



CITY OF DOVER

DOVER PLANNING BOARD – AGENDA

Meeting Type: Regular Meeting
Meeting Location: Council Chambers
Meeting Date: Tuesday, May 25, 2010
Meeting Time: 7:00 pm

1. CITIZENS' FORUM

2. APPROVAL OF THE PRIOR MINUTES

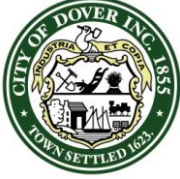
- May 11, 2010 Workshop Meeting Minutes
- May 11, 2010 Regular Meeting Minutes

3. OLD BUSINESS

- A. Consideration and acceptance of a Conditional Use Application for Christine Estes, Assessor's Map A, Lot 51-9, zoned R-40 located at 240 Long Hill Road. (construction upgrade of an existing driveway to a public roadway); 619 sq. ft of wetland impact) (P10-18)
- B. Consideration and possible vote on a Major Open Space Subdivision for Christine Estes, Assessor's Map A, Lot 51-9, zoned R-40 located at 240 Long Hill Road. (9 lots) (P10-19)

4. NEW BUSINESS

- A. Consideration and possible posting of zoning amendments to the land use ordinances and regulations.
- B. Consideration and acceptance of a request by the City of Dover to trim and remove trees and brush along the right-of-way of a scenic road. (Old Garrison Road). * (P10-30)
- C. Consideration and acceptance of a Conditional Use Permit for Black Dog Car Wash Central Ave., LLC, (Owner: Driscoll Realty, Inc.) Assessor's Map 38, Lot 9A, zoned B-3, located at 887 Central Avenue. *(P10-27)
- D. Consideration and acceptance of a Site Review of land for Black Dog Car Wash Central Ave., LLC (Owner: Driscoll Realty, Inc.) Assessor's Map 38, Lot 9A, zoned B-3, located at 887 Central Avenue (demolition of abandoned commercial structure & construct an automatic car wash facility). *(P10-22)
- E. Public hearing and consideration of a request for an extraction permit by Severino Trucking Co., Inc., Assessor's Map H, Lot 58, zoned I-4, located on Mast Road.*
- F. Public hearing and consideration of a request for an extraction permit by Mast Road Sand and Gravel, Assessor's Map H, Lot 53 & 54 zoned I-4 and R-40, located on Mast Road.*
- G. Public hearing and consideration of a request for an extraction permit by Brox Industries, Inc., Assessor's Map C, Lots 12-A, 13, 14, zoned R-40, located on Glen Hill Road.*
- H. Public hearing and consideration of a request for an extraction permit by Pruven Aggregates, Assessor's Map H, Lot 61, 59A and 59, zoned I-4, located on Mast Road.*
- I. Consideration and possible vote on a Major Subdivision of land for Sonoma Builders, Inc., (Owner: Mary A. Moscato Trust of 2001) Assessor's Map 11, Lot 16, zoned RM-U, located at 46-48 Arch Street. (7 lots) *(P10-20)



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5. STAFF COMMENTS

6. COMMITTEE REPORTS

7. ADJOURNMENT

* Indicates that if the application is accepted for discussion, the public hearing will be held the same evening, at which time any interested party may offer comment to the Planning Board.

Persons with questions or wishing to see the plans are invited to visit the Planning Office, weekdays from 8:00 am to 4:00 pm. You may also view materials at www.dover.nh.gov, a map showing project locations can be found at www.dover.nh.gov/planhome.html.



CITY OF DOVER

DOVER PLANNING BOARD – WORKSHOP MINUTES

Meeting Type: Workshop
Meeting Location: Council Chambers – 288 Central Avenue Dover NH 03820
Meeting Date: Tuesday, May 11, 2010
Meeting Time: 6:00 pm

MEMBERS PRESENT: Frank Torr (Vice Chair), Linda Merullo, Dean Trefethen, Perry Plummer and Lee Skinner (Alternate), Gary Green (Alternate).

MEMBERS PRESENT: Ronald Cole (Chair)

STAFF PRESENT: Christopher Parker (Planning Director)

The Vice Chair called the meeting called to order at 6PM. Lee Skinner sat for Frank Torr, who was sitting in for Ron Cole.

A. DES Presentation of the Cochecho River Fluvial Erosion Hazards Study.

a. Presentors

- i. Sally Soule, NH DES Watershed Assistance**
- ii. Shane Csiki – New Hampshire Geological Survey**

b. Presentation reviewed flooding, erosion and the causes and effects. See file.

c. Reviewed the Exeter River pilot project for mapping erosion potential

d. D. Andolina asked questions regarding mitigation and proactive measures that can be taken.

e. Lee Skinner asked how long an assessment of the whole state would take and was informed 30 years would be the minimum. Discussion ensued regarding needs for remapping of streams.

f. Plan is for the Cochecho and Lamprey Rivers to be mapped in 2010 and 2011.

g. Sally Soule discussed the results of the Exeter Watershed Management Plan.

B. Proposed Zoning Amendments

a. This item was left on the table until the regular meeting.

Frank Torr adjourned the workshop at 6:55.



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DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers
Meeting Date: Tuesday, May 11, 2010
Meeting Time: 7:00 pm

MEMBERS PRESENT: Frank Torr (Vice Chair), Donald Andolina, Perry Plummer, Doug Steele, Linda Merullo, Marcia Gasses, John Swartzendruber, Lee Skinner (Alternate) and Gary Green (Alternate).

