



**CITY OF DOVER**

## CITY COUNCIL - AGENDA

Meeting Type: Regular Meeting  
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820  
Meeting Date: **Wednesday, December 9, 2009**  
Meeting Time: **7:00pm**

1. **MOMENT OF SILENCE**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **PROCLAMATIONS**
5. **APPROVAL OF AGENDA**
6. **CITIZEN'S FORUM**

*Citizens are invited to speak on any issue pertaining to the business of the City of Dover. Statements shall be limited to five minutes.*

7. **PUBLIC HEARINGS – None**
8. **CITY MANAGER'S REPORT**
9. **MINUTES**

- A. **November 4, 2009 – Joint Workshop with Planning Board**
- B. **November 4, 2009 – Special Meeting**

10. **MAYOR'S REPORT**
11. **UNFINISHED BUSINESS**

**A. ORDINANCES IN THE 2<sup>ND</sup> READING**

1. **UPDATING THE DOVER ZONING ORDINANCES  
(TO BE REMOVED FROM THE TABLE)  
SPONSORED BY DEPUTY MAYOR TREFETHEN**

**B. RESOLUTIONS – None**

12. **NEW BUSINESS**

**A. CONSENT CALENDAR**

1. **RAFFLE – Cochecho Park Preservation Associates**
2. **RAFFLE – Dover High School Girls Basketball Boosters**
3. **RAFFLE – Great Bay Figure Skating Club**
4. **RAFFLE – Sons of American Legion, Post 8, Dover**
5. **TAG – Dover High School Girls Basketball Boosters**



**CITY OF DOVER**

## CITY COUNCIL - AGENDA

Meeting Type: Regular Meeting  
 Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820  
 Meeting Date: **Wednesday, December 9, 2009**  
 Meeting Time: **7:00pm**

- 6. RESOLUTION: B10028 THIRD PARTY WORKERS COMPENSATION CLAIMS ADMINISTRATION AND LOSS PREVENTION**  
SPONSORED BY MAYOR MYERS BY REQUEST
- 7. RESOLUTION: B10029 EXCESS WORKERS COMPENSATION AND EMPLOYER'S LIABILITY INSURANCE**  
SPONSORED BY MAYOR MYERS BY REQUEST
- 8. RESOLUTION: CONTINUATION OF AGREEMENT FOR WORK BOOTS/FOOTWEAR. SOLE SOURCE VENDOR REDS SHOE BARN**  
SPONSORED BY MAYOR MYERS BY REQUEST
- 9. RESOLUTION: ACCEPTANCE OF ELECTRONIC PAYMENTS FOR PARKING METER PROGRAM**  
SPONSORED BY MAYOR MYERS BY REQUEST
- 10. RESOLUTION: ROUTE 9 BRIDGE STATE NH PROJECT 13042 REPLACEMENT OVER B&M RAILROAD 109/106**  
SPONSORED BY MAYOR MYERS BY REQUEST
- 11. RESOLUTION: REYNER'S BROOK INTERCEPTOR AND COLLECTOR SEWERS**  
SPONSORED BY MAYOR MYERS BY REQUEST

### COMMITTEE REPORTS

- |   |  |
|---|--|
| 1. Appointments Committee                 | 7. City / School Joint Service Committee |
| 2. Arts Commission                        | 8. Solid Waste Advisory Committee        |
| 3. McConnell Center Committee             | 9. Transportation Advisory Committee     |
| 4. Planning Board                         | <b>10. Joint Building Committee</b>      |
| 5. Cable Franchise Negotiations Committee | 11. Legislative Liaison                  |
| 6. School Board Liaison                   | 12. Coast Bus                            |

### B. RESOLUTIONS

- 1. CHAIR AND VICE CHAIR POSITIONS ON BOARDS, COMMISSIONS AND COMMITTEES**  
SPONSORED BY DEPUTY MAYOR TREFETHEN
- 2. MCCONNELL CENTER DOVER CHILDREN'S CENTER SUBSIDY**  
SPONSORED BY MAYOR MYERS BY REQUEST
- 3. PURCHASE OF LAND FOR SECOND WATER TOWER**  
SPONSORED BY MAYOR MYERS BY REQUEST



**CITY OF DOVER**

## CITY COUNCIL - AGENDA

Meeting Type: Regular Meeting  
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820  
Meeting Date: **Wednesday, December 9, 2009**  
Meeting Time: **7:00pm**

**4. COLLECTIVE BARGAINING AGREEMENT BETWEEN CITY OF DOVER AND DPA**

SPONSORED BY MAYOR MYERS BY REQUEST

**5. FY2011 DEBT FINANCING LIMITATION**

SPONSORED BY COUNCILOR CALLAGHAN

**6. AMEND CITY COUNCIL ADOPTED FINANCIAL POLICIES DEBT POLICY – GOAL 5**

SPONSORED BY COUNCILOR CHENEY

**7. RESTRICTION ON DEBT FINANCING OF EMPLOYEE WAGES**

SPONSORED BY COUNCILOR CHENEY

**8. CITY COUNCIL ORGANIZATIONAL MEETINGS**

SPONSORED BY COUNCILOR CHENEY

**C. ORDINANCES IN 1ST READING**

**1. MORNINGSIDE DRIVE STOP SIGN**

(TO BE REFERRED TO A PUBLIC HEARING ON JANUARY 13, 2010)

SPONSORED BY COUNCILOR WESTON

**2. SHAWS LANE PARKING**

(TO BE REFERRED TO A PUBLIC HEARING ON JANUARY 13, 2010)

SPONSORED BY COUNCILOR WESTON

**D. COUNCIL CORRESPONDENCE**

**13. COUNCIL MATTERS OF INTEREST**

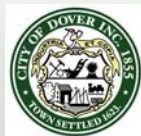
**14. ADJOURN**

# City Manager's Report

December 9, 2009

*Perseverance is not a long race; it is many short races one after another.*

*Walter Elliott*



Submitted by:

**J. Michael Joyal, Jr.**  
**City Manager**

288 Central Avenue  
Dover NH 03820  
603.516.6023

## STREETS, WATER, SEWER UPDATES

**Utilities:** During the month of November, the Utilities Division experienced a number of emergencies. The first was at the River Street Pump Station where the station was hit with a power surge. This surge took out one of the VFD drives that run the smaller flow pumps. It also took out the drive for the sodium hypochloride system and tripped the transfer switch for the standby generator. All repairs to these systems were completed by the contracted electrician and the VFD vendor. Staff also responded to two sewer backups. One was on Cedarbrook Drive; a sewer main collapsed and crews responded by replacing ten feet of 8" clay pipe. A second backup occurred at 1 Woodland Road where the blockage was actually traced back to Renaud Avenue where a root mass was found that was blocking the main.

Crews completed the fall directional flushing program which began on October 4<sup>th</sup>. Repairs to hydrants continued. Hydrants, previously taken out of service by the cutover to the new main on Tolend Road were removed. Tie-ins to the 2" water line on Iona Avenue were completed. Scum pits were cleaned out at the Wastewater Treatment Plant. Due to the new sewer line installed on upper Redden Street, there was groundwater coming out of the sewer trench on lower Redden Street. An under drain was installed on Redden Street to intercept the groundwater and avoid icing and potential damage to the asphalt.

**Streets:** In the month of November, the Highway Division performed roadside brush cutting on Watson Road, County Farm Road, Spur Road, Finch Lane, New Bellamy Road, Rabbit Road, Crosby Road, Faraday Drive, Old Stage Road, Progress Drive, Sumner Drive and portions of Sixth Street. Brush was removed from Camp Sun & Fun and on Evan's Drive and logs were removed from Mast Road, across from the Community Services Building. An asphalt berm was installed to address water issues for a resident on Pearson Drive. Catch basins were jetted where drainage problems occurred and leaves were collected from problem areas in the right-of-way to prevent future flooding and plowing issues. The Highway Division assisted in cleaning up the Recycling Center after the brush was chipped.

Cut and patch work was performed at the Facilities Shed at the Pine Hill Cemetery to address trouble spots. A culvert was installed and drainage upgrades were made to the parking area behind the Community Services Garage to extend the lay down area where materials and structures will be stored. The Highway crew assisted the Water Division on Ash Street after utility upgrades by boxing out the area. Catch basin and manhole work was performed on Maple Street, Grove Street, Silver Street at Elm Street and at the First Parish Church. Drainage upgrades were made on Autumn Street. Concrete sidewalks were repaired at the Holy Rosary Credit Union and also to areas on Washington Street, Central Avenue and Fourth Street.

Contracted upgrades to pavement (cut and patch/trim and shim) were performed on Evans Drive, Autumn Street, Central Avenue at Tasker's Funeral Home and at Wentworth Terrace.

In advance of winter snow operations, sand and salt barrels were placed around the City and the salt/sand pile at the Shaw's Lane Ball Fields was stocked. Ongoing repairs continued to roadways where trouble spots were addressed and potholes filled.

## PROGRAMS AT CITY CENTERS/BUREAUS

**Police Special Investigations Bureau:** On November 13th, two adults and one juvenile were arrested on felony Criminal Liability for the Conduct of Another charges related to the assault of resident near the covered bridge on River Street on August 18th.

On November 14th, members of the Special Investigations Bureau attended a meeting regarding prescription drug abuse and diversion. The meeting was attended by representatives of the medical community, pharmacists and law enforcement. The goal was to reduce prescription drug abuse as well as the diversion of those prescription drugs from their intended use and recipients to others who abuse or sell the pills.

Also during November, ten sex offenders were processed by the Police Department. The processing of a sex offender can range from the annual, semi-annual, quarterly, or initial registration. It can also include a change of address or other information that must be updated.

**Patrol Division:** The Police Department's Parking and Traffic Bureau helped manage voter parking logistics at five of the six ward polling places during the November 3rd City Council election.

The Traffic Bureau Commander filled in for the City's Parking Manager as the staff liaison to the Parking Commission during his temporary military deployment overseas. He attended several meetings of the Parking Commission and fulfilled the committee's requests for staff follow-up. The Police Department continues to work closely with the Parking Manager toward the implementation of the multi-space meter program in association with the vendor, PARKEON.

The Traffic Bureau Commander also prepared a comprehensive plan for sign installation in the Orchard, Belknap and Henry Law parking areas that will be carried out by the Facilities and Grounds Division in preparation for the Pay and Display program's January start date.

The Traffic Bureau was responsible for many of the logistical considerations for the annual Holiday Parade on November 29. Officers worked closely with staff and volunteers from St. Mary Academy in their first year organizing the parade. The Police Department coordinated the temporary suspension of freight train at the Dover grade crossings, the advance posting of on-street parking restrictions, and the implementation of personnel and equipment to facilitate the street closure and traffic detours.

**Community Service Program:** The Community Service program tracked 21 active participants during the month of November. Of those in the program, ten worked hours during the month, totaling 49.5 hours of work accomplished. So far during 2009, 394.5 hours of community service work has been accomplished and 20 individuals have completed their court ordered obligations.

**Diversion Program:** The Diversion Committee did not have a meeting this month. Currently there is one active case being supervised by the committee. The next meeting will be on December 3rd.

**Community Outreach Program:** Dover Youth to Youth had a very busy month in November. On the 20th and 21st, fifteen members attended an advanced training program on prevention issues in Nashua. Youth to Youth also conducted presentations in Strafford, Farmington, Rochester and Northwood. Several times during the month, Y2Y members put informational stickers on alcohol products in stores to promote underage drinking prevention initiatives. The group also had a float in Dover's annual Christmas parade.

Dover Youth to Youth continues to provide training and technical assistance to surrounding communities who want to start a similar program. This has been made possible through a grant provided by the One Voice for Southeastern NH Coalition and Wentworth-Douglass Hospital. Youth to Youth has assisted in the starting up of groups at Spaulding High School; Oyster River High School; Coe Brown Academy; Farmington High School, and Somersworth High School. Dover will receive funding this year to sustain that assistance and to expand the program to include support for 6-8 middle schools in the region – with Farmington and Somersworth Middle Schools already committing to starting their own programs this year.

The Dover Coalition for Youth has been active with the production of the Student Risk Behavior Survey which will be conducted at Dover High School on December 3rd and Dover Middle School on December 4th. The survey provides valuable information about the challenges facing our youth and helps direct where programs and services are needed.

The Coalition was authorized by the granting agency, Drug Free Communities, to bring Vicki Hebert on as the coalition's coordinator. Ms. Hebert will be working out of the Community Outreach offices at the McConnell Center.

**Teen Center:** The Teen Center calendar for November consisted of superior educational and social programming for our youth participants. For the month, the Teen Center saw a total of 408 participants, on 17 days of programming, which yielded an average of 24 participants per day.

Some program highlights for the month of November included, but were not limited to the following:

TC Trip – FUNSPOT Arcade (TW Day) (11/6)  
TC Bingo Mania (11/10)  
TC Sports Event – “Street Hockey” (11/12)  
TC Special Event – “TC Parent’s Open House” (11/18)  
TC Special Event – “Karaoke Jam” (11/19)  
TC Special Trip – “Thanksgiving Feast”@ Blue Latitudes (11/25)

There were two special events at the Teen Center that were not added into the attendance averages above; the DoverPalooza Show had 55 attendees on November 13th and thirteen teens joined the Teen Center staff to walk in the Dover Christmas Parade on November 29th.

**Recreation:** Sign-ups are ongoing for many basketball leagues. The 18+ Men’s Basketball league began games on November 15th. Games are played at the McConnell Center on Sunday mornings and Thursday evenings. The 35+ Men’s Basketball League and the 50+ Men’s Basketball League wrapped up sign-ups and will begin games the first week of December. Both leagues have 6 teams. The 35+ League will play Monday nights at McConnell, and the 50+ league will play Wednesday nights at McConnell. The Seacoast Women’s Basketball League began games on November 1st and has 6 teams. They play Sunday afternoons at the McConnell Center.

5th & 6th grade house basketball league held their workout on November 21st at the Garrison Elementary School Gym. There are 4 boys’ teams and 3 girls’ teams, and they will play most of their games on Saturday mornings at McConnell, while practicing during the week at the elementary school gyms in the evenings.

Pilates & Body Sculpt classes have continued to be popular as well as our new Tai Chi and Yoga classes. The next round of sessions will begin in January.

Attendance:

5th & 6th grade house league (basketball): 67 registrations  
Fitness Classes: 65 registrations  
18+, 35+, 50+, SWBL: 24 teams

**Senior Center:** The in-house ukulele band, The Silver Strummers, continue to practice at the center on Wednesday mornings. Gerry Smith has made a large group from his former students and they are currently booked for holiday performances.

The Senior Advisory Committee meets the first Friday of each month. 11 seniors attended the November 5 meeting.

On November 13<sup>th</sup>, the Self-Guided Day Trip Committee went to the Lollipop Tree and Red Hook Brewery in Portsmouth. 16 members enjoyed this trip.

On Tuesday November 17th, 28 members of the Senior Center attended an early Thanksgiving celebration at the Wentworth Home. This has become an annual tradition that members look forward to.

On November 18th, ServiceLink came to answer any questions about Medicare D coverage and there were three members in attendance.

On November 20th the Senior Center's November social included a fitness demonstration by Theresa Bean. 16 members attended. (Many members were away on the casino escape trip.)

Members of the Senior Center traveled to Mohegan Sun and Foxwoods on November 19-20th. 44 members enjoyed this trip.

Senior Mystery Lunch: 52  
Senior Monthly Social: 16

**Indoor Pool:** During the month of November the Indoor Pool saw the end of fall swimming lessons for the public. Home school lessons also ended that took place on Friday afternoons.

The pool has seen its fair share of therapy swimmers with both Marshwood and Noble school systems using the pool on a weekly basis. Hydrofitness class continues to draw about 20 or so participants despite the holiday season. High school swimming has begun with Dover, St. Thomas, Spaulding, Oyster River and Berwick Academy using the pool on a regular basis. The Masters team is still running strong with 30 to 35 swimmers at every practice. Seacoast Swimming continues its short course season coming in every day of the week except Sundays.

The Indoor Pool played host to the Dover Fire Department this month to prepare for the upcoming cold water season and to practice donning their survival suits and rescuing individuals in distress.

**Ice Arena:** The arena is starting to see some significant activity with public events during the month of November – especially with recreational public skating. The colder weather should continue to bring out more skaters for this activity. Rock Night has also seen excellent attendance with over 50 skaters each Saturday night.

The arena also hosted the high school alumni jamboree on Saturday, November 28th. Four of the area high schools were represented and Dover High walked away as the winner.

Stick Practice 383

## DEPARTMENTAL COLLABORATION & ENHANCEMENTS

The new partnership with Dover Schools continues to be explored. Exploration has been occurring into establishing a vocational fire and emergency services program at the Regional Technical Center. Both organizations are looking at sharing facilities, equipment and potential personnel.

The focus for the Department of Planning and Community Development continues to be documenting procedures and processes. This is being done with the creation of a new "Developers' Handbook." This handbook describes the development processes here in Dover. It is broken down into pre-application, application review and post approval stages/sections. The Planning Department worked with other departments to review these sections and develop this comprehensive handbook. This handbook will be presented to the Planning Board on December 8th.

## **ENERGY AWARENESS**

The Department of Planning and Community Development continues to coordinate between City staff and JCI associated with the energy contracts. The Planning Department is monitoring the work and overseeing the three JCI contracts. This coordination included working with the State of New Hampshire to modify the contracts. The State continues to review the language and contracts for sign off.

JCI submitted their schedule for FIM 1&2 which was supposed to start the end of November beginning with the Library. At that time, new carpet was being installed there so JCI has pushed the start date back to the week of 12/07 beginning with the Library and Community Services.

## **PARKING & TRANSPORTATION**

The final focus has been coordinating the installation of the Pay and Display parking meters on Henry Law Avenue, in the Orchard Street Parking Lot and the Belknap Parking Lot (located off Central Avenue). With ongoing support provided by the Police Traffic Bureau Commander, Bruce Woodruff has been coordinating with the vendor, Parking Commission, and other City personnel to ensure that the installation and training of the units occurs in early December.

## **PLANNING & ZONING**

The Department of Planning and Community Development held two information sessions at the McConnell Center on November 12th and 14th, for residents who had questions regarding the proposed zoning amendments before the City Council. To publicize the events, staff developed press releases and updated its blog at <http://dovernhplanning.blogspot.com/> regarding the sessions. These sessions were attended by 15 people, including Councilors, Planning Board members, and Councilor-Elects.

Working with Information Technology staff, the Planning Department is developing a survey to be included on its web site to solicit customer service feedback. Once ready for use, in early December all correspondences from the department will include the URL encouraging feedback.

## **CITY GROUNDS – FACILITIES & PARKS**

The Facilities and Grounds Division continued to handle day to day requests for service at the City Hall and Police Department offices. The repairs for the steps at City Hall are underway, starting on November 16, 2009, with Harold Clark and Rodney Brown being the masons. The bid for boiler cleanings at various City facilities went to Stroger's, with cleanings to begin shortly. Booths were set up and removed for elections during the first week of the month. Preparations were made for the Christmas Parade. Holiday wreaths and lights were hung throughout the downtown area and the Christmas tree at Henry Law Park was completely relit. At the corner of Central Avenue, Main Street and Chapel Street, the traffic signal mast arm and upright support pole came down in the heavy winds on November 28, 2009. Employees and the Electric Light Company responded to remove the damaged fixtures and installed replacement fixtures until permanent fixtures can be installed. Sign work continued with the posting of signs for new developments, replacement of existing signs as needed and in conjunction with the sidewalk replacement program. Signs regarding dogs continue to be redone and reposted at various park areas.

Leaf pick-up continued by Facilities and Grounds in Pine Hill Cemetery with some assistance from the Strafford County inmates. Trash pick-up was scaled back to once a week for the fall schedule. Tree work around the City has continued to keep up with the wind storms and heavy rains experienced

this month. Park maintenance continued with repairs being made as needed. Seasonal water services were shut off and facilities winterized. Winterization of the Jenny Thompson Pool was also completed and work continued on Garrison Hill to prepare for winter sledding and snow boarding activities.

Plans for the construction of a Dog Park at Longhill Park are moving along with a layout and budget being developed. A meeting was held with neighbors and area residents this month to get more ideas to help to continue the project through the winter to be ready for spring construction.

The Park Street Park Renovation Project is being supported by the Dover Rotary Club and area businesses. Plans are being drafted in the next couple of months with the neighborhood input to determine the next steps.

Parking and drainage work was completed on one side of the Woodman Park Tennis Courts. The remainder of the project will have to wait until spring.

Resurfacing of the Garrison, Horne and Longhill tennis courts will wait until spring.

New carpet installation has begun at the Public Library which is significantly improving floor hazards. The top floor, half of the main floor and office is anticipated to be completed by month's end.

## GENERAL UPDATES

- ✦ Training occurred in many areas this month at Fire & Rescue. One area was in the operation of the jointly utilized boat owned by the Police and housed in the Fire Station and launched when needed by Fire & Rescue. Boat rescue operations in tidal waters are a high-risk event making training crucial.
- ✦ Fire & Rescue hosted several neighborhood blasting meetings to increase understanding of the blasting process for people living around blasting projects in Dover, and to facilitate the communication of any concerns to the blasting vendors. Additionally, Fire personnel were scheduled to witness each blast to assure property owners of our commitment to their safety and protection of their property.
- ✦ Several planning meetings occurred concerning emergency management issues and many of the October Fire Prevention Month activities spilled over into November as station tours continued by local daycares.
- ✦ The 16th Annual Children's Fire Safety Festival was brought to each of the five elementary schools in Dover and a music filled fire and life safety program was presented to almost 1800 children in grades kindergarten through fourth. This program is sponsored by dozens of local businesses and written and is organized and produced and performed by off-duty employees from Dover Fire & Rescue and their family members. This program was completely produced with donations from the community. A DVD and CD of the program, "The Wizard of Safety" is in the process of being duplicated so that each child can review the program's safety messages at home and in the car.
- ✦ Dover Fire & Rescue personnel were also on hand to support WTSN's Caring and Sharing food drive to benefit area food banks.
- ✦ The Public Library has new Boston Aquarium passes available for patrons along with free and low cost passes for access to other attractions throughout the region.

- ✦ The Library composed 24 blog entries and 39 tweets for social media networks. The Library has 141 Facebook fans and 37 Twitter followers!
- ✦ The annual Library Booksale is now completed with \$5,087 going to the Friends of the Library.
- ✦ On Saturday 11/21, Community Services staff and Urban Tree Services worked on putting up Christmas lights in the downtown. Urban Tree Services donated their bucket truck and personnel for the day.

## NEIGHBORHOOD AREA SPOTLIGHTS

The Planning Department continued to work on the City's application to the New Hampshire Department of Environmental Services for a grant under the Watershed Assistance Program. This grant will be used to retro fit existing stormwater structures that outlet into Willand Pond. These structures are located at the Boat launch off of New Rochester Road, and behind the Indian Brook Commons Plaza located off Indian Brook Drive

## ACKNOWLEDGEMENTS & EVENTS

Three donations were made to the library in memory of John A. "Tony" Brogan: \$500 from Ann & Allen Barbi, \$100 from Charlie Leffingwell, and \$250 from Dr. Louis Clarizio, DDS. At the donors' request, the funds will be used to purchase materials related to the Civil War.

City of Dover - Monthly Statistics	July	August	September	October	November	FY09	FY09	July	August	September	October	November	FY10	FY10 from
	2008	2008	2008	2008	2008	YTD Totals	Totals	2009	2009	2009	2009	2009	YTD Totals	YTD +/-
<b>Number of Days Represented</b>	31	31	30	31	30	153	365	31	31	30	31		123	
<b>INFORMATION TECHNOLOGY</b>														
Info Tech - Total Visitors to Website	51,339	44,496	44,464	48,457	46,981	235,737	525,091	42,677	46,337	52,496	60,828	55,762	258,100	22,363
Info Tech - Average Visitors to Website Per Day	1,656	1,435	1,482	1,563	1,566	1,540	1,438	1,376	1,494	1,749	1,962	1,858	1,688	147
Info Tech - Number of Support Requests Processed	~	~	~	~	~	0	0	125	90	114	121	71	521	0
Total Email Processed by Server	~	~	~	~	~	0	0	~	3,631,180	3,893,018	5,214,782	4,477,029	17,216,009	0
- Detected as Virus	~	~	~	~	~	0	0	~	19,001	127,927	66,217	1,226	214,371	0
- Detected as SPAM	~	~	~	~	~	0	0	~	3,349,133	3,440,366	4,787,293	4,252,957	15,829,749	0
<b>CLERK/REGISTRY RECORDS</b>														
Clerk/Collector - Death Certificates Issued	164	285	211	210	208	1078	2,698	189	234	168	199	178	968	-110
Clerk/Collector - Marriage Licenses Issued	38	66	29	18	15	166	294	40	43	23	17	11	134	-32
Clerk/Collector - Birth Certificates Issued	267	248	216	218	167	1116	2,845	211	242	255	208	150	1,066	-50
Clerk/Collector - Notary Public Requests	85	63	51	60	43	302	616	59	70	38	28	27	222	-80
Clerk/Collector - Marriage Certificates/Copies Issued	60	55	50	56	~	221	221	58	73	63	56	31	281	60
Clerk/Collector - Justice of Peace Requests	6	6	4	4	~	20	20	8	8	2	6	6	30	10
<b>Clerk/Collector - Vehicle Registrations Total</b>	<b>2,762</b>	<b>2,580</b>	<b>2,250</b>	<b>2,483</b>	<b>2,167</b>	<b>12,242</b>	<b>27,464</b>	<b>2,508</b>	<b>2,275</b>	<b>2,495</b>	<b>2,415</b>	<b>1,979</b>	<b>11,672</b>	<b>-570</b>
- EREG - Online Registrations	~	~	~	~	~	0	0	123	154	191	183	182	833	0
- Mailed Registrations	~	~	~	~	~	0	0	314	103	325	311	200	1,253	0
- Office Registrations	~	~	~	~	~	0	0	2,071	2,018	1,979	1,921	1,597	9,586	0
Registry - Deeds	~	~	~	~	~	0	0	89	69	258	296		712	0
Registry - Mortgages	~	~	~	~	~	0	0	114	116	396	377		1,003	0
Registry - Foreclosures	~	~	~	~	~	0	0	3	8	30	35		76	0
<b>PURCHASING DATA</b>														
Finance-Purchase Orders \$1,000 - \$4,999.99	27	20	45	31	25	148	316	30	22	24	23	23	122	-26
Finance-Purchase Orders \$5,000 - \$9,999.99	11	5	20	7	7	50	94	11	3	6	9	9	38	-12
Finance-Purchase Orders \$10,000 - \$24,999.99	4	5	8	4	6	27	49	11	8	3	3	3	28	1
Finance-Purchase Orders \$25,000 - Over	8	6	6	2	4	26	57	14	5	8	7	1	35	9
<b>POLICE</b>														
<b>Police Non Motor Vehicle Bookings - Total</b>	<b>125</b>	<b>117</b>	<b>122</b>	<b>92</b>	<b>101</b>	<b>557</b>	<b>926</b>	<b>81</b>	<b>69</b>	<b>81</b>	<b>88</b>	<b>87</b>	<b>406</b>	<b>-151</b>
- Total Arrests	91	79	90	73	80	413	846	71	56	78	82	72	359	-54
- Total Summons	34	38	32	19	21	144	213	10	13	3	6	15	47	-97
- Adult Arrests/Summons	116	114	114	87	85	516	834	73	61	74	80	76	364	-152
- Juvenile Arrests/Summons	9	3	8	5	16	41	92	8	8	7	8	11	42	1
- Male Arrests/Summons	89	77	85	63	66	380	650	62	50	61	64	64	301	-79
- Female Arrests/Summons	36	40	37	29	35	177	276	19	19	20	24	23	105	-72
<b>Police Motor Vehicle Stops - Total</b>	<b>1,617</b>	<b>1,095</b>	<b>928</b>	<b>810</b>	<b>578</b>	<b>5,028</b>	<b>8,759</b>	<b>780</b>	<b>476</b>	<b>772</b>	<b>748</b>	<b>649</b>	<b>3,425</b>	<b>-1,603</b>
- Total Summons	248	163	122	102	80	715	1,181	75	45	72	77	74	343	-372
- Total Warnings	1,369	932	806	708	498	4,313	7,138	705	431	700	671	575	3,082	-1,231
Police Total Speed Violations	522	323	240	261	175	1,521	2,290	351	208	307	272	270	1,408	-113
- Speed Summons	68	39	21	33	20	181	264	25	19	11	12	26	93	-88
- Speed Warnings	454	284	219	228	155	1,340	2,026	326	189	296	260	244	1,315	-25
Police Total All Other Violations	1,091	772	685	549	402	3,499	4,905	429	268	460	476	378	2,011	-1,488
- All Other Summons	177	125	99	69	60	530	756	50	27	60	65	47	249	-281
- All Other Warnings	914	647	586	480	342	2,969	4,149	379	241	400	411	331	1,762	-1,207
Police Parking Tickets Issued	604	447	457	393	425	2,326	7,656	725	499	545	596	503	2,868	542

City of Dover - Monthly Statistics	July	August	September	October	November	FY09	FY09	July	August	September	October	November	FY10	FY10 from
	2008	2008	2008	2008	2008	YTD Totals	Totals	2009	2009	2009	2009	2009	YTD Totals	YTD +/-
Number of Days Represented	31	31	30	31	30	153	365	31	31	30	31		123	
- Winter Restriction Tickets	0	0	0	0	0	0	242	0	0	0	0	0	0	0
- Handicapped Violation Tickets	13	9	11	6	12	51	112	16	9	5	9	7	46	-5
Police Dispatch Telephone Calls - Total	11,393	11,393	8,996	9,988	7,331	49,101	119,882	10,434	11,056	10,183	10,492	9,431	51,596	2,495
- 911 Calls	419	428	375	365	269	1,856	4,517	347	440	329	345	381	1,842	-14
<b>Police Calls for Service - Total</b>	<b>3,402</b>	<b>2,918</b>	<b>2,555</b>	<b>2,422</b>	<b>2,023</b>	<b>13,320</b>	<b>30,260</b>	<b>2,942</b>	<b>2,704</b>	<b>2,568</b>	<b>2,489</b>	<b>2,275</b>	<b>12,978</b>	<b>-342</b>
- Police Only	~	~	~	~	~	0	11,695	2,509	2,194	2,147	2,024	1,805	10,679	10679
- Fire Only	~	~	~	~	~	0	2,038	353	399	308	353	381	1,794	1794
- Police & Fire	~	~	~	~	~	0	346	51	69	75	74	41	310	310
- Other - Unassigned	~	~	~	~	~	0	176	29	42	38	38	48	195	195
Police Average Response Time - Priority 1 Calls	~	~	~	~	~	0	0	~	4:44	5:07	5:25	5:28	5:11	5:11
Police Average Response Time - Priority 2 Calls	~	~	~	~	~	0	0	~	14:49	12:03	13:11	13:10	13:18	13:18
Police Average Response Time - Priority 3 Calls	~	~	~	~	~	0	0	~	19:04	21:55	20:46	17:49	19:53	19:53
Police Average Response Time - Priority 4 Calls	~	~	~	~	~	0	0	~	65:56	71:46	9:11	37:02	51:58	3:58
Dispatch Radio Transmissions - Total	11,848	10,164	9,995	9,303	7,230	48,540	113,109	9,227	10,144	8,753	9,018	8,499	45,641	-2,899
Adult Arraignments	80	103	78	99	43	403	874	52	61	54	62	54	283	-120
Adult Trials	6	6	3	4	2	21	79	1	8	6	3	3	21	0
Hearings	23	20	21	21	13	98	190	4	4	4	5	5	22	-76
Criminal Record Requests	83	82	88	91	83	427	1,001	63	59	79	107	98	406	-21
Police Case Reports Processed	548	1,039	1,045	953	633	4,218	9,410	421	1,073	1,346	1,172	302	4,314	96
Community Service Program-Juveniles Tracked	28	25	27	21	29	130	324	27	20	21	23	21	112	-18
Community Service Hours	79	29	27	41	42	218	595	25	11	26	24	50	136	-82
<b>Police Total Crimes Handled</b>	<b>237</b>	<b>232</b>	<b>239</b>	<b>164</b>	<b>80</b>	<b>952</b>	<b>1,704</b>	<b>217</b>	<b>223</b>	<b>172</b>	<b>195</b>	<b>164</b>	<b>971</b>	<b>19</b>
<b>- Part I Crimes - Total</b>	<b>83</b>	<b>87</b>	<b>59</b>	<b>49</b>	<b>67</b>	<b>345</b>	<b>601</b>	<b>83</b>	<b>90</b>	<b>59</b>	<b>63</b>	<b>56</b>	<b>351</b>	<b>6</b>
- Murder	0	1	0	1	0	2	2	0	0	0	0	0	0	-2
- Rape	0	0	0	0	0	0	1	0	2	2	3	0	7	7
- Robbery	0	1	2	0	0	3	5	2	3	0	1	0	6	3
- Assault	14	10	16	11	20	71	123	20	24	19	14	17	94	23
- Burglary	12	2	4	8	6	32	50	3	6	4	5	1	19	-13
- Residence	10	2	3	5	6	26	38	3	6	3	5	0	17	-9
- Non-Residence	2	0	1	3	0	6	12	0	0	1	0	1	2	-4
- Larceny/Theft	55	69	35	29	41	229	404	56	55	32	38	36	217	-12
- Auto Theft	1	2	0	0	0	3	6	1	0	2	2	2	7	4
- Arson	1	0	0	0	0	1	1	1	0	0	0	0	1	0
<b>- Part II Crimes - Total</b>	<b>154</b>	<b>145</b>	<b>182</b>	<b>115</b>	<b>113</b>	<b>709</b>	<b>1,210</b>	<b>134</b>	<b>133</b>	<b>113</b>	<b>132</b>	<b>108</b>	<b>620</b>	<b>-89</b>
- Forgery/Counterfeiting	2	2	3	1	1	9	13	1	0	2	2	3	8	-1
- Fraud	7	3	3	4	2	19	35	15	7	5	8	1	36	17
- Embezzlement	2	0	0	0	0	2	5	0	0	0	1	0	1	-1
- Stolen Property (Buy/Sell/Receive)	2	0	1	1	1	5	11	0	0	0	1	1	2	-3
- Criminal Mischief	36	28	33	15	26	138	259	33	49	42	23	36	183	45
- Weapons Possession	0	0	1	0	0	1	3	0	0	0	0	0	0	-1
- Prostitution	0	0	0	0	0	0	0	0	0	0	0	0	0	0
- Sex Offenses	2	1	5	2	1	11	22	2	4	2	3	0	11	0
- Drug Offenses	10	5	14	14	7	50	91	6	12	10	14	5	47	-3
- Gambling & Bookmaking	0	0	0	0	0	0	0	0	0	0	0	0	0	0

City of Dover - Monthly Statistics	July	August	September	October	November	FY09	FY09	July	August	September	October	November	FY10	FY10 from
	2008	2008	2008	2008	2008	YTD Totals	Totals	2009	2009	2009	2009	2009	YTD Totals	YTD +/-
	Number of Days Represented	31	31	30	31	30	153	365	31	31	30	31	123	
- Offenses Against Family	0	1	1	0	0	2	3	2	0	0	0	0	2	0
- Driving While Intoxicated	8	11	17	9	12	57	94	3	10	7	18	9	47	-10
- Liquor Laws	10	12	9	10	10	51	82	7	6	3	3	3	22	-29
- Disorderly Conduct	12	4	3	4	3	26	41	5	3	7	5	3	23	-3
- Vagrancy (Loitering)	0	0	0	0	0	0	3	0	0	0	0	0	0	0
- All Other Offenses	63	78	92	55	50	338	548	58	42	35	54	47	236	-102
- School Truancy	0	0	7	6	11	24	48	0	0	5	1	2	8	-16
<b>Accidents - Total</b>	<b>76</b>	<b>73</b>	<b>83</b>	<b>76</b>	<b>79</b>	<b>387</b>	<b>656</b>	<b>70</b>	<b>65</b>	<b>58</b>	<b>61</b>	<b>63</b>	<b>317</b>	<b>-70</b>
- Non Investigative	41	40	46	45	43	215	368	42	35	35	33	32	177	-38
- Property Damage	14	15	16	11	20	76	118	8	13	10	17	11	59	-17
- Injury	10	7	6	8	7	38	60	5	5	8	2	5	25	-13
- Fatal	0	0	0	0	0	0	0	0	0	0	0	0	0	0
- Hit & Run	9	10	13	11	6	49	95	15	12	5	9	15	56	7
- DWI Accident	2	1	2	1	3	9	15	0	0	0	0	0	0	-9
Disturbances - Investigative	109	85	83	76	66	419	765	112	132	132	104	88	568	149
Missing Persons - Investigative	7	8	4	4	2	25	49	3	5	5	6	4	23	-2
Death - Untimely, Suicide & Attempts	6	5	4	1	4	20	33	3	5	4	4	3	19	-1
Animal Investigations - Animal Control Officer	25	42	31	24	18	140	260	39	43	25	24	15	146	6
<b>FIRE &amp; RESCUE</b>														
<b>Fire &amp; Rescue Total Calls for Service</b>	<b>387</b>	<b>347</b>	<b>407</b>	<b>431</b>	<b>351</b>	<b>1923</b>	<b>5,018</b>	<b>403</b>	<b>453</b>	<b>380</b>	<b>413</b>	<b>420</b>	<b>2,069</b>	<b>146</b>
- Calls for Fires	22	17	17	19	24	99	277	30	18	23	20	20	111	12
- Emergency Medical Calls	246	215	225	229	174	1089	2,568	220	251	211	207	224	1,113	24
- Hazardous Condition Calls	10	13	11	7	6	47	233	10	5	9	7	6	37	-10
- Miscellaneous Service Calls	34	33	29	26	38	160	428	26	37	29	22	28	142	-18
- Lock Out Calls	-	-	64	76	54	194	672	73	58	54	71	74	330	0
- False/Good Intent Calls	75	69	61	74	55	334	840	44	84	55	86	68	337	3
Fire Dept Average Response Time - Priority 1 Calls	~	~	~	~	~	0	0	~	~	6:31	6:16	6:53	6:33	6:33
Fire Dept Average Response Time - Priority 2 Calls	~	~	~	~	~	0	0	~	~	12:17	39:56	19:21	23:51	23:51
Fire Dept Average Response Time - Priority 3 Calls	~	~	~	~	~	0	0	~	~	11:00	9:50	10:11	10:20	10:20
Fire Dept Average Response Time - Priority 4 Calls	~	~	~	~	~	0	0	~	~	15:52	9:41	13:13	12:55	12:55
Simultaneous Emergency Incidents	53	53	56	54	55	271	778	61	58	62	61	66	308	37
3 or 4 Simultaneous Emergency Incidents	15	16	16	11	9	67	265	13	19	19	16	12	79	12
Patients Transported to Area Hospitals	236	205	219	217	160	1037	2,349	212	226	195	204	184	1,021	-16
Ambulance Revenue	\$51,629	\$76,202	\$97,365	\$109,977	\$97,365	\$432,538	\$950,211	\$53,209	\$96,817	\$78,892	\$60,673	\$87,960	\$377,551	-\$54,987
Fire Loss Totals	\$30,000	\$54,500	\$3,500	\$7,500	\$252,000	\$347,500	\$1,105,975	\$51,350	\$13,800	\$10,695	\$55,000	\$10,200	\$141,045	-\$206,455
<b>INSPECTION SERVICES</b>														
<b>Total Inspections</b>	<b>201</b>	<b>262</b>	<b>391</b>	<b>479</b>	<b>345</b>	<b>1,678</b>	<b>4,108</b>	<b>387</b>	<b>375</b>	<b>375</b>	<b>376</b>	<b>448</b>	<b>1,961</b>	<b>283</b>
- Life Safety Inspections	8	5	2	3	1	19	123	25	25	8	35	52	145	126
- Business Inspections	42	43	116	23	21	245	495	6	17	22	13	16	74	-171
- Sprinkler/Alarm Inspections	8	15	5	3	9	40	232	33	22	52	18	39	164	124
- Car Safety Seat Inspections	14	9	0	0	6	29	70	8	6	0	8	5	27	-2
- Building Inspections	60	48	71	104	37	320	647	84	74	83	89	94	424	104
- Electrical Inspections	67	74	71	78	85	375	995	94	76	94	105	116	485	110
- Plumbing/Mechanical Inspections	40	65	69	177	100	451	861	65	65	61	76	67	334	-117

City of Dover - Monthly Statistics	July	August	September	October	November	FY09	FY09	July	August	September	October	November	FY10	FY10 from
	2008	2008	2008	2008	2008	YTD Totals	Totals	2009	2009	2009	2009	2009	YTD Totals	YTD +/-
<b>Number of Days Represented</b>	31	31	30	31	30	153	365	31	31	30	31		123	
- Health Inspections	13	44	47	70	49	223	505	56	70	39	13	46	224	1
- School/Daycare Inspections	0	1	2	1	4	8	39	3	18	12	7	7	47	39
- Oil Burner Inspections	0	1	2	4	6	13	39	1	2	4	11	6	24	11
- Woodstove/Fireplace Inspections	1	2	6	7	7	23	30	0	0	0	1	0	1	-22
<b>Fire Inspection Services - Total Permits</b>	<b>43</b>	<b>46</b>	<b>37</b>	<b>35</b>	<b>35</b>	<b>196</b>	<b>1,019</b>	<b>135</b>	<b>120</b>	<b>162</b>	<b>136</b>	<b>106</b>	<b>659</b>	<b>463</b>
- Burning Permits Issued	1	6	0	0	12	19	689	82	83	112	88	83	448	429
- Blasting Permits Issued	0	0	0	3	2	5	11	0	2	0	0	1	3	-2
- Building Permits Issued - Total	42	40	37	32	21	172	319	41	35	50	48	22	196	24
Some are:														
- Apartment Dwelling Units	0	0	0	0	0	0	0	0	0	0	0	0	0	0
- Commercial	0	0	1	2	2	5	10	7	5	7	8	0	27	22
- Condo Units	0	0	0	0	0	0	0	0	0	0	0	0	0	0
- Congregate Care Facility	0	0	0	1	0	1	1	0	0	0	0	0	0	-1
- Convert 1 to 2 Family Dwelling	0	0	0	0	0	0	1	0	0	0	0	0	0	0
- Duplex Unit	0	1	0	0	0	1	2	0	0	0	0	0	0	-1
- Industrial	0	0	1	0	0	1	2	0	0	0	0	0	0	-1
- Multi-Family	0	0	0	0	0	0	1	0	0	8	0	0	8	8
- Manufactured Dwelling	0	0	2	1	1	4	4	0	0	0	0	0	0	-4
- Single Family Dwelling	0	4	2	3	2	11	27	4	5	9	5	3	26	15
- Certificate of Occupancy Permits - Total	8	6	3	12	28	57	120	12	10	31	11	9	73	16
- Apartment Dwelling Units	0	0	2	0	0	2	21	0	0	18	0	2	20	18
- Commercial	0	1	0	2	3	6	21	2	0	1	2	0	5	-1
- Condo Units	0	0	0	0	14	14	15	1	0	0	0	0	1	-13
- Congregate Care Facility	0	0	0	0	0	0	0	0	0	0	0	0	0	0
- Convert 1 to 2 Family Dwelling	0	0	0	0	1	1	1	0	0	0	0	0	0	-1
- Duplex Unit	0	0	0	0	0	0	0	0	0	0	0	0	0	0
- Industrial	0	0	0	0	0	0	0	0	0	0	1	0	1	1
- Renovations	6	2	0	2	3	13	23	4	3	0	4	2	13	0
- Manufactured Dwelling	0	0	1	2	2	5	5	0	1	5	0	0	6	1
- Single Family Dwelling	2	3	0	6	5	16	34	5	5	7	4	5	26	10
Monthly Permit Construction Value - Total	\$876,085	\$6,648,800	\$2,059,200	\$48,496	\$516,800	\$10,149,381	\$17,754,046	\$3,413,100	\$2,602,700	\$3,355,900	\$2,171,215	\$1,017,400	\$12,560,315	\$2,410,934
<b>PLANNING &amp; ZONING</b>						\$0								
<b>Planning &amp; Zoning Applications - Total</b>	~	~	~	~	~	0	0	9	4	13	11	12	49	49
- Major Subdivision Applications	~	~	~	~	~	0	0	1	1	0	1	2	5	5
- Minor Subdivision Applications	~	~	~	~	~	0	0	2	0	3	2	0	7	7
- Minor Lot Line Adjustment Applications	~	~	~	~	~	0	0	1	0	1	1	0	3	3
- Site Plan Applications	~	~	~	~	~	0	0	0	0	0	1	1	2	2
- Conditional Use Permit Applications	~	~	~	~	~	0	0	3	0	1	2	2	8	8
- Zoning Variance Applications	~	~	~	~	~	0	0	2	0	4	0	3	9	9
- Zoning Special Exception Applications	~	~	~	~	~	0	0	0	0	0	0	0	0	0
- Zoning Appeal Applications	~	~	~	~	~	0	0	0	0	0	0	0	0	0
- Sign Permit Applications	~	~	~	~	~	0	0	0	3	4	4	4	15	15
Zoning Violations Investigated	~	~	~	~	~	0	0	15	10	15	25	15	80	80
<b>COMMUNITY SERVICES</b>						\$0								
<b>Comm Serv - PW - Total Incoming Service Calls</b>	<b>134</b>	<b>142</b>	<b>105</b>	<b>122</b>	<b>107</b>	<b>610</b>	<b>1,047</b>	<b>100</b>	<b>96</b>	<b>97</b>	<b>107</b>	<b>58</b>	<b>458</b>	<b>-152</b>

City of Dover - Monthly Statistics	July	August	September	October	November	FY09	FY09	July	August	September	October	November	FY10	FY10 from
	2008	2008	2008	2008	2008	YTD Totals	Totals	2009	2009	2009	2009	2009	YTD Totals	YTD +/-
	Number of Days Represented	31	31	30	31	30	153	365	31	31	30	31	123	
- Engineering Service Calls Total	2	3	0	0	1	6	25	0	0	5	3	0	8	2
- Engineering - Calls Resolved	-	1	0	0	1	2	172	0	0	2	1	0	3	1
- Engineering - Calls Unresolved	-	2	0	0	0	2	121	0	0	3	2	0	5	3
- Engineering - Calls Carried Over from Prev Month(s)	~	~	~	~	~	0	0	~	~	~	5	1	6	6
- Highway Service Calls Total	45	53	16	29	15	158	240	40	47	39	36	17	179	21
- Highway - Calls Resolved	~	35	11	19	10	75	75	27	29	37	36	13	142	67
- Highway - Calls Unresolved	-	18	5	10	5	38	38	13	18	2	0	4	37	-1
- Highway - Calls Carried Over from Prev Month(s)	~	~	~	~	~	0	0	~	~	~	2	6	8	8
- Solid Waste Service Calls Total	19	23	22	16	38	118	118	28	26	28	32	19	133	15
- Solid Waste - Calls Resolved	-	13	16	12	30	71	71	25	11	27	32	18	113	42
- Solid Waste - Calls Unresolved	~	10	6	4	8	28	28	3	15	1	0	1	20	-8
- Solid Waste - Calls Carried Over from Prev Month(s)	~	~	~	~	~	0	0	~	~	~	0	2	2	2
- Water/Sewer Service Calls Total	68	63	67	77	53	328	328	19	23	25	36	18	121	-207
- Water/Sewer - Calls Resolved	-	52	56	66	46	220	220	19	14	23	35	11	102	-118
- Water/Sewer - Calls Unresolved	-	11	11	11	7	40	40	0	9	2	1	7	19	-21
- Water/Sewer - Calls Carried Over from Prev Month(s)	~	~	~	~	~	0	0	~	~	~	1	7	8	8
- Facilities/Grounds/Cemetery Service Calls Total	~	~	~	~	138	138	138	~	~	~	4	6	4	-134
- F&G - Calls Resolved	~	~	~	~	~	0	0	~	~	~	1	4	1	1
- F&G - Calls Unresolved	~	~	~	~	~	0	0	~	~	~	3	2	3	3
- F&G - Calls Carried Over from Prev Month(s)	~	~	~	~	~	0	0	~	~	~	10	4	10	10
<b>Community Serv- PW - Total Work Orders Generated</b>	~	~	~	~	<b>68</b>	<b>68</b>	<b>754</b>	<b>48</b>	<b>128</b>	<b>181</b>	<b>99</b>	<b>61</b>	<b>517</b>	<b>449</b>
- Engineering Work Orders Total	~	~	~	~	1	1	20	0	0	0	1	0	1	0
- Engineering - Work Orders Closed	~	-	-	-	~	0	0	0	0	0	1	0	1	1
- Engineering - Work Orders Remaining Open	-	-	-	-	~	0	0	0	0	0	0	0	0	0
- Engineering - W/O Carried Over from Prev Month(s)	~	~	~	~	~	0	0	~	~	~	1	0	1	1
- Highway Work Orders	~	~	~	~	15	15	398	42	73	138	81	25	359	344
- Highway - Work Orders Closed	~	-	-	-	-	0	0	~	66	122	73	15	276	276
- Highway - Work Orders Remaining Open	-	-	-	-	-	0	0	~	7	16	8	10	41	41
- Highway - W/O Carried Over from Prev Month(s)	~	~	~	~	~	0	0	~	~	~	70	78	148	148
- Solid Waste Work Orders	~	~	~	~	38	38	133	0	0	0	0	5	5	-33
- Solid Waste - Work Orders Closed	~	-	-	-	-	0	0	~	0	0	0	5	5	5
- Solid Waste - Work Orders Remaining Open	-	-	-	-	-	0	0	~	0	0	0	0	0	0
- Solid Waste - W/O Carried Over from Prev Month(s)	~	~	~	~	~	0	0	~	~	~	0	0	0	0
- Water/Sewer Work Orders	~	~	~	~	14	14	203	6	55	43	17	31	152	138
- Water/Sewer Work Orders Closed	~	-	-	-	-	0	0	~	30	21	15	18	84	84
- Water/Sewer Work Orders Remaining Open	-	-	-	-	-	0	0	~	25	22	2	13	62	62
- Water/Sewer - W/O Carried Over from Prev Month(s)	~	~	~	~	~	0	0	~	~	~	45	50	95	95
- Facilities/Grounds/Cemetery Work Orders	118	111	219	142	138	728	1,741	135	134	165	151	135	720	-8
- F&G Work Orders Closed	~	~	~	~	~	0	0	~	~	~	100	69	169	169
- F&G Work Orders Remaining Open	~	~	~	~	~	0	0	~	~	~	51	66	117	117
- F&G Work Orders Carried Over from Prev Month(s)	~	~	~	~	~	0	0	~	~	~	239	222	461	461
Wastewater Work Orders	~	-	-	-	-	0	0	129	60	182	124	37	532	532
Comm Serv - Water Gallons Pumped	85,449,000	74,413,000	73,584,000	77,695,000	61,959,000	373,100,000	895,409,000	88,311,000	96,436,000	91,276,000	94,298,000	81,284,000	451,605,000	78,505,000
Comm Serv - Average Water Gallons per Day	2,756,000	2,400,000	2,453,000	2,506,000	2,065,000	2,436,000	2,453,667	2,849,000	3,111,000	3,043,000	3,042,000	2,709,000	2,950,800	514,800

City of Dover - Monthly Statistics	July	August	September	October	November	FY09	FY09	July	August	September	October	November	FY10	FY10 from
	2008	2008	2008	2008	2008	YTD Totals	Totals	2009	2009	2009	2009	2009	YTD Totals	YTD +/-
	Number of Days Represented	31	31	30	31	30	153	365	31	31	30	31	123	
Comm Serv - Dry Tons Biosolids Processed	-	-	-	-	-	0	0.00	62.10	55.40	47.40	53.70	58.3	276.90	276.9
Comm Serv - Gallons of Septage Received	~	-	-	-	-	0	0	15,950	19,700	30,250	39,500	15,200	120,600	120,600
Comm Serv - Million Gallons Wastewater Treated/Discharged	-	-	-	-	-	0	0	97.30	77.48	58.80	67.88	78.03	379.49	379.49
Comm. Serv - Million Gallons of Average Daily Flow Treated	-	-	-	-	-	0	0	3.10	2.49	1.96	2.18	2.60	2.47	2.47
Comm Serv - Highest Daily Flow MGD	-	-	-	-	-	0	0	5.50	3.67	7.20	2.96	5.79	5.02	5.02
Comm Serv - Tonnage of Trash Collected	457.35	466.21	402.66	404.83	347.27	2078.32	4,455.78	410.07	307.42	319.22	319.58	301.52	1,657.81	-420.51
Comm Serv - Tonnage of Paper Collected	110.91	107.5	102.12	111.93	140.92	573.38	1,310.60	102.46	93.41	92.53	107.13	110.84	506.37	-67.01
Comm Serv - Tonnage of Commingles Collected	118.77	108.67	98.14	98.1	95.06	518.74	1,192.97	124.95	100.29	93.99	102.66	93.89	515.78	-2.96
Comm Serv - F&G Number of Burials - Traditional	3	5	3	3	5	19	45	3	6	2	3	5	19	0
Comm Serv - F&G Number of Burials - Ash	-	-	5	3	6	14	30	1	3	4	4	2	14	0
Comm Serv - F&G Monument Concrete Foundations	-	-	-	10	6	16	43	0	0	0	11	4	15	-1
<b>COMMUNITY PROGRAMS</b>						\$0								
Rec - Arena Public Skate Attendance	424	495	408	453	887	2,667	7,418	478	318	288	449	772	2,305	-362
Rec - Arena Rock Night Attendance	34	151	141	68	137	531	1,330	58	97	91	75	156	477	-54
Rec - Arena - Total Number of Walk In Visits	~	~	~	~	~	~	~	~	~	~	~	~	25,472	25,472
Rec - McConnell Center - 'Open Gym' Participants	1,803	1,699	1,845	2,165	2,101	9,613	24,269	1,771	1,655	1,708	2,121	2,169	9,424	-189
Rec - McConnell Center Common Area Reservations	71	85	59	73	63	351	934	68	81	86	98	94	427	76
Rec - McConnell Center - Total Number of Walk In Visits	~	~	~	~	~	~	~	~	~	~	~	~	5,944	5,944
Rec - Senior Center Membership Renewals	18	11	34	37	15	115	346	6	20	29	33	31	119	4
Rec - Senior Center New Memberships	18	14	15	17	6	70	167	24	7	22	20	8	81	11
Rec - Senior Center - Participants on Trips	51	69	106	97	43	366	926	57	55	113	117	60	402	36
Rec - Senior Center - Daily Game/Class Participants	972	733	879	990	639	4,213	8,366	954	865	689	994	798	4,300	87
Rec - Senior Center - Walk ins, no particular activity	680	492	847	883	536	3,438	7,262	635	581	624	762	636	3,238	-200
Rec - Senior Center - Total Number of Walk In Visits	~	~	~	~	~	~	~	~	~	~	~	~	1,501	1,501
Rec - Indoor Pool - Total Number of Walk In Visits	~	~	~	~	~	~	~	~	~	~	~	~	7,511	7,511
Teen Center - Participants	216	199	517	557	447	1,936	4,668	229	215	435	509	408	1,796	-140
Teen Center - Days of Programming	19	21	21	22	17	100	213	19	20	19	21	17	96	-4
Library-Circulation	31,264	25,649	25,594	23,686	22,030	128,223	296,536	30,677	26,283	23,273	24,288	25,341	129,862	1,639
Library-New Patrons	204	179	169	163	139	854	1,891	237	180	165	161	103	846	-8
Library-Total Cardholders	26,586	26,765	27,123	27,356	27,469	27,060	325,503	25,482	25,628	26,039	26,347	26,472	25,994	-1,066
Library-Public Meetings Held	30	30	27	24	27	138	376	26	22	28	30	30	136	-2
Library-Audio Downloads	16	13	17	13	18	77	1,264	326	321	272	284	321	1,524	1,447
Library-Internet/PC Users	2,758	2,601	2,700	2,773	2,259	13,091	30,058	2,510	2,651	2,224	2,066	1,451	10,902	-2,189
Library-Museum Passes borrowed	73	88	40	42	47	290	676	86	84	47	43	51	311	21
Library-Holds Filled	1,819	1,479	1,495	1,448	1,166	7,407	16,926	1,574	1,582	1,444	1,438	1,140	7,178	-229
Library-Remote online holds placed	1,390	1,012	1,116	943	959	5,420	12,983	1,319	1,235	978	1,102	966	5,600	180
Library-Online Catalog Remote Access Hits	-	2,521	-	2,255	2,196	6,972	15,125	2,906	2,769	2,301	2,549	2,231	12,756	5,784
Library-Attendance at Programs	62	712	359	400	518	2,051	4,558	292	118	258	343	346	1,357	-694
Library-Website Visitors	41,620	36,798	30,768	30,331	21,679	161,196	265,227	31,280	33,101	32,344	35,961	32,406	165,092	3,896
Library-Blog & Wiki Readers	2,413	2,878	2,916	2,706	2,739	13,652	18,467	1,422	1,351	1,458	1,509	1,554	7,294	-6,358
Library-Total Number of Walk In Visits	~	~	~	~	~	0	50,265	18,590	16,890	15,280	15,180	14,202	80,142	0
<b>ECONOMIC CONDITIONS</b>						\$0								
Dover Human Services - Number of Contacts	369	407	430	458	420	2,084	4,994	470	456	520	512	437	2,395	311
Dover Human Services - # of Cases	75	72	87	80	89	403	1,084	97	94	97	99	92	479	76

City of Dover - Monthly Statistics	July	August	September	October	November	FY09	FY09	July	August	September	October	November	FY10	FY10 from	
	2008	2008	2008	2008	2008	YTD Totals	Totals	2009	2009	2009	2009	2009	YTD Totals	YTD +/-	
<b>Number of Days Represented</b>	31	31	30	31	30	153	365	31	31	30	31		123		
Dover Human Services - Case Expenditures	\$25,228	\$31,777	\$32,325	\$37,598	\$37,575	\$164,503	\$443,917	\$46,476	\$34,957	\$34,660	\$34,028	\$32,379	\$182,500	\$17,997	
Dover Labor Force	17,510	17,480	17,400	17,490	17,540	17,484	17,485	17,340	17,190	17,240	17,460	~	17,308	-176.5	
Dover Unemployment Rate	3.3	3.4	3.1	3.0	3.0			6.1	6.2	5.8	5.7	~			
Strafford County Unemployment Rate	3.6	3.7	3.4	3.5	3.6			6.9	7.0	6.7	6.1	~			
State of NH Unemployment Rate	3.7	3.9	3.7	3.7	4			6.6	6.9	7.0	6.5	~			
National Unemployment Rate	5.8	6.2	6.2	6.6	6.8			9.7	9.6	9.5	9.5	~			
<b>CITY EMPLOYMENT</b>	<b># weeks represented</b>	4	5	4	5	4	22	52	5	4	4	5	4	22	0
HR - Gross Wages Paid	\$1,274,409	\$1,501,676	\$1,225,829	\$1,544,600	\$1,230,244	\$6,776,758	\$16,534,898	\$1,641,684	\$1,257,762	\$1,295,097	\$1,587,682	\$1,301,489	\$7,083,714	\$306,956	
<b>HR - Total Average Number of Employees Paid</b>	<b>365</b>	<b>362</b>	<b>335</b>	<b>344</b>	<b>344</b>	<b>350</b>	<b>344.25</b>	<b>348</b>	<b>354</b>	<b>325</b>	<b>332</b>	<b>336</b>	<b>339</b>	<b>-11</b>	
- Community Services	73	72	70	72	73	72	71	76	78	73	72	72	74	2	
- Executive	14	14	15	16	14	15	15	12	10	11	10	10	11	-4	
- Finance	16	16	16	16	16	16	16	20	20	20	20	21	20	4	
- Fire & Rescue	59	61	62	61	59	60	60	59	59	59	59	59	59	-1	
- Human Services	3	3	3	3	3	3	3	3	3	3	3	3	3	0	
- Library	23	23	23	22	22	23	22	22	22	22	23	23	22	0	
- Planning	8	6	6	6	6	6	6	6	6	6	6	5	6	-1	
- Police	81	80	82	84	85	82	83	81	81	79	78	78	79	-3	
- Recreation	89	87	58	64	66	73	68	69	75	52	61	65	64	-8	
<b>HR - Total New Hires</b>	<b>11</b>	<b>4</b>	<b>7</b>	<b>2</b>	<b>2</b>	<b>26</b>	<b>48</b>	<b>7</b>	<b>0</b>	<b>12</b>	<b>8</b>	<b>2</b>	<b>29</b>	<b>3</b>	
- Seasonal Part-Time	6	0	2	0	2	10	25	3	0	9	6	2	20	10	
- Seasonal Full-Time	1	0	3	0	0	4	5	3	0	1	0	0	4	0	
- Regular Part-Time	2	1	1	0	0	4	6	0	0	1	1	0	2	-2	
- Regular Full-Time	1	2	0	2	0	5	8	0	0	1	0	0	1	-4	
- Temporary	1	1	1	0	0	3	4	1	0	0	1	0	2	-1	
<b>HR - Total Separations</b>	<b>9</b>	<b>5</b>	<b>7</b>	<b>3</b>	<b>3</b>	<b>27</b>	<b>58</b>	<b>1</b>	<b>2</b>	<b>2</b>	<b>21</b>	<b>5</b>	<b>31</b>	<b>4</b>	
- Seasonal Part-Time	7	1	6	1	3	18	43	0	0	1	18	0	19	1	
- Seasonal Full-Time	1	1	1	0	0	3	4	0	0	0	3	5	8	5	
- Regular Part-Time	0	1	0	0	0	1	1	0	0	0	0	0	0	-1	
- Regular Full-Time	1	2	0	1	0	4	8	1	2	1	0	0	4	0	
- Temporary	0	0	0	1	0	1	2	0	0	0	0	0	0	-1	
<b>PUBLIC TRANSIT</b>															
<b>Dover Downeaster Total Commuters</b>	~	~	~	~	~	0	0	4,175	4,976	9,911	~	~	19,062	19062	
- Total Boardings	~	~	~	~	~	0	0	2,054	2,499	2,452	~	~	7,005	7005	
- Total Alightings	~	~	~	~	~	0	0	2,121	2,477	2,387	~	~	6,985	6985	
<b>Dover COAST Routes Total Commuters</b>	~	~	12,482	13,244	9,674	35,400	35,400	7,832	7,216	12,290	13,389	12,458	53,185	17785	
Regional Bus Routes	~	~	7,054	7,702	5,927	20,683	20,683	6,942	6,453	6,600	6,924	6,055	32,974	12291	
- Route 1- Dover, Somersworth, Berwick	~	~	1,567	1,896	1,404	4,867	4,867	2,105	1,780	1,940	2,135	1,650	9,610	4743	
- Route 2 - Rochester, Somersworth, Dover, Newington, Portsmouth	~	~	5,487	5,806	4,523	15,816	15,816	4,837	4,673	4,660	4,789	4,405	23,364	7548	
Dover Community Routes	0	0	5,359	5,444	3,661	14,464	14,464	0	0	4,824	5,145	4,071	14,040	-424	
- Route 30 - North, DHS, Transportation Center	~	~	~	~	1,335	0	0	~	~	~	~	1,395	1,395	1395	
- Route 31 - West, DHS, Transportation Center	~	~	~	~	1,132	0	0	~	~	~	~	1,311	1,311	1311	
- Route 32 - South, DHS, Transportation Center	~	~	~	~	1,194	0	0	~	~	~	~	1,365	1,365	1365	
Dover FastTrans Total Commuters	0	0	0	0	0	0	0	807	683	776	1,233	2,225	5,724	5724	
- Route 33 - 6th, Park & Ride, Strafford County Complex	~	~	~	~	~	0	0	724	603	686	907	1,081	4,001	4001	

City of Dover - Monthly Statistics	July	August	September	October	November	FY09	FY09	July	August	September	October	November	FY10	FY10 from FY09
	2008	2008	2008	2008	2008	YTD Totals	Totals	2009	2009	2009	2009	2009	YTD Totals	YTD +/-
<b>Number of Days Represented</b>	31	31	30	31	30	153	365	31	31	30	31		123	
- Route 34 - 155, Silver, Broadway	~	~	~	~	~	0	0	~	~	~	~	509	509	509
- Route 35 - 108,DHS,DMS,Lib,McConnell, Central,WDH,ParkRide,Indian Bk	~	~	~	0	~	0	0	~	~	~	326	635	961	961
Demand Response Services- ADA-unable to use fixed route bus system	~	~	69	98	86	253	253	83	80	90	87	107	447	194
Totals may/may not include all months, depending on when stat was started.														

