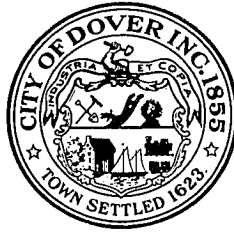


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City of Dover, New Hampshire

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

MEMORANDUM

TO:	Planning Board Members
FROM:	Planning Department Staff
DATE:	April 8, 2004
SUBJECT:	Staff recommendations for agenda items for the April 13, 2004 Planning Board Meeting

ITEM #3: Application for a Conditional Use Permit for NH Soil Consultants, Inc. (Owner Brian Short) Assessor's Map 8, Lot 31, zoned R-20, located at 1 Wentworth Terrace. (P04-10)

The applicant appeared before the Conservation Commission on April 5, 2004 for the Conditional Use Permit and received a favorable recommendation from the Conservation Commission. The Planning Department recommends approval of the Conditional Use Permit with the following recommendation:

1. Provide the Planning Department with a copy of the NH Department of Environmental Services Wetlands permit.

ITEM #4: Application for a Conditional Use Permit for James Michael Paolini, Assessor's Map 17, Lot 39, zoned R-12, located at 103 Stark Avenue. (P04-08)

The applicant appeared before the Conservation Commission on April 5, 2004 for the Conditional Use Permit and received a favorable recommendation from the Conservation Commission. The Planning Department recommends approval of the Conditional Use Permit.

ITEM #5: Application for a major subdivision of land and Conditional Use Permit for Changing Places, LLC, Assessor's Map G, Lots 25, 26, 26B, zoned R-20, located on Columbus Ave. (P03-68) (17 lots)

This application was reviewed by the Technical Review Committee on December 18, 2003 (see enclosed TRC notes). The applicant appeared before the Conservation Commission on March 1, 2004 (see enclosed minutes) for the Conditional Use Permit and received a favorable recommendation from the Conservation Commission. The Planning Department recommends that the application be accepted, the public hearing be opened, and the application tabled so that a site walk can be scheduled.

ITEM #6: Application for a major subdivision plan of land for Justin & Elizabeth Krupp, Assessor's Map 22, Lot 41, zoned R-12, located on Henry Law Avenue. (P04-07)(8 lots)

This application was reviewed by the Technical Review Committee on March 4, 2004 (see enclosed TRC notes). The applicant appeared before the Conservation Commission on April 5, 2004 for the

Conditional Use Permit and received a favorable recommendation from the Conservation Commission. The Planning Department recommends that the application be accepted, the public hearing be opened, and the application tabled so that a site walk can be scheduled.

ITEM #7: Application for a site plan of land and Conditional Use for Kane Company (Measured Progress Phase II) Assessor's Map E, Lots 27, 27D, 27E, zoned ETP, located on Sixth St. (P03-56)

This application was reviewed by the Technical Review Committee on March 18, 2004 (see enclosed TRC notes). The applicant appeared before the Conservation Commission on April 5, 2004 for the Conditional Use Permit and received a favorable recommendation from the Conservation Commission. The Planning Department recommends that the application be accepted, the public hearing be opened, and the application tabled so that a site walk can be scheduled.

ITEM #8: Application for a site plan of land for The Richmond Company (Owner Peter Russell, Inc.) Assessor's Map 39, Lot 94, zoned B-5, located on New Rochester Rd./Hotel Dr. (P04-09)

This application was reviewed by the Technical Review Committee on March 18, 2004 (see enclosed TRC notes). The Planning Department recommends that the site plan be approved with the following conditions:

1. Add the owner's signature to the plan.
2. The applicant shall prepare a storm water management system maintenance plan, which shall be reviewed and approved by Dean Peschel prior to signing the plan.
3. Revise the plan by deleting the freestanding sign shown on the New Rochester Road side of the hotel lot from all applicable sheets.
4. The applicant shall provide the Planning Department with a copy of the access easement in favor of the two parcels known as Tax Map 39, Lots 79 & 80, which has been recorded at the Strafford County Registry of Deeds. This task shall be completed prior to the issuance of the certificate of occupancy.
5. Revise the plan to redesign the auxiliary gravel parking lot so that there is a defined entrance and exit so that vehicles will not back out onto Hotel Drive, also provide adequate screening for residential abutters.
6. Revise the landscaping plan on sheet L1 by adding two additional trees (Bloodgood London Planetree) along the perimeter of the parking lot facing New Rochester Road, so that the trees are forty feet on center, as required.
7. Revise the plan by adding the signal hardware (controller cabinet, utility boxes, and structures) for the New Rochester Road/Hotel Drive intersection.
8. Revise the plan by extending the proposed sidewalk on Hotel Drive to the first parking lot entrance.
9. Revise the plan to add curbing where missing between the second and third parking lot entrances.
10. Revise the plan by adding the proposed underground electrical service to the ATM building.
11. Revise the plan by adding signage designating that the 15 parking spaces along the hotel entrance road are to be employee only parking.

ITEM #9: Consideration and acceptance of a petition for a rezoning from the terms of Section 170-53 of the Dover Zoning Ordinance, for McNeill Taylor & Gallo PA, to change from R-12, Medium-Density Multiresidential, to B-5, Rural Commercial/Retail District, Assessor's Map K, Lots 31, 32, 33, 34, 35, 36, 37, and 38, located on Dover Point Road.

Please review the enclosed petition for rezoning. The Planning Department recommends that the Planning Board schedule a public hearing on this zoning amendment for May 11, 2004.

ITEM #10: Consideration and acceptance for a petition for a rezoning of land from the terms of Section 170-53 of the Dover Zoning Ordinance, for Tolend Road Properties, LLC, to change from I-4, Assembly and Office to R-20, Low-Density Residential District, Assessor's Map G, Lot 19B, located on Tolend Road.

Please review the enclosed petition for rezoning. The Planning Department recommends that the Planning Board schedule a public hearing on this zoning amendment for May 11, 2004.

ITEM #11: Old Business

a. Request for an Impact Fee Waiver for Bayside Development, Map A, Lot 39-25, located at 40 Fieldstone Dr.

This lot has existed for more than 16 years and was part of the Fieldstone subdivision approved in 1987. The City Council adopted the Impact Fee Ordinance as Chapter 170-28.7 on January 22, 2003 and the Planning Board adopted the School Impact Fee on February 25, 2003. The building permit for this lot was filed on May 7, 2003 and approved on May 29, 2003. 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. Due to the fact that this lot was created more than four years before the adoption of the school impact fee and the lot is not grandfathered under RSA 674:39, the Planning Department recommends that the waiver be denied.

ITEM #12: New Business