MEMBERS NOT PRESENT: Ronald Cole

STAFF PRESENT: Christopher Parker (Planning Director) and Jean Glidden (Recording Secretary).

Vice Chair F.Torr sitting in for Chair R.Cole. L.Skinner sitting in for F.Torr. The Vice Chair called the meeting to order at 7:00PM.

Vice Chair F.Torr stated that Item 4.A will remain on the table.

1. CITIZENS' FORUM – NOBODY SPOKE

2. APPROVAL OF THE April 27, 2010 Minutes.

M.Gasses made the motion to approve the April 27, 2010 Regular Meeting Minutes. L,Merullo seconded. F.Torr noted a correction. **Vote:** Unanimous

3. OLD BUSINESS

C.Parker noted the zoning items were not covered at the workshop. He spoke about the Zoning Board requesting that the definition for personal service establishment be reviewed. In viewing the other community's definition, our definition is fine. He noted that S.Bird took the time and completed the purpose statements. This will be a useful tool for the Zoning Board. S.Bird also reviewed the resolution that created the districts over the years as well as looking at it today. He proceeded to explain them. The next amendment is a change to the CBD. He mentioned that he would like to remove the free standing sign allowance as currently it sends a mixed message because of the setbacks. At the next meeting all amendments will be brought forward and will go over them at the 6:00 pm workshop.

4. NEW BUSINESS

- A.** Consideration and acceptance of a Conditional Use Application for Gary and Carol Allen, Assessor's Map E, Lot 49A, zoned R-40, located at 163 Tolend Road. *(P10-21)

This item will remain on the table.

- B.** Consideration and possible vote on two amendments to a previously approved (July 22, 2008) Site Plan and Conditional Use Application for Paolini Brothers Development LLC, Assessor's Map K, Lot 20, zoned B-3, located at 54 Dover Point Road. *(P08-15A)

Attorney James Schulte represented the applicant. He submitted a plan to the members to view. Chris Berry with Berry Surveying and Engineering is present. In July of 2008 this Board approved the site plan for this project, which included 12 residential units, ten of which were townhouses set in the back of the property and two of which were going to be on the third floor of a three story office building set at the front of the property. The plan that was handed out is something we will bring back to you



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in the near future. We are asking for relief from two of the conditions of approval. We will be proposing a subdivision of this parcel into two lots where the commercial building will be reduced from three stories to two stories and the only thing on the front left hand lot portion of the property is the two story office building and the 12 residential units would be located on the residential portion of the property. He added that he has submitted an application for a variance for frontage in order to subdivide. The plan shows a potential location for relocating the units. The reason we are proposing this tie in with the same reason that we are asking for a change in the requirement that there be pervious pavement. There have been some dramatic changes on how properties qualify for mortgage financing. For condominium projects if the builder owns more than half of the units someone who wants to buy a unit can not get a first mortgage on the unit he wants to buy, which means a project like this has to be done in phases. He proceeded to explain the phases. Second change is the mixed commercial project. We are asking that you allow this to be built without pervious pavement. If we put pervious pavement down all in one pour for the whole site it will mess it up when we get ready to do second phase, third phase and the commercial phase of this project. By redesigning the drainage on site Mr. Berry is essentially able to replicate the benefits of pervious pavement. Second request has to do with the radius around the entrance.

M.Gasses confirmed with Attorney Schulte that even if they do not get the variance they would request this amendment of pervious pavement. If the variance is granted they will be in to do the subdivision.

G.Green questioned the drainage and zone line shown on the plan.

Christopher Berry, Berry Surveying and Engineering, noted that the problems that we found in the porous pavement industry is vertical loading. The sand gives pavement its structure. In instances where you are going to have heavier than average loading on the pavement and vehicles turning their wheels will dig this pavement up pretty quickly. This type of technology would not work well on this site. We looked at potentially keeping some areas porous. The drainage system has been redesigned to mimic the drainage patterns on site in the existing condition. This system is designed to collect water treat it underground and re-infiltrate it through the sand. I was able to achieve this through an old fashioned system, a drywell system. We have four infiltration devices.

L.Merullo mentioned that they have been working on a pervious sub-committee and we are looking for best management practice. She stated that she understands about the phasing and since a new system has been designed she is not concerned with this area. She raised concern with the parking shown out front and asked that it be screened.

G.Green stated that he is also on the sub-committee for pervious pavement and stated that it is possible to have a mixed use of impervious and pervious pavement. He questioned the washout from the cemetery. It appears to be a catch basin or manhole.

C.Berry stated that the cemetery drains down a culvert. The DOT drainage easement is across this property. It ran from Dover Point Road to a pretty significant ravine for the purposes of draining the cemetery. We worked with DOT to come up with a solution. He proceeded to explain the drainage system.



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D.Trefethen asked if he was concerned if the drywell shown in the parking lot in the townhouse section over time would sink. C.Berry said no, not if it is constructed properly. The sandy material around it will be compacted and the water will keep it compacted. We do not see a problem in the future. We did try and limit the infiltration devices under pavement. In this type of soil it is not a concern. You have to choose sites that are appropriate for this system. D.Trefethen asked if the four drywells are designed to work together in a rain event or is each one handling a separate area. C.Berry said they are all designed together but placed in areas that could also work independently. D.Trefethen asked what magnitude of storm could this system handle. C.Berry said this is designed for a 50 yr event, but quite sure that this could handle the 100 yr event.