## COMMUNITY SERVICES CAPITAL IMPROVEMENT PROJECTS Status as of December 2009

### **STREET IMPROVEMENTS**

Current: Paving has been completed for this construction season.

Previous: Pierce, Fayette and Green Streets have been paved as well as two sections of Central Avenue and Washington Street.

### **SIDEWALK IMPROVEMENTS**

Current: Work has wrapped up for the winter.

Previous: Work is continuing on Lexington and Folsom.

### **WASHINGTON ST BRIDGE TO RIVER ST**

Current: The contractor is working on installing new utilities on the approaches on Washington Street and River Street.

Previous: The work continues on the bridge deck and utilities approaching the bridge.

### **SEWER INFLOW / INFILTRATION MITIGATION**

Current: The results of the flow monitoring completed by Wright Pierce Engineers show an improvement during precipitation events as a result of the I&I work that has been done over the few years on the sewer collection system. The Community Services Department asked Wright Pierce Engineers to submit a proposal for the design of the next phase of I&I remediation, which will include a Turnpike crossing and portions of Silver Street. NHDES has reviewed and approved the design scope proposal for this work. A resolution will be prepared for approval of the City Council in December.

Previous: The Community Services Department has requested Wright Pierce to perform sewer flow monitoring in the downtown area to determine the capacity of the sewer lines on Henry Law Avenue as well as the contribution of I&I during rain events in the sewer shed prior to the reconstruction of the street. The flow monitoring will determine the need for additional I&I work and the potential need for sewer improvements on Henry Law Avenue.

### **RIVER ST PUMP STATION UPGRADE**

Current: T Buck Construction, the contractor for the River St. pump station upgrade, continues to make progress. The new addition should be closed in prior to winter settling in. Work is expected to continue for approximately 12 months.

Previous: T Buck Construction was approved by the City Council as the contractor for the River St. pump station upgrade. Work is expected to commence by the end of September following contract signing.

### **REDDEN/ASH STREET SEWER REPLACEMENT**

Current: Ash Street has been base paved for the winter. The drainage and sewer have been completed on Redden Street and the contractor has started on the water main installation. Redden Street will be base paved for the winter by mid December.

Previous: Utility work on Ash St has been completed and reconstruction of Ash will start shortly. Utility work has started on Redden St.

### **RE-ESTABLISHMENT OF WILLAND POND WELL**

Current: The 12 inch former water supply well was cleaned and appears to be in good condition. A down hole camera inspection will be conducted to look at the condition of the well screen and a step pump test will be conducted on the well in December to determine the capability of the well. The consultant will also perform geophysical testing on the City property and consenting abutters in early December before the ground freezes.

Previous: The Phase I report is expected the first week of November which will reveal any fatal flaws discovered based on existing information and NHDES records. The well at Willand Pond has been found and an attempt to clean the well will be made in early November to determine if it is usable for testing and possibly as a supply well in the future.

#### **BRIDGE PROGRAM**

Current: The specifications for the repair and redecking of the Washington and Fourth St bridges are being reviewed.

Previous: The Washington Street Bridge deck has been placed in the CIP. The Whittier Street Bridge deck repairs have been completed.

#### **TOLEND LANDFILL REMEDIATION**

Current: The AS/SVE system which has operated for the last 5 months to remove contaminants from the identified hot spot in the landfill will be shut down for the winter in December. The system has removed a significant amount of VOC contaminants we are pleased to report. The Southern Plume extraction wells will also be decommissioned for the winter in the coming weeks. Finally the source control remediation system will be designed over the winter and construction is planned for next spring and summer. It is hoped to have the extraction system operational by the fall of 2010.

Previous: EPA issued an Explanation of Significant Difference (ESD) document on June 30, 2010. The modified remedy proposes to establish hydraulic control of the contaminants leaving the landfill using a groundwater extraction system and conveyance system to the Dover WWTP. A copy of the ESD was previously transmitted to the City Council by the City Manager. The remedy will be effective and cost \$14 million less than the sparging trench. The remedy will be able to be fully implemented and operational by the end of 2010.

PROJECTS BEFORE DOVER PLANNING BOARD

NAME	LOCATION		Total Units	Units Built*	Units left	DATE OF PB SIGNATURE	DATE OF PB APPROVAL	SCRD DATE	PLANNING FILE #	MAP	L0T	EXPIRATION DATE	SCHOOL	Students**
Code	H = Homes	A = Apts.	C = Condos											
<b>Multi-Family:</b>														
Market Square Condominiums	46 Dover Point Road	C	6	3	3	5/29/2009	5/12/2009		P09-08	K	23	5/29/2013	G	1.98
Paolini	54 Dover Point Road	C	12	0	12		7/22/2008		P08-15	K	20		G	3.96
Cedar Cove	Regent Dr	A	62	62	0	5/29/2008	4/22/2008	6/19/2008	P07-64	E	66	5/29/2012	W	20.46
Summit Land	Fifth St	A	8	8	0	4/7/2008	4/22/2008	Site	P08-10	5	16	4/7/2012	H	2.64
Temple Associates	Washington St	A	15	15	0	3/4/2008	10/23/2007	5/14/2008	P06-03	2	14	3/4/2012	W	4.95
Bamford	Third St	A	20	0	20	9/12/2007	8/14/2007	Site	P06-37	6	46	9/12/2011	H	2.2
New Meadows Inc	Knox Marsh Rd	A	120	48	72	9/27/2005	9/27/2005	Site	P04-04	H	35C	9/27/2009	W	13.2
PRPC	Roseanne Dr	H/C	18	18	0	2/2/2006	9/13/2005	5/23/2006	P04-46	I	3	2/2/2010	G	5.94
<b>Total: Multi-family</b>			<b>123</b>	<b>88</b>	<b>15</b>									<b>34</b>
<b>Subdivisions:</b>														
<b>Scott Subdivision</b>	<b>Back Road</b>	<b>H</b>	<b>3</b>	<b>0</b>	<b>3</b>		<b>7/28/2009</b>		<b>P09-18</b>	<b>M</b>	<b>1</b>		<b>G</b>	<b>1.11</b>
Beacon Circle	Henry Law Ave	H	9	0	9		5/12/2009		P08-25	21	5		G	3.33
Hidden Valley Drive	Hidden Valley Dr	H	10	0	10		3/24/2009		P09-03	I	94C		G	3.7
Harbor Hills	Dover Point Rd	H	14	0	14	4/2/2008	10/23/2007		P07-39	L	89G		G	5.18
Paddocks/Tidewater Farms	Saddle Trail Dr	H	9	1	8	2/21/2008	10/23/2007	2/21/2008	P07-43	N	8	2/21/2012	G	7.4
Long Meadow	Gladiola Way	H	20	15	5	1/30/2008	8/28/2007	2/6/2008	P06-40	A	28	1/30/2012	H	7.4
Picnic Rock	Back River Rd	H	21	3	18	10/31/2007	7/10/2007	11/6/2007	P07-32	16	20	10/31/2011	G	7.77
Schooner Landing	Schooner Dr	H	10	2	8	7/19/2007	4/10/2007	7/25/2007	P06-54	M	96A	7/19/2011	G	3.7
Pacific Landing	Upper Factory Rd	H	15	4	11	2/8/2007	7/25/2006	2/8/2007	P05-72	E	49	2/18/2011	W	5.55
Goldberg/Tolend Rd Prop.	Columbus Ave/Tolend	H	72	0	72	10/5/2006	7/14/2005	11/2/2006	P03-36	G	24	10/5/2010	W	26.64
Stern Subdivision	Lika Dr	H	3	0	3	3/23/2006	2/28/2006	3/23/2006	P05-71	E	45	3/23/2010	W	1.11
Emerald Woods III	Emerald Ln/Viridian Ln	H	37	0	37	1/31/2006	6/14/2005	2/1/2006	P05-10	F	15	1/31/2010	W	13.69
Narrows at Tidewater Farm	Wysteria Dr	H	5	3	2	12/16/2005	8/9/2005	12/21/2005	P05-38	N	8-3	12/16/2009	G	1.85
Duffy Drive	Middle Rd	H	3	3	0	10/24/2005	10/11/2005	10/25/2005	P05-24	M	101	10/24/2009	G	1.11
StoneCroft	Carriage Hill Ln	H	11	8	3	8/9/2005	5/24/2005	8/9/2005	P05-18	A	16	8/9/2009	H	4.07
Havenwood Farm at Alden	Boxwood/Wildewood	H	32	20	12	6/6/2005	5/10/2005	6/7/2005	P04-42	B	21	6/6/2009	H	11.84
Ayer	Falcon Dr	H	5	4	1	5/24/2005	2/22/2005	6/8/2005	P04-61	N	21	5/24/2009	G	1.85
Waldron Falls	Watson Rd	H	10	3	7	3/30/2005	1/11/2005	4/7/2005	P04-59	E	37	3/30/2009	W	6.29
White Tail	Picard Ln	H	17	8	9	1/10/2005	11/10/2004	1/10/2005	P04-47	A	19	1/10/2010	H	6.29
Emerald Woods I & II	Emerald Ln	H	25	17	8	12/6/2004	9/28/2004	12/10/2004	P02-01	F	27	12/6/2008	W	9.25
Weeden	Garrison Rd	H	4	3	1	9/28/2004	6/22/2004	10/4/2004	P04-25	I	1P	9/24/2008	G	1.48
Cornerstone Crossing III	Conerstone Dr	H	18	9	9	7/28/2005	4/12/2005	8/1/2005	P05-13	B	18	7/28/2009	H	6.66
Lionheart	Littleworth Rd.	H	4	2	2	2/24/2004	2/24/2004	3/8/2004	P03-66	G	28-1	2/24/2008	W	1.48
Ayer	McKone Ln	H	2	1	1	6/5/2003	6/5/2003	6/5/2003	P02-67	N	18	6/5/2007	G	0.74
<b>Total: Single Family</b>			<b>347</b>	<b>106</b>	<b>241</b>									<b>135</b>
<b>TOTAL APPROVED UNITS</b>			<b>470</b>	<b>194</b>	<b>256</b>									<b>169</b>
<b>Elderly:</b>														
The Village at Thornwood	Jacqueline Dr/Sonia Dr	H	48	10	38	7/2/2008	3/13/2007		P06-55	M	4	7/2/2011	G	
Arbor Woods	Mast Road	H	63	11	52	2/20/2007	1/9/2007	2/20/2007	P06-24	H	4	2/20/2011	W	
Dover Retirement Cottages	Back River Rd	C	48	0	48	8/4/2006	2/28/2006	Site	P05-48	I	56	8/4/2010	Living	
<b>Total: Elderly</b>			<b>159</b>	<b>21</b>	<b>138</b>									
<b>APPROVED + ELDERLY</b>			<b>629</b>	<b>215</b>	<b>394</b>									<b>169</b>

\* Built or permit issued and unit under construction

\*\* Students are estimated based upon Impact Fee multipliers. THERE IS NO GUARANTEE TO THESE NUMBERS  
 C:\Program Files\Microsoft Office\Office12\Settings\Local Settings\Temporary Internet Files\OLK46\Subdivisions Nov 2009.xls

## Total Permits Issued: November 2009

Permit #	Owner's Last Name	Street #	Street	Description	Type	Map	Lot	Construction Value	Fee
09-255	CARLSON	18	FIFTH STREET	CNVRT AN APT INTO 2 OFFICES	C	31	46	4000	65
09-297	BLAKA REALTY	2	RIDGE STREET	ADDITION	C	37	19	70000	725
09-305	SPINELLI	157	PORTLAND AVENUE	CHNG OF USE, EST. ART STUDIO	C	25	43G	0	50
09-311	CROWELL	489	CENTRAL AVENUE	INT. DEMO./RENO. OF RESTAURANT	C	3	60 & 6	0	50
09-320	DOUBLE DIAMOND HOLDINGS	279	LOCUST STREET	INT. RENO. OF OFFICES/WAREHOUSE (V	C	15	21, 22	220000	2225
09-322	WENTWORTH DOUGLAS HOSP	775	CENTRAL AVENUE	DEMO. & REMV. SNGL FAM. DWLING	C	28	4	0	50
09-323	WENTWORTH DOUGLASS HOS	779	CENTRAL AVENUE	DEMO. & RMV. SIN. FAM. DWELLING	C	28	3	0	50
09-327	CITY OF DOVER	33	CHESTNUT STREET	CONST. A GLASS VESTIBULE ADD.	C	31	4-B	37000	0
09-314	GLOBAL INVENTORY MANAG	120	INDUSTRIAL PARK DRIVE	CONST/INST. SIDE LOADING DOCK	I	G	H-D	20500	235
09-275	PICNIC ROCK PARTNERS	18	PICNIC ROCK DRIVE	CONST. SIN. FMLY DWLLNG W/ATT. GR	R	16	20-6	150000	1525
09-280	LANCASTER	21	COTE DRIVE	CNST ADD. & RENO. TO SNGL FAM DWL	R	L	58L	160000	1625
09-306	TOLEND ROAD PROPERTIES, L	1	STOCKLAN CIRCLE	CONST SNGL FAM DWLLG W/ATT GAR	R	G	24J/1	129000	1315
09-307	TOLEND ROAD PROPERTIES, L	6	STOCKLAN CIRCLE	CONST A SNGL FAM DWLG W/ATT GAR	R	G	24J/73	129000	1315
09-308	COUTURE	10	STRAFFORD ROAD	REMODEL BATHS	R	D	9-R	8600	215
09-309	BARTON	133	GARRISON ROAD	REMODEL SECOND FLOOR AND BATH	R	I	1	12000	145
09-310	WOODMAN	40	BACK RIVER ROAD	CONST. A REAR MUD RM ADDITION	R	16	28	4800	73
09-313	LORD	9	CHANDLER WAY	RPLC. EXT. STRWY, CREATE OPENING I	R	H	23	3000	55
09-317	ROSADINA	55	PISCATAQUA ROAD	FIN. 2ND FLR. FOR ADD. LIVING SPACE	R	J	14E	12000	145
09-318	D'ANDREA	62	MAST ROAD	CONST. A 1 STORY SIDE ADD. W/GAR. U	R	I	49-4	40000	425
09-321	SCONTROS	13	CHEROKEE STREET	CONST REAR BRZWY ADD'N ON EXST D	R	A	15-P	12000	145
09-325	CARRIER	8	LINDA AVENUE	REM. & REPLC. FRNT STRWAY	R	I	82J	1500	55
09-326	CHARLESTON	23	NUTE ROAD	RENO/RMDL A BATHROOM	R	L	12	4000	65

<b>Permit #</b>	<b>Owner's Last Name</b>	<b>Street #</b>	<b>Street</b>	<b>Description</b>	<b>Type</b>	<b>Map Lot</b>	<b>Construction Value</b>	<b>Fee</b>
-----------------	--------------------------	-----------------	---------------	--------------------	-------------	----------------	---------------------------	------------

**Total Permits Issued:** 22

**Total Construction Value:** \$1,017,400.00

**Total Fees Collected:** \$10,553.00

<b>Type of Permits Issued</b>		<b>Certificate of Occupancy's</b>	
<b>Apartment dwlg units</b>	0	<b>Apartment Units</b>	18
<b>Commercial</b>	0	<b>Commercial</b>	2
<b>Condo Units</b>	0	<b>Condo Units</b>	0
<b>Congregate Care Facility</b>	0	<b>Congregate Care Facility</b>	0
<b>Convert 1 to 2 Fmly Dwlg</b>	0	<b>Convert 1 to 2 Fmly Dwlg</b>	0
<b>Duplex Unit</b>	0	<b>Duplex Unit</b>	0
<b>Industrial</b>	0	<b>Industrial</b>	0
<b>Multi Family</b>	0	<b>Renovations</b>	2
<b>Manufactured Dwlg</b>	0	<b>Manufactured Dwlg</b>	0
<b>Single Family Dwelling</b>	3	<b>Single Family Dwellings</b>	5
		<b>Total</b>	0

# City of Dover

## Bid Solicitation Report

### For November 2009

12/2/2009

Department	PO Date	PO No	Vendor	Description	PO Amount
Bid Number	Bid Date	Bid Due	CC Meeting	Item No	PO Notes
	Approved By	Fund		Function/Division	
Community Services				High Performance Cold Patch and /or Hot Patch	
B10032	11/04/2009	11/17/2009			
Finance	11/23/2009	15-260839	Graphic Image Inc	Envelopes	2,739.85
Q10-011	11/06/2009	11/19/2009			
	PA				
Recreation				Custodial Services at McConnell Center	
B10023	11/13/2009	12/22/2009			
Executive				Employee Holiday Lunch	
Q10-013	11/13/2009	11/30/2009			

# City of Dover

## Bid Solicitation Report

### For November 2009

12/2/2009

Department	PO Date	PO No	Vendor	Description	PO Amount
Bid Number	Bid Date	Bid Due	CC Meeting	Item No	PO Notes
	Approved By	Fund		Function/Division	
CS Admin				Municipal Stormwater Utility Feasibility Study	
B10034	11/23/2009	12/22/2009			
Executive				Resident Recycling Sticker	
Q10-014	11/24/2009	12/08/2009			
FIRE & RESCUE				Reproduction of DVD/CD 2009 FSF	
Q10-005	11/30/2009	12/16/2009			
<b>Total for</b>					<b>2,739.85</b>

### 30 Comm Serv PW

CS Admin				Tolend Road & Watson Road Reconstruction Engineering	
B10033	11/10/2009	12/07/2009			
CS - Streets					

# City of Dover

## Bid Solicitation Report

### For November 2009

12/2/2009

Department	PO Date	PO No	Vendor	Description		PO Amount
Bid Number	Bid Date	Bid Due	CC Meeting	Item No	PO Notes	
	Approved By	Fund		Function/Division		

**Total for Comm Serv PW**

### 35 Recreation

Recreation Admin					Basketball T-Shirts	
Q10-012	11/12/2009	11/24/2009				
			Recreation Pgms		Recr Pgm	

**Total for Recreation**

**Grand Total All Departments** 2,739.85

# City of Dover

## Purchase Order Report

### For November 2009

12/2/2009

Department	PO Date Bid Number Approved By	PO No Bid Date CC Meeting	Vendor Bid Due Item No Fund	Description PO Notes Function/Division	PO Amount
<b>00 Other</b>					
CS Admin	11/18/2009	30-259575	Fletch's Sandblasting & Painting I	Additional cost to Sandblast & Paint Plow	5,340.00
	PA			Fleet Maintenance Fund	
<b>Total for Other</b>					<b>5,340.00</b>
<b>15 Finance</b>					
Tax Collection	11/09/2009	15-260547	NH Mailing Services Inc	MV notices	10,310.00
	PA			General Fund City Clerk/Tax Collection	
<b>Total for Finance</b>					<b>10,310.00</b>
<b>18 Planning</b>					
Planning	11/25/2009	18-250803	Sebago Technics, Inc	Consultant Work	9,500.00
	PA			Capital Improvements FY04 Transportation Impr Pgm	
<b>Total for Planning</b>					<b>9,500.00</b>
<b>21 Police</b>					
Police Admin	11/12/2009	21-260655	Foster & Freeman USA, Inc	Solemate Footwear Database Pkg	6,114.33
	PA			DOJ - Drug Ed & Enforce Police Support	
<b>Total for Police</b>					<b>6,114.33</b>
<b>30 Comm Serv PW</b>					

# City of Dover

## Purchase Order Report

### For November 2009

12/2/2009

Department	PO Date Bid Number Approved By	PO No Bid Date CC Meeting	Vendor Bid Due Fund	Item No	Description PO Notes Function/Division	PO Amount
CS-Admin	11/23/2009	30-260840	Brox Industries, Inc		High Performance Cold Patch/ Hot Patch	5,000.00
	PA				General Fund CS - Streets	
CS-Admin	11/03/2009	30-260486	Town of Madbury, NH		Property Taxes	8,489.00
	PA				Water Fund CS - Water	
CS Admin	11/23/2009	30-260841	Pat Lavoie		Yard Waste Disposal	7,500.00
	PA				General Fund CS - Recycling Mgmt	
CS Admin	11/12/2009	30-260653	1000Bulbs.com		Christmas Lights	5,104.80
	PA				General Fund CS - Fac & Gr	
CS Admin	11/18/2009	30-259473	Layne Christensen Co		Additional Campbell Well Repairs	13,762.70
	PA				Water Fund CS - Water	
<b>Total for Comm Serv PW</b>						<b>39,856.50</b>
<b>39 Public Library</b>						
Library	11/09/2009	15-260549	Rainbow Movers		Library Building Improv. Carpets	6,919.00
	PA				Capital Improvements FY10 Public Library	
Public Library	11/10/2009	39-260650	New England Micrographics		Dover Historical Papers put on Microfilm	5,189.00
	PA				Trust - Public Library Public Library	

# City of Dover

## Purchase Order Report

### For November 2009

12/2/2009

Department	PO Date Bid Number Approved By	PO No Bid Date CC Meeting	Vendor Bid Date CC Meeting	Bid Due Fund	Item No	Description PO Notes Function/Division	PO Amount
<b>Total for Public Library</b>							<b>12,108.00</b>
<b>55 Other Financing Uses</b>							
Finance	11/20/2009	15-260802	State of NH-Dept of Labor			2nd Injury Fund Prorata Share	12,831.27
		PA				Workers Compensation Fund Internal Service	
<b>Total for Other Financing Uses</b>							<b>12,831.27</b>
<b>80 Intergovernmental</b>							
Finance	11/10/2009	15-260647	Strafford County Commissioners			Strafford County Tax 2009	7,030,640.00
		PA				General Fund County Tax	
<b>Total for Intergovernmental</b>							<b>7,030,640.00</b>
<b>Grand Total All Departments</b>							<b>7,126,700.10</b>

# City of Dover

## Expenditures of Major Funds November 30, 2009

(General Fund Includes County, School and Debt Service)

Account	Original Budget	Adjusted Budget	Expenditures This Period	Expenditures Year to Date	Encumb	Budget Availability	Avail %
<b>1000 General Fund</b>							
City Council	301,884.00	330,155.75	5,815.34	70,471.43	95,583.94	164,100.38	49.70
Executive	780,347.00	782,462.00	169,500.45	327,927.83	2,550.55	451,983.62	57.76
Finance	1,411,996.00	1,416,654.29	90,337.33	481,436.72	110,734.29	824,483.28	58.20
Planning	381,875.00	386,755.00	26,996.06	128,896.89	2,663.04	255,195.07	65.98
Misc Gen Gov't	803,912.00	932,738.94	7,908.00	159,785.22	90,086.62	682,867.10	73.21
Police	6,341,897.00	6,374,069.64	422,512.71	2,028,574.34	130,912.83	4,214,582.47	66.12
Fire & Rescue	6,244,629.00	6,251,522.47	531,956.12	2,259,555.04	4,235.41	3,987,732.02	63.79
Comm Serv PW	5,377,105.00	6,448,643.42	367,610.11	1,863,428.71	637,216.98	3,947,997.73	61.22
Recreation	2,337,275.00	2,354,092.12	119,160.76	772,310.88	17,064.55	1,564,716.69	66.47
Public Library	1,063,736.00	1,084,612.43	70,569.48	377,404.45	3,403.75	703,804.23	64.89
Human Services	712,277.00	717,196.53	49,675.31	217,541.30	11,900.61	487,754.62	68.01
Debt Service	9,979,748.00	9,979,748.00	0.00	444,368.56	0.00	9,535,379.44	95.55
Other Financing Sources/Uses	125,000.00	125,000.00	0.00	0.00	0.00	125,000.00	100.00
School	40,699,081.00	40,699,081.00	3,103,750.68	12,448,494.70	8,602.11	28,241,984.19	69.39
Intergovernmental	7,030,640.00	7,030,640.00	7,030,640.00	7,030,640.00	0.00	0.00	0.00
<b>Total for General Fund</b>	<b>83,591,402.00</b>	<b>84,913,371.59</b>	<b>11,996,432.35</b>	<b>28,610,836.07</b>	<b>1,114,954.68</b>	<b>55,187,580.84</b>	<b>64.99</b>
<b>3320 Residential Solid Waste</b>							
Comm Serv PW	1,077,465.00	1,152,299.46	8,984.62	363,259.96	677,011.24	112,028.26	9.72
<b>Total for Residential Solid Waste</b>	<b>1,077,465.00</b>	<b>1,152,299.46</b>	<b>8,984.62</b>	<b>363,259.96</b>	<b>677,011.24</b>	<b>112,028.26</b>	<b>9.72</b>
<b>3381 McConnell Center</b>							
Comm Serv PW	0.00	0.00	0.00	(337.05)	0.00	337.05	0.00
Recreation	774,724.00	780,026.54	12,372.35	119,833.12	17,392.59	642,800.83	82.41
<b>Total for McConnell Center</b>	<b>774,724.00</b>	<b>780,026.54</b>	<b>12,372.35</b>	<b>119,496.07</b>	<b>17,392.59</b>	<b>643,137.88</b>	<b>82.45</b>

# City of Dover

## Expenditures of Major Funds

November 30, 2009

(General Fund Includes County, School and Debt Service)

Account	Original Budget	Adjusted Budget	Expenditures This Period	Expenditures Year to Date	Encumb	Budget Availability	Avail %
<b>5300</b> Water Fund							
Comm Serv PW	4,162,633.00	4,240,236.54	233,723.60	1,234,004.46	117,133.11	2,889,098.97	68.14
<b>Total for Water Fund</b>	<b>4,162,633.00</b>	<b>4,240,236.54</b>	<b>233,723.60</b>	<b>1,234,004.46</b>	<b>117,133.11</b>	<b>2,889,098.97</b>	<b>68.14</b>
<b>5320</b> Sewer Fund							
Comm Serv PW	5,750,387.00	5,838,764.36	341,904.16	1,904,646.18	42,861.04	3,891,257.14	66.65
<b>Total for Sewer Fund</b>	<b>5,750,387.00</b>	<b>5,838,764.36</b>	<b>341,904.16</b>	<b>1,904,646.18</b>	<b>42,861.04</b>	<b>3,891,257.14</b>	<b>66.65</b>

# City of Dover

## Revenues of Major Funds

November 30, 2009

(General Fund Includes Property Taxes and Education Revenues)

Account	Original Budget	Adjusted Budget	Revenues This Period	Revenues Year To Date	Revenue Due	Uncollected %
<b>1000 General Fund</b>						
Taxes	59,830,787.00	59,830,785.63	59,724,695.12	59,804,787.24	25,998.39	0.04
Licenses & Permits	4,315,000.00	4,315,000.00	234,744.59	1,433,223.05	2,881,776.95	66.79
Intergovernmental	2,010,066.00	2,015,255.00	186,382.11	326,966.27	1,688,288.73	83.78
Charges for Services	3,131,457.00	3,131,457.00	109,892.75	755,233.28	2,376,223.72	75.88
Misc. Revenue	575,163.00	575,163.00	14,240.72	152,731.18	422,431.82	73.45
Education	13,211,005.00	13,211,005.00	1,220,351.84	3,649,013.92	9,561,991.08	72.38
Operating Transfers In	517,924.00	517,924.00	0.00	0.00	517,924.00	100.00
<b>Total for General Fund</b>	<b>83,591,402.00</b>	<b>83,596,589.63</b>	<b>61,490,307.13</b>	<b>66,121,954.94</b>	<b>17,474,634.69</b>	<b>20.90</b>
<b>3320 Residential Solid Waste</b>						
Charges for Services	1,077,465.00	1,077,465.00	75,788.57	343,204.07	734,260.93	68.15
Misc. Revenue	0.00	0.00	12.74	119.14	(119.14)	0.00
<b>Total for Residential Solid Waste</b>	<b>1,077,465.00</b>	<b>1,077,465.00</b>	<b>75,801.31</b>	<b>343,323.21</b>	<b>734,141.79</b>	<b>68.14</b>
<b>3381 McConnell Center</b>						
Misc. Revenue	691,903.00	691,903.00	48,790.62	217,526.73	474,376.27	68.56
Operating Transfers In	82,821.00	82,821.00	5,687.92	28,439.60	54,381.40	65.66
<b>Total for McConnell Center</b>	<b>774,724.00</b>	<b>774,724.00</b>	<b>54,478.54</b>	<b>245,966.33</b>	<b>528,757.67</b>	<b>68.25</b>
<b>5300 Water Fund</b>						
Charges for Services	4,141,633.00	4,141,633.00	118,167.35	1,180,223.98	2,961,409.02	71.50
Misc. Revenue	21,000.00	21,000.00	2,599.44	16,034.25	4,965.75	23.65
<b>Total for Water Fund</b>	<b>4,162,633.00</b>	<b>4,162,633.00</b>	<b>120,766.79</b>	<b>1,196,258.23</b>	<b>2,966,374.77</b>	<b>71.26</b>
<b>5320 Sewer Fund</b>						
Intergovernmental	154,097.00	154,097.00	0.00	(6,939.00)	161,036.00	104.50
Charges for Services	4,579,371.00	4,579,371.00	134,138.56	1,134,267.23	3,445,103.77	75.23
Misc. Revenue	32,000.00	32,000.00	2,797.13	17,597.08	14,402.92	45.01
Other Financing Sources	984,919.00	984,919.00	0.00	0.00	984,919.00	100.00
<b>Total for Sewer Fund</b>	<b>5,750,387.00</b>	<b>5,750,387.00</b>	<b>136,935.69</b>	<b>1,144,925.31</b>	<b>4,605,461.69</b>	<b>80.09</b>

# City of Dover

## Arena - General Fund Revenue & Expenditure Report (Excludes Debt Service) November 30, 2009

	<b>Original Budget</b>	<b>Adjusted Budget</b>	<b>Actuals This Period</b>	<b>Actuals Year To Date</b>	<b>Encumbrance</b>	<b>Under(Over) Budget</b>	<b>% Remain</b>
<b>Revenue</b>	1,489,801.00	1,489,801.00	28,688.67	295,549.97	0.00	1,194,251.03	80.2
<b>Expenditures</b>	1,083,162.00	1,084,022.99	46,982.39	341,456.85	15,062.35	727,503.79	67.1
	<b>406,639.00</b>	<b>405,778.01</b>	<b>(18,293.72)</b>	<b>(45,906.88)</b>	<b>(15,062.35)</b>	<b>466,747.24</b>	<b>13.05</b>



**CITY OF DOVER**

## CITY COUNCIL & PLANNING BOARD - MINUTES

Meeting Type: Joint Workshop Session  
Meeting Location: Council Chambers, City Hall  
Meeting Date: **Wednesday, November 4, 2009**  
Meeting Time: **7:00 pm**

**Councilors Present:** Mayor Myers, Deputy Mayor Trefethen, Councilors Carrier, Cheney, DeDe, McCusker, and Weston.

**Planning Board Members Present:** Marcia Gasses, Linda Merullo, Jan Nedelka, Lee Skinner, John Swartzendruber, Frank Torr, Fire Chief Perry Plummer, and Community Service Director Doug Steele,

**Also Present:** City Manager Joyal, City Attorney Krans and City Clerk Lavertu.

**Absent:** Councilors Callaghan and Scott.

Councilor McCusker led the Pledge of Allegiance.

Mayor Myers said he had a few comments to make since the Council will not be meeting next week because of Veteran's Day. He announced that there will be a ceremony in the City Hall Auditorium in remembrance of Veterans Day beginning at 11:00 am. He thanked the City Clerk, her staff, and all the poll workers for all their work at the election on November 3<sup>rd</sup>. He said it was a good turnout considering it was a local election.

### 1. CAPITAL IMPROVEMENT PROGRAM (CIP) PRESENTATION

City Manager Joyal said he would be presenting the 2011-2016 Proposed Capital Improvement Program. He referred to the CIP document that each Councilor and Planning Board Member should have in front of them. He said the document includes major capital projects that are recommended to be undertaken over the course of the next six years. He explained the CIP process. He said the CIP is a major city-wide planning effort that takes place at the beginning of each new budget cycle, which identifies and attempts to logically schedule those larger ticket, more expensive, facility equipment and infrastructure repairs and replacement projects, which are considered essential or needed to meet the long term needs of the citizens and the economic well-being of the community. He said the CIP is often considered a wish list, but in fact represent an important and legitimate means for planning for essential equipment and infrastructure that support the diverse requirements of a community of Dover's size and character. He said the projects are usually identified by the Master Plan process, which is shepherded by the Planning Board; citizen input derived from various forums; and from the City's maintenance, public safety, professional engineering, and planning staff. He said he wanted to go over the details of the CIP document, and then go over the highlighted projects that have been listed. He said he would like to cover the non-School projects this evening, and expects the Council and Planning Board to schedule another joint workshop to go over the School projects. He said the CIP document is a policy document that reflects project priorities over the course of six years, and outlines a recommended financial plan that attempts to balance the impact by scheduling projects over those years. He said it was also a good communication tool for those interested in the financial health of the community, which includes the bond holders, future investors, the citizens, and also businesses that are looking to relocate into the City. He said the adoption of the CIP is not an authorization, but a statement of the community's best intentions. He said it is later and separate from the CIP, that the City Council will make the decision to authorize the first year capital budget. He said the authorization of the capital budget typically follows the adoption of the CIP, which begins with an adoption of a debt authorization resolution that is subject to a public hearing, which is followed by a resolution



**CITY OF DOVER**

## CITY COUNCIL & PLANNING BOARD - MINUTES

Meeting Type: Joint Workshop Session  
Meeting Location: Council Chambers, City Hall  
Meeting Date: **Wednesday, November 4, 2009**  
Meeting Time: **7:00 pm**

authorizing a transfer of revenues of existing funds for projects, and finally is followed with the inclusion of various operating fund recommended capital projects in the annual budget, which is adopted no later than June. He referred the Council and Planning Board to the CIP document and went over CIP criteria, the different financing methods, financial policies, and the list of all the projects in the CIP and their impact on the budget. He said the State sets the limit that communities are allowed to incur for debt. He said the City has a significant amount of room to grow under the State statute, which includes City, School, water, and sewer operations, but he wasn't encouraging that the City issue more debt. He said it was the City's policy to maintain 65% of what the State allows for debt. He said the Council should take a look at these policies and update them if needed.

Councilor DeDe interrupted the City Manager to say he wanted to make sure the audience understood that the percentages are based on estimated assessed evaluations.

City Manager Joyal continued with his presentation about how much debt the City is retiring in the coming year; City, \$4 million; School \$2.2 million; totaling \$6.2 million for the General Fund. He said Special Revenue Funds will be retiring \$230,000; Water Fund will be retiring \$805,000; Sewer Fund will be retiring \$1.7 million; and DBIDA will be retiring \$146,000. He said the City will be retiring a total of \$9.2 million. He referred the Council to Pages 17 and 18, which provide financial indicators that show the health of the City. He referred the Council to Page 40, which showed the City's credit rating with two companies: Moody's and Standard & Poor's. He said currently the City is rated at A1 by Moody's, and AA by Standard & Poor's, which is an upgrade over the last few years. He said this was due to the City's undesignated fund balance, and the City should be looking at ways to raise it even higher, to 10 to 15 percent. He went over Pages 19 through 29, which show the financing proposed for each of the projects, unissued authorized debt, and revenues for debt financed projects. He referred to Page 32 through 38, which was a brief summary of the projects. He referred to Page 41, at the end of which were a number of tables concerning the debt service on approved and proposed items in the CIP. He asked the Councilors and Planning Board members if they had any general questions, after which he will walk through the projects.

Deputy Mayor Trefethen referred to Page 11 of the CIP. He asked why the estimated property tax rate decreases in 2013 and 2015.

City Manager Joyal said the combined rate is actually an increase of \$0.12 in 2013, and \$0.98 in 2014. He said Deputy Mayor Trefethen was just looking at the Operating Budget, which showed the fluctuation in what the City would expect to put in Capital Outlay in the Annual Operating Budget.

Deputy Mayor Trefethen asked if they would want to even that out.

City Manager Joyal said ideally they will probably level that out in Capital Reserves.

Deputy Mayor Trefethen referred to Page 15, which showed the City was projecting to go over the Council's policy limit for debt, and asked what the procedure was, and the statutory impact of doing that.

City Manager Joyal said if these estimates hold true, the City will be exceeding a Council-imposed policy, and it would simply be the Council's decision to exceed those guidelines. He said they are guidelines and not legal limits. He suggested that the Council not do that, because he felt it sent the wrong message to the people who look at how the City is doing in terms of their financial policies. He said the first thing he would do is have the Council look at the policies, because they are 10 to 15 years old, to see if they truly are where they should be



**CITY OF DOVER**

## CITY COUNCIL & PLANNING BOARD - MINUTES

Meeting Type: Joint Workshop Session  
Meeting Location: Council Chambers, City Hall  
Meeting Date: **Wednesday, November 4, 2009**  
Meeting Time: **7:00 pm**

today. If they are and the City still needs to exceed that limit, then he felt the City needed to have a good reason or an explanation for that.

Deputy Mayor Trefethen asked, if the Council did decide to change the policy, if it changed the policy permanently or if it was just one exception.

City Manager Joyal said the policies have been adopted, published, and stand by themselves. He said if the Council has a motion to authorize debt that is going to exceed that and is a one-time thing, then he would offer an explanation on why it is being done to the folks that are looking at the financial condition of the City.

Deputy Mayor Trefethen said it has not been issue for the six years he has been on the Council, and this will be new territory for the City if these numbers do come to pass.

City Manager Joyal said the School limit was established at 15% of the State guidelines, which may have been sound at the time it was set, but felt it was something that the City should look at. He said the School rehabilitation projects were clearly big numbers and drive it way over the 15% limit. He said the water tower project is going to drive it over the limit for one year in the Water Fund.

Ms. Merullo referred to Page 11, tax rates, and asked if the rate would go down if the economy improved, and the housing increased in value and more businesses move into Dover.

City Manager Joyal said any positives in assessed values will bring the rates down.

Ms. Merullo asked if the rates were based on a worst-case scenario.

City Manager Joyal said he based them on the current assessed value with a very moderate growth of 1%. He said the City needs to look responsibly at economic growth, retaining businesses, and encouraging existing businesses to grow and stay in the City, because it will add assessed value and help the tax rate. He also added that the tax rate doesn't tell you anything, because it is really the assessed value of the property that gives you the amount it will be raised.

Mayor Myers asked if anyone else had a question.

City Manager Joyal referred the Council and the Planning Board to Page 20 of the CIP, and went through the list of projects that are proposed.

Deputy Mayor Trefethen asked if the City was assured that Ford will continue to have Crown Victorias, so the City can use the same cages and light bars from the older vehicles.

City Manager Joyal said that was correct. He continued with the CIP project list. He said Fire Chief Plummer will discuss the projects concerning the Fire Department.

Fire Chief Plummer referred to the separate handout on the Fire & Rescue Capital Improvements Program, and went over it with the Council and the Planning Board.

City Manager Joyal went over the fleet vehicle replacement program for police vehicles, fire apparatus, and ambulances. He said Community Services Director Steele will go over the projects concerning the Community Services Department.

Mr. Steele went over the Community Services CIP Projects, which included equipment, General Streets and Sidewalks Improvement, and separate Bridge and Street reconstruction projects.

Councilor DeDe asked if the railroad underpass on Broadway will be addressed.

Mr. Steele said they will be looking at it to see if it can be improved.

Fire Chief Plummer asked what happens to the debt when the City is reimbursed from the State for certain projects.

City Manager Joyal said the City only debt finances the portion that they will be required to pay.



**CITY OF DOVER**

## CITY COUNCIL & PLANNING BOARD - MINUTES

Meeting Type: Joint Workshop Session  
Meeting Location: Council Chambers, City Hall  
Meeting Date: **Wednesday, November 4, 2009**  
Meeting Time: **7:00 pm**

Mr. Torr asked if there was a location for the spoils facility.

City Manager Joyal said the Tolend Landfill.

Councilor Weston referred to the Court Street and Silver Street property, and asked how the City will fund the purchase of that property.

City Manager Joyal said he hoped the City would not have to purchase the property. He hoped the City will consider a public/private partnership where there will be a land swap or a right of way for what the City needs to square up the road. He said it was just for planning purposes.

Councilor Cheney referred to the spoils facility, and asked about testing the product first, because it should be assumed that there will be fuel and other toxic debris in it.

Mr. Steele said that the main purpose of the facility would be to test the product and determine how to dispose of it.

Councilor Cheney said she was concerned about the location of the Tolend Landfill because the City can't use that property for waste.

Mr. Steele said the Tolend Landfill doesn't have to be the site.

Councilor Cheney asked what other cities were doing with the catch basin mandate.

Mr. Steele said the City hasn't been required to do this, but if the City doesn't have a plan, then it would just go to a landfill, which would involve exorbitant costs for the City. He said this plan was trying to be proactive, to find a use for this material, if it is safe to do so.

Councilor Cheney asked for it to be moved someplace else. She asked how full the dredge cell at the landfill is and when it was going to be capped.

Mr. Steele said the next round of dredging is scheduled for a year from now.

City Manager Joyal said the City is hoping the Army Corps will resume dredging next winter, and he hopes to begin the capping process in 2012.

Councilor Cheney said she wouldn't support using the landfill for this, because she felt the residents out there wouldn't support it.

Councilor Weston said the City is paying for remediation to get the poisons out of the landfill, putting a sewer line in so it can be treated, and now the City is thinking of putting something else in there. She said Mr. Steele said the spoils have to dry out before being tested, and she asked if it could be tested before it is placed there.

Mr. Steele said the plan would be to construct a large slab that is pitched to a drain, and the building would be covered so rainwater can't get in. He said the water would go to the sewer and be treated. Then the product can dry and they can take a sample to be analyzed.

City Manager Joyal said they would be piggybacking on the infrastructure of the Tolend Landfill. He said the problem is that they don't have a place to stockpile the spoils right now. He said they are putting it in the dredge cell, but that is going to go away once it is capped. He said it can't be taken to Mast Road, because there are aquifer concerns there.

Councilor Weston said she was just concerned with the runoff, and it seemed the City was already taking that into consideration.

Mr. Steele said that was correct.

Mayor Myers said that was a cost the City was not incurring right now, because they are using excess space in the dredge cell, but we're looking ahead at options other than to automatically dump it in a landfill.

Mayor Myers invited Recreation Director Gary Bannon to speak to the Council and Planning Board.

Mr. Bannon went over the Recreation Department's CIP projects.



**CITY OF DOVER**

## CITY COUNCIL & PLANNING BOARD - MINUTES

Meeting Type: Joint Workshop Session  
Meeting Location: Council Chambers, City Hall  
Meeting Date: **Wednesday, November 4, 2009**  
Meeting Time: **7:00 pm**

Ms. Murello referred to the \$75,000 that is requested every year and is rejected, and asked if private donations, teams, or help are what has been keeping these parks going.

Mr. Bannon said that along with revenues they have generated from recreation programs, that was how most of it was done.

Ms. Murello asked if this should be privatized with the teams and private help.

Mr. Bannon said it has become a partnership.

Mayor Myers said some of the parks are just playgrounds that don't have teams.

Mr. Bannon said that was correct.

Councilor Carrier said it is definitely a partnership, and corporations that give monetary help are incredible. He said it was happening at Park Street Park, and when it is done he hoped other organizations will help with other parks in the City.

City Manager Joyal went over the Public Library and School CIP projects. He went over Special Revenue Fund CIP projects, which included the Parking facility.

Ms. Murello referred to the possibility of merging the new Parking and Police facilities, and asked if half the cost would be taxpayer funded.

City Manager Joyal said no, but they obviously had to look at the plans and how it will be designed. He said it was only a conception at this point and needed to be explored. He said they will separate the costs for each department, but expect there will be savings by combining the two departments. He said it may not happen at all. He said Water and Sewer projects were straightforward, but Mr. Steele was present to answer any questions.

Ms. Gasses said she would like a tour of the School's facilities.

Mayor Myers said they'll contact the School Department and set up times for a tour.

Councilor Weston referred to the possible implementation of self checkout stations at the Library, and said recently Walmart has removed all of their self checkout stations because of the phenomenal amount of thefts. She also referred to the Fire Department's proposal and the South End Fire Station ramp repaving in 2016, and asked Fire Chief Plummer, if there were already cracks in the pavement, if they would actually be reconstructing the ramp.

Fire Chief Plummer said the cost did cover the total reconstruction of the ramp.

Councilor Cheney asked if there were any solid figures on the pay and display implementation.

City Manager Joyal said the pay and display meters have not been implemented yet. He said they are on order and he's waiting for them to be shipped and installed. He said he will need at least six months history, then they will be able to make some projections based on actual usage.

Councilor Cheney referred to the Washington Street Bridge project, and asked about the rail.

City Manager Joyal referred to Page 30 of the CIP, which showed the different funding.

Councilor Cheney referred to the retired debt, and asked if it reflected the most recent CIP expenditures that the Council did this year, including the Arena.

City Manager Joyal said that was correct.

Mayor Myers said there will be opportunities for the public to attend and speak on the CIP during public hearings for both the Planning Board and the Council meetings on the CIP.

## 2. ADJOURN

Councilor Weston moved to adjourn to Special Meeting; seconded by Councilor Carrier.

Vote: 7/0.



**CITY OF DOVER**

## CITY COUNCIL - MINUTES

Meeting Type: Special Meeting  
Meeting Location: Council Chambers, City Hall  
Meeting Date: **Wednesday, November 4, 2009**  
Meeting Time: **To follow Workshop**

### 1. MOMENT OF SILENCE

### 2. PLEDGE OF ALLEGIANCE

Councilor McCusker led the Pledge of Allegiance during the Workshop.

### 3. ROLL CALL

**Present:** Mayor Myers, Deputy Mayor Trefethen, Councilors Carrier, Cheney, DeDe, McCusker, and Weston.

**Also Present:** City Manager Joyal, City Attorney Krans and City Clerk Lavertu.

**Absent:** Councilors Callaghan and Scott.

### 4. APPROVAL OF AGENDA

Mayor Myers asked the Council if they had any items they wished to add, delete, or change on the Agenda.

Councilor DeDe asked to add the Appointments Committee Report, as Item 6.A.3.; seconded by Councilor Carrier.

Vote: 7/0.

Deputy Mayor Trefethen said he would like to add a Resolution, as Item 6.A.4., for the Arts Commission, regarding a piece of art work at Henry Law Park; seconded by Councilor Weston.

Vote: 7/0.

Councilor Cheney asked to add the Joint Building Committee Report, as Item 6.A.5.; seconded by Councilor Carrier.

Vote: 7/0.

Deputy Mayor Trefethen moved to accept the Agenda as amended; seconded by Councilor DeDe.

Vote: 7/0.

### 5. CITIZEN'S FORUM

*Citizens are invited to speak on the subject matter of the Special Meeting and the Workshop on the CIP. Statements shall be limited to five minutes.*

**Joyce El Kouarti, 19 Northway Circle, Chairperson for the Arts Commission:** She said the Arts Commission was approached by Nathan Walker, a Seacoast artist, who wished to display a sculpture of a blue crab in Henry Law Park, in front of the Children's Museum. She said the sculpture would be installed by the artist and on loan to the City through August of 2010. She said the Arts Commission voted unanimously to endorse the project, and she asked the Council to authorize the placement of the sculpture.

Mayor Myers, seeing no one else wishing to speak, closed the Citizen's Forum.

### 6. NEW BUSINESS



**CITY OF DOVER**

## CITY COUNCIL - MINUTES

Meeting Type: Special Meeting  
Meeting Location: Council Chambers, City Hall  
Meeting Date: **Wednesday, November 4, 2009**  
Meeting Time: **To follow Workshop**

### A. RESOLUTIONS

#### 1. COLLECTIVE BARGAINING AGREEMENT BETWEEN CITY OF DOVER AND AFSCME SPONSORED BY MAYOR MYERS BY REQUEST

Deputy Mayor Trefethen moved for its adoption; seconded by Councilor DeDe. Councilor Cheney referred to Council Rules 15-2.c., where it states that tentative agreements shall be delivered to the Council in Executive Session within eight days of ratification by the union. She referred to the next rule, 15-2.d., where it states that the tentative agreement will be placed on the agenda for a subsequent Executive Session and Regular Session for a vote. She said she wanted the rules clarified, because even though this is a Special Meeting for a vote, the Council didn't have a subsequent Executive Session.

Mayor Myers read the rules and said the Council did not have the second Executive Session. He said the Council can suspend the rules to vote on these resolutions tonight, or refer them to the next agenda.

City Manager Joyal said this is where the Council has a problem, because it was presented to the Council last Wednesday, and you have 30 days to take action to avoid a filing of an unfair labor practice.

Mayor Myers said the Council was meeting on November 18<sup>th</sup> for a workshop.

City Manager Joyal said he wasn't planning on a meeting on November 18<sup>th</sup>, but the Council can meet.

Mayor Myers said the Council can suspend the rules to vote on this, or they could schedule a Special Meeting in order to vote on these resolutions.

Councilor McCusker asked if the Council could adjourn to an Executive Session, and then reconvene, since it is already on the agenda.

Mayor Myers said it needed to be posted.

City Manager Joyal said it would be just as easy to suspend the rules.

Councilor DeDe made a motion to suspend the Council Rules so they can vote on the two labor contract resolutions; seconded by Councilor Weston.

Mayor Myers said it would take 2/3 of the Council to suspend the rules, 6 votes, even though there are only 7 members here.

Roll Call Vote: 7/0.

Deputy Mayor Trefethen said he would be supporting this resolution, because it has very little cost to the City. He said once again the City's employees have stepped up to the plate, recognizing the reality of the economy, and are doing what is right.

Councilor DeDe said the numbers are a negative number, costing the City less money, which is a reflection on the City's employees willingness to work with the City Manager and their department heads. He said the Council really needs to recognize what they have done.

Roll Call Vote: 7/0.

Mayor Myers said since the resolution has been passed he could talk about it. He said it was a three year contract with AFSCME labor union, which is the Public Works



**CITY OF DOVER**

## CITY COUNCIL - MINUTES

Meeting Type: Special Meeting  
Meeting Location: Council Chambers, City Hall  
Meeting Date: **Wednesday, November 4, 2009**  
Meeting Time: **To follow Workshop**

employees, covering fiscal years 2009 through 2011. He said it shows that the employees took pay freezes or pay cuts in 2009, agreed to no pay raises for COLA, steps in 2010, and in fiscal year 2011 they have agreed to only step raises. He said there is an option for renegotiations only for the COLA item if both parties agree to open discussions. He thanked the employees for stepping up to the plate.

### **2. COLLECTIVE BARGAINING AGREEMENT BETWEEN CITY OF DOVER AND DMEA**

**SPONSORED BY MAYOR MYERS BY REQUEST**

Deputy Mayor Trefethen moved for its approval; seconded by Councilor DeDe.

Deputy Mayor Trefethen said he reiterated his previous comments.

Councilor DeDe said he would say the same comments.

Mayor Myers said he would agree with the intent of it, and with what the employees have done. He said this one was slightly different, because it was a Memorandum of Understanding that extends the existing contract that is in place, and it's only for a two year period. He said the Council had gotten into a three year cycle with all seven bargaining units. He said he would be supporting this, but it was his understanding that this union was made aware that when this two year cycle ends, which is basically in the fiscal year we're in right now, the Council will negotiate again for a four year agreement, which will then put them back on the cycle with the other bargaining units.

Roll Call Vote: 7/0.

Mayor Myers said this contract was for the fiscal year 2009, where there were no COLAs given, and Fiscal Year 2010, where it was agreed that no COLAs or no steps will be given. He thanked the employees for stepping up.

### **3. APPOINTMENTS COMMITTEE REPORT**

Mayor Myers said the Appointments Committee met this evening and has the following recommendations for new appointments:

- Grace Dean – Arts Commission
- David Gerjouy – Council Representative to COAST
- Miles Moriarty – Energy Advisory Commission
- Jeff Canfield – Recreation Advisory Board
- Kathleen Morrison – Recreation Advisory Board
- James Brandon – Trustees of the Trust Fund

Mayor Myers said the Appointments Committee had the following recommendation for reappointment:

- Walter Colby – the City's representative with Skyhaven Airport

Mayor Myers said the Appointments Committee had the following recommendation for the DES:



**CITY OF DOVER**

## CITY COUNCIL - MINUTES

Meeting Type: Special Meeting  
Meeting Location: Council Chambers, City Hall  
Meeting Date: **Wednesday, November 4, 2009**  
Meeting Time: **To follow Workshop**

- Thomas Fargo – New Hampshire Rivers Management and Protection Program, specifically for the Cochecho River Local Advisory Committee

Deputy Mayor Trefethen moved to accept the appointments; seconded by Councilor Weston.

Vote: 7/0.

#### **4. ACCEPTANCE OF DONATION OF CRAB SCULPTURE FOR PLACEMENT IN HENRY LAW PARK**

**SPONSORED BY MAYOR MYERS BY REQUEST**

Deputy Mayor Trefethen moved for its approval; seconded by Councilor Carrier. Deputy Mayor Trefethen asked Ms. El Kouarti if it wasn't a piece of playground equipment, but a piece of art.

Ms. El Kouarti said that was correct.

Councilor DeDe asked if there was a hold harmless agreement that will be signed by the artist to protect the City in case there is some damage that is experienced.

Ms. El Kouarti said the artist has verbally agreed that that is his understanding, but she was sure the City Attorney could put something on paper.

City Manager Joyal said they will have an agreement with the artist, and have insurance coverage that addresses public art.

Councilor Cheney asked what kind of documents will be necessary to sign on behalf of the City to accept this temporary donation.

City Manager Joyal said it would essentially be an acknowledgment between the City and the artist that it is going to be installed, the City will have its own insurance coverages, and will spell out the time frame that it will be "on loan," with the possibility that it may become permanent. He didn't expect it to be too elaborate.

Councilor Cheney said she understood that the City will be providing the cement blocks to put the sculpture on.

City Manager Joyal said the artist would be providing the template of the feet on which the sculpture will sit, and the City will provide the concrete blocks that it will be bolted to.

Councilor Cheney asked what happened after the temporary period.

City Manager Joyal said if it is well received and weathering properly then the artist would go back to the Arts Commission to see whether or not they wanted to keep it permanently at Henry Law Park. He said if the Arts Commission does want to keep it, then the City will make arrangements for that.

Roll Call Vote: 7/0.

#### **5. JOINT BUILDING COMMITTEE REPORT**

Councilor Cheney said she wanted to give the Joint Building Committee update to the Council. She said the Joint Building Committee has had several meetings and a workshop. She said the poor economy has saved some money on labor and materials. She said they will be having a walk-through on Tuesday, November 10<sup>th</sup> at 5:30pm.



**CITY OF DOVER**

## CITY COUNCIL - MINUTES

Meeting Type: Special Meeting  
Meeting Location: Council Chambers, City Hall  
Meeting Date: **Wednesday, November 4, 2009**  
Meeting Time: **To follow Workshop**

Councilor Weston made a motion to accept the Joint Building Committee Report; seconded by Councilor Cheney.  
Vote: 7/0.

### **B. ORDINANCES**

**1. CHAPTER 3: McCONNELL CENTER ADVISORY COMMITTEE  
(TO BE REFERRED TO A PUBLIC HEARING ON DECEMBER 9, 2009)  
SPONSORED BY COUNCILOR DEDE**

Deputy Mayor Trefethen moved to refer to the public hearing on December 9<sup>th</sup>; seconded by Councilor DeDe.  
Vote: 7/0.

### **7. ADJOURN**

Councilor Weston moved to adjourn; seconded by Councilor Cheney.  
Vote: 7/0.



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

**Agenda Item#: 11.A.1.**

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

The City of Dover Ordains:

### 1. PURPOSE

The purpose of this ordinance is to amend Chapter 170 of the Code of the City of Dover, entitled Zoning, by updating the code to reflect changes in the community, and in land use regulations.

### 2. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by replacing any use of the phrase “Code Enforcement Officer” with “Zoning Administrator”.

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-28.6 “Telecommunication Facilities” Subsection J to read as follows:

“J. Removal of Abandoned Antennas and Towers.

Any antenna or tower that is not operated for a continuous period of 12 months, or is no longer needed for the operation of the network, shall be considered abandoned and hazardous to the public health and safety. The owner shall remove the abandoned structure within 90 days of receipt of a declaration of abandonment from the ~~Building Official~~ **Zoning Administrator** notifying the owner of such abandonment. A declaration of abandonment shall only be issued following a public hearing notice per City regulations, with notice to abutters and the last known owner/operator of the tower. If the abandoned tower is not removed within 90 days, the City may execute the security and have the tower removed. If there are two or more users of a single tower, this provision shall not become effective until all users cease using the tower.”

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-32 “Sign Review and Regulations” by replacing any use of the phrase “Building Inspector” or “Building Official” with “Zoning Administrator”.

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-32 “Sign Review and Regulations” Subsection C to read as follows:

“C. Permit required. No sign, other than a directional sign, a residential nameplate or sign advertising a sale or lease of a premise, shall be erected or placed in the City of Dover without a sign permit. Said permit shall be issued by the ~~Building Inspector~~ **Zoning Administrator**, provided that the sign meets all the regulations of this section, after the submission of a set of plans to an appropriate scale, showing site location, dimensions, method of illumination, if any, and types of materials to be used in construction. Replacement of existing signs and support structures, where the area, location or materials are being altered, shall require a permit, and such replacement shall conform to the



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

regulations of this section. **The Zoning Administrator may issue a sign permit in conjunction with the approval of a site plan by the Planning Board, after sufficient review of compliance with the regulations herein and payment of any permit fees.”**

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-33 “Fence review and regulations” Subsection B (2) to read as follows:

“(2) On a corner lot, no fence or vegetal elements shall be erected or placed in such a manner(s) as to materially impede vision between that area bounded by the street lines of such corner lot and a straight line joining points along said street lines thirty (30) feet from the point to the intersection. For corner lots that are located on the inside curve of streets and at intersections that are not perpendicular, adequate and safe sight distances in both directions, as determined by the ~~Building Inspector~~ **Zoning Administrator**, shall be provided. Property owners shall maintain vegetation such that it does not grow to limit ~~site~~ **sight** distance. **[Amended 02-17-99 by Ord. No. 25-98]”**

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-47 “Administrative Officer” Subsection A to read as follows:

“A. This chapter shall be enforced by the ~~Building Inspector~~ **Zoning Administrator**, who shall have the authority to make inspections necessary to carry out his/her duties in the enforcement of this chapter.”

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-52 “Zoning Board of Adjustment” Subsection C (1) (a) to read as follows:

“(a) To hear and decide appeals where it is alleged there is error in any order, requirements, decision or determination made ~~by the Building Inspector~~ in the enforcement of this chapter (interpretation of ordinance).”

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-52 “Zoning Board of Adjustment” Subsection C (2) (a) to read as follows:

“(a) On appeal from an order or decision made ~~by the Building Inspector~~ ~~or on request~~ by any officer or board of the City, the Board shall have the power to decide any of the following questions:”

AND



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

**Agenda Item#: 11.A.1.**

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-52 “Zoning Board of Adjustment” Subsection C (2) (b) to read as follows:

“(b) The Board shall hear and decide appeals de novo and review on appeal any order, requirement, decision or determination made by the Building Inspector in the enforcement or application of this chapter. Upon such appeal, the Board may, in accordance with the provisions of this chapter, reverse or affirm, wholly or partly, or may modify any such order, requirement or decision, as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken.”

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-52 “Zoning Board of Adjustment” Subsection C (6) to read as follows:

“(6) Public Hearing. The Board shall fix a reasonable time for the hearing of an appeal in accordance to its By-Laws; and before any hearing is given either on an appeal or an application for variance or special exception of this chapter, notice shall be given to all abutters of any portion of the lot in question. Notice shall be given to abutters by certified mail, and also placed in a newspaper of general circulation, not less than 5 days before the date fixed for the hearing of the appeal. The costs of any notice shall be paid by the appellant or applicant to the Building Inspector's Office **Department of Planning and Community Development**. [Amended 08-01-90 by Ord. No. 8-90]”

### 3. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-6 “Definitions”, Subsection B to read as follows:

“**B. Words and terms appearing in CAPITAL LETTERS throughout this chapter** for the purposes of this chapter, the following terms shall have the meanings indicated:”

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-6 “Definitions”, Subsection B, by replacing any use of a “-“ with the word “means”.

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-6 “Definitions”, Subsection B, so that this definition reads as follows:

“**ACCESSORY STRUCTURE** means a structure with a minimum floor area of ~~thirty-six (36)~~ **one hundred (100)** square feet which exists on the same lot and within the same zoning district as the principal building shall be customarily incident and subordinate to the principal building subject to the provisions of Chapter 170-10 E. **[Amended 08-01-90 by Ord. No. 8-90]**”

AND



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

**Agenda Item#: 11.A.1.**

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-6 “Definitions”, Subsection B, so that this definition reads as follows:

“CUSTOMARY HOME OCCUPATION means an occupation carried on as a secondary use in a dwelling unit or accessory building by the occupant of such unit. For the use of a dwelling or accessory building in any R. District for a "home occupation," the following conditions shall apply:

- (1) "Home occupation" shall include not more than one (1) of the following uses, provided that such uses are clearly incidental and secondary residential purposes; dressmaker, artist, arts and crafts, writer, teacher, provided that not more than eight (8) pupils simultaneously occupy the building, musician, antique dealer, lawyer, doctor, photographer, dentist, architect, engineer or practitioner of any other profession or similar occupation which may be unobtrusively pursued in a residential area.
- (2) No more than one (1) nonresident shall be employed therein.
- (3) The use is carried on strictly by the occupant of the principal building. [Amended 08-01-90 by Ord. No. 8-90]
- (4) No more than twenty-five percent (25%) of the existing net floor area of the principal and any accessory buildings not to exceed six hundred (600) square feet is devoted to such use.
- (5) There shall be no display of goods or wares visible from the street.
- (6) No advertising on the premises other than a small nonelectric sign not to exceed two (2) square feet in area and carrying only the occupant's name and his occupation.
- (7) The buildings or premises occupied shall not be rendered objectionable or detrimental to the residential character of the neighborhood because of the exterior appearance, traffic emission of odor, gas, smoke, dust, noise, electrical disturbance or in any other way. In a multi-family dwelling, the use shall in no way become objectionable or detrimental to any residential use within the multifamily structure.
- (8) Any such building shall include no feature of design not customary in buildings for residential use.
- (9) Such uses as clinics, bakeries, gift shops, tearooms, tourist homes, massage, animal hospitals, kennels and others of a similar nature shall not be considered as home occupations.
- (10) A minimum of two (2) off-street parking spaces shall be provided. All driveways to be used in connection with such occupations shall conform to the city's Driveway Ordinance\*.
- (11) Not more than one (1) commercial vehicle in connection with such home occupation shall be stored on the premises.
- (12) A certificate of ~~occupancy~~ **use** for the proposed use is issued by the ~~Building Inspector~~ **Zoning Administrator** verifying conformance with the preceding standards.



