

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, July 28, 2026**
Meeting Time: **7:00 pm**

Members Present: Devon Dunn, George DeBoer, Tom Clark, Richard Robison (Councilor), Ken Mavrogeorge, Tyler Allen (Alternate)

Members Not Present (excused): Gina Cruikshank (Chair), Doug Glennon (Vice Chair), Melina Gambino (Alternate), Kyle Pimental, and Jeff Sanborn

Staff Present: Donna Benton, Planning Director and Paul Crouser, Zoning Administrator

D. Dunn called the meeting to order at 7:00pm and noted T. Allen would sit for K. Pimental and G. DeBoer would be Vice Chairing.

1. CITIZENS' FORUM

Citizens Forum Open

No one spoke

Citizens Forum Closed

2. APPROVAL OF THE PRIOR MINUTES

- June 23, 2026 Regular Meeting Minutes

Motion: T. Clark moved to approve the regular meeting minutes of June 23, 2026 as submitted. Seconded by: T. Allen. Vote: U/A

3. OLD BUSINESS

- A. Consideration and acceptance of a Site Plan Amendment for John & Maggie Randolph (Owners: 54 BRR, LLC), Assessor's Map I, Lot 6, zoned R-12, located at Uncommon Drive. (Proposal is to request an amendment to the approved Site Plan, File No. P20-60 and development agreement) *(WAIV-2026-0014) *[This item was previously continued by the Planning Board on May 26, 2026 and June 23, 2026.]*

Motion: G. DeBoer moved to remove the item from the table. Seconded by: K. Mavrogeorge. Vote: U/A.

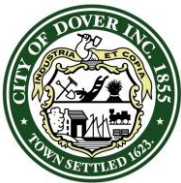
D. Benton noted that the applicant was previously heard on the May 26th meeting and then was continued twice to tonight's meeting. The Board has not yet accepted the item for review but the applicant did present in May and provided additional information in the packet materials and will present more information tonight. If the Board feels it has the amount of information needed and ready to make a decision on the amendment request it can vote to accept, hold a public hearing, make findings, and vote on the request.

John Randolph, 54 Back River Rd represented the application and presented additional information. He clarified the agreement would stay with the property- future sales would not be for market value. He explained a spreadsheet showing the price benefit to the homeowners.

He discussed and answered board questions regarding the spreadsheet and purchase and rental rates. He confirmed if owners decide to rent the home out, they need to be rented at the HUD rate.

He clarified additional information to the board relating to property maintenance and HOA, percentage of ownership units, and HOA fees.

Motion: G. DeBoer moved to accept the application and declare no regional impact. Seconded by: T. Allen. Vote: U/A



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Meeting Type: Regular Meeting
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Public hearing opened

No one spoke

Public hearing closed

STAFF RECOMMENDATION:

The applicant is proposing an amendment to the previously approved Site Plan (File No. P20-60) and recorded Development Agreement (Book 5153, Page 273 at the Strafford County Registry of Deeds) to allow for the sale of up to 40% of the units (no more than 18 of the 44 existing residential units.)

Per the Development Agreement recorded on September 23, 2023, and as referenced on the approved Site Plan, all 44 units in the development are rent restricted to HUD Fair Market Rent (FMR) levels for the Portsmouth-Rochester, NH HUD Metro Area. As part of the original project approval, a Transfer of Development Rights (TDR) application (File No. P20-61) approved the purchase of 35 of the residential units with the restriction to HUD FMR rates. In its previously approved site plan application, this applicant expressly stated: "These units will be rental units and will meet the HUD Fair Market Rent rates for Dover, NH."

The applicant is now proposing an amendment to the original approval language on the Site Plan and Development Agreement to allow for the sale and transfer of ownership of up to 40% of the units through converting ownership structure into a condominium, provided that the "monthly cost" to the buyer at the time of sale remains at or below HUD FMR rates. The narrative currently proposes to meet the "monthly cost" requirement only at the time of purchase, but staff's view and understanding of the TDR provision in the zoning ordinance and the TDR approval were clear the units were meant to be attainable in perpetuity.

