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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:	December 5, 2003
SUBJECT:	<i>Staff recommendations for agenda items for the December 9, 2003 Planning Board Meeting</i>

ITEM #3: Application for a major subdivision of land for Lionheart Investment Property LLC, Assessor's Map G, Lot 28-1, zoned R-20, I-1, located on Littleworth Rd. (P03-66) (4 lots)

The applicant is scheduled to appear before the Conservation Commission on December 8, 2003 for the Conditional Use Permit necessary to permit the driveway to be located within 50 feet of the wetlands. 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. Provide the Planning Department with a copy of the NH Department of Environmental Services Subdivision permit and add the permit number to the plat.
5. Approval includes the granting of a Conditional Use Permit, with any conditions recommended by the Conservation Commission.
6. Driveway permits shall be obtained from the NH Department of Transportation.

ITEM #4: Old Business

a. Public Hearing and possible vote on a plan for a major subdivision of land for Northam Builders, Inc., (Emerald Woods) Assessor's Map F, Lot 22A, zoned R-40, located on Littleworth Rd (P02-01) (25 lots)

The Planning Department recommends that the application be removed from the table and the public hearing be opened again. A new drainage study was submitted on November 25th and the City Engineer is still in the process of reviewing the document. A recommendation from the Planning Department may be made at the meeting. In addition to the outstanding engineering issues, the following is a list of planning issues:

1. Surveyor's stamp and signature.
2. NH Wetlands permit.
3. NH Department of Transportation Driveway Permit.
4. Environmental Protection Agency Notice of Intent permit application.

5. Recreation – onsite playground or contribution for off-site recreation.
6. Community Services vehicle contribution.
7. Add note that property is in the Secondary Groundwater Protection District.

b. Discussion and possible vote on a site plan for Kane Co, Assessor's Map E, Lots 27, 27B & 27D, zoned ETP, located on Sixth St. (P03-56)

The applicant is working to revise the plans and the traffic study to incorporate the changes discussed at the TRC meeting and those resulting from the public hearing and site walk. The Planning Department recommends that the application remain on the table until the next meeting.

c. Impact Fee Waiver Request for John MacLatchy, for 147 Spur Road, Assessor's Map L, Lot 40-23

This lot was part of the Applecrest subdivision approved by the Planning Board on November 12, 1996 and signed by the Planning Board Chairman on February 14, 1997. This lot was listed as unbuildable on the plat because of wetland and conservation setbacks. On May 27, 2003 the Planning Board approved a lot line adjustment plat that added a portion of the Spur Road right-of-way to the lot, making the lot buildable. 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 approved on August 5, 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 not made buildable until after the adoption of the school impact fee, the Planning Department recommends that the waiver be denied.

d. Portsmouth Christian Academy Bus Issue

Please review the response from the Portsmouth Christian Academy to the bus issues raised by the Hebbards.

e. Cochecho Country Club Golf Cart Building Issue

Please review the Planning Director's response to Bob Demer's letter.

ITEM #5: New Business