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-6 “Definitions”, Subsection B, so that this definition reads as follows:

**“SLOPE means the ratio of vertical distance to horizontal distance (rise divided by run), usually expressed in percent or degrees. Slope is measured over horizontal distances of twenty (20) feet or more, utilizing elevations at two-foot contours.”**

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-6 “Definitions”, Subsection B, so that these definitions read as follows:

**“ASSESSED PROPERTY means any land or buildings comprising new development that is subject to an impact fee assessment under this Article.**

**ASSESSMENT means a notification issued by the City of Dover, its Planning Board, or its Building Inspector, which states the amount of an impact fee due on an assessed property and the responsibilities, conditions or schedules pertinent to the process and timing of impact fee payments to the City.**

**COLLECTION means the actual delivery of payment of an assessment of an impact fee to the City of Dover on behalf of an assessed property.**

**IMPACT FEE means a fee or assessment imposed upon development, including subdivision, building construction or other land use change, in order to help meet the needs occasioned by that development for the construction or improvement of capital facilities owned or operated by the City of Dover or the Dover School District, including and limited to water treatment and distribution facilities; wastewater treatment and disposal facilities; sanitary sewers; storm water, drainage and flood control facilities; public road systems and rights of way; municipal office facilities; public school facilities; public safety facilities; solid waste collection, transfer, recycling, processing and disposal facilities; public library facilities; and public recreational facilities not including public open space.**

**NEW DEVELOPMENT means an activity that results in:**

- a. The creation of a new dwelling unit or units; or
- b. The conversion of a legally existing use, or additions thereto, which would result in a net increase in the number of dwelling units; or
- c. Construction resulting in a new non-residential building or a net increase in the floor area of any non-residential building; or



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

d. The conversion of an existing use to another use if such change creates a net increase in the demand on public capital facilities that are the subject of impact fee assessments.

New development shall not include the replacement of an existing mobile home, or the reconstruction of a structure that has been destroyed by fire or natural disaster where there is no change in its size, density or type of use, and where there is no net increase in demand on public capital facilities.

**OFF-SITE IMPROVEMENTS** means those public facility improvements that are necessitated by a development but which are located outside the boundaries of the property that is subject to a subdivision plat or site plan approval by the Planning Board. Such off-site improvements shall be limited to any necessary highway, drainage, and sewer and water upgrades pertinent to that development.

**PUBLIC OPEN SPACE** means a parcel of land essentially unimproved and principally intended for open space preservation, natural resource conservation, or similar uses. For the purposes of this Article, City parks that do not include “public recreation facilities” constitute public open space.

**PUBLIC RECREATION FACILITIES** means the land and facilities owned or operated by the City of Dover, other than public open space, that are used or designed for the conduct of recreational sports or recreation programs, and which include equipment or substantial improvements to the land to provide indoor or outdoor public recreation opportunities. Public recreation facilities may also include those portions of public open space parcels that are improved with developed trail systems for uses such as hiking or cross country skiing.

**DEVELOPMENT RIGHTS** means the legal claim to construct or develop specified land uses within specified densities and/or dimensional limits as granted by the City of Dover Zoning Ordinance.

**LANDSCAPE AREA** means the area unoccupied by pavement or structures and open to the sky in either a landscaped or grassed condition. May include recreational fields, lawns, and public parks that do not possess significant conservation features.

**OPEN SPACE** means land that is not built upon or substantially altered by human activity including open fields, such as meadows and farmland, and forest as well as undeveloped shorelands and waterbodies.

**RECEIVING AREA** means a defined area within a TDR district to which development rights are transferred resulting in more efficient and intense use of suitable development sites.

**SENDING AREA** means a defined area within a TDR district from which development rights are transferred, resulting in the permanent preservation of lands possessing significant conservation features.



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

**TRANSFER OF DEVELOPMENT RIGHTS** means the conveyance of the development rights of a parcel of land by deed or other legal instrument approved by the Planning Board to the developer of another parcel. Said legal instrument shall be recorded at the Strafford County Registry of Deeds.

**TDR DISTRICT** means an area defined as a zoning overlay district, which includes a sending area and a receiving area for the purpose of transferring development rights from a parcel within the sending area to a parcel within the receiving area.

**ALTERNATIVE TOWER STRUCTURE** means the use of structures such as man-made trees, clock towers, bell steeples, rooftops on buildings 5 stories or more, light poles, and similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers and their appurtenances.

**ANTENNA** means any exterior apparatus designed for telephonic, radio, television, personal communications service (PCS), pager network, repeater, or any other communications through the sending and/or receiving of electromagnetic waves of any bandwidth.

**FAA** means an acronym meaning Federal Aviation Administration.

**FCC** means an acronym meaning Federal Communications Commission.

**HEIGHT** when referring to a tower or other structure, means the distance measured from ground level to the highest point on the tower or other structure or appurtenance, even if said highest point is an antenna or other appurtenance.

**PLANNING BOARD (BOARD)** means the City of Dover Planning Board, and the regulatory body of this ordinance.

**EXISTING TOWERS AND ANTENNAS** means any tower or antenna lawfully constructed or permitted prior to the adoption of this ordinance. Additionally, any tower or antenna lawfully constructed in accordance with this ordinance that predates an application currently before the Board.

**TELECOMMUNICATIONS FACILITIES** means any structure, antenna, tower, or other device which provides licensed commercial mobile wireless services, cellular telephone services, specialized mobile radio communications (SMR), enhanced specialized mobile radio communications (ESMR), personal communications service (PCS), paging, and similar services marketed to the general public.

**TOWER** means any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers. The terms also includes commercial radio and television transmission



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

towers, microwave towers, common carriers towers, cellular telephone towers, alternative tower structures, and similar structures.

**ABUTTER** means: (1) any person whose property is located in New Hampshire and adjoins or is directly across the street or stream from the land under consideration. (2) For the purposes of receiving testimony only, and not for purposes of notification, the term "abutter" shall include any person who is able to demonstrate that his land will be directly affected by the proposal under consideration. (3) In the case of an abutting property being under a condominium or other collective form of ownership, the term "abutter" means the officers of the collective or association, as defined in RSA 356-B: 3, XXIII. B. (4) For purposes of notification and receiving testimony, abutter means all affected towns and the regional planning commission in the case of a development having regional impact, as determined by the Board.

**APPLICANT** means the owner of the property to be excavated or the owner's agent, so designated in writing as part of the excavation application.

**BERM** means a mound of earth that may contain stumps of sufficient height to serve as sight, sound, sand and dust screening of operations in an excavation site.

**COMMERCIAL EXCAVATION** means excavation of earth intended for commerce, excluding excavation that is strictly conducted for the purpose of alteration, renovation, improvement or construction to the property on which the excavation takes place. Any material leaving the property for whatever reason is considered to be a commercial operation, except agricultural activities, as defined by NH RSA 21:34-a.

**CONTIGUOUS** means land whose perimeter can be circumscribed without interruption in common ownership except for roads or other easements, wholly within the City, except in the case of stationary manufacturing plants, whose perimeter is not defined by the City's boundaries.

**DIMENSION STONE** means rock that is cut, shaped or selected for use in blocks, slabs, sheets, or other construction units of specified shapes or sizes and is used for external or interior parts of buildings, foundations, curbing, paving, flagging, bridges, revetments, or for other architectural or engineering purposes. Dimension stone includes quarry blocks from which sections of dimension stone are to be produced. Dimension stone does not include earth as defined below.

**EARTH** means sand, gravel, rock, soil or construction aggregate produced by quarrying, crushing or any other mining activity or such other naturally-occurring unconsolidated materials that normally mask the bedrock.

**EXCAVATION** means a land area that is used, or has been used, for the commercial taking of earth, including all slopes.



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

**EXCAVATION AREA** means the area within an excavation site where excavation has occurred or is eligible to occur under the provisions of RSA 155-E. This is also known as the pit area.

**EXCAVATION SITE** means any area of contiguous land in common ownership upon which excavation takes place.

**EXISTING EXCAVATION** means any excavation that lawfully existed as of August 24, 1979, from which earth material of sufficient weight or volume to be commercially useful had been removed during the 2-year period before August 24, 1979.

**EXPANSION** (pertaining to **EXCAVATIONS**) means (a) of existing excavations means excavation beyond the limits of the City and the area which on 8/24/79 had been contiguous to and in common ownership with the excavation site and has been appraised and inventoried for tax purposes as part of the same tract as the excavation site. (b) of stationary manufacturing plants means to any contiguous lands which were in common ownership with the site of the plant on 8/4/89.

**RECLAMATION** means the restoring of an excavation site to a standard at least equal to those outlined in Section 170-29.8.

**REVOCATION** means the revoking of the approved extraction permit by the Planning Board. The revocation requires ceasing operations until such time as the owner or operator can bring the operation into compliance, and subsequently reapply for permitted status with the Planning Board at a regular meeting using standard application steps as outlined in this article.

**STATIONARY MANUFACTURING AND/OR PROCESSING PLANTS** means facilities that are placed on a site for the purposes of sorting, washing, screening, crushing, classifying, drying or processing excavated earth materials.

**SUSPENSION** means the ordered cessation of that portion of an extraction operation that is in violation of this Article until such time as the owner or operator can demonstrate compliance to the ~~Code Enforcement Officer~~ Zoning Administrator.

**BUSINESS FLOOR AREA** means that area, leased or occupied by a business, excluding hallway(s) or shared building/tenant facilities.

**BUSINESS FRONTAGE** means the length along the ground floor of a building front, having frontage on the street, which is occupied by a separate and distinct principal use; or the length along the ground floor of a building side, having frontage on a street, which is occupied by a separate and distinct principal use or by the same principal use which occupies the front of said building.

**FLASHING SIGN** means any directly or indirectly illuminated sign which changes the intensity of illumination so as to result in changes in light, color, director or animation.



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

Included in this definition shall be electronic changeable message boards or signs of similar technologies, excluding those deemed necessary for the public safety and welfare by Federal, State or municipal authorities. [Added 03-21-07 by Ord. No. 01-2007]

**FREESTANDING SIGN** means a sign permanently erected on a freestanding frame, mast or pole and not attached to any building. A-frame signs shall not be considered freestanding but rather a temporary portable sign. (See the definition of "temporary portable sign.")

**PROJECTING SIGN** means a sign attached to a building with the plane of the sign at an angle to the plane of the wall of the building.

**SHOPPING CENTER** means any building containing five (5) or more tenants and containing more than fifty thousand (50,000) square feet of gross floor area.

**SIGN** means any name, identification, description, display, or illustration which is affixed to or painted or represented, directly or indirectly, upon a building, structure or piece of land, in view of the general public, which directs attention to an object, product, place, activity, person, institution organization or business.

**SIGN AREA** means the entire area within a single continuous perimeter enclosing the extreme limits of the actual sign surface. It does not include any structural elements outside the limits of such perimeter which do not form an integral part of the display. For projecting or double-faced signs, only one (1) display space shall be measured in computing total surface area where the sign faces are parallel or where the interior angle formed by the faces is ninety degrees (90) or less.\*

**TEMPORARY PORTABLE SIGN** means a sign(s) customarily located on a trailer or similar wheeled apparatus, whether self-propelled or pulled by another vehicle, intended for promotional purposes or to convey an advertising message of any kind, which is not permanently affixed to the ground. A-frame, sandwich board and other signs not permanently affixed, directly or indirectly, upon a building, structure or land and not otherwise referenced under the definitions of "freestanding sign," "projecting sign" or "wall sign", shall also be considered as "temporary portable signs".

\* Editor's Note: See Figures 8 and 9 of the Sign Diagrams, Part II, included at the end of this chapter.

**WALL SIGN** means a sign attached to or erected against the wall of a building, with the face in a parallel plane to the plane of the building wall, and projecting no more than fourteen (14) inches from the building wall.\*

\* Editor's Note: See Figure 10 of the Sign Diagrams, Part II, included at the end of this chapter.



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

**BLOCK** means the aggregate of private lots, passages, alleys and Lanes, circumscribed by public streets.

**BLOCK CORNER** means where two public streets meet on a Block.

**BLOCK FACE** means the aggregate of all the building facades on one side of a Block.

**BUILD TO LINE** means a line parallel to the street right-of-way line at any story level of a building and representing the minimum distance which all or any part of the building is set back from said right-of-way line. Front porches, stairs and handicap ramps may extend beyond the build-to line up to half their depth.

**CIVIC BUILDING** means a building operated by not-for-profit organizations dedicated to arts, culture, religion, education, recreation, government, transit, and municipal parking, or for use approved by the legislative body.

**CIVIC SPACE** means an outdoor area dedicated for public use.

**COMMON YARD** means a planted private frontage wherein the facade is set back from the front property line.

**FRONT** means the side of a property facing a public street.

**FRONTAGE** means the linear distance measured along the front lot line between the points of intersection with the side lot lines. "Frontage" along cul-de-sacs shall be the linear distance at the appropriate front yard building set back depth from the front lot line between the points of intersection with the side lot lines. For the purpose of measurement, lot "frontage" shall be continuous and measured along the joining boundary of the front lot line and a public right-of-way.

In the CBD it is the area between a building facade and the public street, inclusive of it's built and planted components.

**GALLERY** means a private frontage conventional for retail use wherein the facade is aligned close to the front property line with an attached cantilevered shed or lightweight colonnade overlapping the Sidewalk.

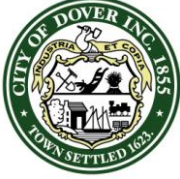
**GROUND FLOOR** means the street level floor of a structure.

**NEIGHBORHOOD STORE** is any retail store containing a maximum of 1500 sq ft of enclosed space with no on-site parking permitted or required.

**OUTBUILDING** means an accessory building, usually located toward the rear of the same lot as a principal building, and sometimes connected to the Principal Building.

**OFF STREET PARKING** means parking facilities located in city or privately owned lots and structures.

**PARAPET** means a low protective wall or railing along the edge of a raised structure such as a roof or balcony.



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

**PORCH AND FENCE** means a private frontage set back from the front property line with an attached porch permitted to encroach.

**PRINCIPAL BUILDING** means the main building on a Lot, usually located toward the Frontage

**PUBLIC ART** means works of art in any media that has been planned and executed with the specific intention of being sited or staged in the physical public domain, usually outside and accessible to all.

**PUBLIC SPACE** means open to public view or access.

**REAR** means the private back portion of a property.

**REGULATING PLAN** means a zoning map or set of maps that shows the sub-districts subject to regulation by the form based code.

**RIGHTS OF WAY** means the strip of land over which facilities such as highways, railroads, or power lines are built.

**SETBACK** means the area of a lot measured from the lot line to a building facade or elevation that is maintained clear of permanent structures, with the exception of allowed encroachments for stairs or porches.

**SHOPFRONT** means a private frontage conventional for retail use, with substantial glazing and an awning, wherein the facade is aligned close to the front property line with the building entrance at sidewalk grade.

**SIDEWALK** means the paved section of the public frontage dedicated to pedestrian activity, café seating, and other street furniture.

**SQUARE** means a civic space designed for unstructured recreation and civic purposes, spatially defined by building frontages and consisting of paths, lawns and trees.

**STOOP** means a private frontage wherein the facade is aligned close to the front property line with the first story elevated from the sidewalk for privacy, with an exterior stair and landing at the entrance.

**STREET** means a city thoroughfare for vehicle access.

**STREET FURNITURE** means benches and other structures incorporated into the streetscape for use by pedestrians.

**STREET LIGHTS** means pedestrian scale lighting incorporated into the streetscape and in parking facilities to promote safe travel during evening hours.

**STREET TREES** means canopy trees used to reinforce the area along vehicular streets where pedestrian activities are encouraged.

**STREET WALLS** means a freestanding wall built along the front property line. It may mask a parking lot from the street, provide privacy to a side yard, and/or strengthen the spatial definition of the public realm.



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

**STREETSCAPE** means the physical elements along a street including trees, benches, waste bins, and bike racks.

**TERRACE/LIGHTWELL** means a private frontage set back from the front property line by an elevated terrace or sunken lightwell which is permitted to encroach.

#### 4. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-7 “Establishment of Districts”, to read as follows:

“170-7. Establishment of districts. [Amended 3-30-83 by Ord. No. 5-83; 4-27-83 by Ord. No. 12-83; 10-26-88 by Ord. No. 18-88; 04-03-91 by Ord. No. 01-91; 09-16-92 by Ord. No. 23-92; 11-22-95 by Ord. No. 19-95]

The City of Dover is hereby divided into the following districts:

##### Residential

R-40 Rural Residential District

R-20 Low-Density Residential District

R-12 Medium-Density Residential District

~~RM-20~~ **SU** Suburban Density Multiresidential District

~~RM-12~~ ~~Low Density Multiresidential District~~

~~RM-40~~ ~~U~~ **Medium- Urban** Density Multiresidential District

~~RM-8~~ ~~High Density Multiresidential District~~

~~RM-6~~ ~~Urban Density Multiresidential District~~

##### Nonresidential

~~O~~ ~~Office District~~

B-1 Neighborhood Business District

~~B-2~~ ~~Central Business District~~

B-3 Thoroughfare Business District

B-4 Hotel/Retail District

B-5 ~~Rural~~ Commercial/Retail District [Added 11-22-95 by Ord. No. 19-95]

I-1 Restricted Industrial District

I-2 Rural Restricted Industrial District

I-4 Assembly and Office

ETP Executive and Technology Park

~~UMUD~~ ~~Urban Multiple Use District~~

~~CWD~~ ~~Cochecho Waterfront District~~

##### Mixed -Use

**O** **Office District**

**B-2** **CBD** **Central Business District**

CWD Cochecho Waterfront District



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

**Agenda Item#: 11.A.1.**

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

### Overriding

CD Conservation District

URD Urban Renewal District

GWP Groundwater Protection District

HWD Hazardous Waste Landfill District

RCM Residential-Commercial Commercial Mixed Use [Added 105-18-06 by Ord. 03-2006]

TDR Transfer of Development Rights [Added 04-03-91 by Ord. No. 01-91]

WPD Wetland Protection District”

### 5. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 as follows:

“The official Zoning Map of the City of Dover, New Hampshire, dated May 25, 1979, is amended by changing from Urban Multiple Use District (UMUD) to Medium Density Residential (R-12) an area of approximately 37.8 acres along Mill Street, Charles Street and a portion of Back River Road consisting of lots: 16-30, 16-30A, 16-32, 16,33, 16-34, 16-35, 16-36A, 16-11, 16-13, 16-13B, 16-13C, 16-14, 16-15, 16-15-1 and 16-15-2”

AND

“The official Zoning Map of the City of Dover, New Hampshire, dated May 25, 1979, is amended by changing from Urban Multiple Use District (UMUD) to Commercial/Retail (B-5) an area of approximately 11.3 acres located along Central Avenue and Charles Street, consisting of lots 16-1, 16-5, 16-6, 16-8, 16-9, 16-10, 16-2, 16-3, 16-7, 16-13A and 16-38”

AND

“The official Zoning Map of the City of Dover, New Hampshire, dated May 25, 1979, is amended by changing from Low-Density Residential (R-20) to Commercial/Retail (B-5) an area of approximately 11.5 acres located along Central Avenue consisting of lots 15-2A, 15-3, 15-4 and 15-6”

AND

“The official Zoning Map of the City of Dover, New Hampshire, dated May 25, 1979, is amended by changing from Restricted Industrial (I-1) to Commercial/Retail (B-5) an area of approximately 1.5 acres located along Central Avenue and Locust Street consisting of lots 15-19 and 15-20”

AND

“The official Zoning Map of the City of Dover, New Hampshire, dated May 25, 1979, is amended by changing from Thoroughfare Business (B-3) to Commercial/Retail (B-5) an area of approximately 5.3 acres located along Central Avenue consisting of lots 15-71, 17-76, and 17-76E”



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

**Agenda Item#: 11.A.1.**

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-8 “Zoning Map”, to read as follows:

“The location and boundaries of the Zoning Districts are hereby established as shown on a map entitled "Zoning Map of the City of Dover, New Hampshire"\*, dated ~~May 25, 1979~~ **July \*, 2009**, which accompanies and is hereby declared to be part of this chapter.”

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by replacing any use of the phrase “May 25, 1979” in reference to the zoning map with “**July \*, 2009**”.

### 6. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

“The official Zoning Map of the City of Dover, New Hampshire, dated May 25, 1979, is amended by changing from Low-Density Multiresidential District (RM-12) to Suburban Density Multiresidential District (RM-SU) an area of approximately 364.25 acres located along areas of Spur Road, Garrison Road, Shaws Lane, Leathers Lane, and McKenna Drive, consisting of lots I-1N, I-1NA, I-1Q, I-2A, I-2A-1, I-2A-2, I-2B, I-2C, I-2D, I-2E, I-2F, I-2G, I-2G-1, I-2G-2, I-2H, I-2I, I-2J, I-3, I-3A, I-3B, I-4B, I-69, I-69A, I-69B, I-69C, I-70, I-70A, I-70B, I-70C, I-71, I-72, I-73, I-73A, L-50, L-48G, L-49A, L-50, L-51 and L-52”

AND

“The official Zoning Map of the City of Dover, New Hampshire, dated May 25, 1979, is amended by changing from High-Density Multiresidential District (RM-8) to Urban Density Multiresidential District (RM-U) an area of approximately 125.4 acres located along Whittier Street, Washington Street and Portland Avenue, Plaza Drive, Northway Circle, Park Street, New York Street, Hill Street, Ham Street, and others in vicinity thereof consisting of lots E-65C, E-66, E74A, 4-58, 4-59, 4-60, 4-61, 4-62, 4-63, 4-64, 4-65, 4-65A, 4-66, 4-67, 4-68, 4-69, 27-1\*, 27-2\*, 27-3\*, 27-4\*, 27-5\*, 27-6\*, 27-8\*, 27-11, 27-12, 27-13, 27-14, 27-15, 27-16, 27-17, 27-19, 27-20, 27-21, 27-22, 27-23, 27-24, 27-25, 27-26, 27-27, 27-28, 27-28B, 27-29, 27-30, 27-31, 27-32, 27-33, 27-34, 27-35, 27-36, 27-37, 27-38, 27-39, 27-40, 27-41, 27-42, 27-43, 27-44, 27-45, 27-46, 27-47, 27-48, 27-49, 27-50, 27-51, 27-52, 27-54, 27-55, 27-56, 27-57, 27-58, 27-59, 27-60, 27-77, 27-78, 27-79, 27-80, 27-81, 27-82, 27-82A, 27-83, 27-84, 27-85, 27-86, 27-86A, 27-87, 27-88, 27-89, 27-89A, 27-9, 27-90, 27-90A, 27-90B, 27-91, 27-92, 27-93, 27-94, 27-95, 27-96, 27-97, 27-98, 27-99A, 27-99B, 27-100, 27-102, 27-103, 27-104, 27-105, 27-106, 27-107, 27-108, 27-109, 27-110, 27-111, 27-112, 27-113, 27-114, 27-115, 27-116, 27-117, 27-118, 27-119, 27-120, 27-121, 27-122, 27-123, 27-124, 27-124A, 27-125, 27-125, 27-125A, 27-125B, 27-125C, 27-126, 27-128, 27-129, 27-130, 27-131, 27-132, 27-133, 27-134, 27-135, 27-136, 27-137, 27-138, 27-139, 27-140, 27-143\*, 27-144\*, 27-145\*, 27-146\*, 27-147\*, 27-148\*, 27-149\*, 27-150\*, 27-190, 27-191, 27-192, 27-193, 27-194, 27-195, 27-196, 27-197, 27-198, 27-199, 27-200, 27-201, 27-206,



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

**Agenda Item#: 11.A.1.**

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

27-207, 27-208, 27-211, 27-212, 27-213, 27-214, 27-215, 27-216, 27-217 33-1, 33-1A, 33-2, 33-3, 33-4, 33-57, 33-58, 33-59, 33-59A, 33-60, 33-61, 33-61A, D-80\*, D-79-1\*, 31-100, 31-101, 31-101A, 31-102, 31-103\*, 31-104, and 31-104A”

\* = only that portion of the lot within the RM-8 district will be affected.

### 7. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

“The official Zoning Map of the City of Dover, New Hampshire, dated May 25, 1979, is amended by changing from Urban Multiple Use District (UMUD) to Central Business District (CBD) an area of approximately 12.5 acres located along Washington Street and Main Street, consisting of lots 2-37, 2-37A, 3-63, 3-63A, 3-63B, and 23-14”

AND

“The official Zoning Map of the City of Dover, New Hampshire, dated May 25, 1979, is amended by changing from Cochecho Waterfront District (CWD) to Central Business District (CBD) an area of approximately 10.3 acres located along Main Street, Cochecho Street and Portland Avenue consisting of lots 23-1, 23-2, 23-3, 23-4, 23-5, 23-7, 23-8, 23-9, 23-10, 23-11, 24-139, 24-140, 24-141 and 24-142”

AND

“The official Zoning Map of the City of Dover, New Hampshire, dated May 25, 1979, is amended by changing from Office (O) to Central Business District (CBD) an area of approximately 15.25 acres located along Silver Street and Locust Street consisting of lots 9-1, 9-2, 9-3, 9-4, 9-39, 9-40, 9-41, 9-42, 9-43, 9-44, 9-45, 9-46, 9-47, 9-48, 9-53, 9-53A, 9-54, 9-55, 9-56, 9-57, 9-76, 9-77, 9-85, 9-86, 9-87, 9-88, 9-89, 9-90, 9-91, 9-92, 9-93, 9-94, 9-95, 9-96, 9-97, 9-107, 9-108, 9-109, 9-116 9-117, and the portion of 30-114 and 30-115A that are within the Office District”

AND

“The official Zoning Map of the City of Dover, New Hampshire, dated May 25, 1979, is amended by changing from Urban Density Multiresidential District (RM-6) to Central Business District (CBD) an area of approximately 13.5 acres located along Washington Street and Chestnut Street consisting of lots 1-25, 1-37, 1-38, 1-40, 1-41, 1-42, 1-43, 1-44. 10-41, 10-43, 10-44 and 1 -45”

AND

“The official Zoning Map of the City of Dover, New Hampshire, dated May 25, 1979, is amended by changing from High Density Multiresidential District (RM-8) to Central Business District (CBD) an area of approximately 55.2 acres located along Third Street, Fourth Street, Fifth Street, Lincoln Street, Grove Street, Sixth Street, Prebble Street, Twombly Street, Pierce Street, Broadway,



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

**Agenda Item#: 11.A.1.**

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

**Posted June 23, 2009**

**Revised August 11, 2009**

Washington Street, George Street, Henry Law Avenue and Central Avenue consisting of lots 3-46, 3-47, 3-49, 3-50, 3-51, 3-52, 3-53, 3-54, 4-10, 4-11, 4-12, 4-13, 4-14, 4-34, 4-35, 4-36, 4-37, 4-38, 4-40, 4-41, 4-42, 4-43, 4-44, 4-45, 4-46, 4-47, 4-48, 4-49, 4-50, 4-52, 4-53, 4-54, 4-55, 4-56, 23-15, 23-27, 23-28, 23-29, 23-30, 23-31, 23-32, 24-25, 24-26, 24-27, 24-27A, 24-28, 24-29, 24-30, 24-31, 24-32, 24-33, 24-34, 24-35, 24-36, 24-37, 24-38, 24-39, 24-40, 24-41, 24-42, 24-43, 24-44, 24-45, 24-45-A, 24-46, 24-47, 24-48, 24-49, 24-50, 24-51, 24-52, 24-53, 24-54, 24-55, 24-56, 24-59, 24-60, 24-60A, 24-60B, 24-61, 27-61, 24-57, 24-58, 31-2, 31-3, 31-3A, 31-, 4A, 31-15, 31-16, 31-17, 31-18, 31-19, 31-19A, 31-20, 31-21, 31-23, 31-27, 31-27A, 31-28, 31-29, 31-30, 31-31, 31-32, 31-34, 31-35, 31-36, 31-40, 31-40A, 31-41, 31-42, 31-47, 31-48, 31-49, 31-50, 31-51, 31-52, 31-52A, 31-53, 31-53A, 31-53B, 31-54, 31-55, 31-57, 31-58, 31-59, 31-60, 31-61, 31-62, 31-63, 31-64, 31-65, 31-66, 31-67, 31-68, 31-72, 31-73, 31-74, 31-75, 31-76, 31-79, 31-80, 31-80-A, 31-81, 31-82, 31-83, 31-84, 31-85, 31-86, 31-87, 31-88, 31-89, 31-90, 31-91, 31-92, 31-93, 31-94, 31-95, 31-96, 31-97, 31-98, 31-99, 31-99A, 31-37, 31-22, 31-39 , 31-69, 31-4D and 31-21”

AND

“The official Zoning Map of the City of Dover, New Hampshire, dated May 25, 1979, is amended by changing from Medium Density Multiresidential District (RM-10) to Central Business District (CBD) an area of approximately ~~47-25~~ **11.00** acres located along Sixth Street, St Thomas Street, Court Street and Central Avenue consisting of lots 9-53A\*, 9-54\*, 9-55\*, 9-57\*, ~~12-32, 12-33, 12-39, 12-40, 12-41, 12-42, 12-43, 9-59, 12-75, 12-76, 12-77, 12-78, 12-79, 12-80, 12-82, 12-83, 12-31, 12-42-1, 12-42-3, 12-42-4, 12-42-5, 12-42-6, 20-23, 20-24, 20-25, 20-26, 20-27, 20-28, 20-30, 20-31, 20-32 20-51, 20-52, 20-53, 20-55B, 20-58,59, 20-76, 20-77, 23-15\*, 30-113, 30-114\*, 30-115A\*, 30-71, 30-72, 30-88, 30-89, 30-90, and 30-91”~~

\* = only those portions within the RM-10 zone are being adjusted.

AND

“The official Zoning Map of the City of Dover, New Hampshire, dated May 25, 1979, is amended by changing from Thoroughfare Business (B-3) to Central Business District (CBD) an area of approximately 3 acres located along Broadway consisting of lots 27-62, 27-63, 27-64, 27-65, 24-2HA\*, 24-21\*, 24-2A\*, and 24-2E”

\* = only those portions within the B-3 zone are being adjusted.

AND

“The official Zoning Map of the City of Dover, New Hampshire, dated May 25, 1979, is amended by changing from High Density Multiresidential District (RM-8) to ~~Medium Density Multiresidential District (RM-10)~~ **Urban Density Multiresidential District (RM-U)** an area of approximately 2.3 acres located along River Street and Henry Law Avenue consisting of lots 22-3\*, 22-6\* and 22-9\*”

\* = only those portions within the RM-8 zone are being adjusted.



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

AND

“The official Zoning Map of the City of Dover, New Hampshire, dated May 25, 1979, is amended by changing from Office (O) to ~~Medium Density Multiresidential District (RM-10)~~ **Urban Density Multiresidential District (RM-U)** an area of approximately 2.4 acres located along ~~River Street and Henry Law Avenue and Nelson Street~~ consisting of lots 9-5, 9-6, 9-7, 9-37, 9-38, 9-49, 9-51, 9-52 and 9-48A”

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Article 170-8 "Zoning Map" by amending as follows:

“170-8. Zoning Map.

**A.** The location and boundaries of the Zoning Districts are hereby established as shown on a map entitled "Zoning Map of the City of Dover, New Hampshire"\*, dated May 25, 1979, which accompanies and is hereby declared to be part of this chapter.

**B.** For the purposes of the delineation of the Central Business District (CBD) the location and boundaries of sub districts are hereby established as shown on a map entitled “Regulating Plan for the CBD Zone”\*\* dated July \*, 2009, accompanies and is hereby declared to be part of this chapter.”

AND

“\*\* EDITOR'S NOTE: SAID REGULATING PLAN IS ON FILE IN THE OFFICE OF THE PLANNING DEPARTMENT, WHERE IT MAY BE EXAMINED DURING REGULAR BUSINESS HOURS.”

### 8. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by adding section 170-10.1 to read as follows:

“170-10.1 Central Business District Regulations

**A. Purpose and Intent**

The City of Dover Central Business District (CBD) follows the premises of context sensitive zoning. This form based code is intended to foster a vital main street both for itself and for its adjacent neighborhoods through a lively mix of uses—with shopfronts, sidewalk cafes, and other commercial uses at street level, overlooked by canopy shade trees, upper story residences and offices.

Redevelopment within the Central Business District (CBD) shall be regulated by this form based code, in order to achieve the City’s vision set forth in the 2007 update to the Land Use Chapter of the Master Plan, adopted by the Planning Board on November 13, 2007.



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

The form based code was developed through a citizen-based discussion process regarding the design for the improvement of all properties in the Central Business District. designated areas. To allow further refinement consistent with individual areas, the district has been divided into sub-districts, with special requirements for each sub-district to allow for context sensitive development along corridors and neighborhoods alike.

All of the areas within the CBD share a common goal of increased emphasis on the form and placement of structures, and a decreased emphasis on the function(s) contained within them. As such this ordinance sets careful and clear controls on building form— with broader parameters on building use—so as to shape clear, attractive public spaces (good streets, neighborhoods and parks) with a healthy mix of uses. With proper urban form, a greater integration of building uses is natural and comfortable.

Wherever there appears to be a conflict between the form based code and other sections of the Zoning Ordinance (as applied to a particular development), the requirements specifically set forth in this section shall prevail. For development standards not covered herein, the other applicable sections in the City of Dover Code shall be used as the requirement.

### **B. Conditional Use Permit**

1. Conditional use approval for relief from the standards herein may be granted by the Planning Board (RSA 674:21 II) after proper public notice and public hearing provided that the proposed project complies with the following standards:
  - a. That both public and private buildings and landscaping shall contribute to the physical definition of RIGHTS OF WAY as CIVIC SPACES.
  - b. That development shall adequately accommodate automobiles, while respecting the pedestrian and the spatial form of public areas.
  - c. That the design of streets and buildings shall reinforce safe environments, but not at the expense of accessibility.
  - d. That architecture and landscape design shall grow from local climate, topography, history, and building practice.
  - e. That buildings shall provide their inhabitants with a clear sense of geography and climate through energy efficient methods.
  - f. That CIVIC BUILDINGS and public gathering places shall be provided as locations that reinforce community identity and activity.
  - g. That CIVIC BUILDINGS shall be distinctive and appropriate to a role more important than the other buildings that constitute the fabric of the city.
  - h. That the preservation and renewal of historic buildings shall be facilitated.
  - i. That the harmonious and orderly evolution of urban areas shall be secured through the adoption of these regulations.



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

2. Conditional use approval shall be subject to a formal agreement between the Planning Board and the applicant. Said agreement shall be recorded at the Strafford County Registry of Deeds.

### C. Sub-districts

1. The **REGULATING PLAN** for the CBD shall locate the boundaries for the following sub-districts:
  - a. Commercial
  - b. Mixed Use
  - c. Residential

### D. Standards and regulations

1. The standards for use and dimensions to be utilized within the CBD are shown on the tables at the end of the section. Included in each table are the following areas:
  - a. District Purpose
  - b. Lot Occupation Regulations
  - c. Diagram of Building Height
  - d. Diagram of Build To Lines
  - e. Special Regulations
  - f. Permitted Uses
2. Where buildings exist on LOTS adjacent to a proposed building, the proposed building may match the more conforming of the adjacent buildings' SETBACKS and heights rather than match the provisions of this code, through the issuance of a conditional use permit.
3. The goal of the Building Height and Build to Line standards is the creation of a healthy and vital public realm through good STREET space.
  - a. General Guiding Principles
    1. Buildings are aligned and close to the STREET.
    2. The STREET is a coherent space, with consistent building forms on both sides of the STREET, creating a clear public space and community identity.
    3. Buildings oversee the STREET (and SQUARE) with active fronts contributing to a vital and safe public space.
    4. Property lines are physically defined by buildings or STREET WALLS.
    5. Buildings are designed for an urban feel and situation. Views are directed to the STREET and the garden/courtyard, not toward the neighbors. However within the street wall alcoves or small courtyards are permitted to allow for seating and public access
    6. Vehicle storage, garbage and mechanical equipment are kept away from the STREET.
    7. Within the Commercial, and Mixed Use sub-districts, new retail and commercial activities are located on the GROUND FLOOR. Residential activity is not.



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

8. **Parking (not including on-street parking)** should be away from the **STREETS** and shared by multiple owners/users.
9. **Historic character** should be preserved and enhanced by context sensitive construction

### **E. STREETSCAPE**

1. The **CBD** sites shall be developed so that buildings are placed at or near the **STREET**, along the outer edge of their sites and so as to ensure the unity of those **STREETS**. Furthermore, the standards demonstrate the relationship between the **STREET** and **LOTS**. Finally, these standards establish an environment that encourages and facilitates pedestrian activity.
2. **General Principles and Intent**
  - a. **The STREETSCAPE**
    1. The **STREET** and building façade receives more attention than the rest of the building.
    2. **STREETSCAPE** elements, such as brick pavers, benches and waste-bins must be consistent within a project and adjacent properties.
    3. **PUBLIC ART** is encouraged.
  - b. **FRONTS AND REARS**
    1. Building facades are the public "face" of every building. Owners are encouraged to place planters and window boxes with flowering plants and/or climbing vines along the area in front of their buildings.
    2. The private, rear portions of the **LOTS** allow commercial operators to utilize these spaces as efficient working environments unseen by the public and allow residents to have private and semi-private (for apartment and condominium buildings) open space.
  - c. **OFF STREET PARKING**
    1. Parking provided for a project shall be screened from the **STREET**.
    2. Parking shall be considered accessory and shall not be the principal use of a lot.
3. **Minimum Standards**

Unless sub-district tables indicate additional or replacement regulations, development shall follow the regulations outlined below:

#### **a. The STREETSCAPE**

1. Each **STREET** shall have canopy shade trees (**STREET TREES**). **STREET TREES** shall be planted at an average spacing not greater than 25 to 30 feet on center (measured per **BLOCK FACE**). The planting area's minimum dimension shall be not less than 5 feet. At planting, trees shall be at least 4 to 4.5 inches in diameter (4 feet above grade) and at least 12 feet in overall height.



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

2. Any unpaved ground area fronting the LOTS (to the curb) shall be planted with groundcover or flowering vegetation.

**b. SIDEWALKS**

1. Sidewalks shall be a minimum of 5 feet wide

**c. STREET FURNITURE**

1. Benches - Benches will have backs and arm rests.

- a. For each project, one (1) bench will be provided for every 100 feet of FRONTAGE on a project.

2. Waste Bins - At a minimum, one (1) waste bin will be provided at each BLOCK CORNER.

3. Bike Racks – At a minimum, one (1) bike rack shall be required per non-residential project.

**F. Architectural Standards**

The following standards are optional and may be utilized by the APPLICANT. An APPLICANTS election not to submit to architectural standards shall not adversely prejudice the application.

**1. General Principles and Intent**

**a. Tradition**

1. These standards favor buildings that are traditional in design in a broad sense. They specify an architectural language of load-bearing walls and regional materials that help define building base and cornice. These standards encourage details, such as column and pier spacing, window proportions, entry level, roof or cornice configurations, storefronts, and overhangs.

2. The intent behind these standards is to reinforce the existing character and historic nature of Dover's central business district. However, modern buildings that are sensitive to that character may be permitted as well

3. All building materials to be used shall express their specific properties. For example, stronger and heavier materials (masonry) support lighter materials (wood).

**b. Energy Efficiency and Environmental Conservation**

1. LEED (Leadership in Energy and Environmental Design) standards, or an equivalent standard (or such others as may succeed them), are encouraged to be incorporated into the building design.

**c. PUBLIC SPACE**

1. Many of these standards apply only in conditions that enhance and define the PUBLIC SPACE. These controls concentrate on the public space/views from the public space and minimize interference in the private realm.

**2. Building Walls (Exterior)**

- a. Building walls should reflect and complement the traditional materials and techniques of Dover's architecture. They should express the construction techniques and structural constraints of traditional, long-lasting, building materials. Simple configurations and solid



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

craftsmanship are favored over complexity and ostentation in building form and the articulation of details. All building materials to be used shall express their specific properties. For example, heavier more permanent materials (masonry) support lighter materials (wood).

- b. Building materials shall be context sensitive and shall reflect a consistency to be found within the sub-district.
  1. Brick, stone or masonry building materials are encouraged for exterior walls.

### 3. Roofs and PARAPETS

- a. Roofs and PARAPETS should demonstrate a commonsense recognition of the climate by utilizing appropriate pitch, drainage, and materials.
- b. Buildings without visible roof surfaces and overhanging eaves may have a cornice projecting horizontally between 6 and 12 inches beyond the building walls. For buildings three stories or taller, the cornice projection shall increase an additional 6 to 12 inches per **STORY**.
- c. Skylights and roof vents are permitted only on the roof plane opposite the primary **STREET** or when shielded from the **STREET** view by the building's **PARAPET** wall.
- d. Overly elaborate, “postmodern” and/or “high-tech” designs are discouraged. However, ornamentation which contributes to the character of the building is encouraged. Building designs need to reflect the adjacent massing. Ornamentation should be consistent with that used in the neighborhood of buildings to reinforce the fabric and richness of the community.
- e. Green roof technologies are encouraged. Vegetative cover should be considered for flat roofs and solar panels should be considered for integration into pitched roof structures.

### 4. Street Walls

- a. **STREET WALLS** establish a clear edge to the **STREET** in locations where the buildings do not. The **CBD** requirements include masonry walls that define outdoor spaces and separate the **STREET** from the private realm (parking lots, trash cans, gardens, and equipment). All **STREET WALL** facades shall be as carefully designed as the building façade, with the finished side out, i.e. the “better” side facing the **STREET**.

### 5. Windows and Doors

- a. Windows should be divided by multiple panes of glass. This helps the window “hold” the surface of the façade, rather than appearing like a “hole” in the wall (an effect produced by a large single sheet of glass).

### 6. Lighting and Mechanical Equipment

- a. Materials and equipment chosen for lighting fixtures should be durable, energy efficient and weather well. Appropriate lighting is desirable for nighttime visibility, crime deterrence, and decoration. However, lighting that is too bright or intense creates glare, hinders night vision, and creates light pollution.



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

### b. STREET LIGHTS:

1. In order to minimize light pollution, light should be directed downward to the immediate area being lighted and away from any living quarters.
2. Lights shall be located 16 feet above grade with a maximum average spacing (per **BLOCK** face) of 60 feet on center
3. At the front of the building, exterior lights shall be mounted between 6 feet and 14 feet above the adjacent grade.
4. Floodlights or directional lights (maximum 75-watt bulbs) may be used to illuminate parking garages and working (maintenance) areas, but must be shielded or aimed in such a way that they do not shine into other **LOTS**, or the **STREET**.
5. Floodlighting shall not be used to illuminate building walls (i.e. no up-lighting), except in the Mill sub-district.
6. Site lighting shall be of a design and height so as to illuminate only the **LOT**.
7. No flashing, traveling, animated, or intermittent lighting shall be visible from the **STREET** on the exterior of any building, whether such lighting is of temporary or long-term duration.

### c. Mechanical Equipment

1. The following shall not be stored or located within any **STREET**, and be screened from view from the **STREET** :
  - a. Air compressors, mechanical pumps, exterior water heaters, water softeners, utility and telephone company transformers, meters or boxes, garbage cans, storage tanks, and the like may not be stored or located within any area considered a front yard under this Code.
2. Roof mounted equipment shall be screened from view from the **STREET**.

### G. Incentives for Architectural Standards

1. Any plan that demonstrates reasonable use of the optional architectural standards defined in section F, may apply for the following incentives:
  - a. Fast track review  
The Planning Director shall give preference to projects in setting the Planning Board agendas and in other review processes.
2. Reasonable use shall be considered demonstration of at least six of the criteria or items mentioned under section F. These criteria/items will be listed on a waiver application form.

### H. Administration

1. The **CB** district exists like every other district and development within is intended to be reviewed and approved as any other district. Any appeals of this section shall be treated as any other zoning appeal and shall be directed to the **Zoning Board of Appeals** (as outlined in 170 – 52). Projects submitted shall follow the process outlined with Chapter 149, Site Plan Review, of the City of Dover Code.



CITY OF DOVER

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

2. Any redevelopment within the CBD is exempt from Wetlands Regulations as described and administered in this Chapter.”

### 9. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Article IV, USES; TABLES, as follows:

#### “ARTICLE IV USES; TABLES

##### 170-11. Use Regulations.

Except as herein provided, no building or land shall be used except for the purposes permitted in the district as described in this Article.

- A. Uses permitted by right. A use listed in the Tables of Use **and Dimensional** Regulations **By District** is permitted as a matter of right in the district in which it is **listed** ~~denoted by the letter "P"~~, subject to the rules set forth in this Chapter and other sections of the Code of the City of Dover.
- B. Uses permitted by right, with conditions imposed. A use listed in the Tables of Use **and Dimensional** Regulations **By District** and denoted ~~with~~ **by** a numerical reference number (footnote) indicates a use that is permitted by right only when in compliance with certain imposed conditions. ~~(Refer to the Footnotes – Conditions Imposed section immediately following the Table of Use Regulations.)~~
- C. Uses permitted by special exception. A use listed in the **Uses Via Special Exception** section of the Tables of Use **and Dimensional** Regulations **By District** and denoted by the letter "S"; may be permitted as a special exception granted by the Board of Adjustment in accordance with the conditions of Article VI and 170-52 herein and in conformance with such other rules and regulations as may apply. The **Special Exception** designation "S" in a given district does not constitute an authorization of an assurance that such use will be permitted.
- D. Uses not permitted. A use ~~not listed~~ ~~designated as "-"~~ in the Tables of Use **and Dimensional** Regulations **By District** shall not be permitted in the district.
- E. Planning Board Site Review Approval. The following development/redevelopment shall be subject to the rules and regulations contained in the Site Review Ordinance of the City of Dover\*: **[Amended 08-01-90 by Ord. No. 8-90]**
- (1) All non-residential development or redevelopment.
  - (2) All multi-family residential uses wherein more than five (5) units are proposed for development.
  - (3) All mobile home parks.
  - (4) Any Change of Use as defined in Chapter 149, Site Review Ordinance.

\* Editor's Note: See Ch. 149, Site Review.



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

F. Overriding district regulations. All uses are subject to the regulations of the overriding districts as listed and defined in this Chapter. (Refer to Article VII.)

### 170-12. Applicability of Tables of Use **and Dimensional** Regulations **By District.**

A. Uses permitted in those zoning districts identified in 170-7 shall be as set forth in the following Tables of Use **and Dimensional** Regulations **By District:** ~~Table I, Principal Uses, and Table II, Accessory Uses.~~\*\*

**B. The minimum regulations for lot size, lot frontage, building setback standards for front, side and rear yards, building heights, and lot coverage shall be as specified in the Tables of Use and Dimensional Regulations By District.\*\***

\*\* **Editor's Note: The Tables of Use and Dimensional Regulations By District are ~~consisting of Table I, Permitted Uses, and Table II, Accessory Uses,~~ is included at the end of this chapter.**

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-20 "Mobile Home parks." to read as follows:

**"170-20 Reserved"**

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-21 "Livestock, poultry and swine." to read as follows:

**"170-21 Reserved"**

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-22 "Barber- and beauty shops." to read as follows:

**"170-22 Reserved"**

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-23 "Gasoline and auto service stations." to read as follows:

**"170-23 Reserved"**



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-24 “Junkyards.” to read as follows:

“170-24 **Reserved**”

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-25 “Roadside Stands.” to read as follows:

“170-25 **Reserved**”

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by deleting Chapter 170-25. 1 “Three- and four-family dwellings” in its entirety.

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by deleting Chapter 170-25. 2 “Industrial Building Heights.” in its entirety.

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by deleting Chapter 170-25.3 “Elderly Assisted Care Home.” in its entirety.

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by deleting Chapter 170-25.4 “Congregate Care Facility.” in its entirety.

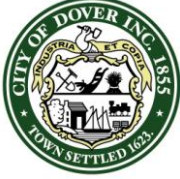
AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by deleting Chapter 170-25.5 “Nursing Home” in its entirety.

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by deleting Chapter 170-25.6 “Group Home for Minors” in its entirety.

AND



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

**Agenda Item#: 11.A.1.**

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by deleting Chapter 170-25.7 “Adult Bookstore and/or Video Store, Adult Cabaret” in its entirety.

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by deleting Chapter 170-25.8 “Helicopter Take Offs and Landings” in its entirety.

AND

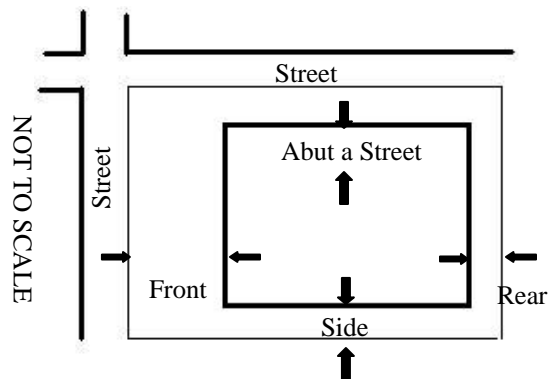
Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by deleting TABLES OF USE AND DIMENSIONAL REGULATIONS, Table I, Part A, B, C1, C2, D, E, and F; Table II; Table of Dimensional Regulations; and Sign Review and Regulation Table, and replacing them with the following Tables of Use and Dimensional Regulations By District:

**INSERT TABLES**

## Rural Residential (R-40) District

The information included in this Table represents the requirements for development in this District.

<b>LOT OCCUPATION (1) (2)</b>	
Min. Lot Size (3) (4)	40,000 sf
Frontage (feet)	150 ft
Lot Coverage	10%
<b>SETBACKS - PRINCIPAL BUILDING (FEET)</b>	
Front/ Abut a Street	40
Side	25
Rear	30
<b>OUTBUILDING/ACCESSORY USE SETBACKS (FEET)</b>	
Front/ Abut a Street	40
Side Setback	10
Rear Setback	10
<b>BUILDING HEIGHT (FEET)</b>	
Principal Building	35
Outbuilding	35



The principal structure shall be distanced from the lot lines as shown.

<b>Sign Regulations</b>	
Total Sign No.	1
Maximum Sign Area	16 sf*
* Cust. Home Occupation Sign Max 2 Sf a Development Identification sign may be 20 sf	
<b>SETBACKS - Freestanding Sign</b>	
Sign	10'
<b>Sign Type</b>	<b>Allowed</b>
Freestanding	Yes
Projecting	Yes
Wall/Awning	No
Temporary	No

Permitted Uses
1 Family Dwelling
2 Family Dwelling (5)
3 To 4 Family Dwelling (5)
Mobile Home Unit (6)
Conversion of Existing Dwelling to Accommodate not more than 2 units (7)
Agriculture, Horticulture and Floriculture
Greenhouse, Retail Sale of Agricultural or Farm Products Raised on Site
Farm, Livestock, Poultry and Swine (8)
Veterinary Office, Animal Hospital or Kennel (9, 10)
Bank (11)
Beauty and Barber Shop (11)
Bed and Breakfast
Country Club (12)
Drive-In Theater
Farm Produce (8)
Gravel Pit (12)
Office (13) (11)
Personal Service Establishment (11)
Recreational Camp
Theater (11)
Wholesaling of Farm Products (12)
Adult Day Care (11)
Child Care Facility
Church
Clinic
Educational Institution, K-12
Hospital
Public Recreation
Public Utility

Uses Via Special Exception ( see 170-52)
Mobile Home Park (SEE OVER)
Junkyard (12)
Congregate Care (SEE OVER)
Educational Institution, Post Secondary
Elderly Assisted Care (SEE OVER)
Nursing Home (SEE OVER)
Helicopter Take Offs & Landings (SEE OVER)

- [1] In the case of an Open Space Subdivision, in accordance with Article IV of Chapter 155 of the Code of Dover, the dimensional requirements shall be as specified in  $\mu$  155-22 of the Code of the City of Dover, 1983. [Added 6-10-87 by Ord. No. 13-87]
- [2] Refer to  $\mu\mu$  170-13 and 170-14 for exceptions to lot size, frontage and setback requirements.
- [3] All land containing wetlands shall not be counted in determining the gross land area of a lot for the purposes of minimum lot size or minimum density requirements for residential uses. The minimum non-wetland portion of any newly created lot shall be contiguous. For the purposes of this calculation, wetlands shall include areas that meet the definition of wetland in the NH Code of Administrative Rules – Wt. 101.87 and the 1987 Federal Manual For Identifying Jurisdictional Wetlands. [Amended 1-22-2003 by Ord. No. 35]. Wetland buffers shall only be allowed to count for 40 percent of the minimum lot size required.
- [4] Refer to Chapter 155, Subdivision of Land, Article IV for the minimum lot size for a major Subdivision. In an R-40 district, any major subdivision must follow the procedures for an Open Space Subdivision (OSS). [Amended 1-22-2003 by Ord. No. 35]
- [5] Use is allowed when included within an Open Space Subdivision with commercial components. (See 155.22 section 7). [Added 1-22-2003 by Ord. No. 35].
- [6] Provided that mobile homes are placed within mobile home subdivisions. Installation of mobile homes shall be contingent upon the Building Inspector's certification that such units comply with Department of Housing and Urban Development Mobile Home Construction Standards (1976), and the placement of such units shall be on a continuous masonry foundation (frostwall - floating slab). [Amended 6-22-83 by Ord. No. 19-83]
- [7] Any dwelling unit existing on or before May 27, 1964, may be converted, provided that the lot shall contain at least four thousand (4,000) square feet per dwelling unit and a minimum floor area of five hundred (500) square feet per dwelling unit.
- [8] Where livestock, poultry and swine are raised and boarded, shelters to house said animals shall not be less than one hundred (100) feet from any property boundary
- [9] Shelters and runs used to house and/or contain animals shall be no closer than one hundred (100) feet from any property line and must support a minimum tract size of one hundred thousand (100,000) square feet. [Amended 8-1-90 by Ord. 8-90]
- [10] Veterinary Office, Animal Hospital uses are allowed as a commercial component to an Open Space Subdivision. (See 155.22 section 7) . [Added 1-22-2003 by Ord. No. 35].
- [11] Use is allowed as a commercial component to an Open Space Subdivision. (See 155.22 section 7) . [Added 1-22-2003 by Ord. No. 35].
- [12] Use is not allowed as a commercial component to an Open Space Subdivision. (See 155.22 section 7). [Added 1-22-2003 by Ord. No. 35].
- [13] Permitted only if operated as a customary home occupation (Refer to definition in  $\mu$  170-6B)

**SPECIAL EXCEPTION CRITERIA**

**Junkyard.**

A junkyard may only be permitted upon the determination that the property values of land adjacent to such use will not be compromised. Conditions may include but not be limited to the provision of adequate and properly maintained screening around land so used.

**Mobile home parks.**

Mobile home parks shall be subject to the following regulations:

- A. The proposed park must conform to the Mobile Home Chapter of the Code (Ch. 126, Mobile Home Parks)
- B. All plans for the proposed mobile home park must have been granted preliminary approval from the Dover Planning Board.
- C. A determination by the Zoning Board of Adjustment that the proposed mobile home park will not adversely affect overall land values in the neighborhood.
- D. A determination by the Zoning Board of Adjustment that the proposed mobile home park will not result in the creation of hazardous traffic conditions.

**Elderly Assisted Care Home. [Added 09-15-93 by Ord. No. 19-93]**

Elderly Assisted Care Home is allowed by Special Exception in accordance with the densities and provisions stated below:

- A. Elderly Assisted Care Homes larger than 6 bedrooms shall meet the following density requirements: In the R-40 District in areas not serviced by City water and sewer utilities at a density of one bedroom per 10,000 sq. ft. of land; in the R-40 District in areas serviced by City water and sewer utilities at a density of one bedroom per 7,500 sq. ft.;
- B. Provided that parking and service areas are screened from abutting residential uses.
- C. Notwithstanding the above requirements, the maximum number of bedrooms and residents allowed in a facility may be increased provided the increase is found not to be detrimental to the surrounding properties and conforms with parking standards in Chapter 170-44 (Off Street Parking). Furthermore, any increase to an existing structure must be contained within or contiguous to the original structure. [Added 01-22-03 by Ord. No. 35-02]

**Congregate Care Facility. [Added 09-15-93 by Ord. No. 19-93]**

Congregate Care Facility is allowed as a Special Exception in accordance with the density and provisions stated below:

- A. In the R-40 District in areas not serviced by City water and sewer utilities at a density of one unit per 10,000 sq. ft. of land; in the R-40 District in areas serviced by City water and sewer utilities at a density of one unit per 7,500 sq. ft. of land;
- B. Provided that parking and service areas are screened from abutting residential uses.

**Nursing Home. [Added 09-15-93 by Ord. No. 19-93]**

Nursing Home is allowed as a Special Exception in accordance with the density and provisions stated below:

- A. In the R-40 District in areas not serviced by City water and sewer utilities at a density of one bedroom per 10,000 sq. ft. of land; in the R-40 District in areas serviced by City water and sewer utilities at a density of one bedroom per 7,500 sq. ft. of land;
- B. Provided that parking and service areas are screened from abutting residential uses.

**Helicopter Take offs and Landings**

Helicopter take offs and landings are allowed as a special exception subject to the following conditions:

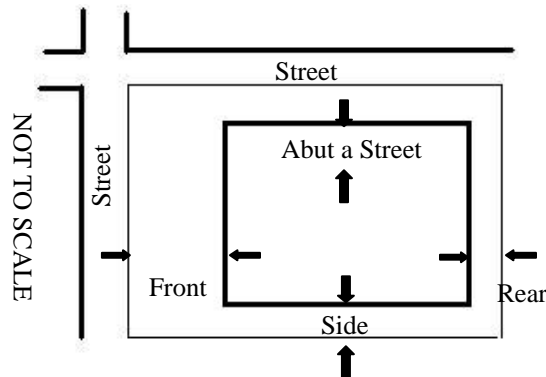
- A. There shall be a distance of one thousand (1,000) feet between any existing residential structure and any proposed helicopter landing pad.
- B. Except in the case of an emergency, no helicopter take offs or landings shall occur between the hours of 9:00 p.m. and 7:00 a.m.
- C. The facility shall be accessory to the principal use located on the lot.
- D. All facilities shall be located and designed so that the operation thereof will not adversely affect adjacent residential areas, particularly with respect to noise levels.
- E. The conditions for granting a Special Exception, contained in Chapter 170-52-C(3), must also be satisfied

## Low Density Residential (R-20) District

The information included in this Table represents the requirements for development in this District.

<b>LOT OCCUPATION (1) (2)</b>	
Min. Lot Size (3) (4)	20,000 sf
Frontage (feet)	125 ft
Lot Coverage	30%
<b>SETBACKS - PRINCIPAL BUILD-</b>	
Front/ Abut a Street	(5)
Side	20
Rear	30
<b>OUTBUILDING/ACCESSORY USE SETBACKS (FEET)</b>	
Front/ Abut a Street	(5)
Side Setback	10
Rear Setback	10
<b>BUILDING HEIGHT (FEET)</b>	
Principal Building	35
Outbuilding	35

Permitted Uses
1 Family Dwelling
2 Family Dwelling (6)
3 To 4 Family Dwelling (6)
Conversion of Existing Dwelling to Accommodate not more than 2 units (7)
Agriculture, Horticulture and Floriculture
Farm, Livestock, Poultry and Swine (8)
Veterinary Office, Animal Hospital or Kennel (9)
Bank (10)
Beauty and Barber Shop (10)
Bed and Breakfast
Farm Produce (11)
Office (13) (10)
Personal Service Establishment (10)
Theater (10)
Adult Day Care (10)
Child Care Facility
Church
Educational Institution, K-12
Public Recreation
Public Utility (14)



The principal structure shall be distanced from the lot lines as shown.

Sign Regulations	
Total Sign No.	1
Maximum Sign Area	16 sf*
* Cust. Home Occupation Sign Max 2 Sf a Development Identification sign may be 20 sf	
<b>SETBACKS - Freestanding Sign</b>	
Sign	10'
<b>Sign Type</b>	
Freestanding	Yes
Projecting	Yes
Wall/Awning	No
Temporary	No

Uses Via Special Exception ( see 170-52)
Roadside Farm Stand (SEE OVER)
Congregate Care (SEE OVER)
Educational Institution, Post Secondary
Elderly Assisted Care (SEE OVER)
Nursing Home (SEE OVER)
Helicopter Take Offs & Landings (SEE OVER)

- [1] In the case of an Open Space Subdivision, in accordance with Article IV of Chapter 155 of the Code of Dover, the dimensional requirements shall be as specified in  $\mu$  155-22 of the Code of the City of Dover, 1983. [Added 6-10-87 by Ord. No. 13-87]
- [2] Refer to  $\mu\mu$  170-13 and 170-14 for exceptions to lot size, frontage and setback requirements.
- [3] All land containing wetlands shall not be counted in determining the gross land area of a lot for the purposes of minimum lot size or minimum density requirements for residential uses. The minimum non-wetland portion of any newly created lot shall be contiguous. For the purposes of this calculation, wetlands shall include areas that meet the definition of wetland in the NH Code of Administrative Rules – Vt. 101.87 and the 1987 Federal Manual For Identifying Jurisdictional Wetlands. [Amended 1-22-2003 by Ord. No. 35]. Wetland buffers shall only be allowed to count for 40 percent of the minimum lot size required.
- [4] Refer to Chapter 155, Subdivision of Land, Article IV for the minimum lot size for a major Subdivision. Any major subdivision in an R-20 district, must follow the procedures for an OSS if the original lot meets the minimum lot size required. [Amended 1-22-2003 by Ord. No. 35]
- [5] The front setback and abut a street shall be calculated by determining the setbacks of all lots within the same zone located with 500 feet from the exterior lot lines of the original lot to be subdivided. *For new construction*, this dimension shall be considered to be a build to line, as opposed to a setback. *For expansions*, it will remain a setback. Regardless of the average, in no case shall the build to line be closer than five (5) feet to the front lotline.
- [6] Use is allowed when included within an Open Space Subdivision with commercial components. (See 155.22 section 7). [Added 1-22-2003 by Ord. No. 35].
- [7] Any dwelling unit existing on or before May 27, 1964, may be converted, provided that the lot shall contain at least four thousand (4,000) square feet per dwelling unit and a minimum floor area of five hundred (500) square feet per dwelling unit.
- [8] Farms shall be permitted where livestock, poultry and swine are raised and boarded, provided that the tract upon which such animals are kept shall support a minimum land area of one hundred thousand (100,000) square feet. In no instance shall the shelters and pens or runs used to contain said animals be closer than one hundred (100) feet from any property boundary.
- [9] Veterinary Office, Animal Hospital uses are allowed as a commercial component to an Open Space Subdivision. (See 155.22 section 7) . [Added 1-22-2003 by Ord. No. 35].
- [10] Use is allowed as a commercial component to an Open Space Subdivision. (See 155.22 section 7) . [Added 1-22-2003 by Ord. No. 35].
- [11] Where livestock, poultry and swine are raised and boarded, shelters to house said animals shall not be less than one hundred (100) feet from any property boundary
- [12] Use is not allowed as a commercial component to an Open Space Subdivision. (See 155.22 section 7). [Added 1-22-2003 by Ord. No. 35].
- [13] Permitted only if operated as a customary home occupation

(Refer to definition in  $\mu$  170-6B)

- [14] The utility facility shall be appropriately fenced to protect the public. Landscaping materials shall be required to provide a visual screen from any structures and storage within. [Amended 10-28-88 by Ord. No. 18-88]

#### SPECIAL EXCEPTION CRITERIA

##### Roadside Farm stand.

Roadside stands or sales facilities, where agriculture products raised on site are sold, shall be set back a minimum of forty feet from all abutting vehicular rights-of-way. The building area of said facility shall not be greater than eight hundred (800) square feet in area. For each roadside stand there shall be a minimum of six (6) off-street parking spaces, which shall have safe access to and from a public street. A driveway permit shall be required in all cases.

