. Speidel the use of helicopters. He clarified for G. DeBoer the size and scope of the replacement poles.

Motion: T. Clark voted to accept all applications and declared no regional impact. H. Harmon seconded. Vote: U/A

Public hearing opened
None
Public hearing closed

STAFF RECOMMENDATION: CUP
The Wetlands Protection District ordinance §170.27.1.F. provides for Conditional Use Permits to allow impacts to wetlands and wetland buffers if standards related to demonstration that no practicable alternative exists, impact avoidance was considered, impacts were minimized, and mitigation has been sought.

Planning Staff feels that the applicant considered the criteria of practical alternative, avoidance, minimization, and mitigation and propose to create minimal wetland/wetland buffer disturbance on the site.

The Planning Department recommends the Planning Board vote to approve the CUP with the following subsequent conditions:

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

1. The applicant shall provide the Planning Department with a copy of the NH Department of Environmental Services approved Utility Maintenance Activity Statutory Permit by Notification.

   Motion: M. Speidel moved to approve the CUP as it met the criteria. Seconded by T. Clark. Vote: U/A

STAFF RECOMMENDATION: CUP
The Planning Department recommends the Planning Board vote to approve the CUP with the following subsequent conditions:

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

1. The applicant shall provide the Planning Department with a copy of the NH Department of Environmental Services approved Utility Maintenance Activity Statutory Permit by Notification.

   Motion: T. Clark moved to approve the CUP subject to the condition set by the Planning Department as it met the criteria. Seconded by M. Speidel. Vote: U/A

STAFF RECOMMENDATION: CUP
The Planning Department recommends the Planning Board vote to approve the CUP with the following subsequent conditions:

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

1. The applicant shall provide the Planning Department with a copy of the NH Department of Environmental Services approved Utility Maintenance Activity Statutory Permit by Notification.

   Motion: T. Clark moved to approve the CUP subject to the condition set by the Planning Department as it met the criteria. Seconded by M. Speidel. Vote: U/A

STAFF RECOMMENDATION: CUP
The Planning Department recommends the Planning Board vote to approve the CUP with the following subsequent conditions:

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

1. The applicant shall provide the Planning Department with a copy of the NH Department of Environmental Services approved Utility Maintenance Activity Statutory Permit by Notification.

   Motion: T. Clark moved to approve the CUP subject to the condition set by the Planning Department as it met the criteria. Seconded by H. Harmon. Vote: U/A

STAFF RECOMMENDATION: CUP
The Planning Department recommends the Planning Board vote to approve the CUP with the following subsequent conditions:

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

1. The applicant shall provide the Planning Department with a copy of the NH Department of Environmental Services approved Utility Maintenance Activity Statutory Permit by Notification.

   Motion: T. Clark moved to approve the CUP subject to the condition set by the Planning Department as it met the criteria. Seconded by M. Speidel. Vote: U/A

I. Consideration and acceptance of Transfer of Development Rights Request for Diamond Capital, LLC, Assessor's Map D, Lot 10, zoned R-12, located at 42 Long Hill Road. (Requesting to purchase (6) six TDR units for a project up to 34 residential lots including the existing single family home). *(TRAN-2023-0001)

D. Benton explained the applicant was using the TDR ordinance to purchase 6 units. She explained that the applicant is changing their request from their original application as the City's ordinance does not have a provision for for-sale units so the applicant is now requesting 4 units to be the 1,400 s.f. size restricted rate and 2 to be full rate. This is the first step in the process and if approved, the applicant would still need to do full engineering and go through the TRC process and come back to the Planning Board for subdivision review.

FX Bruton, Bruton and Berube presented the item, explained the proposed development, highlighted the 1,400 s.f. restricted affordable units and addressed the criteria.

He answered for M. Speidel why only four of the six additional units are earmarked for affordable housing.

D. Benton and Mr. Bruton clarified that there is a change in the request from what is in the applicant's paperwork. Rather than requesting to restrict the sale price which does not work with the City's ordinance, the specified units will be size restricted to 1400 sq ft or less.

Motion: M. Speidel voted to accept the application and declared no regional impact. F. Cullen seconded. Vote: U/A

Public hearing opened
Danielle Ouimette, 21 Strafford Rd asked some questions about when the construction will begin, how long it's expected to take, and if there are any limits to construction hours. There are flags in the wooded area- is that part of this proposal?

Theresa and Robert Daneau, 23 Strafford Rd expressed concerns regarding the 50' wetland buffer, would the construction affect the wetland and therefore the existing homes, will there be a right of way request from Strafford Rd to the proposed site. They would request a buffer zone of trees or fence or wall at the property line and are also curious about the surveying in the area around their home- what is it for?

Lisa Stacy, 75 Long Hill Rd wondered if the units are age restricted or not and is concerned about the density and number of families/kids in schools if not restricted. Could the driveway of the development line up with the other street so it is safer? That is a school bus stop. She has concerns about water and is not in favor of this amount of density in this location.

D. Benton summarized emails that were received to the office:

- Jordan Plante, 92 Long Hill
- James Simard and Kathleen Kroll-Simard

Public hearing closed

Mr. Bruton addressed public comment and noted he spoke with his client about making all six additional units affordable housing and they are amenable to that.

- This proposal will be restricted to 55 and older.
- Some of the comments are more appropriate for the next level of approvals where they will address them.
- The wetlands will be a restricted area and will be discussed more in-depth at the site review level.

D. Benton clarified:

- Adding a condition that the 30' buffer is shown on the plans
- Traffic study will be addressed at future hearings
- Conditions of approval will include the changes mentioned today
- There is no project proposed that the City is aware of in the park
- The water question will be addressed as part of the City's review of the project.
- There is no right of way from Strafford being proposed.
- The term affordable keeps getting used but the applicant is looking at size restricting not the rental rate as other projects have proposed.

Kevin McEneaney, McEneaney Surveying represented the applicant and explained the flags are part of the work that is being researched for this project. It is common to need to go beyond the property line for some of the research that is done and to mark which areas are complete.

Regarding wetlands, the City has a requirement that signs are posted every 50' along the wetland buffer and that will be done. There will be no request for right of way from Strafford.

Steve Haight, CivilWorks Engineering responded regarding whether they've looked at doing a T intersection with Phillips St. They did look at it, but due to site distance and driveway access they didn't choose that option.

STAFF RECOMMENDATION: TDR
§170-27.2 provides for additional density to be purchased through Transfer of Development Rights.

The proposed TDR request in an impact sense creates six additional units after following the calculation provision in the TDR ordinance. The applicant is currently requesting 4 of those TDR units/lots would be size restricted to 1,400s.f. in perpetuity, and two of the TDR units/lots would pay the full TDR fee.

The Planning Department recommends the Planning Board make findings, and vote to grant the TDR request with the following subsequent conditions:

Subsequent Conditions to Be Met Prior to Granting of Transfer of Developments Right:

1. Recognition by the applicant in writing that the applicant understands the Board voted to allow up to a maximum amount but that they have the ability to reduce that unit count after seeing more fully-engineered plans, waiver requests, or any other relief requested.
2. Payment of the TDR fees.
3. Revise the application narrative to meet the most recent request.
4. Future subdivision plat shall show the 30' visual buffer.

Motion: M. Speidel moved to approve the request subject to the conditions set by the Planning Department. Seconded by G. DeBoer. Vote: U/A

Motion: K. Mavrogeorge moved to recess the meeting. Seconded by H. Harmon. Vote: U/A
Motion: F. Cullens moved to return to the meeting. Seconded by G. DeBoer. Vote: U/A

J. Public hearing to consider amendments to Chapter 170, entitled "Zoning" of the code of the City of Dover. Amendments include re-titling, formatting, construction signs, ground mounted solar, rooftop solar, window sign definitions, CWD green roof requirements, clarifying Gateway lot coverage and screening requirements, dark sky compliance for general site lighting, moving and amending non-environmental conditional use permit criteria, wetland protection district purpose and intent, wetland CUP criteria, TDR waiver criteria, TDR criteria, window and development signs, amendment notice requirements, removing Educational Institution from CM table of uses, and reducing RCM threshold area to 20 acres*.

D. Benton walked through the posted zoning amendments and explained another public hearing would be scheduled and notified using the City wide mailing process.

Public hearing opened

Laurie Smith, 36 Fisher commented that last year when the board added height restrictions to the extended Heritage district that was great. She has been part of the committee to look at these issues in the City and expressed thanks to the board and staff for the time given.
She asked about screening requirements. She prefers the height restrictions include the rest of Fisher St as was suggested by the neighborhood. She would also like to increase setbacks. When large multi-level structures go in next to single story homes it will have quite an affect.

Jack Mettee, 56 Rutland agreed with Ms. Smith with regard to the height restriction for Fisher St. He referenced the design standards for site plan for Gateway district.

Matt Cox, 33 Fisher agreed with Mrs. Smith and Mr. Mettee noting this is some of the oldest part of town, but seems to have some of the least amount of restrictions. He would like to expand the provisions that are in the other gateway districts to the Fisher st area and protect the look of the area and the old homes.

Sandra Cohen-Holmes, 34 Fisher wondered why a four-story structure is allowed next door to these old homes.

Finola Cox, 33 Fisher agreed with Ms. Cohen-Holmes' question and wondered who benefits from it. Only the people coming to live in the units and the builders and workers- not the people who already live there.

Chad Kageleiry, 100 Dover Neck is the owner of the lot most people are speaking about. After years of study the City elected to change the zone to gateway which is much more benign than what it was: Industrial.
He noted that all of the residential owners who have spoken tonight purchased their homes while the zone was industrial. There is also no project planned yet- so the concerns are without merit. The planning process will vet the projects that want to come in.

D. Benton summarized emails that were received to the office:

- JK C Holmes, 34 Fisher St.
- Martha Wilson 8 Auburn St
- Liane Smith, 13 Fisher St.
- Sandra Cohen Holmes, 34 Fisher St.
- Marisa Didio, 105 Belknap
- Laurie Smith, 36 Fisher St.
- Carmel Casey 36A Fisher St.

Public hearing tabled

Motion: H. Harmon moved to table the public hearing. Seconded by M. Speidel. Vote: U/A

K. Public hearing to consider amendments to Chapter 153-A, entitled "Site Review Regulations" of the code of the City of Dover. Amendments include amount of copies include site plan applicability, application requirements, and removing the 90 day extension for Planning Board action.*

D. Benton walked through the Site Plan amendments which were posted on February 14th and are mostly housekeeping in nature.

Public Hearing Opened
None

Public Hearing Closed

Motion: T. Clark moved to adopt the amendments as submitted. Seconded by H. Harmon. Vote: U/A

5. STAFF COMMENTS

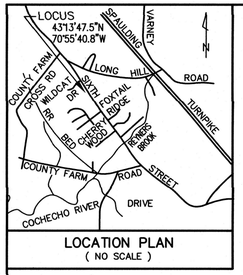
- Vision Chapter Sessions will continue and wrap up with a full day on April 18th so save the date and locations are being finalized.
- Unless anything is continued tonight, it is likely we won't meet on April 11.
- TRCs that have occurred:
  - Site Review for VC Dover Investment, LLC, Assessor's Map H, Lot 4-3-1, zoned Commercial, located at 30 Grapevine Drive. (Proposal is to build a new 15,040 sf (footprint), 4 story mixed use building next to the Hannaford's Grocery Store on Grapevine Drive.) (P22-72/SITE-2022-0017). *[This item was previously heard on November 17, 2022, January 5, 2023 & February 16, 2023]*
  - Open Space Subdivision for Chinburg Development, LLC, Assessor's Map N, Lot 13-1, zoned R-40, located at Oak Street & Gulf Road. (11 new lots.) (SUBD-2023-0001).
- TRCs coming up:
  - Site Review for Cooperative Alliance for Seacoast Transportation, (Assessor's Map H, Lot 35-C-4, located at 42 Sumner Drive. (Proposal is to build a 28,700 s.f vehicle storage building and 17,000 s.f. administration, operations and maintenance building.) (SITE-2023-0002).
  - Site Review for Crosshill Housing Associates, Limited Partnership, (Assessor's Map H, Lot 41-M, located at 1 Martha's Way. (Proposal is to add a 4,600 s.f. building with outdoor patio, walkways, and parking restriping to add ADA spaces.) (SITE-2023-0001).

6. MEMBER COMMENTS

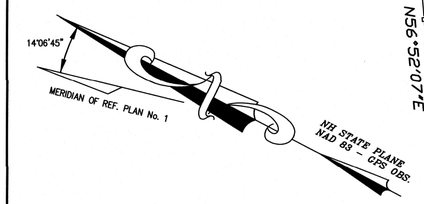
- The Chair signed plans for 7 West LLC the Medical Office Building at Exit 7.

7. ADJOURNMENT

Motion: M. Speidel moved to adjourn at 9:03pm. Seconded by G. DeBoer. Vote: U/A



LOCATION PLAN
(NO SCALE)



A / 67
NORMAN E. VANDINI
SHARON J. VANDINI
569 SIXTH STREET
DOVER, NH 03820
1452 / 241

A / 56
LEON A. DROUIN, TRUSTEE
LEON A. DROUIN REVOCABLE TRUST
565 SIXTH STREET
DOVER, NH 03820
4724 / 277

A / 66
RHONDA M. ZABIELSKI
MICHAEL P. ZABIELSKI
563 SIXTH STREET
DOVER, NH 03820
1895 / 740

OWNER SIGNATURES

SMH
RIM = 209.70'
INV. IN = 203.17' 6"PVC
INV. OUT = 203.02' 8"PVC
BRICK SHELF = 203.64'

SIXTH STREET
{PUBLIC; VARIABLE WIDTH R.O.W.}

S 8" PVC
W 12" CL DI
12" RCP
INV. = 205.94'
TBM
SPIKE IN UP
ELEV.209.08'
UP 58/32
UP 20/31.5
OHU

SMH
RIM = 209.81'
INV. IN = 198.47' 8"PVC NW
INV. IN = 201.57' 8"PVC SE
INV. OUT = 186.23' 10"PVC (SITE)
BRICK SHELF = 186.85'

S27°41'30"E 100.00'
S27°41'30"E 111.23'
S27°41'30"E 88.77'
S57°03'29"W 200.87' (73.32')
I.R.(tbs)
(S")

B / 4J
CAITLIN VERVILLE
RORY WILKIE
568 SIXTH STREET
DOVER, NH 03820
4613 / 638

HOUSE
#568

PROPOSED DUPLEX
39' x 29'
1,184 S.F.
FOOTPRINT
10.5'
5.0'
29.0'
39.0'

1 STORY WOOD FRAME HOUSE
#566
F.F. = 213.9'
DRIVE UNDER GARAGE
F.F. = 204.2'

STONE RETAINING WALL
ASPHALT DRIVE
WALK
EXISTING ASPHALT DRIVE
73.02'

PROPOSED DUPLEX
39' x 29'
1,184 S.F.
FOOTPRINT

PROPOSED PAVED DRIVEWAY

PROPOSED 30' WIDE UTILITY EASEMENT
30.14'
30.13'
73.89'
70.87'
30.00'
S 27°31'40" E
95.87'
98.79'
N 27°31'40" W
PROPOSED 30' WIDE ACCESS EASEMENT

N56°52'07"E 194.62'
FENCE
BUILDING SETBACK LINE (TYP.)
S59°52'07"W 196.73'
S62°36'50"W 197.77'

B / 4F
PARCEL AREA
19,942 S.F.
0.45 Ac.

B / 4F-1
PARCEL AREA
19,480 S.F.
0.45 Ac.

B / 4F-2
PARCEL AREA
19,580 S.F.
0.45 Ac.

30' EXTERIOR NO CUT BUFFER (TYP.)

I.P.(fnd)
100.22'
N26°29'30"W
I.R.(tbs)
91.55'
N26°29'30"W
I.R.(tbs)
108.23'
N26°29'30"W
I.P.(fnd)

B / 4R
JAMES P. GOWEN
SHARON GOWEN
562 SIXTH STREET
DOVER, NH 03820
988 / 448

SMH
RIM = 201.06'
INV. IN = 184.90' 10"PVC
INV. OUT = 184.90' 10"PVC
BRICK SHELF = 186.11'

B / 4-53
EMILY S. DAVIE
TIMOTHY W. MALLARD
141 COTTONWOOD DRIVE
DOVER, NH 03820
4221 / 508

S 10" PVC
W 12" CL DI

LEGEND

- I.P.(fnd) – IRON PIPE (FOUND)
- I.R.(tbs) ● – IRON ROD W/ I.D. CAP (TO BE SET)
- SMH – SEWER MANHOLE
- CB – CATCH BASIN
- DMH – DRAIN MANHOLE
- WV ⋈ – WATER GATE VALVE
- S.F. – SQUARE FEET
- Ac. – ACRE
- (TYP.) – TYPICAL
- ± – MORE OR LESS
- ø – DIAMETER
- S.C.R.D. – STRAFFORD COUNTY REGISTRY OF DEEDS
- UP 410/5 – UTILITY POLE W/ I.D. Nos.
- R.O.W. – RIGHT OF WAY
- INV. – INVERT
- PVC – POLYVINYL CHLORIDE
- CL DI – CEMENT LINED DUCTILE IRON
- ELEV. – ELEVATION
- 204 – – – – – CONTOUR LINE (2 FOOT INTERVAL)
- WSO – WATER SHUT OFF (CURB STOP)
- HYD. – FIRE HYDRANT
- W – WATER SERVICE LINE
- S – SEWER LINE
- S SMH – SEWER MANHOLE
- OHU – OVERHEAD UTILITIES

REFERENCE PLANS:

1.) ALDEN WOODS SUBDIVISION, SIXTH STREET, DOVER, NEW HAMPSHIRE, SHEET 7 OF 26: SCALE: 1" = 60'; DATED: APRIL 27, 1998; BY: MCENEANEY SURVEY ASSOCIATES, INC.; RECORDED S.C.R.D. PLAN 54–34.

2.) SUBDIVISION OF LAND OF SCOTT L. WEEDEN, DOVER, NEW HAMPSHIRE; SCALE: 1" = 50'; DATED: FEB., 1975; BY: RICHARD P. TOWLE; RECORDED S.C.R.D. PLAN 43, POCKET 15, FOLDER 43.

NO.	DATE	DESCRIPTION	BY	CHK
CNE 24081		REVISIONS		

24–2571	TDR SUBDIV	23–12	37–42
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."

NOTES:

1.) OWNER OF RECORD:
FERGUS CULLEN
JENNIFER CULLEN
152 BOXWOOD LANE
DOVER, NEW HAMPSHIRE 03820
S.C.R.D. VOLUME 5152, PAGE 7

2.) B / 4F – DENOTES TAX MAP AND PARCEL NUMBER.

3.) TOTAL PARCEL AREA = 59,002 S.F. / 1.35 Ac.

4.) THE INTENT OF THIS PLAN IS TO DEPICT A PROPOSED TDR SUBDIVISION CONSISTING OF THREE (3) LOTS, ONE LOT CONTAINING A SINGLE FAMILY DWELLING AND TWO LOTS CONTAINING DUPLEXES.

5.) ZONING DISTRICT: RURAL RESIDENTIAL (R40)

DIMENSIONAL REQUIREMENTS:	
MINIMUM LOT SIZE	= 40,000 S.F.
MAXIMUM LOT COVERAGE	= 10 PERCENT
MINIMUM FRONTAGE	= 150 FEET
BUILDING SETBACK REQUIREMENTS:	
FRONT SETBACK	= 40 FEET
SIDE SETBACK	= 25 FEET
REAR SETBACK	= 30 FEET
MAXIMUM BUILDING HEIGHT	= 35 FEET
WETLAND BUFFER	= 50 FEET

TRANSFER OF DEVELOPMENT RIGHTS REGULATIONS:	
ABUTTING A ROAD SETBACK	= 20 FEET
ABUTTING A LOT LINE SETBACK	= 10 FEET
STREET SIDES OF UNITS	= 20 FEET
ABUTTING STRUCTURES	= 20 FEET
NO CUT BUFFER FROM EXTERIOR LOT LINE	= 30 FEET

6.) THE SUBJECT PARCEL IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA (SFHA) AS SHOWN ON FLOOD INSURANCE RATE MAP 33017C0310E, EFFECTIVE DATE 9/30/2015.

7.) BASIS OF BEARING IS NH STATE PLANE (NAD83) AND VERTICAL DATUM IS NAVD88 BASED ON GPS OBSERVATION DATED JANUARY 30, 2024.

8.) ALL EXISTING UTILITY LOCATIONS ARE APPROXIMATE AS SHOWN. THE CONTRACTOR SHALL VERIFY THEIR EXACT LOCATIONS WITH THE RESPECTIVE UTILITY OWNERS PRIOR TO ANY WORK BEING PERFORMED. CALL DIGSAFE AT 1–888–344–7233.

9.) THE SOIL TYPES ON THE SITE ARE:
WdB – WINDSOR LOAMY SAND, 3–8% SLOPES
THE SOURCE FOR THE SOIL TYPE DATA IS USDA SCS SOIL SURVEY OF STRAFFORD COUNTY DATED MARCH 1973 & USDA NRCS WEB SOIL SURVEY http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx

10.) NO WETLANDS WERE OBSERVED ON SITE BASED ON SITE INSPECTION PERFORMED DURING APRIL, 2024 BY BRUCE A. GILDAY, N.H.C.W.S. #088; N.H. C.S.S. #012 OF B A G LAND CONSULTANTS.

11.) TDR UNIT CALCULATIONS:
A) 59,002 S.F. – CONSERVATION (0 S.F.)= 59,002 S.F.
B) 59,002 * 0.85 = 50,150 S.F.
C) 50,150 * 0.85 = 42,628 S.F.
D) 42,628 / 40,000 BASE UNIT COUNT = 1 UNIT *
* EXISTING SINGLE FAMILY HOME HAS RIGHT TO CONVERT TO DUPLEX; (2) UNITS BY RIGHT.
E) REMAINING 3 UNITS TO BE PURCHASED, THUS ALLOWING FOR 5 UNITS.

12.) PROPERTY LINE INFORMATION HAS BEEN OBTAINED FROM A SURVEY PERFORMED BY MCENEANEY SURVEY ASSOCIATES OF NEW ENGLAND DURING JANUARY AND MARCH, 2024 WITH AN ERROR NOT GREATER THAN 1 IN 10,000.

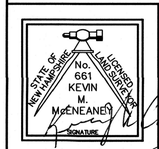
13.) PARCEL IS SERVICED BY MUNICIPAL SEWER AND WATER.

TDR SUBDIVISION PLAN
PREPARED FOR
FERGUS & JENNIFER CULLEN
TAX MAP B, LOT No. 4F
566 SIXTH STREET
CITY of DOVER
COUNTY of STRAFFORD
STATE of NEW HAMPSHIRE

DOVER PLANNING FILE No. SUBM 2024–

DRAWN BY: RJM	FILE: MSA\2571\D\23–2571
SCALE: 1" = 20'	DATE: SEPT. 25, 2024

20 10 0 10 20 40 60 80



McEneaney Survey Associates
of NEW ENGLAND
P.O. Box 1166 – 181 WATSON ROAD
DOVER, NH 03820 (603) 742–0911

SURVEYING – PLANNING – CONSULTING

9/26/2024 15:56:02 File: M:\2571\Drawings\23-2571.dwg Layout: 2571 SUBDIVISION

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 22, 2024**
Meeting Time:	**7:00 pm**

Members Present: Gina Cruikshank (Chair), Tom Clark, Ken Mavrogeorge, George DeBoer, Melina Gambino, Kyle Pimental, Dennis Shanahan (Councilor)
Members Not Present (excused): Doug Glennon, Fergus Cullen (Councilor), Jeff Sanborn (Alternate), Mallory Strange (Alternate)
Staff Present: Donna Benton, Planning Director and Paul Crouser, Zoning Administrator

Gina Cruikshank (Chair) called the meeting to order at 7p.m. and noted Councilor Shanahan is sitting in for Councilor Cullen, M. Gambino is sitting for D. Glennon and K. Pimental is acting as Vice Chair.
Also, that Item B (Boston Harbor Rd) will not be heard tonight.

1. CITIZENS' FORUM

Citizens Forum Open
Email from Eric Spurling was summarized by D. Benton. The email was on the subject of the intention and current status of the TDR process.
Citizens Forum Closed

2. APPROVAL OF THE PRIOR MINUTES

- October 8, 2024 Regular Meeting Minutes

Motion: T. Clark moved to approve the regular meeting minutes of October 8, 2024 as submitted. Seconded by: G. DeBoer. Vote: U/A

3. OLD BUSINESS

4. NEW BUSINESS

A. Consideration and acceptance of a Site Plan amendment for Wooden Ruler, LLC Assessor's Map 6, Lot 40, zoned CBD-G, located at 42-44 Third Street. (Proposal is to amend design of the building and amend conditions regarding parking provided.) *(WAIV-2024-0012)

D. Benton explained that on November 8, 2022, the Board approved a Site Plan and Conditional Use Permit for a mixed-use building with commercial use on the first floor, 39 below grade parking spaces, and 58 residential units. The applicant now seeks to amend the architectural plans and modify Conditions of Approval 13 & 19 to allow for alternative parking arrangements.

In the previously approved plan (P22-60), the applicant proposed building a parking garage at 35 Third St. to handle overflow residential parking and a Condition of Approval (#13) required the issuance of a building permit for the garage. Now, the applicant seeks to change this by instead directing overflow residential parking to two surface lots at 35 Third St. and 5 Grove St.

The applicant provided a Parking Demonstration plan that indicates 18 units at 42-44 Third St. will be given a parking pass at 35 Third St., 16 units at 42-44 Third St. will be given a parking pass at 5 Grove St. and 24 units at 2 Grove St. will be given a parking pass at 1 Grove St.

The applicant also seeks approval to reduce the footprint of the building's third through fifth floors, making them smaller than the first two stories.

One waiver is being requested by the applicant, from Chapter 153-14(D)(4)(C) for off-site parking for the CBD-G District within the CBD-TOD District.

Christopher Berry, Berry Survey and Engineering represented the application and explained the request noting they have secured additional parking spaces off site, but request a waiver for residents to be able to park across the street at 5 Grove St.

The applicant also requests to reduce/ eliminate the impact fees due to the recent change to fees and because the project has not been started yet. The date of original approval was November 2022. The applicant is requesting a one year extension to the active and substantial development requirements which are about to run out.

Mr. Berry clarified for the board that the building at 42-44 will have a parking structure underneath, but they were planning to build a separate parking garage which is now not in the works; other parking areas proposed for usage are owned by the same applicant and the description of who parks where was given; explanation of parking for light manufacturing facility that came to the board recently; distribution process of parking spaces to the residents; architectural changes to the plan; crosswalk plans.

Motion: K. Pimental moved to accept the application and declared no regional impact. Seconded by: M. Gambino. Vote: U/A

Public hearing opened.
No one spoke
Public hearing closed.

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 waivers meets criterion (1) and waiving such standards and requirements is not contrary to the spirit or intent of the ordinance.

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

Subsequent Conditions of Approval Prior to Signing of the Plans:

1. Provide a decorative fence, (e.g. wrought iron), along parking lots of 5 Grove St. and 35 Third St. to help screen the parking as a note on the plan;
2. Add a note that if ownership changes for lots 3/22, 31/12, 31/11, 06/40, that a parking easement must be recorded at the SCRD that shows same allocated amounts as the Parking Demonstration plan or a revised parking lease shall be submitted to the City of Dover's Planning Department indicating the same terms for parking per the revised plan set;
3. Add note to plan that Property owner shall maintain parking permit management system including files that may be reviewed by the City Staff at any time during business hours to ensure the number of permits given out do not exceed parking spaces per Parking Demonstration plan.

Mr. Berry confirmed for the board that the parking they are allotting for the project is currently owned by the applicant and is not being used.

Motion: K. Pimental moved to grant the waiver requests with the subsequent conditions set by staff as it meets criteria for relief. Seconded by: D. Shanahan. Vote: U/A

D. Benton noted the condition of approval regarding impact fees can be discussed by the board. The approval was in 2022, which is prior to the dates the board has set for relief of these fees. Since the applicant is before the board making the request, they can discuss and make determination.

Regarding the extension request, she noted the plans don't expire until 2027. The applicant stated if staff doesn't believe there is an issue with the expiration of the plans, they also don't.

The board discussed the request for elimination of the impact fees.
Chair Cruikshank and M. Gambino both noted split opinions on the matter as the project hasn't started, but the approval falls so far ahead of the date set by the board.
Several members such as M.Gamino, G.DeBoer, and D.Shanahan prefer to keep the fees in place as the approval was two years ago and demolition occurred a year ago.

STAFF RECOMMENDATION- Site Plan Amendment:
Chapter 153-4 of the Site Review Regulations of the City Code provides for site review by the Planning Board of new construction of various types, including amendments. This plan is consistent with those regulations.