Motion: L.Merullo made the motion to accept the application. D.Andolina seconded the application.

Vote: Unanimous

The Vice Chair opened the public hearing.

Kathleen Hessefort, 51 Toftree Lane stated that she was opposed to the project when it originally went through in 2008. When it was approved it had conditions that had to be met. One of the conditions is pervious pavement and without it she was concerned that it will drain in the surrounding properties and cause wetlands. She stated that this Board should not allow them to change their conditions of approval.

Attorney Schulte asked if they could add the timing of payment for the water and sewer investment fees. Normally they happen at the time you apply for a certificate of occupancy (CO), but one of the conditions for this project was written as when you apply for the building permit you would have to pay the fees. We are comfortable with paying the school, recreation, police and fire impact fees prior to the issuance of the building permit, but ask to amend when the payment for the water and sewer investment fees is made.

C.Parker said we used to require them prior to CO. He explained the process. It made sense that we would need the payment prior to Building Permit to ensure payment of the fees. Discussion ensued regarding the impact fees.

D.Steele said he was under the assumption that the water and sewer investment fees were paid prior to CO.

Attorney Schulte stated that he is correct; the bill is issued when you apply for the building permit and it gets paid before they install the meter.

G.Green asked that they revisit the use of pervious surfaces because the concerned resident brought up the question. He asked that C.Berry comment on using pervious in a lighter loaded area. Can you consider a mixed use?

C.Berry stated that they did consider including porous material along the front, parking bay, potentially the rear parking bay of the commercial site. We were directed by staff that it could possibly lead to failure of the porous material. We redesigned the site as shown; we haven't revisited this with the applicant any further. At this point this was the plan that we came up with to propose. I have used



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this design before. The new AOT regulations require a lot of this type of implementation to try and reduce the amount of storm water detention facilities.

M.Gasses requested that when you come back for the subdivision it would be helpful to have a copy of the plan that we actually approved to compare the two.

D.Steele noted that the City Engineer has reviewed the new drainage in lieu of the pervious pavement and did approve it. We are comfortable with what they are proposing.

L.Merullo commented on the drainage regarding the abutters concern. I am confident that this will work. I know there is failure after so many years if it is not maintained with pervious pavement. Can we put a condition on this for down the road if this design does not work?

C.Parker said the City Engineer signs off on this. They work with the applicant or their agent to correct a problem with a solution to make sure it is reasonable.

C.Berry added that we are also looking at alternatives to move the pole as we found out today with utilities that we have to move it. If we change the radius that we requested this evening we would need an amended DOT permit.

Attorney Schulte said the request on the change of the radius of the driveway is to ask you to approve the change unless within a reasonable time the utility company agrees the pole can be relocated.

B.Paolini mentioned that they do not have to move the pole; therefore does not need the radius change.

Attorney Schulte spoke briefly about the impact fees and condition #10.

C.Parker said that we could do an amendment to condition #10 which could say that the investment fee is due at the time of CO. The impact fees will still be due prior to the issuance of a building permit.

The Vice Chair closed the public hearing.

C.Parker noted that the Planning Board conditionally approved the Site Plan in 2008. The plan includes 10 attached single family homes behind a mixed use structure with commercial on the first floor and residential above. The project included pervious surfaces on the parking areas. The applicant would like to remove the pervious surface, use conventional pavement types and amend the drainage by employing infiltration devices located throughout the site. Planning Board is being asked to approve the amended plan.

The Planning Department recommends that the request to not use pervious pavement be approved. The Planning Department also recommends that condition#10 shall be amended to require that all water and sewer investment fees be due at the time of the certificate of occupancy per unit.



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Motion: D.Steele made the motion to approve with the conditions recommended by the Planning Department. M.Gasses seconded. D.Trefethen commented on pervious surface to the abutter that raised concern. He stated that the method being proposed now is thousand of years old. There is less likelihood of run off to the abutter's property with this current plan, than with the previous plan. D.Andolina confirmed with C.Parker that the impact fees will be due prior to issuance of building permit, water and sewer investment fees due prior to certificate of occupancy. **Vote:** Unanimous

- C. Consideration and possible vote on a driveway waiver for MPJ Development LLC, Assessor's Map 49, Lot 8, zoned R-20, located at 38 Nye Lane. *(P10-24)

Mike Whitcher representing MPJ Development noted that they are looking not to lose the existing driveway cut for lot 8. We originally received a permit but the house design has been changed and we did a drive under permit, so we revised our permit and received a new driveway permit. When we built that driveway off our existing cut in the curb line in the approved development we couldn't make the grade modification work to meet the City standards for a driveway. We opted to get another driveway permit that we gave an easement onto lot 7 in order to make the slope of the driveway work. Part of the permit requirement was to eliminate the cut on lot 8. The reasons for not being able to keep that access is that each lot can only have one driveway and our argument would be that lot 8 would still only have one driveway cut for it. The easement that we wrote to share the driveway of lot 7 shouldn't impact lot 8. This would take cars off the street and allow them to park in the yard. All driveways are cut thought a City easement where cars are parked. This cut has been here for a few years now and plowing has not been a problem for the City.