The Planning Department would note the relevant section from the Zoning Ordinance for this project, [§170-29G\(3\)\(a\)2\[a\]](#), that states: "*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).***"

Therefore, the Zoning Ordinance would require that the monthly cost for the units, in perpetuity, conform to HUD FMR rates, even if the rates are not rented. Consideration of how the "monthly cost" would be calculated for a non-rental unit arguably should include, but not be limited to, property taxes (with potential increases in valuation or assessment based on market factors or owner modifications), association fees, maintenance/repairs, insurance, and amortized loan payments.

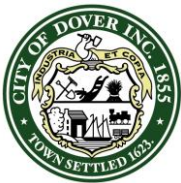
Further, potential future modifications on units proposed to be sold would be restricted or guided by local regulations and building code requirements for tiny homes on permanent foundations.

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. The proposal is required to be reviewed for consistency with this section.

The Planning Department recommends that the Planning make findings and make a determination on the request. Should the Board grant the amendments, staff recommends doing so with the following conditions:

SUBSEQUENT CONDITIONS TO BE MET PRIOR TO PLAN SIGNING:

1. Provide a Development Agreement that includes:
 - 1.1 Note that states: "At least 60% of units shall continue to be rented at HUD Fair Market Rent rates and that the remaining units be restricted to a monthly cost that shall conform to the



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Meeting Type: Regular Meeting
Meeting Location: Council Chambers, City Hall, 288 Central Ave, Dover, NH.
Meeting Date: **Tuesday, July 28, 2026**
Meeting Time: **7:00 pm**

- HUD Fair Market Rent rates, for Dover, published annually by the New Hampshire Housing Finance Authority;”
- 1.2 A breakdown of no more than 40% of the units can be sold or owned by entities that are not the declarant or majority unit holder.
 - 1.3 Amended references from “rental rates” to “monthly cost” if the Planning Board agrees to that intent.
 - 1.4 Outlines process in case of foreclosure/mortgage changes to the property.
 2. A condominium plan for recording at SCR D is submitted indicating:
 - 1.1. Maximum amount of units at a time that can be owned by an entity other than the Declarant.
 - 1.2. Note indicating there is a deed restriction regarding the units being HUD rent-restricted or that the workforce housing units are affordable to a household with a HUD Median Family Income for a one-bedroom unit in the Portsmouth-Rochester, NH HMFA as published by the NHHFA in April of each year.
 - 1.3. A note that future modifications on units proposed to be sold would be restricted or guided by local regulations and building code requirements for tiny homes on permanent foundations;
 3. Provide a draft deed restriction that includes language to ensure future owners of individual units and/or the parent parcel are aware of the cost and equity restrictions to be reviewed by the Planning Department with consultation by the City Attorney;
 4. Provide a budget reserve calculation.

Additional discussion and information was clarified including there is no income restriction or qualification for renting or owning these HUD-rate units, and the HUD rate in relation to the other costs and fees. Board discussion included the fees and how to word the conditions of approval.

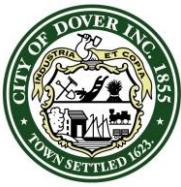
The board agreed to table the item to gather more income and expense information from the applicant, reword the conditions appropriately to clarify the restricted rates for mortgage and PI, and clarify HOA fees and property taxes separately.