The Planning Department recommends the Planning Board make findings and vote to approve the application with the following subsequent conditions as the plans meet the standards outlined:

Subsequent Conditions of Approval Prior to Signing of the Plans:

1. Same conditions of the original approval (P22-60) still apply, sans Conditions 13 & 19;
2. Parking lots A and B shall conform with:
   - 2.1. Parking Lot design standards per Chapter 153-14(D)(6);
   - 2.2. Parking Lot lighting standards per Chapter 153-14(E)(2);
   - 2.3. Parking Lot Interior landscaping per Chapter 153-14(G)(2);
3. Revise previously approved plan set to:
   - 3.1. Add revised permit plan package to previous approved plan with note indicating that that this revised plan package supersedes the previously approved plan package (P22-60);
   - 3.2. Add Parking Demonstration Plan to plan set described in condition #2;
   - 3.3. Add note that the parking lease agreement is in perpetuity or until an amendment is approved by the Planning Board;
   - 3.4. Add file number (WAIV-2024-0012);
   - 3.5. Note re: compliance with Chapter 153-14(D) (parking lot design), (E) (parking lighting), and (G) (parking landscaping);
   - 3.6. Add note that two (2) additional parking spaces in either Parking Lot A, B, or combination thereof, shall conform with ESVE readiness per Chapter 153-14(D)(3);
   - 3.7. Add notes regarding waiver granted and conditions of waiver to revised site plan package;
   - 3.8. Add note that any amendments to any of the lots (3/22, 31/12, 31/11, 06/40) will need to be reviewed by City Staff and in compliance with the Parking Demonstration Plan;

Subsequent Conditions of Approval Prior to Occupancy:

4. All other conditions per P22-60;
5. A parking lease or easement plan shall be recorded at SCRD prior to occupancy of first unit at 42-44 Third St aka Map 6, lot 40.

Motion: K. Pimental moved to approve the Site Plan Amendment with subsequent conditions set by staff as it meets criteria. Seconded by: T. Clark. Vote: U/A

The Chair announced Item 4B would not be heard as the applicant requested a continuance.

B. ~~Consideration and acceptance of a Transfer of Development Rights for True North Development, LLC, Assessor's Map 7, Lot 14, zoned R-20, located at 35 Boston Harbor Road. (Proposal is to purchase one (1) additional unit through TDR for a total of three (3) non-restricted units.) *(TRAN-2024-0013~~)
[*This item has requested a continuance.]*

Motion: D. Shanahan moved to continue this item to the November 12, 2024 meeting. Seconded by: T. Clark. Vote: U/A

The Vice Chair announced Items 4C & D would be heard together.

C. Consideration and acceptance of a Conditional Use Permit for 17-19 Summer Street Properties, LLC, Assessor's Map 12, Lot 35-1, zoned HR, located at Locust Street. (Proposal is to build a 2,400 s.f. four (4) unit building in the Heritage District.) *(COND-2024-0020)
D. Consideration and acceptance of a Site Review for 17-19 Summer Street Properties, LLC, Assessor's Map 12, Lot 35-1, zoned HR, located at Locust Street. (Proposal is to build a 2,400 s.f. residential building consisting of four (4), two-bedroom units, improved driveway access, parking, utilities and drainage improvements.) *(SITE-2024-0003)

D. Benton explained that the applicant is proposing the construction of an approximately 2,400 square foot, 2-½ story, four-unit structure on a vacant lot on Locust Street with associated parking and landscaping.

The applicant proposes access to the site through a shared 24' wide driveway located on the abutting property at 17-19 Summer St. The shared access will provide eight parking spots for the proposed 4-unit multi-family dwelling and four parking spots for the existing 4-unit building at 17-19 Summer St. Easements will be granted to allow for access and parking on the abutting lot.
The applicant is seeking one waiver as part of this proposal from §153.14.E (2)- Parking Lot Lighting, in order to reduce light spillover onto adjacent residential properties.

A Conditional Use Permit is being proposed as part of this project, (COND-2024-0020), to allow for the creation of a 4-unit dwelling structure within the Heritage Residential (HR) District.

The Zoning Board of Adjustment (ZBA) granted a Variance from §170-12, HR District 3-4 Family Dwelling Creation/Conversion CUP criterion C, where parking lots are required to be at least five feet from a side property line. The following ZBA actions were taken related to this request:

1. July 18, 2024, Variance granted in relief of parking lot setback CUP requirement.
2. August 15, 2024, Variance granted to correct scrivener's error in Variance granted on July 18, 2024.
3. September 10, 2024, Request for rehearing granted pursuant to Variance granted on August 15, 2024.
4. September 19, 2024, Appeals of three related administrative decisions denied.
5. October 17, 2024, Rehearing and approval of August 15, 2024 Variance.

The Technical Review Committee reviewed the application at their March 28, 2024 and May 9, 2024 meetings.

Steve Haight, CivilWorks represented the application and explained the request for CUP for a 4-unit structure with shared parking. TRC feedback was incorporated into the plans by reducing parking on site. The waiver is to reduce lighting. All of the parking is internal to the site and meets the regulation for safe onsite parking. Upgrades to the City include upgrades to the sidewalk in front, paved parking lot and removal of a dumpster. He explained the variance granted for parking within the 5' side setback because it is shared parking for both lots which are both owned by the applicant. The parking easements have been recorded.
He addressed drainage and utilities.

M. Gambino is concerned about traffic impact and asked for more information which Mr. Haight provided. She also expressed concerns about using a parcel in the Heritage District as a parking lot. That is not in keeping with the character of the neighborhood.
Mr. Haight showed on the map where the current parking is located.
He also addressed the existing trees on site and the intent with the trees.

Motion: T. Clark moved to accept the application and declared no regional impact. Seconded by: G. DeBoer. Vote: U/A

Public hearing opened.
Roy Tilsley attorney at Bernstein Shore represented Jeff and Maureen Sanborn of 30 Silver St, abutters opposed to the CUP request. A 2-unit building is allowed here by right, but 4 units require a CUP. There are six criteria that need to be met along with the 3 general CUP criteria.
Open space requirement: The existing parking lot will be expanded to accommodate 8 units. Requirement is to have equal amount of open space as the other lots in the Heritage district within 200 sq ft. How did the applicant calculate this? Where is that in the application? Is the rain garden part of the open space? Don't believe it should be counted. In order to get 35-1 into compliance, they are paving lot 35. That seems counter to the spirit of the district. The proper calculation is to determine the open space on each of these lots, then compare those to others to see if they are improving the lots or not.
The variance granted for the parking within 5' setback: The ZBA does not have the authority to issue a variance to CUP criteria. That lies with the Planning Board. Relief from ZBA should have been for a use variance not just a parking item.
Consistency with the neighborhood: Paving the lot to meet open space requirements is not compatible with the neighborhood. GIS mapping was shown of the number of units proposed on this lot and number of units of surrounding properties.
Do not believe they meet the CUP criteria.

Michael Rudolph, 713 1 Central Ave, former tenant of 19 Summer St from 2021-2023 expressed issues he had with the property owner such as clogged gutters leading to water damage; outdated and unreliable electrical system; fence disrepair. Repeated requests were not addressed. He questions the owner's commitment to maintain the historic integrity of the property and safety of their tenants.

Joe Hill, 148 Locust St read a statement expressing this project will reduce open space, encroach on the historic museum, create a 12-car parking lot which will exit onto Locust St. which is very busy and dangerous. The project is too large for this lot and should be reduced to a duplex. He encouraged the board to come to that area in the morning and at 3pm to witness the traffic issues.

Carl Paulson, 8 Hamilton St. read comments of Anthony McManus: the Heritage District is governed by the Planning Board and ZBA. The ordinance regulates proposed developments in the district be reviewed to protect the character and architectural heritage. The proposal for 8 units within a small lot plus parking is not consistent with the district.
He also noted he has his own concerns relating to economic policy and environmental management such as: impervious surfaces and runoff.

Sarah Stender, 38 Silver St. read a statement from Laurie Smith of 36 Fisher St in opposition to the proposal due to its location in the Heritage district, character of the neighborhood, lack of benefit to all parties: city, neighborhood and applicant.
Her own comments relate to traffic which is already terrible and this will make it worse. She doesn't believe there are enough proposed parking spaces for all the units proposed.

Sara Treacy, 148 Locust spoke about preserving historic buildings. She moved to Dover specifically for the 1810 home she bought. She commented about the tear down of a historic structure in 2014. The new structure is out of character and that led to creating the Heritage District. She itemized the timeline of that process and the regulations created. She asked the board to deny the proposed development.

Sarah Santiago, current resident of 19 Summer St. spoke in opposition to the proposal. The backyard of lot 35 will be turned into a parking lot but that doesn't seem to be considered since there is no proposed building scheduled for that lot. The three units at 17 Summer St. currently share four parking spaces on Summer St. which does not meet the 2 spaces per unit requirement. The four spaces in the yard are designated for the four units at 19 Summer St. On snow emergency or street cleaning one of the cars from 17 Summer needs to find space within the four 19 Summer St. spaces. 12 spaces isn't enough for 2 spaces per unit. There are seven dogs currently sharing that yard between all of the units and they will not have a fenced in area during construction. From the Traffic Advisory Committee, she noted there have been 30-40 accidents at the intersection since 2019 and about half had to be towed away from the scene. Adding eight cars will impact the traffic. In addition, landscaping is not always timely and the bushes become overgrown creating no site lines to exiting the property onto the street. There are other landscaping issues that haven't been addressed such as overgrown gutters and if this owner won't maintain what they already own, should they be granted additional properties to neglect.
Public hearing closed.

S. Haight addressed public comment:

- The variance was a request from the Planning Department to have that done
- Open space calculations were presented to the TRC
- The 4-unit proposal meets all CUP criteria such as setback, open space, one entrance
- Sharing parking to create a safer situation and get cars off the street
- They could propose 4 additional parking spaces, but removed those at the request of TRC and abutters
- Whether gravel or paved, still considered impervious surface
- Paved so that it can be maintained
- Applicant will repair fence if needed
- Will only cut down trees necessary and leave the rest
- Additional plantings are in the landscape plan
- There is no drainage treatment on site now. What's proposed is robust and will handle the drainage. The drainage proposal has been reviewed by staff.

- Agree that traffic on Locust street is an issue. This project will not solve or exacerbate it. Eight additional cars will not have any significant impact to the traffic there. The shared driveway will help maintain a safe flow of traffic onto the road from a central access point.
- Historic preservation: discussions with staff from the beginning of the planning process were clear about making sure it is similar to those in the neighborhood as best as possible as a new structure can
- Can't address dogs/ landscaping/ relationship with the owner

K. Mavrogeorge confirmed for the Chair he is comfortable with the proposed storm water design.

Mr. Haight addressed items for the board:

- There will be more pavement than gravel that currently exists

D. Benton addressed that the applicant went for a Variance because they could not meet one of the criteria of the CUP which is listed in the Zoning Ordinance and the relief mechanism would be a Variance.

Mr. Haight noted if the fence is on the applicant's property and needs repair or replacement, it can be a condition of approval and the applicant will handle it.

- Addressed how they meet all the requirements for CUP
    - Open space: criteria was read and explanation given
    - Off-street parking: quantity and no backing into the street
        - Parking spaces on Summer St will remain
        - On-site parking will incorporate into the proposal
            - Initially additional spots were proposed internally, but were negotiated out as part of TRC process and abutter feedback at TRC
        - Parking lot distances from lot lines: this was the purpose of the variance request. Parking easements have been recorded at the registry
        - Screening for parking: Internal so shielded from neighbors, vegetation will be maintained at front and rear.
        - Structure setbacks: meets all these requirements
        - New Construction must look like a single family: photos were shown of the proposed design.

Explanation given regarding likely no dimensional changes if this were proposed as a duplex. Would likely just be larger units and potentially same amount of parking to get the ones using Summer street into the lot.

Discussion about whether the ZBA has the right to grant a variance for a CUP criteria.
Mr. Haight agreed the applicant didn't think a variance was required, but requested one due to staff suggestion. In addition, a variance is not required if both parcels are in same ownership and easements have been recorded- which they have.
Additional discussion about parking continued for clarification.
D. Benton confirmed Planning Board does not have any role in the way a landlord communicates with tenants or maintains property, but can add conditions for any items that need completion such as the fence maintenance.

STAFF RECOMMENDATION: Conditional Use Permit
§170-20.B(1) of the Zoning Ordinance allows for Conditional Use approval for relief from the standards herein which may be granted by the Planning Board, (RSA 674:21 II), after proper public notice and public hearing provided that the proposed project complies with the following standards:

Conversion to, or creation of Dwelling, 3-4 Family: Three- or four-family dwellings and conversions of existing dwellings to three (3) or four (4) units shall be subject to the following regulations:

A. The specific site must have an amount of open space, either landscaped or left natural, at least equal to the average amount of open space on all developed lots in the HR District that are wholly or partly within two hundred (200) feet of the subject parcel. Existing parking areas, either gravel, paved or unpaved, shall not be considered to be open space.

B. Off-street parking, in accordance with Chapter 153, Site Review, shall be provided as to avoid vehicles backing into the street. Two (2) parking spaces per unit shall be required.

C. Parking lots shall be at least five (5) feet from a side property line and ten (10) feet from a front property line.

D. Parking areas shall be screened from the street and from abutting lots.

E. Structures shall be at least twenty (20) feet from a front property line, thirty (30) feet from a rear property line and fifteen (15) from a side property line unless abutting a street, in which case, the distance from the side property line shall be twenty (20) feet.

F. For new construction, the building must be designed to look like a SINGLE FAMILY DWELLING. At a minimum, this shall mean that only one entrance shall be visible from a public street. For conversions, the building must retain its appearance as a SINGLE FAMILY DWELLING or a 2 family dwelling, whichever is the current use. Notwithstanding any other provision of Chapter 170, a legal or legal non-conforming accessory structure existing as of the effective date of these regulations may be converted into one or more residential units, provided that the building shall not be enlarged, nor shall any exterior improvements be made to alter its appearance as an accessory structure.

Planning Staff feels that the applicant considered and met all of the criteria as specified in the HR District's requirements for the creation of a 3-4 Family Dwelling, with the exception of criterion C, which the Applicant appropriately obtained variance relief from based upon the applicant's narrative submitted.

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

Motion: K. Pimental moved to approve the Conditional Use Permit as it's consistent with regulations. Seconded by K. Mavrogeorge. Vote: 4-3 with Gambino, Clark and DeBoer opposed

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 waivers meets criterion (2) and waiving such standards and requirements is not contrary to the spirit or intent of the ordinance.

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 approved a waiver for §153.14.E (2) to allow for less parking lot lighting than what is required, and that the Board found the criteria of Chapter 153-21 have been met.

Motion: K. Pimental moved to grant the waiver request with subsequent condition set by staff as it meets criteria 2 for relief. Seconded by: K. Mavrogeorge. Vote: 6-1 with T. Clark opposed

STAFF RECOMMENDATION- Site Plan:
Chapter 153-13 outlines Site development plan. 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:

Subsequent Conditions to Be Met Prior to Signing of the Plans:

1. Add owner's signatures;
2. Add PE, LLS, and LLA stamp and signature;
3. Approval of CUP (COND-2024-0020);
4. Remove note referencing sought waiver for §153.14.B(3) from plans;
5. Submit final plans (including CAD) with owner's signature and all professional stamps and signatures;
6. Pest control specialist review the site and indicate whether pest control plan is needed. If determined that a pest control plan is needed, the plan must be followed per Chapter 153-10.G.
7. Add to plan a new fence consistent with the character of the heritage district i.e. wooden picket or equivalent extended throughout the entire rear property line.

Subsequent Conditions to Be Met Prior to Construction:

8. A site construction sign with the contact information for the general contractor and indication of level of noise, vibration expected, must be displayed in a location approved by the City Engineer or Planning Director;

Subsequent Conditions to Be Met Prior to Building Permit:

9. Payment of Water and Sewer Investment Fees if applicable at time or request of service.

Subsequent Conditions to Be Met Prior to Occupancy:

10. Issuance of Certificate of Occupancy;
11. Surety or other form of security acceptable to the City is provided for any unfinished work.
12. 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.
13. Fencing along northern and eastern lot lines is in good standing and extended for the entire rear property line

Motion: K. Pimental moved to approve the Site Plan with subsequent conditions set by staff as it meets criteria. Seconded by: K. Mavrogeorge. Vote: 4-3 with Gambino, Clark and DeBoer opposed.

The Chair announced Items 4E & F would be heard together.

E. Consideration and acceptance of a Transfer of Development Rights for Fergus & Jennifer Cullen, Assessor's Map B, Lot 4-F, zoned R-40, located at 566 Sixth Street. (Proposal is to purchase three (3) units through TDR for a total of five (5) units.) *(TRAN-2024-0014)

F. Consideration and acceptance of a Minor Subdivision for Fergus & Jennifer Cullen, Assessor's Map B, Lot 4-F, zoned R-40, located at 566 Sixth Street. (Proposal is to subdivide one (1) lot into three (3) lots through TDR.) *(SUBM-2024-0005)

D. Benton explained that the applicant is proposing a total of five residential units by purchasing three size-restricted units through TDR. The proposal includes maintaining the existing single-family dwelling and the construction of two, two-family dwellings.

The existing lot, Assessor's Map B, Lot 4-F, contains one single-family dwelling. Today, the Zoning Ordinance would allow for the existing single-family dwelling to be converted into a two-family dwelling. Therefore, it was determined by staff that two units would be allowed by right.

A Minor Subdivision is also being proposed as part of this project, (SUBM-2024-0005), to subdivide the existing lot into three lots. The proposed lots 4-F, 4-F-1, and 4-F-2 would each have approximately 0.45± acres. As the applicant is utilizing the TDR ordinance, relief for lot size, frontage, setbacks, density, and intensity may be provided.

The applicant's original TDR request involved additional units and was treated as a site plan. The applicant took feedback from the Technical Review Committee (TRC) and revised the request to be a minor subdivision utilizing TDR by requesting to purchase three size-restricted units, therefore many of the previous TRC comments became non-applicable to a minor subdivision with four new units proposed.

The Technical Review Committee most recently reviewed the application at their October 17, 2024 meeting.

Steve Haight, CivilWorks represented the application and explained the request to construct two duplexes and subdivide them from the existing parcel leaving the existing structure in place. He described the lot sizes, one shared driveway and one separate driveway, utility location/access, single entrance on each duplex, and buffer around the parcel.

T. Clark noted there are several letters of opposition to the project which site conflict of interest and he wondered if the board should address that first. D. Benton noted the applicant is a Planning Board member, but is not sitting on the board tonight and has no vote in the matter. Any ethical concern should only relate to the board that is sitting tonight. TDR ordinance criteria is site-specific. There is no precedence being set due to other applications or TDR approvals. In addition, this application will not set any precedence for other TDR applications as each application should be reviewed individually within its own neighborhood and with its own merits. While she can't speak for all entities, the Planning Dept and TRC have utilized the same checklist for this application and have completed a review just as they do for all others and have treated this application and the applicant the same as any others.

Chair Cruikshank noted she intends to review the application based on its merit- whichever way she votes will not have any relation to the applicant.

Mr. Haight clarified staff determined two units are allowed on site by right. The applicant has given up that second unit towards the TDR request, so with this proposal they give up the right to a second unit on the original, existing lot.

Upon board request, D. Benton explained the TDR program and how it has more recently evolved, how the fees are determined and that the funds go to Conservation Fund. Open Lands Committee/Conservation Commission recommend and Council votes to purchase lands to conserve/ spend the funds on conservation efforts in addition to other costs associated with conservation land.
She clarified additional details of the TDR process for the board members.

K. Pimental commented on the criteria that TDR be consistent with the master plan is vague as there are conflicting guidelines within the master plan itself.

Motion: K. Pimental moved to accept the application and declared no regional impact. Seconded by: M. Gambino. Vote: U/A

Public hearing opened.
Scott Hogan, land use attorney representing nine abutting property owners noted he was hired when the original proposal was established due to its density. Tobin Farwell, LLS was also involved and gave input which he included in his remarks noting the original proposal was seven times the normal density for the district. Additional concerns are for the abutters to have the ability to maintain their lives and marketability of their property in the R40 zone, the site has been clear cut and the perimeter buffer is not fully existing, impervious coverage seems to be too much. He noted the conflict of interest is not the applicant being on the board, but a member currently seeking use of TDR opining on other applications may cause a conflict.

Rory Wilkie, 568 Sixth St believes the TDR program is being taken advantage of in this instance. This proposal will overdevelop the site and negatively impact the rural character. He is concerned that the applicant is using the term attainable housing and speculated on the income needed to afford these units. The examples given by the applicant meet the requirements for being compatible to land use on neighboring lots which this proposal does not. He gave details about these examples. He believes it was a conflict for the applicant to vote on a recent application which he is now using in his narrative as a supporting example.

Caitlin Wilkie, 568 Sixth St spoke on behalf of herself, the Browns at 570 and the Vandinis at 569. The applications must meet the requirements of both the subdivision and the TDR. She does not believe they meet the requirements. The square footage will not meet the zoning regulations, and the 30-foot no-cut buffer has been violated. She requests a signed letter from certified wetlands scientist stating there is not wetland there to be affected. The proposed impervious surfaces are 20% which exceeds the regulations of 10% by 100%. Proposal does not meet the frontage requirements which will cause a safety concern. Her home's location is inaccurately depicted on the plan. She itemized concerns she has relative to close proximity of new structures to her property, safety, traffic, trash, parking, quality of life, and marketability. She also expressed her concerns about the conflicts of interest.

Leon Drouin, 565 Sixth St explained the way the street and lots used to be back when he bought the property in the 1970s. Now the trees are going and the traffic is very dangerous and goes way too fast. The TDR is supposed to have limited areas for dense housing- this isn't the right location- too much traffic and safety concerns for accidents. There are supposed to be 1-ac lots in that area- not partial acre lots.

Hilary Hamer, 91 Court St urged the board to deny the TDR request. She noted the reasons for zoning. When these are waived for TDR, the TDR regulations should be strictly enforced. She itemized several TDR-based projects implemented over the last few years and concerns she has about traffic, strain on the school system and developments being added into existing neighborhoods. She listed several ongoing projects and noted the total number of additional units coming online between them is about 500.

Michael Ortlieb, 560 Sixth St. noted there is a need for housing, but there are properties in Dover that are better suited for multi-family development. The R-40 zone is not the place for that. This proposal is not consistent with R-40 zoning. He agreed with concerns about tree removal, runoff and erosion.

Jim Gowen, 206 County Farm Cross Rf (grew up at 562 Sixth St. where his parents still live) that area is/was rural and that's why people purchased those properties. The value out in that area is in the land and the space and nature. The value of downtown property is in being close to restaurants and not having lawn to mow etc. He is also concerned about the applicant informing the contractor that approvals are all set after Tuesday and to be ready to break ground. Please keep the rural areas as they are.

Mike Krall, 30 Wildcat Dr, new development off Sixth St moved here for the mixed living of close to town, but not downtown. He is concerned about multiple recent projects seeming to cram additional housing units onto small lots.

Tim Mallard, 141 Cottonwood Dr noted the proposal will affect all of the neighbors. He doesn't think there would even be enough space for two additional single-family homes, never mind duplexes. He is concerned about parking and all the additional people.

D. Benton summarized emails received from:
Opposed:

- Kenneth and Donna Durell, 508 Sixth St.
- Tamara Hester, 571 Sixth St.
- Kellen Millard, 6 Back Rd
- Matt Moynihan, 10 Belknap St.
- Katherine Riley, 11 Governor Sawyer Ln
- Karen Booker, 5 Berkshire Ln
- Jorel Booker, 5 Berkshire Ln
- Alise Elliott, 251 7 Knox Marsh Rd
- Michael Lacourse, 591 Sixth St.
- Heidi White, 113 Durham Rd
- Ryan Crosby, Executive Director, Dover Housing Authority

In favor:

- Cory Stone, 22 Piscataqua Rd.

Public hearing closed.

Mr. Haight addressed public comment:

- Applicant is trying to meet the TDR requirements with his property
- The proposal has gone through a couple of iterations on density
- Applicant is aware of what the TDR is for and what it's meant to accomplish
- Site distance was reviewed. Yes, traffic is already bad on the road, this will not solve nor exacerbate
- 10% lot coverage is in reference to building coverage and these buildings are much less than 10%
- Applicant did clear the land, but is aware of the 30' buffer and has not cut into that area
- If plan is approved, placards will be installed indicating no cutting beyond that point
- Wetlands scientist did visit the site, the plan is accurate and the letter is in the packet.

Additional questions and discussion from the board relating to:

- Landscape plan (none required)
- Design and layout options of the homes
    - Discussion with K. Mavrogeorge – orientation of the homes on the lot

- K. Mavrogeorge suggested vegetation buffer be added in / restored on the corner of the private drive along Sixth St. (where there has been a garden)
- K. Pimental discussed with S. Haight and D. Benton the language of the ordinance
- D. Benton addressed the land use compatibility of the proposal
- Discrepancy of location of 568 Sixth St. on the plan can be double checked
- Reduced frontage and lot area request is part of the TDR proposal- no waivers being sought

T. Clark expressed concerns about the TDR usage and that five units is too much for this project. Single – family homes would make more sense to the area.
S. Haight commented about the median home now in Dover is probably $600,000 and there are no $300,000 starter homes anymore. By building a duplex, it costs a little less and can be rented or sold for less and be more realistic to be purchased by a wider range of folks.

The board discussed attainable/ affordable terminology used by Dover staff. The proposal is not to rent/sell for HUD rates, but to restrict the size to 1000 sq ft.

Additional clarification for the board from Mr. Haight:

- Descriptions of the duplex: layout (rooms) / footprint of duplexes vs existing home
- Are there restrictions on the attainability (deed-restriction)
    - D. Benton addressed the size restriction will be recorded in the deed and any building permits for expansion will be denied. There is currently no process to keep the a for sale price point within any particular range.
    - Clarified the two duplexes are size restricted. The existing single-family home could come back to the board at a future time with a proposal to add a unit.

K. Pimental noted there is no restriction within the TDR criteria that the units be affordable or attainable. It only plays a role in determining what the fees are and this applicant has not chosen that- they are doing a size restriction which lowers the fees.

K. Mavrogeorge noted the size difference between using the TDR and duplexes vs single-family houses. The buildings would be probably larger if they were single-family homes and could have rooms rented out.

K. Mavrogeorge and M. Gambino would like some vegetation/ buffer/ landscape plan.

D. Shanahan addressed the conflict of interest. He noted he would not be sitting here if he thought there was a conflict of interest. He has spoken legal counsel and discussed the matter. He does not believe there is a conflict of interest. If there is a public perception/ public relations issue, Councilor Cullen can address that. This proposal isn't the ideal use of TDR, but with housing units in such need, it's a good option, if not the best option. Ultimately this is the kind of thing we are going to need to do for the next several years to get out of the housing crisis.

G. DeBoer noted this project is pushing the boundaries. We are trying to have additional density and housing, but we also have this R-40 zone which needs to be protected to keep the variety and uniqueness of Dover as itemized in our master plan. Sixth St. is not the place for density- there's no sidewalks or services.

K. Pimental agreed, this comes down to density. Two units are allowed. they are asking for 5 total which is a 60% increase from what is allowed. It is up to this board.

D. Benton discussed with S. Haight additional options of subdividing the lots to come up with the additional four units.

Chair Cruikshank noted she likes the look of the proposed units and the smaller footprints. It's a tough balance to provide the additional housing we need. She would prefer three single-family homes.

It was clarified that the frontage for the proposal is right in line with the other property frontages on the street and any one of those homes has the legal right to turn the home into a duplex.

The board discussed whether a site walk is necessary and determined it's not.

STAFF RECOMMENDATION - TDR
§170-27.2 provides for additional density to be purchased through Transfer of Development Rights. This application meets the ordinance.

Section 170.27.2.G(8) states:

"Regardless of the method utilized, any other provision in this Chapter to the contrary, the density or intensity of development of a receiving parcel may be increased by the TRANSFER OF DEVELOPMENT RIGHTS so long as the increase in density or intensity meets the following criteria and a narrative is submitted indicating how those criteria are met:

(a) Is consistent with the Master Plan

(b) Is compatible with the land uses on neighboring LOTs (eg a multifamily building fits in with in a single family neighborhood). The applicant shall provide in their narrative an explanation of their neighborhood analysis.

(c) Is created on property served by public water and sanitary sewer.

(d) Any relief sought should not be caused by the additional density."

The Planning Department recommends that the Planning Board make the necessary and supporting findings of fact, and vote to find the criteria of the TDR ordinance has been met with the following subsequent conditions:

Subsequent Conditions to be Met Prior to Granting TDR:

1. Approval of SUBM-2024-0005;
2. Payment of TDR fees;
3. Add note to plan: "This subdivision uses the Transfer of Development Rights ordinance which allows for relief to the setbacks, lot area, frontage, density and intensity of the development. The Board granted TDR relief to purchase 3 size restricted units for a total of 5 units between the three proposed lots."
4. Add note indicating which units will be size restricted and which size restriction will be used. (1,400 s.f. per the current design or amending floor plans to meet 1,000 s.f.);
5. Provide draft deed restriction to staff regarding size restricted units upon subdivision being recorded at SCRD.
6. Two new TDR lots should have four 6' tall (when planted) green giant arborvitaes along the corners of each lot or spread across the side of the private drive and a minimum of four between the left TDR lot and the existing home to the north in the buffer.

Motion: T. Clark moved to deny the Transfer of Development Rights request as it doesn't comply with the criteria in the zoning ordinance. Seconded by: G. DeBoer. Vote: 4-3 with Cruikshank, Shanahan and Mavrogeorge opposed. The TDR request is denied.

G. Public hearing and possible recommendation on the City's proposed Capital Improvements Plan (CIP) FY 2026-2031. The CIP can be found on the City website at www.dover.nh.gov and in the Library, City Clerk's office, and the Planning Department. *

D. Benton explained the CIP process and reminded the Board of the joint workshop held on the 16th. She recommended the board hold the public hearing and if they wish they can vote tonight that the CIP meets the intent of the master plan and recommend it to City Council.

