

STEVEN J. STANCEL
Director
ve.stancel@ci.dover.nh.us



288 Central Avenue
Dover, New Hampshire 03820-4169
(603) 516-6008
Fax: (603) 516-6007
www.ci.dover.nh.us

City of Dover, New Hampshire

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

MEMORANDUM

TO:	Planning Board Members
FROM:	Planning Staff
DATE:	January 24, 2003
SUBJECT:	Staff recommendations for agenda items for the January 28, 2003 Planning Board Meeting

ITEM #3: Application for a minor subdivision of land for David Sullivan (owner John Gregoire) Assessor's Map I, Lot 35A, zoned R-12, located on Danielle Lane. (P03-01) (1 lot)

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

1. Add the owner's signature to the plat.
2. Provide the Planning Department with a digital version of the final subdivision plat.
3. Revise the plat to add the location of the existing septic system on lot #2.
4. The applicant shall obtain written permission from the owner of Danielle Lane, since the street is not yet accepted as a City street, allowing access to the street and provide a copy to the Planning Department.

ITEM #4: Application for a minor lot line adjustment of land for John & Carolyn McGlone (owner Philip Nute), Assessor's Map I, Lot 94C & 124, zoned R-40, located on Hidden Valley Drive/Piscataqua Road. (P03-02)

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.

ITEM #5: Application for a site review of land for GC-AAA Fences, Inc., (owner Gordon Clark) Assessor's Map I, Lot 22 D, zoned B-4, located at 294 Durham Road. (P02-68)

The applicant has submitted a letter requesting a waiver to allow him to retain the existing gravel employee parking area rather than having to pave the area. Due to the location of the property within the Secondary Groundwater Protection District, the reduction in impervious surface area is desirable; therefore the Planning Department supports the request. The Planning Department recommends that the site plan and Conditional Use Permit be approved with the following conditions:

1. Provide the Engineering Division with information on the pumping chamber.
2. Revise the plan by adding two additional trees between Durham Road and the proposed building, adjacent to the proposed Crimson King Maple tree.
3. This approval includes the granting of the Conditional Use Permit, as recommended by the Conservation Commission.

ITEM #6: Old Business

a. Discussion and possible vote on the following extraction permits.

1. Mast Road Sand & Gravel

At the previous meeting, three issues were raised regarding the operation of the gravel pit. They were stump stockpiling, recycled asphalt pile, and compost piles on the property. The City's Environmental Program Manager, Dean Peschel has addressed all three issues in his December 18, 2002 letter. He is apparently satisfied with reports from the owner and his own inspections. He does recommend that the owner install one or two monitoring wells on the property to help provide an early warning system on potential threats to the City's water supply wells nearby. Therefore, the Planning Department recommends approval of the extraction permit, subject to the following conditions:

1. No off-site materials, fuels, lubricants or other toxic or polluting materials be stored on site without being in compliance with State rules and regulations pertaining to such materials and receiving approval by the Dover Planning Board. Any on-site refueling operations approved shall comply with the Best Management Practices contained in NHDES Technical Bulletin WD-WS-22-6.
2. The 2002 reclamation and operational plan documents shall be considered as part of the permit and the hours of operation hours are as follows: 7:00 AM – 5:00 PM on weekdays with the gates opening at 6:30 AM, and 7:00 AM - 2:00 PM on Saturday.
3. Limit excavation at the property lines of disapproving abutters to no closer than 50 ft. The letter from a disapproving abutter is on file.
4. Continue the condition from the lot line adjustment plat that states no excavation shall take place beyond Cold Springs Road (So-called).
5. Identify the areas of the pit that have been undercut and have a grade of 1:1 on a revised plan, and install a fence or other suitable barricade within 30 days of approval. Submit the revised plan to the Planning Office within 15 days of approval.
6. Since this property is located within the secondary groundwater protection zone, the applicant shall not excavate below an elevation four (4) feet above the seasonal high water table observed when the associated water supply well has not been operating for at least two weeks prior to the date of measurement. The applicant shall prepare and submit to the Planning Office an annual report (to coincide with the extraction permit application submittal) documenting compliance with this provision.
7. The owner install one monitoring well on the property to help provide an early warning system on potential threats to the City's water supply wells nearby.

2. Tyra, Inc.

The owner has paid the past due excavation taxes for the property. The Planning Department recommends approval of the extraction permit, subject to the following conditions:

1. Since Mr. Griffin and Mr. Proulx have cooperated in having new existing conditions plans for both their extraction industry properties prepared, it is recommended the Board allow the use

of the one plan set for the plan requirement for both permit applications. The separate reclamation plan for both properties was not complete at the time of memo preparation, so it is not included in your packets. The owner's consultant, Altus Engineering, has indicated the reclamation plans will be on your desks the night of the meeting.

