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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 23, 2004
SUBJECT:	Staff recommendations for agenda items for the April 27, 2004 Planning Board Meeting.

ITEM #3: Application for a Conditional Use Permit for Thomas DeLong, (Owner George Mavrikis) Assessor's Map L, Lot 5, zoned R-20, located at 7 Nute Road. (P04-15)

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 Minor Lot Line Adjustment of land for Barbara Hoginski, Assessor's Map F, Lots 18M & 18M-1, zoned R-40, located at 31 Westwood Circle. (P04-13)

The Planning Department recommends that the lot line adjustment 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. Revise the plat by adding the surveyor's signature to the seal.

ITEM #5: Application for a Driveway Waiver, for Stephen Copp, Assessor's Map D, Lot 28, zoned R-12, located at 15 Evergreen Valley Drive. (P04-12)

The Planning Department recommends that the driveway waiver be granted because without the waiver, it would be very difficult to drive into the garage and the impact to the direct abutter is limited due to the locations of the garages.

ITEM #6: Application for a Conditional Use Permit for Dover Building Partners, Assessor's Map H, Lot 18, zoned R-20, located on Knox Marsh Road. (P-04-16)

The applicant met with the Conservation Commission on July 8, 2002 (see enclosed minutes) and received a favorable recommendation. The applicant received a NH Wetlands Permit on December

19, 2002 (see enclosed permit). The Planning Department recommends approval of the Conditional Use Permit with the following condition:

1. The applicant shall grant an access easement to the City that would allow for the construction of a driveway to Bellamy Park by the City.

ITEM #7: Application for a Minor Lot Line Adjustment of land for NRBA Realty, Inc., (Robert Richard) Assessor's Map 24, Lot 2A, zoned I-1, B-3, located at 85 Broadway. (P04-14)

The applicant has requested two waivers (see enclosed letter) from the Subdivision Regulations. The Planning Department supports the granting of the requested waivers. The Planning Department recommends that the lot line adjustment plat be approved with the following conditions:

1. Add both of the owner's signatures to the plat.
2. Provide the Planning Department with a digital version of the final plat.
3. Revise the plat by adding the surveyor's seal and signature.
4. Revise the plat by adding the information regarding the variance granted for the rear setback.
5. Provide the Planning Department with proof that the portion of the platform to be removed has been removed, prior to recording the plat.
6. Approval includes the granting of two requested waivers.

ITEM #8: Application for a Site Plan of land and Conditional Use for Laconia Savings Bank (Owner NP Dover LLC) Assessor's Map 38, Lot 6A-4, zoned B-3, located on Central Avenue. (P04-11)

The applicant has submitted a letter requesting that the public hearing be postponed until May 11, 2004 to give them time to prepare revised plans that would address the issues raised at the Technical Review Committee meeting held on April 8, 2004. The Planning Department recommends that the application be postponed until May 11th and that abutters be renotified.

ITEM #9: Old Business

a. Discussion and possible vote on the Dube Car Wash, located on Dover Point Road. (P04-2)

The Planning Department recommends approval of the site plan with the following conditions:

1. Add the signatures of both owners' (Dube and Weathervane) to the plan and include Weathervane in all documents requesting waivers.
2. Approval includes the granting of a Conditional Use Permit for the encroachment into the wetlands buffer.
3. 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.
4. The applicant shall prepare and submit to the Conservation Commission, a follow-up report after the installation of the sanitary sewer and subsequent seeding and planting.
5. The applicant shall prepare a flowage easement for stormwater runoff across Map K, Lot 42A for the benefit of Map K, Lot 42-1 and Map K, Lot 30N, and provide proof that such easement has been recorded at the Strafford County Registry of Deeds.
6. The applicant shall prepare an access easement for the common driveway and provide proof that such easement has been recorded at the Strafford County Registry of Deeds.
7. Revise the plan by extending the fence along the northerly property line so that it is within forty feet of the front property line.
8. Revise the plan by adding shrubs between the pin oak trees, from the sidewalk in front of the Weathervane, along the parking lot to the shared driveway.