Public hearing opened
No one spoke
Public hearing closed.

K. Pimental noted Dover's CIP is fantastic- easily understandable and clear.

Motion: T. Clark moved to recommend for City Council approval the City's proposed FY26-31 CIP as it is in line with the master plan. Seconded by: K. Mavrogeorge.

G. DeBoer asked clarifying questions about the library, Littleworth industrial park, and downtown pedestrian improvements. Staff provided answers.
Vote: U/A

5. STAFF COMMENTS

- Staff always encourages Board's education/development. One resource is the BEA Planning Board Handbook including a quiz members can take.
- NH Land Use Law Conference: Join your colleagues from around the state at the NHMA 2024 Land Use Law Conference from 9am to 3:15pm on Saturday, November 16th at Southern NH University, in Manchester NH.
- D. Benton shared that city staff received a draft of the updated Conservation and Open Space Chapter of the Master Plan. The project Steering Committee will be meeting on November 4th to review the draft and the Board will be considering and potentially approving the chapter at the December meeting.
- TRCs since last meeting:
  - (Oct. 17th) Review of TDR Subdivision for 566 Sixth Street. Proposal is to subdivide one lot into three lots and purchase three units through TDR, resulting in a total of five units across the three lots.
- Upcoming TRCs:
  - (Oct. 31st) Review of site plan for 114 Silver St. *(Third TRC meeting related to this project.)* Proposal is to convert the single-family home into a 4-unit multi-family dwelling on one lot and construct a 3-story, 4-unit multi-family dwelling on the other with eight associated parking stalls for each building.
  - (Nov. 7th) Review of site plan for Dover Housing Authority at 3 Green St. Proposal is to construct 22 parking spaces at the rear of the building where there are four parking spaces currently.

6. MEMBER COMMENTS

- G. DeBoer
  - Traffic studies and the overall impact of project on top of project

- K. Mavrogeorge noted we can ask for third party review of traffic studies if we need it
- D. Benton noted it is an item that TRC reviews carefully and there are occasions where changes are needed before completing technical review

- M. Gambino
  - This was a tough night of hearings and she appreciates how much time staff puts in before the board even hears these projects and then to go through everything again for the board is appreciated.

7. ADJOURNMENT

Motion: K. Mavrogeorge moved to adjourn at 11:11pm. Seconded by G. DeBoer Vote: U/A

DONNA P. BENTON, AICP
Director of Planning and
Community Development
d.benton@dover.nh.gov

288 Central Avenue
Dover, New Hampshire 03820-4169
(603) 516-6008
Fax: (603) 516-6049
www.dover.nh.gov

City of Dover, New Hampshire

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

NOTICE OF DECISION

June 2, 2025

Fergus & Jennifer Cullen
152 Boxwood Lane
Dover, NH 03820

Re: Minor Subdivision for Fergus & Jennifer Cullen, Assessor's Map B, Lot 4-F, zoned R-40, located at 566 Sixth Street. (Proposal is to subdivide one (1) lot into three (3) lots through TDR.) (SUBM-2024-0005)

Dear Mr. & Mrs. Cullen,

Please be advised that on Tuesday, May 27, 2025 the Dover Planning Board voted to conditionally grant final approval of the above referenced plat and found the criteria of 157-16 have been met.

The specific subsequent conditions are included with this letter.

In addition to the conditions of approval, please provide the following to the Planning Office:

- ☐ Two (2) full size plans and one (1) 11'x17" plan (plus any additional copies for the applicant or owner);
- ☐ One (1) recordable paper copy of the plan:
- ☐ One (1) CAD file format of the plan; and
- ☐ One (1) PDF digital version of the plan

The plans must be submitted within ninety (90) days from Planning Board approval. Upon receipt, the Planning Board Chair will sign them approved. Any application which is not signed by the Planning Board Chair as complete, in accordance with the regulations, is deemed expired, and null and void.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

Donna P. Benton

Donna P. Benton, AICP
Director of Planning & Community Development

EC: Building Inspection Office
Engineering Office
Assessing Office
McEneaney Survey Associates
Civilworks New England

Subsequent Conditions to be Met Prior to Signing of the Plans:	**Submitted**	**Reviewed**
1. Approval of TRAN-2024-0014;	☐	☐
2. Provide physical and digital copies (including CAD) of complete set which additionally shall include:	☐	
2.1 Signature and stamp of PE, LLS, CWS, and LLA.		
2.2 The owners' signatures for recording at Strafford County Registry of Deeds.		
2.3 Provide draft driveway and roof maintenance agreements to the Director of Planning and Community Development.		
2.4 Add where future treeline will be or if existing, show existing treeline and removed treeline currently shown on plan.		
2.5 Add note about no-cut buffer placards to be installed.		
2.6 Add note that no sump pumps or roof leaders will be tied to the public sewer.		
2.7 Revise driveway to a minimum 14' width.		
2.8 Identify FDC if any are proposed.		
2.9 Revise sewer lines to be off Sixth Street.		
2.10 Provide individual water lines for each unit.		
2.11 Remove cleanout outside of building.		
2.12 Add note about addressing as assigned by the Building Official.		
3. The applicant withdraws the previously approved subdivision SUMB-2024-0006	☐	☐
Subsequent Conditions to be Met Prior to Water and Sewer Tie In:	**Submitted**	**Reviewed**
4. Payment of water and sewer investment fees.	☐	☐
Subsequent Conditions to be Met Prior to Occupancy:	**Submitted**	**Submitted**
5. Certificate of Occupancy.	☐	☐
6. Buffer placards shall be in place or if damaged during construction replaced.	☐	☐

STATE OF NEW HAMPSHIRE

HOUSING APPEALS BOARD

FERGUS CULLEN & JENNIFER CULLEN
152 Boxwood Lane
Dover, NH 03820

v.

CITY OF DOVER, NEW HAMPSHIRE
CITY OF DOVER PLANNING BOARD
288 Central Avenue
Dover, NH 03820



APPEAL FROM DECISION OF THE CITY OF DOVER PLANNING BOARD PURSUANT TO RSA 679:5

Roy W. Tilsley, Jr., Esq. (NHBA #9400)
A. Eli Leino, Esq. (NHBA #269065)
Bernstein, Shur, Sawyer & Nelson, P.A.
P.O. Box 1120
670 N. Commercial St., Suite 108
Manchester, NH 03105-1120
(603) 623-8700
rtilsley@bernsteinshur.com
eleino@bernsteinshur.com

Counsel For:
Fergus Cullen & Jennifer Cullen

A copy of this document will be sent to the City of Dover in accordance with RSA 679:6, I, Hab 201.04 (b), and Hab 201.13(a).

STATE OF NEW HAMPSHIRE

HOUSING APPEALS BOARD

FERGUS CULLEN & JENNIFER CULLEN
152 Boxwood Lane
Dover, NH 03820

v.

CITY OF DOVER, NEW HAMPSHIRE
CITY OF DOVER PLANNING BOARD
288 Central Avenue
Dover, NH 03820

APPEAL FROM DECISION OF THE CITY OF DOVER PLANNING BOARD PURSUANT TO RSA 679:5

Petitioners Fergus Cullen and Jennifer Cullen (collectively, the "Applicant") appeal a decision of the City of Dover (the "City") Planning Board (the "Board") in accordance with RSA 679:5 and RSA 679:7 as follows:

INTRODUCTION

The Applicant appeals the Board's unlawful and unreasonable denial of a Transfer of Development Rights ("TDR") application to allow the construction of two new, attainably priced duplexes on property owned by the Applicant. The City enacted the TDR ordinance to encourage "intensive [residential] development on the developable land possessing the least conservation value." The Dover Master Plan pronounces the City's goal of housing that is "affordable, and attainable to a variety of individuals, families, and households at a range of income levels." It states that "Well-designed development includes density" and that the City should "Encourage residential development at a moderate density on smaller lots served by municipal water and sewer. Many of these areas already have established neighborhoods." The Master Plan applies this

intention directly to the Planning Board, including among the Board's "Priorities for Change" "Attainable housing, keeping current residents while growing (economically, culturally, etc.) for future generations."

As an elected member of the Dover City Council and appointed member of the Planning Board, Mr. Cullen is acutely aware of these objectives. The TDR ordinance was created to encourage and incentivize projects exactly like the one he proposed. He submitted a TDR application compliant with the regulations and consistent with the goals spelled out in the Master Plan. Possibly motivated by not wanting to appear biased in favor of the Applicant given his public roles in the community, the Board held the Applicant to an unreasonable and unlawful standard it would not have held another applicant to and ultimately denied the application in a 4-3 decision that is not supported by the record.

PARTIES AND PROPERTY

1. Petitioners, Fergus Cullen and Jennifer Cullen, reside at 152 Boxwood Lane, Dover, New Hampshire. On or about November 29, 2023, they purchased 566 Sixth Street, Dover, New Hampshire (Dover Assessor's Map B, Lot 4-F) (the "Property") at auction. The Property is ±1.37 acres in the R-40 zoning district and is currently improved by a ±1,440 square foot single-family home built in 1957 and fully renovated by the Applicants.

2. The Respondent, the City of Dover, New Hampshire is, on information and belief, a New Hampshire municipality with a principal address at 288 Central Avenue, Dover, New Hampshire.

3. The Respondent, the City of Dover Planning Board is, on information and belief, a lawfully constituted land use board within the City of Dover with a principal address at 288 Central Avenue, Dover, New Hampshire.

JURISDICTION

4. The Housing Appeals Board ("HAB") has jurisdiction over the instant appeal of the Planning Board decision pursuant to RSA 679:5 and RSA 679:7.

FACTS

Transfer of Development Rights

5. By the authority granted under RSA 674:21, Section 170-27.2 of the Dover Code ("DC") creates overlay districts for the purpose of allowing increased density on lots with lower conservation value through a transfer of development rights ordinance. *See* DC § 170-27.2 (A). If the units created are to be purchased, the development area may be in any zoning district that allows residential development, including the R-40 district. *See* DC § 170-27.2-D(2)(a).

6. Following amendments in 2018 and 2020 designed to encourage the use of TDR, the Dover Planning Board has approved scores of TDR projects involving the creation of hundreds of new housing units. The Planning Board has approved several TDR projects in the R-40 zone, including three in close proximity to the Property. Approved TDR projects in R-40 include: 144 Mast Road; 51 & 65 Bellamy Road; 537 Sixth Street; 512 Sixth Street; and, Wildcat Drive.

7. Procedurally, the use of the TDR provisions allows the Planning Board to waive certain zoning requirements, including minimum lot size, frontage, and setbacks. *See generally*, DC § 170-27.2-F.

8. Section 170.27.2-G(8) states,

> "Regardless of the method utilized, any other provision in this Chapter to the contrary, the density or intensity of development of a receiving parcel may be increased by the Transfer of Development Rights so long as the increase in density or intensity:
>
> (a) Is consistent with the Master Plan
>
> (b) Is not incompatible with the land uses on neighboring lots (e.g. a multifamily building in a single-family neighborhood)
>
> (c) Is created on property served by public water and sanitary sewer.
>
> (d) Any relief sought should not be caused by the additional density."

See also Dover Planning Board Minutes, October 22, 2024, at 14.

9. Dover's TDR ordinance is designed to support the creation of more attainable housing by incentivizing smaller housing units. The TDR fee is reduced by 50 percent for units under 1,000 square feet, with the expectation that smaller units will cost less to rent or purchase than larger units. The Applicant's proposal responded to this incentive by designing two-bedroom, 1.5 bath units of less than 1,000 square feet intended to be priced at or below the median cost of new housing in Dover.

The Applicant's Proposal

10. On October 1, 2024, Civilworks New England, on behalf of the Applicant, submitted the proposal for a TDR minor subdivision and site plan at the Property for consideration by the Planning Board.

11. The existing lot contains one single-family home. The proposal would create two additional lots, each with a duplex, utilizing four TDR units. The result of the proposal would be three lots containing five total living units.

12. The Applicant sought to create housing units consistent with the City's goal of developing more "attainable" housing. The intended result of the proposal is new units priced at or below the median cost of new residential housing units in Dover.

13. Achieving attainable housing at the Property cannot be accomplished on this lot by building one or two single-family homes given contemporary site development and construction costs and current interest rates. To be financially viable, the resulting homes would need to be priced at the higher end of the market and would, therefore, not qualify as "attainable."

14. Additionally, the Applicant's TDR proposal would contribute $22,500.00 for land conservation in Dover as calculated by adding three more 1,000-square-foot size-restricted units

above what is allowed by right at the Property at a cost of $7,500 per credit. The TDR ordinance has raised millions of dollars to support the purchase of development rights and land conservation in Dover, as it was intended to do.

October 22, 2024 Planning Board Hearing and Denial

15. At the Board's October 22, 2024 hearing, it elected to consider the Applicant's request for a three-lot TDR minor subdivision and site plan, with each lot containing ±0.45 acres.

16. In the public hearing, abutters voiced the frequently-heard concerns about density, traffic, safety, affordable housing, tree cutting, keeping "the rural areas the way they are," and general preference that development occur someplace else. As part of their effort to oppose any development on the Property, and without any evidence, an abutter also charged the Applicant of vague conflicts of interest and ethics violations due to his public positions in the community.

17. No Board member expressed agreement with these charges. Chair Cruikshank noted the Applicant had recused himself from the meeting and stated she would "review the application based on its merits." Member Shanahan noted he had spoken to legal counsel about the possible conflict of interest and stated "He [Shanahan] would not be sitting here tonight if there was a conflict of interest."

18. The Applicant has the same property rights as any other individual and does not give them up by serving in volunteer public roles. Nevertheless, it appears members of the Board were so concerned about the possible appearance of giving this application favorable consideration due to the Applicant's public roles in the community that they failed to give the application a fair and impartial review, instead holding the application to an unreasonable standard.

19. The Board considered the staff recommendation which stated "§ 170-27.2 provides for additional density to be purchased through Transfer of Development Rights. **This application**

meets the ordinance." (Emphasis added). The recommendation concludes "The Planning Department recommends that the Planning Board make the necessary and supporting findings of fact, and vote to find the criteria of the TDR ordinance has been met..." and listed certain conditions.

20. Dover, a city of 33,000 people, has a planning department staffed by full-time professionals. Projects often go through a Technical Review Committee ("TRC") process prior to reaching the Planning Board, as the Applicant's proposal did. As a result, projects have had a thorough vetting before they even reach the Planning Board. Projects that do not meet local ordinances are weeded out or amended until they do. The current Director of Planning has been in her position for three years. The only time her staff recommendation was rejected by the Board was this application.

21. Despite the staff recommendation and overwhelming evidence that the proposal meets the ordinance criteria, the Board nevertheless voted 4-3 to deny the application. Member Clark made the motion to deny, which was seconded by Member DeBoer. When the chair called the vote, at first only Clark and DeBoer voted in support of their motion to deny and the motion appeared to fail. When the chair called for those opposed to the motion to deny, three members (Cruikshank, Shanahan, and Mavrogeorge) voted against the motion to deny. At that point, the final two members Gambino and Pimental, who had not initially indicated support for or against the motion when the vote was called, stated they opposed the application and voted for the motion to deny. The motion to deny, which had appeared to fail 2-5, instead passed 4-3 in this unconventional and highly questionable procedural voting process. Following the denial of the TDR application, the Board elected not to vote on the subdivision application.

CLAIM I

The Planning Board acted unlawfully and unreasonably in denying the application because the Applicant met each of the relevant criteria for TDR approval.

22. The Applicant incorporates by reference the allegations set forth in the preceding paragraphs.

23. The HAB may reverse or affirm, wholly or partly, or may modify the Planning Board's decision when there is an error of law or when the HAB is persuaded by the balance of probabilities, on the evidence before it, that the Planning Board's decision is unreasonable. *See Motorsports Holdings v. Town of Tamworth*, 160 N.H. 95, 99 (2010).

24. Here, the Applicant met each of the criteria enumerated in Section 170.27.2-G(8) necessary for receipt of the TDR approval, namely: the Application (a) Is consistent with the Master Plan; (b) Is not incompatible with the land uses on neighboring lots; (c) Is created on property served by public water and sanitary sewer; and, (d) Any relief sought should not be caused by the additional density.

25. With regard to criterion (a), the Applicant presented concrete evidence that the proposal complies with the Master Plan. In particular, the Master Plan calls for a range of affordable and attainable housing. The Applicant carefully balanced development rights, and even reduced project density between the TRC review and Planning Board submission, as a means of keeping the unit prices attainable. The submission was carefully designed and revised to comply with the City's Master Plan and to hold otherwise is unreasonable.

26. In comparing the proposed use with those in the area, the Applicant's proposal clearly complies with criterion (b). TDR is allowed in all residential zones, including R-40. Testimony was provided that, despite being in the present R-40 district, the neighboring lots are more in keeping with the smaller lots found in the R-20 or even R-12 zoning districts. Many of the

lots on upper Sixth Street have roughly 100 feet of frontage and are under one acre. Additionally, the Board has already granted TDR approvals on three nearby properties. The proposed mix of a single-family home and two duplexes does not conflict with the residential use of the neighborhood.

27. Criteria (c) and (d) are objective standards the Property complies with. The Property is served by public sewer and water, and (d) is not relevant to the Applicant because no waivers from the TDR regulation were requested.

28. Because the Applicant met each criteria, the Board's denial was unreasonable and unlawful.

29. Planning boards cannot base their decisions upon personal opinion or vague concerns. *See Ltd. Editions Props. V. Town of Hebron*, 162 N.H. 488, 497 (2011). Additionally, they cannot rely on *ad hoc* decision making or by over relying on the considerations of abutters. *See Trustees of Dartmouth College v. Town of Hanover*, 171 N.H. 497, 507 (2018).

30. In deliberating the vote, one member (DeBoer) voted to deny after reasoning the Board "is trying to have additional density and housing, but we also have this R-40 zone which needs to be protected." Clark cited his discomfort with the use of TDR in R-40 as the reason for his opposition. However, TDR is allowed in the R-40 zone. Another member who opposed the application (Pimental) cited his opinion that the application was not consistent with the Master Plan, but he failed to cite any specific basis to support his conclusion. These are examples of unlawful rationales employed by the Board's majority in denying an application it could not reasonably deny.

WHEREFORE, Fergus Cullen and Jennifer Cullen respectfully request that the Housing Appeals Board:

A. Find that the Planning Board's October 22, 2024 denial of the application was unlawful and/or unreasonable for one or more of the reasons set forth above;

B. Reverse the Planning Board's October 22, 2024 denial of the Application accordingly or, in the alternative, modify the Planning Board's decision and/or remand it to the Planning Board for further proceedings consistent with the above; and,

C. Grant such other and further relief as may be equitable and just.

Respectfully submitted,

Fergus Cullen & Jennifer Cullen

By their attorneys,
Bernstein, Shur, Sawyer & Nelson, P.A.

Dated: November 21, 2024

/s/ Roy W. Tilsley, Jr.

Roy W. Tilsley, Jr., Esq. (NHBA #9400)
A. Eli Leino, Esq. (NHBA #269065)
P.O. Box 1120
670 N. Commercial St., Suite 108
Manchester, NH 03105-1120
(603) 623-8700
rtilsley@bernsteinshur.com
eleino@bernsteinshur.com

CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #TRAN-2024-0007

Application Type:	Transfer of Development Rights
Applicant(s):	Stephen R. & Deborah A. Scotton
Owner(s):	Stephen R. & Deborah A. Scotton
Location:	131 Littleworth Road (Assessor's Map F, Lot 21)
Meeting Date:	June 11, 2024

INTENT: To request the purchase of additional units through the Transfer of Development Rights ordinance for nine (9) non-restricted TDR units to allow a total of ten (10) units on the site. A full site plan review would still be required by the Planning Board and Technical Review Committee.

AGENDA ITEM #: 4-H

APPLICANT/OWNER: Stephen R. & Deborah A. Scotton

LOCATION: 131 Littleworth Road (Assessor's Map F, Lot 21)

UNITS PROPOSED: Ten (10) units total (including nine (9) non-restricted TDR units)

ACREAGE: 2.59± acres

ZONING DISTRICT: R-40, Secondary Groundwater Protection District

EXISTING USE: Residential

PROPOSED USE: Residential

SURROUNDING USE: Residential

ZBA ACTION: N/A

PERMITS: N/A

WAIVERS REQUESTED: N/A

APPLICATION IS COMPLETE: Yes

REGIONAL IMPACT: No

NOTICES SENT: Abutter notices were sent by certified mail.

TRC: Required, as construction disturbance will occur within 50' of Wetland Protection District and will impact more than 1,000 sf.

ATTACHMENTS: Application materials including site plan

Summary of Request and Background
The applicant is proposing the demolition of all existing structures on the property and to create five (5) separate duplexes, totaling ten (10) units, nine (9) of which will be non-restricted, purchased through the Transfer of Development Rights ordinance.

Staff provided the applicant with a memo (attached) regarding their TDR on June 6, 2024 with information related to the environment, transportation, zoning, neighborhood context, etc. Staff does not think 10 units is feasible on this site and therefore would recommend two options:

1) Allow up to 3 single family homes
2) Convert exiting home to a duplex as allowed in the R-40 District.

Consistency with Land Use Regulations - TDR
§170-27.2 provides for additional density to be purchased through Transfer of Development Rights. Staff does not believe this meets the intent of the TDR ordinance.

STAFF RECOMMENDATION - TDR:
The Planning Department recommends the Planning Board accept the application, open the public hearing, make findings, and vote to allow no more than a total of 3 residential units with the following subsequent conditions:

Subsequent Conditions to Be Met Prior to Granting of the TDR:

1. Add note to the plan that no additional dwelling units may added to the property without Planning Board approval and note number of TDR units approved;
2. The project must be reviewed by the Technical Review Committee; and
3. Payment of TDR fees for each TDR unit approved.

TRAN-2024-0007 131 LITTLEWORTH ROAD



Property Information

Location	131 LITTLEWORTH RD
Owner	SCOTTON STEPHEN F &
Land Use	
Zoning Code	R-40
Property Id	F0021-000000

MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

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

Geometry updated 10/30/2023
Data updated Daily

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

To: JJ McBride
From: Donna Benton, AICP
Cc: Steven and Deborah Scotton
Tony Fusco
Staff
Date: June 6, 2024
Re: TDR 131 Littleworth Rd

ISSUE:
In February 2020, the Board recommended amendments to the Transfer of Development Rights (TDR) Ordinance. In June 2020, the Planning Board approved the amendments and on July 22, 2020, the City Council ratified them. One element is the requirement for staff to draft a review statement on the need for a sketch plan. Since then the criteria for TDR has also been amended.

INTENT:
This memo will serve as part of the staff report.

GOALS:
Provide background on balancing development vs. conservation needs and current housing shortage, and describe the TDR applications in Dover.

Background

On behalf of your client, you submitted a plan and application materials including a narrative for a project for 10 residential units (via 5 duplexes) by purchasing 9 through TDR. The project is located at 131 Littleworth Road.

Staff performed this review based upon the information below, and is now providing the required staff report (Chapter 170-27.2 E.(4)a).

Project Information

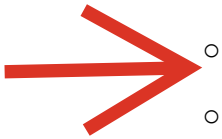
Project:	131 Littleworth TDR project
Where:	131 Littleworth
What:	9 units. Nine of which are requested to be purchased through TDR using the unrestricted option. The density calculation per Chapter 170-27.2.G(3)(a) was used to determine base calculation of 1 unit.
Acres:	2.588
Zone:	R-40
Public Water:	On site
Public Sewer:	Would be extended ~525 ft. (no cost estimate was provided)
Units:	10 total units are proposed, via 5 duplexes. New duplexes are only allowed by right if part of an open space subdivision with commercial component or if converting an existing unit. There are no other duplex units in the surrounding area.
CUP:	Not required per the submitted information

Staff Comment

When reviewing projects, review the context, discuss options with the applicant, and advise on the feasibility of requesting the purchase or exchange before or after designing a fully laid out plan. From our initial conversations, staff indicated 10 units seemed too high for this site.

In reviewing this project, we note:

- Traffic
  - Littleworth Road is a public arterial road connecting Dover and Barrington. Sight distance and traffic study should be discussed with the Technical Review Committee and Planning Board during site plan review if Planning Board votes favorably on TDR.
  - Traffic seems to travel faster than the posted speed limit and the 85th percentile of actual traffic data should be utilized when reviewing sight distance for the roadway.
  - This section of Littleworth Road is controlled by NHDOT, who would need to review and issue a driveway permit.
- Existing layout/topography
  - You are proposing an approximate 425' cul-de-sac which would require a waiver from Chapter 153 for block length.
  - The lot is currently using city water and you are proposing to extend sewer to the lot (approximately 525') to tie into. Has the applicant reviewed the feasibility of tying into the sewer line with Community Services?
- Environmental
  - The site is semi-wooded, has wetlands towards the rear which abuts conservation land owned by the Indian Ridge Homeowners Association.



- The duplex furthest from Littleworth Road is placed in a way that would make it difficult for future residents to use their backyards without impacting the wetland buffer.
- No real open space is shown for this lot outside of the required no-cut, no-disturb buffers.
- The R-40 District is intended to be the most rural in nature with 40,000 s.f. minimum lot sizes, longer frontage requirements, and open space subdivisions required for any major subdivision. This plan does not seem to meet the intent of the R-40 district or the TDR ordinance.

Staff Recommendation

Currently, the TDR unit cost is $15,000 per unit, which is reduced if the units are restricted by size or the HUD rental rates. To staff's knowledge, the applicant is not proposing to restrict the units in either size or rental rates. The application is proposing 9 units to unrestricted TDR units plus one unit by right.

Staff understands the need for additional housing units, but also understands the importance of the rural nature of the R-40 district as laid out in the Vision Chapter of the Master Plan:

> "*Dover maintains distinct areas that have defining land uses and characteristics, such as an urban, historic downtown center, residential neighborhoods, business districts, and rural residential, agricultural, and open lands.*"

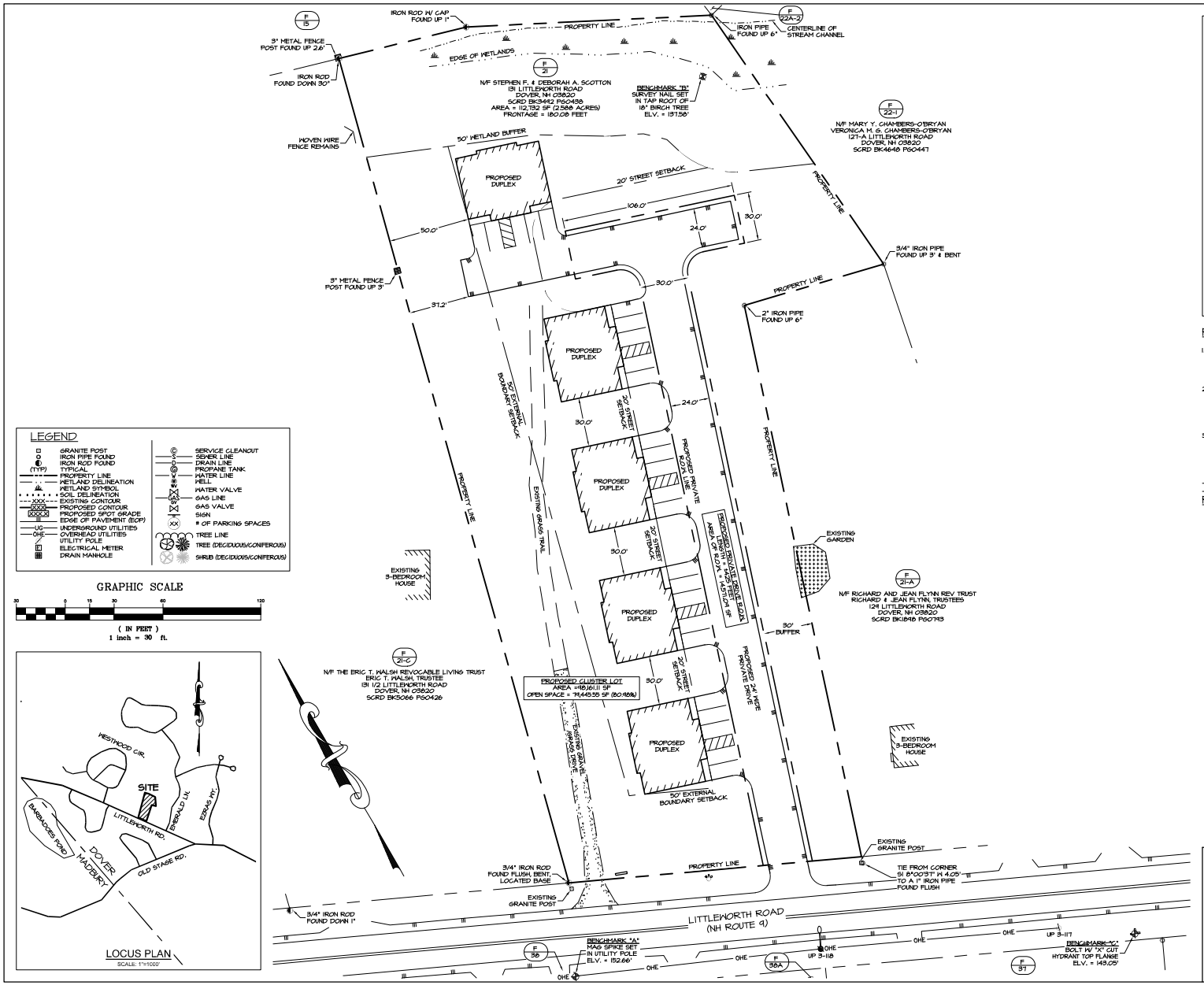
Staff would want to see open space as part of this plan if 10 units are being proposed. This would allow for the wetlands to be protected from any buffer encroachment and for open space to be able to be conserved adjacent to other conservation land.

