

Bassegio, Erin

From: Joyal, Michael
Sent: Wednesday, January 14, 2026 11:58 AM
To: Hilary Hamer; Shanahan, Dennis
Cc: Planning Board - All; Perez, Jennifer; Benton, Donna; Parker, Christopher
Subject: RE: Development Proposal at 103 Court St

Dr. Hamer:

Thank you for your email and request to defer action on the application for site plan review for 103 Court St.. The consideration of a site plan application is allowed for and required by State law and the Code of the City of Dover. The Planning Board retains jurisdiction in the review and approval of such matters and, I expect, will therefore adhere to the requirements established by law and local regulation. As the Planning Board has already been copied on your email, they are aware of your request. Neither the Mayor nor I have the authority to supersede the legitimate authority and determinations of the Planning Board and therefore will defer consideration of your request to their procedural requirements.

J. Michael Joyal, Jr.
City Manager
City of Dover, NH
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Dover, NH 03820-4169
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<http://www.dover.nh.gov>

From: Hilary Hamer <hilary.a.hamer@gmail.com>
Sent: Tuesday, January 13, 2026 3:01 PM
To: Shanahan, Dennis <D.Shanahan@doover.nh.gov>; Joyal, Michael <M.Joyal@doover.nh.gov>
Cc: Planning Board - All <PlanningBoard-All@doover.nh.gov>
Subject: Development Proposal at 103 Court St

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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

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