Motion: G. DeBoer moved to continue the item to the August 25th meeting at 7pm in this room. Seconded by: K. Mavrogeorge. Vote: U/A

- B. Consideration and re-vote of a Conditional Use Permit for David Patrick & Elizabeth Ann Cash, Assessor's Map 9, Lot 91, zoned CBD-M, located at 7 Church Street. (Proposal is to construct an attached two-car garage within the 10' rear setback.) *(COND-2026-0027) *[This item was previously heard by the Planning Board on June 23, 2026 but resulted in a tie-vote.]*

D. Benton explained the application was before the Board during the June 23, 2026 meeting. The Planning Board accepted the item for review, declared no regional impact, and held a public hearing at the June 23rd, 2026 regular meeting. The Board then discussed, tried to issue a final decision but the motion did not pass with a 4-4- vote so the Board hasn't yet taken final action on this request. Therefore, staff placed the item on the next available Planning Board agenda for discussion to resume, a public hearing to be re-opened and another vote to occur. The Board must have a vote that does not result in a tie in order to make a decision on the application as it's required to do per RSA 674:43 and RSA 676:4.

As a reminder, the applicant is proposing to build an attached 1-car garage with portico 0 to 3 feet into the north (rear) 10-foot setback of the property. The garage would have about 195 s.f. of conditioned bonus space above the 370 s.f. garage.



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

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

Being located in the Central Business District Mixed-Use sub-district, relief of a rear setback would be through a conditional use permit.

As a Conditional Use Permit application, the Technical Review Committee did not review this application.

Nick Mason, Shaheen & Gordon represented the application and presented the item with some additional information to help answer some outstanding questions from the last discussion.

The purpose of the proposal is to clean up the parking area on site at the boundary line. He explained the history of the building and the intention to design the proposal in the same style of the original home. The first proposal included a 2-car garage, but that has been revised to reduce the visual impact to the abutter.

The revised proposal of 1-car garage with room above and portico places the back post of the portico support about 3' into the 10' side setback of the property, however the walls are open.

He showed the neighborhood homes and the existing setbacks noting it is common in this area to encroach as it is a dense neighborhood.

He itemized the improvements the current owners have done on site such as fixing and cleaning up the house and removing impervious surfaces.

The proposal has no impact to sidewalk or pedestrians, the proposal is a conventional garage use and is compatible with neighborhood uses and the overall neighborhood and block.

The owners have taken on additional costs to redesign a more beneficial structure to the abutter and a more detailed, stylized design than a common 2-car garage addition with room above. He presented an alternative construction design plan the owners may pursue with one car garage and enclosed additional space where the portico would have been and a full bonus room above. This alternative design is accomplishable without intruding into the setback.

He addressed some follow up questions from the board.

K. Mavrogeorge asked about the survey status of the property. The packet has survey data from the 1990s. According to the owner, no recent survey has been done.

Motion: G. DeBoer moved to re-open the public hearing. Seconded by: T. Allen. Vote: U/A

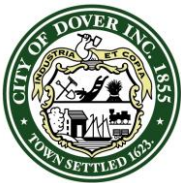
Public hearing opened

Christopher Rohr, 9 Academy St, abutter again stated he prefers the City abide by it's 10' setback regulation. He was concerned about proximity in case of fire and wondered what would prevent the portico from becoming a garage in the future.

Paul Richard, 24 Kirkland St noted the abutter notice showed a plan labeled Rockland st that appears should be Academy st. He noted the structures indicated as being on or over the setbacks are all centuries old homes. Since the abutter is against it, it seems the best action is to uphold the 10' regulation.

Alex Farrell, 13 Church St noted the neighbor uses their driveway area multiple times a day and this would have an impact more than if it were in the back. Also, the subject property sits higher than the next lot which puts the addition up higher.

Public hearing closed



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
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Meeting Date: **Tuesday, July 28, 2026**
Meeting Time: **7:00 pm**

The applicant addressed public comment:

- The request currently is minimal to what they presented as a secondary option that could be built without the approval of a CUP.
- The applicant is willing to have a condition of approval that the support post be the encroachment, and no future enclosing of the portico will occur.

He and the owner addressed questions from the board related to design options for two parking places and the existing retaining wall.

K. Mavrogeorge stated without a survey there's not enough information to make a decision. The setbacks are there for a reason.