Staff recommends these potential alternative options, that would increase housing on the subject parcel while being in line with the surrounding neighborhood and the R-40 district as a whole:

- Reducing the TDR request to include three single-family homes and include open space towards the rear of the lot.
- Converting the existing home, by right, to a two-family dwelling.

You are using your opportunity to bring this to Planning Board for TDR only, and then would need to come back for a full TRC site plan review and Planning Board review of the site plan again. The site plan application would require additional information such as a landscape plan, lighting plan, turning template, draft HOA documents, traffic study, stormwater management plan, etc.

Staff has concerns if the Planning Board allows for this TDR project, then several other Littleworth Road lots may have similar designs come forward which would greatly impact Littleworth Road and Dover's R-40 District.



LEGEND

- GRANITE POST
- IRON PIPE FOUND
- IRON ROD FOUND (TYP.)
- TYPICAL
- PROPERTY LINE
- WETLAND DELINEATION
- WETLAND SYMBOL
- SOIL DELINEATION
- EXISTING CONTOUR
- PROPOSED CONTOUR
- PROPOSED SPOT GRADE
- EDGE OF PAVEMENT (EOP)
- UNDERGROUND UTILITIES
- OVERHEAD UTILITIES
- UTILITY POLE
- ELECTRICAL METER
- DRAIN MANHOLE
- SERVICE CLEANOUT
- SEWER LINE
- DRAIN LINE
- PROPANE TANK
- WATER LINE
- WELL
- WATER VALVE
- GAS LINE
- GAS VALVE
- SIGN
- # OF PARKING SPACES
- TREE LINE
- TREE (DECIDUOUS/CONIFEROUS)
- SHRUB (DECIDUOUS/CONIFEROUS)

GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.

LOCUS PLAN
SCALE: 1"=1000'

ADDITIONAL ABUTTERS:

F 15
N/F INDIAN RIDGE HOMEOWNERS' ASSOCIATION
42 J DOVER POINT ROAD
DOVER, NH 03820
SCRD BK4832 PG0309
SCRD BK4648 PG0447

F 22A-2
N/F SAMUEL J. MOKLER
28 EMERALD LANE
DOVER, NH 03820
SCRD BK4308 PG0796

F 37
N/F ROBERT GEORGE CLEMENT
42 LITTLEWORTH ROAD
DOVER, NH 03820
SCRD BK4016 PG0123

F 38
N/F KENAAN AL-DARRAJI
96 LITTLEWORTH ROAD
DOVER, NH 03820
SCRD BK4484 PG0858

F 38-A
N/F KEITH R. AUTIO
DIANNE E. AUTIO
94 LITTLEWORTH ROAD
DOVER, NH 03820
SCRD BK4852 PG0540

REFERENCE PLANS:

1. "SUBDIVISION OF LAND, LITTLEWORTH ROAD, DOVER, NH." DATED 10/21/80. PREPARED FOR THOMAS & ROVENA WALSH AND PREPARED BY WILLIAM T. HORNELL. SCRD PLAN #47-52.
2. "A SURVEY AND PLAT OF A SUBDIVISION, SITUATED IN THE CITY OF DOVER, NH." DATED 12/27/2004. PREPARED FOR BLAYNE WILSON REAL ESTATE, LLC AND PREPARED BY RSL LAYOUT AND DESIGN, INC. SCRD PLAN #81-6.
3. "PLAN AND PROFILE OF PROPOSED FEDERAL AID PROJECT NO. 109, CENTRAL ROAD / AS-BUILT PLANS, TOWN OF MADBURY AND CITY OF DOVER." DATED 12/16/1931. PREPARED BY H. JORDAN.

TRANSFER OF DEVELOPMENT RIGHTS (TDR) CALCULATION:

- LOT AREA = 112,732 SF
- WETLAND AREA = 36,173 SF
- WETLAND PERCENTAGE = 36,173 SF / 112,732 SF = 33%
- BASE LOT SIZE = LOT AREA - ENVIRONMENTAL CONSTRAINTS = 112,732 SF - 36,173 SF = 109,059 SF
- NET AREA = BASE LOT SIZE X 0.85 = 109,059 SF X 0.85 = 92,700 SF
- DEVELOPABLE AREA = NET AREA X 0.85 = 78,795 SF
- MINIMUM LOT SIZE = 40,000 SF
- ALLOWABLE UNITS = 78,795 SF / 40,000 SF = 1.97 UNITS (YIELDS 1 UNIT)
- UNITS PROPOSED = 10 UNITS (REQUIRES TDR RELIEF FOR 9 ADDITIONAL UNITS)

NOTES:

1. OWNER OF RECORD:
   TAX MAP F, LOT 21
   STEPHEN F. & DEBORAH A. SCOTTON
   131 LITTLEWORTH ROAD
   DOVER, NH 03820
   SCRD BOOK 3442 PAGE 438
2. THE INTENT OF THIS PLAN IS TO SHOW A PROPOSED CONDOMINIUM/CLUSTER SUBDIVISION DEPICTING FIVE (5) SEPARATE DUPLEXES ON DOVER, NH TAX MAP F, LOT 21. ADDITIONALLY, A +/-425-FOOT-LONG PAVED DRIVEWAY IS PROPOSED ALONG ASSOCIATED PARKING TO SERVICE THE DUPLEXES.
3. PARCEL IS ZONED "RURAL RESIDENTIAL (R-40)" PER THE CITY OF DOVER, NH ZONING DERIVED ONLINE VIA MAPGEO CURRENT TO JULY 10, 2023. PARCEL IS WITHIN THE "SECONDARY GROUNDWATER PROTECTION DISTRICT" PER THE "GROUNDWATER PROTECTION ZONES MAP" DATED APRIL 15, 2015.
4. PARCEL IS NOT IN A FLOOD HAZARD ZONE; REFERENCE FLOOD INSURANCE RATE MAP 33017C0351E, DATED SEPTEMBER 30, 2015.
5. THE PLAN IS BASED UPON A FIELD SURVEY COMPLETED BY JAMES VERRA & ASSOCIATES, INC. IN MAY OF 2023 WITH TRIMBLE S5 ROBOTIC TOTAL STATION, CARLSON BRX7 RTK GPS UNITS, PANASONIC FZ-M1/TRIMBLE TSCT DATA COLLECTORS. HORIZONTAL DATUM: NAD83. VERTICAL DATUM: NAVD88. UNITS = SURVEY FOOT. ESTABLISHED BY SURVEY GRADE GPS OBSERVATION AND PROCESSED BY OPUS.
6. WETLANDS WERE DELINEATED BY JOSEPH NOEL CWS #86 ON MAY 4, 2023.
7. SOILS WERE DELINEATED VIA THE USDA-NRCS ONLINE WEB SOIL SURVEY RESEARCHED BY EMANUEL ENGINEERING, INC. ON OCTOBER 6, 2023.
8. PROPERTY TO BE SERVICED BY PUBLIC SEWER AND WATER. PUBLIC SEWER WILL NEED TO BE EXTENDED FROM EMERALD LANE.
9. ALL CONSTRUCTION SHOULD COMPLY WITH FEDERAL, STATE, AND LOCAL STANDARDS AND REGULATIONS.
10. THIS PLAN WAS PREPARED WITH ON-SITE FIELD SURVEY AND EXISTING PLANS. THE CONTRACTOR SHOULD NOTIFY EMANUEL ENGINEERING, INC. DURING CONSTRUCTION IF ANY DISCREPANCY TO THE PLAN IS FOUND ON SITE.
11. BEFORE ANY EXCAVATION, DIG SAFE AND ALL UTILITY COMPANIES SHOULD BE CONTACTED 72 HOURS BEFORE COMMENCING BY THE CONTRACTOR. CALL DIG SAFE @ 811 OR 1-888-DIG-SAFE.
12. ALL UTILITIES SHALL BE LOCATED UNDERGROUND EXCEPT AS NOTED ON PLAN APPROVED BY THE PLANNING BOARD.
13. CITY OF DOVER CLUSTER SUBDIVISION DIMENSIONAL REQUIREMENTS PER DOVER CODE SUBDIVISION OF LAND CHAPTER 188 (RURAL RESIDENTIAL (R-40 ZONE)
    - MIN DISTANCE AROUND INDIVIDUAL UNITS IN CLUSTERS (STREET SIDE OF UNIT) = 20'
    - MIN DISTANCE AROUND INDIVIDUAL UNITS IN CLUSTERS (BETWEEN UNITS) = 30'
    - MINIMUM DISTANCE FROM EXISTING STRUCTURES OF SMELLING UNITS = 100'
    - MINIMUM DISTANCE FROM EXTERNAL BOUNDARIES = 50'
14. CITY OF DOVER SITE REVIEW REGULATIONS CHAPTER 1.41 – PRIVATE DRIVEWAY AND INTERNAL ROAD REQUIREMENTS FOR RESIDENTIAL UNITS (5-24)
    - RIGHT-OF-WAY = 50'
    - ROAD WIDTH = 24'
    - BASE COURSE = 18" BANK RUN GRAVEL
      4" CRUSHED GRAVEL
      2" ASPHALT TIGHT BINDER
      3' GRAVEL SHOULDER
    - PARKING REQUIREMENT = 2 SPACES PER UNIT (RESIDENTIAL (1 OR 2 UNITS))
    - PARKING PROVIDED = 2.5 SPACES PER UNIT
    - PARKING SPACE DIMENSIONS = 9'x18'

ISS.	DATE:	DESCRIPTION OF ISSUE:	CHK.
1	MAY 7, 2024	FOR APPROVAL	

DRAWN: JJM | DESIGN: JJM
CHECKED: BDS | CHECKED: BDS

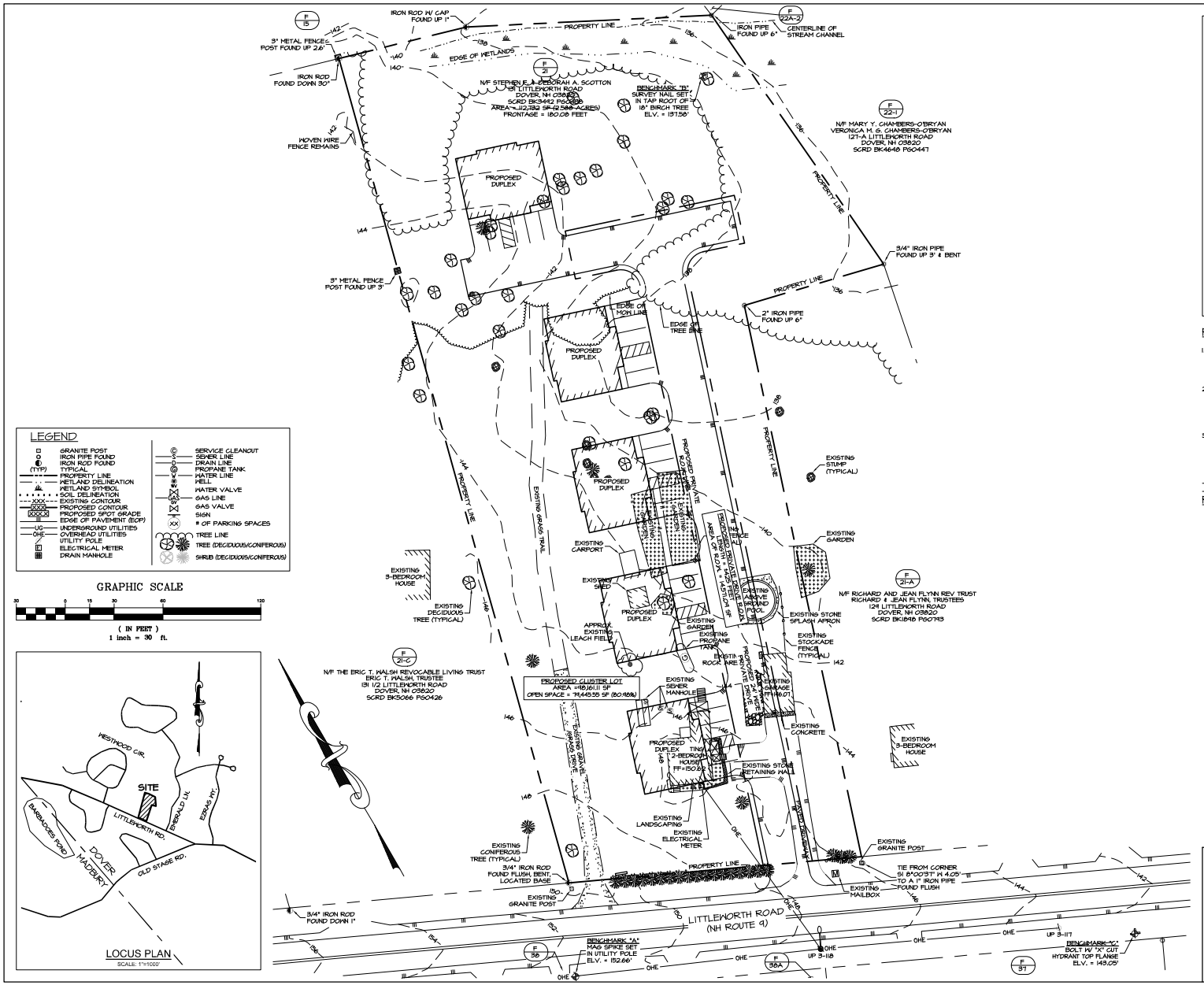
EMANUEL ENGINEERING
118 Portsmouth Avenue, A202
Stratham, NH 03885
P: 603-772-4400 F: 603-772-4487
www.emanuelengineering.com

CLIENT:
FOX CONSTRUCTION
196 NOTTINGHAM ROAD
DEERFIELD, NH 03037

SEAL:

TITLE:
CONDO PLAN
FOR
STEPHEN F. &
DEBORAH A. SCOTTON
131 LITTLEWORTH ROAD (SITE)
DOVER, NH 03820

PROJECT:	SCALE:	SHEET:
24-1067	1"=30'	C2



LEGEND

- GRANITE POST
- IRON PIPE FOUND
- IRON ROD FOUND (TYP.)
- TYPICAL
- PROPERTY LINE
- WETLAND DELINEATION
- WETLAND SYMBOL
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- SIGN
- # OF PARKING SPACES
- TREE LINE
- TREE (DECIDUOUS/CONIFEROUS)
- SHRUB (DECIDUOUS/CONIFEROUS)

GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.

LOCUS PLAN
SCALE: 1"=1000'

ADDITIONAL ABUTTERS:

F 15
N/F INDIAN RIDGE HOMEOWNERS' ASSOCIATION
42 J DOVER POINT ROAD
DOVER, NH 03820
SCRD BK4852 PG0300
SCRD BK4648 PG0447

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N/F SAMUEL J. MOKLER
28 EMERALD LANE
DOVER, NH 03820
SCRD BK4308 PG0796

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N/F ROBERT GEORGE CLEMENT
42 LITTLEWORTH ROAD
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SCRD BK4016 PG0123

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N/F KENAAN AL-DARRAJI
96 LITTLEWORTH ROAD
DOVER, NH 03820
SCRD BK4884 PG0858

F 38-A
N/F KEITH R. AUTIO
DIANNE E. AUTIO
94 LITTLEWORTH ROAD
DOVER, NH 03820
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TRANSFER OF DEVELOPMENT RIGHTS (TDR) CALCULATION:

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- DEVELOPABLE AREA = NET AREA X 0.85 = 78,795 SF
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   STEPHEN F. & DEBORAH A. SCOTTON
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   DOVER, NH 03820
   SCRD BOOK 5492 PAGE 388
2. THE INTENT OF THIS PLAN IS TO SHOW A PROPOSED CONDOMINIUM/CLUSTER SUBDIVISION DEPICTING FIVE (5) SEPARATE DUPLEXES OVERLAID OVER EXISTING CONDITIONS AND TOPOGRAPHY FOR DOVER, NH TAX MAP F, LOT 21.
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    - MINIMUM DISTANCE FROM EXTERNAL BOUNDARIES = 50'
14. CITY OF DOVER SITE REVIEW REGULATIONS CHAPTER 14E - PRIVATE DRIVEWAY AND INTERNAL ROAD REQUIREMENTS FOR RESIDENTIAL UNITS (5-24):
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    - BASE COURSE = 18" BANK RUN GRAVEL
      4" CRUSHED GRAVEL
      2" ASPHALT TIGHT BINDER
      3' GRAVEL SHOULDER
    - PARKING REQUIREMENT = 2 SPACES PER UNIT (RESIDENTIAL (1 OR 2 UNITS))
    - PARKING PROVIDED = 2.5 SPACES PER UNIT
    - PARKING SPACE DIMENSIONS = 9'x18'

ISS.	DATE:	DESCRIPTION OF ISSUE:	CHK.
1	MAY 7, 2024	FOR APPROVAL	

DRAWN: JJM | DESIGN: JJM
CHECKED: BDS | CHECKED: BDS

EMANUEL ENGINEERING
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www.emanuelengineering.com

CLIENT:
FOX CONSTRUCTION
196 NOTTINGHAM ROAD
DEERFIELD, NH 03037

SEAL:

TITLE:
CLUSTER OVERLAY
FOR
STEPHEN F. &
DEBORAH A. SCOTTON
131 LITTLEWORTH ROAD (SITE)
DOVER, NH 03820

PROJECT:	SCALE:	SHEET:
24-1067	1"=30'	C3

From: merlinmason <merlinmason@comcast.net>
Sent: Friday, December 6, 2024 8:00 AM
To: Planning Board - All <PlanningBoard-All@dover.nh.gov>; City of Dover - Planning <Dover-Planning@dover.nh.gov>
Subject: 103 Court St projects

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

To Dover Planning -

I request that you deny the TDR project at 103 Court St because it overreaches for TDR at triple the existing density, offers no consistency with the neighborhood, offers no buffer to neighbors, and also, perhaps most importantly, **it simply makes no sense for housing.** It does NOT provide 'missing middle' housing but instead creates a bizarre mix of HUD and restricted 'cottages' trapped under high HOA fees that will inevitably result in high turnover.

There is a very run-down single-family house at 103 Court St presently. The gutters have been falling off for years, and I expect there are serious structural issues from any external view. **Has anyone offered an honest inspection on the status of this home?** The TDR proposal leaves the existing single-family house as-is. There is no mention of any major improvements here. This unit - to become HUD - will cost the developer nothing in TDR fees. *Is the motivation to provide decent affordable housing, or to get a free TDR unit?*

In the future, how are major repairs to this falling-apart house going to be funded? When the window sills inevitably rot - given there are fabric curtains hanging out of the upper stories at all times already - how will this repair be funded? By the HOA - of course - which currently plans for up to $185,000 infrastructure replacement at year 30. Personally, I know new windows alone will cost about $40-50,000. The crack in the foundation of this old home? That's another $10k- and how's the heating system? Won't arguably almost all of the infrastructure costs sink into this one single HUD structure - since all of the other construction will be new? So all of the new properties will pay equal HOA fees to maintain this one HUD unit.... is that sustainable or desirable for the cottage owners?

Let's consider the condominium association budget of $333/unit - which is based on 7 units. Are the 3 HUD units going to be chipping in with the $500k cottages in the back equally? I'd like to understand how that works and where that money comes from - certainly not the tenants. Or are the HOA fees going to be really paid by the cottages - and therefore actually split four ways and starting at **$583/unit** monthly (assuredly to increase over time)?

This project has taken a single-family home at 103 Court St assessed at $422k - an attainable fixer-upper project to be sure - turns it into HUD which will burden the HOA with repairs and maintenance that is inevitable given its current state already - and throws onto the back of this property overcrowded $500k+ permanently restricted cottage homes that may be "attainable" at initial listing but then will trap residents under $333 monthly *or is it $583 monthly* HOA fees forever.

The developer narrative says "these cottages are designed to meet the needs of a diverse group of residents, including those looking to downsize, new families, and recently married couples." Has anyone asked a retired couple how they feel about $333/month HOA fees on social security income? Or a new family, or a recently married couple? As part of a recently married couple myself, I cannot imagine the

burden of a mortgage combined with this type of HOA fee. At least the mortgage is an investment, but the HOA fees are just money lost. This HOA fee covers what I do for my own property, and what my friends and coworkers do for theirs - it's part of the great challenge and joy of homeownership to maintain your own property.

What could be done using normal zoning without pushing the existing density under TDR? Maybe leave a $422k attainable fixer-upper in the existing single-family home, and add a second single-family home to the back of the lot, much like Chinburg did next door. The second home may be more expensive initially, but it would have no HOA and no restrictions so could actually be invested in and become a true family home.

My wife and I have friends and coworkers who have left Dover due to housing, but they don't qualify for HUD - they make too much money for HUD but not enough for $500+k new homes with HOA fees on top. They would have loved an opportunity for a $422k fixer-upper project that has been effectively removed from the market by this TDR project. This is the **"missing middle"** - not served by HOA-restricted $500k new constructions and not served by HUD. Are they able to buy a new $1mil home? Maybe not - but as someone else moves there, it opens up a smaller, less expensive home in town. And mortgages are investments - property eventually owned, not HOA money lost forever. What about the community created by neighbors' teenagers helping mow lawns, or hiring the guy down the street for that small job - not possible with a HOA.

On a final note, TDR has to be looked at in the context of the growth already underway in Dover as well as the troubles with existing infrastructure - we have over 1500 new units coming already in the large-scale developments across Dover. These alone provide over 10% growth for Dover. How much more growth do we need? Do we really need to push unwanted extra density into this neighborhood to get a few more units in here? Is our infrastructure really prepared for the extra TDR density on top of these new projects, when we've seen almost weekly water main breaks across town?

Regards,
Merlin Mason, 91 Court St

From: Rachel Cookson <rachel.e.cookson@gmail.com>
Sent: Tuesday, December 10, 2024 9:58 AM
To: Planning Board - All <PlanningBoard-All@dover.nh.gov>
Subject: 103 Court street

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

Please reject the plans for 103 court street. Putting 2 duplexes and 5 mini homes on that tiny lot is absolutely insane. If you allow this you totally negate any zoning laws and my backyard could become a development. Stop the madness.

From: Amber Bebeau <arbocko@gmail.com>
Sent: Saturday, December 7, 2024 6:02 PM
To: Planning Board - All <PlanningBoard-All@dover.nh.gov>
Subject: 103 Court Street

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

I am writing today to inform you of my disappointment in the potential development at 103 Court Street. I walk in this area daily and was already disappointed to see three oversized, overpriced houses being stuffed into a formerly one property lot.

Now I see that this new development next to it is not in line with local residences, defies the buffer law for neighbors, and knocks out nature in favor of a paved parking lot. It will no doubt retract from the peaceful beauty of the abutting cemetery, and continue to take away the natural habitat of the area.

This is a beautiful area of Dover, and I am dismayed to see it rapidly becoming another overdeveloped, nature-less area of an increasingly overdeveloped city.

Thank you,
Amber Bebeau
22 Samuel Hanson Ave.

From: Kerry <sankalpa0820@gmail.com>
Sent: Tuesday, December 10, 2024 1:19 PM
To: Planning Board - All <PlanningBoard-All@dover.nh.gov>
Subject: 103 Court St

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

To whom it may concern,

The 30 foot buffer law must be applied. It is a TDR law. Under 30 feet is not consistent with our neighborhood.

Please don't turn Dover into Portsmouth. Dover is a wonderful city with charm and character.

Kerry Wolf
72 Court St

From: Kevin Hamer <kevin.hamer@gmail.com>
Sent: Sunday, December 1, 2024 9:44 PM
To: City of Dover - Planning <Dover-Planning@dover.nh.gov>
Subject: 103 Court St Proposal

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

I am a Dover resident (11 Birch Drive) and just voicing opposition to the proposal at 103 Court St. While I'm sympathetic to the need to grow and add housing, buying a dilapidated property at 450,000 and flipping it into 5 buildings / 7 units is excessive. I don't think the city would benefit from the proposed development. This kind of plan seem to be testing the waters on what Dover will tolerate - which no doubt is common nowadays. Please stand up for our town.

Thanks,
--Kevin

From: jrvachon-1@comcast.net <jrvachon-1@comcast.net>
Sent: Wednesday, November 27, 2024 2:44 PM
To: City of Dover - Planning <Dover-Planning@dover.nh.gov>
Subject: 103 Court St

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

Writing to express my concern over the proposed development at 103 Court St, which if I am understanding correctly, under TDR, would completely bypass the perimeter 30 -foot buffer law
.

Why should this be allowed?

If we're already bypassing zoning laws and using TDR, shouldn't strict adherence to the TDR regulations that are in place be paramount?

Sincerely, concerned taxpayer

James Vachon
12 Browning Drive
Dover

Dorna Hamer
18 Tuttle Ln
Dover, NH, 03820

City of Dover, Planning Board
288 Central Ave
Dover, NH 03820

Subject: 103 Court St. TDR/ Site Plan Proposal

Dear Planning Board Department and Members ~

I am writing to express my concerns regarding the proposed development at 103 Court Street. While I understand the desire for development in our city, I believe that the proposed project will have significant implications for the historic Pine Hill Cemetery and surrounding residential area. Pine Hill Cemetery is an important part of Dover's History as evidenced by the 'Voices from the Cemetery' annual event put on by the Woodman Museum. Gravestones in the area of 103 Court St. date to the mid-1800s and several prior owners of 103 Court Street are buried in this cemetery as well.

NH RSA 289:3 - Cemetery Buffer

From experience as a design engineer on a NH state project in Rochester involving a cemetery, I am aware that there is a state law requiring a 25-foot no dig/ no build buffer along cemetery property lines. I spoke with Paul Crouser in September about this buffer and was assured it would be enforced. However, there is no sign of the buffer on any of the plans submitted to date. The current plans also show activities that seem contrary to the law. I reached out to the State of NH to see if I could get clarification on what is and isn't allowed in this area. Please see the email below from a State of NH archeologist.

State law RSA 289:3, III clearly mandates a 25-foot no dig/ no build buffer zone along a cemetery's property lines on abutting property. This law pertains to all properties abutting cemeteries. It is crucial to adhere to this law to protect the sanctity of the cemetery and its historical significance as well as possible unknown burials.

The proposed development encroaches on the 25-foot no dig/ no build buffer zone along the cemetery where ground disturbance is prohibited by state law. Any activities like construction, excavation, stump removal, grubbing, and planting would disturb the ground. Since this development is not an essential service, no waiver for disturbing this area can be given by the planning board.

Cutting of vegetation above the ground may be allowed as long as the ground isn't disturbed. However, this will leave the site with NO visual buffer between it and the cemetery, negatively impacting the cemetery's environment and

aesthetics. Implementing the TDR requirement for a 30' no cut, no disturb buffer will go a long way in protecting the cemetery and this buffer area.

Email concerning NH State law RSA 289:3, III

From: Doperalski, Mark <Mark.W.Doperalski@dncr.nh.gov>
Sent: Wednesday, November 27, 2024 10:49 AM
To: [redacted]@gmail.com <[redacted]@gmail.com>
Cc: Wilson, Benjamin <benjamin.h.wilson@dncr.nh.gov>; Labash, Marika <Marika.S.Labash@dncr.nh.gov>; Miller, Nadine <Nadine.M.Miller@dncr.nh.gov>; Spoerl, Robert <robert.f.spoerl@dncr.nh.gov>
Subject: RE: Cemetery Buffer Zone

Hi Dorna,

You are correct regarding the state law, if the City of Dover has not established local zoning regulations concerning cemeteries that allow for construction within 25 feet of said burial resources, then as RSA 289:3, III states, "New construction, excavation, or building in the area of a known burial site or within the boundaries of an established burial ground or cemetery shall comply with local zoning regulations concerning burial sites, burial grounds or cemeteries, whether or not such burial site or burial ground was properly recorded in the deed to the property. In the absence of such regulations, no new construction, excavation, or building shall be conducted within 25 feet of a known burial site or within 25 feet of the boundaries of an established burial ground or cemetery, whether or not such burial site or burial ground was properly recorded in the deed to the property, except when such construction, excavation, or building is necessary for the construction of an essential service, as approved by the governing body of a municipality in concurrence with the cemetery trustees, or in the case of a state highway, by the commissioner of the department of transportation in concurrence with the cemetery trustees.

So as the law states, the governing body of the municipality in concurrence with the cemetery trustees can waive that setback when the construction is deemed necessary for an essential service. In such a case we would still recommend that an archaeologist be on site to monitor the ground disturbing activities to ensure no unmarked burials are inadvertently disturbed. You could contact the City of Dover and check to see if they have deemed the tree clearing and development of this area as necessary for an essential service. If so, they may have issued a waiver for the project. Regarding your daughter and her husband, any work they propose to do on their property within 25' of the cemetery that would require ground disturbance would be prohibited without a waiver from the City.

Technically trees could be cut down without a waiver so long as they were cut down without disturbing the ground surface; however, the stumps would have to be left in place as their removal would obviously cause ground disturbance. Removal of the stumps, planting new trees, and other ground disturbing activities would require a waiver from the City of Dover.

I hope this helps answer your questions.