##### Elderly Assisted Care Home. [Added 09-15-93 by Ord. No. 19-93]

Elderly Assisted Care Home is allowed by Special Exception in accordance with the densities and provisions stated below:

- A. Elderly Assisted Care Homes larger than 6 bedrooms shall meet the following density requirements: In the R-20 District at a density of one bedroom per 5,000 sq. ft.;
- B. Provided that parking and service areas are screened from abutting residential uses.
- C. Notwithstanding the above requirements, the maximum number of bedrooms and residents allowed in a facility may be increased provided the increase is found not to be detrimental to the surrounding properties and conforms with parking standards in Chapter 170-44 (Off Street Parking). Furthermore, any increase to an existing structure must be contained within or contiguous to the original structure. [Added 01-22-03 by Ord. No. 35-02]

##### Congregate Care Facility. [Added 09-15-93 by Ord. No. 19-93]

Congregate Care Facility is allowed as a Special Exception in accordance with the density and provisions stated below:

- A. In the R-20 District at one unit per 5,000 sq. ft. of land;
- B. Provided that parking and service areas are screened from abutting residential uses.

##### Nursing Home. [Added 09-15-93 by Ord. No. 19-93]

Nursing Home is allowed as a Special Exception in accordance with the density and provisions stated below:

- A. In the R-20 District at one unit per 5,000 sq. ft. of land;
- B. Provided that parking and service areas are screened from abutting residential uses.

##### Helicopter Take offs and Landings

Helicopter take offs and landings are allowed as a special exception subject to the following conditions:

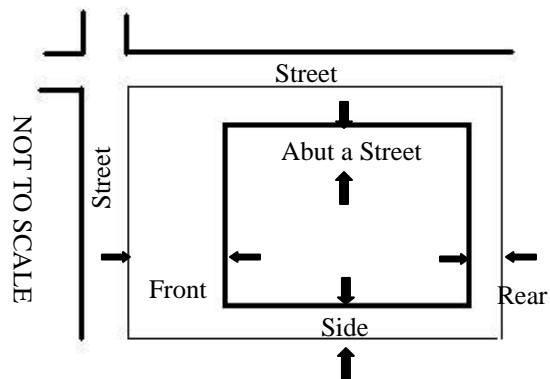
- A. There shall be a distance of one thousand (1,000) feet between any existing residential structure and any proposed helicopter landing pad.
- B. Except in the case of an emergency, no helicopter take offs or landings shall occur between the hours of 9:00 p.m. and 7:00 a.m.
- C. The facility shall be accessory to the principal use located on the lot.
- D. All facilities shall be located and designed so that the operation thereof will not adversely affect adjacent residential areas, particularly with respect to noise levels.
- E. The conditions for granting a Special Exception, contained in Chapter 170-52-C(3), must also be satisfied

## Medium Density Residential (R-12) District

The information included in this Table represents the requirements for development in this District.

<b>LOT OCCUPATION (1) (2)</b>	
Min. Lot Size (3) (4)	12,000 sf
Frontage (feet)	100 ft
Lot Coverage	30%
<b>SETBACKS - PRINCIPAL BUILDING (FEET)</b>	
Front/ Abut a Street	(5)
Side	15
Rear	30
<b>OUTBUILDING/ACCESSORY USE SETBACKS (FEET)</b>	
Front/ Abut a Street	(5)
Side Setback	10
Rear Setback	10
<b>BUILDING HEIGHT (FEET)</b>	
Principal Building	35
Outbuilding	35

Permitted Uses
1 Family Dwelling
2 Family Dwelling (6)
Conversion of Existing Dwelling to Accommodate not more than 2 units (7)
Bed and Breakfast
Office (8)
Child Care Facility
Church
Educational Institution, Post Secondary
Educational Institution, K-12
Public Recreation
Public Utility (9)
Pools (10)



The principal structure shall be distanced from the lot lines as shown.

<b>Sign Regulations</b>	
Total Sign No.	1
Maximum Sign Area	16 sf*
* Cust. Home Occupation Sign Max 2 Sf a Development Identification sign may be 20 sf	
<b>SETBACKS - Freestanding Sign</b>	
Sign	10'
<b>Sign Type</b>	
Freestanding	Yes
Projecting	Yes
Wall/Awning	No
Temporary	No

<b>Uses Via Special Exception ( see 170-52)</b>
Elderly Assisted Care (SEE OVER)

- [1] In the case of an Open Space Subdivision, in accordance with Article IV of Chapter 155 of the Code of Dover, the dimensional requirements shall be as specified in  $\mu$  155-22 of the Code of the City of Dover, 1983. [Added 6-10-87 by Ord. No. 13-87]
- [2] Refer to  $\mu\mu$  170-13 and 170-14 for exceptions to lot size, frontage and setback requirements.
- [3] All land containing wetlands shall not be counted in determining the gross land area of a lot for the purposes of minimum lot size or minimum density requirements for residential uses. The minimum non-wetland portion of any newly created lot shall be contiguous. For the purposes of this calculation, wetlands shall include areas that meet the definition of wetland in the NH Code of Administrative Rules – Wt. 101.87 and the 1987 Federal Manual For Identifying Jurisdictional Wetlands. [Amended 1-22-2003 by Ord. No. 35]. Wetland buffers shall only be allowed to count for 40 percent of the minimum lot size required.
- [4] Refer to Chapter 155, Subdivision of Land, Article IV for the minimum lot size for a major Subdivision. Any major subdivision in an R-12 district, must follow the procedures for an OSS if the original lot meets the minimum lot size required. [Amended 1-22-2003 by Ord. No. 35]
- [5] The front setback and abut a street shall be calculated by determining the setbacks of all lots within the same zone located with 500 feet from the exterior lot lines of the original lot to be subdivided. *For new construction*, this dimension shall be considered to be a build to line, as opposed to a setback. *For expansions*, it will remain a setback. Regardless of the average, in no case shall the build to line be closer than five (5) feet to the front lotline.
- [6] Two family dwellings are permitted in the R-12 Districts when incorporated in an open space subdivision and comply with all regulations specified in Chapter 155, Subdivision of Land, Article IV, Open Space Subdivisions, of the Code of the City of Dover, 1983 [Added 9-14-88 by Ord No. 13-88] [Amended 1-15-03 by Ord No. 35-11]
- [7] Any dwelling unit existing on or before May 27, 1964, may be converted, provided that the lot shall contain at least four thousand (4,000) square feet per dwelling unit and a minimum floor area of five hundred (500) square feet per dwelling unit.
- [8] Permitted only if operated as a customary home occupation (Refer to definition in  $\mu$  170-6B)
- [9] The utility facility shall be appropriately fenced to protect the public. Landscaping materials shall be required to provide a visual screen from any structures and storage within. [Amended 10-28-88 by Ord. No. 18-88]

**SPECIAL EXCEPTION CRITERIA**

**Elderly Assisted Care Home. [Added 09-15-93 by Ord. No. 19-93]**

Elderly Assisted Care Home is allowed by Special Exception in accordance with the densities and provisions stated below:

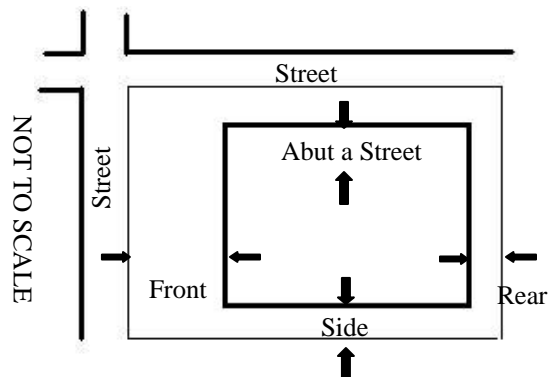
- A. Elderly Assisted Care Homes larger than 6 bedrooms shall meet the following density requirements: In the R-20 District at a density of one bedroom per 3,000 sq. ft.;
- B. Provided that parking and service areas are screened from abutting residential uses.
- C. Notwithstanding the above requirements, the maximum number of bedrooms and residents allowed in a facility may be increased provided the increase is found not to be detrimental to the surrounding properties and conforms with parking standards in Chapter 170-44 (Off Street Parking). Furthermore, any increase to an existing structure must be contained within or contiguous to the original structure. [Added 01-22-03 by Ord. No. 35-02]

## Suburban Density Multi-Residential (RM-SU) District

The information included in this Table represents the requirements for development in this District.

<b>LOT OCCUPATION (1)</b>	
Min. Lot Size (2)	20,000 sf
Frontage (feet)	100 ft
Lot Coverage	40%
<b>SETBACKS - PRINCIPAL BUILD-</b>	
Front/ Abut a Street	50
Side	20
Rear	20
<b>OUTBUILDING/ACCESSORY USE SETBACKS (FEET)</b>	
Front/ Abut a Street	50
Side Setback	10
Rear Setback	10
<b>BUILDING HEIGHT (FEET)</b>	
Principal Building	40
Outbuilding	40

Permitted Uses
1 Family Dwelling (3)
2 Family Dwelling
3-4 Family Dwelling (4)
Multifamily (4)
Conversion of Existing Dwelling to Accommodate not more than 2 units (4)
Conversion of Existing Dwelling to Accommodate not more than 4 units (4)
Conversion of Existing Dwelling to Accommodate 5 or more units (4)
Farm Produce (5)
Office (6)
Adult Day Care
Child Care Facility
Church
Educational Institution, K-12
Public Recreation
Public Utility (7)



The principal structure shall be distanced from the lot lines as shown.

<b>Sign Regulations</b>	
Total Sign No.	1
Maximum Sign Area	16 sf*
* Cust. Home Occupation Sign Max 2 Sf a Development Identification sign may be 20 sf	
<b>SETBACKS - Freestanding Sign</b>	
Sign	10'
<b>Sign Type</b>	
Freestanding	Allowed
Projecting	Yes
Wall/Awning	No
Temporary	No

Uses Via Special Exception ( see 170-52)
Roadside Farm Stand (SEE OVER)
Elderly Assisted Care (SEE OVER)

- [1] Refer to §§ 170-13 and 170-14 for exceptions to lot size, frontage and setback requirements.
- [2] All land containing wetlands shall not be counted in determining the gross land area of a lot for the purposes of minimum lot size or minimum density requirements for residential uses. The minimum non-wetland portion of any newly created lot shall be contiguous. For the purposes of this calculation, wetlands shall include areas that meet the definition of wetland in the NH Code of Administrative Rules – Wt. 101.87 and the 1987 Federal Manual For Identifying Jurisdictional Wetlands. [Amended 1-22-2003 by Ord. No. 35]. Wetland buffers shall only be allowed to count for 40 percent of the minimum lot size required.
- [3] A single-family residential dwelling may be constructed within this zoning district under the same dimensional regulations that govern development in a R-20 District.
- [4] Provided that the lot upon which such multifamily residence is to be constructed shall contain at least ten thousand (10,000) square feet for each dwelling unit. [Amended 02/17/99 by Ord. No. 25-98]
- [5] Where livestock, poultry and swine are raised and boarded, shelters to house said animals shall not be less than one hundred (100) feet from any property boundary
- [6] Permitted only if operated as a customary home occupation (Refer to definition in § 170-6B)
- [7] The utility facility shall be appropriately fenced to protect the public. Landscaping materials shall be required to provide a visual screen from any structures and storage within. [Amended 10-28-88 by Ord. No. 18-88]

**SPECIAL EXCEPTION CRITERIA**

**Roadside Farm stand.**

Roadside stands or sales facilities, where agriculture products raised on site are sold, shall be set back a minimum of forty feet from all abutting vehicular rights-of-way. The building area of said facility shall not be greater than eight hundred (800) square feet in area. For each roadside stand there shall be a minimum of six (6) off-street parking spaces, which shall have safe access to and from a public street. A driveway permit shall be required in all cases.

**Elderly Assisted Care Home. [Added 09-15-93 by Ord. No. 19-93]**

Elderly Assisted Care Home is allowed by Special Exception in accordance with the densities and provisions stated below:

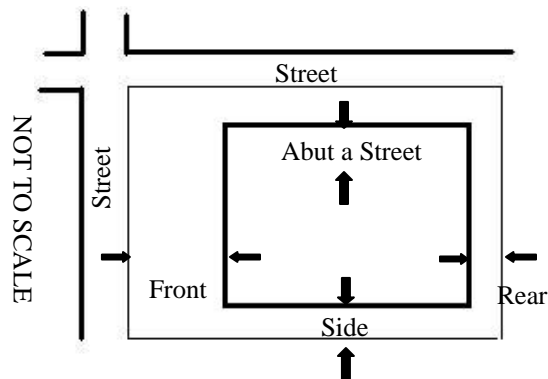
- A. Elderly Assisted Care Homes larger than 6 bedrooms shall meet the following density requirements: In the RM-20 District at a density of one bedroom per 5,000 sq. ft.;
- B. Provided that parking and service areas are screened from abutting residential uses.
- C. Notwithstanding the above requirements, the maximum number of bedrooms and residents allowed in a facility may be increased provided the increase is found not to be detrimental to the surrounding properties and conforms with parking standards in Chapter 170-44 (Off Street Parking). Furthermore, any increase to an existing structure must be contained within or contiguous to the original structure. [Added 01-22-03 by Ord. No. 35-02]

## Urban Density Multi-Residential (RM-U) District

The information included in this Table represents the requirements for development in this District.

<b>LOT OCCUPATION (1)</b>	
Min. Lot Size (2)	10,000 sf
Frontage (feet)	80 ft
Lot Coverage	40%
<b>SETBACKS - PRINCIPAL BUILDING (FEET)</b>	
Front/ Abut a Street	(3)
Side	15
Rear	15
<b>OUTBUILDING/ACCESSORY USE SETBACKS (FEET)</b>	
Front/ Abut a Street	(3)
Side Setback	10
Rear Setback	10
<b>BUILDING HEIGHT (FEET)</b>	
Principal Building	40
Outbuilding	40

Permitted Uses
1 Family Dwelling
2 Family Dwelling
Conversion of Existing Dwelling to Accommodate not more than 2 units (4)
Rooming House (5)
Funeral Parlor
Office (6)
Service Club (7)
Adult Day Care
Child Care Facility
Church
Educational Institution, K-12
Public Recreation
Public Utility (8)



The principal structure shall be distanced from the lot lines as shown.

<b>Sign Regulations</b>	
Total Sign No.	1
Maximum Sign Area	16 sf*
* Cust. Home Occupation Sign Max 2 Sf a Development Identification sign may be 20 sf	
<b>SETBACKS - Freestanding Sign</b>	
Sign	10'
<b>Sign Type</b>	
Freestanding	Allowed
Projecting	Yes
Wall/Awning	No
Temporary	No

Uses Via Special Exception ( see 170-52)
3-4 Family Dwelling (SEE OVER)
Conversion of Existing Dwelling to Accommodate not more than 4 units (SEE OVER)
Beauty and barbershop (SEE OVER)
Congregate Care (SEE OVER)
Elderly Assisted Care (SEE OVER)
Nursing Homes (SEE OVER)
Group Home Form Minors (SEE OVER)

- [1] Refer to §§ 170-13 and 170-14 for exceptions to lot size, frontage and setback requirements.
- [2] All land containing wetlands shall not be counted in determining the gross land area of a lot for the purposes of minimum lot size or minimum density requirements for residential uses. The minimum non-wetland portion of any newly created lot shall be contiguous. For the purposes of this calculation, wetlands shall include areas that meet the definition of wetland in the NH Code of Administrative Rules – Wt. 101.87 and the 1987 Federal Manual For Identifying Jurisdictional Wetlands. [Amended 1-22-2003 by Ord. No. 35]. Wetland buffers shall only be allowed to count for 40 percent of the minimum lot size required.
- [3] The front setback and abut a street shall be calculated by determining the setbacks of all lots within the same zone located with 500 feet from the exterior lot lines of the original lot to be subdivided. *For new construction*, this dimension shall be considered to be a build to line, as opposed to a setback. *For expansions*, it will remain a setback. Regardless of the average, in no case shall the build to line be closer than five (5) feet to the front lotline.
- [4] Provided that the lot contains at least two thousand (2,000) square feet for each dwelling unit plus an additional five hundred (500) square feet for every bedroom contained in such multiunit residence. A maximum of four (4) units per lot is allowed.
- [5] Provided that no more than five (5) rooms are rented to no more than (10) persons.
- [6] Permitted only if operated as a customary home occupation (Refer to definition in § 170-6B)
- [7] Provided that there is no sale or consumption of alcoholic beverages on the premises.
- [8] The utility facility shall be appropriately fenced to protect the public. Landscaping materials shall be required to provide a visual screen from any structures and storage within. [Amended 10-28-88 by Ord. No. 18-88]

**SPECIAL EXCEPTION CRITERIA**

**Three- and four-family dwellings. [Added 3-25-87 by Ord. No. 6-87]**

Three- or four-family dwellings and conversions of existing dwellings to three (3) or four (4) units shall be subject to the following regulations:

- A. The specific site must have an amount of open space, either landscaped or left natural, at least equal to the average amount of open space on all developed lots in the RM-U District that are wholly or partly within two hundred (200) feet of the subject parcel. Existing parking areas, either gravel, paved or unpaved, shall not be considered to be open space.
- B. Off-street parking, in accordance with Chapter 149, Site Review, shall be provided as to avoid vehicles backing into the street. Two (2) parking spaces per unit shall be required.
- C. Parking lots shall be at least five (5) feet from a side property line and ten (10) feet from a front property line.
- D. Parking areas shall be screened from the street and from abutting lots.
- E. Structures shall be at least twenty (20) feet from a front property line, fifteen (15) feet from a rear property line and fifteen (15) feet from a side property line unless abutting a street, in which case, the distance from the side property line shall be twenty (20) feet.

**Barber- and Beauty Shops**

Barber- and beauty shops shall be subject to the following regulations:

- A. No more than one (1) operator's chair is permitted.
- B. No assistants are to be employed.
- C. All operators are to be members of the immediate family who reside in the home.
- D. All such uses shall conform to the regulations governing customary home occupations in 170-6B.

**Elderly Assisted Care Home. [Added 09-15-93 by Ord. No. 19-93]**

Elderly Assisted Care Home is allowed by Special Exception in accordance with the densities and provisions stated below:

- A. Elderly Assisted Care Homes larger than 6 bedrooms shall meet the following density requirements: In the RM-U District at a density of one bedroom per 2,500 sq. ft.;
- B. Provided that parking and service areas are screened from abutting residential uses.
- C. Notwithstanding the above requirements, the maximum number of bedrooms and residents allowed in a facility may be increased provided the increase is found not to be detrimental to the surrounding properties and conforms with parking standards in Chapter 170-44 (Off Street Parking). Furthermore, any increase to an existing structure must be contained within or contiguous to the original structure. [Added 01-22-03 by Ord. No. 35-02]

**Congregate Care Facility. [Added 09-15-93 by Ord. No. 19-93]**

Congregate Care Facility is allowed as a Special Exception in accordance with the density and provisions stated below:

- A. In the RM-U District at one unit per 2,500 sq. ft. of land;
- B. Provided that parking and service areas are screened from abutting residential uses.

**Nursing Home. [Added 09-15-93 by Ord. No. 19-93]**

Nursing Home is allowed as a Special Exception in accordance with the density and provisions stated below:

- A. In the RM-U District at one unit per 2,000 sq. ft. of land;
- B. Provided that parking and service areas are screened from abutting residential uses.

**Group Home for Minors. [Added 09-01-93 by Ord. No. 20-93]**

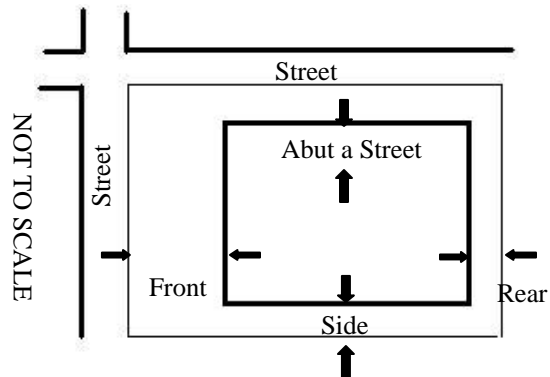
Group Home for Minors shall be subject to the following conditions:

- A. The group home site shall be compatible with abutting uses.
- B. The group home shall be located in areas of transitional land use or mixed land uses.
- C. Parking and service areas shall be screened from abutting residential uses, unless the abutter chooses to not want said screening.
- D. Open space shall be maintained on the property in an amount comparable to the neighborhood.
- E. The planned occupancy of the group home shall be compatible with the permitted density of the surrounding neighborhood.

## Restricted Industrial (I-1) District

The information included in this Table represents the requirements for development in this District.

<b>LOT OCCUPATION (1)</b>	
Min. Lot Size (2)	40,000
Frontage (feet)	150 ft
Lot Coverage	50%
<b>SETBACKS - PRINCIPAL BUILDING (FEET)</b>	
Front/Abut a Street	50
Side	15
Rear	25
<b>OUTBUILDING/ACCESSORY USE SETBACKS (FEET)</b>	
Front Setback	50
Side Setback	10
Rear Setback	10
Abut-a-street Setback	50
<b>BUILDING HEIGHT (FEET)</b>	
Principal Building	50 (3)
Outbuilding	40



The principal structure shall be distanced from the lot lines as shown.

<b>Sign Regulations</b>	
Total Sign No.	2
Maximum Sign Area	(4)
Total Sign # is per tenancy, and is for lot (excluding development identification signs)	
<b>SETBACKS - Freestanding Sign</b>	
Building	35'
<b>Sign Type</b>	
Freestanding	(5)
Projecting	Yes
Wall/Awning	Yes
Temporary	No

<b>Permitted Uses (6)</b>
Agriculture, Horticulture and Floriculture
Greenhouse, Retail Sale of Agricultural or Farm Products Raised on Site
Farm, Livestock, Poultry and Swine
Veterinary Office, Animal Hospital or Kennel
Commercial Parking Facility
Fuel, Oil, or Gas Storage
Gas Service Station
Hotel/Motel
Liquor Store
New Car Sales
Office
Open Storage (7)
Personal Service Establishment
Trucking Terminal
Warehousing
Wholesaling
Industry
Child Care Facility
Public Recreation
Public Utility
Establishments for the manufacture assembly, services and repair of the products listed below:
<ul style="list-style-type: none"> <li>Drugs</li> <li>Office, computing and accounting machines</li> <li>Radio and television receiving equipment</li> <li>Communication equipment</li> <li>Electronic components and Engineering, laboratory, scientific and research instruments and associated equipment</li> <li>Measuring and controlling instruments</li> <li>Optical instruments and lenses</li> <li>Surgical, medical and dental instruments and supplies</li> <li>Photographic equipment and supplies</li> <li>Electrotherapeutic, electro-medical and X-ray apparatus</li> </ul>
Publishing Facility
Helicopter Take Offs & Landings (8)
<b>Uses Via Special Exception (see 170-52)</b>
Auto Service (SEE OVER)
Gas Service Station (SEE OVER)

- [1] Refer to §§ 170-13 and 170-14 for exceptions to lot size, frontage and setback requirements.
- [2] All land containing wetlands shall not be counted in determining the gross land area of a lot for the purposes of minimum lot size or minimum density requirements for residential uses. The minimum non-wetland portion of any newly created lot shall be contiguous. For the purposes of this calculation, wetlands shall include areas that meet the definition of wetland in the NH Code of Administrative Rules – Wt. 101.87 and the 1987 Federal Manual For Identifying Jurisdictional Wetlands. [Amended 1-22-2003 by Ord. No. 35]. Wetland buffers shall only be allowed to count for 40 percent of the minimum lot size required.
- [3] The maximum building heights may be increased to seventy-five (75') feet in the Industrial Districts provided the following conditions are met:
  - A. The additional building height above fifty (50') feet is necessary to meet an industrial function;
  - B. The building is located a minimum of 150 feet from a Residential District, and;
  - C. The Planning Board has granted preliminary approval to the development proposal containing the taller building.
  - D. The building is for a use permitted in the I-1, I-2 or I-4 Zones. [Amended 09-16-92 by Ord. No. 23-92]
- 4. 1sf of sign area for each 100sf of leased space. If less than 700 sf of leased space, then 6sf max
- 5. Max. size: 100sf. Max. height 30'
- 6. See 170-19 Flexible Zoning in the I-1 District, for more uses
- 7. Provided that safety precautions be implemented so to prevent the endangerment of people and property adjacent to said storage. Screening, of at least six (6) feet in height, of all open storage shall be accomplished through use of a fence, wall or vegetal (evergreens) material.
- [8] Helicopter take offs and landings are allowed subject to the following conditions:
  - A. There shall be a distance of one thousand (1,000) feet between any existing residential structure and any proposed helicopter landing pad.
  - B. Except in the case of an emergency, no helicopter take offs or landings shall occur between the hours of 9:00 p.m. and 7:00 a.m.
  - C. The facility shall be accessory to the principal use located on the lot.
  - D. All facilities shall be located and designed so that the operation thereof will not adversely affect adjacent residential areas, particularly with respect to noise levels.

**SPECIAL EXCEPTION CRITERIA**

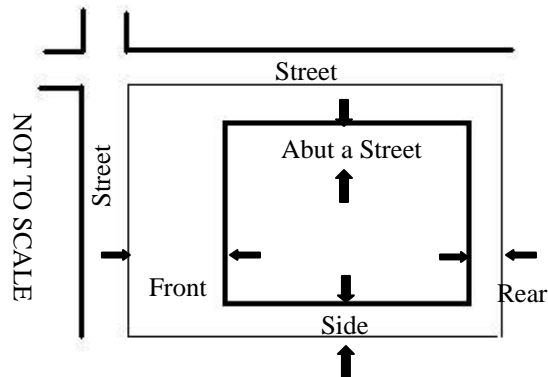
**Gasoline and Auto Service Stations.**

- A. The use of land for a gasoline and auto service station may only be permitted upon the determination that the property values of adjacent land will not be compromised. Any gasoline and auto service station which discontinues operations for a period in excess of ninety (90) days shall be required to file a new application for a special exception with the Zoning Board of Adjustment. Such conditions may include but need not be limited to the provision of adequate and properly maintained screening around land so used.
- B. The minimum lot size shall be sixty thousand (60,000) square feet, the minimum lot width shall be one hundred fifty (150) feet. Twenty-five percent (25%) of the subject parcel shall be open/green space. The total permitted sign area shall not exceed one hundred (100) square feet.

## Rural Restricted Industrial (I-2) District

The information included in this Table represents the requirements for development in this District.

<b>LOT OCCUPATION (1)</b>	
Min. Lot Size (2)	20,000
Frontage (feet)	100 ft
Lot Coverage	50%
<b>SETBACKS - PRINCIPAL BUILDING (FEET)</b>	
Front/Abut a Street	35 (3)
Side	10
Rear	10
<b>OUTBUILDING/ACCESSORY USE SETBACKS (FEET)</b>	
Front Setback	35
Side Setback	10
Rear Setback	10
Abut-a-street Setback	35
<b>BUILDING HEIGHT (FEET)</b>	
Principal Building	50 (4)
Outbuilding	40



The principal structure shall be distanced from the lot lines as shown.

<b>Sign Regulations</b>	
Total Sign No.	2
Maximum Sign Area	(5)
Total Sign # is per tenancy, and is for lot (excluding development identification signs)	
<b>SETBACKS - Freestanding Sign</b>	
Building	35'
<b>Sign Type</b>	
Freestanding	(6)
Projecting	Yes
Wall/Awning	Yes
Temporary	No

<b>Permitted Uses</b>	
Agriculture, Horticulture and Floriculture	
Greenhouse, Retail Sale of Agricultural or Farm Products Raised on Site	
Commercial Parking Facility	
Eating and Drinking Establishment (7)	
Fuel, Oil, or Gas Storage	
Gas Service Station	
Hotel/Motel	
Liquor Store	
New Car Sales	
Office	
Open Storage (8)	
Personal Service Establishment	
Trucking Terminal	
Warehousing	
Wholesaling	
Industry	
Light Industry	
Child Care Facility	
Clinic	
Public Utility	
Establishments for the manufacture assembly, services and repair of the products listed below:	
<ul style="list-style-type: none"> <li>Drugs</li> <li>Office, computing and accounting machines</li> <li>Radio and television receiving equipment</li> <li>Communication equipment</li> <li>Electronic components and Engineering, laboratory, scientific and research instruments and associated equipment</li> <li>Measuring and controlling instruments</li> <li>Optical instruments and lenses</li> <li>Surgical, medical and dental instruments and supplies</li> <li>Photographic equipment and supplies</li> <li>Electrotherapeutic, electro-medical and X-ray apparatus</li> </ul>	
Publishing Facility	
Helicopter Take Offs & Landings (9)	
<b>Uses Via Special Exception (see 170-52)</b>	
Auto Service (SEE OVER)	
Gas Service Station (SEE OVER)	

- [1] Refer to §§ 170-13 and 170-14 for exceptions to lot size, frontage and setback requirements.
- [2] All land containing wetlands shall not be counted in determining the gross land area of a lot for the purposes of minimum lot size or minimum density requirements for residential uses. The minimum non-wetland portion of any newly created lot shall be contiguous. For the purposes of this calculation, wetlands shall include areas that meet the definition of wetland in the NH Code of Administrative Rules – Wt. 101.87 and the 1987 Federal Manual For Identifying Jurisdictional Wetlands. [Amended 1-22-2003 by Ord. No. 35]. Wetland buffers shall only be allowed to count for 40 percent of the minimum lot size required.
- [3] Except where parcels front Littleworth and Knox Marsh Roads, the front setback shall be 50 feet
- [4] The maximum building heights may be increased to seventy-five (75') feet in the Industrial Districts provided the following conditions are met:
  - A. The additional building height above fifty (50') feet is necessary to meet an industrial function;
  - B. The building is located a minimum of 150 feet from a Residential District, and;
  - C. The Planning Board has granted preliminary approval to the development proposal containing the taller building.
  - D. The building is for a use permitted in the I-1, I-2 or I-4 Zones. [Amended 09-16-92 by Ord. No. 23-92]
- [5] 1sf of sign area for each 100sf of leased space. If less than 700 sf of leased space, then 6sf max
- [6] Max. size: 100sf. Max. height 30'
- [7] If the eating and drinking establishment has drive-in services, said service shall be setback either 50' from a residential abutting lot line, or 100' from the abutting residential structure whichever is greater. [Added 1-22-2003 by Ord. No. 35].
- [8] Provided that safety precautions be implemented so to prevent the endangerment of people and property adjacent to said storage. Screening, of at least six (6) feet in height, of all open storage shall be accomplished through use of a fence, wall or vegetal (evergreens) material.
- [9] Helicopter take offs and landings are allowed subject to the following conditions:
  - A. There shall be a distance of one thousand (1,000) feet between any existing residential structure and any proposed helicopter landing pad.
  - B. Except in the case of an emergency, no helicopter take offs or landings shall occur between the hours of 9:00 p.m. and 7:00 a.m.
  - C. The facility shall be accessory to the principal use located on the lot.
  - D. All facilities shall be located and designed so that the operation thereof will not adversely affect adjacent residential areas, particularly with respect to noise levels.

**SPECIAL EXCEPTION CRITERIA**

**Gasoline and Auto Service Stations.**

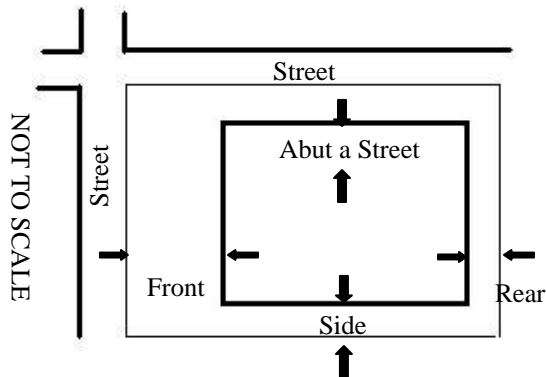
- A. The use of land for a gasoline and auto service station may only be permitted upon the determination that the property values of adjacent land will not be compromised. Any gasoline and auto service station which discontinues operations for a period in excess of ninety (90) days shall be required to file a new application for a special exception with the Zoning Board of Adjustment. Such conditions may include but need not be limited to the provision of adequate and properly maintained screening around land so used.
- B. The minimum lot size shall be sixty thousand (60,000) square feet, the minimum lot width shall be one hundred fifty (150) feet. Twenty-five percent (25%) of the subject parcel shall be open/green space. The total permitted sign area shall not exceed one hundred (100) square feet.

## Assembly and Office (I-4) District

The information included in this Table represents the requirements for development in this District.

LOT OCCUPATION (1)	
Min. Lot Size (2)	5 Acres
Frontage (feet)	400 ft
Lot Coverage	33% (3)
SETBACKS - PRINCIPAL BUILDING (FEET) (4)	
Front/ Abut a Street	75
Side	75
Rear	75
OUTBUILDING/ACCESSORY USE SETBACKS (FEET)*	
Front Setback	75
Side Setback	10
Rear Setback	10
Abut-a-street Setback	75
BUILDING HEIGHT (FEET)	
Principal Building	40 (5)
Outbuilding	55

\* Parking areas shall be set back at least twenty-five (25) feet from property lines. [Added 7-8-87 by Ord. No. 15-87]



The principal structure shall be distanced from the lot lines as shown.

Sign Regulations	
Total Sign No.	2
Maximum Sign Area	(6)
Total Sign # is per tenancy, and is for lot (excluding development identification signs)	
SETBACKS - Freestanding Sign	
Building	35'
Sign Type	
Freestanding	(7)
Projecting	Yes
Wall/Awning	Yes
Temporary	No

Permitted Uses
Agriculture, Horticulture and Floriculture
Greenhouse, Retail Sale of Agricultural or Farm Products Raised on Site
Farm, Livestock, Poultry and Swine (8)
Veterinary Office, Animal Hospital or Kennel (9)
Office
Warehousing
Wholesaling
Child Care Facility
Public Utility
Computer and data processing
Laboratories (scientific, medical chemical) and testing facilities devoted to experimental production, research, product development or similar activity
Establishments for the manufacture assembly, services and repair of the products listed below:
<ul style="list-style-type: none"> <li>Drugs</li> <li>Office, computing and accounting machines</li> <li>Radio and television receiving equipment</li> <li>Communication equipment</li> <li>Electronic components and Engineering, laboratory, scientific and research instruments and associated equipment</li> <li>Measuring and controlling instruments</li> <li>Optical instruments and lenses</li> <li>Surgical, medical and dental instruments and supplies</li> <li>Photographic equipment and supplies</li> <li>Electrotherapeutic, electro-medical and X-ray apparatus</li> </ul>
Publishing Facility
Public utility (8)
Helicopter Take Offs & Landings (9)

- [1] Refer to §§ 170-13 and 170-14 for exceptions to lot size, frontage and setback requirements.
  
- [2] All land containing wetlands shall not be counted in determining the gross land area of a lot for the purposes of minimum lot size or minimum density requirements for residential uses. The minimum non-wetland portion of any newly created lot shall be contiguous. For the purposes of this calculation, wetlands shall include areas that meet the definition of wetland in the NH Code of Administrative Rules – Wt. 101.87 and the 1987 Federal Manual For Identifying Jurisdictional Wetlands. [Amended 1-22-2003 by Ord. No. 35]. Wetland buffers shall only be allowed to count for 40 percent of the minimum lot size required.
  
- [3] At least thirty-three percent (33%) of the site shall be maintained as open space, either landscaped or left natural. A maximum of thirty-three percent (33%) of the site can be covered by buildings [Added 10-26-88 by Ord. No. 18-88]
  
- [4] Buildings shall be at least one hundred fifty (150) feet from all residential structures that exist on the date of enactment of the B-4 Zoning District. A continuous visual buffer of either vegetation or fencing shall separate buildings from these existing residential structures. [Added 10-26-88 by Ord. No. 18- 88]
  
- [5] The maximum building heights may be increased to seventy- five (75') feet in the Industrial Districts provided the following conditions are met:
  - A. The additional building height above fifty (50') feet is necessary to meet an industrial function;
  - B. The building is located a minimum of 150 feet from a Residential District, and;
  - C. The Planning Board has granted preliminary approval to the development proposal containing the taller building.
  - D. The building is for a use permitted in the I-1, I-2 or I-4 Zones. [Amended 09-16-92 by Ord. No. 23-92]
  
- [6] 1sf of sign area for each lineal foot of business frontage. See regulations for businesses bordering the Spaulding Tpk
  
- [5] Max. size: 100sf. Max. height 30'
  
- [6] Where livestock, poultry and swine are raised and boarded, shelters to house said animals shall not be less than one hundred (100) feet from any property boundary
  
- [7] Shelters and runs used to house and/or contain animals shall be no closer than one hundred (100) feet from any property line and must support a minimum tract size of one hundred thousand (100,000) square feet. [Amended 8-1-90 by Ord. 8-90]
  
- [8] The utility facility shall be appropriately fenced to protect the public. Landscaping materials shall be required to provide a visual screen from any structures and storage within. [Amended 10-28-88 by Ord. No. 18-88]
  
- [9] Helicopter take offs and landings are allowed subject to the following conditions:
  - A. There shall be a distance of one thousand (1,000) feet between any existing residential structure and any proposed helicopter landing pad.
  - B. Except in the case of an emergency, no helicopter take offs or landings shall occur between the hours of 9:00 p.m. and 7:00 a.m.
  - C. The facility shall be accessory to the principal use located on the lot.
  - D. All facilities shall be located and designed so that the operation thereof will not adversely affect adjacent residential areas,

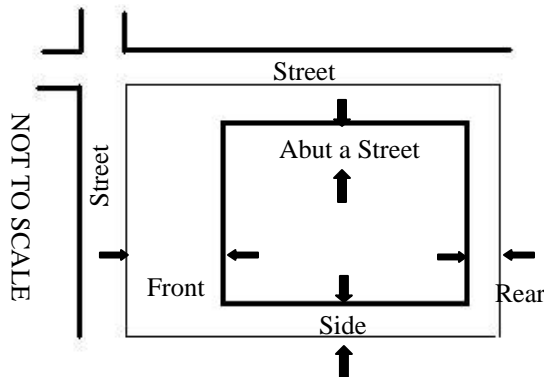
particularly with respect to noise levels.

# Executive Technology Park (ETP) District

The information included in this Table represents the requirements for development in this District.

<b>LOT OCCUPATION (1)</b>	
Min. Lot Size (2) (3)	3 Acres
Frontage (feet)	400 ft
Lot Coverage	33% (4)
<b>SETBACKS - PRINCIPAL BUILDING (FEET) (5)</b>	
Front/ Abut a Street	50
Side	50 (6)
Rear	50 (6)
<b>OUTBUILDING/ACCESSORY USE SETBACKS (FEET) (7)*</b>	
Front Setback	50
Side Setback	10
Rear Setback	10
Abut-a-street Setback	50
<b>BUILDING HEIGHT (FEET)</b>	
Principal Building	55
Outbuilding	55

\* Parking areas shall be set back at least twenty-five (25) feet from property lines. [Added 7-8-87 by Ord. No. 15-87]



The principal structure shall be distanced from the lot lines as shown.

<b>Sign Regulations</b>	
Total Sign No.	2
Maximum Sign Area	(8)
Total Sign # is per tenancy, and is for lot (excluding development identification signs)	
<b>SETBACKS - Freestanding Sign</b>	
Building	0'
<b>Sign Type Allowed</b>	
Freestanding	(9)
Projecting	No
Wall/Awning	Yes
Temporary	No

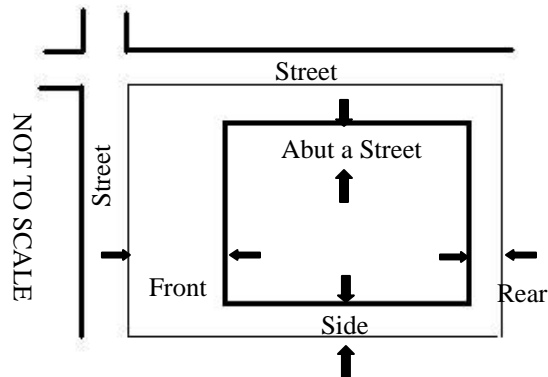
<b>Permitted Uses</b>	
Office	
Laboratories (scientific, medical chemical) and testing facilities devoted to experimental production, research, product development or similar activity	
Computer and data processing	
Research Institutes	
Child Care Facility	
Establishments for the manufacture assembly, services and repair of the products listed below:	
Drugs	
Office, computing and accounting machines	
Radio and television receiving equipment	
Communication equipment	
Electronic components and Engineering, laboratory, scientific and research instruments and associated equipment	
Measuring and controlling instruments	
Optical instruments and lenses	
Surgical, medical and dental instruments and supplies	
Photographic equipment and supplies	
Electrotherapeutic, electro-medical and X-ray apparatus	
Publishing Facility	
Helicopter Take Offs & Landings (10)	
Other (11)	

- [1] Refer to §§ 170-13 and 170-14 for exceptions to lot size, frontage and setback requirements.
- [2] All land containing wetlands shall not be counted in determining the gross land area of a lot for the purposes of minimum lot size or minimum density requirements for residential uses. The minimum non-wetland portion of any newly created lot shall be contiguous. For the purposes of this calculation, wetlands shall include areas that meet the definition of wetland in the NH Code of Administrative Rules – Wt. 101.87 and the 1987 Federal Manual For Identifying Jurisdictional Wetlands. [Amended 1-22-2003 by Ord. No. 35]. Wetland buffers shall only be allowed to count for 40 percent of the minimum lot size required.
- [3] Parcels greater than four hundred seventy-five thousand six hundred (475,600) square feet in area that contain a residential structure as of the public hearing posting date of this chapter may be subdivided one (1) time in such a manner as to separate the residential structure from the remaining vacant property. At least forty thousand (40,000) square feet of land area shall remain with the structure. [Added 7-8-87 by Ord. No. 15.
- [4] At least thirty-three percent (33%) of the site shall be maintained as open space, either landscaped or left natural. A maximum of thirty-three percent
- [5] All new buildings shall be setback a minimum of one hundred (100) feet from Sixth Street, County Farm Road and Watson Road, and from all residential structures existing at the date of enactment of this amendment. All new parking lots shall be setback a minimum of fifty (50) feet from Sixth Street, County Farm Road and Watson Road, and from all residential structures existing at the date of enactment of this amendment. The building and parking lot setbacks. From residential structures shall not apply to existing residential structures located on the same lot as the proposed building. [Added by Ord. No. 6-05/13/98]
- [6] The building setback may be reduced to thirty-five (35) feet if a continuous visual buffer of vegetation is installed and maintained within the reduced setback area. [Added by Ord. No. 6-05/13/98]
- [7] Structures shall be separated by a distance at least equal to the height of the taller structure. [Added 7-8-87 by Ord. No. 15-87]
- [8] 1sf of sign area for each lineal foot of business frontage. See regulations for businesses bordering the Spaulding Tpk
- [9] Max. size: 60sf Max. height is 16'. One Sign per side of frontage
- [10] Helicopter take offs and landings are allowed subject to the following conditions:
  - A. There shall be a distance of one thousand (1,000) feet between any existing residential structure and any proposed helicopter landing pad.
  - B. Except in the case of an emergency, no helicopter take offs or landings shall occur between the hours of 9:00 p.m. and 7:00 a.m.
  - C. The facility shall be accessory to the principal use located on the lot.
  - D. All facilities shall be located and designed so that the operation thereof will not adversely affect adjacent residential areas, particularly with respect to noise levels.
- [11] Uses that are accessory and complimentary to the principal use. Such uses and related structures shall be designed and operated to serve only the principal use and not be designed and operated so as to serve the general public.

## Office (O) District

The information included in this Table represents the requirements for development in this District.

<b>LOT OCCUPATION (1)</b>	
Min. Lot Size (2)	10,000 sf
Frontage (feet)	100 ft
Lot Coverage	50%
<b>SETBACKS - PRINCIPAL BUILDING (FEET)</b>	
Front/ Abut a Street	12
Side	10
Rear	15
<b>OUTBUILDING/ACCESSORY USE SETBACKS (FEET)</b>	
Front/ Abut a Street	12
Side Setback	10
Rear Setback	10
<b>BUILDING HEIGHT (FEET)</b>	
Principal Building	65
Outbuilding	40



The principal structure shall be distanced from the lot lines as shown.

<b>Sign Regulations</b>	
Total Sign No.	1
Maximum Sign Area	12 sf*
Total Sign # is per tenancy, and is for lot (excluding development identification signs)	
<b>SETBACKS - Freestanding Sign</b>	
Building	20'
<b>Sign Type Allowed</b>	
Freestanding	(3)
Projecting	No
Wall/Awning	(4)
Temporary	No

<b>Permitted Uses</b>	
1	Family Dwelling
2	Family Dwelling
3-4	Family Dwelling (5)
	Bank
	Bed and Breakfast
	Funeral Parlor
	Office
	Service Club
	Adult Day Care
	Child Care Facility
	Church
	Clinic
	Congregate Care (6)
	Educational Institution Post Secondary
	Educational Institution, K-12
	Hospital
	Nursing Home (6)
	Public Recreation
	Public Utility (7)

<b>Uses Via Special Exception ( see 170-52)</b>	
	Elderly Assisted Care (SEE OVER)
	Group Home Form Minors (SEE OVER)
	Helicopter Take Offs & Landings (SEE OVER)

- [1] Refer to §§ 170-13 and 170-14 for exceptions to lot size, frontage and setback requirements.
- [2] All land containing wetlands shall not be counted in determining the gross land area of a lot for the purposes of minimum lot size or minimum density requirements for residential uses. The minimum non-wetland portion of any newly created lot shall be contiguous. For the purposes of this calculation, wetlands shall include areas that meet the definition of wetland in the NH Code of Administrative Rules – Wt. 101.87 and the 1987 Federal Manual For Identifying Jurisdictional Wetlands. [Amended 1-22-2003 by Ord. No. 35]. Wetland buffers shall only be allowed to count for 40 percent of the minimum lot size required.
- [3] If multiple tenants, maximum size: 4sf/tenant. Max. height: 8'
- [4] Max. height is 16' above ground elevation, or to bottom of the sills of the first level of windows above the first floor, whichever is lowest.
- [5] Provided that the lot contain at least five thousand (5,000) square feet for each dwelling unit. Dwelling units are allowed only in the second story or higher of a newly constructed structure. Amended 8/13/08 by Ord. No 2008.07.23-9]
- [6] A Congregate Care Facility shall require a minimum lot size of 1,000 sq. ft. per unit, and a Nursing Home Facility shall require a minimum lot size of 1,000 sq.ft. per bedroom. [Amended 09-15-93 by Ord. No. 19-93]
- [7] The utility facility shall be appropriately fenced to protect the public. Landscaping materials shall be required to provide a visual screen from any structures and storage within. [Amended 10-28-88 by Ord. No. 18-88]

**SPECIAL EXCEPTION CRITERIA**

**Elderly Assisted Care Home. [Added 09-15-93 by Ord. No. 19-93]**

Elderly Assisted Care Home is allowed by Special Exception in accordance with the densities and provisions stated below:

- A. Elderly Assisted Care Homes larger than 6 bedrooms shall meet the following density requirements: In the O District at a density of one bedroom per 2,500 sq. ft.;
- B. Provided that parking and service areas are screened from abutting residential uses.
- C. Notwithstanding the above requirements, the maximum number of bedrooms and residents allowed in a facility may be increased provided the increase is found not to be detrimental to the surrounding properties and conforms with parking standards in Chapter 170-44 (Off Street Parking). Furthermore, any increase to an existing structure must be contained within or contiguous to the original structure. [Added 01-22-03 by Ord. No. 35-02]

**Group Home for Minors. [Added 09-01-93 by Ord. No. 20-93]**

Group Home for Minors shall be subject to the following conditions:

- A. The group home site shall be compatible with abutting uses.
- B. The group home shall be located in areas of transitional land use or mixed land uses.
- C. Parking and service areas shall be screened from abutting residential uses, unless the abutter chooses to not want said screening.
- D. Open space shall be maintained on the property in an amount comparable to the neighborhood.
- E. The planned occupancy of the group home shall be compatible with the permitted density of the surrounding neighborhood.

**Helicopter Take offs and Landings**

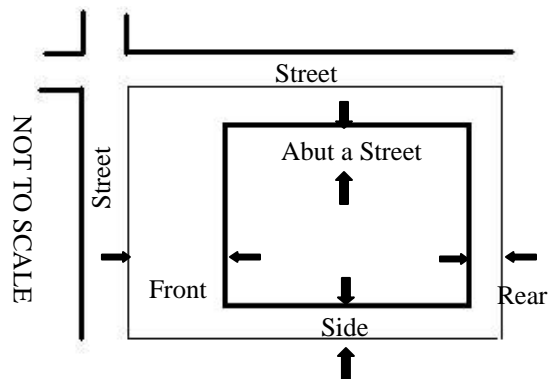
Helicopter take offs and landings are allowed as a special exception subject to the following conditions:

- A. There shall be a distance of one thousand (1,000) feet between any existing residential structure and any proposed helicopter landing pad.
- B. Except in the case of an emergency, no helicopter take offs or landings shall occur between the hours of 9:00 p.m. and 7:00 a.m.
- C. The facility shall be accessory to the principal use located on the lot.
- D. All facilities shall be located and designed so that the operation thereof will not adversely affect adjacent residential areas, particularly with respect to noise levels.
- E. The conditions for granting a Special Exception, contained in Chapter 170-52-C(3), must also be satisfied

## Cochecho Waterfront District (CWD)

The information included in this Table represents the requirements for development in this District.

LOT OCCUPATION	
Min. Lot Size (1)	0
Frontage (feet)	0 ft
Lot Coverage	75% (2)
SETBACKS - PRINCIPAL BUILDING (FEET) (3)	
Front/ Abut a Street	0
Side	0
Rear	0
OUTBUILDING/ACCESSORY USE SETBACKS (FEET) (3)	
Front Setback	0
Side Setback	0
Rear Setback	0
Abut-a-street Setback	0
BUILDING HEIGHT (FEET)	
Principal Building	55
Outbuilding	55



The principal structure shall be distanced from the lot lines as shown.

Sign Regulations	
Total Sign No.	2
Maximum Sign Area	(4)
Total Sign # is per tenancy, and is for lot (excluding development identification signs)	
SETBACKS - Freestanding Sign	
Building	5'
Sign Type Allowed	
Freestanding	(5)
Projecting	(6)
Wall/Awning	(7)
Temporary	(8)

Permitted Uses
1 Family Dwelling (9)
2 Family Dwelling (10)
3 To 4 Family Dwelling (10)
Multifamily Dwelling (10)
Child Care Facility
Bank
Bed and Breakfast
Commercial Parking Facility
Commercial Recreation Facility
Eating and Drinking Establishments (11)
Hotel/Motel
Marina
Office
Personal Service Establishment
Retail Store
Theater
Waterborne Passenger Transportation Facility
Water Related Education/Resource Center
Child Care Facility
Educational Institution, Post Secondary
Public Recreation
Public Utility (12)

### Uses Via Special Exception ( see 170-52)

Conversion of existing dwelling to accommodate additional residential units (10)
Helicopter Take Offs & Landings (SEE OVER)

[1] All land containing wetlands shall not be counted in determining the gross land area of a lot for the purposes of minimum lot size or minimum density requirements for residential uses. The minimum non-wetland portion of any newly created lot shall be contiguous. For the purposes of this calculation, wetlands shall include areas that meet the definition of wetland in the NH Code of Administrative Rules – Wt. 101.87 and the 1987 Federal Manual For Identifying Jurisdictional Wetlands. [Amended 1-22-2003 by Ord. No. 35]. Wetland buffers shall only be allowed to count for 40 percent of the minimum lot size required.

[2] Lots located in the Cochecho Waterfront District (CWD) and located South of the Cochecho River may have a maximum lot coverage of 100%. [Added 1-22-2003 by Ord. No. 35].

[3] Any new construction along the existing CWD/R-12 zoning boundary (as described herein) shall conform to the following setbacks:

1. Structures and buildings shall be set back a minimum of seventy-five (75) feet from said boundary.
2. Pavement and parking shall be set back a minimum of twenty-five (25) feet from said boundary. [Added 1-22-2003 by Ord. No. 35].

Boundary runs from the northern property line of the Tax Assessor's lot 22-39; thence turning and running westerly along the southern property line of Tax Assessor's lot 22-42 for a distance of approximately 520 feet to the northeast corner of Tax Assessor's lot 22-33, thence running westerly to the northeast corner of Tax Assessor's lot 22-12.

[4] 1sf of sign area for each lineal foot of business frontage. Sf may be increased if Mill Motif (170-32 P) is adhered to.

[5] Max. size: 60sf Max. height is 16'. One Sign per side of frontage

[6] Max. size: 24 sf. Min.. height is 10' above sidewalk Max.. height is 25' above sidewalks

[7] Max. size: 40sf

[8] 1 year permits granted, 1 sign allowed per building, any building over 100' of frontage is allowed a second sign. Max. height is 3'. Max. size: 6sf

[9] Single family units are only allowed if adjoined to other residential or non-residential uses in the same structure. Single family detached units are not allowed. [Amended 1-22-2003 by Ord. No. 35].

[10] Provided that the lot contains at least one thousand (1,000) square feet of land area for each dwelling unit and that each dwelling unit contains at least six hundred (600) square feet of gross floor area.

[11] If fully enclosed with no drive-in service.

[12] The utility facility shall be appropriately fenced to protect the public. Landscaping materials shall be required to provide a visual screen from any structures and storage within. [Amended 10-28-88 by Ord. No. 18-88]

#### **SPECIAL EXCEPTION CRITERIA**

##### **Helicopter Take offs and Landings**

Helicopter take offs and landings are allowed as a special exception subject to the following conditions:

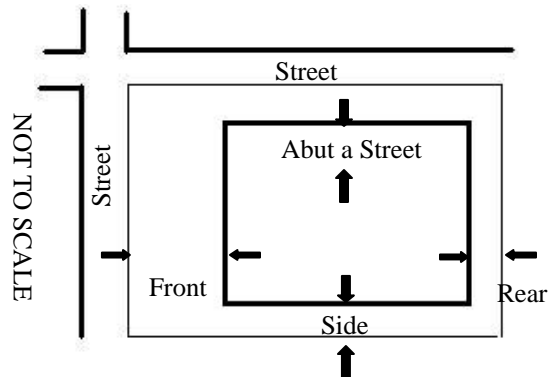
- A. There shall be a distance of one thousand (1,000) feet between any existing residential structure and any proposed helicopter landing pad.
- B. Except in the case of an emergency, no helicopter take offs or landings shall occur between the hours of 9:00 p.m. and 7:00 a.m.
- C. The facility shall be accessory to the principal use located on the lot.
- D. All facilities shall be located and designed so that the operation thereof will not adversely affect adjacent residential areas, particularly with respect to noise levels.
- E. The conditions for granting a Special Exception, contained in Chapter 170-52- C(3), must also be satisfied.

## Neighborhood Business (B-1) District

The information included in this Table represents the requirements for development in this District.

<b>LOT OCCUPATION (1)</b>	
Min. Lot Size (2)	10,000 sf
Frontage (feet)	100 ft
Lot Coverage	50%
<b>SETBACKS - PRINCIPAL BUILDING (FEET)</b>	
Front/ Abut a Street	15
Side	10
Rear	15
<b>OUTBUILDING/ACCESSORY USE SETBACKS (FEET)</b>	
Front/ Abut a Street	15
Side Setback	10
Rear Setback	10
<b>BUILDING HEIGHT (FEET)</b>	
Principal Building	40
Outbuilding	40

<b>Permitted Uses</b>
1 Family Dwelling
Barber and beauty Shop
Bank
Bed and Breakfast
Eating and Drinking Establishment (7)
Office
Personal Service Establishment
Retail Store
Service Club
Child Care Facility
Educational Institution Post Secondary
Public Utility (8)



The principal structure shall be distanced from the lot lines as shown.

<b>Sign Regulations</b>	
Total Sign No.	1
Maximum Sign Area	(3)
Total Sign # is per tenancy, and is for lot (excluding development identification signs)	
<b>SETBACKS - Freestanding Sign</b>	
Building	20'
<b>Sign Type Allowed</b>	
Freestanding	(4)
Projecting	(5)
Wall/Awning	(6)
Temporary	No

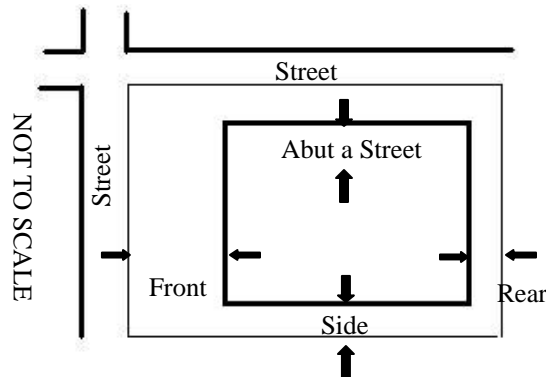
- [1] Refer to §§ 170-13 and 170-14 for exceptions to lot size, frontage and setback requirements.
- [2] All land containing wetlands shall not be counted in determining the gross land area of a lot for the purposes of minimum lot size or minimum density requirements for residential uses. The minimum non-wetland portion of any newly created lot shall be contiguous. For the purposes of this calculation, wetlands shall include areas that meet the definition of wetland in the NH Code of Administrative Rules – Wt. 101.87 and the 1987 Federal Manual For Identifying Jurisdictional Wetlands. [Amended 1-22-2003 by Ord. No. 35]. Wetland buffers shall only be allowed to count for 40 percent of the minimum lot size required.
- [3] 1sf of sign area for each 3' of lineal business frontage. Max. height is 16' or to the bottom of the sills of the first level of windows above the first floor, whichever is lowest.
- [4] Max. height sixteen (16) feet in height or twelve (12) square feet in area, regardless of the number of individual tenants within the building
- [5] Max. size: 8sf.
- [6] Max. size: 16sf.
- [7] If fully enclosed with no drive-in service.
- [8] The utility facility shall be appropriately fenced to protect the public. Landscaping materials shall be required to provide a visual screen from any structures and storage within. [Amended 10-28-88 by Ord. No. 18-88]

# Thoroughfare Business (B-3) District

The information included in this Table represents the requirements for development in this District.

<b>LOT OCCUPATION (1)</b>	
Min. Lot Size (2)	20,000 sf
Frontage (feet)	125 ft
Lot Coverage	50%
<b>SETBACKS - PRINCIPAL BUILDING (FEET)</b>	
Front/ Abut a Street	50
Side	12
Rear	15
<b>OUTBUILDING/ACCESSORY USE SETBACKS (FEET)</b>	
Front Setback	50
Side Setback	10
Rear Setback	10
Abut-a-street Setback	50
<b>BUILDING HEIGHT (FEET)</b>	
Principal Building	40
Outbuilding	40

Permitted Uses
Barber and beauty Shop
Bank
Bed and Breakfast
Commercial Parking Facility
Commercial Recreation Facility
Eating and Drinking Establishment (7)
Hotel/Motel
New Car Sales
Office
Personal Service Establishment
Retail Store
Service Club
Theater
Used Car Sales (8)
Child Care Facility
Church
Educational Institution Post Secondary
Public Utility (9)
Publishing Facility



The principal structure shall be distanced from the lot lines as shown.

<b>Sign Regulations</b>	
Total Sign No.	2
Maximum Sign Area	(3)
Total Sign # is per tenancy, and is for lot (excluding development identification signs)	
<b>SETBACKS - Freestanding Sign</b>	
Building	50'
<b>Sign Type Allowed</b>	
Freestanding	(4)
Projecting	(5)
Wall/Awning	(4)
Temporary	(6)

Uses Via Special Exception (see 170-52)
MultiFamily Dwelling (SEE OVER)
Conversion of Existing Dwelling to Accommodate not more than 2 units
Adult Bookstore and/or Video Store (SEE OVER)
Adult Cabaret (SEE OVER)
Gas Service Station (SEE OVER)
Helicopter Take Offs & Landings (SEE OVER)

- [1] Refer to §§ 170-13 and 170-14 for exceptions to lot size, frontage and setback requirements.
- [2] All land containing wetlands shall not be counted in determining the gross land area of a lot for the purposes of minimum lot size or minimum density requirements for residential uses. The minimum non-wetland portion of any newly created lot shall be contiguous. For the purposes of this calculation, wetlands shall include areas that meet the definition of wetland in the NH Code of Administrative Rules – Wt. 101.87 and the 1987 Federal Manual For Identifying Jurisdictional Wetlands. [Amended 1-22-2003 by Ord. No. 35]. Wetland buffers shall only be allowed to count for 40 percent of the minimum lot size required.
- [3] 2sf of sign area for each lineal foot of business frontage.
- [4] Max. size: 1sf per lineal foot of business frontage. Max. height is 30'
- [5] Max. size: 60 sf. Max. height is 25' above ground elevation, or the bottom of the sills of the first level of windows above the first floor, whichever is lowest.
- [6] 6 month permits granted for new businesses. Max. height is 4'. Max size: 32sf
- [7] If the eating and drinking establishment has drive-in services, said service shall be setback either 50' from a residential abutting lot line, or 100' from the abutting residential structure whichever is greater. [Added 1-22-2003 by Ord. No. 35].
- [8] If an accessory use to a new car dealership. [Amended 8-1-90 by Ord. 8-90]
- [9] The utility facility shall be appropriately fenced to protect the public. Landscaping materials shall be required to provide a visual screen from any structures and storage within. [Amended 10-28-88 by Ord. No. 18-88]

**SPECIAL EXCEPTION CRITERIA**

**Multi Family Dwelling**

Provided that the lot contain at least five thousand (5,000) square feet for each dwelling unit. Dwelling units are allowed only in the second story or higher of a newly constructed structure. Amended 8/13/08 by Ord. No 2008.07.23-9]

**Adult Bookstore and/or Video Store, Adult Cabaret [Added 10-20-93 by Ord. No. 28-93]**

Adult Bookstore and/or Video Store and Adult Cabaret shall be subject to the following conditions:

- A. An Adult Bookstore, Video Store or Cabaret shall be at least 500 feet from a parcel of land containing an existing residential use.
- B. An Adult Bookstore, Video Store or Cabaret shall be at least 1000 feet from a parcel of land containing a school, church, community park or public recreational area.
- C. No adult Bookstore, Video Store or Cabaret shall be permitted within 1000 ft. of an existing similar use.
- D. The proposed use shall comply with all other state statutes, and city ordinances and codes.

