

plat was signed by the chair on April 21, 1999 and recorded at the Registry of Deeds the same day. Substantial construction of the road began within one year of recording the plat and the first building permit within the subdivision was approved on April 4, 2000. RSA 674:39 states, in part, that subdivision plats that have been approved and recorded are exempt from zoning ordinance amendments for four years, provided that substantial completion of the improvements on the plat have occurred and that active and substantial development has begun within 12 months. The authority for impact fees was adopted as Chapter 170-28.7 in the zoning ordinance. Due to the fact that this lot was approved prior to the adoption of the school impact fee and is protected from zoning changes under RSA 674:39, the Planning Department recommends that the waiver be granted.

**b. Impact Fee Waiver Request for Michael & Beth Beaudin, for Assessor's Map M, Lot 76-9, located at Waterloo Circle.**

This lot was also part of the Captain's Landing subdivision and therefore the Planning Department recommends that the waiver be granted for the same reasons as stated above.

**c. Impact Fee Waiver Request for Sylvia Fosco, for Assessor's Map L, Lot 63, located at 301 Dover Point Road.**

The house and the lot have existed for many decades. The single family house is being converted into a duplex by the owner. Since the property has existing for more than four years, it is not protected from zoning changes by RSA 674:39. While the existing occupant may have no school age school children, there is no guarantee that the next occupant will not. The school impact fee is based on the average of all duplexes citywide. Based on the reasons stated above, the Planning Department recommends that the waiver request be denied.

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# City of Dover, New Hampshire

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

## REVISED MEMORANDUM

TO:	Planning Board Members
FROM:	Planning Department Staff
DATE:	March 9, 2004
SUBJECT:	<i>Staff recommendations for agenda items for the March 9, 2004 Planning Board Meeting</i>

**ITEM #3: Application for a minor subdivision of land for Gudrun Smith & Anthea Smith, Assessor's Map I, Lot 94, zoned R-40, located at 62 Drew Rd. (2 lots) (P04-06)**

The Planning Department recommends that the subdivision plat be approved with the following conditions:

1. Add the owner's signatures to the plat.
2. Provide the Planning Department with a digital version of the final plat.
3. The applicant shall provide the Planning Department with a copy of the NH Department of Environmental Services Subdivision Permit and add the permit number to the plat.
4. Revise the plat by adding the building setback and wetland setback lines to lot #94.
5. Revise the plat by adding two GIS points.
6. Revise the plat by adding "Map I" to each of the lot labels.
7. Revise the locus map by correcting the road names.
8. Revise the plat to relocate the proposed driveway for Lot 94-1 approximately thirty feet to the west, so that it is at the crest of the hill. The existing driveway for Lot 94 should also use this driveway and discontinue the eastern leg of the driveway.
9. Revise the plat to relocate the existing western driveway for Lot 94 by eliminating the two legs and replacing them with one driveway that is perpendicular to Drew Road.

**ITEM #4: Public Hearing to hear Community Development Block Grant (CDBG) Funding Requests for Fiscal Year 2003 and the Goals and Objectives of the CDBG program. All applicants for CDBG funding will be given the opportunity to present their application to the Board.**

Please review the applications contained in the three ring binders. The Planning Department recommends that the Planning Board hold a workshop to discuss the CDBG applications on March 16<sup>th</sup>.