Sincerely,

Mark

Mark Doperalski
State Archaeologist
Division of Historical Resources
NH Department of Natural and Cultural Resources
172 Pembroke Road
Concord, NH 03301
www.nh.gov/nhdhr

Additional Concerns Regarding the Cemetery Buffer:

The mandatory cemetery buffer is missing from all site plans, despite multiple requests for its inclusion by the Planning Department. The alignment of the end of the proposed fence with the buffer's proposed location suggests this omission may be intentional. Additionally, the buffer zone is not referenced in the landscaping or condominium documents. While not required in the documents, including this information would be beneficial in a development with a potentially high turnover rate to ensure all parties are aware of the buffer zone.

The base density units for the TDR proposal should be calculated as 2 units, not the 3 units currently listed on Sheet SP-1 in the plan set. According to Dover Zoning Ordinance Ch 170-29, Sec G(3(a)[1][a], "The square footage of the parent lot minus unsuitable areas is the base lot size." The 25-foot cemetery buffer zone is considered unsuitable for development and therefore, is removed from the total area, similar to the treatment of wetlands or other undevelopable land.
The original parcel is 52,241sf based on the site plans. The buffer zone is approximately 3,525 sf. After further reductions of 15% for the roadway and 15% unsuitable areas, the developable area is 35,197 sf. Dividing that by the minimum lot size of 12,000 sf results in 2.9 units. Since rounding up is not permitted, the correct number of base density units is 2.

Transfer of Development Rights

The use of Transfer of Development Rights (TDR) for this lot raises concerns. This area of Dover is characterized by single-family homes on small parcels, interspersed with open spaces and mature trees and vegetation. It is a beautiful, unique residential area adjacent to the Historic Pine Hill Cemetery. Many residents have lived in this area for a long time, with the majority of homes over 50 years in age. Notably, the house at 103 Court Street was built in 1830, and the neighboring house dates back to 1790.

The proposed design significantly increases density by placing a 7- unit design with 6 buildings on a 1.2 - acre parcel, whereas zoning regulations would allow 3 units and up to 3 buildings. This more than doubles the density the zoning regulations allow and represents a sevenfold increase to the single-family home. The proposed density is excessive for this area. Although the developer has slightly reduced the project from the original 9-unit, 7-building proposal, the current proposal still relies on waiving the required 30-foot no-cut, no-build visual buffer to achieve its increased density. (Chapter 170-29, Section G(7))This buffer is intended to protect nearby homeowners and abutters (Pine Hill Cemetery) from the potential negative impacts of such development. Maintaining this buffer will offer additional protection to the cemetery and its required buffer zone.

A project of this scale, located in a residential area of single-family homes, should either have to adhere to all current TDR requirements, including the 30-foot no cut, no build buffer, or be denied any relief, as relief is clearly due to the increased density. (Chapter 170-29, Section G(8d).) Waivers and relief for development projects of this nature should be granted judiciously to ensure the best possible outcome for the community and to maintain the public trust in the process.

I strongly urge the Planning Board to:

- Enforce state law RSA 289:3, III, ensuring the 25-foot buffer zone is strictly maintained, consulting with state archaeologists, if necessary, to guarantee full compliance with all laws and regulations.
- Thoroughly evaluate the implications of utilizing TDR for this parcel including granting any waiver or relief when it is clearly due to the increase in density.
- Carefully review the proposed plans and documents for adherence to all regulations and laws and for accuracy including but not limited to the 25-foot no dig/ no build buffer zone. What else is missing or incorrect?

Preserving the unique character of this area and ensuring that any development respects its history and environment are paramount.

Sincerely,

Dorna W Hamer

Dorna W Hamer

From: Sean Hoeing <shoeing4003@gmail.com>
Sent: Friday, November 29, 2024 4:41 PM
To: Planning Board - All <PlanningBoard-All@dover.nh.gov>
Subject: TDR Critical Review Request - 1 Cold Spring Road and 103 Court Street

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

Dear City of Dover Planning Board,
Today, I received a mailing informing me of TDR developments at 1 Cold Spring Road and 103 Court Street that disregard a law requiring a 30-foot perimeter buffer around the lot that is required in order to reduce the impact on neighbors. Please critically review these development proposals for TDR misuse. I am all for the development of affordable housing in Dover, but please also protect our environment. Bellamy Road is zoned R20 (low density residential zone) and 7 mini-homes plus 4 multifamily units would far exceed the intended use of this land. If approved, this appears to be an extreme deviation from the approved zoning.

Thank you for your service to the City of Dover.

Sean Hoeing
25 Lisa Beth Circle
Dover, NH
-

Sean Hoeing
603.969.7529
shoeing4003@gmail.com

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From: Cynthia Mamigonian <clkmamigonian@gmail.com>
Sent: Monday, December 2, 2024 1:06 PM
To: City of Dover - Planning <Dover-Planning@dover.nh.gov>
Subject: Site Review for 5 Sherman Street, LLC, Assessor's Map 19, Lot 8, zoned R-12, located at 103 Court Street.

Security Notice: External sender. Use caution with hyperlinks or attachments.
To Whom it May Concern:

I live at 89 Court Street and can not believe the town of Dover is trying to pass yet another non qualifying TDR zoning law.

There is absolutely nothing on Court Street that constitutes that parcel of land being a transition between RMU and Residential.

The proposed size of said "cottages" have no consistency with any surrounding neighborhoods.

The project proposed is 2.7x higher in density than current homes in a 300 ft radius. (That being the criterion recommended by the Planning Board.)

There is definitely not enough room for these 20x30' buildings and remain within the 30 foot "no-cut, no-disturb" buffer law.

Please don't let another developer "pay their way" into overlooking the TDR laws. If so, then the old saying is, "Build and they will come." And come, and come, and come. We will no longer be a medium density residential zone but a very packed Urban area.

Sincerely,
Cindy Mamigonian

From: merlinmason <merlinmason@comcast.net>
Sent: Friday, December 6, 2024 8:00 AM
To: Planning Board - All <PlanningBoard-All@dover.nh.gov>; City of Dover - Planning <Dover-Planning@dover.nh.gov>
Subject: 103 Court St projects

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

To Dover Planning -

I request that you deny the TDR project at 103 Court St because it overreaches for TDR at triple the existing density, offers no consistency with the neighborhood, offers no buffer to neighbors, and also, perhaps most importantly, **it simply makes no sense for housing.** It does NOT provide 'missing middle' housing but instead creates a bizarre mix of HUD and restricted 'cottages' trapped under high HOA fees that will inevitably result in high turnover.

There is a very run-down single-family house at 103 Court St presently. The gutters have been falling off for years, and I expect there are serious structural issues from any external view. **Has anyone offered an honest inspection on the status of this home?** The TDR proposal leaves the existing single-family house as-is. There is no mention of any major improvements here. This unit - to become HUD - will cost the developer nothing in TDR fees. *Is the motivation to provide decent affordable housing, or to get a free TDR unit?*

In the future, how are major repairs to this falling-apart house going to be funded? When the window sills inevitably rot - given there are fabric curtains hanging out of the upper stories at all times already - how will this repair be funded? By the HOA - of course - which currently plans for up to $185,000 infrastructure replacement at year 30. Personally, I know new windows alone will cost about $40-50,000. The crack in the foundation of this old home? That's another $10k- and how's the heating system? Won't arguably almost all of the infrastructure costs sink into this one single HUD structure - since all of the other construction will be new? So all of the new properties will pay equal HOA fees to maintain this one HUD unit.... is that sustainable or desirable for the cottage owners?

Let's consider the condominium association budget of $333/unit - which is based on 7 units. Are the 3 HUD units going to be chipping in with the $500k cottages in the back equally? I'd like to understand how that works and where that money comes from - certainly not the tenants. Or are the HOA fees going to be really paid by the cottages - and therefore actually split four ways and starting at **$583/unit** monthly (assuredly to increase over time)?

This project has taken a single-family home at 103 Court St assessed at $422k - an attainable fixer-upper project to be sure - turns it into HUD which will burden the HOA with repairs and maintenance that is inevitable given its current state already - and throws onto the back of this property overcrowded $500k+ permanently restricted cottage homes that may be "attainable" at initial listing but then will trap residents under $333 monthly *or is it $583 monthly* HOA fees forever.

The developer narrative says "these cottages are designed to meet the needs of a diverse group of residents, including those looking to downsize, new families, and recently married couples." Has anyone asked a retired couple how they feel about $333/month HOA fees on social security income? Or a new family, or a recently married couple? As part of a recently married couple myself, I cannot imagine the

burden of a mortgage combined with this type of HOA fee. At least the mortgage is an investment, but the HOA fees are just money lost. This HOA fee covers what I do for my own property, and what my friends and coworkers do for theirs - it's part of the great challenge and joy of homeownership to maintain your own property.

What could be done using normal zoning without pushing the existing density under TDR? Maybe leave a $422k attainable fixer-upper in the existing single-family home, and add a second single-family home to the back of the lot, much like Chinburg did next door. The second home may be more expensive initially, but it would have no HOA and no restrictions so could actually be invested in and become a true family home.

My wife and I have friends and coworkers who have left Dover due to housing, but they don't qualify for HUD - they make too much money for HUD but not enough for $500+k new homes with HOA fees on top. They would have loved an opportunity for a $422k fixer-upper project that has been effectively removed from the market by this TDR project. This is the "**missing middle**" - not served by HOA-restricted $500k new constructions and not served by HUD. Are they able to buy a new $1mil home? Maybe not - but as someone else moves there, it opens up a smaller, less expensive home in town. And mortgages are investments - property eventually owned, not HOA money lost forever. What about the community created by neighbors' teenagers helping mow lawns, or hiring the guy down the street for that small job - not possible with a HOA.

On a final note, TDR has to be looked at in the context of the growth already underway in Dover as well as the troubles with existing infrastructure - we have over 1500 new units coming already in the large-scale developments across Dover. These alone provide over 10% growth for Dover. How much more growth do we need? Do we really need to push unwanted extra density into this neighborhood to get a few more units in here? Is our infrastructure really prepared for the extra TDR density on top of these new projects, when we've seen almost weekly water main breaks across town?

Regards,
Merlin Mason, 91 Court St

From: Matt Prugger <mattprugger@gmail.com>
Sent: Thursday, December 5, 2024 9:38 AM
To: Planning Board - All
Subject: TDR for 103 Court street

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

Good Morning sir, ma'am;

I am reaching out to show my disapproval of the proposed construction on 103 Court Street. A development of this size on a lot this small is outrageous and unnecessary. That one lot will not be sustainable if a single family home transforms into a duplex with 5 additional mini-homes. This is not consistent with our neighborhood and this could spark a domino effect that leads to multiple lots transforming into this catastrophe. Only causing more congestion and overpopulation in the area. Also, there is a 30 foot buffer law that should be followed. If laws are being manipulated by some then why must the rest of us be governed by them? There has already been plenty of overdevelopment in Dover, especially on this street. I will not be in favor of more construction just for profit and not necessity. The proposed construction on 103 Court Street should be denied and TDR misuse should be critically reviewed by the planning board. This is coming from the owner and resident of 81 Court street.

Respectfully,

Matthew Prugger

From: Rob Weir <rob@robweir.com>
Sent: Thursday, December 5, 2024 2:15 PM
To: Planning Board - All <PlanningBoard-All@dover.nh.gov>
Subject: Concerns regarding TDR at 103 Court St.

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

Dear Dover Planning Board,

I live here in Dover, at 106 Court St. It will probably not surprise you entirely to read that I have some concerns regarding the proposed TDR development at 103 Court St. which is coming to the Planning Board for your December 10th meeting.

I am aware that TDRs, in general, are currently a heated topic in our city, and I don't want to waste your time reciting generalities. Personally, I appreciate attempts to increase the housing stock in Dover. But, like most things, it is a balancing act.

The Zoning Ordinance at section 170-29 (B) talks about the purpose of the TDR as protecting lands that "possess significant conservation features, including but not limited to unsuitable development areas, groundwater recharge zones, forested areas, wildlife habitat, farmland, scenic view sheds, historic landmarks, and linkages to other such areas," while promoting "intensive development on the developable land possessing the least conservation value."

I'd draw your attention to that last part. Although any land east of the Spaulding is called out in 170-29 (C) as defining the "receiving area," TDRs are still intended for that subset of land that has "the least conservation value."

OK, I'll be the first to admit that we're not Silver Street. But consider:

- The subject parcel itself, #103, is nearly 200 years old, built in 1830.
- The neighboring parcel, #109, the residence of the late Ray and Joanne Richard, was built in 1790, the year of Washington's first term as president.
- Abutting the rear is Pine Hill Cemetery, which you know is an absolute jewel and the site of many civic ceremonies. It was established in 1731.

So, far from having the "least conservation value," I'd argue that this part of Court St. more aligns with the values of parcels that should be protected as having, among other conservation values, "scenic view sheds, historic landmarks, and linkages to other such areas."

The applicant, in their narrative to support their 170-29 (G)(8)(b) claim that the proposed development is "compatible with the land uses on neighboring lots," observes that "The property borders the RMU zone along its rear 160-foot line, which allows higher density (one unit per 2,500 sq. ft.)." It should be noted that the RM-U parcel referred to there is, in fact, Pine Hill Cemetery. I think this fact hurts, more than helps, their argument.

I'll draw your attention as well to the precise language in 170-29 (G)(8)(b): "compatible with the land uses on neighboring lots." It does not say, "compatible with the furthest extent of what zoning allows on neighboring lots." It speaks of actual use. In fact, if you review the actual use of residences on Court St., both the RM-U portion and the RD-12 portion (where #103 is), you find that the street is almost entirely single family and duplexes.

By my count, of the 30 parcels in the RD-12 portion of Court St., all but two are single family. And within the RM-U portion (ignoring #11 which is an empty lot, sometimes used for gardening), there are 37 parcels, of which 30 of them (81%) are single family or duplexes. So, in terms of "land uses on neighboring lots," the proposed development is far out of character for Court Street, where land use, both in the RD-12 as well as in the RM-U portion, is almost entirely single family and duplexes (and an early eighteenth-century cemetery, previously mentioned).

I could go on, but I want to be respectful of your time. I'm hoping you will find these arguments at least somewhat persuasive and agree that the proposed development does not meet the purpose of a TDR, to increase density in areas that have "the least conservation value," nor is a development of this density "compatible with the land uses on neighboring lots."

Per 170-29 (C), "Upon request by an applicant for development approval and at the discretion of the Planning Board, the provisions of this section may apply to the district(s) defined in Subsection D below." Words matter. "Discretion" means discretion and "may" does not mean "shall." It is in your power to deny this TDR or at least send it back to the drawing board.

Regards,

Rob Weir, 106 Court St.



What will our neighborhood look like after 103 Court St is approved for 900% development, and then developers start on any of these other similar size lots? Green spaces will be eliminated. Traffic will increase. Parking will become a battle. Our "medium density" residential zone will be urban next. 1/3 of the lot will be paved. "Cottages" will be spaced 20ft apart.

It's not about development.
It's about tripling the legal zoning density using TDR.

And when TDR bypasses zoning laws, projects should strictly adhere to the remaining TDR regulations. Holding Dover accountable ensures that development is responsible and respects the character of our neighborhoods. A 30-foot buffer is a TDR law. 103 Court St is 129-feet wide, and the entire project relies on ignoring that law.

What kind of example are we setting for our children if we allow the city to break its own rules?

It's time to speak up and demand better.

Join a concerted effort to tell Dover enough now by writing the Planning Board before they vote on 103 Court St.

PlanningBoard-All@dover.nh.gov

Let's ensure a sustainable future for Dover.

Before December 10th

Hilary Hamer, OD, MA, MS
Abutter, 91 Court St
Dover, NH 03820
Tel: (603) 361-9428

City of Dover, Planning
288 Central Ave
Dover, NH 03820

Subject: 103 Court St, TDR Proposal

To the Planning Board:

I urge you to thoroughly review the following information before considering accepting the TDR proposal at 103 Court St. TDR serves a purpose, but as so many expressed at the 566 Sixth Street project hearing on October 22nd, is this the correct use of it? While there may be a housing shortage right now, is it fair to homeowners like me to approve TDR that permanently changes our streets while admitting it is not the intended use of TDR? TDR is not required for this lot to be developed.

Consider the implications of 103 Court St for Dover but also for yourselves. This site will open a floodgate to additional TDR proposals as the densest and smallest residential TDR ever, except for one little past site next to Walgreens off Central Ave. I urge you to look at Court St and then scan the Dover map and see just how many long, skinny lots like this there are across the city.

I especially urge you to look at the applicability of code G(7) regarding a buffer and G(8d). The lack of any semblance of a 30-foot buffer provides an easy reason to dismiss this project. Deny this project due to lack of the required buffer as well as the overreaching density request.

My husband and I have poured our hearts into this home since moving here in 2022. The idea of nine new units on the mostly wooded single-family lot next to us when it first came out in September was shocking. The slightly revised proposal still represents an enormous increase in density and would fundamentally change the character of our street. This is a unique area. We are next to the Pine Hill cemetery. It does not have an urban feel to it. Our backyard creates a lovely field continuous with two neighbors' backyards by the cemetery. Many people both recreate and reflect there, a lovely and peaceful historic space.

We understand the need for housing, but this type of overdevelopment in our neighborhood is not the solution. It is not compatible with the neighborhood. Develop the lot under normal zoning which allows for three units. Four more housing units using TDR will do nothing to fix the larger housing problems of this city.

Thank you,



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TDR Density

This is the densest proposed residential TDR to date, except for one previous site next to Walgreens.

Right-to-Know provided this list of approved and pending TDR projects since 2021 which I then researched to add the acres and final number of approved units:

Approved TDR Projects

8/4/21	51-65 Bellamy	R40	7.79 acres	17 units	2.2 units/acre
8/4/21	725 Central	G			
7/26/22	757 Central	G			
5/20/22	16 Prospect	R12	1.56 acres	3 units	1.9 units/acre
10/18/22	Little Bay Road	LBW			
6/30/23	5 Glenwood	R12	0.36 acres	2 units	5.6 units/acre
10/27/23	Cielo Drive	IT			
12/23/23	105 Durham	R20	1.28 acres	9 units	4.1 units/acre
3/26/24	30 Grapevine	C			

I did not include further details for TDR examples located in non-residential zones, as surely these are not relevant to 103 Court St.

Pending TDR Projects

6/27/22	77 Sixth	R12	0.26 acres	4 units	No action? Abandoned?	
3/8/23	41 Long Hill	R12	11 acres	34 units	3.1 units/acre	In TRC
11/21/23	306 Dover Point	R20	1.64 acres	5 units	3.0 units/acre	
5/2/24	512 Sixth	R12	1.87 acres	5 units	2.7 units/acre	
5/22/24	131 Littleworth	R40	Withdrew – not relevant			
6/4/24	101 Back Rd	R40	Village Theme – not relevant			
6/6/24	566 Sixth	R40	1.35 acres	5 units	3.7 units/acre	Denied
7/15/24	52 Old Rochester	C				
8/15/24	103 Court	R12	1.19 acres	7 units	**5.9 units/acre**	

This represents the densest residential TDR ever, and the second smallest TDR lot ever except for one located at 5 Glenwood Ave, a site next to Walgreens:



This lot is small and sets an example by which almost any residential lot in Dover would be a candidate for TDR development.

Minimum frontage by residential zone:

- R12: 100-feet
- R20: 125-feet
- R40: 150-feet

103 Court St frontage is 129.36 feet, and it is 141.18 feet in the rear. By this example, every single R40 lot, almost every R20 lot in town, and an awful lot of R12 are candidates for TDR. Dover is littered with long skinny lots like this in residential neighborhoods. This project is a floodgate for more TDR proposals.

Neighborhood Analysis

Arguing 103 is a transition between RMU and R12

From the developer: "The property borders the RMU zone along its 160-foot rear property line… This project respects the transition between the higher-density RMU zone and the medium-density residential R-12 zone"

Pine Hill Cemetery does border 103 Court St in the back. It is technically RMU zone. It is a cemetery. It will never be developed. This is not a transition.

Detailed Analysis

Existing Density and Building Coverage within 300-feet

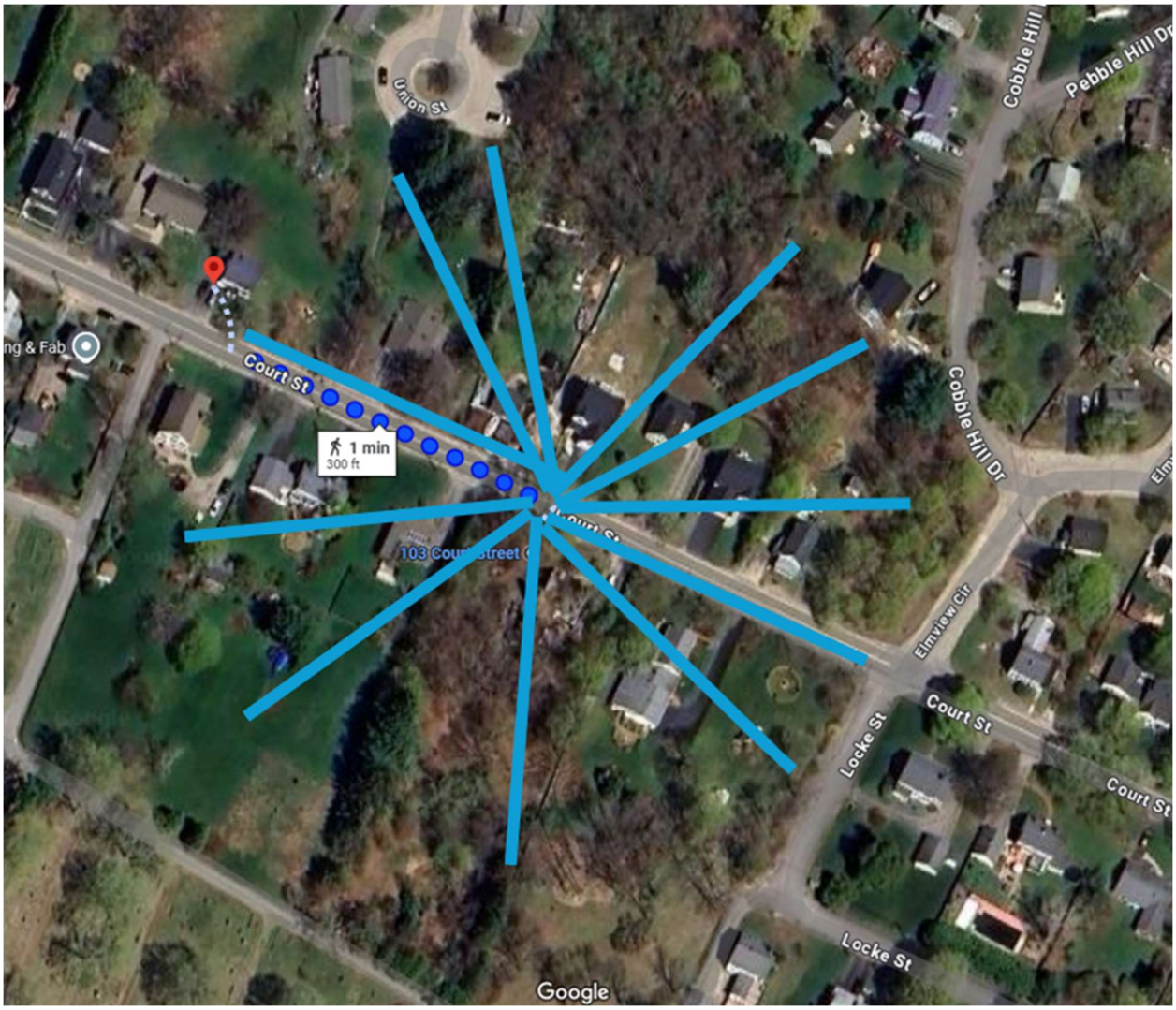


Figure 1: 300-foot circle around the existing home on 103 Court St (the recommended range from TRC #2 9/26/24)

In the 300’ circle centered on the current single-family home at 103 Court St, these are the residences:

Address	Lot Size (acres)	Type	Existing Home ground floor (sqft)	Unit /Acre	Existing Building Coverage*
85 Court St	0.687	1 family	1065	1.45	3.56%
89 Court St	0.904	1 family	864	1.11	2.19%
91 Court St	0.865	1 family	1008	1.16	2.67%
103 Court St	1.19	1 family	936	0.84	1.81%
109 Court St	0.439	1 family	741	2.28	3.87%
111 Court St	0.39	1 family	Unsure- new	2.56	
Tranquility Way	0.36	1 family	Unsure- new	2.78	
Tranquility Way	0.408	1 family	Unsure- new	2.45	
108 Court St	0.367	1 family	580	2.72	3.63%
106 Court St	0.33	1 family	918	3.03	6.39%
104 Court St	0.32	1 family	576	3.13	4.13%
102 Court St	0.31	1 family	737	3.23	5.46%
100 Court St	0.38	1 family	480	2.63	2.90%
92 Court St	0.698	1 family	768	1.43	2.53%
			AVERAGE:	**2.2 units/acre**	**3.56%**

**I was unable to calculate proper lot coverage as I cannot readily access the impermeable area per lot. The houses along Court St are all located towards the front of the properties, so the impermeable areas (driveways) reflect the building sizes, so I feel this is still a very valid assessment to use.*

Versus proposal at 103 Court St:
Unit Density = 7 units/1.19 acres = 5.88 units/acre – **This is 2.7X higher than the average**

4 cottages at ~20x30’ + current single family (936sqft) + barn (estimate 1000sqft) = 8.36% building coverage – **This is 2.3X higher than the average**

Presence of duplexes

There are no duplexes in a 300-foot radius of 103 Court St currently.

Spacing of Existing Homes

If a buffer is not enforced, then the cottages in the rear of the lot will be visible and should be therefore considered relative to their consistency to the neighborhood as well as the front buildings.

Houses are an average of 36-feet spaced apart on the North of Court St and 40-feet from each other on the South of Court St in the immediate area. The proposal meanwhile places a row of identical cottages each spaced 20-feet apart.



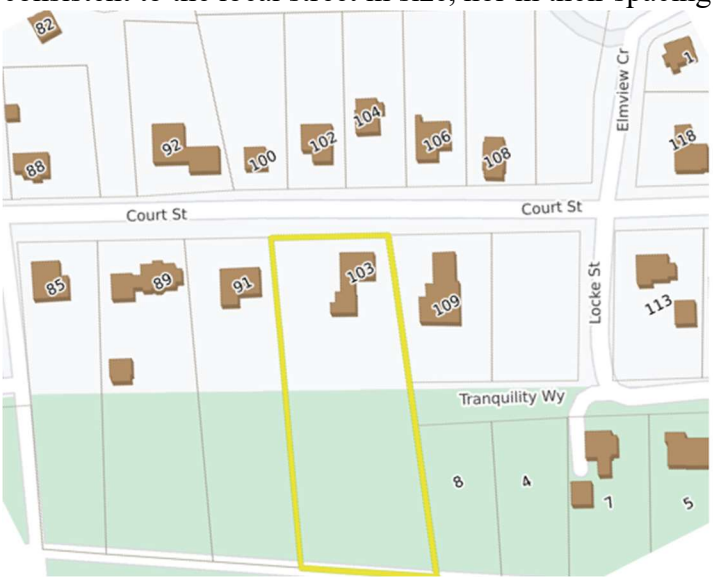
Between Houses:
North side:
21.8 feet
39 feet
27 feet
43 feet
36 feet
average = 33.4 feet
median 36 feet

South Side:
47 feet
43 feet
current at 103:
~80feet
and 40feet

Figure 2: Developer diagram of existing houses.

Home Sizes and Diversity

The homes on Court St are diverse, built over many years. Every single house is unique. I will not include a photo of every home in the immediate area, but I invite you to travel down Court St. There is no example of a row of identical houses anywhere. Our homes also cover a wide range of sizes but are all larger than the ~20'x30' cottages proposed. These cottages are not visually consistent to the local street in size, nor in their spacing and uniformity.



From the Street:
85: 38' wide house
89: 79' wide house
91: 42' wide house
103: 36' wide house
109: 42' wide house
new 111: 39' wide
88: 40' wide
92: 72' wide
100: 29' wide
102: 34' wide
104: 30' wide
106: 38' wide
108: 20' wide

Average: 38.7 feet wide
Median: 40'

Figure 3: All of the sizes of houses along Court St in immediate area from the street

The parcel “within 165’ has 59 units on 6 acres”

The developer alludes to a “parcel within 165’ has 59 units on 6 acres.” I assume they are referring to the property at the end of Union Street based on the maps. However, the corner of that parcel is 300-feet from 103 Court St. Furthermore, topographically this parcel exists at an entirely different elevation to Court St and is not even visible from the paved walkway that connects it to Court St.