STAFF RECOMMENDATION

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:

- That both public and private buildings and landscaping shall contribute to the physical definition of rights-of-way as civic spaces.*
- That development shall adequately accommodate automobiles, while respecting the pedestrian and the spatial form of public areas.*
- That the design of streets and buildings shall reinforce safe environments, but not at the expense of accessibility.*
- That architecture and landscape design shall grow from local climate, topography, history, and building practice.*
- 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.*
- That encourage civic buildings and other public gathering places be provided as locations that reinforce community identity and activity.*
- That civic buildings shall be distinctive and appropriate to a role more important than the other buildings that constitute the fabric of the City.*
- That the preservation and renewal of historic buildings shall be facilitated.*
- That the harmonious and orderly evolution of urban areas shall be advanced by the proposed building and/or use.*
- That if the relief is granted, the surrounding neighborhood is not negatively impacted.*

Staff agrees with the applicant that the above 10 criteria have been met.

Consistency with Land Use Regulations – Central Business District

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

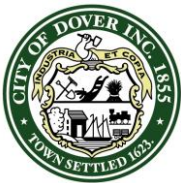
- The requested use shall be compatible with abutting uses and the surrounding neighborhood.*
- The requested use will not create undue traffic congestion, or unduly impair pedestrian safety.*
- The requested use will not result in objectionable noise or odor which would constitute a nuisance.*

Staff agrees with the applicant that the above three criteria have been met.

The Planning Department recommends that the Planning Board make the necessary and supporting findings of fact, and re-vote to approve the Conditional Use Permit with the following conditions:

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

1. Provide physical and digital copies (including CAD) of complete plan set, which additionally shall include:
 - 1.1. The owner's signatures;



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

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Meeting Time: **7:00 pm**

- 1.2. The Planning File #COND-2026-0024;
- 1.3. Revise plan to Academy St.;
- 1.4. A note that a foundation certification will need to be provided; and
2. Work with the Planning Department to endorse a development agreement per Chapter 170-20B(3) and then record at SCR.D.

The board members discussed the criteria for granting a CUP and had varying opinions of their interpretations.

K. Mavrogeorge would still like to add conditional language about having a survey done prior to the signing of the plans.

T. Allen asked to reopen the public hearing to hear from the abutters which design they would prefer since the second option was not presented at the first hearing.

G. DeBoer noted he holds the abutters comments with high relevance to these cases because they are more familiar with the neighborhood and the impacts.

D. Dunn noted two points to keep in mind: the request is not 'not allowed', it's not allowed without a Conditional Use Permit. Additionally, the board needs to balance not just the abutters' rights, but also the rights of the property owners.

Motion: R. Robison moved to reopen the public hearing to allow abutters to comment. Seconded by: T. Allen. Vote: U/A

Public hearing re-opened

Alex Farrell, 13 Church St asked if the rendering shown as a secondary option is to scale. Also, that it's a curveball.

Paul Richard, 24 Kirkland St gave background about the neighborhood, appreciates the improvements both the applicant and his neighbor have done to their properties. The proposal will be an imposing structure over the abutting driveway.

Christopher Rohr, 9 Academy St, abutter does not appreciate the ultimatum between the CUP or the drawing shown tonight. Additionally, the drawing does not look to scale as his driveway is much closer to the property line than shown.

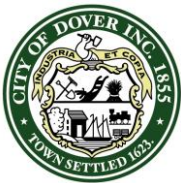
Public hearing re-closed

T. Clark noted he was in support of this at the last meeting and is still in support today. There is both a zoning ordinance and CUP criteria that if followed, allow to grant the CUP. This mechanism has been used a lot. He understands the concerns raised by the abutters and the homeowner, which the board needs to balance. The homeowner made the attempt to balance this by revising the original plans and scaling them down. The 3' encroachment into the setback is pretty minimal especially for this neighborhood. They have also agreed to the condition that the portico will not ever be closed off.