**Gasoline and Auto Service Stations.**

- A. The use of land for a gasoline and auto service station may only be permitted upon the determination that the property values of adjacent land will not be compromised. Any gasoline and auto service station which discontinues operations for a period in excess of ninety (90) days shall be required to file a new application for a special exception with the Zoning Board of Adjustment. Such conditions may include but need not be limited to the provision of adequate and properly maintained screening around land so used.
- B. The minimum lot size shall be sixty thousand (60,000) square feet, the minimum lot width shall be one hundred fifty (150) feet. Twenty-five percent (25%) of the subject parcel shall be open/green space. The total permitted sign area shall not exceed one hundred (100) square feet.

**Helicopter Take offs and Landings**

Helicopter take offs and landings are allowed as a special exception subject to the following conditions:

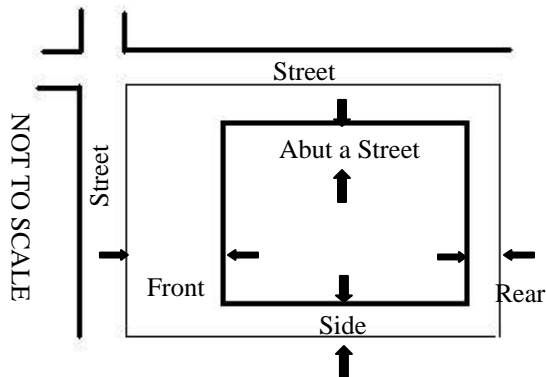
- A. There shall be a distance of one thousand (1,000) feet between any existing residential structure and any proposed helicopter landing pad.
- B. Except in the case of an emergency, no helicopter take offs or landings shall occur between the hours of 9:00 p.m. and 7:00 a.m.
- C. The facility shall be accessory to the principal use located on the lot.
- D. All facilities shall be located and designed so that the operation thereof will not adversely affect adjacent residential areas, particularly with respect to noise levels.
- E. The conditions for granting a Special Exception, contained in Chapter 170-52-C(3), must also be satisfied

## Hotel/Retail District (B-4) District

The information included in this Table represents the requirements for development in this District.

LOT OCCUPATION (1)	
Min. Lot Size (2)	5 Acres
Frontage (feet)	400 ft
Lot Coverage	33% (3)
SETBACKS - PRINCIPAL BUILDING (FEET) (4)	
Front/ Abut a Street	75
Side	75
Rear	75
OUTBUILDING/ACCESSORY USE SETBACKS (FEET)*	
Front Setback	75
Side Setback	10
Rear Setback	10
Abut-a-street Setback	75
BUILDING HEIGHT (FEET)	
Principal Building	55
Outbuilding	55

\* Parking areas shall be set back at least twenty-five (25) feet from property lines. [Added 7-8-87 by Ord. No. 15-87]



The principal structure shall be distanced from the lot lines as shown.

Sign Regulations	
Total Sign No.	2
Maximum Sign Area	(5)
Total Sign # is per tenancy, and is for lot (excluding development identification signs)	
SETBACKS - Freestanding Sign	
Building	0'
Sign Type	
Freestanding	(6)
Projecting	No
Wall/Awning	Yes
Temporary	No

Permitted Uses
Agriculture, Horticulture and Floriculture
Greenhouse, Retail Sale of Agricultural or Farm Products Raised on Site
Farm, Livestock, Poultry and Swine
Veterinary Office, Animal Hospital or Kennel
Bank
Commercial Parking Facility
Eating and Drinking Establishment (7)
Hotel/Motel
Liquor Store
Commercial Recreation Facility
Office
Personal Service Establishment
Retail Store
Service Club
Theater
Child Care Facility
Educational Institution Post Secondary
Publishing Facility

Uses Via Special Exception (see 170-52)
Helicopter Take Offs & Landings (SEE OVER)

- [1] Refer to §§ 170-13 and 170-14 for exceptions to lot size, frontage and setback requirements.
- [2] All land containing wetlands shall not be counted in determining the gross land area of a lot for the purposes of minimum lot size or minimum density requirements for residential uses. The minimum non-wetland portion of any newly created lot shall be contiguous. For the purposes of this calculation, wetlands shall include areas that meet the definition of wetland in the NH Code of Administrative Rules – Wt. 101.87 and the 1987 Federal Manual For Identifying Jurisdictional Wetlands. [Amended 1-22-2003 by Ord. No. 35]. Wetland buffers shall only be allowed to count for 40 percent of the minimum lot size required.
- [3] At least thirty-three percent (33%) of the site shall be maintained as open space, either landscaped or left natural. A maximum of thirty-three percent (33%) of the site can be covered by buildings [Added 10-26-88 by Ord. No. 18-88]
- [4] Buildings shall be at least one hundred fifty (150) feet from all residential structures that exist on the date of enactment of the B-4 Zoning District. A continuous visual buffer of either vegetation or fencing shall separate buildings from these existing residential structures. [Added 10-26-88 by Ord. No. 18- 88]
- [5] 1sf of sign area for each lineal foot of business frontage. See regulations for businesses bordering the Spaulding Tpk
- [6] Max. size: 60sf Max. height is 16'. One Sign per side of frontage
- [7] If fully enclosed with no drive-in service.

**SPECIAL EXCEPTION CRITERIA**

**Helicopter Take offs and Landings**

Helicopter take offs and landings are allowed as a special exception subject to the following conditions:

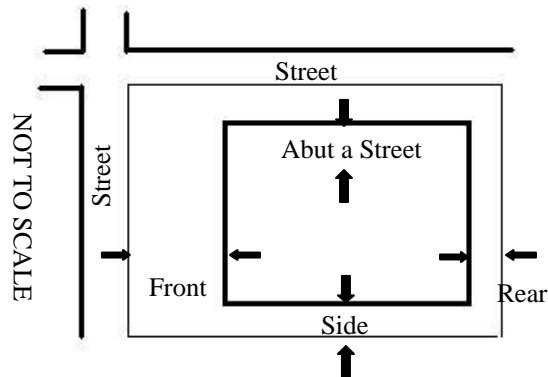
- A. There shall be a distance of one thousand (1,000) feet between any existing residential structure and any proposed helicopter landing pad.
- B. Except in the case of an emergency, no helicopter take offs or landings shall occur between the hours of 9:00 p.m. and 7:00 a.m.
- C. The facility shall be accessory to the principal use located on the lot.
- D. All facilities shall be located and designed so that the operation thereof will not adversely affect adjacent residential areas, particularly with respect to noise levels.
- E. The conditions for granting a Special Exception, contained in Chapter 170-52-C(3), must also be satisfied

## Commercial/Retail District (B-5) District

The information included in this Table represents the requirements for development in this District.

<b>LOT OCCUPATION (1)</b>	
Min. Lot Size (2)	20,000 sf
Frontage (feet)	125 ft
Lot Coverage	50% (3)
<b>SETBACKS - PRINCIPAL BUILDING (FEET) (4)</b>	
Front/ Abut a Street	50
Side	12
Rear	15
<b>OUTBUILDING/ACCESSORY USE SETBACKS (FEET)</b>	
Front Setback	75
Side Setback	10
Rear Setback	10
Abut-a-street Setback	75
<b>BUILDING HEIGHT (FEET)</b>	
Principal Building	40
Outbuilding	40

Permitted Uses
Auto Service
Barber and Beauty Shop
Bank
Commercial Parking Facility
Commercial Recreation Facility
Eating and Drinking Establishment (9)
Gas Service Station
Hotel/Motel
Liquor Store
New Car Sales
Office
Personal Service Establishment
Retail Store
Theater
Adult Day Care
Child Care Facility
Church
Clinic
Educational Institution Post Secondary
Public Recreation
Publishing Facility



The principal structure shall be distanced from the lot lines as shown.

<b>Sign Regulations</b>	
Total Sign No.	3
Maximum Sign Area	(5)
Total Sign # is per tenancy, and is for lot (excluding development identification signs)	
<b>SETBACKS - Freestanding</b>	
Building	0'
<b>Sign Type</b>	
Freestanding	(6)
Projecting	No
Wall/Awning	(7)
Temporary	(8)

<b>Uses Via Special Exception (see 170-52)</b>
Helicopter Take Offs & Landings (SEE OVER)

- [1] Refer to §§ 170-13 and 170-14 for exceptions to lot size, frontage and setback requirements.
- [2] All land containing wetlands shall not be counted in determining the gross land area of a lot for the purposes of minimum lot size or minimum density requirements for residential uses. The minimum non-wetland portion of any newly created lot shall be contiguous. For the purposes of this calculation, wetlands shall include areas that meet the definition of wetland in the NH Code of Administrative Rules – Wt. 101.87 and the 1987 Federal Manual For Identifying Jurisdictional Wetlands. [Amended 1-22-2003 by Ord. No. 35]. Wetland buffers shall only be allowed to count for 40 percent of the minimum lot size required.
- [3] At least fifteen (15%) of the site shall be maintained as open space and shall have a detailed landscape plan approved by the Planning Board.
- [4] A continuous visual buffer of either vegetation or fencing shall separate buildings and parking areas from existing residential structures located to the rear and side of any proposal.
- [5] 1sf of sign area for each lineal foot of business frontage. See regulations for businesses bordering the Spaulding Tpk
- [6] Max. height 20'
- [7] Max.size: 1sf of sign per lineal foot of tenancy
- [8] 6 month permits granted for new businesses. Max. height is 4'. Max size: 32sf
- [9] If the eating and drinking establishment has drive-in services, said service shall be setback either 50' from a residential abutting lot line, or 100' from the abutting residential structure whichever is greater. [Added 1-22-2003 by Ord. No. 35].

**SPECIAL EXCEPTION CRITERIA**

**Helicopter Take offs and Landings**

Helicopter take offs and landings are allowed as a special exception subject to the following conditions:

- A. There shall be a distance of one thousand (1,000) feet between any existing residential structure and any proposed helicopter landing pad.
- B. Except in the case of an emergency, no helicopter take offs or landings shall occur between the hours of 9:00 p.m. and 7:00 a.m.
- C. The facility shall be accessory to the principal use located on the lot.
- D. All facilities shall be located and designed so that the operation thereof will not adversely affect adjacent residential areas, particularly with respect to noise levels.
- E. The conditions for granting a Special Exception, contained in Chapter 170-52-C(3), must also be satisfied

# Commercial

The information included in this Table represents the requirements for development in this District.

## Statement of Purpose:

From the late 1700's, when Dover began to shift from a farming community to a manufacturing center, the land and blocks in and around Washington and Main Streets and Central Avenue have been the community's commercial core. Both redevelopment and new development should reflect that 250 year history. A wide array of retail and commercial activity should be encouraged here. Residential activity should be encouraged on the upper floors of buildings. New construction, where needed, should follow the pattern of existing development in terms of building placement, building height, and the use of durable construction materials. Public spaces are important here, and should be encouraged and maintained properly.

<b>LOT OCCUPATION</b>	
Lot Coverage	75% min
<b>BUILD TO LINES - PRINCIPAL BUILDING</b>	
Front (Principal)	0 ft min (10 max)
Front (Secondary)	0 ft min (10 max)
Side	0 ft min 24 max
Rear Setback	10 ft min
Frontage Buildout	70% min
<b>OUTBUILDING/ACCESSORY SETBACKS</b>	
Front Setback	not permitted
Side Setback	not permitted
Rear Setback	not permitted
<b>PRIVATE FRONTAGES</b>	
Common Yard	not permitted
Porch and Fence	not permitted
Terrace / Lightwell	not permitted
Stoop	permitted
Shopfront & Awning	permitted
Gallery	permitted
<b>BUILDING HEIGHT</b>	
Principal Building	2 story min
Outbuilding	not permitted

\*CUP may be used to adjust above standards

## SPECIAL REGULATIONS

### Parking Location Standards (See 170-44)

New construction resulting in additional square footage or an increase in residential units must comply with parking standards.

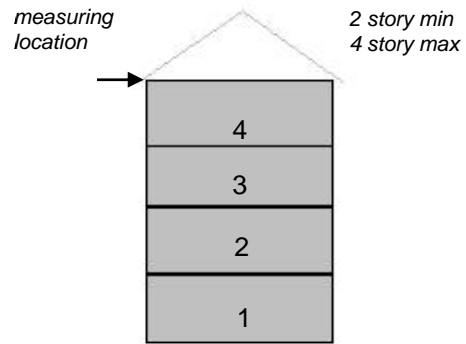
- Parking spaces may be located off-site within 1,000 feet of the proposed use.
- Parking spaces may be leased from the city or a private landowner.
- New parking spaces shall be screened from the street

### Ground Floor Standards

- No less than 30% of the Façade shall be windows.
- A pedestrian entrance shall be required.
- For new construction only non-residential uses shall be on the ground floor level.

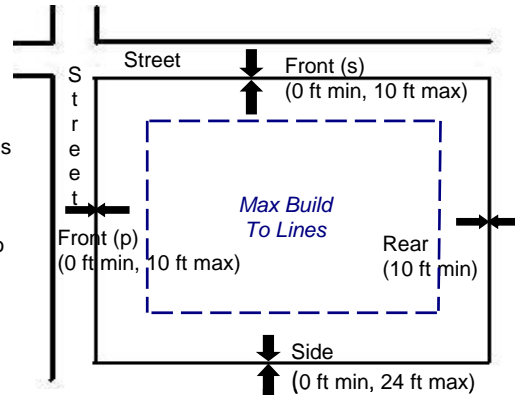
### Building Height

- Building height shall be measured in number of Stories, excluding attics and raised basements.
- Height shall be measured to the eave or roof deck as specified in the ordinance.



### Build to Lines

- The Facades and Elevations shall be distanced from the Lot lines as shown.
- Facades shall be built to a minimum of 70% of the Frontage Buildout.



### Streetscape Standards (See 170-10.1 E)

All elements must be consistent within a project.

- Street Trees shall be planted at an average spacing of 25 to 30 feet on center.
- Unpaved ground area along the frontage shall be planted with groundcover or flowering vegetation.
- Sidewalks shall be concrete a minimum of 5 feet wide.
- Street Furniture shall include:
  - 1 bench for every 100 feet of Frontage,
  - A minimum of 1 waste bin at each Block Corner,
  - 1 bike rack per non-residential project.

### Architectural Standards (See 170-10.1 F)

- These standards are optional and may be utilized by the applicant.

Turn sheet over for Permitted Uses



<b>Permitted Uses</b>			
<b>Uses</b>	<b>Commercial</b>	<b>Mixed Use</b>	<b>Residential</b>
Residential	Permitted, but not on ground floor except in existing structures	Permitted, but not on ground floor except in existing structures	Permitted
Lodging	Permitted	Permitted, up to 12 rooms w/stays up to 14 days	Permitted, up to 12 rooms w/stays up to 14 days
Professional Services/Offices/ Commercial	Permitted	Permitted	Home Occupation, Neighborhood Store , others via CUP (170-10.1 B)
Eating and Drinking (without drive-thru)	Permitted	Not Permitted	Not Permitted
Retail/ Personal Services	Permitted	Permitted	Permitted
Civic	Permitted	Permitted	Permitted
Other	Via CUP (170-10.1 B)	Via CUP (170-10.1 B)	Via CUP (170-10.1 B)

**Sign Regulations - Commercial**

Total Sign No.	2
Maximum Sign Area	Note 1
Total Sign # is per tenancy, and is for lot (excluding development identification signs)	
<b>SETBACKS - Freestanding Sign</b>	
Building	20'
<b>Sign Type</b>	<b>Allowed</b>
Freestanding	Note 2
Projecting	Note 3
Wall/Awning	Note 4
Temporary	Note 5

<b>Adult Bookstore, Video Store or Adult Cabaret</b>	[Added 10-20-93 by Ord. No. 28-93]
Adult Bookstore, Video Store or Adult Cabaret shall be subject to the following conditions:	
A. An Adult Bookstore, Video Store or Cabaret shall be at least 500 feet from a parcel of land containing an existing residential use.	
B. An Adult Bookstore, Video Store or Cabaret shall be at least 1000 feet from a parcel of land containing a school, church, community park or public recreational area.	
C. No adult Bookstore, Video Store or Cabaret shall be permitted within 1000 ft. of an existing similar use.	
D. The proposed use shall comply with all other state statutes, and city ordinances and codes.	

- (1) 1sf of sign area for each lineal foot of business frontage. Sf may be increased if Mill Motif (170-32 P) is adhered to.
- (2) Max. size: 60 sf. Max. height is 16'. One sign per side of frontage.
- (3) Max. size: 24 sf. Min. height is 10' above sidewalk Max. height is 25' above sidewalks.
- (4) Max. size: 40sf.
- (5) 1 year permits granted, 1 sign allowed per building, any building over 100' of frontage is allowed a second sign. Max. height is 3'. Max. size: 6sf.



# Mixed Use

The information included in this Table represents the requirements for development in this District.

## Statement of Purpose:

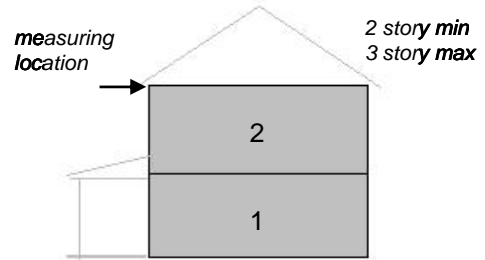
This is an area in transition. Once the homes of the mills' managers and the community's professionals and successful merchants, shipbuilders, sea captains, and others, these stately Victorian buildings are a tribute to Dover's financial success during the height of the mill economy. These elegant structures lend grace to the community. While some of the existing buildings remain as single family residences, others are being converted to apartments and offices. As new structures replace older ones, they should follow the setback and massing of earlier structures. Residences in these newer building should be restricted to upper levels. Landscaping is an important element of this district, in both the public and private arenas.

LOT OCCUPATION	
Lot Coverage	50%
BUILD TO LINES - PRINCIPAL BUILDING	
Front (Principal)	5 ft min 20 ft max
Front (Secondary)	5 ft min 20 ft max
Side	5 ft min 20 ft max
Rear	10 ft. min 20 max
Frontage Buildout	60% min
OUTBUILDING/ACCESSORY SETBACKS	
Front Setback	20 ft min + bldg setback
Side Setback	5 ft min
Rear Setback	5 ft min
PRIVATE FRONTAGES	
Common Yard	permitted
Porch and Fence	permitted
Terrace / Lightwell	permitted
Stoop	permitted
Shopfront & Awning	not permitted
Gallery	not permitted
BUILDING HEIGHT	
Principal Building	2 stories min, 3 max
Outbuilding	2 stories max

\*CUP may be used to adjust above standards

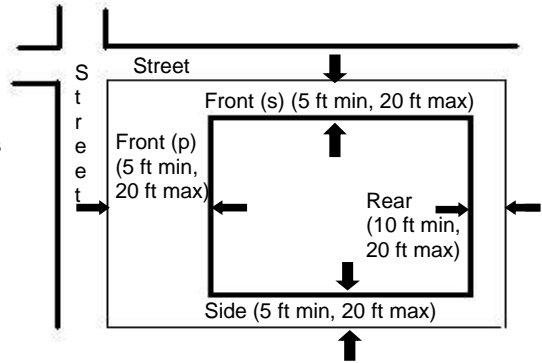
### Building Height

1. Building height shall be measured in number of Stories, excluding attics and raised basements.
2. Height shall be measured to the eave or roof deck as specified in the ordinance.



### Build to Lines

1. The Facades and Elevations shall be distanced from the Lot lines as shown.
2. Facades shall be built along the Principal Frontage to a minimum of 60% of the Frontage Buildout.



## SPECIAL REGULATIONS

### Parking Location Standards (See 170-44)

New construction resulting in additional square footage or an increase in residential units must comply with parking standards.

- a. Parking spaces may be located off-site within 1,000 feet of the proposed use.
- b. Parking spaces may be leased from the city or a private landowner.
- c. New parking spaces shall be screened from the street

### Streetscape Standards (See 170-10.1 E)

All elements must be consistent within a project.

- a. Street Trees shall be planted at an average spacing of 25 to 30 feet on center.
- b. Unpaved ground area along the frontage shall be planted with groundcover or flowering vegetation.
- c. Sidewalks shall be asphalt a minimum of 5 feet wide.
- d. Street Furniture shall include:
  - 1 bench for every 30 feet of Frontage,
  - A minimum of 1 waste bin at each Block Corner,
  - 1 bike rack per non-residential project.

### Ground Floor Standards

- a. For new construction only non-residential uses shall be on the ground floor level.

### Architectural Standards (See 170-10.1 F)

- a. These standards are optional and may be utilized by the applicant.

Turn sheet over for Permitted Uses



<b>Permitted Uses</b>			
<b>Uses</b>	<b>Commercial</b>	<b>Mixed Use</b>	<b>Residential</b>
Residential	Permitted, but not on ground floor except in existing structures	Permitted, but not on ground floor except in existing structures	Permitted
Lodging	Permitted	Permitted, up to 12 rooms w/stays up to 14 days	Permitted, up to 12 rooms w/stays up to 14 days
Professional Services/Offices/Commercial	Permitted	Permitted	Home Occupation, Neighborhood Store, others via CUP (170-10.1 B)
Eating and Drinking (without drive-thru)	Permitted	Not Permitted	Not Permitted
Retail/Personal Services	Permitted	Permitted	Permitted
Civic	Permitted	Permitted	Permitted
Other	Via CUP (170-10.1 B)	Via CUP (170-10.1 B)	Via CUP (170-10.1 B)

**Sign Regulations - Mixed Use**

Total Sign No.	1
Maximum Sign Area	12 sf
Total Sign # is per tenancy, and is for lot (excluding development identification signs)	
<b>SETBACKS - Freestanding Sign</b>	
Building	20'
<b>Sign Type</b>	<b>Allowed</b>
Freestanding	Note 3
Projecting	No
Wall/Awning	Note 4
Temporary	No

<b>Adult Bookstore, Video Store or Adult Cabaret</b>	[Added 10-20-93 by Ord. No. 28-93]
<p>Adult Bookstore, Video Store or Adult Cabaret shall be subject to the following conditions:</p> <p>A. An Adult Bookstore, Video Store or Cabaret shall be at least 500 feet from a parcel of land containing an existing residential use.</p> <p>B. An Adult Bookstore, Video Store or Cabaret shall be at least 1000 feet from a parcel of land containing a school, church, community park or public recreational area.</p> <p>C. No adult Bookstore, Video Store or Cabaret shall be permitted within 1000 ft. of an existing similar use.</p> <p>D. The proposed use shall comply with all other state statutes, and city ordinances and codes.</p>	

(3) If multiple tenants, maximum size: 4sf/tenant. Maximum height: 8 ft.

(4) Maximum height is 16 ft. above ground elevation, or to bottom of the sills of the first level of windows above the first floor, whichever is lowest.



# Residential

The information included in this Table represents the requirements for development in this District.

## Statement of Purpose:

North of the Downtown core are neighborhoods of smaller homes, once the residences of mill employees, shopkeepers, and others for whom the close proximity to the Downtown was an important feature. Smaller in scale than the more ornate homes in the Mixed Use District, many of these buildings still present considerable architectural detailing. Many of them have outbuildings at the rear of the property. The continued use of these areas as residential neighborhoods is important, both to the city's heritage and to achieving the smart growth and low carbon impact goals of the master plan. Where new structures are added, they should mimic the placement, scale, and building materials of the older homes.

LOT OCCUPATION	
Lot Coverage	40%
Minimum Frontage	75 ft
BUILD TO LINES - PRINCIPAL BUILDING	
Front (Principal)	8 ft min. 15 max
Front (Secondary)	8 ft min. 10 max
Side	10 ft min.
Rear	15 ft. min
Frontage Buildout	40% min
OUTBUILDING/ACCESSORY SETBACKS	
Front Setback	20 ft min + bldg setback
Side Setback	5 ft min
Rear Setback	5 ft min
PRIVATE FRONTAGES	
Common Yard	permitted
Porch and Fence	permitted
Terrace / Lightwell	not permitted
Stoop	permitted
Shopfront & Awning	not permitted
Gallery	not permitted
BUILDING HEIGHT	
Principal Building	2 stories min, 3 max
Outbuilding	2 stories max

\*CUP may be used to adjust above standards

## SPECIAL REGULATIONS

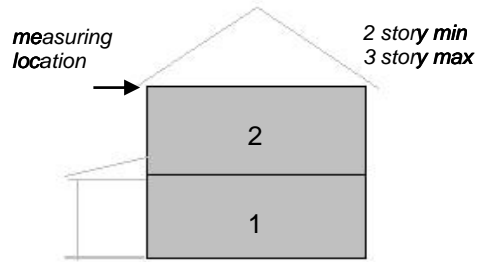
### Streetscape Standards (See 170-10.1 E)

- a. Sidewalks shall be asphalt a minimum of 5 feet wide.

### Building Height

1. Building height shall be measured in number of Stories, excluding attics and raised basements.

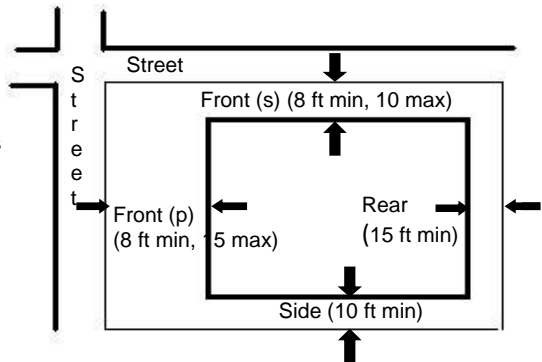
2. Height shall be measured to the eave or roof deck as specified in the ordinance.



### Build to Lines

1. The Facades and Elevations shall be distanced from the Lot lines as shown.

2. Facades shall be built along the Principal Frontage to a minimum of 40% of the Frontage Buildout.



### Parking Location Standards (See 170-44)

- a. Must have 2 spaces per unit on site.

Turn sheet over for Permitted Uses



<b>Permitted Uses</b>			
<b>Uses</b>	<b>Commercial</b>	<b>Mixed Use</b>	<b>Residential</b>
Residential	Permitted, but not on ground floor except in existing structures	Permitted, but not on ground floor except in existing structures	Permitted
Lodging	Permitted	Permitted, up to 12 rooms w/stays up to 14 days	Permitted, up to 12 rooms w/stays up to 14 days
Professional Services/Offices/ Commercial	Permitted	Permitted	Home Occupation, Neighborhood Store , others via CUP (170-10.1 B)
Eating and Drinking (without drive-thru)	Permitted	Not Permitted	Not Permitted
Retail/ Personal Services	Permitted	Permitted	Permitted
Civic	Permitted	Permitted	Permitted
Other	Via CUP (170-10.1 B)	Via CUP (170-10.1 B)	Via CUP (170-10.1 B)

**Sign Regulations - Residential**

Total Sign No.	1
Maximum Sign Area	16 sf *
* Cust. Home Occupation Sign max 2 sf; a Development Identification sign may be 20 sf.	
<b>SETBACKS - Freestanding Sign</b>	
Sign	10'
<b>Sign Type</b>	<b>Allowed</b>
Freestanding	Yes
Projecting	Yes
Wall/Awning	No
Temporary	No

**Adult Bookstore, Video Store or Adult Cabaret**

[Added 10-20-93]

by Ord. No. 28-93]

Adult Bookstore, Video Store or Adult Cabaret shall be subject to the following conditions:

- A. An Adult Bookstore, Video Store or Cabaret shall be at least 500 feet from a parcel of land containing an existing residential use.
- B. An Adult Bookstore, Video Store or Cabaret shall be at least 1000 feet from a parcel of land containing a school, church, community park or public recreational area.
- C. No adult Bookstore, Video Store or Cabaret shall be permitted within 1000 ft. of an existing similar use.
- D. The proposed use shall comply with all other state statutes, and city ordinances and codes.





**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

### 10. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-15 “Open Space Requirements”, to by revising subsection D as follows:

“D. All open space requirements pursuant to this section shall not be binding in the **CBD**, ~~B-2~~, ~~UMUD~~, and CWD Zoning Districts. [Added 08-01-90 by Ord. No. 8-90]”

### 11. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-16 “Applicability of Table of Dimensional Regulations”, to read as follows:

“170-16 ~~Applicability of Table of Dimensional Regulations~~ **for Swimming Pools**

**In Districts allowing 1 Family Dwellings, 2 Family Dwellings, and 3 – 4 Family Dwellings, pools for swimming or bathing shall be in conformity with the following regulations:**

- A. Every outdoor swimming pool shall be completely surrounded by a fence or wall not less than four (4) feet in height, which shall be so constructed as not to have openings, holes or gaps larger than four (4) inches in any dimension, except for doors and gates, and if a picket fence is erected or maintained, the horizontal dimension shall not exceed four (4) inches. A primary dwelling or accessory building or structure may be used as part of the enclosure.
- B. Gates. All gates or door openings through such enclosure shall be equipped with a self-closing and self-latching device for keeping the gates or door securely closed at all times when not in actual use, except that the door of any dwelling which forms a part of the enclosure need not be so equipped.
- C. Applicability. The requirements of this chapter shall be applicable to all new swimming pools hereafter constructed, other than indoor pools, and shall apply to all existing pools which have a minimum depth of eighteen (18) inches of water. No person in possession of land within the city, either as owner, purchaser, lessee, tenant or a licensee, upon which is situated a swimming pool having a minimum depth of (18) inches shall fail to provide and maintain such fence or wall as herein provided.
- D. Appeals and hearings. The Board of Adjustment after public hearing, may make modifications in individual cases, upon a showing of good cause with respect to the height, nature or location of the fence, wall, gates or latches or the necessity therefore, provided that the protection as sought hereunder is not reduced thereby. The Board of Adjustment may permit other protective devices or structures to be used so long as the degree of protection afforded by the substitute devices or structures is not less than the protection afforded by the wall, fence, gate and latch described herein.
- E. State requirements. Swimming pools shall conform to all requirements of the New Hampshire Department of Health and Welfare.



CITY OF DOVER

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: O – 2009.09.09-15

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

Posted June 23, 2009

Revised August 11, 2009

- F. **Option to fence regulation. When not in attendance, access ladders or slide ladders to pool shall be removed or raised and locked or otherwise made inaccessible from the outside to small children.”**

### 12. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by deleting Chapter 170-17 “Dimensional regulations for accessory structures”, and renumbering 170-17.1 as 170-17. *This information will be placed within the tables of dimensional regulations.*

AND

“170-17.4. Dimensional Regulations for Handicapped Accessible Additions.

Upon the discretion of the Building Inspector, **with consultation of the Zoning Administrator**, in all zoning districts a structure constructed for the express purpose of improving and/or providing accessibility to an existing building for physical and/or mentally challenged individuals may be erected within the building setbacks (front, side and/or rear) as specified in the Table of Dimension Regulations provided that: (1) the structure cannot feasibly and practicably be constructed on the lot in compliance with the Table of Dimensional Regulations; (2) abutters to the property on which the proposed structure will be erected shall be notified by the Building Inspector prior to the issuance of the Building Permit; and (3) the structure must not create a hazard or detrimental impact to surrounding properties. [Added 08/14/93 by Ord. No. 17-93]”

### 13. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-18 “Grant of special exceptions; conditions” as follows:

“170-18. **Grant of special exceptions; conditions.**

All uses identified in ~~this~~ **the Special Exceptions section of the Tables of Use and Dimensional Regulations By District** may be permitted only after a public hearing is held by the Zoning Board of Adjustment and an approval is granted there from. In issuing a special exception, the Zoning Board of Adjustment shall consider the requirements set forth **on the Tables of Use and Dimensional Regulations By District** ~~in this Article~~ in addition to the specific requirements of Article XII and the other sections of this chapter, as applicable. A special exception shall expire one (1) year after site plan approval has been granted by the Dover Planning Board if no building permit has been obtained pursuant to the special exception and site plan approval. **[Amended 08- 01-90 by Ord. No. 8-90]”**

### 14. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-19 “Uses in Thoroughfare Business District, B-3.” to read as follows:



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

“170-19 Flexible Zoning in the I-1 District

### **A. Purpose and Intent**

The Restricted Industrial District was created in 1949 as a zone around property that had industrial uses on it prior to the inception of Zoning in Dover. These areas of the City are surrounded by residential uses and are located in the urban core of the City. The properties have continued to be utilized in an industrial capacity, however this use may not be compliant with the surrounding uses, and a more context sensitive reuse may be more appropriate.

The purpose of this section is to allow property owners to redevelop their industrial property in a more flexible and context sensitive method. Additionally, these non-residential nodes are located in areas that could accept commercial uses that are on a neighborhood scale and the property could offer surrounding residents opportunities that do not exist today.

The district includes options which enable and encourage greater flexibility in the design of residential housing with commercial projects that adaptively reuse the industrial property in a more context sensitive mode. The district encourages mixed residential and commercial uses are intended to be complementary of one another and to create a sense of community between the mixed uses.

### **B. Permitted Uses**

The following uses are permitted:

1. **Principal Uses**
  - a. Two-family dwelling
  - b. Three to Four family dwelling
  - c. Multi-family dwelling (if part of a structure that includes non-residential uses, must be on the second floor or above)
  - d. Public and private utilities
  - e. Non-Residential uses are allowed as follows:
    1. Barber or Beauty Shop
    2. Bank
    3. Eating/Drinking Establishments (no Drive thru Service)
    4. Bed and Breakfast
    5. Office (excluding medical, dental or veterinary)
    6. Personal Service Establishment
    7. Retail store
    8. Theater
2. **Accessory uses**
  - a. Accessory uses typically associated with the above principal uses shall be allowed with the approval of the Planning Board at the time of site plan review.
3. **Conditional uses**



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

The following uses listed in this section shall be considered conditional uses, subject to approval by the Planning Board per the provisions of RSA 674:21, "Innovative Land Use Controls." In order for the conditional uses to be permitted, the Planning Board must determine that the proposed use complies with the statement of purpose of this section and meets all of the provisions of the district.

- a. Medical, dental and veterinary offices.
- b. Commercial Recreation, including but not limited to health club, fitness center and recreation facilities, limited to no more than three (3) coin-operated amusement devices.
- c. Funeral homes
- d. Greenhouses
- e. Existing industrial uses allowed at the time the ordinance is approved.

### C. Procedural Concepts

The developer shall prepare a Development Plan, which locates the proposed types of non-residential and residential development, utilities, access roads, and public ways. The parcels comprising the development may be under separate ownership, but shall be treated as one development and shall be bound by the approval granted for the entire Development Plan. If approval is granted, individual lots must be developed as part of the larger Development Plan and phasing outlined below, and not separately. The Development Plan must identify the percentage of the non-residential uses, residential uses and open space. Non-residential uses must exceed 49% of the original tract(s). Existing uses may contribute to the overall percentages.

Residential uses require that the calculation of permitted density shall be completed through the submission of a yield plan (as defined in Chapter 155-60) applied to the Development Lot and not individually to the Internal Dwelling Lots.

For residential development of two family, three to four family and multi-family dwellings, that are to be constructed in new structures, density shall be based upon calculating the average density of all residential lots located in the City of Dover within 600 feet of the external lot line of the property. For multi-family dwellings that are to be constructed within or added onto existing structures the density shall be based upon calculating one unit per 4,000 square feet of existing building space.

The Development Plan may be phased for a term of five (5) years. The phasing plan shall contain provisions which promote the mixed use of the site consistent with Section 170-25.10 A. For the purposes of this section, development shall include: (1) construction of structures; (2) environmental remediation; (3) site preparation or demolition; (4) roadway utility or recreation and common area design and construction; and (5) bonding or other security for site development.

The phasing plan shall provide that no more than fifty percent (50%) of the residential development may be occupied prior to completion of between twenty-five percent (25%)



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

and fifty percent (50%) of the non-residential structures as negotiated between the Planning Board and the Developer.

Provided that the developer is making reasonable efforts to develop the site, the Planning Board may extend the initial five-year phasing period provided a request for extension is submitted before the expiration of the initial five-year phasing term.

### 1. Residential Development Plan Guidelines

The developer shall be permitted to allocate permitted density among Internal Dwelling Lots in a flexible and creative manner. Dwellings shall be sited with a variety of setbacks to prevent the row house effect. The sum total of the permitted density shall not exceed the permitted density of the Development Lot or Legal Lot. Layouts may include individual lots or a cluster of units without lot lines.

Dwelling layouts shall be so designed that parking is screened from external roadways by garages, building locations, grading or screening. Major topographical changes or removal of existing trees shall be avoided wherever possible, and water, wetlands, and other scenic views from the external streets shall be preserved as much as possible.

Residential layout shall reflect surrounding neighborhood design and should embrace traditional neighborhood features and philosophies. These include, but are not limited to tree lined streets, architectural details that encourage the feeling that the development is an extension of existing neighborhoods and not built separately. In addition to tree lined streets, developments shall incorporate natural materials in the building construction such as brick, wood and a composite material, such as fiber cement siding, as approved by the Board.

All residential development must adhere to architectural design guidelines. Development shall embrace the aesthetics of the existing neighborhood, within 500 feet of the external boundary line of the property. Embraced elements should include roof style, non-decorative porches, front stoops, and other architectural details. Chapter 149, section 14.L, may offer guidance in developing designs.

### 2. Nonresidential Development Plan Guidelines

The general character of the nonresidential structures within the Development Lot is intended to be a pedestrian friendly setting, with emphasis on the natural characteristics of the site. The site design should create a sense of character and cohesiveness through landscaping, façade treatment, and signage. Materials used for new construction should be natural materials such as brick, wood and a composite material, such as fiber cement siding, as approved by the Board.



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

Care should be taken to allow for transitional uses between the existing neighboring uses and any proposed uses. All commercial and other enterprises shall be limited to the following hours of operation: 6:00 a.m. -- 12:00 p.m. The Planning Board may further restrict the hours of operation of individual businesses, based upon anticipated usage, at the time of site plan approval.

Non-residential uses, permitted by this section, proposed to be contained within new structures shall be two or more stories and shall have residential units on the second floor or above to create a mixed use environment.

There may be only one (1) retail establishment selling general merchandise with a gross floor area of up to ten thousand (10,000) square feet. All other establishments shall have no more than five thousand (5,000) square feet of gross floor area, unless existing at the time of enacting of the ordinance.

The guidelines for this development are included in Chapter 149, section 14.2.

### D. Standards and Regulations

#### 1. Internal Roads

As part of the approval of the site plan review, the Planning Board shall determine whether internal roads shall be public or private. If a road is determined to be private, no municipal services shall be provided other than public safety, utilities maintenance, and regulatory services. Unless noted below roadways shall conform to the street design criteria laid out in the City of Dover Code:

- |    |   |            |
|----|---|------------|
| a. | Minimum Internal R.O.W.                         |            |
|    | i. Maximum residential:                         | 35 feet    |
|    | ii. Maximum Mixed use:                          | 50 feet    |
| b. | Minimum Pavement Width                          |            |
|    | i. Minimum residential:                         | 20 feet    |
|    | ii. Minimum non- residential:                   | 28 feet    |
|    | iii. Minimum sidewalk pavement width:           | 5 feet     |
|    | iv. Minimum bike/Segway/golfcart path width:    | 5 feet     |
| c. | Minimum Tangent Length at Intersections =       | 75 feet    |
| d. | Maximum street angle at Intersections =         | 60 degrees |
| e. | Minimum centerline radius =                     | 100 feet   |
| f. | Minimum Tangent Length between reverse curves = | 50 feet    |

#### 2. Dimensional Requirements

- |    |  |
|----|--|
| a. | Setbacks   |
|    | i. Minimum setbacks from the edge of pavement and between structures shall be calculated by determining the average setback front, rear and side setbacks of those structures within 500 feet of the external property boundary. |
| b. | Building height  |



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

- i. To determine the residential building height, the applicant shall calculate the modal height of all residential structures, on the street side, within 500 feet of the external property boundary. The highest modal height shall be the maximum height and the lowest modal height shall be the minimum height.
- ii. For mixed use buildings, the height shall be a maximum of 45 feet.

### 3. Parking

- a. All dwelling units shall require two independently accessible parking spaces per unit, except where multimodal transportation resources are provided. Non-residential uses shall comply with parking requirements defined by the zoning ordinance.
- b. Visitor parking shall be provided for each residential unit. The total residential spaces shall be calculated and an additional 5% of spaces shall be provided for visitors.
- c. Where mixed uses will be contained within a structure, parking shall be shared between the residential and non-residential uses.”

## 15. AMENDMENT

Amend Chapter 170 of the Code of the City of Dover, entitled Zoning, by adding Chapter 170-27 “Conservation District” to read as follows:

### “170-27. Conservation District.

- A. Purpose. In the interest of environmental quality, public health, resource conservation and the general welfare of the public, the regulations of this district are designed to guide development activities in areas with extended periods of high water table, with susceptibility to flooding and with unique or fragile geologic, ecological or nature features as follows:
- (1) To prevent the development of structures and land uses on naturally occurring wetlands and flood- prone areas which would contribute to pollution of surface and ground water by sewage or other contaminants.
  - (2) To prevent the destruction of natural wetlands or aquifer areas which provide flood protection, recharge of groundwater supply and augmentation of stream flow during dry periods.
  - (3) To prevent unnecessary or excessive expenses to the city to provide and maintain essential services and utilities which arise because of inharmonious use of wetlands and other environmentally sensitive areas.
  - (4) To encourage those uses that can be most appropriately and safely located in wetland and other environmentally sensitive areas.
  - (5) To preserve existing natural drainage systems and the vegetation and wildlife habitats therein.



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

- (6) To preserve wetlands and other environmentally sensitive areas for other ecological reasons inter alia, those cited in RSA 483B.
- (7) To preserve and enhance those aesthetic values associated with waterways and the natural shoreline. **[Added 5-13-87 by Ord. No. 11-87]**
- (8) **To protect public health and safety by minimizing hazards, including soil erosion, storm water runoff, slope instability risks, and environmental degradation associated with development on steep and /or unstable slopes.**

B\*. Location. The conservation District is hereby determined to consist of the following:

- (1)\*Those areas within a minimum of one hundred (100) feet of the **reference line (as defined in RSA 483-B:4, XVII) mean high water** of any water body, river, stream, swamp or marsh subject to tidal action and those areas within a minimum of one hundred (100) feet of the **reference line (as defined in RSA 483-B:4, XVII) mean high water** of any freshwater river or natural pond. **[Amended 5-13-87 by Ord. No. 11-87]**
- (2) Those areas within a minimum of fifty (50) feet of the **reference line (as defined in RSA 483-B:4, XVII) mean high water** of any stream, brook or other freshwater body. **[Amended 5-13-87 by Ord. No. 11- 87; 9-14-88 by Ord. No. 15-88]**
- (3) Those areas owned by and situated in the City of Dover and known as lots:

**Map 28, Lot 32; Map D, Lot 1; Map C, Lots 5, 7 and 12; Map H, Lots 58 and 63; Map 40, Lots 10A, 13, and 17; Map F, Lots 14 and 42; Map A, Lot 29A-1; and Map 37, Lot 40.**

<b>General Location</b>	<b>Lot No.</b>
Garrison Hill	38-32
Smith Well – No Bottom Pond	D-1
Hoppers Well	C-12
Hoppers Well	C-7
Covered Bridge	C-5
Well No. 107	H-63
Ireland Well	H-58
Willand Pond	4-17, 40-13
Willand Pond	40-10, 40-10A, 10B

\* **Editor's Note: Former Subsection B(1), which listed areas are delineated on portions of the Soil Survey of Strafford County, was repealed 9-14-88 by Ord. No. 15-88, which ordinance also redesigned former Subsection B(2) through (5) as Subsection B(1) through (4), respectively.**



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

Barbadoes Pond \_\_\_\_\_ F-42

- (4) Those areas with slopes in excess of twenty percent (20%), (**e.g. four feet vertical in twenty foot horizontal distance**) and totaling more than 2,000 square feet of contiguous area. [Added 5-13-87 by Ord. No. 11-87]

C\*. Conditional Use Permits. Conditional Use Permits may be granted by the Planning Board for the following uses within the Conservation District: [Amended 08-01-90 by Ord. No. 8-90; Amended 02-17-99 by Ord. No. 25-98]

- (1) Streets, roads and other accessways and utility rights-of-way, communications equipment, easements, including power lines and pipe lines, if essential to the productive use of land not so zoned and if so located and constructed as to minimize any detrimental impact of such uses upon the wetlands or other environmentally sensitive areas, where it is physically impossible to locate such ways over land not so zoned. Economic advantage alone shall not be deemed a sufficient reason for such a routing.
- (2) [Amended 5-13-87 by Ord. No. 11-87] The undertaking of a use not otherwise permitted in the Conservation District, which may include the erection of a structure, dredging, filling, draining or otherwise altering the surface configuration of the land, provided that:
- (a) **The applicant shall demonstrate that the proposed use is essential to the productive use of land not in the district; is located and constructed to minimize any detrimental impact of such use upon the surface waters or other environmentally sensitive areas, where it is physically impossible to locate such use on land not in the district; and economic advantage alone shall not be deemed a sufficient reason for such proposed use.**
- (b) A soil erosion and sedimentation control plan is submitted **and followed** to verify the planned avoidance of **sediment pollutant runoff to erosion** along bodies of water. **This plan will address the following (if applicable), but should not be limited to: 1) stabilization of exposed soils and soil stockpiles; 2) protection of steep slopes from erosion; 3) construction site waste management; 4) inspection and maintenance of runoff control measures (BMPs); 5) minimization of land clearing; 6) stabilization of drainage ways; 7) installation of perimeter controls; 8) installation of sediment trapping devices; and 9) storm drain inlet protection.**
- (c) ~~⊕~~ Necessary state and federal approvals have been **applied for**. **Said permits shall be received prior to the issuance of the Conditional Use Permit by the Planning Department.**

\* **Editor's Note: Former Subsection C(3), which provided that a special exception may be granted if the proposed development has received preliminary site approval from the Planning Board, added 4-27-83 by Ord. No. 12-83, was repealed 1-28-87 by Ord. No. 1-87.**



CITY OF DOVER

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**  
Ordinance Title: Updating the Dover Zoning Ordinance  
Chapter: 170

*Posted June 23, 2009*  
*Revised August 11, 2009*

(d) ~~(e)~~ A written review by the Conservation Commission of the environmental effects of the proposed use upon the area in question has been submitted. **The Commission's review shall address the following, but is not limited to: 1) attempted avoidance of the impact; 2) minimization of the impact; 3) planned mitigation of the effects of the impact; and 4) efficacy of the soil erosion and sedimentation control plan. [Amended 08-01-90 by Ord. No. 8-90]**

D. Procedures for subdivision. No subdivision of land shall be permitted which would create a lot or parcel or leave as a remainder a lot or parcel which does not have, outside the Conservation Zoning District, an area equal to the minimum lot size or one (1) acre, whichever is less. The Zoning Board of Adjustment may grant an exception to this rule if such a lot or parcel is to be permanently dedicated to open space or natural uses and is to be dedicated to a public or private agency having as a purpose the holding of such land in a natural state in perpetuity.

E. Other provisions.

- (1) Reference is hereby made to RSA 483-B, **the Comprehensive Shoreland Protection Act A**, as amended, which evidences a state concern over preservation of such lands. It is intended that the provisions of that statute shall apply and that in all cases the more restrictive law should apply.
- (2) In all cases where the Conservation District is superimposed over another zoning district in the city, that district whose regulations are the more restrictive shall apply.
- (3)\* The Conservation District adopted herein is hereby designated as open space under RSA 79-A, and all relevant provisions of RSA 79-A relating to current use assessment of such property shall apply.
- (4) ***The provisions of RSA 483-B:9, V(a) shall apply to the portions of the "Conservation District" as described in Subsections B (1) and B (2), that are within fifty (50) feet of the reference line (as defined in RSA 483-B:4, XVII) mean high water. Limitations include restrictions on chemical and fertilizer use, preservation of rocks and stumps and their root systems, and restrictions on removal of ground cover, trees and saplings. In the "Conservation District" as described in Subsection B (1) and (2), the provisions of RSA 483-B:9-V(a) shall apply. Limitations include restrictions on chemical and fertilizer use, preservation of rocks and stumps and their root systems, restrictions on removal of ground cover, and limitations on removal of trees and saplings.*** (4) In areas herein defined as the "Conservation District," the cutting of trees shall be limited to no

\* **Editor's Note: Former Subsection E(3), which provided that, in the event of incorrect designation of an area on the Conservation District map, and presentation of evidence to that effect, the appropriate uses would be permitted and/or prohibited, was repealed 9-14-88 by Ord. No. 15-88, which ordinance also renumbered former Subsection E(4) through (10) as Subsection E(3) through (9), respectively.**



CITY OF DOVER

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: O – 2009.09.09-15

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

Posted June 23, 2009

Revised August 11, 2009

~~more than fifty percent (50%) of the basal area within a ten-year period. A continuous area of tree cover shall be maintained. [Added 5-13-87 by Ord. No. 11-87]~~

- (5) *The provisions of RSA 483-B:9, V(b) shall apply to the portion of the "Conservation District" as described in Subsection B (1), that is between fifty (50) and one hundred (100) feet of the reference line (as defined in RSA 483-B:4, XVII) mean high water. Limitations include restrictions on the amount of vegetation that can be removed within the area.*
- (6) ~~(5)~~ Upon the discretion of the Building Inspector, a structure may be erected within the Conservation District as described in Subsection B(1) up to but never closer than seventy-five (75) feet of the mean high water mark, provided that: **[Added 5-13-87 by Ord. No. 11-87; amended 9-14-88 by Ord. No. 15-88]**
- (a) The lot existed within the Conservation District, as recorded in the Strafford County Registry of Deeds, prior to the effective date of this subsection.
- (b) The structure cannot feasibly be constructed on a portion or portions of the lot which are outside the one-hundred-foot setback of the Conservation District.
- (7) ~~(6)~~ Upon the discretion of the Building Inspector, a structure located within the Conservation District, as described in Subsection B(1) and (2) and existing prior to the effective date of this subsection, may be increased up to twenty percent (20%) in area, provided that the enlarged structure at no point falls within seventy-five (75) feet of the *reference line (as defined in RSA 483-B:4, XVII) mean high water.* **[Added 5-13-87 by Ord. No. 11-87; amended 9-14-88 by Ord. No. 15-88]**
- (8) ~~(7)~~ Customary accessory structures shall be allowed within the Conservation District as described in Subsection B(1) but in no case closer than seventy-five (75) feet to the *reference line (as defined in RSA 483-B:4, XVII) mean high water.* **[Added 5-13-87 by Ord. No. 11-87; amended 9-14-88 by Ord. No. 15-88]**
- (9) ~~(8)~~ Projects which have been officially accepted by the Planning Board prior to the October 10, 1986, amendment posting date shall be exempt of all revisions herein. **[Added 5-13-87 by Ord. No. 11-87]**
- (10) ~~(9)~~ Land area contained within the Conservation District can be counted in determining the gross land area of a tract, lot or parcel. **[Added 5-13-87 by Ord. No. 11-87]**
- (11) ~~(10)~~ **The Planning Board may assess the applicant reasonable fees to cover the costs of special investigative studies and for the review of documents required by applications.**
- (12) ~~(11)~~ **The city shall have the power to enforce this section, and violations may be punishable by fines as provided by RSA 676:17.**

F. The provisions of the Conservation District adopted herein shall not be binding on Cochecho waterfront lots located in Urban Exemption Area, as approved by the NH Department of Environmental Services Commissioner on August 4, 2008, per File # 2008-00372. (See map on file in the Planning Department) ~~F. The provisions of the Conservation District adopted herein shall not be binding on Cochecho waterfront lots~~



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

~~located in the B-2, UMUD and CWD Zoning Districts, provided that any proposed development actively integrates and makes use of the Cochecho River waterfront resource.~~  
**[Added 1-28-87 by Ord. No. 1-87]**

### G. Boat Docks. **[Added 02-17-99 by Ord. No. 25-98]**

1. A boat dock may be allowed on a residential lot, provided that the following provisions are met:
  - (a) The dock is for recreational and accessory use only.
  - (b) One (1) dock is allowed per lot.
  - (c) The beneficiary of an easement or right-of-way, recorded at the Strafford County Registry of Deeds prior to the October 10, 1986 amendment posting date for the purpose of providing water access to nonwaterfront lots, shall be entitled to one (1) boat dock within the prescribed easement or right-of-way.
  - (d) All applicable state and federal approvals have been received.
  - (e) A dock may be provided a maximum space for two (2) slips. Joint use or private docks by adjoining waterfront residents, not to exceed two (2) slips per lot, shall be encouraged when appropriate.”

## 16. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-27.1, Wetlands Protection District, to read as follows:

**“170-27.1. Wetland Protection district. [Added 9-14-88 by Ord. No. 15-88; amended 01-22-03 by Ord. No. 35-02]**

- A. Authority. By the authority granted under RSA 674:16 and 17, this section is designed to protect the wetland areas and surface waters within the City of Dover from certain activities, the impact of which results in the alteration or destruction of wetland areas.
- B. Purpose and intent. It is intended that this section shall:
  1. Prevent the development of structures and land uses on wetlands, which will contribute to pollution of surface and ground water by sewerage, toxic substances or sedimentation.
  2. Prevent the destruction of, or significant changes to, wetlands which provide flood protection, recharge the groundwater supply and augment stream flow during dry periods and filtration of water flowing into ponds and streams.
  3. Protect unique and unusual natural areas and rare, **threatened**, and endangered species.
  4. Protect wildlife habitats, maintain ecological balances and enhance ecological values such as those cited in RSA ~~482-A:1~~ ~~483-A-1-B~~.
  5. Protect potential water supplies and existing aquifers (water-bearing stratum) and aquifer recharge areas.



CITY OF DOVER

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

6. Prevent unnecessary or excessive expense to the city for the purpose of providing and/or maintaining essential services and utilities, which might be required as a result of misuse or abuse of wetlands.
  7. Encourage those low-intensity uses that can be harmoniously, appropriately and safely located in wetlands.
  8. Preserve and enhance the aesthetic values associated with wetlands in the City of Dover.
  9. Avoid the high costs of constructing heavy structures and prevent damage to structures and abutting properties caused by inappropriate development in wetland areas.
- C. District boundaries.
1. The Wetlands Protection District is hereby determined to be all areas of wetlands as defined by **RSA 482-A:2, X and** New Hampshire Administrative Rule Wt 101.103 ~~88~~, which states a "Wetland' means an area that is inundated or saturated by surface or ground water at a frequency and duration sufficient to support and that under normal conditions does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands include, but are not limited to, swamps, marshes, bogs and **similar** areas ~~where the tide ebbs and flows."~~
  2. ~~The Wetlands Map, which is on file at the Planning Department and the City Clerk's office at City Hall, illustrates the general location of these soils for informational purposes but does not depict the exact boundaries of Wetland Protection Districts for the purpose of this section.~~
  2. For the purpose of this section, the delineation of wetland protection district boundaries shall be consistent with NHDES Wetlands Bureau Rules Wt. 301.01 or successor regulations.
  3. "Hydrophytic (water-loving) vegetation" is defined as those plants identified in the "1986 Wetland Plant List Northeast Region" of the United States Fish and Wildlife Service. The more common names associated with these vegetative communities are "bogs," "swamps," "marshes," (saltwater and freshwater) and "tidal wetlands."
- D. Procedural requirements.
1. Presence of Wetland Protection District on site.
    - (a) Where ~~maps or~~ field investigation indicates that a Wetland Protection District is present on a proposed development site, those wetlands shall be delineated on the basis of hydrophytic vegetation, hydric soils, and wetlands hydrology in accordance with the techniques outlined in the Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1, (January, 1987) or successor document. The hydric soils component of wetlands delineations shall be determined in accordance with the manual Field Indicators for Identifying Hydric Soils in New England (Version 2, July 1998, published by the New England Interstate Water Pollution Control Commission) or successor document. **Pursuant to RSA 310-A:75 through**



CITY OF DOVER

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: O – 2009.09.09-15

Ordinance Title: Updating the Dover Zoning Ordinance

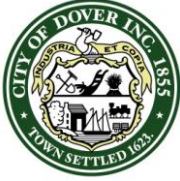
Chapter: 170

Posted June 23, 2009

Revised August 11, 2009

**310-A: 87, a Certified Wetland Scientist** ~~certified wetlands scientist~~ shall conduct this delineation.

- (i) **A Certified Wetland Scientist** ~~(1) A certified wetland scientist~~ is defined as: “a person who, by reason of his or her special knowledge of hydric soils, hydrophytic vegetation, and wetland hydrology acquired by course work and experience, as specified by RSA 310-A:84, II-a and II-b, is qualified to delineate wetland boundaries and prepare wetland maps in accordance with standards for identification of wetlands adopted by the New Hampshire Department of Environmental Services or the United States Army Corps of Engineers or its successor, and who has been duly certified by the board.” (RSA 310-A:76) If necessary, a botanist shall be used in conjunction with the wetlands scientist to identify wetland vegetation where required. The botanist shall have equivalent and practical experience to that of the wetlands scientist.
- (b) Applications for a building permit, subdivision and site plan approval shall locate and depict on the survey/subdivision plat/site plan all Wetland Protection Districts on the subject parcel. Any applicant seeking said approval(s) will be responsible for providing this information before the appropriate approval or permit can be granted.
- (c) **The entire length of the upland limit of the wetland shall be marked at regular intervals with pink and black striped construction tape prior to, and maintained for the full duration of, any construction-related activities.** ~~The applicant may also be required to place a permanent monument (e.g., iron pin with unique color cap) at all points of the lot lines which intersect with the upland limit of the Wetlands Protection District prior to such activities. These monuments shall be shown on the site plan submitted with the application.~~ The applicant may also be required to ~~affix tags to trees or other durable objects (e.g., 4" x 4" wood posts)~~ place and maintain wooden stakes and/or construction tape at ~~50-foot~~ appropriate intervals along the wetlands buffer boundary ~~and maintain said tags as needed~~ to provide sufficient visual evidence of the buffer boundary ~~during construction, if development is proposed within twenty feet of the wetlands buffer.~~ ~~The applicant may be required to affix some form of marker or tag acceptable to the City to permanently delineate the wetlands buffer boundary at appropriate intervals, as determined by the Conservation Commission and Planning Board, for the purpose of notifying future landowners of the presence of the wetlands buffer. Tags shall be obtained from the municipality.~~ The presence of wetlands on residential properties created as part of a major subdivision shall be documented in the parcel's deed.



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

~~(c) Upon detection, all areas of wetlands on a lot shall be delineated via marker flags and documented in the parcel's deed.~~

~~(2) The Planning Department shall notify the Conservation Commission of all projects and construction proposed in wetland districts for the purpose of allowing the Commission to make recommendations prior to approval.~~

2. **The Planning Department shall notify the Conservation Commission of all projects and construction proposed in wetland districts for the purpose of allowing the Commission to make recommendations prior to approval. Consistent with RSA 482-A: 3I(d) and RSA 482-A:11 III, the Conservation Commission shall have up to 40 days to make recommendations relative to the wetlands impact application. The Conservation Commission, in acting on an application for a conditional use permit in the Wetlands Protection District, may attach conditions to its recommendations including but not limited to recommendations for more extensive buffers, additional plantings in areas to be re-vegetated, performance guarantees, impact mitigation measures, and a reduction in proposed impervious surfaces.**
3. In the event that the accuracy of the boundaries submitted by the applicant is suspect, the Planning Board may call upon the services of a certified wetland scientist and/or botanist to reexamine said area and report the findings to the Planning Board for a boundary determination. The applicant shall pay the cost of said services.
4. The Building Inspector shall not issue a building permit for construction and the Planning Board shall not approve a site plan or subdivision plat unless such construction activity or proposal conforms to the provisions of this ordinance.
5. Standards established herein shall constitute the rules of overlay zones and shall be superimposed over other zoning districts or portions thereof. The provisions herein shall apply in addition to all other applicable ordinances and regulations. In the event of a conflict between any provision herein and any other regulation, the more- restrictive requirement shall control.
6. The city shall have the power to enforce this section, and violations may be punishable by fines as provided by RSA 676:17.

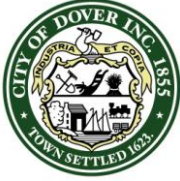
### E. Permitted uses.

1. Any use otherwise permitted by the City Zoning Ordinance, except on-site sewage disposal systems, may be permitted in a Wetland Protection District. Any use permitted under Section E(1) must first receive conditional use approval as provided for in Section F before any building permit or subdivision/site plan can be approved.

(a) Crossing of a Wetland Protection District as provided for in Section F(1).

(b) The construction or reconstruction of fences, footbridges, catwalks, boat docks and wharves does not require a conditional use permit, provided that:

- i ~~[H]~~ Said structures are constructed on posts or pilings so as to permit unobstructed flow of water and are designed in compliance with the New Hampshire Wetlands Board Code of Administrative Rules (WT 400 and 600).



CITY OF DOVER

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: O – 2009.09.09-15

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

Posted June 23, 2009

Revised August 11, 2009

ii ~~ii~~ The natural contour of the wetland is preserved.

iii ~~iii~~ All other applicable provisions of the city's Zoning Ordinance have been met.

### F. Conditional use approval.

1. Conditional use approval may be granted by the Planning Board (RSA 674:21II) after proper public notice and public hearing, for **construction within the crossing of the Wetland Protection District or buffer. Said construction may include, but is not limited to by a road or other accessway, utility right-of-way, communication lines, power lines and pipelines, structures, and parking lots** provided that the proposed construction complies with the following standards:

- (a) **Demonstration of Need:** The proposed construction is essential to the productive use of land or water outside the Wetlands Protection District.
- (b) **Avoidance:** The potential impacts have been avoided to the maximum extent practicable. The applicant will demonstrate by plan and example that the proposed construction represents the least impacting alternative.
- (b) ~~Design, construction and maintenance methods will be prepared by a registered engineer to minimize detrimental impacts to the wetlands and will include restoration of the site as nearly as possible to its original grade.~~
- (c) **Minimization:** Any unavoidable impacts have been minimized. No reasonable alternative to the proposed construction exists which does not **impact cross or alter** a wetland or which has less detrimental impact on a wetland. **Design, construction and maintenance methods will be prepared by a registered engineer to minimize detrimental impacts to the wetlands and will include restoration of the site as nearly as possible to its original grade.**
- (d) **Mitigation:** ~~For permanent impacts to Approval for the Wetland Protection District, greater than 10,000 square feet, that will remain after avoidance and minimization measures have wetlands impact has been addressed, received from the applicant shall submit a compensatory mitigation proposal, NHDES Wetlands Bureau pursuant to Section F (2)G(3), below. The Planning Board may require the applicant to provide a compensatory mitigation proposal for permanent impacts to the Wetlands Protection District or buffers less than 10,000 square feet. If the applicant is required by State rules to prepare a compensatory mitigation plan, the applicant shall provide the Conservation Commission and Planning Board with one copy each of said plan for their review.~~
- (e) Approval for the wetlands impact has been received from the NHDES Wetlands Bureau pursuant to Section G(3), below.