9. Approval includes waivers for the reduced aisle width in the Weathervane parking lot and to allow the pavement within five feet of the side property line for the shared driveway.
10. The applicant agrees that the doors of the automatic car wash bays will be programmed to close during the wash and drying cycles during the months of September to March, and close from 9:00 PM to 7:00 AM during the rest of the year.
11. The applicant shall conduct a noise study that will measure the noise levels before the car wash is built and after the facility is operational. The noise levels shall be measured at the location of the homes at 5 Middlebrook Land and 1 Elliot Park, once during the day with the car wash bay doors open and once during the night with the doors closed. If the study finds an increase in the noise levels during operation of the car wash, the Planning Board reserves the right to review the noise issue and require additional steps to reduce the noise such as closing bay doors and placing limits on the hours of operation.

b. Discussion and possible vote on Emerald Woods Subdivision, located on Littleworth Road (P02-01)

The Planning Department recommends approval of the subdivision plat and the Conditional Use Permit with the following conditions:

1. Add the owner's signatures to the plat.
2. Add the Surveyor's stamp and signature and the engineer's stamp and signature to the appropriate sheets.
3. Provide the Planning Department with a digital version of the final plat.
4. Provide the Planning Department with a copy of the NH Wetlands permit and add the permit number to the plat.
5. Provide the Planning Department with a copy of the NH Department of Transportation Driveway Permit.
6. Provide the Planning Department with proof that the Environmental Protection Agency Notice of Intent permit application has been filed.
7. The applicant shall pay the Community Services Vehicle Capital Improvement Program fee, in the amount of \$10,772, prior to the issuance of the first building permit.
8. In lieu of providing on-site recreation facilities, the applicant shall make a contribution for improvements to existing recreational facilities, in the amount of \$5,000, prior to the issuance of the first building permit.
9. Revise the plat to add a note that the property is in the Secondary Groundwater Protection District.
10. Revise the plat to add a note explaining how the end of the watermain at the cul-de-sac will be restrained.

c. Discussion and possible vote on plan for Measured Progress Phase II, located on Sixth Street. (P03-56)

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 site plan and Conditional Use Permit be approved with the following conditions:

1. Add the owner's signature to the plan.
2. Revise sheet 2 by adding the metes and bounds to the property lines for lot 27D.
3. The applicant shall provide a detail sheet on the retaining wall when applying for a building permit.

4. The Environmental Management Plan for the parking lot maintenance that was approved for phase one shall apply to phase two.
5. The applicant shall construct the driveway shown on the plan, including the required striping on Sixth Street, and shall pay a fair share fee, equal to 13.8% of the total cost, towards a future four-way signalized intersection at Venture Drive, as well as a fair share fee, equal to 5.9% of the total cost, for upgrades to the Sixth Street/Indian Brook Drive intersection, for phase one and two. The fair share contributions from Measured Progress are due at such time that the City begins construction of the improvements. At the time that a four-way intersection is constructed at Venture Drive/Sixth Street, Measured Progress shall use the reserved right-of-way to tie into the new intersection and discontinue their driveway onto Sixth Street. As an alternative to this condition, Measured Progress may chose to purchase the necessary property or right-of-way and construct their driveway entrance directly opposite Venture Drive and install the required striping on Sixth Street, prior to obtaining a certificate of occupancy. Measured Progress shall sign a written agreement committing to the contributions for whichever option they chose.
6. The applicant agrees to grant a conservation easement to the City for the area of the property south of the northern edge of the existing sewer easement, including the spur of land that leads to Watson Road. The applicant and the City shall agree on a fair price for the easement after an appraisal is completed, subject to approval of the expenditure from the Conservation Fund by the City Council. This shall be completed prior to the issuance of a certificate of occupancy.
7. The applicant shall revegetate the area previously cleared for the sewer line from sewer manhole #8, prior to the issuance of a certificate of occupancy.

ITEM #10: New Business

- a. **Notice of Merger for Dover Building Partners, for Assessor's Map H, Lots 18-1 and 18-2, located on Knox Marsh Road.**

The Planning Department recommends that the lot merger be approved.