Motion: T. Clark moved to grant the CUP with the conditions set by staff and the additional conditions noted by board members (1.5, 1.6 and 1.7). Seconded by: K. Mavrogeorge. Vote: 4-2 with Robison and DeBoer opposed.

The added/amended conditions:

- 1.4 A note that a LLS stamped foundation certification will need to be provided to ensure no intrusion into the setback beyond what was presented to the Planning Board occurs;
- 1.5 The portico cannot be enclosed in the future without further relief;



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
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Meeting Date: **Tuesday, July 28, 2026**
Meeting Time: **7:00 pm**

1.6 Provide survey by a LLS to prove property lines and structures on site are accurate and meet Zoning; and

4. NEW BUSINESS

A. Consideration and acceptance of a Minor Subdivision for Daniel G Gabriel Trust, Daniel G Gabriel Trustee, Assessor's Map L, Lot 98-A, zoned R-20, located at 260 Dover Point Road. (Proposal is for a minor subdivision creating one (1) new lot.) *(SUBM-2026-0002)

D. Benton explained that the applicant proposes subdividing the parent parcel located 260 Dover Point Road (Assessor's Map L, Lot 98-A), creating one (1) new lot directly south of the parent parcel, with the newly proposed lot totaling approximately 20,512± square feet, or 0.471± acres.

Prior to this subdivision request, the Applicant appealed to the Zoning Board of Adjustment for frontage relief for both the parent lot and the new lot post-subdivision, as each proposed approximately 100' of road frontage where 120' is required via underlying zoning. The Applicant also sought a third variance for front build-to line relief on the newly-created parcel as they wished to keep the existing driveway, which as you can see on their plan, traverses both parcels, necessitating any structure on the new lot be situated well past the underlying build-to range.

The ZBA granted these variances, enabling the subdivision request before you now.

As this proposal only involves a Minor Subdivision, no review was required by the Technical Review Committee.

S. Haight, CivilWorks, NE represented the application and explained the proposal. He explained the driveway and access, utilities and noted this meets all requirements and a variance was granted.

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

Public hearing opened.

No one spoke

Public hearing closed.

STAFF RECOMMENDATION:

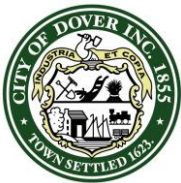
Staff confirms this plan is consistent with §157-14 of the City of Dover's Land Subdivision Regulations, which provides for subdivision of existing lots.

Considering the granted variance relief detailed above (two variances for 100' frontages, and one variance for front-build-to line relief on the new parcel) each lot complies with underlying zoning's dimensional requirements.

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. The Planning File #SUBM-2026-0002;
 - 1.3. The stamp and signature of the LLS on the final plans;
 - 1.4. Confirm lot numbering with City Assessor and include approved numbering on plan set.



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, July 28, 2026**
Meeting Time: **7:00 pm**

Motion: T. Clark moved to approve the minor subdivision with the conditions itemized by staff. Seconded by K. Mavrogeorge. Vote: U/A

- B. Consideration and acceptance of Site Plan Review for Corey MacKoul, Assessor's Map 17, lot 38, zoned R-12, located at 89 Stark Avenue. (Proposal is to construct two (2) single-family homes utilizing TDR with site improvements.) *(SITE-2026-0008)

D. Benton explained that the applicant is proposing the renovation of the property's existing single-family home, with two additional single-family homes being proposed, with one to be purchased through the TDR ordinance.

To that end, on April 28, 2026, this Board conditionally approved the Applicant's request to purchase one (1) TDR unit for up to three (3) total units on the site.

The two additional single-family homes will each have a two-car garage attached, while the existing single-family home is to be provided two exterior parking spaces and a walkway per the plan.