2. The City's Environmental Projects Director has addressed the issue of the off-site materials imported into the pit by memo (email). He appears to be satisfied the material does not constitute a threat to the secondary groundwater protection zone.
3. Staff has spoken with the owner who indicated that the required reclamation bond and insurance certificates are in force and will be faxed to the Planning Office prior to the meeting.
4. Since this property is located within the secondary groundwater protection zone, the applicant shall not excavate below an elevation four (4) feet above the seasonal high water table observed when the associated water supply well has not been operating for at least two weeks prior to the date of measurement. The applicant shall prepare and submit to the Planning Office an annual report (to coincide with the extraction permit application submittal) documenting compliance with this provision.
5. No off-site materials, fuels, lubricants or other toxic or polluting materials be stored on site without being in compliance with State rules and regulations pertaining to such materials and receiving approval by the Dover Planning Board. Any on-site refueling operations approved shall comply with the Best Management Practices contained in NHDES Technical Bulletin WD-WS-22-6.

3. Severino Trucking Co.

The Planning Department recommends the extraction permit application be approved with the following conditions:

1. No off-site materials, fuels, lubricants or other toxic or polluting materials be stored on site without being in compliance with State rules and regulations pertaining to such materials and receiving approval by the Dover Planning Board.
2. Hours of operation shall be restricted to 7:00 AM to 5:00 PM weekdays and 7:00 AM to 2:00 PM on Saturdays, with gates to the site opening no earlier than 6:30 AM.
3. Revise the plan to show locations of the groundwater monitoring wells within 15 days.
4. Submit the water quality-testing plan, within 15 days of approval. (This was a condition of approval of the original site plan approved by the Planning Board.)
5. All on-site refueling operations shall comply with the Best Management Practices contained in NHDES Technical Bulletin WD-WS-22-6.
6. Importation of off-site construction-site soils into the pit for storage or for use in reclamation shall be prohibited unless the applicant can demonstrate that the material is not contaminated. The City's Environmental Projects Director shall be responsible for making any such determination.
7. Identify the areas of the pit that have a grade of less than 2:1 on the plan within 15 days.

4. Proven Aggregates

The owner has paid the past due excavation taxes on the property. The owner has prepared and submitted an existing conditions plan, documents, and certifications in order to comply with the minimum and express operational standards outlined in RSA 155E:4-a. The separate reclamation plan for the property was not complete at the time of memo preparation, so it is not included in your packets. The owner's consultant, Altus Engineering, has indicated the reclamation plans will be on your desks the night of the meeting. After review of the submitted documents and plans, Planning staff recommend the Planning Board accept the plans and documents as compliance with the RSA's express standards with the following conditions:

1. The owner shall comply with Best Management Practices document submitted to the Board.
2. The owner shall submit a reclamation bond or other security sufficient to secure the reclamation of the land being excavated per NH RSA 155E:4-a, VII.
3. The owner shall install fences or other suitable barricades where slopes exceed a grade of 1:1 to warn of danger or limit access to the site per NH RSA 155E:4-a, VI.
4. Since this property is located within the secondary groundwater protection zone, the applicant shall not excavate below an elevation four (4) feet above the seasonal high water table observed when the associated water supply well has not been operating for at least two weeks prior to the date of measurement. The applicant shall prepare and submit to the Planning Office an annual report (to coincide with the extraction permit application submittal) documenting compliance with this provision. This condition complies with NH RSA 155E:4-a, VIII.

b. Discussion and possible vote on a minor subdivision for Daniel & Jacqueline Ayer, located on McKone Lane. (P02-67)

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

1. Add the owner's signature to the plat.
2. Provide the Planning Department with a digital version of the final subdivision plat.
3. Revise the plat to add a "T" style turn around on McKone Lane at the proposed shared driveway location and provide appropriate access easements to the City.
4. Revise the plat to locate all areas that have a slope of 20 percent or greater.
5. Provide the Planning Department with written certification from a Wetlands Scientist that there are no wetlands outside of the Riverfront Residential Overlay District.
6. Revise the plat to add new map and lot numbers as assigned by the Tax Assessor's Office.
7. The road improvement issue is still being discussed. A recommendation should be provided at the meeting.

ITEM #7: New Business

a. Consideration of a Zoning Ordinance Amendment

During the City Council discussion regarding the I-4 District amendments, a concern was raised that agricultural uses were not allowed. The Council was concerned that existing farms may be hindered from expanding or adding new barns. At the public hearing an amendment was adopted that makes agricultural a permitted use in the newly created I-4 Districts. In order to expand the agricultural uses to all I-4 Districts, a new amendment would have to be proposed by the Planning Board. Included in your packets is a proposed amendment for your consideration.