

Bassegio, Erin

From: Hilary Hamer <hilary.a.hamer@gmail.com>
Sent: Tuesday, January 13, 2026 5:36 PM
To: Planning Board - All
Subject: Follow-up Documents for Development Proposal at 103 Court St
Attachments: NH Supreme Court Docket of Accepted Cases December 2025.pdf; 2025.11.14.Supreme Court Appeal.pdf

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Dear Planning Board and Department Staff:

As a follow-up and for the official project record at 103 Court St, please find attached to this email the NH Supreme Court docket notice from December 2025 (at <https://www.courts.nh.gov/our-courts/supreme-court/cases-accepted>) listing our accepted Supreme Court appeal case and the actual appeal document filed by our attorney Kelly Dowd, Esq.

Regards,
H. Hamer, 91 Court St, Dover, NH

On Tue, Jan 13, 2026 at 3:00 PM Hilary Hamer <hilary.a.hamer@gmail.com> wrote:

Dear Mayor Shanahan and City Manager Joyal:
CC: Planning Board

I am writing to you regarding the proposed development at 103 Court Street. As you may already know, this project has been the subject of a lengthy legal process involving the Transfer of Development Rights (TDR).

I am reaching out today because I have become aware that the Planning Department is moving forward with the **Site Plan Review** phase of this project. I would like to respectfully request that the City consider staying these proceedings based on the following:

- **Active Supreme Court Appeal:** In December 2025, the New Hampshire Supreme Court officially accepted our appeal regarding the TDR approval.
- **Contingency Risks:** The Site Plan is inherently contingent upon the validity of the TDR. Proceeding with a Site Plan review while the foundational zoning/TDR approval is under judicial review creates a risk of inconsistent rulings and potential wasted administrative effort.
- **Administrative Efficiency:** If the Supreme Court vacates the TDR approval, any work done on the Site Plan in the interim will be rendered moot. It would be in the best interest of all parties—the City, the taxpayers, and the neighbors—to await the Court’s decision before opening a second front of debate for a Site Plan.

Rather than continuing with the second approval phase for the Site Plan (which underwent Technical Review Committee (TRC) review earlier today), we believe a more prudent course of action would be to **pause local approvals** until the Supreme Court provides finality on the underlying TDR.

Would the City be willing to hold the Site Plan application in abeyance until the Supreme Court issues its ruling?

Thank you for your time and for your service to our city.

Sincerely,

Hilary Hamer, 91 Court St, Dover, NH