M.Gasses noted that she is concerned that the driveway permit stated that the curb had to be installed. The walkway was installed to go to this driveway cut that is not even supposed to be there. She mentioned that she is concerned with this being constructed in the right of way and to allow the second driveway is not fair. She added that she doesn't want to start a precedent. We have rules.

M.Whitcher explained that they went through several different permits. We are sharing lot 7's driveway. I am only looking for the approved cut that was approved before and as far as a City ROW all driveways go through a right of way. If you take this driveway away from this lot they will have to park on the street.

D.Steele added that he has discussed this several times with Mr. Whitcher and usually these driveway situations come to me before the Planning Board and generally I take care of them because I have the authority to give a waiver if I find it warranted. I explained to Mr. Whitcher that I agree with the Engineering staff, that I did not agree to this request, however if he strongly opposed the decision he could bring it to the Board.

Motion: D.Andolina made the motion to accept the application. L.Skinner seconded the application. **Vote:** Unanimous

The Vice Chair opened the public hearing - Nobody Spoke - The Vice Chair closed the public hearing.



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C.Parker noted that the Planning Department recommends that the waiver not be issued. Concerns are that no hardship has been demonstrated, and that this curb cut should have been removed when the driveway was reconfigured. Additionally, staff has concerns regarding snow removal as there is an easement over this and adjoining properties which may limit snow storage areas as the development is completed. Finally staff has concerns about encouraging parking within the ROW, where no parking is allowed on the east side of the street in this subdivision.

Motion: D.Trefethen made the motion to deny the application. M.Gasses seconded. **Vote:** Unanimous

5. STAFF COMMENTS

C.Parker reminded the Board of the workshop to be held on May 25th at 6:00 pm and mentioned that 14 items are listed on the Planning Board agenda. He reminded the Board that he is presenting the Planning Departments budget to the Council at the workshop at 5:30 pm on May 12th. On June 8th is the next Planning discussion 7:30 am at the McConnell Center. He updated the members on the Clerk position. The Vice Chair added that in conversation with the Chair, he was going to speak during citizens' forum in particular to one position. He urged members to attend the Council Workshop.

6. COMMITTEE REPORTS

L.Merullo stated that the pervious sub-committee has just about ended. L.Skinner is in the process of fine tuning the presentation. We will wait for a slot to present to the Board. We have our findings and we have some questions to ask the Board.

M.Gasses reminded the members that Trout Unlimited, Open Lands Committee, Conservation Commission and a group of private partnerships are having a celebration of conservation and a clean up day on the Cochecho behind Measured Progress. We will also be recognizing Measured Progress for their willingness to allow us to construct a gravel parking lot so people can safely access the community trail and the river. It will be held on May 15th at 10:00 am and will be followed by a barbecue.

7. ADJOURNMENT

Motion: L.Merullo made the motion to adjourn at 8:38. L.Skinner seconded. **Vote:** Unanimous.



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P10-18

Application Type: Conditional Use Permit
Applicant: Christine Estes
Owner: Christine Estes
Location: 240 Long Hill Road (Assessor's Map A, Lot 51-9)

INTENT: To obtain a Conditional Use Permit to upgrade an existing driveway to a public roadway within the Wetland Protection District and Conservation District.

LOTS/UNITS PROPOSED: 9 lots

AGENDA ITEM #: 3A

ACREAGE: 17.268 acres

ZONING DISTRICT: R-40

EXISTING LAND USE:
Single Family Home

PROPOSED LAND USE: Single Family homes

SURROUNDING LAND USE:
Single Family residential

ZBA ACTION: None

ATTACHMENTS:
Subdivision Plan

PERMITS REQUIRED:

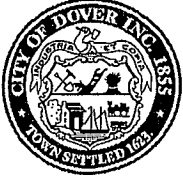
- NHDES Subdivision Permit
- NHDES Wetlands Permit
- City of Dover Conditional Use Permit

WAIVERS REQUESTED: Roadway within fifty feet of the property line in two locations

The applicant has submitted a set of plans for review. The applicant wishes to construct a public roadway where a driveway exists within the Wetland Protection District and Conservation District. The applicant proposes 619 square feet of wetland impact. The Conservation Commission considered this request on March 8, 2010 and recommended the Planning Board grant. The Commission had no conditions.

On April 27, 2010, the Planning Board accepted the application, opened the public hearing, then recessed the hearing, and tabled the item for a site walk held on May 4, 2010. The applicant has already received a NHDES Wetlands Permit.

The Planning Department recommends approval of the Conditional Use Permit.



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P10-19

Application Type: Major Open Space Subdivision
Applicant: Christine Estes
Owner: Christine Estes
Location: 240 Long Hill Road (Assessor's Map A, Lot 51-9)

INTENT: To subdivide land into 9 lots using Open Space Subdivision regulations.

LOTS/UNITS PROPOSED: 9 lots

AGENDA ITEM #: 3B

ACREAGE: 17.268 acres

ZONING DISTRICT: R-40

EXISTING LAND USE:

Single Family Home

PROPOSED LAND USE: Single Family homes

SURROUNDING LAND USE:

Single Family residential

ZBA ACTION: None

ATTACHMENTS:

Subdivision Plan

PERMITS REQUIRED:

- NHDES Subdivision Permit
- NHDES Wetlands Permit
- City of Dover Conditional Use Permit

WAIVERS REQUESTED:

The applicant appeared before the Technical Review Committee on April 1, 2010 and the Conservation Commission on March 8, 2010. The applicant appeared before the Planning Board on April 27, 2010. A site walk was held on May 4, 2010.