Figure 4: This is the view to that parcel from Court St

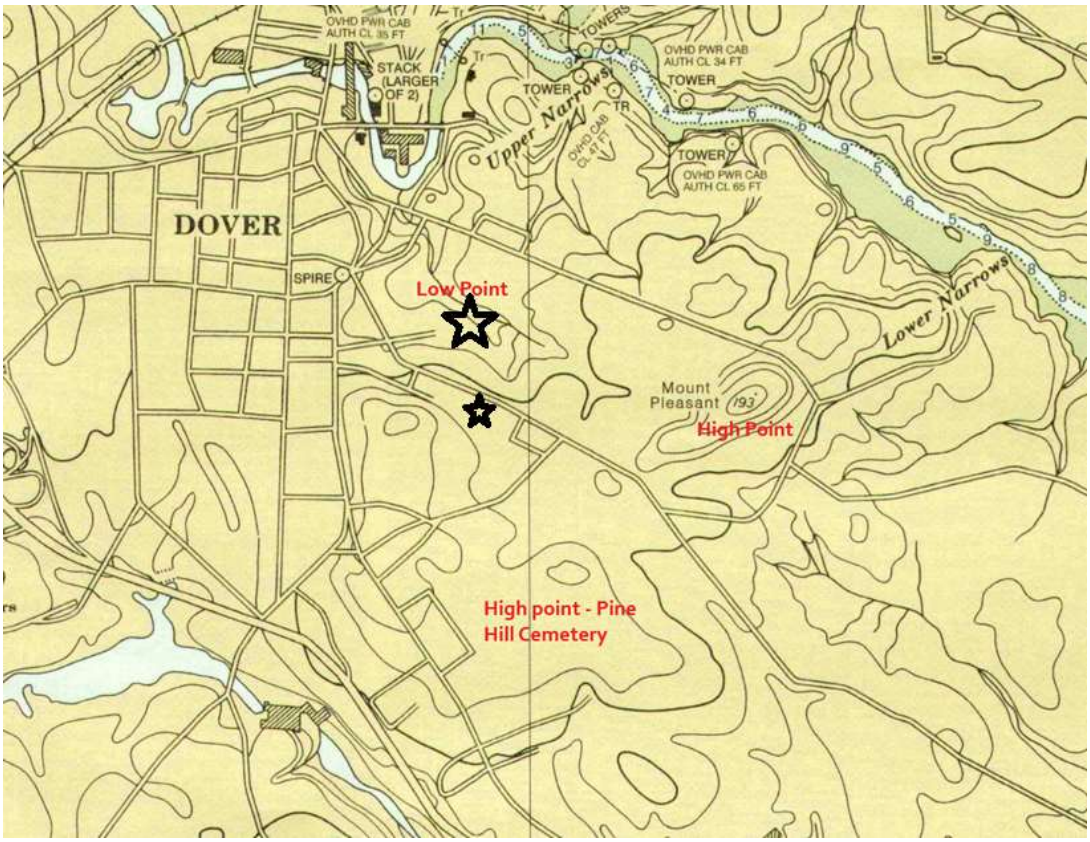


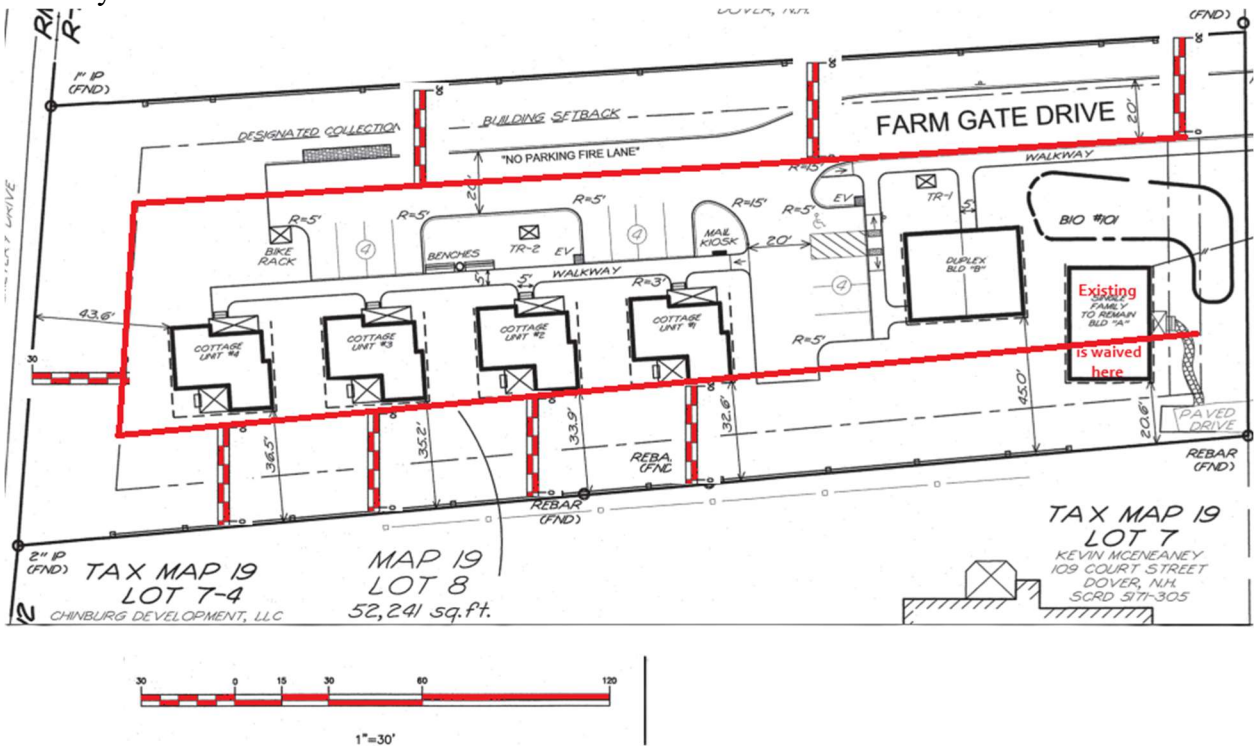
Figure 5: USGS Survey Topographical Map of Dover showing the significantly lower topographical elevation to the Union St area residences relative to 103 Court St.

The Buffer Ordinance

170-27.2(G)7: "A continuous visual buffer shall be created along the perimeter of the parent parcel, which shall include a thirty (30) foot no cut, no disturb buffer."

There is no 30-foot no-cut, no-disturb buffer in the plan.

I apologize for my poor rendering skills. There was no buffer drawn onto the submitted plans, so I did my best:



On the 109 Court St side, the cottages are at 36.5-feet, 35.2-feet, 33.9-feet and 32.6-feet from the property line. This is obviously not providing any semblance of a 30-foot no-cut, no-disturb buffer. On the 91 Court St side, there is a paved road about 10 to 20-feet from the property line. Again, no semblance of a 30-foot no-cut, no-disturb buffer.

After initially seeing this project and reading the TDR code, my neighbors and I thought surely this TDR cannot move forward as there is clearly no room for the buffer. We watched the first and second TRC meetings closely and thought that would be it. The committee clearly indicated the proposal would have to meet the buffer requirement, and it was denied twice.

From the online recording under Meeting Minutes from 9/26/2024 second TRC at:
https://publicrecords.dover.nh.gov/Tabs/Index/21116/public/1/deptnum/0/cab/Public_Meetings

Transcribed with minute references:

- 1:30 Director Benton, "I know we chatted last time about trying to add more than the existing 10-foot visual buffer so if we can still look to make the 30 that is technically required."

- 7:17 Dir. Benton, "The issue is the TDR ordinance is clear that if you're asking for relief because of the extra density, then you shouldn't be getting the extra density. So, we're just trying to make sure that you're meeting the buffer requirements.
    - [Developer asks for clarification]
- So the ordinance is clear that you can't be asking for relief if it's caused by the extra density. So you really shouldn't be getting extra density if you can't meet the buffer requirements, and the setbacks. So you may need to lose units or figure out a redesign."

The buffer comes up repeatedly in the meeting as a requirement. When the slightly modified proposal you are now viewing was approved at the third TRC meeting on November 14, 2024, it was an utter shock to myself and neighbors.

I inquired with my City Council representative for ward 3, Anthony Retrosi, on how this could possibly be happening. He procured this explanation from Director Benton on November 18, 2024:

> "*Hi Councilor Retrosi,*
> *Thanks for reaching out for more information. As you're likely aware the Transfer of Development Ordinance allows for housing density to occur in excess of the underlying zoning allowances providing the Planning Board grant the request. Ms. Hamer raises two main questions I want to address. The first being the 30' visual buffer on the parent parcel. The parcel is not seeking a subdivision and therefore "parent" is a key word. There have been other instances where the Planning Board has not required the 30' visual buffer depending on the site, proximity to urban core, lack of subdivision or new lot lines, etc.*
> *The other is the criteria of no additional relief being sought. This was added about 2 years ago to the Zoning Ordinance and the intention was in terms of wetland or wetland buffer impacts and not to parts of the TDR ordinance itself. The 30' buffer is a part of the TDR ordinance not underlying zoning like an environmental conditional use permit would be. Relief from wetlands impacts due to additional development is a different level of relief than providing or not providing a 30' visual buffer. Due to discussion during the TRC process, the applicant is proposing fencing and additional landscaping to try to meet the same intent and help screen the project from abutting properties.*
> *Certainly this zoning ordinance could use clearer word smithing which staff plans to discuss with the Planning Board during its annual goal setting in January.*
> *Please let me know if you or Ms. Hamer have any additional questions.*
> *Thanks,*
> *Donna Benton, AICP*
> *Director of Planning and Community Development*"

This is entirely inconsistent with every single part of the past TRC discussions and none of us can understand what changed between 9/26 and 11/18. It is extremely upsetting to see this complete reversal in language and utterly confusing.

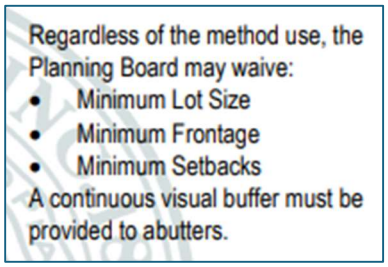
The buffer applies under all interpretations of TDR code.

Imagine my and my neighbors' utter shock at these statements which are in contradiction with the TRC meetings, TDR code and prior discussions at Planning Board meetings relative to TDR. It's pretty obvious that ordinance G(7) located under the section of residential TDR code would apply to a residential TDR project. It makes sense because the buffer is to protect neighbors from the increased density that would never occur under regular zoning.

The parent parcel is the lot of 103 Court St. I have asked a licensed surveyor with frequent business in Dover, a zoning lawyer in Dover, civil engineers and others what they consider a "parent parcel" to be for TDR. The answer is unanimous that the "parent parcel" for the TDR application is the original lot.

Whether the TDR functions as a subdivision or a site plan is immaterial for residential TDR projects, as both fall under the hierarchy of the full section G. Look at (E)4 in the TDR code which states that a TDR proposal is subject to all of section F or all of section G. 103 Court St as a residential TDR application is subject under this language to all of section G, including the buffer.

170-27.2(G)7: "A continuous visual buffer shall be created along the perimeter of the parent parcel, which shall include a thirty (30) foot no cut, no disturb buffer."

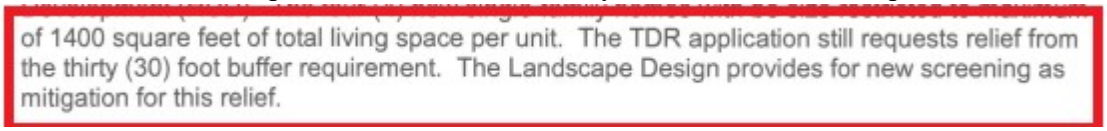

Regardless of the method use, the Planning Board may waive:
- Minimum Lot Size
- Minimum Frontage
- Minimum Setbacks

A continuous visual buffer must be provided to abutters.

Furthermore, the City of Dover Transfer of Development Rights Fact sheet for Residential Development Rights specifically promises a "continuous visual buffer" (to the left here) without any restriction to a subdivision or site plan format.

It does not spell out thirty feet of buffer. However, it clearly implies that a buffer is a requirement for all residential TDR projects. The "continuous visual buffer" and the 30-feet distance is specified in the full clause of G(7). There is no separation of a visual buffer and a 30-foot buffer in the written ordinance. You cannot say a visual buffer is a requirement here while not the 30-foot no cut, no disturb zone.

Additionally, in the Planning Board Submittal letter from the developer, the developer asks for relief from the "buffer requirement". Therefore, they understand it as a requirement.


of 1400 square feet of total living space per unit. The TDR application still requests relief from the thirty (30) foot buffer requirement. The Landscape Design provides for new screening as mitigation for this relief.

In the Plan Snapshot Report, the comments from the TRC committee include mentioning the "TDR 30' no-cut-no-disturb area":

Comments: • The narrative says that the design is context-sensitive with the neighborhood and consistent with the master plan, but doesn't provide much analysis to support the claims. The following information would make it easier to evaluate compatible density vs. overdevelopment:

- o Define the "surrounding area" for the purposes of evaluating density and visual character
- o Provide density comparisons between the proposed development and surrounding area (units/acre, building massing, lot coverage, presence of duplexes, prevailing setbacks and/or separation of buildings, etc.)
- • Many structures/areas of disturbance are within the TDR 30' no-cut-no-disturb area/still do not appear to have a visual buffer in place. If requesting a waiver, data suggestions above would also be important for evaluating waiver.
- • Review RSA 289:3 III for compliance – "no new construction, excavation, or building" within 25' of the boundary of an established cemetery.
- • Plan orientation is not consistent across all sheets (e.g. both Court Street and the Cemetery appear on plan left on different sheets) – it is confusing the way it flips.

The 30-foot no cut, no disturb buffer requirement does apply to 103 Court St, and all TDR for that matter, for the perimeter of the existing lot. Under section 8d, as Director Benton so clearly said at the 9/26 TRC meeting, this buffer cannot be waived to achieve the extra TDR density.

There are no similar examples of residential TDR waiving the buffer in an R-12, R-20 or R-40 project.

Let's look at all the other residential TDR projects since 2021 and the very well-defined buffers on their plans.

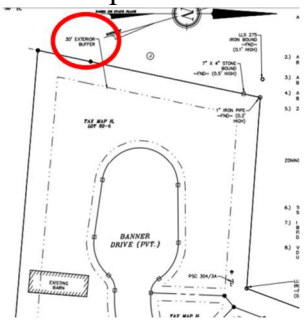


Figure 6: Approved at 51-65 Bellamy Road

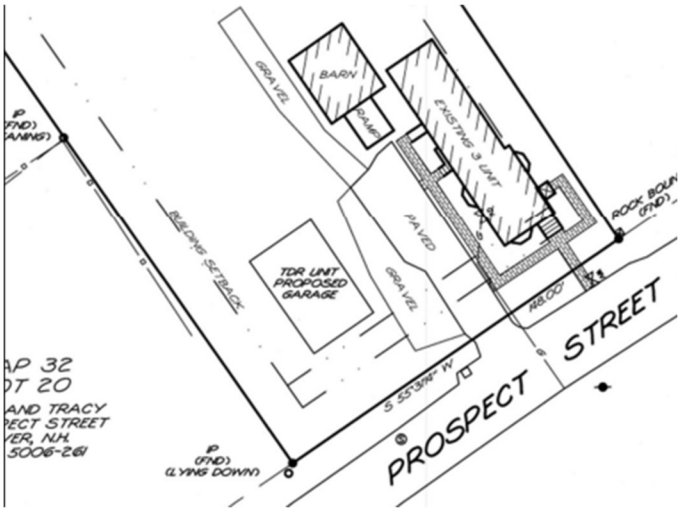


Figure 7: Approved at 16 Prospect St - buffer not drawn, but clearly obeys 30-feet by scale on plan

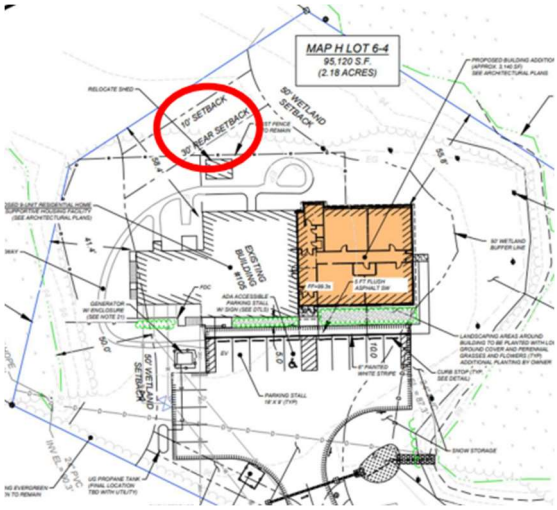


Figure 8: Approved at 105 Durham Road

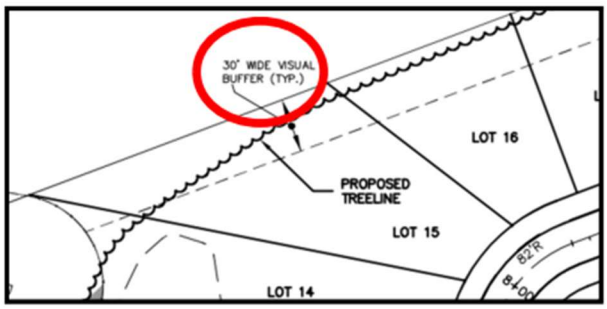


Figure 9: Pending at 42 Long Hill Road

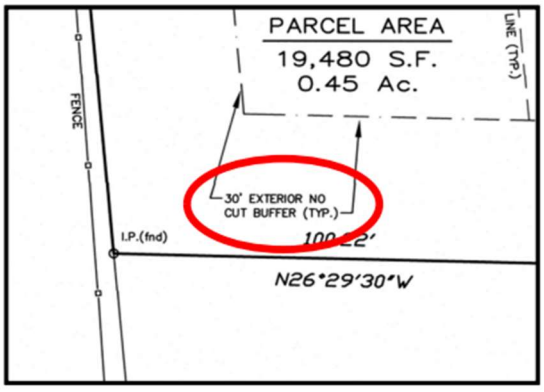


Figure 10: Proposal at 566 Sixth St

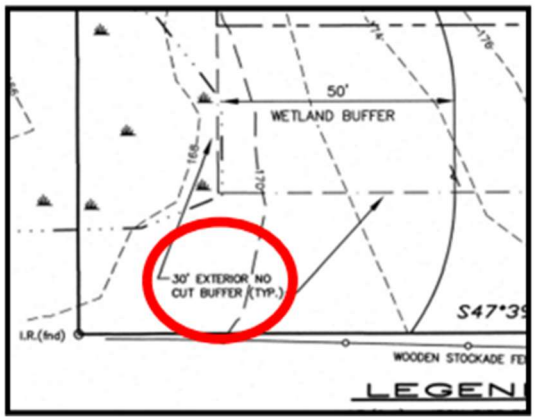


Figure 11: Proposal at 512 Sixth St

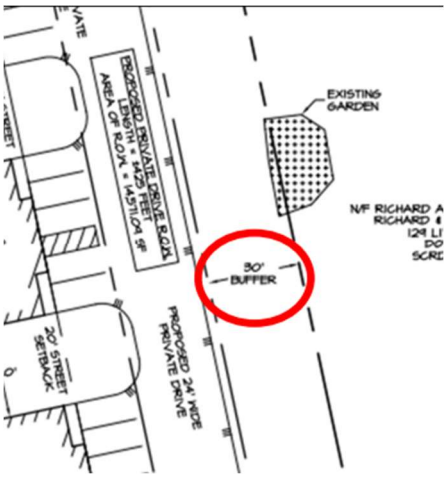


Figure 12: Proposal at 131 Littleworth Road - even though they withdrew

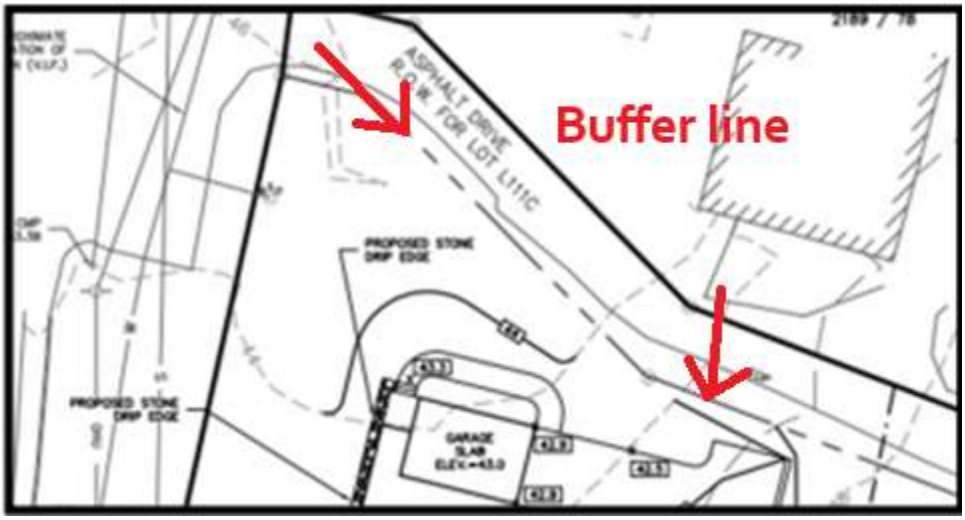


Figure 13 306 Dover Point Rd, even though it's bordered by driveways to lower coastal lots, still maintained a buffer.

Acknowledging the single example of residential TDR without a buffer, for fairness.

5 Glenwood Ave (a site next to Walgreens off Central Ave) is the one example that waived a buffer. It provided a very clear explanation and requested only one unit. It was also approved on 6/30/23, prior to the amendment creating 8d in the TDR ordinance which disallows buffer relief.

There is no attempt at a valid argument for waiving a buffer at 103 Court St.

The project narrative literally includes no argument for waiving the buffer at all. It is not mentioned in the current material (as of 11/25/2024). The only comment from the developer is in the "TRC Response Letter #2":

- *Shrink common area or unit count to gain more than the 10' visual buffer. Narrative would be needed for TDR relief being sought from setback and buffer. However, seeing the density being sought is double what the base calculates out to be would indicate the buffers and setbacks should be met or unit request reduced.*
    - This comment has not been adequately addressed. Still seems to have too many units and not enough buffer area.

      The revised Site Plan provides a radical revision to the site layout. The unit count has been reduced by 2 units. The existing house will remain as a single-family home, which will utilize its existing utilities, trash collection and driveway. The new duplex has been moved slightly to more closely coincide with the existing barn foot print and will provide additional buffer to the east. These units will remain HUD restricted. Cottage #5 has been removed. The remaining cottages have been pushed to the west another 15 feet and completely out side of the 30-foot buffer.

      The aerial photographs from the City of Dover GIS shows that in 2005, 2010 and as recently as 2018 much of the property was maintained as field and much of the growth on site does not provide effective screening. The proposal still requests a waiver from the 30-foot perimeter buffer which will allow for clearing of the existing undergrowth and the installation of stockade fence with an additional vegetative screen.

As previously highlighted in my diagram, the cottages are not within 30-feet of the property line. However, a backyard is not a buffer. This also fails to acknowledge that the pavement on the other side of the lot is 10-feet from that property line.

Furthermore, what does the past aerial photography have to do with this? The lot is currently wooded. In fact, the current single-family home is barely visible from any view except from the front. Here's some photos from this November for you – when there's not even full leaves on the trees. There is currently a very good visual buffer surrounding the entirety of the 103 Court St lot.



Figure 14: Small orange flag in the middle is rear property marker for 103 Court St. The house is just barely visible.



Figure 15: View of the 103 Court St from the West.



Figure 16: View of 103 Court St from Court St



Figure 17: View of 103 Court St from Locke St/Tranquility Way

Landscaping has been proposed to provide a continuous visual buffer without a 30-foot no-cut, no-disturb zone. How is sufficiently dense landscaping going to screen this property from all of these angles within the 10-foot strip remaining unpaved on the East and in the 30-foot backyards on the West? As previously mentioned, if the cottages in the rear are visible at all, then they must be consistent with the neighborhood context which, as I argued, they are not.

What about section 8d – is seeking relief for the buffer allowed?

170-27.2(G)7: "A continuous visual buffer shall be created along the perimeter of the parent parcel, which shall include a thirty (30) foot no cut, no disturb buffer."

170-27.2(G)8d reads, "Any relief sought should not be caused by the additional density."

Transcribed from the online recording under Meeting Minutes from 9/26/2024 second TRC meeting for 103 Court St with minute references, again:

7:17 Director Benton, "The issue is the TDR ordinance is clear that if you're asking for relief because of the extra density, then you shouldn't be getting the extra density. So, we're just trying to make sure that you're meeting the buffer requirements.

[Developer asks for clarification]

So the ordinance is clear that you can't be asking for relief if it's caused by the extra density. So you really shouldn't be getting extra density if you can't meet the buffer requirements, and the setbacks. So you may need to lose units or figure out a redesign."

If you agree that the buffer is a requirement, as I argue every single discussion and prior example demonstrates for TDR, then the buffer cannot be waived for 103 Court St just to get the extra TDR density under ordinance 8d.

In conclusion, deny this project on the basis that it overreaches even under TDR, is not compatible with the existing neighborhood in density and appearance, and fails to meet the buffer requirement for TDR.

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, December 10, 2024**
Meeting Time:	**7:00 pm**

Members Present: Gina Cruikshank (Chair), Ken Mavrogeorge, Tom Clark, Melina Gambino, Doug Glennon, George DeBoer, Kyle Pimental, Dennis Shanahan (Deputy Mayor), and Jeff Sanborn (Alternate)
Members Not Present (excused): Fergus Cullen (Councilor), Mallory Strange (Alternate)
Staff Present: Donna Benton, Planning Director

Gina Cruikshank (Chair) called the meeting to order at 7 p.m. and noted that Deputy Mayor Shanahan would be sitting in for Councilor Cullen, G. DeBoer will Vice Chair and J. Sanborn will sit for the vacant seat.

1. CITIZENS' FORUM

The Chair explained the Citizens' Forum process.
Citizens Forum Opened
Rory Wilkie, 566 Sixth St addressed his concerns and opinions about the TDR program.

Hilary Hamer, 91 Court St, asks for a redesign of the TDR language with stricter guidelines and adjustments to the timeline for public input to projects.

Ed Neister, 574 Sixth st commented on TDR and sent some examples to the Board ahead of time. He suggested an acre to acre comparison rather than a financial criteria.

D. Benton noted two emails were received from additional residents with concerns about the TDR program.

Eric Salovitch, 239 Long Hill Rd, Licensed Land Surveyor offered his services if the language of TDR is going to be rewritten.

Ken Durell, 508 Sixth St is concerned about TDR. He is against the proposal at 566 Sixth St.
Citizens Forum Closed

2. APPROVAL OF THE PRIOR MINUTES

- November 12, 2024 Regular Meeting Minutes

Motion: D. Shanahan moved to approve the regular meeting minutes of November 12, 2024 as submitted. Seconded by: D. Glennon. Vote: U/A

3. OLD BUSINESS

None

4. NEW BUSINESS

A. Consideration and acceptance of a Site Plan for the City of Dover, Assessor's Map 9, Lot 57, zoned CBD-M, located at 73 Locust Street. (Proposal is for a 3,539 s.f. expansion to the library that includes accessibility improvements and a new elevator, stairway, and restrooms.) *(SITE-2024-0017)

D. Benton explained that the City of Dover, as the applicant, is proposing a ±3,539 square foot expansion to the south side of the Dover Public Library that includes accessibility improvements and a new elevator, stairway, and restrooms. A new entry vestibule from the parking lot will be constructed as part of this expansion and a new meeting room will be constructed on the top floor. These alterations and additions have been identified as needed improvements to better serve patrons at the library. Three waivers have also been requested as part of this proposal for relief from requirements for a landscape plan, neighborhood plan, and outdoor lighting plan.

The Technical Review Committee reviewed the application at their December 5, 2024 meeting.

K. Mavrogeorge recused himself from the item.

Eric Sanderson, City of Dover Facilities Manager, represented the application and explained the request. He answered questions from the Board relating to size of additional square footage added (3,500sf).

Motion: M. Gambino moved to accept the application and declared no regional impact. Seconded by: G. DeBoer. Vote: U/A

Public hearing opened.
Margarat Hanlan, 51 Augusta Way asked if any changes are proposed to the existing portion of the library.
Public hearing closed.

Mr. Sanderson addressed public comment:

- None of the woodwork will be removed- some will be refinished. The job is mostly a paint and patch job.

K. Pimental asked if there were any design considerations to maintain the Carnegie status.
Mr. Sanderon noted the original portion has not changed except for the elevator. They are trying to match the existing library exterior. The rear portion has a glass floor (currently covered by carpet) which is planned to have a portion uncovered.

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 rational for the waivers meets criterion (2) and waiving such standards and requirements will properly carry out the spirit and intent of the regulations.

The Planning Department recommends that the Planning Board make the necessary and supporting findings of fact, and vote to grant the waiver with the following non-binding 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:
   §153-13.A (12) Landscape plan
   §153-13.A (16) Neighborhood plan
   §153-14.E Outdoor lighting plan

Motion: D. Glennon moved to grant the waiver requests with the subsequent conditions set by staff as it meets criteria for relief. Seconded by: D. Shanahan. 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:

Subsequent Condition to be Met Prior to the Signing of the Plans:
1. Add owner's signatures;
2. Add professional stamps and signature;
3. Submit final plans (including CAD) with owner's signature and all professional stamps and signatures;
4. Add note to display total number of parking spaces that will be removed;
5. Provide amended plans and response to Technical Review Committee comments.

Subsequent Condition to be Met Prior to Construction:
6. A site construction sign with the contact information for the general contractor be displayed in a location approved by the City Engineer or Planning Director;

Subsequent Condition to Be Met Prior to Building Permit:
7. Payment of Water and Sewer Investment Fees if applicable at time or request of service;

Subsequent Conditions to Be Met Prior to Occupancy:
8. Issuance of Certificate of Occupancy;
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: M. Gambino moved to approve the Site Plan with subsequent conditions set by staff as it meets criteria. Seconded by: D. Shanahan. Vote: U/A

B. Consideration and acceptance of a Lot Line Adjustment for Robert S. Mairs Revocable Trust, George Maglaras & Robert S, Mairs Trustee, & George Maglaras, Assessor's Map 24, Lots 141, 140 & 139, zoned CWD, located at 5, 11, and 31 Cocheco Street. *(LOTA-2024-0013)
This item has requested a continuation to the January 28, 2024 Planning Board meeting.