The Technical Review Committee reviewed this application at their June 11, 2026 meeting. Part of the TRC discussion and review focused on items related to stormwater management, traffic and sight distances on Stark Ave., and on-site emergency vehicle access. (*minutes attached*)

The applicant is seeking two waivers as part of this proposal. The waivers are from the following:

1. §153-13.A(17), relief requested from required streetscape rendering; and
2. §157-31.F, relief requested from required block length;

Bob Stowell, Tritech Engineering represented the application noting the TDR request was granted and they've been before the TRC.

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

Public hearing opened.

Gretchen Knight, 7 Hayes Ln, abutter explained how the positioning of the homes on the plans does not fit in the neighborhood. She encouraged the streetscape waiver not be granted due to the added street proposed. The abutters would like to know what that new street scape will look like.

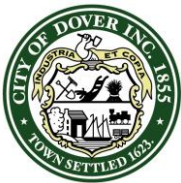
Public hearing closed.

STAFF RECOMMENDATION-Waivers:

§153-21 of the Site Plan Review Regulations, and §157-51 of the Land Subdivision Regulations, state the "Planning Board may waive specific provisions of these regulations [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
- (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 requested waivers meets criterion (1), and granting such relief is not contrary to the spirit or intent of the ordinance. The applicant has requested relief from the above listed sections of Chapter 153 and 157 due to the location of the site's main improvements (roughly 100' away from the street) and the lot's physical inability to accommodate the minimum block length required.



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
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Meeting Date: **Tuesday, July 28, 2026**
Meeting Time: **7:00 pm**

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 found the criteria of Chapter 153-21 and Chapter 157-51 have been met and the Board approved the following waivers:

§153-13.A(17), relief requested from required streetscape rendering; and

§157-31.F, relief requested from required block length;

Motion: T. Clark moved to grant the waiver for the block length with the conditions stated by staff.
Seconded by: K. Mavrogeorge Vote: U/A

Motion: T. Clark moved to deny the waiver for the streetscape. Seconded by: G. DeBoer. Vote: U/A

As the board has decided a streetscape rendering is needed prior to taking action on the site plan, the board discussed tabling the item. The meeting options are Sept 8 or 22. Staff noted that since the board accepted the item as complete, it must render a decision by September 29th.

Motion: T. Clark moved to table the item to the September 8th, 2026 Planning Board meeting at 7pm in this room. Seconded by: G. DeBoer. Vote: U/A

- C. Consideration and acceptance of Transfer of Development Rights for Wyatt Peoples (Owner: Charles L Millette Revocable Trust, Charles Mellette Trustee) Assessor's Map 12, Lot 149, zoned HR, located at 116 Silver Street. (Proposal is to purchase two (2) additional units through TDR to have four (4) units in the existing house and one (1) duplex located behind the existing house for a total of six (6) units on site.) *(TRAN-2026-0007)

D. Benton explained that the subject parcel, 116 Silver St., Assessor's Map 12, Lot 149, is located within the Heritage Residential (HR) District. The HR District allows for a mix of commercial and residential uses. The property currently holds an existing two-family dwelling.

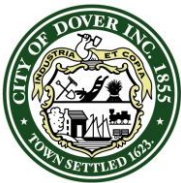
The applicant submitted a TDR plan for a residential project in which the existing two-family structure is to be converted into four dwelling units, with a duplex to be added in the rear of the site for a total of six units.

Utilizing TDR's Single Family Detached method, the applicant calculated that the site's base density to be two units by-right, which is also the maximum permitted via underlying zoning in the HR District. Within the HR District, a 3-4 family structure is possible, but only via Conditional Use Permit if certain criteria have been met. As such, the applicant intends to purchase four unrestricted TDR units on top of the calculated base density of two units for a total of six.

Steve Haight, CivilWorks NE represented the application and explained the proposal.

The existing house on Silver St is about 6,000 sq ft with two apartments. The intention is to renovate that structure to add two more units and build a duplex on site which will house the owner and his mother. The proposed parking will be between the buildings to share the space in the area that is existing parking.

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



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
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Meeting Date: **Tuesday, July 28, 2026**
Meeting Time: **7:00 pm**

Public hearing opened.