The Planning Department recommends approval of the subdivision plan with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

1. Add the owners' signature to the plat.
2. Provide the Planning Department with a digital version of the plat.
3. Add the engineer's and surveyor's stamp and signature to the appropriate sheets.
4. The applicant shall submit proposed Homeowner's Association Documents, addressing detention pond maintenance, open space preservation and maintenance, and 50-foot and 100-foot buffers remaining in their natural state, including preservation of perimeter landscaping. These documents shall be reviewed by the Planning Department, with consultation by the City Attorney on the proper form of the documents.
5. Applicant shall revise the plat to add the location of the proposed twelve 6-foot tall arborvitaes on the abutting parcel (Map A, Lot 51-10) instead of on the open space lot. This should be depicted on Sheet S-1 and corrected on Sheets C-1 and C-2.

Conditions to Be Met by the Applicant Prior to Any Land Clearing:

6. The applicant shall have the surveyor stake the 50-foot no cut buffer on lots 1-5 and 7-8 and anywhere that the open space lot abuts the road, and the 100-foot no-cut buffer on lot 1. This shall be checked and approved by the Building Official and City Engineer.
7. The applicant shall stake the 50-foot wetlands buffers per Chapter 170-27.1-D-1-c.

Conditions to Be Met Prior to Issuance of a Building Permit:

8. Any new dwelling unit shall be assessed the current impact fees in place at the time of building permit application.

TRITECH

ENGINEERING CORPORATION

755 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820

TELEPHONE 603.742.8107
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May 10, 2010

Dave White, PE, City Engineer
City of Dover, Engineering Department
271 Mast Road
Dover, New Hampshire 03820

Subject: *Open Space Subdivision – P10-19*
Labrador Woods
Dover Tax Map A Lot 51-9
240 Long Hill Road
Dover, New Hampshire
Job No. 04176

Dear Dave:

Enclosed please find one (1) full-size copy *Subdivision Plan Set* for the above referenced project. Below please find responses to concerns outlined in your Interoffice Memorandum dated April 20, 2010.


We look forward to discuss these applications with the Planning Board at their May 25, 2010 meeting.

1. *Fix the drafting error – CB's 101 and 102 locations.*
 - Drafting errors have been revised.
2. *On C-3 shown the UGE in front of the guardrail to correspond with C-7 detail 1.*
 - The underground electric and utilities have been shown on Sheet C-3 in front of the guardrail to correspond with Detail 1 on sheet C-7.
3. *Crate a Forebay in the proposed detention pond.*
 - A Sediment Forebay has been created in the proposed storm water detention area.
4. *Install a closed bottom box culvert, set deep enough to have a natural stream bottom installed.*
 - A box culvert has been shown and the culvert has been set deep enough to have a natural stream channel installed in the bottom.
5. *Note or show a detail calling out for the gravel to be tapered into the top of the box culvert, along the profile, and compact to 95%.*
 - A detail has been added to Sheet C-7 indicating tapered gravel compacted 95% as requested.
6. *Riprap the inlet and outlet of the box culvert and add erosion protection for the outfall from CB 104.*
 - After analyzing the box culvert outlet and the outfall from CB 104 we have found the velocity out of the culverts do not warrant outfall protection, however, we have added note D-17 stating that if scouring occurs at the culvert outfall the City Engineer may require rip rap be designed and installed at his request.
7. *On C-7 correct notes 7, 8, 10 and 11.*
 - Notes 7, 8, 10, and 11 have been corrected on Sheet C-7 as requested.

Dave White, PE
May 10, 2010
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Please advise should you have any questions.

Very truly yours,
TRITECH ENGINEERING CORP.

A handwritten signature in black ink, appearing to be 'RJS', written over the company name.

Robert J. Stowell, P.E., L.L.S.
President

RJS / nas

Enclosures

cc: C. Parker, Dover Planning Department

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The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

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WETLANDS AND NON-SITE SPECIFIC PERMIT 2010-00738

Permittee: Christine Estes
240 Long Hill Rd.
Dover, NH 03820
Project Location: 240 Long Hill Road, Dover
Dover Tax Map/Lot No. A / 51-9
Waterbody:

APPROVAL DATE: 04/24/2010 EXPIRATION DATE: 04/24/2015

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Based upon review of the above referenced application, in accordance with RSA 482-A and RSA 485-A:17, a Wetlands Permit and Non-Site Specific Permit was issued. This permit shall not be considered valid unless signed as specified below.

PERMIT DESCRIPTION: Dredge and fill a total of 619 sq. ft. of wetland over three locations for installation of a 24" x 36" x 38' open bottom box culvert and two small areas of edge fill.


