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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: November 7, 2003
SUBJECT: Staff recommendations for agenda items for the November 13, 2003 Planning Board Meeting

ITEM #3: Application for a minor subdivision of land for Nancy McAtavey, Assessor's Map A, Lot 31, zoned R-40, located on Blackwater Road. (P03-63) (2 lots)

The applicant has applied for a Conditional Use Permit to allow the driveway for Lot #31A to be within the 50-foot buffer from wetlands. The applicant met with the Conservation Commission on November 3, 2003, and received a favorable recommendation with the condition that a conservation easement be granted for the rear portion of Lot #31B. The Planning Department recommends that the minor 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. Revise the plat by adding the surveyor's seal and signature.
4. Revise the plat to add the 50-foot wetlands buffer to all jurisdictional wetlands.
5. Revise the plat by amending Note #12 to indicate the amount of contiguous upland area for each lot.
6. Provide the Planning Department with a copy of the NH Department of Environmental Services Subdivision permit and add the permit number to the plat.
7. The applicant shall grant a conservation easement to the City or other approved conservation group on the portion of Lot #31B that is south of a line extending the rear lot line of Lot #31 to the east at a bearing of N75°16'34"W. The easement area shall be shown on the plat. The easement shall be granted prior to the recording of the plat.

ITEM #4: Application for a minor subdivision of land for William Martindale, Assessor's Map 17, Lot 76A & 76C, zoned R-12, located on Shamrock Lane & Birchwood Place (P03-64) (1 lot)

The Planning Department recommends that the minor 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. Revise the plat by adding the surveyor's seal and signature.
4. Revise the plat to show the Tax Map and Lot numbers as assigned by the Tax Assessor.

ITEM #5: Application for a lot line adjustment of land for Dover Building Partners, Assessor's Map H, Lots 18-1 & 18-2, zoned R-20, RM-20, Knox Marsh Rd. (P03-61)

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 seal and signature.
4. Revise the plat to show the Tax Map and Lot numbers as assigned by the Tax Assessor.
5. Revise the plat by adding the zoning district line separating the RM-20 District from the R-20 District and revise note #5 to add the dimensional requirements for the R-20 District.
6. Revise the plat by filling in the blanks in the note for Reference Plan #1.
7. Revise the plat by correcting all references to Tax Map and Lot Numbers so that they read "Tax Map H, Lot #".
8. Revise the plat to correct the unreadable text located above unit # 45.
9. Revise the plat to indicate the amount of contiguous upland on parcel # 2.

ITEM #6: Application for a lot line adjustment of land for Teresa Picard & Margaret Buckingham, Assessor's Map A, Lot 18B-3 & 19, zoned R-40, located on Varney Rd. (P03-65)

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 deleting the "A/18B-2" label from Map A, Lot 18B-3.
4. Revise the plat by adding a note certifying that each lot contains a minimum of 40,000 square feet of contiguous upland.
5. Revise the plat by adding the Dover Tax Map and Lot number (A-15-1) for the Picard lot known as Map 65, Lot 2 in Somersworth.

ITEM #7: Application for an Open Space Subdivision of land for Coldwell Banker – Criswell/Wolcott Real Estate (Owners Michael & Kevin Barry and Sheila Robinson), Assessor's Map E, Lots 67 & 69-A, zoned R-12, located on Sixth Street & Whittier St. (P03-48) (14 lots)

The applicant met with the Conservation Commission on September 8, 2003 and received a favorable recommendation. The applicant has requested a waiver to Chapter 155-43D, to permit an 8 inch water main in place of the 12 inch requirement. The City Engineer supports the waiver request. The Planning Board needs to discuss the issues associated with locating the sidewalk on the east or west side of Whittier Street. 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. Revise the plat by adding the surveyor's seal and signature.
4. Approval includes a Conditional Use Permit for the development on steep slopes.
5. The applicant shall provide the Planning Department with a copy of proposed homeowner's association by-laws.

6. The homeowner's association by-laws shall provide for the preservation of the open space in perpetuity and prohibit the dumping of yard and other waste in the open space.
7. Approval includes the granting of a waiver to allow an 8 inch water main.
8. Provide the Planning Department with proof that the applicant has filed a Notice of Intent with the Environmental Protection Agency.
9. The applicant shall grant to the City an easement for a public trail to connect the City parcel (formerly Cassily) to a crossing of the Spaulding Turnpike, at a location along a section of Whittier Falls Way.
10. The applicant shall pay the Community Services Vehicle Capital Improvement Program fee prior to the issuance of the first building permit.
11. In lieu of providing on-site recreation facilities, the applicant shall make a contribution for improvements to existing recreational facilities prior to the issuance of the first building permit.
12. Revise the plat by adding a more detailed UGE & Cable plan, showing the transformers, utility boxes and services to lots.
13. Revise the plat by adding a hydrant gate to be installed at the cul-de-sac.
14. Revise the plat by adding curb to be installed along the offsite sidewalk.

ITEM #8: Public hearing in accordance with RSA 675:6 to consider an amendment to Chapter 155- "Subdivision of Land" of the code of the City of Dover. The amendments, to 155-22, clarify requirements (zone, original lot size) for an Open Space Subdivision (OSS). The amendments require financial documentation demonstrating that the proposed yield plan is realistic and practical. The amendments also remove utility, preliminary hearing and impact statement prerequisites for mandatory OSS, while leaving the preliminary hearing and impact statement prerequisites for non mandatory ones. Finally, the amendments change the minimum lot size for R-12 lots, within an Open Space Subdivision, from 10,000 square feet to 8,000 square feet. The full text is available for public inspection in the Planning Department and on the City's website at www.ci.dover.nh.us.

Please review the enclosed text of the proposed Subdivision Regulations amendments and an illustration of the impact of reducing the minimum lot size in the R-12 District.

ITEM #9: Old Business

a. Discussion of Capital Improvement Program

The City Council held a workshop on November 5, 2003 for detailed presentations on the CIP. Planning Board members decided to attend this workshop instead of holding a separate workshop. The next step for the Planning Board will be discussed.

ITEM #10: New Business