C. Consideration and acceptance of a Lot Line Adjustment for Northam Survey, LLC (Owners: Gasses Farm Revocable Trust 2009 and Portsmouth Christian Academy), Assessor's Map J, Lots 1 & 1-C, zoned R-40, located at 120 Garrison Road and 20 Seaborne Drive. *(LOTA-2024-0014)

D. Benton explained that the applicant is proposing a lot line adjustment to revise the lot lines between abutting properties located at 120 Garrison Rd. and 20 Seaborne Dr. adding approximately 11.4 acres to 20 Seaborne Dr. from 120 Garrison Rd. For both lots, frontage and compliance with the underlying R-40 zoning regulations will remain the same.

As a Lot Line Adjustment, this application did not appear before the TRC.

Eric Salovitch, Northam Survey represented the application and explained the request for the lot line revision. He explained the history of the lots through this process. He addressed some of the staff memo comments which will be fixed.

Motion: T. Clark moved to accept the application and declared no regional impact. Seconded by: G. DeBoer. Vote: U/A

Public hearing opened.
One email was received from 65 Bellamy Woods asked if there were plans for building on the property which staff addressed with the resident.
Public hearing closed.

STAFF RECOMMENDATION- Lot Line Adjustment:
Chapter 157-17 of the Land Subdivision Regulations of the City Code provides for the adjustment of existing lot lines between two or more lots. This plan is consistent with those regulations.

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 Signing of Plans:

1. Provide physical and digital copies (including CAD) of complete plan set for recording at Strafford County Registry of Deeds which additionally shall include:
   1.1. Planning File Number #LOTA-2024-0014
   1.2. The owner's signatures
   1.3. The LLS stamp and signature
   1.4. Move Planning Board approval area to lower right hand corner.

Motion: G. DeBoer moved to approve the Lot Line Adjustment with conditions as it is consistent with regulations. Seconded by J. Sanborn. Vote: U/A.

D. Consideration and acceptance of a Lot Line Adjustment for The Roberts Family Revocable Living Trust and Philip H. & Brenda L. Bennett, Assessor's Map I, Lots 74-G & 1-B, zoned R-12, located at 81 and 87 Garrison Road. *(LOTA-2024-0015)

D. Benton explained that the applicant is proposing a lot line adjustment to revise the lot lines between abutting properties located at 81 Garrison Rd. and 87 Garrison Rd. adding approximately 5,323 square feet to 81 Garrison Rd. from 87 Garrison Rd. For both lots, frontage and compliance with the underlying R-12 zoning regulations will remain the same.

As a Lot Line Adjustment, this application did not appear before the TRC.

Brenda Kolbow, TF Moran represented the application and explained the request for the lot line revision.

Motion: M. Gambino moved to accept the application and declared no regional impact. Seconded by: T. Clark. Vote: U/A

Public hearing opened.
No one spoke
Public hearing closed.

STAFF RECOMMENDATION- Lot Line Adjustment:
Chapter 157-17 of the Land Subdivision Regulations of the City Code provides for the adjustment of existing lot lines between two or more lots. This plan is consistent with those regulations.

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 Signing of Plans:
1. Provide physical and digital copies (including CAD) of complete plan set for recording at Strafford County Registry of Deeds which additionally shall include:
   1.1. Planning File Number #LOTA-2024-0015
   1.2. The owner's signatures
   1.3. The LLS stamp and signature
   1.4. Remove City of Dover signature box and replace with 2x2" blank area in lower right corner.

Motion: K. Pimental moved to approve the Lot Line Adjustment subject to conditions set forth by staff as it is consistent with regulations. Seconded by G. DeBoer. Vote: U/A

E. Consideration and acceptance of an Amendment to the Conditions of Approval for 54 BRR, LLC, Assessor's Map I, Lot 6, zoned R-12, located at 54 Back River Road. (Proposal is a request to waive the condition of impact fees associated with previously approved plans, P20-60) *(WAIV-2024-0020)

D. Benton explained that on March 9, 2021, the Board approved a TDR Site Plan (P20-60) for 44 single-family units, rent-restricted at the HUD Fair Market Rental Rate. The site has been under construction and many of the units occupied. The Applicant now requests the removal of Condition of Approval #9, to waive the remaining impact fees associated with the approved project or for another option satisfactory to the Planning Board whether it be a payment in lieu or a payment plan.

John Randolph, owner 54 Back River Rd LLC represented the application and explained the request for reduction or removal of impact fees. The applicant has paid $67,000 in fees for this project. The units are locked in as affordable housing in perpetuity. He gave additional financial information. There is a recreational path to the river that can be opened to the public and they request the recreational impact fees be waived. The project currently does not house any school-aged children and they ask the school impact fees be waived.

Mr. Randolph answered questions from the board clarifying there are $120,000 in fees still owed, all units have been built, applicant is not asking for a refund of fees paid, just waiving of unpaid fees and or extended time to pay. Additional financial information given. Clarification given about ownership status of the project.

Motion: T. Clark moved to accept the application and declared no regional impact. Seconded by: G. DeBoer. Vote: U/A

Public hearing opened.
Matthew Smith, 57 Back River Rd is concerned about setting a precedent and how it will affect residential taxes. He has never been in favor of this project and not in favor of the ongoing development in that area. He listed his concerns due to the overdevelopment.
Public hearing closed.

D. Benton explained a recent decision of the Planning Board related to setting the impact fees to $0 moving forward from July 1, 2024. This applicant doesn't meet that timeline, but is a unique project based on who and how the housing is served. She clarified for the board what it was they voted on regarding the impact fees when asked.

D. Shanahan gave comments in favor of the request and his reasons.
T. Clark noted for this project, the rent rates are capped and unable to be raised. He supports the request.
G. DeBoer noted we need to keep precedence in mind and clarify what our criteria is for these requests, which will be coming.
K. Mavrogeorge agreed to caution against precedence. Extending the timeline is the reasonable request in this instance. There are some impacts to the City, including Police and Fire and there do seem to be some children in that neighborhood.
J. Sanborn clarified the lack of impact fees does not fall to the taxpayers to cover. It is a waiving of a fee for a particular project with great positive impact.
K. Pimental noted this is a great project and model for others to look to. He agrees to extend the payments out over time rather than waiving them since it was approved several years before the impact fees were changed.

Motion: G. DeBoer moved to table the request indefinitely for the staff to work with the applicant to restructure a payment plan. Seconded by K. Mavrogeorge. Vote: 6-3 with Shanahan, Sanborn and Clark opposed.

F. Consideration and acceptance of a Conditional Use Permit for Michael & Shelby Brewer, Assessor's Map 32, Lot 36-F, zoned R-12, located at 77 Fourth Street. (Proposal is to construct a garage and modify the paved areas to have 1,467 ±s.f. of permanent impacts to the 50-foot wetland buffer and 756± s.f. of temporary buffer impacts.) *(COND-2024-0031)

D. Benton explained that the applicant is proposing modifications to the existing single-family dwelling that includes the construction of a deck, garage, and breezeway and modifications to the driveway pavement resulting in ±1,467 square feet of permanent impacts to the 50-foot wetland buffer and ±756 square feet of temporary buffer impacts. There are no direct wetland impacts.

The project was reviewed and endorsed by Conservation Commission at their meeting on December 9, 2024 with no conditions.

Kevin McEneaney, McEneaney Survey/CivilWorks represented the application and explained the request to add an ADU to the property and the building changes needed to incorporate that project.

Motion: D. Glennon moved to accept the application and declared no regional impact. Seconded by: T. Clark. Vote: U/A

Public hearing opened.
No one spoke
Public hearing closed.

STAFF RECOMMENDATION- Conditional Use Permit
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.

Planning Staff feels that the applicant considered and met all of the criteria as specified in §170-28.F per their narrative. The proposal minimizes wetland buffer impacts and avoids direct wetland impacts. The proposed project does not require state mitigation or NHDES review, and the project has been endorsed by the Conservation Commission.

The Planning Department recommends the Planning Board make the necessary and supporting findings of fact, and to approve the Conditional Use Permit with no conditions.

Motion: T. Clark moved to approve the Conditional Use Permit subject to conditions set forth by the Planning Director as it meets the standards outlined. Seconded by G. DeBoer. Vote: U/A

The Chair announced Items 4G & H would be heard together.

G. Consideration and acceptance of Transfer of Development Rights for 5 Sherman Street, LLC, Assessor's Map 19, Lot 8, zoned R-12, located at 103 Court Street. (Proposal is to purchase four (4) units through TDR.) *(TRAN-2024-0011)
H. Consideration and acceptance of Site Review for 5 Sherman Street, LLC, Assessor's Map 19, Lot 8, zoned R-12, located at 103 Court Street. (Proposal is to maintain an existing single-family dwelling, construct a two-family dwelling that is deed-restricted to Fair Market Rent, and construct four (4) new size-restricted single-family homes for a total of seven (7) dwelling units. *(SITE-2024-0012)

D. Benton explained that the applicant is proposing a residential project consisting of seven (7) residential units by purchasing four (4) units through TDR. The proposal includes reconstruction of the existing single-family dwelling and the construction of a duplex and four (4) size-restricted, single-family cottages.
The existing lot, Assessor's Map 19, Lot 8, contains one single-family dwelling. The current Zoning Ordinance permits the use of the Transfer of Development Rights ordinance (TDR) in the R-12 zone, but specifies that applicants must utilize the single-family yield plan method, or otherwise construct *only* duplexes if the two-family yield calculation is used. As the applicant proposes a mixture of unit counts, the single-family yield calculation is used, which given the subject lot's physical characteristics, results in a base density calculation of three (3) units. This, therefore, means that the remaining four (4) sought units could be granted if the Planning Board votes to approve the use of TDR.

Per the applicant's plan, both units within the duplex, although not required, are proposed to be restricted to the applicable HUD Fair Market Rental rate, with the four (4) cottages being size-restricted to no more than 1,400 s.f. The units purchased through TDR include the two duplex units, and two of the size restricted cottages.

The Technical Review Committee reviewed the application at their September 6 and 26, 2024 and November 7, 2024. meetings. *(minutes attached to the board packet)*

Robert Baldwin represented the application and explained the request explaining they are not looking for approvals tonight, but instead to hear the project and provide feedback so they can come up with an appropriate design.

He explained the existing situation and the proposed plan. Initially there were 9 units proposed which has been minimized through the TRC process.
He explained the restricted rent units proposed and some additional building details for the variety of units along with the layout for the buildings on the lot.
For the board, he clarified the buffer areas, setbacks, landscape and fence shielding.

K. Mavrogeorge gave some feedback on the site layout. M. Gambino and D. Benton clarified information about the additional development going onto the abutting lot.
Additional discussion with the applicant continued regarding drainage, driveway location, rent/sale options, density: allowed vs requested. Board members gave their opinions on the density request.

The applicant suggested a site walk and the board was in favor.

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

Public hearing opened.
Matthew Teece, 85 Court St mentioned a subdivision that occurred across the street at 102 and 106 Court st as well as another development. These were well thought out and single family units that fit with the neighborhood. This proposal brings concerns for him for density, water/impervious surfaces proposed, and having renters in the neighborhood.

Ed Neister, 574 Sixth St is concerned about losing the buffer zone if this passes, contractors getting TDRs by purchasing units, this parcel becoming a blight due to the density. Does not believe anyone would want to live there or next to this.

Rory Wilkie, 568 Sixth St spoke in opposition to the proposal due to density, lot size and buffers. Requests the applicant come back with a plan that meets the TDR regulations.

Merlin Mason, 91 Court St, expressed concerns about the proposal not meeting the 30' buffer abutting his lot.

Hilary Hamer, 91 Court St, expressed concerns about the proposal not meeting the 30' buffer abutting her lot. She played an audio clip from a TRC meeting on the project. She stated the property was not available to all buyers on the open market. Expressed concerns about this project getting this far in the process while not meeting the regulations, disagreed with the lot line measurements given, construction concerns about the old home vs the new construction, and abutting cemetery as inaccurate transition zone.

Dorna Hamer, 18 Tuttle Ln spoke in opposition to the proposal itemizing the restrictions to parcels abutting cemeteries. She noted this project should be subject to open space subdivision requirements. The plans presented are not complete and do not show buffers that should be adhered to. She requested the public hearing remain open tonight if applicable so additional comments can be received at the next meeting.

Kevin McEneaney, 109 Court St noted the key information being sought by abutters tonight relates to the 30-foot no cut, no disturb buffer. If that applies and there is no relief that can be sought because of the increased density, that's the key point the board should consider before moving forward. A fourth unit seems reasonable. He mentioned the rental, sales, and condominium options and consequences. He also requested the public hearing remain open for the next meeting.

Lisa O'Grady, 100 Court St described her parcel and the abutting subdivision that affected her (deeded easement from 102 Court St). Occupancy was granted without the conditions of the subdivision being met. She is additionally concerned about drainage which causes pooling on her parcel. The proposal will ruin the historical nature of the existing structure. She is against the proposed density.
Public hearing tabled.

D. Benton noted the emails received have been given to the board for review and can be addressed at the next public hearing.
She addressed public comment:

- No TDR fees are paid until after approval
- TRC had comments during that process which haven't been addressed yet as this is not before the board for approval tonight- only for feedback
- Staff has a list of requests that would still need to be addressed
- Staff knows of that have not needed the TDR buffer since they didn't create new lot lines. She can provide to the board if requested and projects that have gotten relief for the buffers.
- "no relief can be sought" language was added by a member of the planning board in relation to environmental CUPs or similar, not about the TDR buffer or requirements.
- She agrees there should be as much screening, back yard and buffer as possible, even if that results in a reduction of units. A site walk will be beneficial for that.
- TDR requests are reviewed individually, and do not set precedence for future requests on other parcels.
- Agrees with cemetery buffer concerns
- This would be a private road which not be plowed by the City.
- Staff and the Chair addressed TDR regulations and the TRC and Planning Board process in relation to this request.

The applicant addressed public comment:

- Comparisons to the development next door

Fair market vs HUD rate was clarified by staff.

The applicant addressed the comments regarding the 30-foot no-cut no-disturbance buffer noting his understanding is that any use would require the waiver from the 30-foot buffer, even the current use.
K. Mavrogeorge asked to see a yield plan showing the alternative described with three units on the lot allowable by right. The applicant described the alternative would look like a three-story townhouse with garage under and that's not what he hopes to put on this lot. He believes a lower scale project with increased screening and encroachment to the buffer is a preferred option.
K. Pimental asked if the 30-foot buffer even applies to this proposal if it is a site plan/ condo without lot lines. This is what Mr. McEneaney was asking. Staff agreed that in these instances, the City's position is that the buffer would not apply, though staff would like to see more screening.

The 25' boundary to the cemetery was not on the plans, but will be added as the project moves forward.

D. Benton explained further details about when the 30' buffer restriction has and has not been utilized in similar projects. D. Shanahan asked for additional clarification.

The board discussed a date and time for a site visit: Saturday January 11th, 2025 at 9am
The board would like the buffers, corners of the house, driveway location, 25' buffer from cemetery staked out for the site visit.

Motion: G. DeBoer moved to continue both items to January 28, 2025. Seconded by: K. Mavrogeorge. Vote U/A.

The Chair announced Items 4I & J would be heard together.

I. Consideration and acceptance of Transfer of Development Rights for Fergus and Jennifer Cullen, Assessor's Map B, Lot 4-F, zoned R-40, located at 566 Sixth Street. (Proposal is to purchase two (2) non-restricted units through TDR for a total of three (3) units.) *(TRAN-2024-0015)

J. Consideration and acceptance of a Minor Subdivision for Fergus and Jennifer Cullen, Assessor's Map B, Lot 4-F, zoned R-40, located at 566 Sixth Street. (Proposal is for a minor subdivision creating two (2) new lots for a total of three (3) lots.) *(SUBM-2024-0006)

D. Benton explained that the applicant is proposing a project for three residential units by purchasing two units through TDR. The proposal includes maintaining the existing single-family dwelling and the construction of two, single-family dwellings. The single-family dwellings are not proposed to be size- or HUD-restricted.

A Minor Subdivision is being proposed as part of this project (SUBM-2024-0006) to subdivide the existing lot into three lots. The proposed lots, (4-F, 4-F-1, and 4-F-2), are shown as each having approximately 0.45± acres. As the applicant is utilizing the TDR ordinance, relief for lot size, frontage, setbacks, density and intensity may be provided.

The applicant has made prior, differing requests for increased units on the subject property. These previous applications were reviewed by the Technical Review Committee. A review for this application by the Technical Review Committee was not conducted as it is not required for Minor Subdivisions.

Steve Haight, CivilWorks NE, represented the applications and explained the request for minor subdivision of the single lot into three lots- each of which will have a single-family home and maintain the 30-foot buffer along with meeting all setback restrictions in the R40 zone. Water and sewer will come off Sixth St. The proposed lots meet the character of the neighborhood. Each new home will have it's own driveway per the plans shown.

He answered questions from the board relating to square footages of homes.

Motion: T. Clark moved to accept the applications and declared no regional impact. Seconded by: M. Gambino. Vote: U/A

Public hearing opened.
Hillary Hamer, 91 Court St, requested the Board deny any request by a property owner who has an open appeal on the same parcel such as this one. Tax revenue should not be a motivation for TDR approval as listed in the application. She does not believe the project is suitable for the parcel even with the deed restrictions to prevent the structures becoming duplexes. These two additional units are not needed based on the many additional units coming online that she listed. She doesn't agree that these TDR applications don't set precedence. She asked the board to comment on the open appeal.

Amelia Trapp, 14 Pierce St is in opposition to the proposal since it is a conflict of interest as the owner is a City Councilor on the Planning Board.

Ed Neister, 574 Sixth St is opposed to the project. The area is nice now for the abutters, but the proposal will ruin that. He is concerned about parking, density, too many families on one site, public officials should not trade on inside information. Additional concerns are the topography, potential for accidents, additional children and quality of life for the abutters.

Michaell Ortlieb, 560 Sixth St discussed the R-40 zone should be for single-family homes with optional ADU. This proposal doesn't belong in this zone.

Rory Wilkie, 568 Sixth St spoke for himself and his wife. He is a direct abutter and opposes the proposal. He speaks for others in the area. The application is only signed by one owner of the property, not both, so why is it before the Board. He believes this plan proposed is no different than the previous plan and that the applicant will add the duplexes without approvals. He discussed the appeal of the Planning Board decision of an initial denial of the applicant's plans. He requests a deed restriction be filed confirming the units will not be converted into duplexes for 20 years. He agreed with the Board's denial decision in October. These units will not be affordable. The lot has been clear cut before development was approved.

D. Benton itemized the emails received in opposition to the proposal. These are all part of the record.

The applicant addressed public comment:
Eli Leino, Attorney Bernstein Shur representative for the applicants

- Strick timelines for appeals must be followed
- This was determined at TRC to be too dense with 5 units, so they have come before the board with 3 units
- Not fair to say these proposed units aren't attainable, when the proposal for smaller units was filtered out through the process
- Tax revenue is not a criteria- the application meets the four TDR criteria- tax revenue is an added bonus
- Adding units is in line with the master plan
- Conflict of interest: a property owner who volunteers their time on City boards is allowed to come before the Planning Board.
- The dilapidated property could have been bought by anyone and has been renovated by the applicant.
- Traffic increase is minimal for two additional units
- Commented on the letter sent in by the Attorney

S. Haight, CivilWorks NE

- Confirmed the buffers
- This proposal minimizes parking and traffic issues
- Current intent is to sell the properties (each SFH and would need to come back to PB for any change to duplex)

Board members asked for clarification on the following and discussion ensued:
Smaller square footage for a more attainable home, additional plantings requested, style and square footage of the proposed homes, current proposal smaller square footage than first proposal, procedures relating to the outstanding appeal, both owners are aware of the proposal and will sign if approved.
Public hearing closed.

STAFF RECOMMENDATION - TDR
§170-28 provides for additional density to be purchased through Transfer of Development Rights. This application meets the ordinance.

Section 170.28G(8) states:

"Regardless of the method utilized, any other provision in this Chapter to the contrary, the density or intensity of development of a receiving parcel may be increased by the TRANSFER OF DEVELOPMENT RIGHTS so long as the increase in density or intensity meets the following criteria and a narrative is submitted indicating how those criteria are met:

(a) Is consistent with the Master Plan

(b) Is compatible with the land uses on neighboring LOTs (eg a multifamily building fits in with in a single family neighborhood). The applicant shall provide in their narrative an explanation of their neighborhood analysis.

(c) Is created on property served by public water and sanitary sewer.

(d) Any relief sought should not be caused by the additional density."

The Planning Department recommends that the Planning Board make the necessary and supporting findings of fact, and vote to find the criteria of the TDR ordinance has been met with the following subsequent conditions:

Subsequent Conditions to be Met Prior to Granting TDR:

1. Conditional approval of SUBM-2024-0006;
2. Payment of TDR fees;
3. Add note to plat: "This subdivision uses the Transfer of Development Rights ordinance which allows for relief to the setbacks, lot area, frontage, density and intensity of the development. The Board granted TDR relief to purchase two units for a total of three units between the three proposed lots. The existing single-family unit and the proposed single-family dwellings may not be converted to a duplex without further review and approval by the Planning Board;"
4. The applicant provide a revised narrative included the latest TDR ordinance section and all four criteria.
5. Additional landscaping (ie 6' white spruce or similar) to be planted along northern and southern buffer.
6. Both owners sign the plat

Motion: K. Pimental moved to grant the Transfer of Development Rights request based on the comments and conditions set by the Planning Dept. Seconded by: K. Mavrogeorge. Vote: U/A

STAFF RECOMMENDATION – Minor Subdivision
The plan is consistent with §157-17 of the City of Dover's Land Subdivision Regulations, which provides for subdivision of existing lots.

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 Signing of Plans:

1. Approval of TRAN-2024-0015;
2. Provide physical and digital copies (including CAD) of complete plan set which additionally shall include:
   2.1. Signature and stamp of PE, LLS.
   2.2. The owners' signatures for recording at Strafford County Registry of Deeds
   2.3. Add where future treeline will be or if existing, show existing treeline and remove treeline currently shown on plan.
   2.4. Add note about no-cut buffer placards to be installed.
   2.5. Add note that no sump pumps or roof leaders will be tied to the public sewer.
   2.6. Revise sewer lines to be off Sixth Street for two new units.
   2.7. Add note about addressing as assigned by the Building Official.
   2.8. Revise lot numbering to what the City Assessor assigns.

Subsequent Condition to be Met Prior to Water and Sewer Service Tie In:

3. Payment of water and sewer investment fees.

Subsequent Conditions to be Met Prior to Occupancy:

4. Certificate of Occupancy.
5. Buffer placards shall be in place or if damaged during construction replaced.

Motion: M. Gambino moved to approve the Minor Subdivision with conditions detailed by staff as it meets the criteria of 157. Seconded by K. Mavrogeorge. Vote: U/A

K. Discussion and possible posting of a Citizens Petition for a Zoning Amendment to rezone a portion of Map K, lot 6 on Middle Road from R-40 to IT *(WAIV-2024-0021)

D. Benton explained that the applicant is proposing an amendment to the City's Zoning Ordinance, Chapter 170, to rezone a portion of his parcel located at 105 Middle Rd. The subject parcel is 66 acres in area, divided by Middle Road, with 48 acres to the north of Middle Road, and 18 acres to the south. The lot is currently zoned R-40 and contains no structures or dwelling units.

The applicant requests that the area of their lot to the south of Middle Road, (approximately 18 acres), be rezoned into the Innovative Technology (IT) District, asserting that given the lot's location within the City, that the uses within the IT are more consistent with the City's Master Plan than that of the R-40 zone and the area's abutting development.

The proposed rezoning area abuts the IT zone but is uniquely surrounded by residential development. The applicant references the Teresa Drive subdivision and the Pointe Place development as support for the rezoning request. However, staff notes that the current zoning already allows for additional residential development at 105 Middle Road. While Pointe Place is a mixed-use development, its commercial components are concentrated near Dover Point Road, a major thoroughfare, rather than within residential areas.

Staff is unclear about the applicant's intentions for rezoning to IT and has received opposition from abutting residents. Staff would not recommend the rezoning as proposed as it would leave a small portion of Teresa Drive's property outside the rezoning area. To include this portion, the applicant would need the Teresa

Drive property owner's consent and a revised Planning Board submission, along with new abutter notices at the applicant's expense.

Craig Williams, 154 Middle Rd represented the application. He explained the sizes of his lots and the history and current status of his lots and zoning changes made to his and surrounding parcels over the years. He described the uses of the abutting parcels. The request is to put the zoning back to the way it used to be. This will allow for mixed use housing in that area rather than larger homes with higher values.
The applicant and staff explained that if the board grants the request for rezoning of Mr. Williams' land, the City requests the sliver of land with Theresa Dr also be rezoned so it is not left on its own island.

The board and staff discussed the timeline of previous zoning changes and whether the change in 2008 went through a review process. Staff can look into that to see if there are meeting minutes or approval documents of record.
Mr. Williams answered questions from the board relating to his reason for this request: meets master plan goals, R-40 zone is not appropriate since it doesn't fit the neighborhood now and to build it out would support upscale homes at higher building costs. He is not a developer, he is a long-time resident who has accumulated land over many years and as a retirement plan would look to sell portions of the land for development of single family homes and/or townhouse style homes.

D. Shanahan commented there is some documentation to look into regarding the zoning change of 2008, and it would be helpful to have a conceptual plan brought forth by the resident petitioner so the board and the residents have a better understanding of the reasoning and plans.

Public hearing opened.
Doug Walsh, 12 Teresa Dr, on behalf of the association's board of directors of Preston Place. The owner has the right to develop the land, as long as planning, zoning and permitting restrictions are met. These abutters feel strongly that any development must be compatible with the existing uses of the abutters. He described the zoning changes and development which created the abutting residential neighborhood. The commercial aspects of this request do not have a place on 18 acres surrounded entirely by single family homes on three sides and Middle Road on the 4th. Most of the categories of IT do not belong here- which he listed several.

Richard Kirk, 8 Teresa Dr, described the surrounding housing communities to the parcel and how that should mean the parcel should have an R zoning designation, regardless of whether it's R-40 or R-12. If the parcel is developed, it should be single family housing to match the surrounding neighborhoods.

D. Benton listed the emails received to the office.
Public hearing closed.

STAFF RECOMMENDATION- Rezoning Request
The Planning Department recommends the Planning Board open the public hearing, make findings, and vote to recommend that Council not grant the rezoning request.

Motion: T. Clark moved to recommend to City Council to not grant the rezoning based on not enough information and a better comprehensive plan needed. Seconded by D. Glennon.

For the applicant, the board noted wanting more information about what is the need for the requested change? What is not allowed now, that would require the change? The City wants to avoid spot-zoning so

having more information will allow for thoughtful planning for any recommended zoning change. It was clarified that the applicant can still come back to staff / the board with more information.
Vote: 8-1 with G. DeBoer opposed. [Editor's note: Under Member Comments G.DeBoer noted he was confused by the motion and meant to vote differently].

The Chair announced Items 4L & M would be heard together.

L. Consideration and acceptance of a Conditional Use Permit for 210 Tolend Road, LLC, Assessor's Map F, Lot 3, zoned R-40, located at 210 Tolend Road. (Proposal is for a 32-lot subdivision that includes an open space subdivision yield plan that would cause 700± s.f. of wetland impact and 6,400± s.f. of impacts to the 50-foot wetland buffer. In order for the yield plan to be considered realistic to calculate the density for an Open Space Subdivision plat, a conceptual CUP is required.) *(COND-2024-0028)

M. Consideration and acceptance of a Waiver Request for 210 Tolend Road, LLC, Assessor's Map F, Lot 3, zoned R-40, located at 210 Tolend Road. (Proposal is to request a waiver from Section 157-32.J, for proposed cul-de-sac of approximately 1,750 feet where 1,000 feet is the maximum required for the yield plan for an Open Space Subdivision.) *(WAIV-2024-0019)

D. Benton explained that the applicant is proposing a conceptual Conditional Use Permit for 700± square feet of wetland impact and 6,400± square feet of impacts to the 50-foot wetland buffer. The proposal also includes a conceptual waiver for a cul-de-sac of approximately 1,750 feet where 1,000 feet is the maximum required for an Open Space Subdivision.

To determine allowable density for an Open Space Subdivision, a yield plan must be submitted and determined to be realistic and in compliance with regulations, this may include conceptual conditional use permits and waivers.

The conceptual application is related to a proposed yield plan to allow up to a 32-lot Open Space Subdivision. The wetland and wetland buffer impacts shown on the yield plan are related to a proposed crossing and would need to be reviewed again on subsequent applications related to this project.

The Conservation Commission reviewed and endorsed the application at their October 15, 2024 meeting.

The applicant provided a conceptual Open Space subdivision plat that the development team is considering in case the Board or public are interested. However, the plat has not been submitted for review yet by the Technical Review Committee, Conservation Commission, or Planning Board so full review would still be required for this project and plans may change based upon those reviews.

Bob Stowell, Tritech Engineering, represented the application and explained the request for an open space subdivision. The yield plan has been prepared and provided with the wetland crossing. He discussed the various development options and impacts for each option along with the waiver request for the length of cul-de-sac.
Once the yield plan is confirmed they can confirm the density calculation and move forward with the open space subdivision plan. The conceptual plan is provided.
This step is to solidify the yield. Next steps are: engineering design, TRC, Planning Board approval.