Staff noted an email received to the office. Sally Drescher of 137 Silver St wrote in against the request noting the increase of density, parking, traffic and the overall scale. The proposal is inconsistent with the neighborhood. She noted that there are a good amount of conversions to rentals already in the neighborhood. She asked for the strongest measures to preserve architectural character, landscaping, buffering and is compatible with the surrounding neighborhood.

Public hearing closed.

The Applicant addressed public comment:

- Two existing driveways which will be maintained
- No new structures are proposed on the road- the character will be preserved
- Landscaping
- Owner-occupied

He clarified for staff they propose keeping both driveways- one in and one out. It hasn't been determined yet which is which. Both have good site lines.

T. Clark noted he does not like the plan. Two units are allowed by right but the request is for six on site. It seems the applicant couldn't meet the criteria for CUP so decided to buy the extra units through TDR. Buying your way out of the ordinance is not the intent of the TDR. He supports the two additional units within the building, but the two additional units out back is over the top.

The applicant explained for the board the existing carriage house and the layout of the proposal along with other options that were reviewed. This is one of the larger lots on the street and they are not requesting the amount of density on other lots in the area. The renovations will include the exterior of the existing building. The plan shown is to present the idea to the board. The TRC process is still to occur which will tweak the plans.

G. DeBoer is in favor of repurposing large, old homes in the center of town in creative ways like what's proposed.

Wyatt Peoples, owner addressed the carriage house, density request, and his intent for the project.

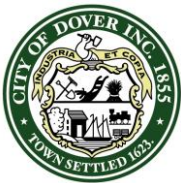
STAFF RECOMMENDATION:

§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 is not seeking relief caused by additional density.

Staff notes that the applicant has demonstrated consistency with relevant goals of the Master Plan, specifically citing an emphasis on increasing density for underdeveloped parcels and maintaining an attractive streetscape and a cohesive neighborhood.

The property currently meets all underlying zoning dimensional requirements including setbacks and lot coverage.

The lot is served by municipal water and sewer services and does not indicate any impacts to protected wetlands, wetland buffers, or Conservation District Areas, and does not fall within the Groundwater Protection District.



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, July 28, 2026**
Meeting Time: **7:00 pm**

Staff is neutral as to this request. The site is an appropriate location for additional residential density given its size, walkable neighborhood setting, proximity to downtown destinations, and access to nearby transit routes. However, the Historic Residential (HR) District carries a higher level of architectural and open space expectation, and any increase in density must be carefully designed to respect the established historic character of Silver Street and its surroundings. Because three or more units in the HR District typically requires a Conditional Use Permit, staff would expect this application to adhere closely to the CUP criteria, demonstrating clear compliance with standards related to neighborhood compatibility, architectural integration, site design, and mitigation of impacts associated with increased intensity of use.

Should the Board vote to endorse the TDR request, staff would recommend doing so 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 approval by the TRC and Planning Board, and density may be reduced by the Planning Board after review of a fully engineered site plan;
2. Payment of TDR fees;
3. Payment of water/sewer investment fees at time of request for service;
4. Revise and submit complete site development plan per Chapter 153-13 to include:
 - 4.1. Owners' Signatures;
 - 4.2. The following note:
 - 4.2.1. This site plan uses the Transfer of Development Rights ordinance which allows for relief to setbacks, lot area, frontage, density and intensity of the development. The Board granted TDR relief to purchase four units for a maximum total of six units on the subject lot."
5. Narrative with supporting evidence accompanying Site Plan application detailing how project complies with CUP criteria for conversions of 3-4 families.

Motion: G. DeBoer moved to approve the proposal for up to six units with the conditions set by staff. Seconded by: K. Mavrogeorge. Vote: 5-1 with T. Clark opposed

- D. Consideration and possible posting on the proposed Amendments regarding Chapter 170 (Zoning Ordinance). Topics include Transfer of Development Rights, Conditional Use Permit Criteria, Customary Home Occupations, Accessory Dwelling Units and others. The full text of the amendments is available in the Planning Department and at www.dover.nh.gov located under meeting materials and on the Planning Department page*.