THIS APPROVAL IS SUBJECT TO THE FOLLOWING PROJECT SPECIFIC CONDITIONS:

1. All work shall be in accordance with revised plans by Trilech Engineering Corp. dated 4/23/2010, as received by DES on 4/23/2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

GENERAL CONDITIONS THAT APPLY TO ALL DES WETLANDS PERMITS:

1. A copy of this permit shall be posted on site during construction in a prominent location visible to inspecting personnel;
2. This permit does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others;
3. The Wetlands Bureau shall be notified upon completion of work;
4. This permit does not relieve the applicant from the obligation to obtain other local, state or federal permits that may be required (see attached form for status of federal wetlands permit);
5. Transfer of this permit to a new owner shall require notification to and approval by the Department;
6. This permit shall not be extended beyond the current expiration date.
7. This project has been screened for potential impacts to known occurrences of rare species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or have received only cursory inventories, unidentified sensitive species or communities may be present. This permit does not absolve the permittee from due diligence in regard to state, local or federal laws regarding such communities or species.
8. The permittee shall coordinate with the NH Division of Historic Resources to assess and mitigate the project's effect on historic resources.

APPROVED: _____


Dori Wiggin, East Region Supervisor
DES Wetlands Bureau

=====

BY SIGNING BELOW I HEREBY CERTIFY THAT I HAVE FULLY READ THIS PERMIT AND AGREE TO ABIDE BY ALL PERMIT CONDITIONS.

OWNER'S SIGNATURE (required)

CONTRACTOR'S SIGNATURE (required)



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

NOTICE TO RECIPIENTS OF MINIMUM IMPACT N.H. WETLANDS PERMITS

Your permit was approved by the New Hampshire Wetlands Bureau as a minimum impact project, and your project is automatically approved under the Army Corp's New Hampshire Programmatic General Permit.

For the purpose of the NH PGP, Minimum Impact Projects do not include new construction of:

- Dams,
- Dikes,
- water withdrawal or diversion projects which require fill in wetlands or surface waters,
- wetlands restoration projects, or any projects which involve work in other than low flow conditions (July 1-September 30),
- any projects involving more than 3,000 square feet of a water body or wetland fill and secondary impacts.

Also, not included under Minimum Impact Projects are those projects that include the reconstruction or replacement of currently unserviceable structures/fills. The projects must be reviewed through the screening procedures for minor impact projects. The activities in section 10 waters not regulated by the Wetlands Bureau, formerly authorized under the Nationwide Permit Program and listed in Appendix A of this document are designated non-reporting activities.

These approvals do not relieve you from obtaining any necessary local permits that may be required by your town.

If you have any questions, feel free to give us a call at 603-271-2147

This notice was sent with minimum impact permit *2010-758 on 4/24/10 by Dico*

APPROVAL FOR SUBDIVISION

N.H. DEPARTMENT OF ENVIRONMENTAL SERVICES
SUBSURFACE SYSTEMS BUREAU
P.O. BOX 95, 29 HAZEN DRIVE, CONCORD, NH 03302-0095

SA2010009346

LABRADOR WOODS

APPROVAL NO.

THIS SUBDIVISION IDENTIFIED AS
LOTS 51-9 THROUGH 51-9-8

OWNED BY:

**CHRISTINE ESTES
240 LONG HILL RD
DOVER NH 03820-**

and located in **DOVER**

has this date **05/04/2010**
been approved in accordance with the require-
ments of the Department of Environmental
Services as set forth in Chapter 485-A (as inserted
by Chapter 147, Laws of 1967) and the rules, reg-
ulations, standards and procedures promulgated
thereunder. A copy of this Plan and Approval is
sent to

COPY OF PLAN & APPROVAL SENT TO:

**CITY ENGINEER
288 CENTRAL AVE
DOVER NH 03820**

DOVER
Planning Board, in _____

APPLICANT:

**TRITECH ENGINEERING CORP
755 CENTRAL AVE
DOVER NH 03820**

This approval, based on information submitted by
the subdivider, implies but does not warrant that
soil and other conditions are generally suitable for
sub-surface sewage disposal systems within this
subdivision.