The applicant and board discussed the existing gravel road and how that affects the yield.

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

Public hearing opened.
Lee LaPierre, 159 Emerald Ln, President of Indian Woods HOA is confused by the differences between the yield plan and the conceptual plan. What is the actual proposal? And what was approved at Conservation Commission?

D. Benton noted an email came in from 201 Tolend Rd in support of the open space conceptual plan.

Mr. Stowell clarified that the yield plan is not the plan of what is to be built. It is used to establish the density of the project so that the subdivision plan can be developed.
Public hearing closed.

STAFF RECOMMENDATION- Conditional Use Permit:
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.

Planning Staff feels that the applicant considered and met all of the criteria as specified in §170-28.F per their narrative. The proposal minimizes wetland buffer impacts and direct wetland impacts. The proposed project does not require state mitigation, does not require NHDES review at this stage. The project was endorsed and reviewed by the Conservation Commission on October 15th.

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

Subsequent Conditions to Be Met Prior to Issuance of a Conditional Use Permit:
1. Approval of WAIV-2024-0019.
2. Lot 13 is removed and the yield plan yields 31 total lots.

Staff clarified the reasoning for removal of lot 13.

Motion: D. Glennon moved to approve the Conditional Use Permit with the subsequent conditions as it's consistent with regulations. Seconded by T. Clark. Vote: U/A

STAFF RECOMMENDATION- Waivers/Relief:
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 rational for the waivers meets criterion (1) and waiving such standards and requirements will properly carry out the spirit and intent of the regulations.

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

Subsequent Condition to Be Met Prior to Issuance of a Waiver:

1. Approval of COND-2024-0028

Motion: K. Pimental moved to grant the waiver request with the subsequent condition set by staff as it meets criteria for relief. Seconded by: G. DeBoer. Vote: U/A

5. STAFF COMMENTS

- D. Benton shared that the Board will be reviewing and considering for adoption the updated land use chapter master plan
- Seeking PB member for the Land Use Chapter Master Plan Steering Committee.
- Land Use All Boards Meet and Greet January 14th at 5:30pm.
- TRCs since last meeting:
  - (Nov. 21st) Review of site plan and TDR request for 1 Cold Springs Rd. Proposal is to construct eight single-family homes, a four-unit residential building, and maintain an existing single-family home for a total of 13 units. The project includes a TDR request to purchase the four multi-family units with HUD-restricted rental rates and the eight, 1,400 s.f. single family homes and a request for relief from TDR setbacks.
  - (Dec. 5th) Review of TDR proposal for 77 79 Sixth St. Proposal is to purchase two TDR units with intent to construct a new two-family residential structure and maintain an existing two-family structure.
  - (Dec. 5th) Review of two environmental CUPs for a project on Back Road that was previously reviewed by the Planning Board and referred for TRC review.
  - (Dec. 5th) Review of site plan for the Dover Public Library addition.
- Upcoming TRCs:
  - (Dec. 19th) Review of TDR site plan for 512 Sixth St. Proposal is to build five single-family dwellings that includes three units previously approved through TDR.
- Reminder that this is the only meeting in December so Happy Holidays to everyone.

6. MEMBER COMMENTS

- G. DeBoer
  - Noted he misunderstood the vote on the zoning change and would have voted differently. He did not want it to be approved, but just wanted the applicant to be given guidance on next steps which seems to be implied.
- D. Glennon
  - TDRs are causing confusion so might want to hold some workshops with public for education and feedback.
- J. Sanborn
  - The packet was too much for one meeting and it's a disservice to the public to make them have to be here so long.
- T. Clark
  - Planning Board Chair term
    - Her term is up in March 2025
- Discussion on the time commitment for the land use steering committee
- Chair signed the following:
  - Lot Line Adjustment for 141 Sixth St. and 5 Dowaliby Ct.

- Lot Line Adjustment for 5 and 7 McKenna St.
- Site Plan and CUP for the approved 4-unit dwelling on Locust Street.
- CUP Plan for 189 Spur Rd. for Conservation District impacts for a patio and retaining wall renovation.
- Site Plan and CUP for 105 Durham Rd. for the approved 9-unit group housing facility for adults with Intellectual Developmental Disabilities.

- Appointed the following to the Steering Committee for the Land Use Chapter update:
  - Krysta Gingue for Community Housing Needs Committee rep
  - Rick Lundborn for DBIDA rep
  - George DeBoer Planning Board Member
  - City Councilor (likely April Richer upon Council appointment)
  - A Conservation Commission member
  - Steve Brown

7. ADJOURNMENT

Motion: K. Mavrogeorge moved to adjourn at 11:51pm. Seconded by M. Gambino. Vote: U/A

Gmail Hilary Hamer <hilary.a.hamer@gmail.com>

Request for correction to 12/10/2024 Planning Board Meeting Minutes

City of Dover - Planning <Dover-Planning@dover.nh.gov> Thu, Jan 16, 2025 at 2:43 PM
To: Hilary Hamer <hilary.a.hamer@gmail.com>

Hi Dr. Hamer,

I apologize for not seeing this email before Tuesday's meeting. The Board did not directly get legal counsel from the City Attorney and if they were to that typically isn't part of the public record to protect attorney-client privilege. From Tuesday night's discussion, it seems like the TDR ordinance will be looked at more closely in whole and the Board and public will have an opportunity to suggest amendments. Any amendment also has public hearing opportunities. If you have any further questions, please let me know.

Thanks,
Donna

Donna Benton, AICP

Director of Planning and Community Development

City of Dover, NH

288 Central Avenue

Dover, NH 03820-4169

e: d.benton@dover.nh.gov

p: 603.516.6008 f: 603.516.6049

Dover: First in New Hampshire, First with you!

From: Hilary Hamer <hilary.a.hamer@gmail.com>
Sent: Monday, January 13, 2025 8:00 AM
To: City of Dover - Planning <Dover-Planning@dover.nh.gov>
Subject: Request for correction to 12/10/2024 Planning Board Meeting Minutes

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

Good morning,

Before the 12/10 Planning Board meeting minutes are finalized by vote tomorrow, I respectfully ask for an addition.

Before planning the site walk date for item 4G&H (103 Court St), Chair Gina Cruikshank said, "I think we'll probably have the city attorney weigh in and get further clarification [about the buffer]. If not by the site walk, by the next time we see it."

This felt like a very important statement for myself and neighbors, as an actionable promise to seek legal counsel. As such, I ask that it be included in the 12/10/2024 meeting minutes.

Thank you,

Dr. Hilary Hamer

91 Court St, Dover

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

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

CITY OF DOVER ETHICS COMMISSION
RECOMMENDATIONS REGARDING ETHICS COMPLAINT OF
CAITLIN WILKIE AGAINST COUNCILOR FERGUS CULLEN

On January 2, 2025, the Ethics Commission held a hearing in this matter pursuant to Section 21-12(E) of the Dover Ethics Code. The Ethics Commission provided all parties fourteen calendar days' notice pursuant to Section 21-12(F) of the Dover Ethics Code. Present at the hearing were the complainant, Caitlin Wilkie, and the respondent, City Councilor Fergus Cullen. The parties were afforded an opportunity to present evidence and argument in support of their respective positions pursuant to Section 21-12(H) of the Dover Ethics Code. The hearing was not subject to the rules of evidence. No evidence was excluded. The Commission deliberated the matter in public following the hearing. Commission members Allan Krans Sr. (Chair), Matthew Keane, Dr. James Fiesher, and Charles Carey were present. Member Marion Cheney was absent. Also present was Attorney Christopher D. Hawkins representing the Ethics Commission.

The Chair of the Commission inquired whether Ms. Wilkie or Councilor Cullen had any reason to believe any member of the Commission should not participate in the hearing. Neither Ms. Wilkie nor Councilor Cullen asked that any member of the Commission be recused. Chair Krans explained the hearing process and asked the parties if they had any preliminary questions. Neither party raised any questions about the process. The hearing was audio recorded pursuant to Section 21-13(I) of the Dover Ethics Code. At the conclusion of the hearing, Chair Allan Krans asked whether either party felt the proceeding had been unfair. Neither party raised any specific concern about the fairness of the process.

COMPLAINT

On November 26, 2024, Caitlin Wilkie of 568 6th St. filed an Ethics Complaint against Councilor Fergus Cullen.

Ms. Wilkie raised three issues, which are briefly summarized below:

1. Whether Councilor Cullen, sitting as a member of the Planning Board, should have recused himself from participating in the discussion and vote of the Transfer of Development Rights ("TDR") and site plan application of DBS Holdings, LLC during a meeting on June 11, 2024. Ms. Wilkie alleges that by participating in that discussion, Councilor Cullen shed favorable light on a similar TDR and site plan application he had filed or intended to file for his own property adjacent to Ms. Wilkie's property on 6th St.

2. Whether Council Cullen should have used his position as a Councilor to defend his private business interests and rebut statements Ms. Wilkie made at the July 10, 2024, City Council meeting regarding the DBS Holdings matter. Ms. Wilkie also questioned whether Councilor Cullen acted improperly in seeking advice from the City Attorney regarding his obligations when "[a] private citizen wouldn't have been afforded that same right, and would need private legal counsel."

3 Whether Councilor Cullen should recuse himself from any vote as a Councilor allocating Conservation Funds to which he contributed TDR fees.

On December 4, 2024, the Commission determined the Complaint raised sufficient issues to merit a hearing. Fourteen calendar days' notice of the hearing was provided to all parties pursuant to Section 21-13(F) of the Dover Ethics Code.

JURISDICTION

The Ethics Commission has jurisdiction over the complaint pursuant to section 21-12(A) of the Dover Ethics Code, which states in relevant part that the activities of all elected officers and members of all board, commissions, committees and subcommittees whose members are appointed by the City Council shall be within the scope of authority of the Ethics Commission. See Article II(i) of the Ethics Commission Operating Rules.

SUMMARY OF RULINGS

Based upon the findings of fact outlined below, the Commission reached the following conclusions as to the issues raised by Ms. Wilkie pursuant to Section 21-13(J) of the Dover Ethics Code:

1. **Councilor Cullen's participation in the June 11, 2024, Planning Board hearing on the DBS Holdings TDR and Site Plan Matter.**

   Finding and Recommendation: The Ethics Commission unanimously finds based on Clear and Convincing evidence that Councilor Fergus Cullen violated the ethical provisions of Dover Ethics Code 21-2 as an appointed officer when **"he took part in a decision concerning the business of this City…(when) he had a financial or other private interest, directly or indirectly, which is in conflict with his official duties"** as a Planning Board member subject to the juror standard by State law (RSA 673:14 and RSA 500-A:12(g)), Dover Ethics Code **21-5** by participating in official business of the City of Dover without disclosing the nature and extent of a private interest in a matter of official business in the City of Dover, and Dover Ethics Code **21-8** in holding an investment in a private transaction that created a conflict with his official duties.

   The rationale for actionable Findings of violations of Dover Code 21-2, 21-5 and 21-8 is the failure of Councilor Cullen to recuse in light of his business relationship with Kevin McEneaney and/or Civilworks NE at the Planning Board meeting of June 11, 2024. Mr. McEneany presented for DBS Holdings regarding development of 512 Sixth Street. The official duty of Councilor Cullen is defined by RSA 673:14 and RSA 500-A:12.

   Councilor Cullen's defense that the Ethics Commission cannot alter his private property rights is unpersuasive since none of the Findings and Recommendations address his rights to development. This report addresses Councilor Cullen's ethical obligations as a Planning Board member, not property rights.

Councilor Cullen also asserts that Dover is a small region of a small state and that knowing people is "inevitable." This assertion is also unpersuasive as a defense to his actions. Knowing people is inevitable; establishing business relationships with people is a **choice**. Attempting to perform a quasi-judicial function as a member of the Planning Board after establishing a business relationship with the representative of an applicant is a **choice** in violation of an official duty.

2. **Councilors Cullen's comments at the July 10, 2024, City Council meeting in response to Ms. Cullen's comments.**

Finding and Recommendation: The Ethics Commission unanimously finds based on Clear and Convincing evidence that Councilor violated the ethical provisions of Dover Ethics Code 21-3 by appearing on behalf of his private interests before the City Council during City Council Matters of Interest.

The Rationale for actionable Findings of violation of Dover Code 21-5 at the City Council meeting on July 10, 2024 results from Councilor Cullen discussing his private development at 566 Sixth Street. Nothing about the 566 Sixth Street project was before the Dover City Council. Private matters may only be discussed privately. The public option for Councilor Cullen was to file a statement with the City Clerk.

3. **Councilor Cullen's participation as a member of the City Council in the allocation of conservation funds derived from TDR applications.**

Finding and Recommendation: The Commission finds this issue is premature because there is no evidence Councilor Cullen has paid any TDR funds into the Conservation Fund nor voted on the allocation of conservation funds derived from such funds. Pursuant to Section 21-12(G) of the Dover Ethics Code, the Commission does not issue advisory opinions based upon hypothetical situations and offers no opinion at this time on whether such a vote would violate the Dover Ethics Code. Ms. Wilkie, or any other Dover resident, may file an ethics complaint in the future if they believe Councilor Cullen has violated the Dover Ethics Code with respect to such a vote, or with respect to any other issue they believe may violate the Dover Ethics Code.

The Rationale for dismissing the Complaint regarding the Conservation funds is no evidence was presented that Councilor Cullen had paid in, or voted on, the use of Conservation funds.

BURDEN OF PROOF

The Commission explained to the parties that the complainant bore the burden of proving a violation of the Dover Ethics Code or other applicable law by clear and convincing evidence. Dover Ethics Code 21-12(K).

Pursuant to Dover Ethics Code 21-12(L), clear and convincing evidence is an intermediate standard of proof that calls for more proof than that based on more probable than not but less proof that that based on beyond a reasonable doubt. It is defined as that evidence which establishes a factual conclusion to be highly probable, rather merely than more probable than not. It requires that the party having the burden of proof placed in the trier of fact an abiding conviction that the true or his or her factual contentions are highly probable; otherwise, he or she has failed to prove it.

SCOPE OF INQUIRY

Pursuant to Article V(I), the scope of the hearing included review of all pertinent sections of the City Charter and ordinances involving facts alleged in the Complaint, in addition to the provisions cited in the Complaint.

CODE PROVISIONS AND STATUTES CONSIDERED (Emphasis added in yellow)

Dover Planning Board Code § 9-8(G)

Disqualification. All members shall comply with relevant sections of the City Code of Ethics (Chapter 21) concerning conflicts and disqualification rules pursuant to RSA 673:14.

Dover Ethics Code § 21-1

APPOINTED OFFICER – Includes all positions appointed by the Mayor and Council or the City Manager, including appointment to the Housing Authority, but not employees.

Dover Ethics Code § 21-2

No elected or appointive officer or employee of the City shall take part in a decision concerning the business of this City or engage in any business or transaction in which he/she or a member of his/her family, directly or indirectly, has a financial interest, aside from his/her salary as such officer or employee, greater than any other citizen or taxpayer, nor shall he/she have any financial or other private interest, directly or indirectly, which is in conflict with the proper discharge of his/her official duties.

Dover Ethics Code § 21-3. Representation of private interests before City agencies.

No elected or appointed officer or employee shall appear on behalf of private interests before the City board, commission, committee, subcommittee or authority on which he/she serves. Councilors, however, may appear without compensation on behalf of constituents or in the performance of public or civic obligations.

Dover Ethics Code § 21-5. Required disclosure by officers and employees; recusal

A. An appointed officer or employee who, whether paid or unpaid, has a direct or indirect financial interest or other private interest in any legislation or matter of official business in the City of Dover and who participates in discussion before or gives official opinion to the Council, or otherwise participates in the official business of the City of Dover, shall

publicly disclose on the official record the nature and extent of such interest. Such disclosures shall be made orally prior to the legislation being discussed as part of a Council meeting agenda, or the officer or employee may elect to file a written specific conflict-of-interest disclosure statement with the City Clerk. The statement shall be read aloud into the record at a public meeting. In the case of a nonpublic session, the statement shall be read aloud at the next public meeting.

B. Appointed officers and employees with a conflict of interest shall recuse themselves from further participation in the matter. "Recusal "means to immediately remove themselves from discussion and voting. "Recusal" shall also mean the officer or employee is required to physically vacate his or her seat. During a nonpublic session, the appointed officer or employee shall remove himself or herself from the meeting room.

Dover Ethics Code § 21-8. Investments in conflict with official duties.

No elected or appointed officer or employee shall invest or hold any investment, directly or indirectly, in any financial, business, commercial, or other private transaction which creates a conflict with his/her official duties.

Dover Ethics Code 21-11 Ethics Commission established; purposes.

A. There is hereby established an Ethics Commission consisting of five Commissioners who shall be Dover residents and appointed by the City Council. At least one Commissioner shall be a former City Councilor or former School Board member as provided in § C11-4 of the Dover City Charter. The purposes of the Ethics Commission are:

(1) To provide a forum to hear and accept complaints of violations of ethical standards of behavior for elected and appointed officers under the jurisdiction of the Ethics Commission.

(2) To encourage Dover elected and appointive officers and all members of boards, commissions, committees and subcommittees to act in the best interests of the City and perform their duties and responsibilities according to the ethical provisions of the City Charter and City ordinances.

(3) To require the disclosure of financial interests or other interests in matters affecting City business where the interests constitute a conflict of interest.

(4) To prohibit those holding public office and volunteer positions in our City from using their positions for personal gain and to foster the use of such positions only to advance public interests.

(5) To promote the integrity of City government.

Dover Ethics Code § 21-12(A)

The Ethics Commission shall operate in an advisory role to the City Council. The activities of all elected officers and members of all boards, commissions, committees and

subcommittees whose members are appointed by the City Council shall be within the scope of authority of the Ethics Commission. The Ethics Commission members shall also be subject to the jurisdiction of the Ethics Commission. If a member of the Ethics Commission is the subject of an ethics complaint, the member shall be replaced in all proceedings by an alternate member. The Ethics Commission shall not have jurisdiction over the City Manager or other employees of the City of Dover.

Dover City Charter Provision 11-5

In addition to the provisions of § C11-3 City Councilors and members of standing city commissions and boards may be removed from office by a vote of the City Council upon such a recommendation having been forwarded to the Council by the Ethics Commission.

RSA 674:13 Disqualification of Member

I. No member of a zoning board of adjustment, building code board of appeals, planning board, heritage commission, historic district commission, agricultural commission, or housing commission shall participate in deciding or shall sit upon the hearing of any question which the board is to decide in a judicial capacity if that member has a direct personal or pecuniary interest in the outcome which differs from the interest of other citizens, or if that member would be disqualified for any cause to act as a juror upon the trial of the same matter in any action at law. Reasons for disqualification do not include exemption from service as a juror or knowledge of the facts involved gained in the performance of the member's official duties.

II. When uncertainty arises as to the application of paragraph I to a board member in particular circumstances, the board shall, upon the request of that member or another member of the board, vote on the question of whether that member should be disqualified. Any such request and vote shall be made prior to or at the commencement of any required public hearing. Such a vote shall be advisory and non-binding, and may not be requested by persons other than board members, except as provided by local ordinance or by a procedural rule adopted under RSA 676:1.

III. If a member is disqualified or unable to act in any particular case pending before the board, the chairperson shall designate an alternate to act in the member's place, as provided in RSA 673:11.

RSA 500-A:12 Examination

I. Any juror may be required by the court, on motion of a party in the case to be tried, to answer upon oath if he:

(a) Expects to gain or lose upon the disposition of the case;
(b) Is related to either party;

(c) Has advised or assisted either party;
(d) Has directly or indirectly given his opinion or has formed an opinion;
(e) Is employed by or employs any party in the case;
(f) Is prejudiced to any degree regarding the case; or
(g) Employs any of the counsel appearing in the case in any action then pending in the court.

II. If it appears that any juror is not indifferent, he shall be set aside on that trial.

EVIDENCE CONSIDERED

The Ethics Commission considered only publicly available information with respect to this matter, as follows:

- The Complaint filed by Ms. Wilkie with attached exhibits.
- The Commission pre-marked Ms. Wilkie's Complaint as Exhibit 1, the June 11, 2024 Planning Board Meeting Minutes as Exhibit 2, the July 10, 2024 City Council Meeting Minutes as Exhibit 3, a letter from Councilor Cullen to his neighbors dated December 1, 2023 as Exhibit 4, and a letter from Councilor Cullen to his neighbors dated May 20, 2024 as Exhibit 5.
- The testimony and documentary evidence presented by the parties at the hearing. This includes 29 exhibits submitted by Councilor Cullen marked FC1-FC29. The Commission also viewed excerpts of the June 11, 2024 Planning Board meeting and July 10, 2024 City Council meeting presented by Councilor Cullen.
- Transcript of Ms. Wilkie's comments to the Planning Board on June 11, 2024. Exhibits FC19 and FC21.
- Transcript of Mr. Cullen's comments to the Planning Board on June 11, 2024. Exhibit FC20.
- Transcript of Ms. Wilkie's comments to the City Council on July 10, 2024. Exhibit FC23.
- Transcript of Mr. Cullen's comments to the City Council on July 10, 2024. Exhibit FC24.
- Transcript of Attorney Scott Hogan's comments to the Planning Board on October 22, 2024. Exhibit FC25.
- Letter dated January 15, 2025 from Councilor Cullen to the Ethics Commission.

FINDINGS OF FACT

1. Fergus Cullen ("Mr. Cullen") is a member of the City Council of the City of Dover.

2. Mr. Cullen was appointed by the City Council to serve as a member of the Planning Board.

3. On November 28, 2023, Fergus and Jennifer Cullen acquired the property known as 566 Sixth St. Book 5152, Page 7, Strafford County Registry of Deeds.

4. On or about December 1, 2023, Councilor Cullen delivered a letter to neighbors of his property at 566 Sixth St. stating that he expected to seek approval to add at least two or maybe more housing units to the 566 Sixth St. property. Testimony of Fergus Cullen. Exhibits 4 and FC5.

5. No later than April 24, 2024, Councilor Cullen retained Civilworks and McEneany Survey Associates to draft a TDR plan and Drainage and Landscape Plan with respect to his property at 566 Sixth St. Plans bearing those dates appear in the Planning Board file.

6. No later than April 26, 2024, Civilworks and McEneany Survey Associates drafted a TDR Open Space plan on behalf of DBS Holdings, LLC for the property at 512 Sixth St. A plan bearing that date appears in the Planning Board file for DBS Holdings, LLC.

7. The TDR plans for the DBS Holdings Project and the Cullen project at 566 Sixth St. are very similar.

8. On May 20, 2024, Councilor Cullen delivered a letter to neighbors of his property at 566 Sixth St. that included the TDR and site plan he intended to submit for the property. See Exhibits 5 and FC10.

9. Rory and Caitlin Wilkie own and reside at the property at 568 Sixth St., which borders 566 Sixth St. to the north. The Wilkies received copies of Councilor Cullen's letters of December 1, 2024 and May 20, 2024. Testimony of Caitlin Wilkie.

10. On May 24, 2024, DBS Holdings submitted a TDR plan and application for site plan review to the City of Dover Planning and Development Office for technical review. The application documents appear in the DBS Holdings File in the Planning Board file.

11. At 3:31 p.m. on June 6, 2024, Ms. Wilkie sent an email to the Dover Planning Board claiming Councilor Cullen had a conflict of interest with respect to the DBS Holdings application. Exhibit FC15.

12. At 7:30 p.m. on June 6, 2024, Councilor Cullen responded to Ms. Wilkie's email and copied the members of the Planning Board, City Manager Joyal, and City Attorney Josh Wyatt. Exhibit FC16.

13. By June 6, 2024, Councilor Cullen was aware that Ms. Wilkie was raising concerns about conflict of interest. Councilor Cullen testified that those concerns "raised alarm bells" with him and that he sought advice from Planning Board Chair Gail Cruikshank and City Attorney Josh Wyatt. Councilor Cullen testified he did not raise the issue with the Planning Board as a whole because he could not disclose the basis of the issue without risking compromising the impartiality of the Board.

14. On June 10, 2024, Mr. Cullen submitted a TDR plan and application for site plan review to the City of Dover Planning and Development Office for technical review. The application documents appear in the Cullen File in the Planning Board file.

15. Councilor Cullen testified that he could not recall whether he spoke with Mr. McEneany about the DBS Holdings application prior to the Planning Board meeting on June 11, 2024.

16. Sometime between June 6 and June 11, 2024, Councilor Cullen contacted Planning Board Chair Gail Cruikshank for advice on the conflict of interest issue and that she told him she did not believe there was a conflict. Councilor Cullen testified he did not disclose to Ms. Cruikshank that he was working with McEneaney Survey Associates on his application. Ms. Cruikshank testified that that disclosure would not have altered her opinion on the matter but she could not say whether the Board as a whole might have been concerned.

17. On June 11, 2024, Councilor Cullen called City Attorney Josh Wyatt to discuss potential conflict of interest issues. Councilor Cullen testified that Attorney Wyatt informed him that he had no conflict issue. Attorney Wyatt testified that he told Councilor Cullen he could offer him no legal advice but that he was aware of no caselaw that a City Councilor could not file a land use application and that Councilor Cullen should consult his own attorney. Attorney Wyatt testified he did not seek detailed information from Councilor Cullen as he did not intend to offer him legal advice. Councilor Cullen testified that he did not disclose to Attorney Wyatt that both he and DBS Holdings were working with McEneaney Survey Associates.

18. On June 11, 2024, the DBS Holdings application was heard by the Planning Board.

19. The minutes of the June 11, 2024, Planning Board hearing reflect that Kevin McEneany appeared on behalf of DBS Holdings and presented the TDR Plan on behalf of DBS Holdings.

20. Mr. Cullen attended the June 11, 2024, Planning Board meeting in his capacity as a member of the Board.

21. Caitlin Wilkie attended the June 11, 2024, hearing,

22. Ms. Wilkie objected to Mr. Cullen voting on the application on the basis of bias or appearance of bias and conflict or appearance of conflict. Ms. Wilkie stated there was an "incredible likeness" to what Mr. Cullen had submitted to the City last week as to his property at 566 Sixth St. Ms. Wilkie expressed concern that Mr. Cullen's vote in favor of the DBS Holding application would set an unfair precedent. Ms. Wilkie referenced a statutory procedure for the Board to vote with reference to Mr. Cullen's participation.

23. Mr. Cullen responded that he owned the property at 566 Sixth St. and would have an application coming before the Board in the coming weeks. Mr. Cullen stated that the Wilkies have concerns about that property and that it is their right to express concerns and that he would recuse himself when his application came before the Board. Mr. Cullen stated that the Wilkies' concerns were misdirected as to the DBS Holdings application. Mr. Cullen stated that he had no connection to DBS Holdings or its owners and had no conflict of interest with respect to the DBS Holdings application. Mr. Cullen referenced discussions he had with the City attorney.

24. The Commission finds that Mr. Cullen had no direct or indirect financial interest in DBS Holdings.

25. Mr. Cullen did not disclose during the June 11 hearing that he had a business relationship with McEneany Survey Associates.

26. No other member of the Planning Board commented directly on Ms. Wilkie's concerns.

27. No member of the Planning Board proposed a motion to recuse Mr. Cullen.

28. The DBS Holdings application was accepted and approved by the Planning Board on a vote of 4-2. Mr. Cullen voted in favor of the application.

29. On July 10, 2024, Ms. Wilkie appeared before the City Council and made a lengthy statement regarding Mr. Cullen's alleged conduct. The Commission listened to that statement in full. In sum, Ms. Wilkie expressed concerns regarding the merits of Mr. Cullen's TDR application and his alleged conflict of interest and the perception of conflict of interest. Ms. Wilkie stated that Mr. Cullen used the same engineering company as DBS Holdings and alleged that the DBS Holdings application was very

similar to Mr. Cullen's application. The Commission notes that Ms. Wilkie's written complaint largely echoes the issues raised in her verbal presentation.

30. Mr. Cullen responded to Ms. Wilkie's comments. The Commission listened to Mr. Cullen's statement in full. In sum, Mr. Cullen noted that chief among the City Council's goals was creating affordable housing. Mr. Cullen noted that he withheld information because he wanted to avoid discussing the matter with the other Planning Board members and his application had not been made, thus it would have been inappropriate to discuss his application with the Planning Board on June 11. Mr. Cullen noted that volunteer public officials do not give up all their rights as private citizens. Mr. Cullen acknowledged the need to follow all disclosure and recusal rules, that he had discussed the matter with the City attorney, and that he had followed the City attorney's guidance.

31. Mr. Cullen testified that he cited the Planning Board's approval of the DBS Holdings application as precedent in the revised site plan application for his property at 566 Sixth Street.

32. The Commission finds no evidence that Councilor Cullen has paid any TDR funds at this time nor any evidence that Councilor Cullen has voted on the allocation of any Conservation Funds paid by him.

RECOMMENDATION

Pursuant to Section 21-14(A) and (B)(2) of the Dover Ethics Code, the recommendation of the Ethics Committee for a remedy is removal of Councilor Cullen from the office of City Council representative to the Dover Planning Board. The rationale is removal will address the issue whether ethical violations will occur in the future.

This recommendation sanction was approved by the Commission 3-1, with member Keane dissenting. In all other respects, the Commission unanimously approved the findings and rulings herein.

Dated: 1/21/25

Allan Krans Sr., Chair

Dated: 1/24/2025

Charles Carey

Dated: 21 January 2025

James Fieseher

Dated: Jan 23 2025

Matthew Keane