- (2) ~~Conditional use approval also may be granted by the Planning Board for development in the Wetlands Protection District. To obtain such an approval, the applicant shall perform or cause to have performed a functional evaluation of the wetlands on which development is proposed. Said functional evaluation shall examine the wetland in terms of the four (4) following criteria: flood control value; ecological integrity; nutrient retention and sediment trapping value; and groundwater use potential. The functional~~



CITY OF DOVER

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: O – 2009.09.09-15

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

Posted June 23, 2009

Revised August 11, 2009

evaluation shall be performed in accordance with the procedures outlined in the "Wetland Evaluation Handbook for the City of Dover" which is on file in the office of the City Clerk and Planning Department in City Hall. If three (3) or more of the criteria being evaluated for a particular wetland have a functional value index (FVI) below five-tenths (0.5), the proposed use may be permitted by the Planning Board, provided that all other provisions of this section have been satisfied. If the wetland has an FVI of five-tenths (0.5) or greater for two (2) or more of the criteria, the proposed use shall not be permitted.

***2. Conditional use approval also may be granted by the Planning Board for development in the Wetlands Protection District and buffers as outlined in Section F (1)(d). To obtain such an approval, the applicant shall perform or cause to have performed a functional assessment of the wetlands on which development is proposed using the US Army Corps of Engineers, New England District Highway Methodology Workbook Supplement, 1999 Edition. The Planning Board may use this assessment to determine wetland impact mitigation measures for conditional use approval, taking into consideration recommendations of the Conservation Commission pursuant to Section D(2).***

~~(3) The burden of proof that the conditions specified in Subsection F(1) and/or (2) above have been met shall be the responsibility of the person(s) requesting the conditional use approval, except as herein provided. Regarding a development proposed for a parcel of land smaller than ten (10) acres, the applicant shall provide a Site Specific Soil Map, and the City of Dover shall conduct the evaluation in accordance with the Wetland Evaluation Handbook.~~

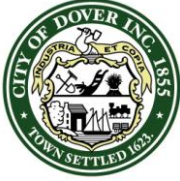
**3. The burden of proof that the conditions specified in Subsection F(1) and/or (2) above have been met shall be the responsibility of the person(s) requesting the conditional use approval, except as herein provided.**

~~(4) The conditional use approval shall apply only to the project specified at the time of approval and shall not be transferable to a different project.~~

**4. The conditional use approval shall apply only to the project specified at the time of approval and shall not be transferable to a different project.**

~~(5) For the purposes of evaluating wetlands and granting conditional use permits, the Planning Board may divide a Wetland Protection District into smaller study areas, allowing different evaluations to be assigned to the various study areas and allowing a conditional use permit to be approved for certain study areas and not for others.~~

**5. If deemed necessary by the Planning Board, prior to the granting of a conditional use approval, the applicant shall agree to submit a performance security to ensure that all operations are carried out in accordance with an approved design. This security shall be submitted in an amount sufficient to complete all specified work and repair damage to any wetland area in which no work has been authorized. The security shall be submitted in an amount, with surety and conditions satisfactory to the Planning Board. The security shall be submitted and approved prior to issuance of any permit authorizing construction.**



CITY OF DOVER

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: O – 2009.09.09-15

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

Posted June 23, 2009

Revised August 11, 2009

6. The Planning Board may assess the applicant reasonable fees to cover the costs of special investigative studies and for the review of documents required by applications.

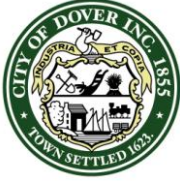
G. Specific provisions.

1. Wetland Buffers.

~~(1) Any construction altering the surface configuration of the land, shall be set back at least fifty (50) feet from a Wetland Protection District. The Planning Board may approve construction within this fifty (50) setback area in accordance with Section E(1), above. [Amended 08-01-90 by Ord. No. 8-90]~~

(a) **Buffers Established.** Buffers are hereby established around and encircling all wetlands other ~~2) No septic tank or leach field may be constructed or enlarged closer than those that were created as legally permitted sedimentation/detention basins or roadside drainage ditches.~~ The minimum width of the wetland buffers shall be fifty (50) ~~seventy-five (75) feet~~ horizontal distance as measured outward from the perimeter edge of the wetland. Wherever a permit to fill a wetland has been issued by either the New Hampshire Department of Environmental Services (NHDES) or the U.S. Army Corps of Engineers (USACOE), the perimeter of the wetland shall be deemed to be the new edge between the fill as placed in accordance with the permit and the remaining wetland. If there is no remaining wetland, there is no buffer. All other wetland edges shall be determined in accordance with Section D (1) above. ~~any Wetland Protection District. In new subdivisions approved subsequent to adoption of this section, there must be sufficient lot size to place a house, a state approved septic system, where applicable, and a state approved well, where applicable, without locating them in a wetland. This provision can be waived if a conditional use approval is obtained from the Planning Board.~~

(b) **Natural Conditions to be Maintained within Buffers.** Where wetland buffer disturbance is allowed pursuant to a state or federal permit, or a conditional use permit, restoration of the disturbed area is required. Restoration is defined as filling of ruts or excavated area with similar soils while maintaining original grade. Applications for a City of Dover Building Permit that includes a temporary disturbance of wetlands buffers, pursuant to Section G (1)(e)(4) below, shall include a "Wetlands Buffer Encroachment and Restoration Plan". Said plan shall be submitted, reviewed and approved by Building Inspector, in consultation with City staff, prior to the disturbance. Replanting to restore buffers shall be with native non-invasive species specified in the "Wetlands Buffer Encroachment and Restoration Plan". Implementation of the plan shall include the clear delineation of the boundaries of wetland buffers in the field using construction tape or other clear marking devise. Mowing to maintain an existing lawn or field within a wetland buffer area is allowed without a permit, as specified in Section G (1)(e), below, provided the roots



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

of the vegetation are not disturbed and the ground is frozen or sufficiently dry to avoid making ruts.

(c) *Certain Uses Prohibited in Buffers.* The following uses and activities are prohibited within a wetland buffer:

- i. The establishment or expansion of salt storage, junk yards, resource recovery facilities, transfer stations, landfills, or solid or hazardous waste facilities;
- ii. The bulk storage of chemicals, petroleum products, or toxic and hazardous materials;
- iii. The dumping or disposal of snow and ice collected from roadways and parking lots;

(d) *Uses Allowed Only With a Conditional Use Permit.* The following uses and activities are allowed within a wetland buffer only if a conditional use permit is obtained in accordance with Section F above:

- i. All uses not specifically prohibited in Section G (1)(c) above, or specifically exempted in Section G (1)(e) below.
- ii. The erection or construction of a building or structure, excluding fences that meet the requirements of 170-33, or the construction of parking lots or loading areas.
- iii. Timber harvesting, except as conducted in accordance with the terms and provisions of RSA 227-J, Timber Harvesting.
- iv. The removal of stumps and roots (grubbing), the recontouring or grading of the land, or the placement of impervious surfaces or creation of storm water detention ponds.
- v. The installation of water, sewer, or buried electrical or telecommunications cables.
- vi. The installation of water-supply wells.

(e) *Uses Allowed Without a Conditional Use Permit.* The following uses and activities are allowed within a wetland buffer with the noted conditions:

- i. Activities within wetlands jurisdictional areas that are allowed without a State of New Hampshire Dredge and Fill Permit, in accordance with NHDES Rules Env-Wt 303.05(a) – repair of an existing legal structure; or successor rules.
- ii. The removal of vegetation in accordance with NHDES Rules Env-Wt 303.05(b), or successor rules, provided the roots of the vegetation are not disturbed and the ground is frozen or sufficiently dry to avoid making ruts.
- iii. The installation of monitoring or test wells completed in accordance with NHDES Rules Env-Wt 303.05(p) or successor rules.
- iv. Temporary disturbance of the wetland buffer to facilitate construction activities completed under a valid City of Dover Building Permit, provided the temporary disturbance is restored in accordance with Section G(1)(b) above.



CITY OF DOVER

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

2. **No septic tank or leach field may be constructed or enlarged closer than seventy-five (75) feet to any Wetland Protection District. In new subdivisions approved subsequent to adoption of this section, there must be sufficient lot size to place a house, a state-approved septic system, where applicable, and a state-approved well, where applicable, without locating them in a wetland. This provision can be waived if a conditional use approval is obtained from the Planning Board.**
- (3) A state dredge and fill application shall be submitted for any proposed change to a wetland (RSA ~~482~~ 483-A).
- H. Filled lands and preexisting uses.
  1. Lands which may have been wetlands but were filled under properly issued federal, state and local permits granted prior to the adoption of this section will be judged according to the soils and flora existing at the time the application for building permit or subdivision is made.
  2. Structures and uses existing at the time of the adoption of this section that do not comply with the rules stated herein shall be regulated in accordance with 170-40 and 170-41 of this chapter.
- I. Exemption for one- and two-family residential structures, existing lots, ~~impoundments~~ and maintenance dredging.
  1. Notwithstanding other provisions of this chapter, the construction of additions and/or extensions to one- and two-family dwellings shall be permitted within the Wetlands Protection District or **buffer set-back**, provided that:
    - a. The dwelling(s) lawfully existed prior to the effective date of this section;
    - b. The proposed construction conforms to all other applicable ordinances and regulations of the City of Dover; and **any required State of New Hampshire Dredge and Fill Permit is obtained.**
    - c. The design and construction of the proposed use will be done in a manner which minimizes the impacts on the affected wetland, including storage of excavation and construction material outside the wetland and installation of siltation fence and/or hay bales to contain erosion of the construction site.
  2. Notwithstanding other provisions of the ordinance, a new one- or two-family dwelling shall be permitted in the Wetlands Protection District or **buffer set-back**, on an existing lot, provided that all of the following conditions are found to exist:
    - a. The lot for which an approval/permit is sought was an official lot of record, as recorded in the Strafford County Registry of Deeds, prior to the date on which this amendment was posted and published in the city.
    - b. The structure for which the approval/permit is sought cannot be feasibly built on a portion or portions of the lot, which are outside the Wetlands Protection District.



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

**Agenda Item#: 11.A.1.**

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

- c. Due to the provisions of the Wetlands Protection District, no reasonable and economically viable use of the lot can be made without the exemption.
  - d. The design and construction of the proposed structure will, to the extent practical, be consistent with the purpose and intent of this ordinance.
  - e. The proposed structure will not create a hazard to individual or public health, safety and welfare due to the loss of wetland, the contamination of groundwater or other reason.
  - f. The design and construction of the proposed structure will be done in a manner which minimizes the impacts on the affected wetland, including storage of excavation and construction material outside the wetland and installation of siltation fence and/or hay bales to contain erosion of the construction site.
3. ~~Maintenance~~ ~~Water impoundments with related structures and maintenance~~ dredging for navigational purposes (where a dredge spoil site has been approved by the Planning Board) are exempt from the regulations stated herein. Notwithstanding, copies of permits where required by the New Hampshire **Department of Environmental Services Wetlands Board, New Hampshire Water Supply and Pollution Control Division** and the United States Army Corp. of Engineers shall be submitted to the Planning Board prior to construction.
4. The burden of proof that the conditions specified in Subsection I(1) and/or (2) above have been met shall be the responsibility of the person(s) requesting the approval/permit.

J. Separability. Should any provision of this section be declared invalid by a final court decision, the same shall not affect the validity of this section as a whole or part thereof, other than the part declared to be invalid.”

### 17. AMENDMENT

Amend Chapter 170 of the Code of the City of Dover, entitled Zoning, by revising Chapter 170-27.2 to read as follows:

“170-27.2. Transfer of Development Rights. [Added 10-31-90 by Ord. No. 16-90; amended 01-22-03 by Ord. 35-02]

A. Authority. By the authority granted under NH RSA 674:21, this section creates overlay district(s) for the purpose of transferring development rights (TDR) within said districts.

B. Purpose and Intent. Within the City of Dover there are certain lands that possess significant conservation features, including but not limited to wetlands, groundwater recharge zones, forested areas, wildlife habitat, farmland, scenic viewsheds, historic landmarks, and linkages to other such areas. Because of their unique assemblages of flora and fauna and their significant contribution to the ecological system and/or the cultural identity of our community, these lands are worthy of special protection. The City of Dover



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

furthermore, has a limited supply of land suitable for development. The purpose of this overriding district is to promote intensive development on the developable land possessing the least conservation value and to permanently protect lands possessing significant conservation features that provide unique values in their undisturbed condition.

**Additionally, it is recognized that the City of Dover has an Open Lands Committee and Conservation Commission who are active in protecting and preserving open space.**

C. Applicability. Upon request by an applicant for development approval and at the discretion of the Planning Board, the provisions of this subsection may apply to the district(s) defined in this subsection E below.

### ~~D. Definitions.~~

~~Development Rights – The legal claim to construct or develop specified land uses within specified densities and/or dimensional limits as granted by the City of Dover Zoning Ordinance.~~

~~Landscaped area – An area unoccupied by pavement or structures and open to the sky in either a landscaped or grassed condition. May include recreational fields, lawns, and public parks that do not possess significant conservation features.~~

~~Open Space – Land that is not built upon or substantially altered by human activity including open fields, such as meadows and farmland, and forest as well as undeveloped shorelands and waterbodies.~~

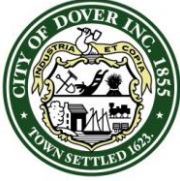
~~Receiving Area – A defined area within a TDR district to which development rights are transferred resulting in more efficient and intense use of suitable development sites.~~

~~Sending Area – A defined area within a TDR district from which development rights are transferred, resulting in the permanent preservation of lands possessing significant conservation features.~~

~~Transfer of Development Rights – The conveyance of the development rights of a parcel of land by deed or other legal instrument approved by the Planning Board to the developer of another parcel. Said legal instrument shall be recorded at the Strafford County Registry of Deeds.~~

~~TDR District – An area defined as a zoning overlay district, which includes a sending area and a receiving area for the purpose of transferring development rights from a parcel within the sending area to a parcel within the receiving area.~~

### ~~D-E. Districts Defined.~~



CITY OF DOVER

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

(1) The Industrial TDR District is hereby determined to be any I-4 or B-4 Zoning districts as shown on the Zoning Map for the City of Dover, New Hampshire, adopted May 25, 1979. The sending Area is defined to be open space and related setbacks as defined by the City of Dover Wetland Protection District, Chapter 170-27.1, which are located in be any I-4 or B-4 Zoning districts. The receiving area is defined to be all remaining land in be any I-4 or B-4 Zoning districts.

(2) The Residential TDR Districts are hereby determined to be Residential districts as shown on the Zoning Map for the City of Dover, New Hampshire, adopted May 25, 1979. The sending area is defined to be **any land preserved by the City of Dover through conservation programs in the R-40 or R-20 residential zoning districts.** The receiving area is defined to be all non-R-40 or R-20 zoning districts east of the Spaulding Turnpike which allow residential development.

### E.F. Procedural Requirements.

(1) At the discretion of the Planning Board, an applicant for development approval within the receiving area of the defined Industrial TDR district may apply the performance standards specified in subsection G below in return for the acquisition of land or development rights from the sending area within the same TDR district. The performance standards for the Residential TDR district are outlined in subsection H below.

(2) A certified boundary survey of the associated land in the sending area shall be submitted as a supplement to the site plan or subdivision plan for development within the receiving area. **For residential application, proof of previous preservation by within the City of Dover is required.**

(3) The owner of the subject open space within the sending area of the TDR district shall sign all application materials as a co-applicant of the development application. **For residential application, proof of an agreement to sell development rights must be provided by the Conservation Commission.**

(4) A sketch plan estimating layout of the development site and identifying the open space associated with the plan shall be submitted to the Planning Board for review at a regularly scheduled meeting. The Planning Board, within thirty (30) days of its review of the sketch plan, shall determine if waivers will be granted as allowed in Subsections G and H below. Following this decision, a final application is prepared. The final application for development approval shall be reviewed in accordance with the standard plan review process and subjected to all applicable development regulations, except as provided in this section.

(5) A perpetual easement or restrictive covenant shall be recorded at the Strafford County Registry of Deeds that preserves the designated open space within the sending area. Said easement or covenant may allow for the continuance of



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

**Agenda Item#: 11.A.1.**

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

existing residential and agricultural activities, and may allow for utility and access crossings in accordance with subsection I below. The designation of the land protection agency to hold the easement shall be approved by the Planning Board.

### F G. Industrial Performance Standards.

(1) Land within a sending area, when surveyed, approved by the Planning Board and preserved by easement or covenant as specified in subsection E above, may be counted for the open space requirement for a development site in a receiving area. The amount of land preserved in a sending area shall equal or exceed the open space requirement for the development site, but in no case be less than one (1) acre. Notwithstanding, development sites within the I-4 and B-4 zoning districts shall maintain open space or landscaped area on at least ten (10) percent of the site. The design of the development site shall locate the open space or landscaped area to maximize the aesthetic value of the site.

(2) The minimum lot size requirement may be waived by the Planning Board for land subjected to the transfer of development rights.

(3) The minimum frontage requirement may be waived by the Planning Board for land subjected to the transfer of development rights provided that paved access to all developed areas suitable for emergency vehicles is approved by the Planning Board.

(4) Setbacks for parking, paved areas, **wetlands**, and buildings may be waived by the Planning Board, and be consistent with the intent to promote intensive development of suitable development sites. Notwithstanding, buildings shall be at least 150 feet from residential structures that exist on the date of enactment of the I-4 and B-4 Zoning districts, and 75 feet from the lot line of a disagreeing residential abutter.

(5) The developer shall record covenants that address architectural considerations for structures, signage and lighting, that are designed to promote the highest possible aesthetic quality of the development site.

(6) A landscaping plan shall be submitted with a development application that depicts landscaping or open space around the perimeter of the site, near the proposed buildings, and within the parking lot that promotes the highest possible aesthetic quality of the development.

### G H. Residential Performance Standards.

#### **1. A residential TRANSFER OF DEVELOPMENT RIGHTS APPLICANT may pursue one of the following methods for TRANSFERRING DEVELOPMENT RIGHTS.**

##### **a. Private land transfer method**



CITY OF DOVER

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: O – 2009.09.09-15

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

- i. For land in the sending district to be eligible for a **TRANSFER OF DEVELOPMENT RIGHTS**, it must be a parcel of at least 5 acres, and developable under the existing land use regulations.
- ii. Land within a sending area, when surveyed, endorsed by the Conservation Commission/Open Lands Committee, approved by the Planning Board and preserved by easement or covenant as specified in subsection E above, may be counted for the minimum lot size requirement for a development site in a receiving area. The criteria used by Open Lands Committee to rank parcels shall be listed on the application.
- b. **Land bank method**
  - i. For land in the sending district to be eligible for a **TRANSFER OF DEVELOPMENT RIGHTS**, it must be a parcel or easement purchased by the City through the use of Conservation funds allocated and approved by the City Council.
  - ii. Annually, the City shall update a document identifying the cumulative cost per acre spent to preserve open space within the City of Dover. This list shall be kept on file in the Department of Planning and Community Development, and coordinated with the Conservation Commission.
  - iii. Proceeds from the purchase of development rights, shall be placed into the Conservation Fund to be used to purchase future property or easements, and not into the general fund.
2. **Regardless of the method utilized, the transfer shall equate to 1 unit per acre preserved. If the end result is a village themed residential/commercial project, the transfer shall equate to 1 unit per third of an acre preserved. A minimum of 3 acres shall be purchased.**
3. **Regardless of the method utilized, the minimum lot size requirement may be waived by the Planning Board for land subjected to the transfer of development rights.**
4. **Regardless of the method utilized, the minimum frontage requirement may be waived by the Planning Board for land subjected to the transfer of development rights provided that paved access to all developed areas suitable for emergency vehicles is approved by the Planning Board.**
5. **Regardless of the method utilized, any other provision in this chapter to the contrary, the density or intensity of development of a receiving parcel may be increased by the transfer of development rights so long as the increase in density or intensity:**
  - a. Is consistent with the Master Plan
  - b. Is not incompatible with the land uses on neighboring lots



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

### H I. Conditional Uses.

7. The Planning Board may grant conditional use permits to allow streets, roads, utilities, or other infrastructure improvements to cross wetlands within the receiving area of the TDR District, provided said infrastructure is essential to the productive use of land within the receiving area of a TDR District, and further provided that no possible location exists for said infrastructure in non-wetland areas.”

### 18. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-28.2, Residential-Commercial Mixed Use (RCM) Overlay District, Subsection D “Permitted Uses” Subsection 1 to read as follows:

#### 1. Principal Uses

- a. Housing for older persons as that term is defined under RSA 354-A:15 and 42 USCA §3607(b)(2) and the regulations adopted there under in the following settings:
  - i. Single-family dwelling
  - ii. Two-family dwelling
  - iii. Three to Four family dwelling
  - iv. Multi-family dwelling
  - v. Mobile home parks (permitted outright without a special exception)
- ~~b. Nursing Homes~~
- ~~c. Congregate care facilities~~
- b. Public and private utilities
- c. Non-Residential uses as allowed as follows:
  - i. Any use allowed in the underlying zone that is compatible with housing for older persons
  - ii. Barber or Beauty Shop
  - iii. Bank
  - iv. Eating/Drinking Establishments (no Drive thru Service)
  - v. Bed and Breakfast
  - vi. Office
  - vii. Retail store
  - viii. Theater
  - ix. Adult Day Care
  - x. **Nursing Homes (In areas not serviced by City water and sewer utilities at a density of one bedroom per 10,000 sq. ft. of land; in areas serviced by City water and sewer utilities at a density of one bedroom per 7,500 sq. ft. of land)**
  - xi. **Congregate Care Facilities (In areas not serviced by City water and sewer utilities at a density of one unit per 10,000 sq. ft. of land; in areas serviced by City water and sewer utilities at a density of one unit per 7,500 sq. ft. of land)**
  - xii. Other uses compatible with housing for older persons



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

**Agenda Item#: 11.A.1.**

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

- xiii. Non-residential uses in existence at the adoption of this ordinance on adjacent parcels shall be allowed to expand within the development if conceptually shown on the approved plan.”

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-28.2, Residential-Commercial Mixed Use (RCM) Overlay District, Subsection E “Procedural Concepts” Subsection 1 to read as follows:

### **“1. Residential Development Plan Guidelines**

The developer shall be permitted to allocate permitted density among Internal Dwelling Lots in a flexible and creative manner. The sum total of the permitted density shall not exceed the permitted density of the Development Lot or Legal Lot. Layouts may include individual lots or a cluster of units without lot lines.

Dwelling layouts shall be so designed that parking is screened from external roadways by garages, building locations, grading or screening. Major topographical changes or removal of existing trees shall be avoided wherever possible, and water, wetlands, and other scenic views from the external streets shall be preserved as much as possible.

**Where possible, it is desirable and encouraged to mix residential and non-residential uses. This may be achieved through situating the buildings close to each other, or through allowing structures to house residential – preferably on the second or above floor, with non-residential on the first floor. Creativity and flexibility is encouraged and the development plan may offer another option for mixing uses. Units created through the TDR program are not required to be housing for the elderly, that term is defined under RSA 354-A:15 and 42 USCA §3607(b)(2).**

All residential development must adhere to architectural design guidelines. Said standards will reflect a New England village motif and include structures with peaked roofs, and architectural shingles. The guidelines for this development are included in Chapter 149, section 14.2.

All mobile homes shall adhere to the standards outlined in Chapter 126, Mobile Home Parks, with the exception of Sections 126-3, 126-4, 126-5, 126-6, and 126- 7.H which shall be controlled by the provisions hereof and unless noted below. Where there is a difference in the requirements between this Overlay District and the provisions of Chapter 126, “Mobile Home Parks”, the provisions of the Overlay District shall apply.”

### **19. AMENDMENT**

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-28.3 “Groundwater Protection” Subsection E (2) to read as follows:



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

(2) The Building Inspector shall not issue a building permit for development or land use activities until such time as he verifies **with the Zoning Administrator** that the proposed development will comply with the provisions and standards established herein. The Building Inspector may consult with the Conservation Commission or Planning Department as he deems necessary.

### 20. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by deleting Chapter 170-28.6 “Telecommunication Facilities” Subsection D and renumber the remaining subsections.

### 21. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-28.7, Impact Fee Ordinance, to read as follows:

**“170-28.7 Impact Fee Ordinance. [Added 01-22-03 by Ord. No. 35-02]**

A. Purpose: This ordinance is enacted pursuant to RSA 674:16 and 674:21, and in order to:

Promote public health, safety, convenience, welfare, and prosperity;

Insure that adequate and appropriate public facilities are available; and

Provide for the harmonious development of the City and its environs.

**For consideration in lieu of above:**

**1. Assist in the implementation of the Master Plan and Capital Improvements Program;**

**2. Provide adequate public capital facilities necessitated by new development;**

**3. Assess an equitable share of the cost of public capital facilities to new development.**

B. Authority

1. Impact fees may be assessed to new development to compensate the City of Dover and the School District for the proportional share of capital facilities generated by new development in the City of Dover. Any person who seeks ~~a building permit approval~~ **approval** for new development may be required to pay an impact fee in the manner set forth herein.

2. The Planning Board may, as a condition of approval of any subdivision, site plan, or change of use, and when consistent with applicable Board regulations, require an applicant to pay an ~~exaction for off site improvements necessitated~~ **exaction for off site improvements necessitated** ~~impact fee for~~



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

~~the applicant's proportional share of off-site improvements to public facilities affected by the development.~~

3. Nothing in this section shall be construed to limit the existing authority of the Planning Board to disapprove proposed development which is scattered or premature, or which would require an excessive expenditure of public funds, or which would otherwise violate applicable ordinances and regulations. Nothing in this section shall be construed to limit the Planning Board's authority to require off-site work to be performed by the applicant, in lieu of paying an ~~impact fee~~ **exaction for off-site improvements**, or the board's authority to impose other types of conditions of approval. Nothing in this section shall be construed to affect types of fees governed by other statutes, ordinances or regulations.

### C. Assessment Methodology

1. Proportionality: The amount of the impact fee shall be calculated by the Planning Board to be a proportional share of municipal capital improvement costs which is reasonably related to the capital needs created by the development, and to the benefits accruing to the development from the capital improvements financed by the fee. The Planning Board may prepare, adopt, or amend studies or reports that are consistent with the above standards, and which define a methodology for impact fee assessment for public capital facilities, and impact fee assessment schedules therefore.
2. Existing Deficiencies: Upgrading of existing facilities and infrastructures, the need for which is not created by new development, shall not be paid for by impact fees.

### D. Administration

1. Accounting: In accord with RSA 673:16, II and RSA 674:21, V(c), impact fees shall be accounted for separately, shall be segregated from the City's general fund, may be spent upon order of the City Council, and shall be used solely for the capital improvements for which it was collected, or to recoup the cost of capital improvements made in anticipation of the needs which the fee was collected to meet. In the event that bonds or similar debt instruments have been or will be issued by the City of Dover or the Dover School District for the funding of capital improvements that are the subject of impact fee assessment, impact fees from the appropriate related capital facility impact fee accounts may be applied to pay debt service on such bonds or similar debt instruments.

#### 2. Assessment and Collection

- a. **Where subdivision or site plan approval is required for new development, impact fees shall be assessed at the time of Planning Board approval of a subdivision plat or site plan. The amount of such assessment shall be applicable to subsequent building construction within the approved subdivision or site plan for a period of four years from the date of Planning Board approval. Once this four-year period has expired,**



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

remaining construction for which no building permit has been obtained shall be subject to the adopted fee schedule in force at the time the building permit application is made. <sup>1</sup>

b. With the exception of those plats and site plans meeting the conditions in (A) above, and when no other Planning Board approval is required, or has been made prior to the adoption or amendment of the impact fee ordinance, impact fees shall be assessed upon the issuance of a building permit. In such cases, the impact fee schedule in force at the time of the building permit application shall apply.

~~2.~~ c. Impact fees will be collected prior to or at the time of issuance of a building permit, unless the Planning Board establishes an alternate, mutually acceptable schedule of payment of impact fees imposed on an assessed property. If an alternate schedule of payment is established, the Planning Board may require security, in the form of a cash bond, letter of credit, or performance bond so as to guarantee future payment of impact fees. In no case will an impact fee payment be allowed to be made after the issuance of a certificate of occupancy.

~~3.~~ Assessment: All impact fees imposed pursuant to this section shall be assessed prior to, or as a condition for, the issuance of a building permit or other appropriate permission to proceed with development, as determined by the Building Inspector.

3. Security: In the interim between assessment and collection, the Building Inspector may require developers to post bonds, issue letters of credit, accept liens, or otherwise provide suitable measures of security so as to guarantee future payment of assessed impact fees.

~~4.~~ Collection: Impact fees shall be collected as a condition for the issuance of a certificate of occupancy; provided, however, in projects where off-site improvements are to be constructed simultaneously with a project's development, and where the City has appropriated the necessary funds to cover such portions of the work for which it will be responsible, the City may advance the time of collection of the impact fee to the issuance of a building permit. Nothing in this section shall prevent the Building Inspector, with the approval of the Planning Board, and the assessed party from establishing an alternate, mutually acceptable schedule of payment.

4. Refund of Fees Paid: The current owner of record of property for which an impact fee has been paid shall be entitled to a refund of that fee, plus accrued interest under the following circumstances:

a. When either the full or partial portion of the impact fee, whichever is applicable, has not been encumbered or legally bound to be spent for the purpose for which it was

<sup>1</sup> See NH RSA 674:39 with respect to its provisions regarding impact fee assessment.



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

**Agenda Item#: 11.A.1.**

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

collected within a period of six (6) years from the date of the full and final payment of the fee; or

- b. When the City of Dover, or in the case of school impact fees, the Dover School District, has failed, within the period of six (6) years from the date of the full and final payment of such fee, to appropriate their proportionate non-impact fee share of related capital improvement costs.

### E. Appeals

A party aggrieved by a decision made by the Building Inspector regarding the assessment or collection of impact fees authorized by this Section may appeal such decision to the Planning Board.

In accord with RSA 676:5, III, appeals of the decision of the Planning Board in administering this ordinance may be made to Superior Court, as provided in RSA 676:5, III and RSA 677:15, as amended.

### F. Waivers

The Planning Board may grant full or partial waivers of impact fees where the Board finds that one or more of the following criteria are met with respect to the particular public capital facilities for which impact fees are normally assessed:

1. An applicant may request a full or partial waiver of school impact fees for those residential units that are lawfully restricted to occupancy by senior citizens age 62 or over in a development that is also maintained in compliance with the provisions of RSA 354-A: 15, Housing For Older Persons. The Planning Board may waive school impact fee assessments on such age-restricted units where it finds that the property will be bound by lawful deeded restrictions on occupancy by senior citizens age 62 or over for a period of at least 20 years.
2. A person may request a full or partial waiver of impact fees for construction within a subdivision or site plan approved by the Planning Board prior to the effective date of this ordinance. Prior to granting such a waiver, the Planning Board must find that the proposed construction is entitled to the four year exemption provided by RSA 674:39, pursuant to that statute. This waiver shall not be applicable to phases of a phased development project where active and substantial development, building and construction has not yet occurred in the phase in which construction is proposed.
3. The Planning Board may agree to waive all or part of an impact fee assessment and accept in lieu of a cash payment, a proposed contribution of real property or facility improvements of equivalent value and utility to the public. Prior to acting on a request for a waiver of impact fees under this provision that would involve a contribution of real property or the construction of capital facilities, the Planning Board shall submit a copy of the waiver request to the City Council for its review and consent prior to its



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

**Agenda Item#: 11.A.1.**

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

acceptance of the proposed contribution. The value of contributions or improvements shall be credited only toward facilities of like kind, and may not be credited to other categories of impact fee assessment. The applicant shall pay all costs incurred by the City for the review of such proposal, including consultant and counsel fees.”

### 22. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-29.2 “Definitions” to read as follows:

“170-29.2. ~~Definitions~~ **Reserved**”

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-30.3 “Application Submission Items” subsection A by adding item 19 to read as follows:

“19. All infrastructure and topographic information shall be submitted in an electronic format, as well as on paper.”

### 23. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-32 “Sign Review and Regulations” Subsection B to read as follows:

“B. Permitted signs. No sign shall be permitted within the City of Dover, except in accordance with the provisions of this section. See ~~table~~ **Tables of Use and Dimensional Regulations By District** for overview of permitted signs.”

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-32 “Sign Review and Regulations” Subsection D 1(a) and (d) to read as follows:

“(a) ~~Political~~ **Election** Signs. ~~Political~~ **Election** signs shall be regulated as required in Subsection M.”

“(d) Non-profit, public benefit and/or municipality related temporary signs with consent of the Zoning Administrator.”

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-32 “Sign Review and Regulations” Subsection D 5 (a) to read as follows:

“(a) FLASHING SIGNS ~~as defined in Section Q~~ are prohibited. [Added 03-21-07 by Ord. No. 01-2007]



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-32 “Sign Review and Regulations” Subsection D 9 to read as follows:

“(9) Temporary A-frame, portable or wheeled sidewalk or curb signs are prohibited, except as otherwise provided in this section. Refer to Subsections ~~F(4)~~ **G (2)** and P(3). ~~and (7)~~.”

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-32 “Sign Review and Regulations” Subsection F 2 (a) to read as follows:

“(a) Where a principal building fronts on more than one (1) street, one (1) freestanding sign may be erected for each frontage, ~~provided that the building complies with Subsection F(2)(a).~~”

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-32 “Sign Review and Regulations” Subsection F 3 (f) to read as follows:

“(f) A hold-harmless ~~agreement~~ **certification letter** shall be filed with the ~~Building Inspector~~ **Zoning Administrator** to relieve the City of Dover from bodily injury and property damage liability.”

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-32 “Sign Review and Regulations” Subsection G 2 (c) to read as follows:

(c) The property owner shall be required to execute ~~an indemnification agreement~~ **a hold harmless certification letter** in a form approved by the City Attorney for the purpose of indemnifying and holding the City harmless from any liability due to the use or existence of any such temporary sign. All such agreements shall be kept on file in the ~~Building Inspector’s~~ **Department of Planning and Community Development** Office.

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-32 “Sign Review and Regulations” Subsection L 2 (c) to read as follows:

(c) The property owner shall be required to execute ~~an indemnification agreement~~ **a hold harmless certification letter** in a form approved by the City Attorney for the purpose of indemnifying and holding the City harmless from any liability due to the use or existence of any such temporary sign. All such agreements shall be kept on file in the ~~Building Inspector’s~~ **Department of Planning and Community Development** Office.



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

**Agenda Item#: 11.A.1.**

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-32 “Sign Review and Regulations” Subsection M by replacing any use of the phrase “Political” with “Election”.

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-32 “Sign Review and Regulations” Subsection M, Subsection 6 to read as follows:

“(6) Any candidate failing to comply with the above requirements shall be subject to a fine not to exceed ~~twenty~~ **fifty** dollars (~~\$20.~~ **50**) per sign violation.

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-32 “Sign Review and Regulations” Subsection O 3 to read as follows:

“(3) If the nonconforming sign is replaced, it shall be replaced **in total** with a sign that is in conformance with the provisions of this section.”

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-32 “Sign Review and Regulations” Subsection P 3 to read as follows:

“(3) Sign location. The physical placement of signage on a building shall be as important in perpetuating the mill motif theme as the sign composition itself. To maximize the effectiveness of signs and a building's architecture, every sign shall be required to be an integral part of its building. Signs shall be located with respect to the basic architectural framework of the building, so as not to obscure the primary elements (door and window openings and decorative facade treatments) of a building's framework. Refer to Subsection ~~OE~~(4)(e) for graphic guidelines.”

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-32 “Sign Review and Regulations” Subsection Q to read as follows:

“Q Fees: Fees for the review of signage are set annually and may be found in the City’s Fee Schedule.”

AND



CITY OF DOVER

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-32 “Sign Review and Regulations” by deleting Subsection R.

### 24. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-33 “Fence review and regulations” Subsection C to read as follows:

“C. Exceptions. The provisions described in Subsection A shall not apply in Industrial (I-2), Restricted Industrial (I-1), Thoroughfare Business (B-3), Central Business (~~B-2~~ CBD), Office (O), **and** Cochecho Waterfront (CWD) ~~and Urban Multiple Use (UMUD)~~ Zoning Districts, or whenever the Zoning Board of Adjustment, as a condition attached to the granting of a variance or special exception to the Zoning Ordinance, requires for screening purposes a fence exceeding six (6) feet.”

### 25. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-41 “Nonconforming Structures” by adding subsection E to read as follows:

**E. The above notwithstanding, if a lot meets the requirements of Chapter 170-14, any additions or accessory structures may be allowed to meet the side yard setbacks outlined therein.”**

### 26. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-44 “Applicability” Subsection H to read as follows:

“H. In the ~~B-2, UMUD~~ CBD and CWD Zoning Districts, **none of the** on-site parking standards ~~recorded in Section 170-45 of this chapter~~ shall **not** be binding except in such cases where new construction is proposed that would create additional building square footage; and **or when** conversions or changes of use that **would** result in an increase **in the number** of residential units.

Parking spaces required in ~~B-2, UMUD,~~ CBD and CWD Zoning Districts may be located off-site within 1000 feet of the proposed use. The spaces may be located in a municipal parking lot and leased from the city, or leased from a private landowner. Lease agreements are subject to Planning Board approval, and must have a minimum duration of five (5) years, and have provisions for renewal at expiration. [Added 9-24-80 by Ord. No. 15-80; amended 3-30-83 by Ord. No. 5-83; 6-10-87 by Ord. No. 13-87; amended 08-01-90 by Ord. No. 8-90]

### 27. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-45 “Required Spaces” to read as follows:

**“170-45. Reserved”**



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

**Agenda Item#: 11.A.1.**

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

### 28. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-48 “Building Permit Procedure.” to read as follows:

“170-48 **Reserved**”

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-49 “Certificate of Occupancy” to read as follows:

“170-49 **Reserved**”

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-50 “Building Permit Fees” to read as follows:

“170-50 **Reserved**”

### 29. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-52 “Zoning Board of Adjustment” Subsection D (1) to read as follows:

(1) Rehearing. Within ~~twenty (20)~~ **thirty (30) calendar** days after any order or decision of the Board, any party to the action or proceedings or any person directly affected thereby may apply for a rehearing in respect to any matter determined in the action or proceeding or covered or included in the order, specifying in the motion for rehearing the grounds therefore; and the Board may grant such rehearing if, in its opinion, good reason therefore is said in such motion.”

### 30. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-53, Amendment Procedure, to read as follows:

“170-53. Amendment Procedure.

A. Power to Amend. In accordance with RSA 674:16, the City Council may, from time to time, amend the provisions of this ordinance.

B. Initiation of Amendments. Amendments may be initiated by the City Council, the Planning Board, or by petition from one or more property owners in Dover or citizens of Dover.



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

**Agenda Item#: 11.A.1.**

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

### C. Procedure for Consideration of a Proposed Amendment.

(1) **Amendments Initiated by the Planning Board.** The Planning Board may, upon its own initiative, from time to time, consider amendments to the Zoning Ordinance or Zoning Map, and submit recommendations for amendments to the City Council. Such amendments shall be developed pursuant to the public notice and hearing requirements contained in Section D below.

(2) **Amendments Initiated by the City Council.** The City Council may, upon its own initiative, from time to time, consider amendments to the Zoning Ordinance or Zoning Map. All such City Council initiated amendments shall be referred to the Planning Board for its review and study. The referral shall be made in writing by the Mayor. The Planning Board shall, after following the public notice and hearing requirements contained in Section D below, submit written recommendations regarding the amendments to the City Council within sixty (60) days of their referral.

(3) **Amendments Initiated by Dover Citizens or Property Owners.** Dover citizens or owners of property in Dover submitting amendments to the Zoning Ordinance or Zoning Map, shall forward their proposed amendments to the Planning Board for its consideration and recommendation. Such submission shall contain the information required by Section E below. The Planning Board shall have the petition placed on the agenda for its next regularly scheduled meeting that proper notice, as required in Section D below, can be met. After the public hearing, the Planning Board shall make its recommendations concerning the petitioned amendments to the City Council within sixty (60) days of the date of the initial public hearing.

### D. Public Notice and Hearing Requirements.

(1) **Public Notice.** Public notice shall be given for the time and place of the public hearing at least ten (10) days before the hearing, not including the day the notice is posted or published or the day of the public hearing. Notice of the public hearing shall be placed in a newspaper of general circulation in the city and shall be posted in at least three (3) public places, including the City web-site.

(2) **Notice to Landowners and Abutters.** Except as hereinafter provided, a letter of notification shall be sent to landowners whose property lies within that area affected by the proposed amendment and to landowners whose property lies within one hundred (100) feet of the subject area. All such notices shall be by first class mail and shall be sent at least ten (10) days prior to the scheduled public hearing date.

(3) **Text of Notice.** All letters of notification and public notices shall state the time and place of the public hearing, the nature of the amendment, a general description of the property involved, where applicable, and designating a place where the full text of the amendment is on file for public inspection.

### E. Submission Requirements for Petitioned Amendments.

Document Created by: Planning Department

Document Posted on: December 4, 2009

HousekeepingPHRevision

Page 65 of 69



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

**Agenda Item#: 11.A.1.**

Ordinance Number: **O – 2009.09.09-15**  
Ordinance Title: Updating the Dover Zoning Ordinance  
Chapter: 170

*Posted June 23, 2009*  
*Revised August 11, 2009*

A petitioned amendment proposal shall be accompanied by maps, data and narrative information describing the location, nature and purpose of the proposed amendment, as follows:

1. A properly drafted ordinance containing the amendment in a form meeting the requirements of the City Clerk;
2. A statement of the purposes and intent of the proposed amendment;
3. A statement of the impact of the proposed amendment on the City's economy, environment, municipal services, municipal facilities and neighborhoods;
4. A map showing the existing zoning districts and the amendments to these districts as propose in the amendment, if applicable;
5. The names, addresses, and telephone numbers of those submitting the petition and of any agents or representatives of the same;
6. A list and address labels including the name, address, and tax map number of each property owner of the area proposed for rezoning and each property owner within 100-foot of the subject area. The list shall be current within ten days of submittal; and
7. A non-refundable fee in the \$50.00 to cover the cost of the newspaper notice, and a non-refundable fee of \$1.00 per landowner and abutter required to be notified per Section D(2).

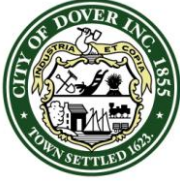
### F. Criteria for Planning Board Review of Proposed Amendments.

The Planning Board shall provide to the City Council a report on each proposed amendment. The report of the Planning Board shall include the Board's findings and recommendations on the following:

1. The consistency of the proposed amendment with the Master Plan;
2. The consistency of the proposed amendment with other plans, studies, or technical reports prepared by or for the Board and the City;
3. The effect of the proposed amendment on the City's municipal services and capital facilities as described in the Capital Improvements Program;
4. The effect of the proposed amendment on the natural, environment, and historical resources of the City;
5. The effect of the proposed amendment on neighborhood including the extent to which nonconformities will be created or eliminated;
6. The effect of the proposed amendment on the City's economy and fiscal resources; and
7. The recommendation of the Planning Board relative to whether the proposed amendment should be adopted or rejected, and any recommendations for modifications to the proposed amendment.

### G. City Council Action on Proposed Amendments.

(1) Setting a Hearing Date. Upon receipt of the Planning Board's report and recommendations on the proposed amendment, or upon the expiration of the 60-day study period, the City Council shall establish a date for a public hearing and shall further publish and post a notice of such hearing as specified in Section D.



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

**Agenda Item#: 11.A.1.**

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

(2) Waiver of Notice. In the event that the proposed amendment is comprehensive in nature, the aforementioned provisions requiring notice by first class mail to individual landowners and abutters may be waived by a majority vote of the full City Council, with respect to the public hearing to be held before it. An amendment shall be deemed to be comprehensive in nature if it affects more than one (1) of the zoning districts established by 170-7 of this chapter. Under no circumstances may the provisions for publication of notice in a newspaper or posting of public notice contained in Section D (1) of this section be waived.

(3) Action on the Proposed Amendment. After holding the duly noticed public hearing on a proposed amendment, the City Council shall approve or disapprove the amendment. The City Council shall not have the right to overrule the Planning Board recommendations unless by a vote of not less than two-thirds (2/3) of its membership present and voting.

(4) Protest Petition. If a valid protest petition, in accordance with RSA 675:5, has been filed against a proposed amendment, a favorable vote of two-thirds (2/3) of the City Council members present shall be required.”



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

**Agenda Item#: 11.A.1.**

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

### 31. TAKES EFFECT

This ordinance shall take effect upon passage and publication of notice as required by RSA 47:18.

### AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Dean Trefethen, Deputy Mayor  
Planning Board Representative

Approved as to Legal Form: Allan B. Krans, Sr.  
City Attorney

Recorded by: Karen Lavertu  
City Clerk

### DOCUMENT HISTORY:

First Reading Date:	Public Hearing Date:
Approved Date:	Effective Date:

### DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor Dean Trefethen		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does   does not pass.		



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.1.

Ordinance Number: **O – 2009.09.09-15**

Ordinance Title: Updating the Dover Zoning Ordinance

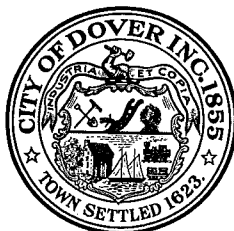
Chapter: 170

*Posted June 23, 2009*

*Revised August 11, 2009*

### ORDINANCE BACKGROUND MATERIAL:

Please view attached memo to Council and the recommendations summary from the 2007 Land Use Chapter Master Plan.



APPLICATION  
CITY OF DOVER, NEW HAMPSHIRE

RAFFLE\*...TAG\*.....PARADE\*\*..... BLOCK PARTY\*\*..... ROAD TOLL\*\*\*.....

Fill In Completely and Return To City Clerk NO LATER THAN 30 DAYS PRIOR TO EVENT

Organization Name: COCHECO PARK PRESERVATION ASSOCIATES, INC

Federal Tax ID number for Organization: 41-2250353

Nature of Organization: Religious, Educational, Charitable, Civic, Sports, Veterans, Fraternal or Political

Contact Person: SHELLY HANSON Day Time Telephone: 998-9453 (EOR)

Address: 40 CHESTNUT ST. DOVER, NH 03820 Email Address: SHELLYH@MANAGEMENT.COM

Purpose of Permit: 50/50 RAFFLE TO BENEFIT "FOREVER YOUNG CLUB"

Date of Event: DEC 1, 2009 Specific Time: 10:00AM

Location of Event: COCHECO PARK COMMUNITY ROOM

\*\*\*\*\*

(Raffle Permit only)

Prize (s) To Be Awarded: 1/2 OF PROCEEDS

Amount of Donation: \$1.00 TICKET Date of Drawing: 12/1/2009 Specific Time: 10:00AM

Place of Drawing: COCHECO PARK COMMUNITY ROOM

**\* NOTICE TO RAFFLE AND TAG PERMIT APPLICANTS:** Please be advised the City will verify that your organization is in compliance with the regulations of N.H. Charitable Trusts Unit of the Attorney General's Office prior to the acceptance of your application. The police department may contact you to obtain additional information. Please provide a way for us to contact you during the day so the request can expedited Information on these requirements may be found at [http://doj.nh.gov/publications/charitable\\_forms.html](http://doj.nh.gov/publications/charitable_forms.html).

**\*\* NOTE: ALL REQUESTS FOR PARADE PERMITS AND BLOCK PARTIES MUST HAVE PARADE ROUTE APPROVED BY THE POLICE DEPT. BEFORE GOING ON THE COUNCIL AGENDA**

**\*\*\*NOTE: SOLICITING DONATIONS IS PROHIBITED FROM THE ROADWAY WITHOUT SPECIAL PERMISSION FROM THE POLICE DEPARTMENT**

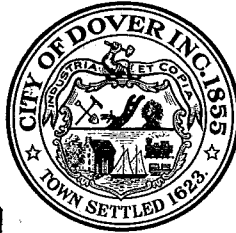
I CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE AND CORRECT.  
I UNDERSTAND THAT THIS PERMIT IS ISSUED BY THE CITY COUNCIL PER the provisions of RSA 287-A , RSA 31:91 and/or RSA 286 and I agree to abide by same.

Signature: [Signature] Date: 10/30/09

Licensing Board approval [Signature] Date: 11/3/09  
Revised 03/17/08

OK  
W

RECEIVED  
DOVER CITY CLERK  
DOVER, NH



2009 NOV 24 P 2: 51

**APPLICATION  
CITY OF DOVER, NEW HAMPSHIRE**

RAFFLE\*~~X~~.....TAG\*.....PARADE\*\*..... BLOCK PARTY\*\*..... ROAD TOLL\*\*\*.....

Fill In Completely and Return To City Clerk NO LATER THAN 30 DAYS PRIOR TO EVENT

Organization Name: DHS Girls Basketball Boosters

Federal Tax ID number for Organization: 22-3010916

Nature of Organization: Religious, Educational, Charitable, Civic, Sports, Veterans, Fraternal or Political

Contact Person: Jeanne Walcek Day Time Telephone: 742-1605

Address: 15 Grady's Ln, Dover Email Address: Doversix@AOL.COM

Purpose of Permit: 50/50 Raffle @ home games

Date of Event: Dec-'09 thru Mar'10 Specific Time: all home basketball games

Location of Event: Dover High School

\*\*\*\*\*  
(Raffle Permit only)  
Prize (s) To Be Awarded: 50/50

Amount of Donation: \_\_\_\_\_ Date of Drawing: seasonal Specific Time: \_\_\_\_\_

Place of Drawing: DHS

**\* NOTICE TO RAFFLE AND TAG PERMIT APPLICANTS:** Please be advised the City will verify that your organization is in compliance with the regulations of N.H. Charitable Trusts Unit of the Attorney General's Office prior to the acceptance of your application. The police department may contact you to obtain additional information. Please provide a way for us to contact you during the day so the request can expedited Information on these requirements may be found at [http://doj.nh.gov/publications/charitable\\_forms.html](http://doj.nh.gov/publications/charitable_forms.html).

**\*\* NOTE:** ALL REQUESTS FOR PARADE PERMITS AND BLOCK PARTIES MUST HAVE PARADE ROUTE APPROVED BY THE POLICE DEPT. BEFORE GOING ON THE COUNCIL AGENDA

**\*\*\*NOTE:** SOLICITING DONATIONS IS PROHIBITED FROM THE ROADWAY WITHOUT SPECIAL PERMISSION FROM THE POLICE DEPARTMENT

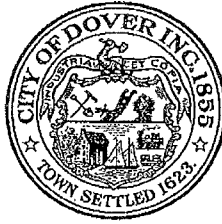
I CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE AND CORRECT.  
I UNDERSTAND THAT THIS PERMIT IS ISSUED BY THE CITY COUNCIL PER the provisions of RSA 287-A , RSA 31:91 and/or RSA 286 and I agree to abide by same.

Signature: Jeanne Walcek Date: 11/17/09

Licensing Board approval [Signature] Date: 11/23/09

Revised 03/17/08

OK  
W/for



APPLICATION  
CITY OF DOVER, NEW HAMPSHIRE

RAFFLE\* .....TAG\* .....PARADE\*\* ..... BLOCK PARTY\*\* ..... ROAD TOLL\*\*\* .....

Fill In Completely and Return To City Clerk NO LATER THAN 30 DAYS PRIOR TO EVENT

Organization Name: Great Bay Figure Skating Club

Federal Tax ID number for Organization: 23-7430844

Nature of Organization: Religious, Educational, Charitable, Civic, Sports, Veterans, Fraternal or Political

Contact Person: Robin Sullivan Day Time Telephone: 749-2600 x:32201

Address: 19 Granger Dr. Lee NH 03861 Email Address: rsullivan@comcast.net

Purpose of Permit: 50/50 raffle during annual holiday skating show

Date of Event: 12/5/09 Specific Time: 9:30-11:30

Location of Event: Dover Ice Arena  
\*\*\*\*\*

(Raffle Permit only)

Prize (s) To Be Awarded: 50% of raffle proceeds - cash

Amount of Donation: \_\_\_\_\_ Date of Drawing: 12/5/09 Specific Time: 9:30-11:30

Place of Drawing: Dover Ice Arena

**\* NOTICE TO RAFFLE AND TAG PERMIT APPLICANTS:** Please be advised the City will verify that your organization is in compliance with the regulations of N.H. Charitable Trusts Unit of the Attorney General's Office prior to the acceptance of your application. The police department may contact you to obtain additional information. Please provide a way for us to contact you during the day so the request can expedited. Information on these requirements may be found at [http://doj.nh.gov/publications/charitable\\_forms.html](http://doj.nh.gov/publications/charitable_forms.html).

**\*\* NOTE:** ALL REQUESTS FOR PARADE PERMITS AND BLOCK PARTIES MUST HAVE PARADE ROUTE APPROVED BY THE POLICE DEPT. BEFORE GOING ON THE COUNCIL AGENDA

**\*\*\*NOTE:** SOLICITING DONATIONS IS PROHIBITED FROM THE ROADWAY WITHOUT SPECIAL PERMISSION FROM THE POLICE DEPARTMENT

I CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE AND CORRECT.  
I UNDERSTAND THAT THIS PERMIT IS ISSUED BY THE CITY COUNCIL PER the provisions of RSA 287-A, RSA 31:91 and/or RSA 286 and I agree to abide by same.

Signature: Robin P. Sullivan Date: 11/4/09

Licensing Board approval \_\_\_\_\_ Date: \_\_\_\_\_  
Revised 03/17/08



APPLICATION
CITY OF DOVER, NEW HAMPSHIRE

RAFFLE\*...TAG\*.....PARADE\*\*..... BLOCK PARTY\*\*..... ROAD TOLL\*\*\*.....

Fill In Completely and Return To City Clerk NO LATER THAN 30 DAYS PRIOR TO EVENT

Organization Name: SONS OF AMERICAN LEGION Post 8 DOVER
Federal Tax ID number for Organization: 02-0215228
Nature of Organization: Religious, Educational, Charitable, Civic, Sports, Veterans, Fraternal or Political

Contact Person: FRED STONE Day Time Telephone: 749-2389 (HOME) 742-2157 (LEGION)

Address: 640 CENTRAL AVE DOVER Email Address

Purpose of Permit: RAFFLE FUNDS FOR DOVER FOOD PANTRY / CHILDREN'S HOME

Date of Event: FEB 14, 2010 Specific Time: 1:00 PM

Location of Event: 640 CENTRAL AVE DOVER

(Raffle Permit only)

Prize (s) To Be Awarded: 200 GAL. FUEL OIL / 100 GAL FUEL OIL

Amount of Donation: \$1.00 Date of Drawing: FEB 14, 2010 Specific Time: 1 PM

Place of Drawing: 640 CENTRAL AVE DOVER NH

\* NOTICE TO RAFFLE AND TAG PERMIT APPLICANTS: Please be advised the City will verify that your organization is in compliance with the regulations of N.H. Charitable Trusts Unit of the Attorney General's Office prior to the acceptance of your application. The police department may contact you to obtain additional information. Please provide a way for us to contact you during the day so the request can expedited Information on these requirements may be found at http://doj.nh.gov/publications/charitable\_forms.html.

\*\* NOTE: ALL REQUESTS FOR PARADE PERMITS AND BLOCK PARTIES MUST HAVE PARADE ROUTE APPROVED BY THE POLICE DEPT. BEFORE GOING ON THE COUNCIL AGENDA

\*\*\*NOTE: SOLICITING DONATIONS IS PROHIBITED FROM THE ROADWAY WITHOUT SPECIAL PERMISSION FROM THE POLICE DEPARTMENT

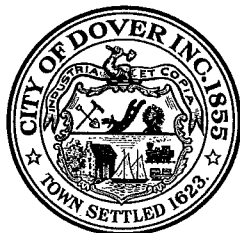
I CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE AND CORRECT. I UNDERSTAND THAT THIS PERMIT IS ISSUED BY THE CITY COUNCIL PER the provisions of RSA 287-A , RSA 31:91 and/or RSA 286 and I agree to abide by same.

Signature: [Signature] Date: 12-02-09
FRED STONE

Licensing Board approval Date:

RECEIVED  
DOVER CITY CLERK  
DOVER, NH

2009 NOV 24 P 2:51



APPLICATION  
CITY OF DOVER, NEW HAMPSHIRE

RAFFLE\*.....TAG\*.....<sup>X</sup>.....PARADE\*\*..... BLOCK PARTY\*\*..... ROAD TOLL\*\*\*.....

Fill In Completely and Return To City Clerk NO LATER THAN 30 DAYS PRIOR TO EVENT

Organization Name: DHS Girls Basketball Boosters

Federal Tax ID number for Organization: 22-3010916

Nature of Organization: Religious, Educational, Charitable, Civic, Sports, Veterans, Fraternal or Political

Contact Person: Jeanne Walcek Day Time Telephone: 742-1605

Address: 15 Grady's Ln. Dover Email Address Doversix@AOL.COM

Purpose of Permit: to "tag" the spectators along Holiday parade route for donations to a family in need

Date of Event: 11/29/09 Specific Time: 2:45-4:45

Location of Event: Central Ave. Dover

*(Raffle Permit only)*

Prize (s) To Be Awarded: n/a

Amount of Donation: \_\_\_\_\_ Date of Drawing: \_\_\_\_\_ Specific Time: \_\_\_\_\_

Place of Drawing: \_\_\_\_\_

**\* NOTICE TO RAFFLE AND TAG PERMIT APPLICANTS:** Please be advised the City will verify that your organization is in compliance with the regulations of N.H. Charitable Trusts Unit of the Attorney General's Office prior to the acceptance of your application. The police department may contact you to obtain additional information. Please provide a way for us to contact you during the day so the request can expedited Information on these requirements may be found at [http://doj.nh.gov/publications/charitable\\_forms.html](http://doj.nh.gov/publications/charitable_forms.html).

**\*\* NOTE:** ALL REQUESTS FOR PARADE PERMITS AND BLOCK PARTIES MUST HAVE PARADE ROUTE APPROVED BY THE POLICE DEPT. BEFORE GOING ON THE COUNCIL AGENDA

**\*\*\*NOTE:** SOLICITING DONATIONS IS PROHIBITED FROM THE ROADWAY WITHOUT SPECIAL PERMISSION FROM THE POLICE DEPARTMENT

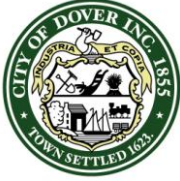
I CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE AND CORRECT.

I UNDERSTAND THAT THIS PERMIT IS ISSUED BY THE CITY COUNCIL PER the provisions of RSA 287-A , RSA 31:91 and/or RSA 286 and I agree to abide by same.

Signature: Jeanne Walcek Date: 11/17/09

Licensing Board approval (Signature) Date: 11/23/09  
Revised 03/17/08

OK W [Signature]



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.A.6.

Resolution Number: **R - 2009.12.09 – 177**  
Resolution Re: **B10028 Third Party Workers Compensation Claims  
Administration & Loss Prevention**

WHEREAS: Sealed Request for Proposals B10028 were requested and received for Third Party WC Claims Administration and Loss Prevention Services on November 16, 2009 at 2:00 p.m.; and

WHEREAS: The RFP requested a two year agreement with the option to renew for three additional one year terms. The proposal deemed most advantageous to the City of Dover was submitted by CCMSI of Manchester NH based on a rates outlined in the results page of this resolution; and

WHEREAS: The existing agreement with CCMSI began in January 2005 and will expire December 31, 2009. The relationship between CCMSI and the City of Dover for the past five years has been mutually beneficial. The base rate offered for the next three years is a zero increase from the current year. The Loss prevention services will not be awarded through this bid. It is currently handled by the Local Government Center.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

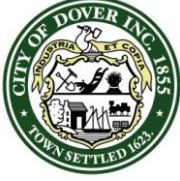
The Purchasing Agent is hereby authorized to issue a Purchase Order to CCMSI of Manchester for TPA services in the amount of \$23,380 and corresponding rates provided 11/16/09. The amount of this authorization shall be limited so as not to exceed available funding.

### Financing

Account	Description	Appropriation	Balance
6800-49200-4312-9100-00-55	Internal Services Management	\$28,630.00	\$28,630.00

AND, FURTHER BE IT RESOLVED THAT:

The Purchasing Agent is hereby authorized to issue a Purchase Order to CCMSI of Manchester NH for TPA for year two at the same rate with the option to renew for three subsequent one year terms at the rates provided on 11/16/09 contingent upon funding availability and continued vendor satisfaction.



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.A.6.

Resolution Number: **R - 2009.12.09 – 177**  
Resolution Re: **B10028 Third Party Workers Compensation Claims  
Administration & Loss Prevention**

### AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Mayor Scott Myers  
By request

Approved as to Legal Form: Allan B. Krans, Sr.  
City Attorney

Recorded by: Karen Lavertu  
City Clerk

### DOCUMENT HISTORY:

First Reading Date:	Public Hearing Date:
Approved Date:	Effective Date:

### DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does   does not pass.		



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.A.6.

Resolution Number: **R - 2009.12.09 – 177**  
Resolution Re: **B10028 Third Party Workers Compensation Claims  
Administration & Loss Prevention**

### **BACKGROUND**

Sealed Request for Proposals B10028 were requested and received for Third Party WC Claims Administration and Loss Prevention Services on November 16, 2009 at 2:00 p.m. The RFP requested a two agreement with the option to renew for three additional one year terms. The proposal deemed most advantageous to the City of Dover was submitted by CCMSI of Manchester NH based on a rates outlined in the results page of this resolution.

The existing agreement with CCMSI began in January 2005 and will expire December 31, 2009. The relationship between CCMSI and the City of Dover for the past five years has been mutually beneficial. The base rate offered for the next three years is a zero increase from the current year.

The Loss prevention services will not be awarded through this bid. It is currently handled by the Local Government Center.

### **Purchasing Information:**

<b>Type:</b>	Purchase Order	<b>Advertised:</b>	Yes
<b>Invitations Mailed:</b>	23	<b>Number of Responses:</b>	4 and 2 no bids
<b>Warranty:</b>	n/a	<b>Terms:</b>	net 30
<b>Work Bonded:</b>	No	<b>Contract:</b>	Yes
<b>Prices will hold for:</b>	Five years	<b>Estimated Delivery:</b>	Na
<b>Recommended Award to:</b>	CCMSI Manchester NH	<b>Fund:</b>	Internal Services
<b>Other Approvals Required:</b>	No	<b>References Checked:</b>	Satisfactory
<b>Previously Worked for City:</b>	Yes	<b>Reason for Council Approval:</b>	Total Expenditure over \$25,0000



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.A.6.