Amended Date: / /

THIS APPROVAL DOES NOT SUPERSEDE LOCAL ORDINANCES OR REGULATIONS

MAY - 6 2010



ERIC J THOMAS

Approved by: _____

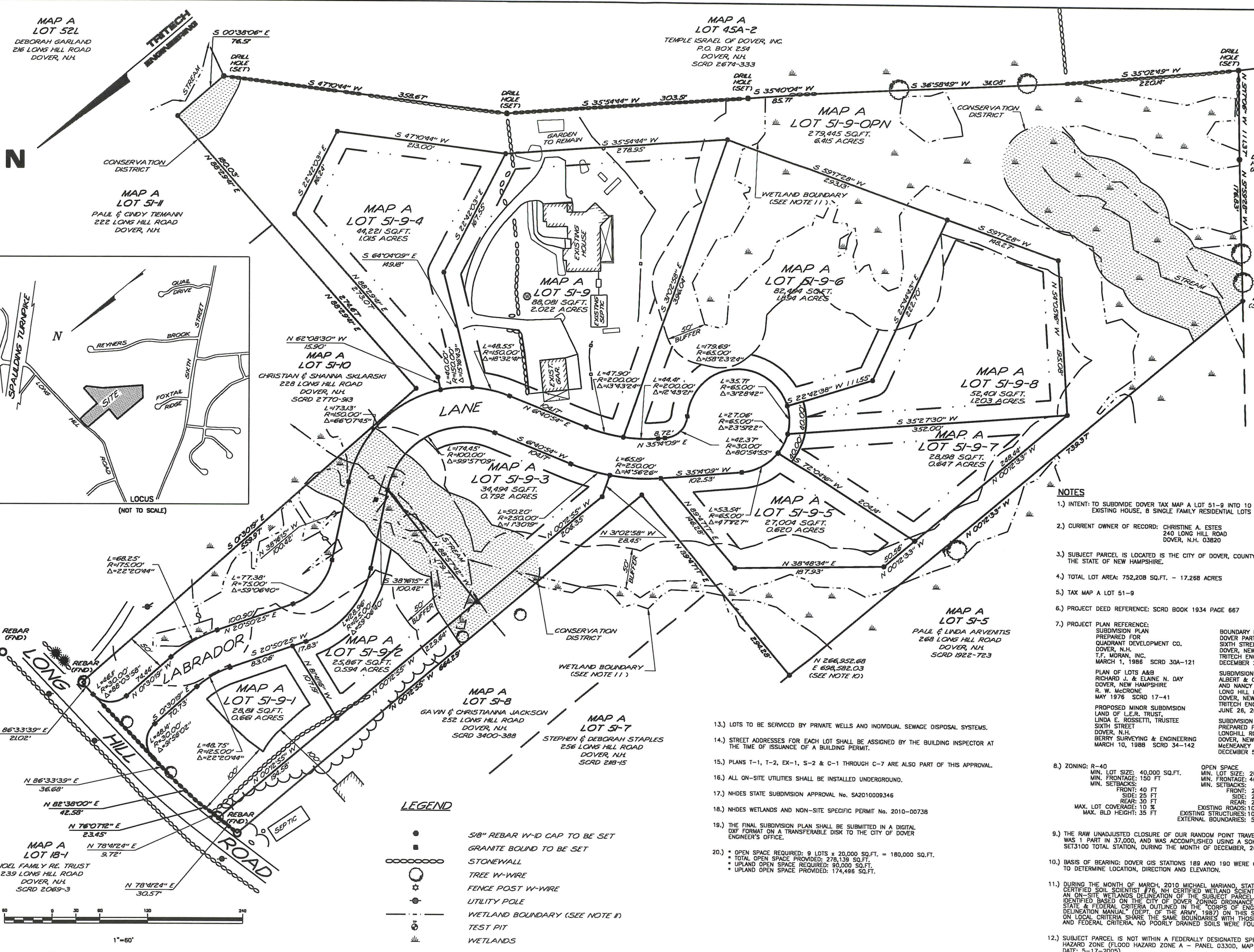
N.H. Department of Environmental Services Staff

NOTE: ALL INDIVIDUAL SYSTEMS MUST BE SEPARATELY APPROVED BEFORE CONSTRUCTION
OF THE BUILDING OR THE WASTE DISPOSAL SYSTEM.

NO LIABILITY IS INCURRED BY THE STATE by reason of any approval of subdivision plans or any approval to construct or use a
sewage or waste disposal system. Approval by the New Hampshire Department of Environmental Services of sewage and waste dis-
posal systems and subdivisions is based on plans and specifications supplied by the applicant. NO GUARANTEE IS INTENDED OR
IMPLIED BY REASON OF ANY ADVICE GIVEN BY THE DEPARTMENT OR ITS STAFF.

REVISED 11/04
201000726

APPLICANT'S COPY



MAP A
LOT 52L
DEBORAH GARLAND
216 LONG HILL ROAD
DOVER, NH

MAP A
LOT 45A-2
TEMPLE ISRAEL OF DOVER, INC.
P.O. BOX 254
DOVER, NH
SCRD 2674-333

MAP A
LOT 51-9-OPN
279,445 SQ.FT.
6.415 ACRES

MAP A
LOT 45-A9
WILLIAM & DONNA
FENNIMAN
11 FOXTAIL RIDGE
DOVER, NH
SCRD 1755-702

MAP A
LOT 51-11
PAUL & CINDY TEMANN
222 LONG HILL ROAD
DOVER, NH

MAP A
LOT 51-9-4
44,221 SQ.FT.
1.015 ACRES

MAP A
LOT 51-9
88,081 SQ.FT.
2.022 ACRES

MAP A
LOT 51-9-6
82,464 SQ.FT.
1.854 ACRES

MAP A
LOT 51-9-8
52,401 SQ.FT.
1.203 ACRES

MAP A
LOT 51-10
CHRISTIAN & SHANNA SKLARSKI
228 LONG HILL ROAD
DOVER, NH
SCRD 2770-913

MAP A
LOT 51-9-3
34,494 SQ.FT.
0.792 ACRES

MAP A
LOT 51-9-5
27,004 SQ.FT.
0.620 ACRES

MAP A
LOT 51-9-7
28,198 SQ.FT.
0.647 ACRES

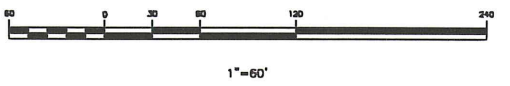
MAP A
LOT 51-9-2
25,867 SQ.FT.
0.594 ACRES