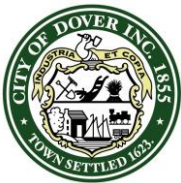
D. Benton explained many of the amendments are related to the Transfer of Development Rights ordinance. The subcommittee has been working on drafting the amendments for 15 months and the Chair and Vice Chair are here this evening.

Jan Nedelka and Leslie Herd from the TDR subcommittee presented the intentions and goals of the subcommittee, methodology used to represent density within the scope of TDR and how it's handled, and formula they are presenting to work out TDR density moving forward.

They answered questions from the board about the setbacks and no-cut areas.

Zoning Administrator Crouser discussed more details of the new TDR ordinance and provided an overview of the non-TDR related amendments.

Board members asked questions and held discussions with staff throughout the explanation review. Feedback to the amendments was provided to staff especially about proposed amendment 18.



CITY OF DOVER

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Public hearing opened

Email received by Fergus Cullen with feedback regarding language and grammar. These edits have been addressed.

Public hearing closed

Motion: G. DeBoer moved to post the zoning amendments for review and to hold public hearings in August or September meetings after a city-wide mailing is mailed out. Seconded by: T. Allen. Vote: U/A

5. STAFF COMMENT

- Transportation Chapter survey will be available soon.
- Planning Dept will have a booth at National Night Out next Tuesday
- Next meeting is August 25
- TRCs since last meeting:
 - One July 2: Site Plan for 96 Broadway, LLC, Assessor's Map 27, Lot 169, Zoned G, located at 96 Broadway. (Proposal is to construct two (2) duplexes with associated parking area.) (SITE- 2026-0007) [*This item was previously heard by the Planning Technical Review Committee on May 28, 2026.*]
 - On July 23rd: Site Plan for STF Development, LLC, Assessor's Map I, Lot 11, Zoned R-20 and RM-SU, located at 68 Durham Road. (Proposal is to construct two (2), four-unit buildings, one 5,702 s.f. and the other 5,440 s.f., while retaining the existing single-family home, for a total of nine (9) units, 7 to be purchased through TDR.) (SITE-2026-0010) (*TDR application and LLA applications have been submitted TRAN-2026-0006 and LOTA-2026-0003.*)
- Upcoming TRCs:
 - On July 30: Site Plan for 6 Brick Road, LLC, Assessor's Map 28, Lot 9-C, zoned Office and Gateway, located at 1-24 Jefferson Drive. (Proposal is to construct 6 townhouse style residential units in two (2) buildings.) (SITE-2026-0011)
 - August 6: Site Plan for Chestnut Food Store, LLC, Assessor's Map 31, Lots 77 & 77-A, zoned CBD-G, located at 16 Sixth Street and 7 Chestnut Street. (Proposal redevelopment of the two parcels to create a five (5) story mixed use, 20,384 sqft building with retail on the first floor and residential on the remaining four (4) floors.) (SITE-2026-0012)
 - On August 13: Site Plan for First Rate Real Estate Group, LLC, Assessor's Map 26, Lot 3-1, zoned G and RM-U, located at 75 Oak Street. (Proposal is to renovate and redevelop the existing building into twenty-two (22) residential units with site improvements.) (SITE-2026-0009)
 - On August 20: Transfer of Development Rights for George Georgakilas and Kostas Katralis, Assessor's Map M, Lot 17, zoned R-20, located at 21 Spur Road. (Proposal is to construct a second single-family home on the property using Transfer of Development Rights. (TRAN-2026-0008)

6. MEMBER COMMENTS

- Lot merger for Venture Drive was acknowledged.

7. ADJOURNMENT

Motion: T. Allen moved to adjourn at 10:56 pm. Seconded by: K. Mavrogeorge Vote: U/A