Resolution Number: **R - 2009.12.09 – 177**  
Resolution Re: **B10028 Third Party Workers Compensation Claims  
Administration & Loss Prevention**

### Vendor List

Comp-Sigma, Ltd.  
PO Box 538  
Concord NH 03302-0538

Local Government Center  
PO Box 617  
Concord NH 03302-0617

Primex 3  
46 Donovan Street  
Concord NH 03301-2624

Sedgwick James of No. N.E.  
PO Box 9755  
Portland ME 04104-5055

Buckler Irwin & Graf, Inc.  
45 Manning Road  
Billerica MA 01821

Fred C. Church  
222 International Avenue  
Portsmouth NH 03801

Dunlap Claims Mgt.Services  
PO Box 960  
Gray ME 04039-0960

Vision Financial Corp.  
PO Box 508  
Keene NH 03431-0508

USI of New England  
PO Box 6360  
Manchester NH 03108-6360

R. W. Associates  
2 Plaza Circle  
Dover NH 03820

Gorman Ins. & Risk Mgt.  
396 High Street, Ste. 3  
Somersworth NH 03878

CCMSI  
1855 Elm Street  
Manchester NH 03114-2910

Pioneer Mgt. Systems, Inc.  
PO Box 6600  
Holyoke MA 01041-6600

Compensation Funds of NH  
Bow Brook Place  
46 Donovan Street  
Concord NH 03301

Berkley Administrators  
P. O. Box 4012  
Farmington, CT 06034-4012

The Insurance Exchange  
PO Box 6360  
Manchester Nh 03108-6360

Gallagher Bassett Services  
PO Box 10148  
Bedford NH 03110-0148

Capitol City Claims and  
Consulting Service  
PO Box 6598  
Concord NH 03303

Compensation Fund of NH  
Bow Brook Place,  
46 Donovan Street  
Concord NH 03301

Corporate Health  
Administration  
3 Burlington Woods Drive  
Burlington MA 01803-9553

Liberty Mutual  
Suite 100  
10 Corporate Drive  
Bedford NH 03110-5954

Scott Wetzel  
500 Pacific Avenue, 7<sup>th</sup> Floor  
PO Box 418  
Bremerton WA 98310

Alexis  
One Constitution Plaza  
Boston MA 02129



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.A.6.

Resolution Number: **R - 2009.12.09 – 177**  
 Resolution Re: **B10028 Third Party Workers Compensation Claims Administration & Loss Prevention**

### Bid Results

<i>Vendor</i>	<i>Years Offered</i>	<i>Separate Administrative Fees A&amp;B</i>	<i>Separate Loss Prevention Fees C</i>
CCMSI 1855 Elm Street Manchester NH 03104	1 <sup>st</sup> year 2 <sup>nd</sup> year 3 <sup>rd</sup> year 4 <sup>th</sup> year 5 <sup>th</sup> year	\$23,380.00 \$23,380.00 \$23,380.00 \$24,085.00 \$24,085.00 Network 25% of Savings \$9.00 per bill (ALAE) Nurse Case Mgt \$85. per hr.	\$16,320.00 Per year
Avizent 60 Mohawk Ln Brentwood NH 03833	1 <sup>st</sup> year 2 <sup>nd</sup> year 3 <sup>rd</sup> year 4 <sup>th</sup> year 5 <sup>th</sup> year	\$26,979.00 \$27,743.00 \$26,989.00 \$27,798.00 \$28,632.00	\$23,040.00 \$23,731.00 \$24,443.00 \$25,176.00 \$25,931.00
Comp-Signa LTD PO Box 538 Concord NH 03302	1 <sup>st</sup> year 2 <sup>nd</sup> year 3 <sup>rd</sup> year 4 <sup>th</sup> year 5 <sup>th</sup> year	\$35,004.00 \$44,988.00 \$39,096.00 \$39,096.00 \$39,096.00	\$16,320.00 Per year
TD Insurance Future Comp 1 Griffin Brook Dr ste100 Methuen MA 01844	1 <sup>st</sup> year 2 <sup>nd</sup> year 3 <sup>rd</sup> year 4 <sup>th</sup> year 5 <sup>th</sup> year	\$16,570.00 Per year Network 25% of savings \$1.10 per line bill review PPO Network Medical Case Mgt \$80. per hr	\$14,400.00 Per year
Primex3 Concord NH 0301-2624	NB	NB	NB
Local Government Center Concord NH 03302	NB	NB	NB

A= Claims Administration  
 B= Management Information Reports  
 C=Loss Prevention



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.A.7.

Resolution Number: **R - 2009.12.11 – 178**  
Resolution Re: **B10029 Excess Workers Compensation and Employers Liability Insurance**

WHEREAS: Sealed bids were requested and received for Excess Workers Compensation and Employer's Liability Insurance Coverage on November 22, 2009 at 2:00 p.m.; and

WHEREAS: The low bid, meeting specifications, was submitted by Foy Insurance of Exeter NH in the amount of \$46,438.00, based on a year one fixed rate of \$0.1109 per \$100 of estimated, annual gross payroll for calendar year 2010; and

WHEREAS: This annual charge will be adjusted upwards or downwards after the 2010 calendar year is completed and an audit is completed of the actual payroll figures; and

WHEREAS: The amount of \$46,042.00, based on the year two rate of \$0.1100 per \$100 of both estimated and actual annual gross payroll is also guaranteed for a second calendar year, 2011 (1/1/011 – 12/31/11) and will be adjusted once year end audit is completed of actual payroll figures.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The Purchasing Agent is hereby authorized to issue a Purchase Order to Foy Insurance of Exeter, NH for Excess Workers Compensation and Employer's Liability Insurance Coverage in the amount of \$46,438.00. The amount of this authorization shall be limited so as not to exceed available funding.

### Financing

Account	Description	Appropriation	Balance
6800-49200-4260-9100-00-55	Internal Services Workers Comp	\$55,000.00	\$55,000.00

AND, FURTHER BE IT RESOLVED THAT:

The Purchasing Agent is hereby authorized to issue a Purchase Order to Foy Insurance of Exeter, NH for Excess Workers Compensation and Employer's Liability Insurance Coverage for calendar year 2011 in the amount of \$46,042.00 Contingent upon funding availability and vendor satisfaction.



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.A.7.

Resolution Number: **R - 2009.12.11 – 178**  
Resolution Re: **B10029 Excess Workers Compensation and Employers Liability Insurance**

### AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Mayor Scott Myers  
By request

Approved as to Legal Form: Allan B. Krans, Sr.  
City Attorney

Recorded by: Karen Lavertu  
City Clerk

### DOCUMENT HISTORY:

First Reading Date:	Public Hearing Date:
Approved Date:	Effective Date:

### DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does   does not pass.		



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.A.7.

Resolution Number: **R - 2009.12.11 – 178**  
Resolution Re: **B10029 Excess Workers Compensation and Employers Liability Insurance**

### BACKGROUND

Request for interested Insurance Agents to bid for Excess Workers Compensation and Employer's Liability Insurance Coverage was sent in November 2009. They were asked to list top three companies that they would work with in order to obtain quotes for the city's insurance. The Company selection was based on first come first serve. Four Agents responded with their top three companies and were assigned a company based on their top choice. Sealed bid packets were sent to these four agents containing all information needed to secure a quote. Replies were due back November 22, 2009 at 2:00 p.m. and the City of Dover received three responses. The low bid was received by Foy Insurance of Exeter NH.

### **Purchasing Information:**

<b>Type:</b>	Purchase Order	<b>Advertised:</b>	Yes
<b>Invitations Mailed:</b>	26	<b>Number of Responses:</b>	4 agents with Companies listed Then 3 actual bids
<b>Warranty:</b>	n/a	<b>Terms:</b>	net 30
<b>Work Bonded:</b>	No	<b>Contract:</b>	Yes
<b>Prices will hold for:</b>	Two (2) Years	<b>Estimated Delivery:</b>	Na
<b>Recommended Award to:</b>	Foy Insurance	<b>Fund:</b>	Internal Services
<b>Other Approvals Required:</b>	No	<b>References Checked:</b>	Satisfactory
<b>Previously Worked for City:</b>	No	<b>Reason for Council Approval:</b>	Expenditure over \$25,0000



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.A.7.

Resolution Number: **R - 2009.12.11 – 178**  
Resolution Re: **B10029 Excess Workers Compensation and Employers Liability Insurance**

### Vendor List

Mr. Richard Carr  
USI of New England  
P. O. Box 6360  
Manchester, NH 03108-6360

Mr. Tom Dunn  
Local Government Center  
P. O. Box 617  
Concord, NH 03302-0617

Alexis  
One Constitution Plaza  
Boston MA 02129

Linewebber & Giffin  
5 First Street  
Dover, NH 03820

Jenness & Jenness Agency  
P. O. Box 7337  
Rochester, NH 03839-7337

Berkley Administrators  
P. O. Box 4012  
Farmington, CT 06034-4012

MacDuffee Insurance Agency  
93 Washington Street  
Dover, NH 03820

Immanuel Insurance Agency  
P. O. Box 300  
Barrington, NH 03825

Gallagher Bassett Services  
PO Box 10148  
Bedford NH 03110-0148

The Mariello Group  
69 Island Street  
P. O. Box 2041  
Keene, NH 03431

Gorman Insurance Services  
396 High Street  
Somersworth, NH 03878-1498

Liberty Mutual Insurance  
10 Corporate Drive ste 100  
Bedford, NH 03110-5954

Capitol City Claims and Consulting  
Service  
PO Box 6598  
Concord NH 03303

Compensation Fund of NH  
Bow Brook Place,  
46 Donovan Street  
Concord NH 03301

Corporate Health Administration  
3 Burlington Woods Drive  
Burlington MA 01803-9553

Comp Signa Ltd.  
PO Box 538  
Concord NH 03302-0536

Don Huot  
Wieczorck Insurance  
166 Concord Street  
Manchester NH 03104

Karen Drapaniotis  
Foy Insurance  
PO Box 1030  
Exeter NH 03833



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.A.7.

Resolution Number: **R - 2009.12.11 – 178**  
Resolution Re: **B10029 Excess Workers Compensation and Employers Liability Insurance**

The Insurance Exchange  
PO Box 6360  
Manchester NH 03108-6360

Jeff Francoeur  
Brown and Brown of NH  
PO Box 979  
Dover, NH 03820

Carl Weber  
NH Public Risk Management  
Exch  
Bow Brook Place  
46 Donovan St

Don Huot  
Wieczorek Insurance  
166 Concord Street  
Manchester, NH 03104

Christopher Gorman  
Gorman Insurance  
396 High Street Ste 3  
Somersworth, NH 03878

Karen Drapaniotis  
Foy Insurance Group  
PO Box 1030  
Exeter, NH 03833

<i>Date Recv.</i>	<i>Agent</i>	<i>Letter Results</i>		
		<i>1st Carrier</i>	<i>2nd Carrier</i>	<i>3rd Carrier</i>
10/14/09 2:40pm	Jeff Francoeur Brown and Brown of NH Inc PO Box 979 Dover NH 03820	Safety National	Travelers Insurance	The Hartford Ins
10/14/09 12:18pm	Don Huet Wieczorek Insurance 166 Concord St Manchester NH 03104	Safety National	New York Marine & General Ins	ARCH
10/14/09 12:16pm	Christopher Gorman(CURRENT) Gorman Insurance 396 High St Ste 3 Somersworth NH 03878	Midwest Employers	Chartis AIG	Safety National
10/14/2009 11:55am	Karen Drapaniotis Foy Insurance Group PO Box 1030 Exeter NH 03833	Safety National	New York Marine & General Ins	



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.A.7.

Resolution Number: **R - 2009.12.11 – 178**  
Resolution Re: **B10029 Excess Workers Compensation and Employers Liability Insurance**

### Bid Results

<i>Vendor</i>	<i>\$ Rate per \$100 of Gross Payroll</i>	<i>Deposit Premium</i>	<i>Minimum Premium</i>
Foy Insurance Year 1 64 Portsmouth Ave PO Box 1030 Exeter NH 03833	\$0.11097222	\$46,438.00	\$41,794.00
Safety National Insurance Year 2	\$0.11002778	\$46,042.00	\$82,876.00
Gorman Insurance and Risk Management Services 396 High St Somersworth NH 03878 Price lock for 2 years Midwest Employers	\$0.1165	\$48,751.00	\$43,876.00
Wieczorek Insurance 166 Concord St Manchester NH 03104 Price lock 2 yrs subject to conditions Midlands Management Corp	\$0.1179	\$49,781.00	\$44,803.00

Deposit premium is the amount paid up front to secure the coverage based on estimated annual payroll figures.

Minimum premium is the lowest amount to be paid if actual audited payroll figures are less than original estimated annual payroll figures.

\$400,000 Retention



**CITY OF DOVER**

# CITY OF DOVER - RESOLUTION

Agenda Item#: 12.A.8.

Resolution Number: **R - 2009.12.09 – 179**  
Resolution Re: Continuation of Agreement for Work Boots/Footwear.  
Sole Source Vendor Reds Shoe Barn

WHEREAS: Community Services, Police and Fire Department personnel are all entitled, by contract, to have the City provide them with work-related boots, shoes and/or fitness footwear in a not-to-exceed specified annual amount; and

WHEREAS: In 1999 and again in January 2007 the City solicited sealed bids from vendors to supply said miscellaneous footwear items on an "as needed" basis. The sole responses for both solicitations came from Red's Shoe Barn of Dover, NH and they were identified as the most advantageous due to store location, diverse quality product selection and a favorably discounted pricing schedule; and

WHEREAS: Both the City and Red's Shoe Barn have found the "as needed" agreement to be mutually satisfactory and financially beneficial and would like to extend the agreement for another year at the same 20% discounted pricing structure presently in effect. Expenditure for last year was \$15,189.60.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

City Council waive the bidding process per 3-40I "The competitive bid procedure may be waived by a majority vote of the city council" This is a sole source local vendor.

The Purchasing Agent is hereby authorized to issue a Blanket Purchase Order to Red's Shoe Barn of Dover, NH, given the discounted amount of 20% for the continued purchase, as needed, of Miscellaneous Work Boots/Shoes and Fitness Footwear. The amount of this authorization shall be limited so as not to exceed available funding.

## Financing

Account	Description	Appropriation	Balance
Listed in Background	Clothing and uniforms	see background	see background

## AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Mayor Scott Myers  
By request

Approved as to Legal Form: Allan B. Krans, Sr.  
City Attorney

Recorded by: Karen Lavertu  
City Clerk



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.A.8.

Resolution Number: **R - 2009.12.09 – 179**  
Resolution Re: Continuation of Agreement for Work Boots/Footwear.  
Sole Source Vendor Reds Shoe Barn

### DOCUMENT HISTORY:

First Reading Date:	Public Hearing Date:
Approved Date:	Effective Date:

### DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does   does not pass.		



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.A.8.

Resolution Number: **R - 2009.12.09 – 179**  
Resolution Re: Continuation of Agreement for Work Boots/Footwear.  
Sole Source Vendor Reds Shoe Barn

### BACKGROUND

Certain City personnel are entitled to and are provided specific types of footwear at City expense in accordance with various union contract languages. Total amount spent last year was \$15,189.60 to this vendor. Rather than do a field purchase order for each and every visit to the footwear supplier, it makes more sense to issue a group purchase order, available to any City department, that would be on file at the store selected, and it could be used “as needed”. **Red’s staff is excellent about calling the Purchasing Office if they have any doubt at all about the individual’s status as a City of Dover employee entitled to utilize the City’s discount or if the identification or voucher presented by the individual is questionable.**

Red’s Shoe Barn is local, convenient and has a very large inventory of quality footwear, so most likely it could accommodate the needs of the City without necessarily requiring a second visit to the store to pick up something that had to be special-ordered.

A favorable discount is offered from their already competitive price structure, and an additional discount if offered for timely/speedy payment of invoices. Assuming timely processing of monthly statements/invoices, a total discount of 20% is realized from the stated retail store prices.

A bid was issued and directed to local area shoe stores in 1999 and then again in 2007, and Red’s Shoe Barn was the only company to respond both times. To date, the agreement with them has been mutually financially advantageous.

### **Purchasing Information:**

<b>Type:</b>	Purchase Order	<b>Advertised:</b>	No
<b>Invitations Mailed:</b>	N/A	<b>Number of Responses:</b>	N/A
<b>Warranty:</b>	Per Manufacturer	<b>Terms:</b>	net 15, FOB Dover
<b>Work Bonded:</b>	No	<b>Contract:</b>	No
<b>Prices will hold for:</b>	One (1) Year	<b>Estimated Delivery:</b>	As needed
<b>Recommended Award to:</b>	Red's Shoe Barn Dover, NH	<b>Fund:</b>	CS, Police, Fire
<b>Other Approvals Required:</b>	No	<b>References Checked:</b>	Satisfactory
<b>Previously Worked for City:</b>	Yes	<b>Reason for Council Approval:</b>	Waive Bid Process: Purchase exceeds \$10,000.00



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.A.8.

Resolution Number: **R - 2009.12.09 – 179**  
Resolution Re: Continuation of Agreement for Work Boots/Footwear.  
Sole Source Vendor Reds Shoe Barn

Account Number	Appropriation	Balance as of 11/17/09
1000-41941-4615-0000-00-30	360	360
1000-41951-4615-0000-00-30	1,400	1,162
1000-42120-4615-0000-00-21	14,100	9,931
1000-42150-4615-0000-00-21	10,656	10,656
1000-42220-4615-0000-00-22	29,330	18,083
1000-43112-4615-0000-00-30	1,100	1,038
1000-43121-4615-0000-00-30	6,640	3,779
1000-43180-4615-0000-00-30	5,800	4,298
1000-43240-4615-0000-00-30	2,350	1,721
1000-45121-4615-0000-00-35	1,436	1,319
1000-45124-4615-0000-00-35	1,500	1,188
1000-45149-4615-0000-00-35	5,500	4,021
1000-45125-4615-0000-00-35	1,000	509
1000-45500-4615-0000-00-39	300	192
1000-44430-4615-0000-00-40	100	100
3213-42130-4615-0000-00-21	1,200	907
3381-41941-4615-0000-00-35	260	260
3410-45120-4615-0000-00-35	3,214	2,667
3410-45141-4615-0000-00-35	444	444
5300-43320-4615-0000-00-30	7,293	260
5320-43250-4615-0000-00-30	6,505	4,002
5320-43256-4615-0000-00-30	5,550	3,675
6310-49200-4615-0000-00-55	5,470	3,186
	<b>111,508</b>	<b>73,758</b>



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 12.A.9.**

Resolution Number: **R – 2009.12.09 - 180**  
Resolution Re: Acceptance of Electronic Payments for Parking Meter Program

WHEREAS: The implementation of the first phase of the electronic multi-space parking meter (pay and display) program in downtown Dover is scheduled to go live on January 4, 2010; and

WHEREAS: The use of credit or debit cards with electronic collection would increase the choice of payment options and ease the use of the parking system; and

WHEREAS: NH State Statute authorizes the governing body of a municipality to authorize the acceptance of credit or debit cards and other means of electronic transactions,

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

In accordance with RSA 80:52 –c the City Treasurer is authorized to accept credit /debit cards and electronic processing of transactions for payments at electronic multi-space parking meters.

### AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Mayor Scott Myers  
By request

Approved as to Legal Form: Allan B. Krans, Sr.  
City Attorney

Recorded by: Karen Lavertu  
City Clerk



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.A.9.

Resolution Number: **R – 2009.12.09 - 180**  
Resolution Re: Acceptance of Electronic Payments for Parking Meter Program

### DOCUMENT HISTORY:

First Reading Date:	Public Hearing Date:
Approved Date:	Effective Date:

### DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does   does not pass.		



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.A.9.

Resolution Number: **R – 2009.12.09 - 180**  
Resolution Re: Acceptance of Electronic Payments for Parking Meter Program

### RESOLUTION BACKGROUND MATERIAL:

With the pending implementation of the first phase of the electronic multi-space parking meter program in downtown Dover January 4, 2010, it is necessary to move into the area of state of the art funds collection, namely the collection of fees or charges by use of a credit card, debit card, or such other means of electronic transaction for services or utility charges by the City.

This is specifically allowed by NH State Statute 80:52-c specifically allows the City Council to authorize the City Treasurer to accept credit/debit cards and electronic processing of such transactions.

The use of credit/debit/cash cards or smart cards using electronic collection would greatly increase the choice of payment options and ease of use for users of the parking system. Transactions are processed in a real-time basis using secure modems in each machine virtually eliminating any chance of fraud or use of “bad” cards. Real-time processing will save the City a number of transactions that would be lost due to later, once a day batch processing used by other systems. Other recent installations of these machines with credit card functionality show that card type transactions account for approximately 50% of the total, thereby reducing coin transactions and eliminating bill transactions which use the troublesome and undependable bill collector devices.

The reader in the machines is ISO 7816 compliant and is capable of reading a wide range of cards, including any future Dover-centric smart card if deemed advantageous to the City. Additionally, credit card use actually promotes the use of the “max time” button on the machines which is easier for patrons and serves to maximize revenue as well.

The authorizing of these types of transactions for the City provides for more security than physical money transfers and deposits, maximize revenue, and offer citizen users another choice for payment.



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 12.A.10.**

Resolution Number: **R - 2009.12.09 - 181**  
Resolution Re: Route 9 Bridge State NH project 13042 replacement over B&M Railroad 109/106

WHEREAS: The State of New Hampshire through state project #13042 solicited bids for the Route 9 replacement bridge over B&M Railroad. The low bid was received from Alvin J. Coleman and Sons Inc. The NHDOT is recommending award of the contract, by Governor and Council, to this vendor; and

WHEREAS: The city budgeted \$300,000 in the FY10 Water CIP as the city & state desire the water relocation work to be included as part of the state contract; and

WHEREAS: The City of Dover portion is \$150,032.51.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The Purchasing Agent is hereby authorized to issue a purchase order to the State of New Hampshire Department of Transportation, Bureau of Highway Design in the amount of \$150,032.51. The amount of this authorization shall be limited so as not to exceed available funding.

### Financing

Account	Description	Appropriation	Balance 11/17/09
5300-43320-4757-3541-10-30	Rte 9 Bridge Water Main replacement	300,000	292,990

### AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Mayor Scott Myers  
By request

Approved as to Legal Form: Allan B. Krans, Sr.  
City Attorney

Recorded by: Karen Lavertu  
City Clerk



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.A.10.

Resolution Number: **R - 2009.12.09 - 181**  
Resolution Re: Route 9 Bridge State NH project 13042 replacement over B&M Railroad 109/106

### DOCUMENT HISTORY:

First Reading Date:	Public Hearing Date:
Approved Date:	Effective Date:

### DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does   does not pass.		



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.A.10.

Resolution Number: **R - 2009.12.09 - 181**  
Resolution Re: Route 9 Bridge State NH project 13042 replacement over B&M Railroad 109/106

### RESOLUTION BACKGROUND MATERIAL:

The New Hampshire Department of Transportation will be replacing the Route 9 Bridge beginning in the spring of 2010. The City of Dover is responsible for the costs associated with the installation of a water main on the bridge.

The city hired an engineer to design the main and develop cost estimates. The estimated cost for the water main was \$250,913.41. NHDOT has recently put the entire project out to bid and the water main portion of the project came in at \$150,032.51.

NHDOT is requiring payment of the city's share before the project is awarded.

### Bid Information:

The State of New Hampshire solicited bids from qualified vendors for the Route 9 Replacement Bridge over B&M Railroad.

### Purchasing Information:

<b>Type:</b>	Purchase Order	<b>Advertised:</b>	No
<b>Invitations Mailed:</b>	NA	<b>Number of Responses:</b>	NA
<b>Warranty:</b>	Per manufacturer	<b>Terms:</b>	Net 30, FOB Dover
<b>Work Bonded:</b>	No	<b>Contract:</b>	With the State of NH
<b>Prices will hold for:</b>	Until complete	<b>Estimated Delivery:</b>	As needed
<b>Recommended Award to:</b>	State NHDOT	<b>Fund:</b>	CIP
<b>Other Approvals Required:</b>	Yes State of NH	<b>References Checked:</b>	Satisfactory
<b>Previously Worked for City:</b>	No	<b>Reason for Council Approval:</b>	Purchase to exceed the \$25,000 amount requiring Council approval subsequent to a bid solicitation



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 12.A.11.**

Resolution Number: **R - 2009.12.09 - 182**  
Resolution Re: **Reyner's Brook Interceptor and Collector Sewers**

WHEREAS: In October 1996 Hoyle, Tanner & Associates completed plans for the City of Dover for Engineering Services for the design of the Reyner's Brook Interceptor and Collector Sewers. The project was never constructed and the city requested pricing from Hoyle, Tanner & Associates to update the design plans, wetlands delineations, wetland flagging survey, control survey, abutter list and all other items necessary for the completion of the NHDES Wetland Permit Application; and

WHEREAS: Hoyle, Tanner & Associates will also prepare estimates for probable construction costs giving in detail the quantities of materials and work of the proposed construction. The cost for updating the design plan will be a "not to exceed" fee of \$50,000.00; and

WHEREAS: It is in the best interest of the City of Dover to update the original design plan rather than reinventing the wheel and starting over, therefore is the recommendation to enter into this agreement with Hoyle, Tanner & Associates in the amount not to exceed \$50,000.00.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The Purchasing agent is hereby authorized to issue a purchase order to Hoyle, Tanner and Associates in the amount of \$50,000.00. The amount of this authorization shall be limited so as not to exceed available funding.

### Financing

Account	Description	Appropriation	Balance 11/17/09
5320-43250-4757-4552-10-30	Utility Systems North End	50,000.00	50,000.00

### AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Mayor Scott Myers  
By request

Approved as to Legal Form: Allan B. Krans, Sr.  
City Attorney

Recorded by: Karen Lavertu  
City Clerk



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.A.11.

Resolution Number: **R - 2009.12.09 - 182**  
Resolution Re: Reyners's Brook Interceptor and Collector Sewers

### DOCUMENT HISTORY:

First Reading Date:	Public Hearing Date:
Approved Date:	Effective Date:

### DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does   does not pass.		



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.A.11.

Resolution Number: **R - 2009.12.09 - 182**

Resolution Re: Reyners's Brook Interceptor and Collector Sewers

### **RESOLUTION BACKGROUND MATERIAL:**

The City of Dover hired Hoyle Tanner & Associates in 1996 to design a sewer system for the north end of the city known as the Indian Village area. The project was called the Reyners's Brook Interceptor and Collector Sewers. The project was never constructed and the plans were "shelved" for many years. A few years ago the project was placed back in the Capital Improvement Program to bring the project back for review.

The Community Services Department is proposing to hire HTA to update the plans, update construction cost estimates, wetlands delineation, wetlands flagging survey, control survey, and complete a NHDES wetlands permit.

This process will provide the information needed to develop updated cost estimates, as well as make a decision whether the city desires to go forward with the project or not.

Task 1 – Design Hoyle, Tanner & Associates, Inc. (Hoyle, Tanner) will update the design plans from Station 0+00 to Station 104+75, Drawing No. 10 of the original plans as necessary to complete the NHDES Wetlands Permit.

Task 2 - Opinions of Probable Construction Cost Hoyle Tanner shall prepare estimates of probable construction cost, giving in detail the quantities of materials and work of the proposed construction.

Task 3 - Wetlands Delineation Hoyle, Tanner will complete wetlands delineation between Stations 0+00 and Station 104+75.

Task 4 – Survey Hoyle, Tanner will complete survey of the wetlands delineation for use in NHDES wetlands permit application and establish control for future survey and construction.

Task 5 – Permit Hoyle, Tanner will complete a NHDES Wetlands Permit Standard Dredge and Fill Application including plans, abutters list, erosion control plan and all other items necessary for a complete permit application. (Completing and submitting a US Army Corps of Engineers permit is not included in this Scope).

Task 6 – Meetings Hoyle, Tanner will attend up to two (2) meetings with the Client and two (2) meetings with the Client and the State to address permit application questions.



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 12.A.11.**

Resolution Number: **R - 2009.12.09 - 182**

Resolution Re: **Reyners's Brook Interceptor and Collector Sewers**

### **Bid Information:**

Request for proposals for design services was sent in October 1996 and awarded to Hoyle, Tanner & Associates and a set of plans was completed and forwarded to the City of Dover. The project was never constructed and the city has requested pricing for updating these plans. Hoyle, Tanner & Associates has offered to provide such services at a fee not to exceed \$50,000

### **Award Information:**

A purchase order will be issued to the vendor to authorize expenditures.

### **Purchasing Information:**

<b>Type:</b>	Purchase Order	<b>Advertised:</b>	No
<b>Invitations Mailed:</b>	NA	<b>Number of Responses:</b>	NA
<b>Warranty:</b>	Na	<b>Terms:</b>	Net 30, FOB Dover
<b>Work Bonded:</b>	No	<b>Contract:</b>	Yes
<b>Prices will hold for:</b>	Until Completion	<b>Estimated Delivery:</b>	As needed
<b>Recommended Award to:</b>	Hoyle, Tanner and Associates Inc	<b>Fund:</b>	CIP
<b>Other Approvals Required:</b>	No	<b>References Checked:</b>	Satisfactory
<b>Previously Worked for City:</b>	Yes	<b>Reason for Council Approval:</b>	Purchase to exceed the \$25,000 amount requiring Council approval subsequent to a bid solicitation

## November JBC Notes and End of Year Review:

Approval from the NH Dept of Education – Office of Building Aid approved Horne Street School Project. The Horne Street School Joint Building Committee (HSS) has been following design and specifications based on the School Board's adopted plan. We selected the Clerk of the Works and Construction Manager after interviews held in April. In June the initial Cost Study Analysis was presented. We have focused on the construction of six additional classrooms along with an upgrade of the facility's infrastructure.

In July the Facility Condition Report was received and reviewed. Building Aid funding was finalized by the NH legislature in July. The JBC has held several sessions to examine the location and cost of the six classroom addition with the goal of having adequate funds remaining to cover all other building improvements. Our construction management company Bonnette, Page and Stone has presented budgets for a four/two classroom addition, complete building renovation and an administrative update.

HSS Joint Building Committee is exploring the potential for energy credits in this project. The architect had already begun to assess and tally the points related to receiving additional funding for a high performance school building. In September Eric Steltzer from the Energy Advisory Committee spoke to the HSS Joint Building Committee. Another workshop is scheduled. Further discussion on the design and materials on the project included the floor, finishes, gym, how recess would work during the renovation/addition, how the process and flow of the renovation would happen, whiteboards, cork panels....

In October a workshop was held with guest Ed Murdough from the State Department of Education. He presented the Collaborative for High Performance Schools (**CHPS**) criteria and program. The Committee is considering CHPS certification, which may be cost effective and yield a more energy efficient building.

November 10<sup>th</sup>. The Committee received Bonnette, Page & Stone Master Cost Schedule with Scope Outline. The cost for the Six Classroom addition and Site Work is 1,312,447. The Committee is awaiting delivery of the construction contract from Business Manager

Laurie Verville, the City Attorney and agreement from Bonnette, Page & Stone's Legal.

The Committee voted to have Architect Dennis Mires produce engineered documents for the purpose of securing a building permit.

The Committee authorized Dennis Mires, Architect to proceed with producing the design specifications needed to aid the HSS Joint Building Committee in determining the costs and securing CHPS certification. The Committee will determine the cost effectiveness on a case-by-case, cost, payback and quality basis.

The Superintendent and Dennis Mires, Architect attended the Planning Board meeting this past month. The Horne Street School Project was presented as a courtesy for Technical Review.

The Committee walked through Horne Street School.

November 19<sup>th</sup> Meeting:

Woodman Park School boiler room repairs (to fix moisture weeping through the cement floor) are to be completed during School Vacation to avoid disruption. A concrete pad will be installed for the dumpster, along with grading and seeding to complete the exterior repairs that will be needed for leak repairs. This is the final piece to complete the Woodman Park School Renovation Project. The Committee is very pleased that we have approximately \$65,000.00 in unspent funds.

Bonnette, Page and Stone with Dennis Mires, Architect and committee further discussed some scope of the Horne Street project. Continued discussion on plumbing and ceilings regarding where choices may have to be made for cost. Decisions have been made on windows and general direction on the exterior of the new addition. The Committee is examining costs for different cabinet types and options for reuse of sink-tops.

**CAPITAL IMPROVEMENTS SUMMARY**

**Horne Street Elementary School**

As of: November 19, 2009

<b>Appropriation FY: 2010:</b>	\$ 2,300,000.00
<b>Appropriation FY: 2009:</b>	\$ 1,675,000.00
<b>Transfer from McConnell:</b>	\$ 38,434.88
<b>Remaining Balances of Prior Year Appropriations:</b>	\$ 117,607.10
<b>Total Appropriation:</b>	<b>\$ 4,131,041.98</b>

<u>Date</u>	<u>CIPM#</u>	<u>Expenditures to Date:</u>	<u>Amount:</u>
3/16/2009	#615	Independent Printing Services, Inc.	\$ 41.10
5/1/2009	n/a	Michael Bliss - Payroll (Salary & FICA)	\$ 40.36
5/15/2009	n/a	Michael Bliss - Payroll (Salary & FICA)	\$ 134.57
6/12/2009	n/a	Michael Bliss - Payroll (Salary & FICA)	\$ 188.39
6/26/2009	n/a	Michael Bliss - Payroll (Salary & FICA)	\$ 201.85
7/10/2009	n/a	Michael Bliss - Payroll (Salary & FICA)	\$ 215.30
7/24/2009	n/a	Michael Bliss - Payroll (Salary & FICA)	\$ 215.30
8/7/2009	n/a	Michael Bliss - Payroll (Salary & FICA)	\$ 349.86
8/21/2009	n/a	Michael Bliss - Payroll (Salary & FICA)	\$ 901.57
9/4/2009	n/a	Michael Bliss - Payroll (Salary & FICA)	\$ 215.30
10/2/2009	n/a	Michael Bliss - Payroll (Salary & FICA)	\$ 632.44
10/14/2009	#629	Pohopek Land Surveying - Existing Conditions Survey	\$ 2,650.00
10/14/2009	#632	Dectam - Conduct Removal Phase I & II	\$ 14,729.00
10/14/2009	#632	RPF Associates, Inc. - Abatement Work	\$ 4,607.47
10/14/2009	#632	RPF Associates, Inc. - Asbestos Project Design	\$ 1,947.50
10/16/2009	n/a	Michael Bliss - Payroll (Salary & FICA)	\$ 417.14
10/30/2009	n/a	Michael Bliss - Payroll (Salary & FICA)	\$ 215.30
11/4/2009	#634	R.W. Gillespie & Associates - Boring Testing on South/Front Sides of Building	\$ 3,156.41
11/4/2009	#635	Dennis Mires Architects - Architectural Services & Renovation	\$ 24,000.00
11/4/2009	#635	Dennis Mires Architects - Architectural Services & Renovation	\$ 139,680.00
11/4/2009	#635	Dennis Mires Architects - Architectural Services & Renovation	\$ 99,866.00
		<b>Total:</b>	<b>\$ 294,404.86</b>

<u>Obligations:</u>	
Michael Bliss - Payroll (Contract Obligation - Salary)	\$ 34,037.50
Michael Bliss - Payroll (Contract Obligation - FICA)	\$ 2,603.88
R.W. Gillespie & Associates - Boring Testing on South/Front Sides of Building	\$ 2,643.59
Dectam - Conduct Removal Phase I & II	\$ 9,626.00
RPF Associates, Inc. - Abatement Work	\$ 9,392.53
Dennis Mires Architects - Architectural Services & Renovation	\$ 139,954.00
Dennis Mires Architects - Design Fees for the Collaborative for High Performance Schools Program	\$ 20,000.00
Bonnette, Page & Stone - Phase I, Six Classroom Addition and Site Work	\$ 1,296,847.00
<b>Total:</b>	<b>\$ 1,515,104.50</b>

**Budget Availability: \$2,321,532.62**

**CAPITAL IMPROVEMENTS SUMMARY**

**Woodman Park Elementary School**

As of: November 19, 2009

<b>Appropriation FY: 2007</b>	\$ 9,000,000.00
<b>Supplemental Appropriation FY: 2008</b>	\$ 3,100,000.00
<b>Transfer from Impact Fees</b>	\$ 382,000.00
<b>Remaining Balance of 2006 Appropriation:</b>	\$ 79,492.31
<b>Total Appropriation:</b>	<b>\$ 12,561,492.31</b>

<u>Date</u>	<u>CIPM#</u>	<u>Expenditures to Date:</u>	<u>Amount:</u>
4/7/2006	n/a	Michael Bliss-Payroll	\$ 161.48
3/6/2006	#447	Seacoast Newspapers	\$ 716.24
4/10/2006	#452	Goudreau & Associates-A/E Services	\$ 34,400.00
6/2/2006	n/a	Michael Bliss-Payroll	\$ 87.46
5/9/2006	#456	Goudreau & Associates-A/E Services	\$ 34,400.00
6/7/2006	#458	Goudreau & Associates-A/E Services	\$ 44,407.00
7/25/2006	#463	Goudreau & Associates-A/E Services	\$ 45,033.00
7/28/2006	n/a	Michael Bliss-Payroll	\$ 33.65
8/9/2006	#468	Goudreau & Associates-A/E Services	\$ 44,720.00
8/9/2006	#468	Infinite Imaging-Copies of plans	\$ 235.10
8/11/2006	n/a	Michael Bliss-Payroll	\$ 807.37
8/25/2006	n/a	Michael Bliss-Payroll	\$ 1,480.19
9/5/2006	#471	NH DES Wetlands Bureau	\$ 100.00
9/8/2006	n/a	Michael Bliss-Payroll	\$ 1,493.64
9/11/2006	#474	Goudreau & Associates-A/E Services	\$ 28,145.30
9/11/2006	#474	John Turner Consulting-Testing Services	\$ 764.00
9/22/2006	n/a	Michael Bliss-Payroll	\$ 1,157.24
10/3/2006	#477	John Turner Consulting-Testing Services	\$ 2,235.00
10/3/2006	#477	Cochecho PrintWorks	\$ 67.20
10/6/2006	n/a	Michael Bliss-Payroll	\$ 1,345.62
10/16/2006	#480	Goudreau & Associates-A/E Services	\$ 28,145.30
10/16/2006	#480	RMS Electric-Cabeling	\$ 2,871.91
10/16/2006	#480	John Turner Consulting-Testing Services	\$ 540.00
10/16/2006	#480	RPF Associates	\$ 873.75
10/20/2006	n/a	Michael Bliss-Payroll	\$ 1,345.62
11/3/2006	n/a	Michael Bliss-Payroll	\$ 1,345.63
10/18/2006	#481	Bonnette, Page & Stone - App#1	\$ 133,944.00
10/18/2006	#481	Bonnette, Page & Stone - App #2	\$ 271,468.00
11/17/2006	n/a	Michael Bliss-Payroll	\$ 1,372.54
11/17/2006	#483	John Turner Consulting-Testing Services	\$ 420.00
11/17/2006	#483	Bonnette, Page & Stone - App #3	\$ 191,832.00
11/28/2006	#482	John Turner Consulting-Testing Services	\$ 865.00
12/1/2006	n/a	Michael Bliss-Payroll	\$ 1,493.65
12/7/2006	#484	RPF Associates-Abatement Design	\$ 487.50
12/7/2006	#484	Goudreau & Associates-A/E Services	\$ 550.00
12/7/2006	#484	Goudreau & Associates-A/E Services	\$ 56,290.60
12/7/2006	#484	John Turner Consulting-Testing Services	\$ 657.00
12/12/2006	#485	Bonnett, Page & Stone - App #4	\$ 476,020.00
12/15/2006	n/a	Michael Bliss-Payroll	\$ 1,211.06
12/29/2006	n/a	Michael Bliss-Payroll	\$ 1,399.45
1/8/2007	#486	John Turner Consulting-Testing Services	\$ 1,711.00
1/8/2007	#486	Goudreau & Associates-A/E Services	\$ 87,249.00
1/10/2007	#488	Bonnette Page & Stone - GMP Phase I App # 5	\$ 626,619.00
1/10/2007	#488	Goudreau & Associates-A/E Services	\$ 2,750.00
1/10/2007	#487	NH DES Wetlands Bureau (Void CIPM#471, 9/5/06)	\$ (100.00)
1/10/2007	#488	State of NH - Wetlands Permit	\$ 290.00
1/12/2007	n/a	Michael Bliss-Payroll	\$ 1,359.09
1/18/2007	#489	Goudreau & Associates-Additional A/E Services	\$ 8,440.00
1/18/2007	#489	John Turner Consulting-Testing Services	\$ 447.00
1/26/2007	n/a	Michael Bliss-Payroll	\$ 1,264.88
1/24/2007	#491	DecTam, Inc.-Abate hallway ceiling	\$ 14,500.00
1/30/2007	n/a	Pit Tally of Materials Only - 1,358 yds.	\$ 1,833.30
2/2/2007	n/a	Michael Bliss-Payroll	\$ 1,385.99
2/12/2007	#493	Bonnette Page & Stone - GMP Phase I App #6	\$ 384,197.00
2/16/2007	n/a	Michael Bliss-Payroll	\$ 1,345.63
3/2/2007	n/a	Michael Bliss-Payroll	\$ 1,345.62
3/23/2007	n/a	Michael Bliss-Payroll	\$ 1,372.54
3/29/2007	#495	Rist-Frost Shumway-Dredge and Fill Engineer. Fees	\$ 1,066.14
3/29/2007	#495	John Turner Consulting-Testing Services	\$ 380.00
3/29/2007	#495	John Turner Consulting-Testing Services	\$ 380.00
3/29/2007	#495	RPF - Abatement Monitoring (Ceiling)	\$ 3,900.00
3/29/2007	#495	Goudreau & Associates-A/E Services	\$ 144,166.60

**CAPITAL IMPROVEMENTS SUMMARY**

**Woodman Park Elementary School**

As of: November 19, 2009

4/4/2007 #497	PSNH - Install 3-phase pad mount transformer	\$	5,992.00
4/6/2007 n/a	Michael Bliss-Payroll	\$	1,466.73
<b><u>Date</u></b>	<b><u>CIPM#</u></b>	<b><u>Expenditures to Date:</u></b>	<b><u>Amount:</u></b>
4/11/2007 #498	Cochecho PrintWorks	\$	831.10
4/11/2007 #498	Infinite Imaging - Phase I plans	\$	153.19
4/11/2007 #498	Bonnette Page & Stone - GMP Phase I App #7	\$	563,267.00
4/20/2007 n/a	Michael Bliss-Payroll	\$	1,345.62
5/2/2007 #500	Cochecho PrintWorks	\$	559.96
5/2/2007 #500	DecTam, Inc.-Abate hallway ceiling	\$	1,140.00
5/2/2007 #500	Cochecho PrintWorks	\$	19.20
5/4/2007 n/a	Michael Bliss-Payroll	\$	1,372.54
5/4/2007 #501	Bonnette Page & Stone - GMP Phase I App #8	\$	542,618.00
5/4/2007 #502	Bonnette Page & Stone - GMP Phase I App #9	\$	578,957.00
5/18/2007 n/a	Michael Bliss-Payroll	\$	1,507.10
5/31/2007 #504	Rist-Frost Shumway-Dredge and Fill Engineer. Fees	\$	191.92
5/31/2007 #504	William Huff Moving - moving boxes & supplies	\$	416.25
5/31/2007 #504	Goudreau & Associates-A/E Services	\$	16,201.20
6/1/2007 n/a	Michael Bliss-Payroll	\$	1,345.63
6/15/2007 n/a	Michael Bliss-Payroll	\$	1,224.52
6/13/2007 #505	Air Quality Experts	\$	5,000.00
6/29/2007 n/a	Michael Bliss-Payroll	\$	1,547.47
7/13/2007 n/a	Michael Bliss-Payroll	\$	1,762.77
7/19/2007 #507	William Huff Moving - moving boxes & supplies	\$	2,302.80
7/19/2007 #507	Bonnette Page & Stone - GMP Phase I App #10	\$	572,687.60
7/19/2007 #508	Bonnette Page & Stone - GMP Phase II & III App #1	\$	86,895.00
7/27/2007 n/a	Michael Bliss-Payroll	\$	713.17
8/1/2007 n/a	Credit for value of salvaged metal grates from NEMR LLC	\$	(581.87)
8/10/2007 n/a	Michael Bliss-Payroll	\$	1,708.94
8/10/2007 #510	School Specialty, Inc. - furnishings	\$	3,567.96
8/10/2007 #510	Bonnette Page & Stone - GMP Phase I App #11	\$	451,392.30
8/10/2007 #510	School Furnishings, Inc. - furnishings	\$	7,920.30
8/10/2007 #510	I'm The Cheapest Mover - June 25th and 26th move	\$	5,500.00
8/10/2007 #510	Bonnette Page & Stone - GMP Phase II & III App #2	\$	444,478.58
8/10/2007 #512	EnviroVantage Inc. - removal of lead paint	\$	24,000.00
8/10/2007 #511	Rist-Frost Shumway-Dredge and Fill Engineer. Fees	\$	612.24
8/10/2007 #511	RPF Associates, Inc - Indoor Air Quality Testing	\$	4,745.00
8/24/2007 n/a	Michael Bliss-Payroll	\$	1,682.04
9/7/2007 n/a	Michael Bliss-Payroll	\$	1,789.68
9/13/2007 #513	School Furnishings, Inc. - furnishings	\$	12,714.80
9/13/2007 #513	Bonnette Page & Stone - GMP Phase I App #12	\$	51,411.70
9/13/2007 #513	Bonnette Page & Stone - GMP Phase II & III App #3	\$	504,039.96
9/21/2007 n/a	Michael Bliss-Payroll	\$	1,345.62
10/4/2007 #519	Michael Bliss - reimbursement of radon kit	\$	75.00
10/4/2007 #519	EnviroVantage Inc. - removal of lead paint	\$	42,700.00
10/4/2007 #519	Creative Office Pavilion - furnishings	\$	17,847.72
10/4/2007 #519	Air Quality Experts - Abatement Renovation	\$	95,700.00
10/4/2007 #519	Air Quality Experts - Abatement Renovation	\$	5,800.00
10/5/2007 n/a	Michael Bliss-Payroll	\$	1,426.36
10/19/2007 n/a	Michael Bliss-Payroll	\$	1,184.15
10/26/2007 #520	Michael Bliss - reimbursement of carbon monoxide detector	\$	42.74
10/26/2007 #520	School Furnishings, Inc. - furnishings	\$	145.20
10/26/2007 #520	Bonnette Page & Stone - GMP Phase II & III App #4	\$	554,836.20
10/26/2007 #520	Goudreau & Associates Architects	\$	33,747.00
11/2/2007 n/a	Michael Bliss-Payroll	\$	1,386.00
11/16/2007 n/a	Michael Bliss-Payroll	\$	1,345.62
11/27/2007 #521	Bonnette Page & Stone - GMP Phase II & III App #5	\$	667,212.82
11/27/2007 #521	Equipment Environmental, Inc. - furnishings	\$	6,388.20
11/30/2007 n/a	Michael Bliss-Payroll	\$	1,359.08
12/14/2007 n/a	Michael Bliss-Payroll	\$	874.66
12/14/2007 #525	Bonnette Page & Stone - GMP Phase II & III App #6	\$	427,366.34
12/14/2007 #525	Bonnette Page & Stone - GMP Phase I App #13	\$	58,097.70
12/28/2007 n/a	Michael Bliss-Payroll	\$	1,345.62
1/10/2008 #529-A	Cochecho PrintWorks	\$	38.40
1/10/2008 #529-A	School Furnishings, Inc. - furnishings	\$	28.20
1/10/2008 #529-A	Rist-Frost Shumway-Dredge and Fill Engineer. Fees	\$	260.00
1/10/2008 #529-A	Goudreau & Associates-A/E Services	\$	57,047.00
1/10/2008 #530	RPF Associates, Inc - Remainder of Abatement Design	\$	400.00
1/10/2008 #530	RPF Associates, Inc - Partial toward Abatement Monitoring	\$	26,295.00
1/11/2008 n/a	Michael Bliss-Payroll	\$	1,143.79
1/25/2008 n/a	Michael Bliss-Payroll	\$	1,332.16
2/1/2008 #532	Bonnette Page & Stone - GMP Phase II & III App #7	\$	545,398.00

**CAPITAL IMPROVEMENTS SUMMARY**

**Woodman Park Elementary School**

As of: November 19, 2009

<u>Date</u>	<u>CIPM#</u>	<u>Expenditures to Date:</u>	<u>Amount:</u>
2/1/2008	#532	New England Interior - Furnish/Install Marker	\$ 11,082.74
2/1/2008	#532	Cocheco PrintWorks	\$ 43.40
2/1/2008	#533	Bonnette Page & Stone - GMP Phase II & III App #8	\$ 455,406.54
2/8/2008	n/a	Michael Bliss-Payroll	\$ 1,345.62
2/22/2008	n/a	Michael Bliss-Payroll	\$ 1,439.82
3/3/2008	#535	RPF Associates, Inc - Air Quality Testing; Lab Work	\$ 675.00
3/3/2008	#536	Goudreau & Associates-A/E Services	\$ 32,600.00
3/3/2008	#536	Bonnette Page & Stone - GMP Phase II & III App #9	\$ 157,781.24
3/7/2008	n/a	Michael Bliss-Payroll	\$ 1,439.82
3/21/2008	#537	Goodwin's Office Supply - Furniture for new offices	\$ 13,672.00
3/21/2008	#537	Bonnette Page & Stone - GMP Phase II & III App #10	\$ 258,360.48
3/21/2008	n/a	Michael Bliss-Payroll	\$ 1,345.62
4/4/2008	n/a	Michael Bliss-Payroll	\$ 1,345.63
4/18/2008	n/a	Michael Bliss-Payroll	\$ 1,157.24
4/18/2008	#538	Air Quality Experts - Asbestos Removal of Boiler	\$ 6,000.00
4/18/2008	#538	Air Quality Experts - Abatement Renovation	\$ 21,750.00
4/18/2008	#538	Bonnette Page & Stone - GMP Phase II & III	\$ 370,720.72
4/18/2008	#538	RPF Associates, Inc. - Phase II Monitoring, Review and Testing	\$ 14,520.25
5/2/2008	n/a	Michael Bliss-Payroll	\$ 1,332.16
5/16/2008	n/a	Michael Bliss-Payroll	\$ 1,385.99
5/19/2008	#543	Air Quality Experts - Abatement for crawl space	\$ 2,000.00
5/19/2008	#543	Air Quality Experts - Asbestos abatement - Phase II & III	\$ 3,000.00
5/30/2008	#548	Bonnette Page & Stone - GMP Phase II & III	\$ 223,581.48
5/30/2008	n/a	Michael Bliss-Payroll	\$ 1,184.15
6/13/2008	n/a	Michael Bliss-Payroll	\$ 1,211.07
6/27/2008	n/a	Michael Bliss-Payroll	\$ 995.75
6/30/2008	#554	Bonnette Page & Stone - GMP Phase II & III	\$ 205,217.86
6/30/2008	#554	W.B. Mason - Packing Boxes	\$ 255.92
7/11/2008	n/a	Michael Bliss-Payroll	\$ 1,130.32
7/25/2008	n/a	Michael Bliss-Payroll	\$ 1,318.71
8/8/2008	#555	Bonnette Page & Stone - GMP Phase II & III	\$ 284,042.00
8/8/2008	#555	W.B. Mason - Packing Boxes	\$ 127.96
8/8/2008	n/a	Michael Bliss - Payroll	\$ 1,049.59
8/22/2008	#563	Bonnette Page & Stone - GMP Phase II & III	\$ 375,341.78
8/22/2008	#563	Goudreau & Associates-Add'l fees tied to GMP	\$ 10,650.00
8/22/2008	#563	Air Quality Experts - Abatement Renovation	\$ 1,750.00
8/22/2008	#563	Air Quality Experts - Abatement for crawl space	\$ 3,800.00
8/22/2008	#563	Air Quality Experts - Additional Abatement Services	\$ 14,450.00
8/22/2008	n/a	Michael Bliss - Payroll	\$ 1,103.41
9/5/2008	n/a	Michael Bliss - Payroll	\$ 1,291.81
9/16/2008	n/a	Michael Bliss - Payroll	\$ 901.57
10/3/2008	n/a	Michael Bliss - Payroll	\$ 753.55
10/16/2008	#576	Bonnette Page & Stone - GMP Phase II & III	\$ 346,075.00
10/16/2008	#576	Bonnette Page & Stone - Fix plenum ceiling per NFPA 13	\$ 45,200.00
10/16/2008	#576	Bonnette Page & Stone - CP#3 Handicap lift Installation	\$ 12,994.00
10/16/2008	#576	Bonnette Page & Stone - CP#4 Furnish/Install interior ADA signage	\$ 7,456.00
10/16/2008	#576	Bonnette Page & Stone - Main & Back Entrance Canopy	\$ 30,472.00
10/16/2008	#576	Bonnette Page & Stone - Backup Generator System	\$ 78,932.00
10/16/2008	#576	New England Barricade - Reflective Caution Crossing	\$ 130.54
10/16/2008	#582	RPF Associates, Inc - Specs/Test - Monitoring of Underground Tank	\$ 2,695.00
10/16/2008	#582	Cantwell Excavating, LLC - Sidewalk Expansion and Improvement	\$ 6,660.00
10/16/2008	#567	School Furnishings, Inc. - Industrial Metal Shelving Units	\$ 8,462.90
10/17/2008	n/a	Michael Bliss - Payroll	\$ 820.83
10/30/2008	n/a	(Credits Against Project-PSNH Energy Program)	\$ (30,688.00)
10/31/2008	n/a	Michael Bliss - Payroll	\$ 592.07
11/7/2008	#585	Cantwell Excavating, LLC - 180' Wood Beam Guardrail	\$ 4,700.00
11/7/2008	#585	Cantwell Excavating, LLC - Extra striping and lawn repair	\$ 1,590.00
11/7/2008	#586	Boulanger Paving, Inc. - Grade & pave sidewalk	\$ 1,400.00
11/14/2008	n/a	Michael Bliss - Payroll	\$ 336.41
11/26/2008	n/a	Michael Bliss - Payroll	\$ 618.99
12/2/2008	#588	C.B. Seating, Inc. - Portable Gymnasium Floor Covering	\$ 8,405.00
12/2/2008	#588	Goodwin's Office Supply - Folding Chairs & Coordinating Dollies	\$ 6,000.00
12/2/2008	#588	Cyn Environmental Services - Removal of Underground Tank	\$ 8,405.60
12/2/2008	#591	New England Interior - Additional Marker and Tack Board	\$ 9,000.00
12/8/2008	#589	Bonnette Page & Stone - GMP Phase II & III	\$ 48,645.00
12/8/2008	#589	Bonnette Page & Stone - Lump Sum C.O. approved 6/24/08	\$ 78,406.00
12/8/2008	#589	Bonnette Page & Stone - Phase I - CP#1-10, 12; Phase II - CP#5	\$ 3,178.00
12/8/2008	#589	Bonnette Page & Stone - CP#2 Intercom Scope	\$ 18,981.00
12/8/2008	#589	Bonnette Page & Stone - CP#6 Painting Partition	\$ 800.00
12/8/2008	#589	Bonnette Page & Stone - Phase II/III - CP#1	\$ 9,162.00
12/8/2008	#589	Bonnette Page & Stone - Intercom/Speaker for Library	\$ 3,732.00
12/8/2008	#589	Bonnette, Page & Stone - CP#6 - Gym Electric Panel	\$ 6,714.00

**CAPITAL IMPROVEMENTS SUMMARY**

**Woodman Park Elementary School**

As of: November 19, 2009

12/8/2008 #589	Bonnette, Page & Stone - Aiphone Master Switch	\$	1,282.00
12/8/2008 #589	Bonnette, Page & Stone - Transaction Window	\$	3,476.00
12/12/2008 n/a	Michael Bliss - Payroll	\$	161.48
1/23/2009 n/a	Michael Bliss - Payroll	\$	336.41
1/23/2009 #598	Central Paper Products - Waterhog Elite Mats for Gym Entrance	\$	978.58
1/23/2009 #598	New England Interior - White Boards & Flag Holder	\$	1,195.00
<b><u>Date</u></b>	<b><u>CIPM#</u></b>		<b><u>Expenditures to Date:</u></b>
			<b><u>Amount:</u></b>
1/23/2009 #598	Clean Harbors Environmental - Clean Kill Switch/Boiler	\$	3,148.87
1/23/2009 #598	Goudreau & Associates-Add'l fees tied to GMP	\$	37,734.00
1/23/2009 #603	Stanley Security Solutions - Key Cores for Doors	\$	4,884.32
1/23/2009 #603	RPF Associates, Inc - Additional Testing Services	\$	12,000.00
1/23/2009 #603	RPF Associates, Inc - Specs/Test - Monitoring of Underground Tank	\$	1,819.67
2/6/2009 n/a	Michael Bliss - Payroll	\$	430.60
2/20/2009 n/a	Michael Bliss - Payroll	\$	148.02
2/27/2009 #609	Pro-Staff - Replace Block and Tackles	\$	13,225.00
3/6/2009 n/a	Michael Bliss - Payroll	\$	201.84
3/9/2009 #604	Bonnette Page & Stone - Miscellaneous Change Orders	\$	25,846.50
3/12/2009 #612	Best Access Systems - Additional Cores with Keys	\$	1,346.13
3/12/2009 #612	EnviroVantage Inc. - Removal of Lead Paint	\$	4,000.00
3/12/2009 #612	New England Interiors - Installation of Marker/Tack Boards	\$	1,717.26
3/12/2009 #612	North Country Communications - Cable Installation	\$	901.15
3/13/2009 n/a	Applied credit to the District from BPS Phase I, Balance of Retainage	\$	(15,801.30)
3/18/2009 n/a	(Credit from the NHDOE for the Reading Recovery Room)	\$	(11,200.00)
3/18/2009 #616	Bonnette Page & Stone - Balance Due for Reading Recovery Room	\$	868.00
3/18/2009 #616	Bonnette Page & Stone - NHDOE Share Reading Recovery Room	\$	11,200.00
3/20/2009 n/a	Michael Bliss- Payroll	\$	134.57
4/7/2009 #618	Nobis Engineering - Deductible for Level I Site Investigation	\$	100.00
4/7/2009 #618	Goudreau & Associates-Add'l fees tied to GMP	\$	4,850.00
4/7/2009 #618	Goudreau & Associates - Mechanical design for plenum	\$	2,600.00
4/7/2009 #618	Goudreau & Associates - 3 change designs	\$	2,900.00
4/7/2009 #618	Goudreau & Associates - Design of Reading Recovery Room	\$	650.00
5/1/2009 n/a	Michael Bliss - Payroll	\$	134.56
5/5/2009 n/a	(Credit from Northern Utilities Financial Incentive Rebate)	\$	(26,000.00)
5/26/2009 n/a	Applied credit to the District from BPS Phase II/III, Balance of Retainage	\$	(35,384.50)
5/29/2009 n/a	Michael Bliss- Payroll	\$	80.73
8/5/2009 #626	Nevco, Inc. - Scoreboard for Gym	\$	3,083.00
8/5/2009 #628	Civil Works, Inc. - Survey & Engineering Services for Boiler Room	\$	1,323.72
10/14/2009 #631	Civil Works, Inc. - Survey & Engineering Services for Boiler Room	\$	5,828.50
10/14/2009 #631	DWC Designs Inc. - Fiberglass Window Shades	\$	10,140.00
10/14/2009 #631	R & M Paving - Repair/Pave on Site	\$	1,055.00
10/14/2009 #631	DWC Designs Inc. - Add'l Window Shades	\$	407.00
11/4/2009 #633	Civil Works, Inc. - Survey & Engineering Services for Boiler Room	\$	3,907.10
<b>Total:</b>		<b>\$</b>	<b>12,441,640.02</b>

**Obligations:**

RMS Electric, LLC - Electrical Installation of Scoreboard	\$	750.00
Horne Construction - Boiler Room/Drainage Improvements	\$	59,912.00
<b>Total:</b>	<b>\$</b>	<b>60,662.00</b>

**Available Budget:**

**\$ 59,190.29**

**Retainage:**

10/18/2006 #481	APP #1	\$	13,394.40
10/18/2006 #481	APP #2	\$	27,146.80
11/17/2006 #483	APP #3	\$	19,183.20
12/12/2006 #485	APP #4	\$	47,602.00
1/10/2007 #488	APP#5	\$	62,661.90
2/12/2007 #493	APP#6	\$	38,419.70
4/11/2007 #498	APP #7	\$	38,170.60
5/4/2007 #501	APP #8	\$	1,035.70
7/19/2007 #508	APP #1	\$	4,344.75
8/10/2007 #509	APP #2	\$	21,450.55
9/13/2007 #513	APP #3	\$	24,514.55
10/26/2007 #520	APP #4	\$	26,882.50
11/27/2007 #521	APP #5	\$	32,415.40
12/14/2007 #525	APP #6	\$	20,766.80
12/14/2007 #525	APP #13 - Partial Retainage, Bonnette Page & Stone - Phase I	\$	(147,614.30)
2/1/2008 #532	APP #7	\$	27,269.90
2/1/2008 #533	APP #8	\$	21,309.50
3/3/2008 #536	APP #9	\$	7,717.20
3/21/2008 #537	APP #10	\$	12,574.30
4/18/2008 #538	APP #11	\$	18,020.45

**CAPITAL IMPROVEMENTS SUMMARY****Woodman Park Elementary School**

As of: November 19, 2009

5/30/2008 #548	APP #12	\$	10,835.35
5/30/2008 #554	APP #13	\$	10,003.10
8/8/2008 #560	APP #14	\$	13,772.40
8/22/2008 #563	APP #15	\$	18,595.25
10/16/2008 #563	APP #16	\$	21,508.40
12/8/2008 #589	APP #17	\$	8,461.00
3/13/2009 #614	APP #14 - Final Retainage, Bonnette Page & Stone - Phase I	\$	(84,198.70)
	<b><u>Retainage:</u></b>		
3/13/2009 n/a	Applied credit to the District from BPS - Phase I, Balance of Retainage	\$	(15,801.30)
4/7/2009 #620	APP #19 - Partial Retainage, Bonnette Page & Stone - Phase II/III	\$	(200,000.00)
5/4/2009 #622	APP #19 - Final Retainage, Bonnette Page & Stone - Phase II/III	\$	(65,056.90)
5/26/2009 n/a	Applied credit to the District from BPS - Phase II/III, Balance of Retainage	\$	(35,384.50)
	<b>Total Retainage Held for Phase I, II and III:</b>	\$	<b>0.00</b>



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 12.B.1.**

Resolution Number: **R – 2009.12.09 - 190**

Resolution Re: Chair and Vice Chair positions on Boards, Commissions and Committees

WHEREAS: Open, transparent and inclusive government is enhanced by strong citizen participation on the boards, commissions and committees of the City of Dover;

WHEREAS: Fresh volunteers and leadership are essential to the vitality of boards, commissions and committees of the City of Dover

WHEREAS: The Dover City Council is the appointing authority for the members of the boards, commissions and committees with authority over the rules of operation for said entities.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

All boards, commissions and committees of the City of Dover appointed by the Dover City Council shall select the Chair and Vice Chair of said boards, commissions and committees in January of each year by Australian written ballot listing all members who express a desire to serve in these capacities;

AND, FURTHER BE IT RESOLVED;

Positions of Chair and Vice Chair of each board, commission and committee shall be rotated to avoid, if possible, any member remaining in the position of Chair and Vice Chair for more than seven (7) consecutive years, subject to the provisions of RSA 673:9.

### AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Deputy Mayor Dean Trefethen

Approved as to Legal Form: Allan B. Krans, Sr.  
City Attorney

Recorded by: Karen Lavertu  
City Clerk

R-2009.12.09 Chair and Vice Chair positions on Board  
Commissions and Committees

Document Created by: Legal  
Document Posted on: December 4, 2009

Page 1 of 3



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.1.

Resolution Number: **R – 2009.12.09 - 190**

Resolution Re: Chair and Vice Chair positions on Boards, Commissions and Committees

### DOCUMENT HISTORY:

First Reading Date:	Public Hearing Date:
Approved Date:	Effective Date:

### DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does   does not pass.		

R-2009.12.09 Chair and Vice Chair positions on Board  
Commissions and Committees

Document Created by: Legal  
Document Posted on: December 4, 2009

Page 2 of 3



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.1.

Resolution Number: **R – 2009.12.09 - 190**

Resolution Re: Chair and Vice Chair positions on Boards, Commissions and Committees

### RESOLUTION BACKGROUND MATERIAL:

This resolution limits for members of a board, commission, or committee, the length of time an individual can be a Chair or Vice-Chair. Individuals will be limited to seven (7) consecutive years in one of these positions, although length of time on a board is not limited. This applies only to boards, commissions, or committees that have members that are appointed by the City Council.

Membership of land use boards, including the provisions of Chair and Vice Chair and alternates are governed by the provisions of RSA 673.

R-2009.12.09 Chair and Vice Chair positions on Board  
Commissions and Committees



**CITY OF DOVER**

# CITY OF DOVER - RESOLUTION

**Agenda Item#: 12.B.2.**

Resolution Number: **R – 2009.12.09 - 183**  
Resolution Re: **McConnell Center Dover Children’s Center Subsidy**

WHEREAS: The Dover Children’s Center has been a tenant at the McConnell Center since July 2007 and provides day care services primarily for area residents in the low and middle income brackets.

WHEREAS: The Dover Children’s Center has had a rent subsidy of \$34,460 in FY08 and \$35,193.60 in FY09

WHEREAS: The Dover Children’s Center rent subsidy for FY 10 was reduced to \$8,249 out of a total annual rent of \$46,448 and they have been unable to pay the increased amount.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The City Manager is authorized to amend the lease with the Dover Children’s Center to extend their subsidy payment of \$35,193.60 for FY 2010.

AND, FURTHER BE IT RESOLVED;

In accordance with C6-8 of the City Charter the amount of \$26,946 is authorized to be transferred out of the CS – Snow Removal Contract Snow Plowing Account to City Council Grant & Subsidy Account.

Account Number	Description	Adopted Budget	Available Balance	Budget Adjustment	Revised Budget
1000-43125-4422-0000-00-30	CS-Snow Removal Contract Snow Plowing	85,000	82,204	(26,946)	58,054
1000-41110-4835-0000-00-10	City Council - Grants/Subsidy	264,200	73,629	26,946	291,146

## AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Mayor Scott Myers  
By request

Approved as to Legal Form: Allan B. Krans, Sr.  
City Attorney

Recorded by: Karen Lavertu  
City Clerk



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.2.

Resolution Number: **R – 2009.12.09 - 183**

Resolution Re: McConnell Center Dover Children’s Center Subsidy

### DOCUMENT HISTORY:

First Reading Date:	Public Hearing Date:
Approved Date:	Effective Date:

### DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does   does not pass.		



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.2.

Resolution Number: **R – 2009.12.09 - 183**

Resolution Re: **McCConnell Center Dover Children’s Center Subsidy**

### RESOLUTION BACKGROUND MATERIAL:

The Dover Children’s Center (DCC) submitted a request asking the City Council to consider extending their McConnell Center lease subsidy amount of \$35, 193.60 for FY09 for another year (FY10) to help them address a funding shortfall. The DCC has had a rent subsidy of \$34,460 in FY08 and \$35,193.60 in FY09. The Dover Children’s Center rent subsidy for FY 10 was reduced to \$8,249 out of a total annual rent of \$46,448.

### BUDGETED FY10 AMOUNT

DOVER CHILDREN’S CENTER 3,666 Sq Ft

Component	Rate	Annual	Subsidy	Monthly
Fixed Rent	<b>\$6.50</b>	<b>\$23,829.00</b>		<b>\$1,985.75</b>
Capital Reserve	<b>\$0.00</b>	<b>\$0.00</b>		<b>\$0.00</b>
Utilities (*)	<b>\$6.17</b>	<b>\$22,619.22</b>		<b>\$1,884.94</b>
Other as agreed	<b>0</b>	<b>0</b>		<b>0</b>
Total Rent Assessment	<b>\$12.67</b>	<b>\$46,448.22</b>	<b>(\$8,248.56)</b>	<b>\$3,183.31</b>

### PROPOSED CHANGE BY DOVER CHILDREN’S CENTER

DOVER CHILDREN’S CENTER 3,666 Sq Ft

Component	Rate	Annual	Subsidy	Monthly
Fixed Rent	<b>\$6.50</b>	<b>\$23,829.00</b>		<b>\$1,985.75</b>
Capital Reserve	<b>\$0.00</b>	<b>\$0.00</b>		<b>\$0.00</b>
Utilities (*)	<b>\$6.17</b>	<b>\$22,619.22</b>		<b>\$1,884.94</b>
Other as agreed	<b>0</b>	<b>0</b>		<b>0</b>
Total Rent Assessment	<b>\$12.67</b>	<b>\$46,448.22</b>	<b>(\$35,194)</b>	<b>\$ 937.85</b>

**DIFFERENCE IN BUDGET                      \$26, 946 additional necessary in subsidy to accommodate this change**

The Dover Children’s Center has been a tenant at the McConnell Center since July 2007 and provides day care services primarily for area residents in the low and middle income brackets.

A copy of the Dover Children’s Center request is attached as part of the background information. In accordance with C6-8, Transfers, the City Manager, with approval of the City Council, may transfer any unspent balance or any portion thereof of a budget appropriation from one city department to another city department.

**Dover Children's Center  
43 Back River Road  
Dover, NH 03820  
Tel: (603) 742-7637**

**RECEIVED**

SEP 24 2009

CITY MANAGER'S OFFICE  
DOVER, NH

September 23, 2009

J. Michael Joyal, Jr.  
City Manager  
City of Dover  
288 Central Avenue  
Dover, NH 03820

**Re: Dover Children's Center/McConnell Center**

Dear Mr. Joyal:

I am following up on a meeting between Gary Bannon and members of the Board of Dover Children's Center regarding the McConnell Center lease. We had requested such meeting to discuss the Center's request for reconsideration of the February 10, 2009 memorandum regarding rent for the current fiscal year. After the meeting, Mr. Bannon referred us to you. There were several unanticipated changes which led the Board to make this request, and we are asking that a formal request be made to the City Council to consider a further upward adjustment to the current budget in the amount of \$26,945.10, which represents the difference between the subsidy for the current year and the subsidy from the prior year.

Such an adjustment would have the effect of keeping the 2008 subsidy of \$35,193.60 in place for the next 12 months. Under that scenario, the annual fixed rent would remain at \$23,829.00. The utilities would remain at \$22,619.22 for a total rent assessment of \$46,448.22. The prior subsidy of \$35,193.60 would remain in effect during the fiscal year 2009 through 2010, for a net annual rent of \$11,254.62 after the subsidy. We would further propose that we would have a

specific long term proposal to you by October 31, 2009 so that it could be taken into consideration for the next budget cycle.

While we recognize that other non-profits are probably suffering from some of the same economic downturns as our organization, I wanted to mention a few points that were unanticipated and which have changed since the inception of the lease agreement. When our long term business plan was reviewed in the context of negotiating the original lease agreement, our budget included a utility rate of \$4.00 per square foot with an average 5% annual increase. We fully recognized that the lease agreement was based upon projections, but the projections were off by quite a bit, resulting in a greater than 50% increase in utility and operational expenses since the inception of the lease. Again, we understand that it was based on projections, but we relied on those projections in formulating our long term plan.

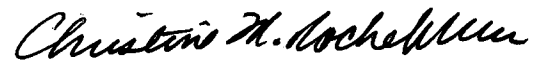
Second, when we prepared our business plan, we based it upon nearly full occupancy of the Center, which included a significant portion devoted to aftercare for school aged children. After we moved into McConnell, the city's school bus contractor changed and the new contractor has refused to bus from the schools to our Center. This has made it impossible for us to provide after-school care for school aged children, despite a very substantial need for such care within the City of Dover. If the busing company would be willing to bus from the schools to the Center, we believe that our revenue could be increased.

Finally, we, like many other not-for-profits, rely heavily upon United Way grants for a large portion of our revenue. When we prepared our business plan, our annual United Way grant was \$32,000.00, and had been in that range consistently for many, many years. Since that time, the actual grants have decreased each year. We have recently been informed by United Way that there will be an additional 40% to 60% cut in grants from the prior grant, and our 2009 - 2010 grant is \$13,520.00. While we strive to make up the losses from other sources of revenue, the downturn in the market has all but dried up private grants and foundations and many of those prior sources of revenue have evaporated as well.

We have worked hard to bring about efficiencies wherever possible and we have increased our tuition rates to our private pay clients (our state reimbursements for qualifying families are controlled entirely at the state level) but our clientele can absorb only modest annual tuition increases. Consistent with our mission, we continue to serve low and very low income families. At the McConnell Center alone, over 80% of our families are low and very low income

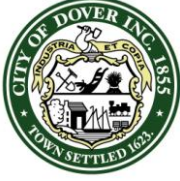
families by federal standards. We very much value the McConnell Center as a true community resource and we feel that our Center provides benefits to the other tenants, and likewise we feel that the other tenants benefit our Center, but the economic landscape has changed drastically, and has caused the Board to put forth this request for reconsideration. If you or other city officials or Board members need any additional information in order to allow you to consider this request, please let me know. Otherwise I look forward to hearing from you once you have had an opportunity to review this.

Very truly yours,



Christine M. Rockefeller  
President, Dover Children's Center

cc: Anne Grassie  
John Crisp  
Tom Southworth  
Jane Murphy  
Melissa Fischetto



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 12.B.3.**

Resolution Number: **R – 2009.12.09 – 184**  
Resolution Re: Purchase of Land for Second Water Tower

WHEREAS: The City of Dover seeks to purchase raw land for the purpose of locating a potential second water tower located in the north end; and

WHEREAS: Suitable land for the location of a water tower has been located and a Purchase and Sales Agreement has been entered into subject to City Council approval.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The City Manager is authorized to purchase land identified as 308 Long Hill Road for the purpose of locating a second water tower and to sign all documents associated with the closing transaction.

### Financing

Account	Description	Appropriation	Balance
5300-43320-4757-3547-10-30	North End Water Pressure Improvements	\$ 500,000	\$ 500,000

### AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Mayor Scott Myers  
By request

Approved as to Legal Form: Allan B. Krans, Sr.  
City Attorney

Recorded by: Karen Lavertu  
City Clerk



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.3.

Resolution Number: **R – 2009.12.09 – 184**  
Resolution Re: Purchase of Land for Second Water Tower

### DOCUMENT HISTORY:

First Reading Date:	Public Hearing Date:
Approved Date:	Effective Date:

### DOCUMENT ACTIONS:

<b>VOTING RECORD</b>		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does   does not pass.		



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.3.

Resolution Number: **R – 2009.12.09 – 184**  
Resolution Re: Purchase of Land for Second Water Tower

### RESOLUTION BACKGROUND MATERIAL:

The Community Services Department hired EarthTech, an engineering consultant, to investigate the low water pressure in the North End of Dover. The final report identified the need for a new water storage tank located in the north end of the City. The tower needs to be constructed at a minimum specified elevation to meet the water pressure goal. The report identified undeveloped properties that would work and presented them in a prioritized list based on cost to implement the project.

The Dover DUC reviewed the report and concluded that a new water storage tank at Long Hill is the preferred alternative to alleviate the low water pressure in the Dover north end. The Community Services Department staff approached the owner of the Long Hill property and have negotiated a Purchase and Sales agreement. An appraisal of the property has been completed by Dubouis Appraisal Service of Dover NH.

PURCHASE AND SALES AGREEMENT AND DEPOSIT RECEIPT  
New Hampshire Association of REALTORS® Standard Form



1. **THIS AGREEMENT** made this 22nd day of November, 20 09 between Brian L. Seaward and Suzanne V. Melhorn ("SELLER") of 13 Mill Falls Rd, City/Town Barrington State NH Zip 03825 and The City of Dover ("BUYER") of Mast Road, City/Town Dover State NH Zip 03820.

2. **WITNESSETH:** That SELLER agrees to sell and convey, and BUYER agrees to buy certain real estate situated in City/Town of Dover located at 308 Long Hill Road  
County Strafford Book 3562 Page 79 Date \_\_\_\_\_ ("PROPERTY").

3. The **SELLING PRICE** is One Hundred and Twenty Thousand Dollars \$ 120,000.00. DEPOSIT, receipt of which is hereby acknowledged in the form of \_\_\_\_\_, is to be held in an escrow account by \_\_\_\_\_ ("ESCROW AGENT"), in the sum of \$ \_\_\_\_\_. ADDITIONAL DEPOSIT will be paid on or before \_\_\_\_\_, in the sum of \$ \_\_\_\_\_. CASH, CERTIFIED CHECK OR BANK DRAFT will be paid on the date of transfer of title in the sum of \$ 120,000.00.

4. **DEED:** Marketable title shall be conveyed by a \_\_\_\_\_ warranty deed, and shall be free and clear of all encumbrances except usual public utilities serving the PROPERTY.

5. **TRANSFER OF TITLE:** On or before \_\_\_\_\_ to be determined\* at \_\_\_\_\_ at title company or attorney's office or some other place of mutual consent as agreed to in writing.

6. **POSSESSION:** Full possession and occupancy of the premises with all keys shall be given upon the transfer of title free of all tenants and occupant's personal property and encumbrances except as herein stated. Said premises to be then in the same condition in which they now are, reasonable wear and tear excepted. SELLER agrees that the premises will be delivered to BUYER free of all debris and in "broom clean" condition. Exceptions: N/A

Buyer reserves the right to conduct a walk through inspection upon reasonable notice to SELLER's real estate FIRM within \_\_\_\_\_ hours prior to time of closing to ensure compliance with the terms of this Agreement.

7. **REPRESENTATION:** The undersigned SELLER(S) and BUYER(S) acknowledge the roles of the agents as follows:  
\_\_\_\_\_  
Not applicable of \_\_\_\_\_ is a  seller agent  buyer agent  facilitator  disclosed dual agent\*  
\_\_\_\_\_  
Not applicable of \_\_\_\_\_ is a  seller agent  buyer agent  facilitator  disclosed dual agent\*

\*If agent(s) are acting as disclosed dual agents, SELLER and BUYER acknowledge prior receipt and signing of a Dual Agency Informed Consent Agreement.

**NOTICE OF DESIGNATED AGENCY:** If checked, notice is hereby given that BUYER is represented by a designated buyer's agent and SELLER is represented by a designated seller's agent in the same firm.

8. **INSURANCE:** The buildings on said premises shall, until full performance of this Agreement, be kept insured against fire, with extended coverage by SELLER. In case of loss, all sums recoverable from said insurance shall be paid or assigned, on delivery of deed, to BUYER, unless the premises shall previously have been restored to their former condition by SELLER; or, at the option of BUYER, this Agreement may be rescinded and the DEPOSIT refunded if any such loss exceeds \$ \_\_\_\_\_.

9. **TITLE:** If upon examination of title it is found that the title is not marketable, SELLER shall have a reasonable time, not to exceed thirty (30) days from the date of notification of defect (unless otherwise agreed to in writing), to remedy such defect. Should SELLER be unable to provide marketable title within said thirty (30) days, BUYER may rescind this Agreement at BUYER'S sole option, with full deposit being refunded to BUYER and all parties being released from any further obligations hereunder. SELLER hereby agrees to make a good faith effort to correct the title defect within the thirty (30) day period above prescribed once notification of such defect is received. The cost of examination of the title shall be borne by BUYER.

SELLER(S) INITIALS BLS, SVM BUYER(S) INITIALS JMG

**PURCHASE AND SALES AGREEMENT AND DEPOSIT RECEIPT**  
**New Hampshire Association of REALTORS® Standard Form**



**10. TAXES,** condo fees, special assessments, rents, water and sewage bills and fuel in storage shall be prorated as of time and date of closing or \_\_\_\_\_ transfer of title \_\_\_\_\_.

**11. PROPERTY INCLUDED:** All Fixtures not applicable

---



---

**12. In compliance with the requirements of RSA 477:4-a,** the following information is provided to BUYER relative to Radon Gas and Lead Paint:

**RADON GAS:** Radon gas, the product of decay of radioactive materials in rock may be found in some areas of New Hampshire. This gas may pass into a structure through the ground or through water from a deep well. Testing can establish its presence and equipment is available to remove it from the air or water.

**LEAD PAINT:** Before 1978, paint containing lead may have been used in structures. The presence of flaking lead paint can present a serious health hazard, especially to young children and pregnant women. Tests are available to determine whether lead is present.

Disclosure Required  YES  NO

**BUYER ACKNOWLEDGES PRIOR RECEIPT OF SELLER PROPERTY DISCLOSURE FORM ATTACHED HERETO AND SIGNIFIES BY INITIALING HERE:** \_\_\_\_\_

**13. INSPECTIONS:** The BUYER is encouraged to seek information from professionals normally engaged in the business regarding any specific issue of concern. SELLER'S real estate FIRM makes no warranties or representations regarding the condition, permitted use or value of the SELLER'S real or personal property. This Agreement is contingent upon the following inspections, with results being satisfactory to the BUYER:

TYPE OF INSPECTION:	YES	NO	RESULTS TO SELLER	TYPE OF INSPECTION:	YES	NO	RESULTS TO SELLER
a. General Building	<input type="checkbox"/>	<input checked="" type="checkbox"/>	within _____ days	f. Lead Paint	<input type="checkbox"/>	<input checked="" type="checkbox"/>	within _____ days
b. Sewage Disposal	<input type="checkbox"/>	<input checked="" type="checkbox"/>	within _____ days	g. Pests	<input type="checkbox"/>	<input checked="" type="checkbox"/>	within _____ days
c. Water Quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>	within _____ days	h. Hazardous Waste	<input type="checkbox"/>	<input checked="" type="checkbox"/>	within _____ days
d. Radon Air Quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>	within _____ days	i. _____	<input type="checkbox"/>	<input type="checkbox"/>	within _____ days
e. Radon Water Quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>	within _____ days	j. _____	<input type="checkbox"/>	<input type="checkbox"/>	within _____ days

**The use of days is intended to mean calendar days from the effective date of this Agreement.** All inspections will be done by professionals normally engaged in the business, to be chosen and paid for by BUYER. If BUYER does not notify SELLER that the results of an inspection are unsatisfactory within the time period set forth above, the contingency is waived by BUYER. **TIME IS OF THE ESSENCE. If the results of any inspection specified herein reveal significant issues or defects, which were not previously disclosed to BUYER, then:**

(a) SELLER shall have the option of repairing or remedying the unsatisfactory condition(s) prior to transfer of title, so long as BUYER and SELLER both agree on the method of repair or remedy; or

(b) if SELLER is unwilling or unable to repair or remedy the unsatisfactory condition(s) or BUYER and SELLER cannot reach agreement with respect to the method of repair or remedy, then this Agreement shall be null and void, and all deposits will be returned to BUYER in accordance with the procedures required by the New Hampshire Real Estate Practice Act (N.H. RSA 331-A:13); or

(c) BUYER may terminate this Agreement in writing and all deposits will be returned to BUYER in accordance with the procedures required by the New Hampshire Real Estate Practice Act (N.H. RSA 331-A:13).

Notification in writing of SELLER'S intent to repair or remedy should be delivered to BUYER or BUYER'S Agent within five (5) days of receipt by SELLER of notification of unsatisfactory condition(s). In the absence of inspection mentioned above, BUYER is relying upon BUYER'S own opinion as to the condition of the PROPERTY.

SELLER(S) INITIALS BLL, SVM BUYER(S) INITIALS [Signature]

**PURCHASE AND SALES AGREEMENT AND DEPOSIT RECEIPT**  
**New Hampshire Association of REALTORS® Standard Form**



**BUYER HEREBY ELECTS TO WAIVE THE RIGHT TO ALL INSPECTIONS AND SIGNIFIES BY INITIALING**  
**HERE:** \_\_\_\_\_

**14. DUE DILIGENCE:** This Agreement is contingent upon BUYER'S satisfactory review of the following:

- |                                    | YES                      | NO                                  |  | YES                      | NO                                  |
|------------------------------------|--------------------------|-------------------------------------|--|--------------------------|-------------------------------------|
| a. Restrictive Covenants of Record | <input type="checkbox"/> | <input checked="" type="checkbox"/> | d. Condominium documentation per N.H. RSA 356-B:58 | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Easements of Record/Deed        | <input type="checkbox"/> | <input checked="" type="checkbox"/> | e. Co-op/PUD/Association Documents                 | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Park Rules and Regulations      | <input type="checkbox"/> | <input checked="" type="checkbox"/> | f. Availability of Property/Casualty Insurance     | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

If such review is unsatisfactory, BUYER must notify SELLER in writing within \_\_\_\_\_ days from the effective date of the Agreement failing which such contingency shall lapse.

**15. LIQUIDATED DAMAGES:** If BUYER shall default in the performance of their obligation under this Agreement, the amount of the deposit may, at the option of SELLER, become the property of SELLER as reasonable liquidated damages. In the event of any dispute relative to the deposit monies held in escrow, the **ESCROW AGENT** may, in its sole discretion, pay said deposit monies into the Clerk of Court of proper jurisdiction in an Action of Interpleader, providing each party with notice thereof at the address recited herein, and thereupon the **ESCROW AGENT** shall be discharged from its obligations as recited therein and each party to this Agreement shall thereafter hold the **ESCROW AGENT** harmless in such capacity. Both parties hereto agree that the **ESCROW AGENT** may deduct the cost of bringing such Interpleader action from the deposit monies held in escrow prior to the forwarding of same to the Clerk of such court.

**16. PRIOR STATEMENTS:** Any verbal representation, statements and agreements are not valid unless contained herein. This Agreement completely expresses the obligations of the parties.

**17. FINANCING:** This Agreement ( is) ( is not) contingent upon BUYER obtaining financing under the following terms:

AMOUNT \*\*\*\*\* TERM/YEARS \*\*\*\*\* RATE \*\*\*\*\* MORTGAGE TYPE \*\*\*\*\*

For the purposes of this Agreement, financing is to be demonstrated by a conditional loan commitment letter, which states that BUYER is creditworthy, has been approved and that the lender shall make the loan in a timely manner at the Closing on specified customary conditions for a loan of the type specified above. BUYER is responsible to resolve all conditions included in the loan commitment by the Closing date.

The existence of conditions in the loan commitment will not extend either the Financing Deadline described below or the closing date.

BUYER hereby authorizes, directs and instructs its lender to communicate the status of BUYER'S financing and the satisfaction of lender's specified conditions to SELLER and SELLER'S/BUYER'S real estate FIRM.

TIME IS OF THE ESSENCE in the observance of all deadlines set forth within this financing contingency.

BUYER agrees to act diligently and in good faith in obtaining such financing and shall, within \*\*\*not applicable\*\*\* calendar days from the effective date, submit a complete and accurate application for mortgage financing to at least one financial institution currently providing such loans, requesting financing in the amount and on the terms provided in this Agreement.

SELLER(S) INITIALS BLL, SVM BUYER(S) INITIALS [Signature]

**PURCHASE AND SALES AGREEMENT AND DEPOSIT RECEIPT**  
**New Hampshire Association of REALTORS® Standard Form**



If BUYER provides written evidence of inability to obtain financing to SELLER by \*\*\*not applicable\*\*\*\*\* ("Financing Deadline"), then:

- (a) This Agreement shall be null and void; and
- (b) All deposits will be returned to BUYER in accordance with the procedures required by the New Hampshire Real Estate Practice Act (N.H. RSA 331-A:13) ("the Deposit Procedures"); and
- (c) The premises may be returned to the market.

BUYER may choose to waive this financing contingency by notifying SELLER in writing by the Financing Deadline and this Agreement shall no longer be subject to financing.

If, however:

- (a) BUYER does not make application within the number of days specified above; or
- (b) BUYER fails to provide written financing commitment or written evidence of inability to obtain financing to SELLER by the Financing Deadline,

Then SELLER shall have the option of either:

- (a) Declaring BUYER in default of this Agreement; or
- (b) Treating the financing contingency as having been waived by BUYER.

If SELLER declares BUYER in default, in addition to the other remedies afforded under this Agreement:

- (a) SELLER will be entitled to all deposits in accordance with the Deposit Procedures; and
- (b) This Agreement will be terminated; and
- (c) The premises may be returned to the market for sale.

If SELLER opts to treat the financing contingency as waived or relies on a conditional loan commitment and BUYER subsequently does not close in a timely manner, SELLER can then declare BUYER in default. SELLER then, in addition to the other remedies afforded under this Agreement:

- (a) Will be entitled to all deposits in accordance with the Deposit Procedures; and
- (b) This Agreement will be terminated; and
- (c) The premises may be returned to the market for sale.

BUYER shall be solely responsible to provide SELLER in a timely manner with written evidence of financing or lack of financing as described above.

SELLER(S) INITIALS BLS , SVM BUYER(S) INITIALS [Signature] , \_\_\_\_\_

**PURCHASE AND SALES AGREEMENT AND DEPOSIT RECEIPT**  
**New Hampshire Association of REALTORS® Standard Form**



**18. ADDITIONAL PROVISIONS:**

This contract is contingent upon:

- 1) the Dover City Council voting in public session to authorize the purchase of the property
- 2) a geotechnical evaluation showing that the property is adequate to support the proposed Dover north end water storage tank.

This contract shall remain valid until February 26, 2010.

Closing will be set for within two weeks of receiving Dover City Council approval.

19. ADDENDA ATTACHED:  Yes  No

20. EFFECTIVE DATE: This is a binding contract and the effective date is when signed and dated, whether by electronic transfer or original, and all changes initialed and dated, by SELLER and BUYER.

Each party is to receive a fully executed duplicate original of this Agreement. This Agreement shall be binding upon the heirs, executors, administrators and assigns of both parties.

**PRIOR TO EXECUTION, IF NOT FULLY UNDERSTOOD, PARTIES ARE ADVISED TO CONTACT AN ATTORNEY.**

*[Signature]* 12/4/09  
 BUYER \_\_\_\_\_ DATE \_\_\_\_\_ TIME \_\_\_\_\_  
 288 Central Avenue  
 ADDRESS \_\_\_\_\_  
 Dover NH 03820  
 CITY STATE ZIP

BUYER \_\_\_\_\_ DATE \_\_\_\_\_ TIME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 CITY STATE ZIP

SELLER accepts the offer and agrees to deliver the above-described PROPERTY at the price and upon the terms and conditions set forth.

*[Signature]* 12-1-09  
 SELLER Brian L. Seaward DATE \_\_\_\_\_ TIME \_\_\_\_\_  
 13 Mill Falls Rd  
 ADDRESS \_\_\_\_\_  
 Barrington, NH 03825  
 CITY STATE ZIP

*[Signature]* 12-1-09  
 SELLER Suzanne V. Melhorn DATE \_\_\_\_\_ TIME \_\_\_\_\_  
 13 Mill Falls Rd  
 ADDRESS \_\_\_\_\_  
 Barrington, NH 03825  
 CITY STATE ZIP



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 12.B.4.**

Resolution Number: **R - 2009.12.09 - 185**  
Resolution Re: Collective Bargaining Agreement Between City of Dover  
and DPA

WHEREAS: The City of Dover and representatives of the Dover Police Association have been involved in negotiations for a collective bargaining agreement to supersede the Agreement which expired on June 30, 2008; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The Council accepts the tentative agreement and the City Manager is hereby directed to execute a three (3) year Collective Bargaining Agreement between the City of Dover and the Dover Police Association.

### AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Mayor Scott Myers  
By request

Approved as to Legal Form: Allan B. Krans, Sr.  
City Attorney

Recorded by: Karen Lavertu  
City Clerk



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.4.

Resolution Number: **R - 2009.12.09 - 185**

Resolution Re: Collective Bargaining Agreement Between City of Dover and DPA

### DOCUMENT HISTORY:

First Reading Date:	Public Hearing Date:
Approved Date:	Effective Date:

### DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does   does not pass.		



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.4.

Resolution Number: **R - 2009.12.09 - 185**  
 Resolution Re: Collective Bargaining Agreement Between City of Dover and DPA

**RESOLUTION BACKGROUND MATERIAL:**

The City participated in negotiations with DPA. Discussions started on March 20, 2008. The City went in to mediation with the DPA on September 23, 2008. The tentative agreement reached in mediation was rejected by the DPA. Negotiations resumed on October 5, 2009 bringing the contract to this point.

The summary of costs is as follows:

**City of Dover**

**Summary of Change – DPA (Police Officers) Tentative Agreement Cost Summary**

DPA	Wage Amount	Total Fringe	Wage & Fringe		
<b>FY09 Actual</b>	3,179,548	887,463	4,067,011		
				<b>Change from FY10 Budget</b>	<b>Change from FY10 SQ</b>
<b>FY10 Estimate</b>	3,044,750	1,098,757	4,143,507	25,052 0.62%	(92,863) -5.63%
				<b>Change from FY10 Estimate</b>	<b>Change from FY11 SQ</b>
<b>FY11 Estimate</b>	3,066,575	1,221,085	4,287,660	144,153 3.48%	(106,655) -6.38%
<b>Totals</b>	<b>9,290,873</b>	<b>3,207,305</b>	<b>12,498,178</b>		



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 12.B.5.**

Resolution Number: **R – 2009.12.09 – 186**  
Resolution Re: FY 2011 Debt Financing Limitation

WHEREAS: The Five (5) year annualized debt service has increased 11.10%; and

WHEREAS: The City portion of the total debt service is 18.9% of the city budget; and

WHEREAS: The City Council Policy is to limit the City portion of the total debt service to 8% or lower of the city budget

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The debt financing for Fiscal Year 2011 will not exceed \$6,045,608 as approved in the Fiscal Year 2010

### AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Councilor Richard Callaghan

Approved as to Legal Form: Allan B. Krans  
City Attorney

Recorded by: Karen Lavertu  
City Clerk



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.5.

Resolution Number: **R – 2009.12.09 – 186**  
Resolution Re: FY 2011 Debt Financing Limitation

### DOCUMENT HISTORY:

First Reading Date:	Public Hearing Date:
Approved Date:	Effective Date:

### DOCUMENT ACTIONS:

<b>VOTING RECORD</b>		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does   does not pass.		



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.5.

Resolution Number: **R – 2009.12.09 – 186**  
Resolution Re: FY 2011 Debt Financing Limitation

### RESOLUTION BACKGROUND MATERIAL:

Pages 7 and 50 of the Proposed Capitol Improvements Program Fiscal Years 2011-2016, see attached.

The amount of debt incurred by the City remains below the State statutory limits as set forth in RSA 33:4-a for the City and School District, and RSA 33:5-a for the Water Fund. There is no statutory debt limit for the Sewer Fund. The State statutory limit for the City is 3% of Base valuation as determined by the New Hampshire Department of Revenue Administration (NH DRA), the statutory limit for the School District is 7% of Base valuation as determined by NH DRA, and the statutory limit for the Water Fund is 10% of base valuation as determined by NH DRA. As of June 30, 2009 the City had utilized 49.5% of its statutory debt limit, the School District utilized 14.7% of its statutory debt limit, and the Water Fund had utilized 3.9% of its statutory debt limit.

The City Council established self-imposed policy limits that are significantly lower than those set by State statute. As of June 30, 2009 the percent of the City's more conservative debt policy used was 76.1%, the School was 97.9%. General Fund net debt per capita is at \$2,361, an amount considered reasonable for a municipality the size of Dover. The General Fund's net debt to equalized value is 2.49%. The General Fund's net debt service as a percent of budget is 10.8%. Although this measure is higher than the 8% recommended by policy, it is partially as a result of a higher rate of debt pay down resulting in a favorable reduction in the cost for debt. ←

The Water and Sewer funds also remained within the City Council self-imposed policy limits with 77.7% and 24.4% used respectively. Net debt service to budget in the Water Fund is 34.6% and 21.4% within the Sewer Fund, within the 40% set by policy.

In August of 1999 the City received a bond rating upgrade from Moody's Investor Services to A Baa1. The City received a second upgrade to A3 in May 2001 and a third in June 2003 to A2. The City also received an upgrade to A2 from Moody's and a rating from Standard & Poor's of A+ in June 2003. Both ratings were sustained in June 2004. In June 2005 the City received dual rating upgrades to A1 from Moody's and AA- from Standard & Poor's. Both ratings were sustained in 2006 and reaffirmed in 2007. In 2008 Moody's reaffirmed the City's A1 rating and Standard & Poor's upgraded the City's rating to AA.

### Condition Summary

The local economic environment over the past fiscal year has declined significantly in specific activity sectors. A well diversified business and job base in Dover and throughout the surrounding communities have not been immuned to the national economic downturn. However, there has been some ongoing development activity generating additional business and employment opportunities, which has helped to keep Dover below the national and state unemployment levels.

The majority of the City's economic and financial indicators have slowed in growth over the past few years. Along with the recessionary concerns appearing throughout the country, changes in indicators continue to be monitored and actions taken to preserve the City's economic and financial position. Although credit markets are of major concern, current measures and trends at the local level suggest a low level of economic and financial activity continuing during the near term, with anticipation of an up turn occurring at some point in the future.

Meanwhile, the financial position of the major funds of the City are considered healthy. Proactive financial management efforts continue to focus on maintaining adequate reserves in all of the City's major funds, invest in capital needs of the community, while simultaneously prioritizing funding and preserving core municipal services.

## GENERAL FUND - Budget History Sheet

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010			
<i>Amounts reflect budget at time of tax rate setting.</i>														
<b>APPROPRIATIONS:</b>													5 Yr Ann %	10 Yr Ann %
City	15,004,880	16,532,788	17,507,234	18,389,433	19,759,074	21,276,834	22,516,057	23,328,139	24,100,845	24,849,889	25,881,933		4.00%	5.60%
City Debt	2,591,556	2,584,967	3,587,234	3,514,034	3,542,179	3,571,716	3,981,736	4,343,010	5,132,330	5,347,514	6,045,608		11.10%	8.84%
Total City	17,596,436	19,117,755	21,094,468	21,903,467	23,301,253	24,848,550	26,497,793	27,671,149	29,233,175	30,197,403	31,927,541		5.14%	6.14%
School	21,939,513	24,653,632	27,670,695	29,751,613	30,922,459	32,065,504	34,363,074	36,203,218	37,912,706	39,216,997	40,699,081		4.88%	6.37%
School Debt	887,297	1,941,623	2,148,055	2,178,843	2,316,331	2,448,119	2,598,888	2,799,270	3,689,854	3,761,338	3,934,140		9.95%	16.06%
Total School	22,826,810	26,595,255	29,818,750	31,930,456	33,238,790	34,513,623	36,961,962	39,002,488	41,602,560	42,978,335	44,633,221		5.28%	6.94%
County	2,824,052	2,855,108	3,666,619	3,695,245	4,639,183	4,336,892	5,454,815	5,750,204	6,035,072	6,772,323	7,030,640		10.14%	9.55%
Total	43,247,298	48,568,118	54,579,837	57,529,168	61,179,226	63,699,065	68,914,570	72,423,841	76,870,807	79,948,061	83,591,402		5.59%	6.81%
<b>Dollar Change</b>													5 Yr Cum \$	10 Yr Cum \$
City	1,418,707	1,521,319	1,976,713	808,999	1,397,786	1,547,297	1,649,243	1,173,356	1,562,026	964,228	1,730,138		7,078,991	14,331,105
School	2,274,098	3,768,445	3,223,495	2,111,706	1,308,334	1,274,833	2,448,339	2,040,526	2,600,072	1,375,775	1,654,886		10,119,598	21,806,411
County	94,652	31,056	811,511	28,626	943,938	(302,291)	1,117,923	295,389	284,868	737,251	258,317		2,693,748	4,206,588
Total	3,787,457	5,320,820	6,011,719	2,949,331	3,650,058	2,519,839	5,215,505	3,509,271	4,446,966	3,077,254	3,643,341		19,892,337	40,344,104
<b>Percent Change</b>														
City	8.77%	8.65%	10.34%	3.84%	6.38%	6.64%	6.64%	4.43%	5.64%	3.30%	5.73%			
School	11.06%	16.51%	12.12%	7.08%	4.10%	3.84%	7.09%	5.52%	6.67%	3.31%	3.85%			
County	3.47%	1.10%	28.42%	0.78%	25.54%	-6.52%	25.78%	5.42%	4.95%	12.22%	3.81%			
Total	9.60%	12.30%	12.38%	5.40%	6.34%	4.12%	8.19%	5.09%	6.14%	4.00%	4.56%			
	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010		5 Yr Ann %	10 Yr Ann %
<b>REVENUES:</b>														
Property Tax - City	11,339,223	11,390,162	12,774,378	14,665,998	15,270,024	16,444,337	17,472,361	18,123,568	19,974,876	20,343,274	21,429,921		5.44%	6.57%
Property Tax - Local School	6,362,128	9,406,838	10,045,896	11,262,544	12,421,536	16,302,137	19,413,741	20,901,778	22,735,976	24,296,444	24,640,583		8.61%	14.50%
Property Tax - State School	7,891,558	7,891,558	8,820,760	8,936,790	8,716,438	6,701,724	6,477,735	6,494,080	6,476,696	6,292,003	6,431,633		-0.82%	-2.02%
Property Tax - Total School	14,253,686	17,298,396	18,866,656	20,199,334	21,137,974	23,003,861	25,891,476	27,395,858	29,212,672	30,588,447	31,072,216		6.20%	8.10%
Property Tax - County	2,774,000	2,805,056	3,616,567	3,645,193	4,589,131	4,286,840	5,404,763	5,700,152	5,872,169	6,722,271	7,030,640		10.40%	9.75%
Total Property Tax	28,366,909	31,493,614	35,257,601	38,510,525	40,997,129	43,735,038	48,768,600	51,219,578	55,059,717	57,653,992	59,532,777		6.36%	7.69%
Other Sources:														
City	6,057,265	6,730,748	7,295,142	7,237,521	7,981,281	8,454,265	9,075,484	9,172,633	9,421,202	9,904,181	10,497,620		4.42%	5.65%
School	8,573,124	9,296,859	10,952,094	11,731,122	12,100,816	11,509,762	11,070,486	11,606,630	12,389,888	12,389,888	13,561,005		3.33%	4.69%
Use of Fund Balance	250,000	1,046,897	1,075,000	250,000	100,000	-	-	425,000	-	-	-		-100.00%	-100.00%
Total	14,880,389	17,074,504	19,322,236	19,218,643	20,182,097	19,964,027	20,145,970	21,204,263	21,811,090	22,294,069	24,058,625		3.80%	4.92%
<b>Dollar Change</b>													5 Yr Cum \$	10 Yr Cum \$
Property Tax - City	1,522,787	50,939	1,384,216	1,891,620	604,026	1,174,313	1,028,024	651,207	1,851,308	368,398	1,086,647		4,985,584	10,090,698
Property Tax - School	(1,739,211)	3,044,710	1,568,260	1,332,678	938,640	1,865,887	2,887,615	1,504,382	1,816,814	1,375,775	483,769		8,068,355	16,818,530
Property Tax - County	94,652	31,056	811,511	28,626	943,938	(302,291)	1,117,923	295,389	172,017	850,102	308,369		2,743,800	4,256,640
Total Property Tax	(121,772)	3,126,705	3,763,987	3,252,924	2,486,604	2,737,909	5,033,562	2,450,978	3,840,139	2,594,275	1,878,785		15,797,739	31,165,868
Other Sources:														
City	(25,232)	673,483	564,394	(57,621)	743,760	472,984	621,219	97,149	248,569	482,979	593,439		2,043,355	4,440,355
School	4,013,309	723,735	1,655,235	779,028	369,694	(591,054)	(439,276)	536,144	783,258	-	1,171,117		2,051,243	4,987,881
Use of Fund Balance	(78,848)	796,897	28,103	(825,000)	(150,000)	(100,000)	-	425,000	(425,000)	-	-		-	(250,000)
Total	3,909,229	2,194,115	2,247,732	(103,593)	963,454	(218,070)	181,943	1,058,293	606,827	482,979	1,764,556		4,094,598	9,178,236
<b>Percent Change</b>														
Property Tax - City	15.51%	0.45%	12.15%	14.81%	4.12%	7.69%	6.25%	3.73%	10.21%	1.84%	5.34%			
Property Tax - School	-10.87%	21.36%	9.07%	7.06%	4.65%	8.83%	12.55%	5.81%	6.63%	4.71%	1.58%			
Property Tax - County	3.53%	1.12%	28.93%	0.79%	25.90%	-6.59%	26.08%	5.47%	3.02%	14.48%	4.59%			
Total Property Tax	-0.43%	11.02%	11.95%	9.23%	6.46%	6.68%	11.51%	5.03%	7.50%	4.71%	3.26%			
Other Revenue - City	-0.41%	11.12%	8.39%	-0.79%	10.28%	5.93%	7.35%	1.07%	2.71%	5.13%	5.99%			
Other Revenue - School	88.01%	8.44%	17.80%	7.11%	3.15%	-4.88%	-3.82%	4.84%	6.75%	0.00%	9.45%			
Use of Fund Balance	-23.98%	318.76%	2.68%	-76.74%	-60.00%	-100.00%	NA	NA	NA	NA	NA			
Total	35.63%	14.75%	13.16%	-0.54%	5.01%	-1.08%	0.91%	5.25%	2.86%	2.21%	7.91%			



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.6.

Resolution Number: **R – 2009.12.09 - 187**  
Resolution Re: Amend City Council Adopted Financial Policies Debt Policy  
– Goal 5

- WHEREAS: The State Legal Debt Limit for Schools is 7% of EQUALIZED ASSESSED VALUE (EAV); and
- WHEREAS: The State Legal Debt Limit for Cities is 3% of EAV; and
- WHEREAS: The City of Dover has a Council policy capping the City to 65% of the State Legal Debt Limit; and
- WHEREAS: The City of Dover has a Council policy capping the School to 15% of the State Legal Debt Limit; and
- WHEREAS: It is expected, based on the current proposal, the School will exceed the City Council Policy Limit in this years CIP (FY 2011- FY 2016) (29,479,852 versus 34,036,412); and
- WHEREAS: The current policy not only contradicts but reverses the State recommended debt distribution in relation to the EAV; and
- WHEREAS: The City Council desires its policies to align with present practice and be accurately reflected in it's CIP debt limits and policy to be proportionate, realistic, workable and reasonable

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The Policy Limit of Debt for the School CIP in Dover will be set at 45% of the State Statute limit that limit being at 7% of EQUALIZED ASSESSED VALUE (EAV).

### AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Councilor Catherine Cheney  
Ward 5

Approved as to Legal Form: Allan B. Krans, Sr.  
City Attorney

Recorded by: Karen Lavertu  
City Clerk



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.6.

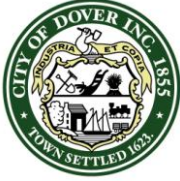
Resolution Number: **R – 2009.12.09 - 187**  
Resolution Re: Amend City Council Adopted Financial Policies Debt Policy – Goal 5

### DOCUMENT HISTORY:

First Reading Date:	Public Hearing Date:
Approved Date:	Effective Date:

### DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does   does not pass.		



**CITY OF DOVER**

# CITY OF DOVER - RESOLUTION

**Agenda Item#: 12.B.6.**

Resolution Number: **R – 2009.12.09 - 187**  
 Resolution Re: Amend City Council Adopted Financial Policies Debt Policy – Goal 5

**RESOLUTION BACKGROUND MATERIAL:**

EQUALIZED ASSESSED VALUE is represented as a number to represent a quantity – in this case for these purposes Dover’s value in Dollars equalized by the application of the state’s equalization factor to our assessed property values. Dover is currently around 3 Billion dollars.

Excerpt from the CIP → Capital Improvements Program 2011-2016 pg 14:

*“The State of New Hampshire, through RSAs 33:4-a and 33:5-a, sets the legal amount of debt a City may have outstanding at any one time. There are three such limits covering municipalities, schools and water utilities. The limits are based on the locally assessed valuation for property taxation purposes as equalized to market value by the N.H. Department of Revenue Administration. The equalized value for debt purposes is then multiplied by the statutory percentages to achieve the legal debt limits. The percentages used for each limit are 3% for municipalities, 7% for schools and 10% for water utilities.”*

The State’s Statutory limit for the City is at 3% of EQUALIZED ASSESSED VALUE (EAV) and for the School it is 7% of EQUALIZED ASSESSED VALUE (EAV).

The City Council’s Policy states the City will be no higher than 65% of the City’s limit set by the state, and the School at no more than 15% of the state.

On simple review it is apparent that the initial intention of the state was to have the School limits at more than double (about 2.3 times) what the City would have. Our policy reverses the State Policy and intent.

This update will help bring it more in line and reflect a workable figure.

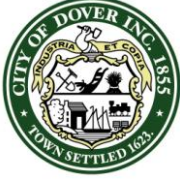
The following tables demonstrate that in the year 2015 the School will be at the 40% of the State. Setting the City Council Policy Debt Limit for the School to 45% of the State Statutory Limits enables the school to implement its long-range CIP plan and brings the Council policy more in-line with the State’s intent. It makes the City Councils policy for the School CIP Caps to be workable and equitable.

As of this CIP 2011 the School will already be over the policy: 29,474,852 versus 34,036,412

<b>City Estimated Legal Debt Limits</b>			
<b>FY End</b>	<b>Statutory 3.0% EAV</b>	<b>Policy 65% of State</b>	<b>Outstanding Debt</b>
2010	91,218,523	59,292,040	37,972,038
2011	84,228,150	54,748,298	41,072,328
2012	85,060,776	55,289,504	43,363,618
2013	85,901,730	55,836,125	55,098,398
2014	86,751,090	56,388,209	56,366,678
2015	87,608,944	56,945,814	55,698,708
2016	88,475,376	57,508,994	50,723,155

<b>School Estimated Legal Debt Limits</b>			
<b>FY End</b>	<b>Statutory 7.0% EAV</b>	<b>Policy 15% of State</b>	<b>Outstanding Debt</b>
2010	212,843,221	31,926,483	31,184,060
2011	196,532,349	29,479,852	34,036,412
2012	198,475,144	29,771,272	33,390,817
2013	200,437,369	30,065,605	65,588,922
2014	202,419,209	30,362,881	76,071,032
2015	204,420,870	30,663,131	80,844,582
2016	206,442,544	30,966,382	75,242,300

If the math is carried out the current policy for the City equates to 1.95% of EAV and for the School to 1.05% of EAV. (65% of 3% and 15% of 7%). This clearly shows that though the State intended for the Schools to have a cap at 2.3 times higher than the city. Our current policy sets it at almost 4 times lower relative to our policy and the State entitlement. This resolution will bring the school up about ¾ of the way and still keep it at a conservative level in relation to the State’s amounts.



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 12.B.6.**

Resolution Number: **R – 2009.12.09 - 187**

Resolution Re: Amend City Council Adopted Financial Policies Debt Policy  
– Goal 5

Without updating the City Council School Debt Limit Policy, the City Council will be forced to take an annual vote to allow the school debt limit to be exceeded, or to reject any future bonding for the school until such time as the school's outstanding debt is reduced. Such a requirement will create a situation where the City Council is approving bonding for the school without having a mechanism in place ensuring the school will be able to pay its obligations or is requiring the City Council to reject any necessary school improvements.

Ultimately, updating the policy limit makes the Cap a workable and equitable amount. It also reflects proper policy planning to Credit Agencies.

**City of Dover**  
**City Council Adopted**  
**City Financial Policies**

***Maintenance of Fund Reserves***

Goal 1: The City shall maintain adequate fund reserves to protect itself against emergencies and economic downturns.

A. General Fund. - The City shall achieve and maintain a minimum undesignated fund balance of 6% of the General Fund's annual budget, including City, School and County appropriations. The City Council may appropriate any amount of undesignated fund balance in excess of the designated percentage or use the excess to offset property taxes as part of the final adopted budget for a fiscal year. The City Council may appropriate undesignated fund balance for emergency purposes per City Charter Section C3-9 A, as deemed necessary, even if such use decreases the fund balance below the designated percentage. For purposes of this section the following apply:

1. Emergency purposes does not include the offsetting of property taxes.
2. Undesignated fund balance will be determined in accordance with generally accepted accounting principles.
3. The undesignated fund balance target level shall be achieved by adding \$180,000 to the budget for a seven year period. This amount shall be removed if the targeted level is achieved earlier.

B. Special Revenue Funds - Non-Grant. - The City shall achieve and maintain minimum undesignated fund balances of 5% of the total appropriations of each such fund budgeted.

C. Enterprise Funds. - The City shall achieve and maintain net current assets (excluding unspent cash from bond proceeds) of 15% of the total appropriations of each fund in a given fiscal year.

D. Internal Service Funds (in general). - The City shall achieve and maintain net current assets of 100% of inventory levels.

1. Workers Compensation Fund. - The City shall achieve and maintain 100% funding for an actuarially determined claims liability based on a 65% confidence level.

**City of Dover**  
**City Council Adopted**  
**City Financial Policies**

***Capital Improvements Program***

Goal 2: The City Council shall, by resolution, formally adopt a six year capital planning document. The document shall contain a listing of all capital improvement program projects, identifying the source of financing and delineating the impact to annual operations and maintenance. The City Council shall appropriate the funding for second year priority projects at the same time it funds the first year projects.

Goal 3: The City shall establish formal criteria for inclusion of a project in the CIP.

A. In order to be included within the CIP, a project needs to have an estimated annual aggregate cost of \$10,000 or more and have a useful life of three years or greater.

B. Projects must satisfy at least one of the following:

1. Protect the health and safety of employees and/or the community at large.
2. Significantly improve the efficiency of the existing services.
3. Preserve a previous capital investment made by the City.
4. Significantly reduce future operating costs or increase future operating revenues.

Goal 4: The City shall finance qualifying CIP projects using established criteria.

A. Debt Financed - Purchases financed by the issuance of bonds or capital leases. Purchase of assets of \$100,000 or more, nonrecurring within a five year period, and with a useful life of five years or more are recommended for debt financing. This shall include design costs for projects even when the costs occur in an earlier year.

B. Capital Reserve Financed - Purchases financed by savings from annual appropriations over a period of time for assets over \$10,000, recurring or not. Capital Reserves can be established for a specific item or a type of item. The City shall establish capital reserves for infrastructure and equipment needs for the General Fund.

C. Grant Financed - Purchase of assets over \$10,000, partially or wholly funded by grants from the State or Federal government.

**City of Dover**  
**City Council Adopted**  
**City Financial Policies**

- D. Existing Funds Financed - After the CIP projects are submitted and compiled, any items that can be financed with existing funds shall be identified. Existing funds could be any funds available from savings from another project or other source of funds, including any General Fund excess undesignated fund balance. If bonded funds are to be used, the item has to meet the useful life criteria for the remaining years of amortization of the bond funds used.
  
- E. Operating Budget Financed - Purchase of assets of less than \$100,000 or recurring in nature, are recommended to be financed through the annual operating budget for the fund involved. Annual programs, whether over \$100,000 or not, are suited for operating budget financing due to the ongoing nature of the program.

***Debt Policies***

Goal 5: The City shall size the issuance of the local share of new debt to not exceed the defined parameters.

- A. The City portion shall not exceed 65% of the legal limit (excludes debt related to Tolend Road Landfill Closure).
  
- B. The School portion shall not exceed 15% of the legal limit.
  
- C. The Water portion shall not exceed 5% of the legal limit.
  
- D. The Sewer portion shall not exceed 1.5% of the City's equalized assessed value for debt limits.
  
- E. Net annual General Fund debt service (payment of principal and interest less reimbursements) for a fiscal year shall not exceed 8% of the total appropriations of the General Fund (excludes debt service related to Tolend Road Landfill Closure).
  
- F. Net annual debt service for enterprise funds for a fiscal year shall not exceed 40% of the total appropriations for the fund involved.

Goal 6: The City shall maintain a pay down of net debt (debt principal less reimbursements to be received) for each fund whereby 75% or more is retired within the next ten years.

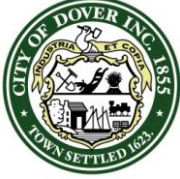
**City of Dover**  
**City Council Adopted**  
**City Financial Policies**

***Management of Enterprise Funds***

- Goal 7: The City shall continue to maintain all enterprise funds on a self sustaining user fee basis, with no support from property tax revenues. Fees shall be set annually to support the adopted budget. Water and Sewer fees shall be calculated by dividing the amount of money to be raised by the billable volume, in one hundred cubic feet units, expected for the year.
- Goal 8: The City shall continue to fund the Capital Reserve accounts for both Water and Sewer Funds. The City shall fund the Water Capital Reserve based on a the discounted ten year goal of \$500,000 (approximately 4% of fixed assets) and the Sewer Capital Reserve based on a discounted ten year goal of \$3,500,000 (approximately 6% of fixed assets).

***Budget Process***

- Goal 9: The various boards and commissions that advise the City Council shall review all fees that support such functions annually and report recommended changes to the City Council prior to preparation of the annual budget.
- A. The Dover Utilities Commission shall review the feasibility of establishing a Sewer Investment Fee similar to the Water Investment Fee.
  - B. The investment fees collected for Water, and Sewer if established, shall also be reviewed for placement in their respective Capital Reserve Funds.
- Goal 10: Preliminary budget estimates for the City and School shall be submitted to the City Council by October 1 for the following fiscal year. The preliminary budget shall contain amounts representative of policies contained within this document. The City Council shall review and approve a preliminary budget resolution by November 30 to give budgetary guidance to the City Manager and the School Department for development of the budget for the next fiscal year.
- Goal 11: The City Council shall set a date by ordinance by which the School Budget must be adopted by the School Board.



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 12.B.7.**

Resolution Number: **R – 2009.12.09 - 188**  
Resolution Re: Restriction on Debt Financing of Employee Wages

- WHEREAS: The City of Dover wishes to set a responsible policy of paying City Employee Compensation from the Operating Budget; and
- WHEREAS: The City Council discussed setting a policy during the budget to not use Debt Financing for City Employees Compensation; and
- WHEREAS: Debt Financed Amounts will cost 154% more than the actual dollar value of the cash cost

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

City of Dover Employees' Compensation will not be debt financed.

### AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Councilor Catherine Cheney  
Ward 5

Approved as to Legal Form: Allan B. Krans, Sr.  
City Attorney

Recorded by: Karen Lavertu  
City Clerk



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.7.

Resolution Number: **R – 2009.12.09 - 188**  
Resolution Re: Restriction on Debt Financing of Employee Wages

### DOCUMENT HISTORY:

First Reading Date:	Public Hearing Date:
Approved Date:	Effective Date:

### DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does   does not pass.		



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.7.

Resolution Number: **R – 2009.12.09 - 188**  
Resolution Re: Restriction on Debt Financing of Employee Wages

### RESOLUTION BACKGROUND MATERIAL:

In Proposed CIP FY 2011-2016 pg 8:

*“Recurring projects continually debt financed will result in annual debt service costs of about **154% of the actual recurring amount.** Thus the tax rate is impacted by a higher amount for debt service than if full principal amount were added to the budget.”*

During the Budget FY 2010 it was discussed that the Council would want to set a policy to exclude using Debt Financing to fund Employees Salaries or Compensation.

Roughly, compensation for \$40,000 when debt financed:

1 year → \$40,000 in salary paid for by bonding costs \$62,800  
2 years → \$80,000 in salary paid for by bonding costs \$125,600



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 12.B.8.**

Resolution Number: **R – 2009.12.09 - 189**  
Resolution Re: City Council Organizational Meetings

- WHEREAS: The City Council has an Organization meeting for the purpose of taking oaths of office and adopting rules; and
- WHEREAS: The Organizational meeting is open to the public per NH RSA 91-A; and
- WHEREAS: The City Council has held these meetings in the City Managers office where the space is limited; and
- WHEREAS: There is adequate space in the Council Chambers; and
- WHEREAS: The City Council wishes to conduct all business openly and in public unless exempt under NH RSA 91-A; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The City Council's Organizational meeting be held in Council Chambers with broadcast and recording capabilities.

### AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Councilor Catherine Cheney

Approved as to Legal Form: Allan B. Krans, Sr.  
City Attorney

Recorded by: Karen Lavertu  
City Clerk



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.8.

Resolution Number: **R – 2009.12.09 - 189**  
Resolution Re: City Council Organizational Meetings

### DOCUMENT HISTORY:

First Reading Date:	Public Hearing Date:
Approved Date:	Effective Date:

### DOCUMENT ACTIONS:

<b>VOTING RECORD</b>		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does   does not pass.		



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.8.

Resolution Number: **R – 2009.12.09 - 189**  
Resolution Re: City Council Organizational Meetings

### RESOLUTION BACKGROUND MATERIAL:

**91-A:1 Preamble.** – *Openness in the conduct of public business is essential to a democratic society. The purpose of this chapter is to ensure both the greatest possible public access to the actions, discussions and records of all public bodies, and their accountability to the people.*

**Source.** 1967, 251:1. 1971, 327:1. 1977, 540:1, eff. Sept. 13, 1977.

RSA 91-A mandates that all government business is open to the public, records, meetings will be whenever possible held openly and publically and as directly quoted above, the greatest possible public access to actions and discussions.

The City Council Organizational Meeting is open to the Public, but has been held in the City Manager's office. In the past there was a need to bring in extra chairs and this door is self-closing and many in the public are not aware they could be present. Additionally, this meeting is not telecasted from this location.

Holding this public meeting in Council Chambers will provide space for the public. This will also has the obvious appearance of being a public meeting. Additionally, the Chamber is ready for telecasting and video-recording.



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

**Agenda Item#: 12.C.1.**

Ordinance Number: **O – 2009.12.09 - 16**  
Ordinance Title: Morningside Drive Stop Sign  
Chapter: Chapter 166, Vehicles and Traffic

The City of Dover Ordains:

**1. PURPOSE**

The purpose of this ordinance is to amend Chapter 166, entitled “Vehicles and Traffic” by adding a location to the list of streets in 166-50 “Schedule C: Stop Intersections”.

**2. AMENDMENT**

Chapter 166 entitled “Vehicles and Traffic” is hereby amended by adding language to Section 166-50, “Schedule C: Stop Intersections” as follows:

**a. The following is added:**

**STOP SIGN ON:**

**AT INTERSECTION OF:**

**Morningside Drive (southerly)**

**Riverdale Avenue**

**3. TAKES EFFECT**

This ordinance shall take effect upon passage and publication of notice as required by RSA 47:18.

### AUTHORIZATION

Approved as to Legal Form: Allan B. Krans, Sr.  
City Attorney

Sponsored by: Councilor Karen Weston

Recorded by: Karen Lavertu  
City Clerk

### DOCUMENT HISTORY:

First Reading Date:  
Approved Date:

Public Hearing Date:  
Effective Date:



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Agenda Item#: 12.C.1.

Ordinance Number: **O – 2009.12.09 - 16**  
Ordinance Title: Morningside Drive Stop Sign  
Chapter: Chapter 166, Vehicles and Traffic

### DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does   does not pass.		



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

**Agenda Item#: 12.C.1.**

Ordinance Number: **O – 2009.12.09 - 16**  
Ordinance Title: Morningside Drive Stop Sign  
Chapter: Chapter 166, Vehicles and Traffic

### **ORDINANCE BACKGROUND MATERIAL:**

This ordinance revision was recommended by the Transportation Advisory Commission by motion at its November 23, 2009 meeting, after hearing resident concerns about confusion over the right-of-way at this intersection. This intersection is configured in such a manner that Morningside Drive approaches from two directions at 90 degrees, with Riverdale Avenue intersecting from the east. Youth sporting events at nearby Morningside Park add increased traffic through the neighborhood. Neighborhood residents in proximity to the intersection were invited to give input to the TAC and all were in favor of a stop sign installation.

This ordinance calls for the installation of one stop sign at the “T” approach, which would be positioned at the corner of #12 Morningside Drive. The resident at #12 also supported the installation.



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

**Agenda Item#: 12.C.2.**

Ordinance Number: **O – 2009.12.09**  
Ordinance Title: Shaws Lane Parking – 17  
Chapter: Chapter 166, Vehicles and Traffic

The City of Dover Ordains:

**1. PURPOSE**

The purpose of this ordinance is to amend Chapter 166, entitled “Vehicles and Traffic” by adding a location to the list of streets in 166-57 “Schedule J: Limited Time Parking”, to restrict parking during school hours only on a segment of Shaws Lane.

**2. AMENDMENT**

Chapter 166 entitled “Vehicles and Traffic” is hereby amended by adding language to Section 166-57, “Schedule J: Limited Time Parking (Section H)” as follows:

H. In accordance with the provisions of **166-21**, no person shall park, place or leave or cause to be parked, placed or left, any motor vehicle in the following described locations between the hours of 7:00 a.m. and 4:00 p.m., Monday through Friday, between September 1<sup>st</sup> and June 30<sup>th</sup>.

**a. The following is added:**

**STREET:**

**Shaws Lane**

**LOCATION:**

**Westerly side, from the intersection of Garrison Road northerly for a distance of 180’**

**3. TAKES EFFECT**

This ordinance shall take effect upon passage and publication of notice as required by RSA 47:18.

### AUTHORIZATION

Approved as to Legal Form: Allan B. Krans, Sr.  
City Attorney

Sponsored by: Councilor Karen Weston

Recorded by: Karen Lavertu  
City Clerk

### DOCUMENT HISTORY:

First Reading Date:  
Approved Date:

Public Hearing Date:  
Effective Date:

Document Created by: Police Department  
Document Posted on: December 4, 2009

O-2009.12.09 ShawsLaneParking  
Page 1 of 3



**CITY OF DOVER**

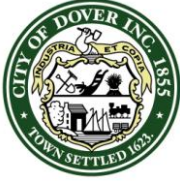
## CITY OF DOVER - ORDINANCE

**Agenda Item#: 12.C.2.**

Ordinance Number: **O – 2009.12.09**  
Ordinance Title: Shaws Lane Parking – 17  
Chapter: Chapter 166, Vehicles and Traffic

### DOCUMENT ACTIONS:

<b>VOTING RECORD</b>		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does   does not pass.		



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

**Agenda Item#: 12.C.2.**

Ordinance Number: **O – 2009.12.09**  
Ordinance Title: Shaws Lane Parking – 17  
Chapter: Chapter 166, Vehicles and Traffic

### **ORDINANCE BACKGROUND MATERIAL:**

This ordinance revision was recommended both by the Parking Commission at its November 13, 2009 meeting and by the Transportation Advisory Commission at its November 23, 2009 meeting. This will ensure the smooth flow of traffic in the mornings and afternoons adjacent to the Garrison Elementary School, where the parent pick-up and drop-off at the rear of the school creates a queue onto the easterly side of Shaws Lane. Shaws Lane is not wide enough to accommodate two-way traffic simultaneously with parked cars on both sides. Restricting this short segment of Shaws Lane during school hours only will allow the traffic to flow more smoothly, and the parking will still be available for sporting events at the Shaws Lane ballfields and for other special events at the Garrison Elementary School.