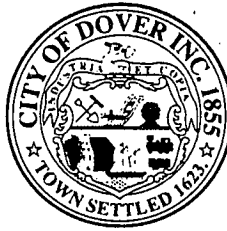


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City of Dover, New Hampshire

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

MEMORANDUM

TO:	Planning Board Members
FROM:	Planning Department Staff
DATE:	May 4, 2001
SUBJECT:	<i>Staff recommendations for agenda items for the May 8, 2001 Planning Board Meeting</i>

ITEM #2: Application for a Conditional Use Permit for NH Soil Consultant, Inc. (Owner Acorn Associates) Assessor's Map N, Lot 8, zoned R-40, located on Gulf Road.

The applicant met with the Conservation Commission on April 2nd. The material for this item was included in the packet from the last meeting. The applicant has received their State Wetlands Permit. The Planning Department recommends approval of the Conditional Use Permit.

ITEM #3: Application for a site plan of land for Wentworth-Douglass Hospital, Assessor's Map 37, Lot 1, zoned O, located at 789 Central Avenue.

The Planning Department recommends that the Planning Board accept the application, open the public hearing, and table the application until the next meeting. Staff has prepared a written review of the traffic impact analysis submitted by the applicant's traffic engineer and the applicant needs time to address these issues. The Planning Board can determine if a site walk is necessary. The TRC notes are included in the packets for your review.

ITEM #4: Public Hearing to consider an amendment to Chapter 170, entitled "Zoning" of the Code of the City of Dover, by rezoning three parcels (Map 15, Lots 65, 66, & 66A) on Rutland Street from Restricted Industrial District (I-1) to Medium-Density Residential District (R-12).

MacIntosh Properties, Inc. has submitted a letter requesting that the zoning amendment be withdrawn. Since this amendment was initiated by a petition by MacIntosh Properties, Inc., it does not make sense to proceed with any rezoning at this time. Staff has sent a letter to all abutters informing them that the rezoning request has been withdrawn.

ITEM #5: Old Business

a. Discussion of Impact Fee Ordinance (General ordinance to allow off-site assessments)

Please review the draft Impact Fee Ordinance that is included in your packet. This ordinance was modeled after examples from the Upper Valley Lake Sunapee Regional Planning Commission and the City of Rochester. This general ordinance is designed to allow the City to require off-site improvements of developers based on the impact of a particular development. The ordinance

restores the Planning Board's authority to charge for off-site improvements that was taken away by the Simonsen v. Derry Supreme Court case. No specific fees are included in the ordinance. A calculation would have to be made in each case. This would allow the City to require improvements to a nearby intersection impacted by a development or have a developer make improvements to a playground in the neighborhood. Staff is still working on developing an impact fee ordinance for specific capital items.

b. Extension Request For Motiva Enterprises, LLC, Silver Street

Included in your packet is a letter from Attorney Malcolm R. McNeill, Jr. requesting an additional 60 extension for Motiva Enterprises, LLC. They are awaiting the court decision regarding expansion of a non-conforming use. The Planning Department recommends approval of the extension.

ITEM # 6: New Business