MAP A
LOT 51-8
GAVIN & CHRISTIANNA JACKSON
252 LONG HILL ROAD
DOVER, NH
SCRD 3400-388

MAP A
LOT 51-7
STEPHEN & DEBORAH STAPLES
256 LONG HILL ROAD
DOVER, NH
SCRD 218-15

MAP A
LOT 51-5
PAUL & LINDA ARVENITIS
268 LONG HILL ROAD
DOVER, NH
SCRD 1922-723

MAP A
LOT 18-1
NOEL FAMILY RE. TRUST
239 LONG HILL ROAD
DOVER, NH
SCRD 2069-3



- LEGEND**
- 5/8" REBAR W-D CAP TO BE SET
 - GRANITE BOUND TO BE SET
 - STONEWALL
 - TREE W-WIRE
 - FENCE POST W-WIRE
 - UTILITY POLE
 - WETLAND BOUNDARY (SEE NOTE 11)
 - TEST PIT
 - WETLANDS

NOTES

- 1.) INTENT: TO SUBDIVIDE DOVER TAX MAP A LOT 51-9 INTO 10 LOTS, 1 WITH THE EXISTING HOUSE, 8 SINGLE FAMILY RESIDENTIAL LOTS AND 1 OPEN SPACE LOT.
- 2.) CURRENT OWNER OF RECORD: CHRISTINE A. ESTES
240 LONG HILL ROAD
DOVER, N.H. 03820
- 3.) SUBJECT PARCEL IS LOCATED IN THE CITY OF DOVER, COUNTY OF STRAFFORD AND THE STATE OF NEW HAMPSHIRE.
- 4.) TOTAL LOT AREA: 752,208 SQ.FT. - 17.268 ACRES
- 5.) TAX MAP A LOT 51-9
- 6.) PROJECT DEED REFERENCE: SCR D BOOK 1934 PAGE 667
- 7.) PROJECT PLAN REFERENCE:
SUBDIVISION PLAN
DOVER PARTNERSHIP
PREPARED FOR
QUADRANT DEVELOPMENT CO.
DOVER, N.H.
T.F. MORAN, INC.
MARCH 1, 1986 SCR D 30A-121
PLAN OF LOTS A&B
RICHARD J. & ELAINE N. DAY
DOVER, NEW HAMPSHIRE
R. W. McCORME
MAY 1976 SCR D 17-41
PROPOSED MINOR SUBDIVISION
LAND OF L.E.R. TRUST,
LINDA E. ROSSETTI, TRUSTEE
DOVER, N.H.
BERRY SURVEYING & ENGINEERING
MARCH 10, 1988 SCR D 34-142
BOUNDARY PLAN
DOVER PARTNERSHIP
SIXTH STREET
DOVER, NEW HAMPSHIRE
TRITECH ENGINEERING CORPORATION
DECEMBER 20, 2002 SCR D 68-55
SUBDIVISION PLAN
ALBERT & CHRISTINE ESTES
AND NANCY HUSON MOLL
LONG HILL ROAD EXT.
DOVER, NEW HAMPSHIRE
TRITECH ENGINEERING CORPORATION
JUNE 26, 2000 SCR D 63-39
SUBDIVISION OF LAND
PREPARED FOR ALBERT ESTES
LONGHILL ROAD
DOVER, NEW HAMPSHIRE
McNEANEY SURVEY ASSOCIATES
DECEMBER 5, 1994 SCR D 47-5
- 8.) ZONING: R-40
MIN. LOT SIZE: 40,000 SQ.FT.
MIN. FRONTAGE: 150 FT
MIN. SETBACKS:
FRONT: 40 FT
SIDE: 25 FT
REAR: 30 FT
MAX. LOT COVERAGE: 10 %
MAX. BLD HEIGHT: 35 FT
OPEN SPACE: 20,000 SQ.FT.
MIN. FRONTAGE: 40 FT
MIN. SETBACKS:
FRONT: 20 FT
SIDE: 20 FT
REAR: 20 FT
EXISTING ROADS: 100 FT
EXISTING STRUCTURES: 100 FT
EXTERNAL BOUNDARIES: 50 FT
- 9.) THE RAW UNADJUSTED CLOSURE OF OUR RANDOM POINT TRAVERSE WAS 1 PART IN 37,000, AND WAS ACCOMPLISHED USING A SOKKIA SET3100 TOTAL STATION, DURING THE MONTH OF DECEMBER, 2002.
- 10.) BASIS OF BEARING: DOVER GIS STATIONS 189 AND 190 WERE OCCUPIED TO DETERMINE LOCATION, DIRECTION AND ELEVATION.
- 11.) DURING THE MONTH OF MARCH, 2010 MICHAEL MARIANO, STATE OF NEW HAMPSHIRE CERTIFIED SOIL SCIENTIST #183, CONDUCTED AN ON-SITE WETLANDS DELINEATION OF THE SUBJECT PARCEL. WETLANDS WERE IDENTIFIED BASED ON THE CITY OF DOVER ZONING ORDINANCE (170-27.1) AND ON STATE & FEDERAL CRITERIA OUTLINED IN THE "CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL" (DEPT. OF THE ARMY, 1987) ON THIS SITE, WETLANDS BASED ON LOCAL CRITERIA SHARE THE SAME BOUNDARIES WITH THOSE BASED ON STATE AND FEDERAL CRITERIA. NO POORLY DRAINED SOILS WERE FOUND.
- 12.) SUBJECT PARCEL IS NOT WITHIN A FEDERALLY DESIGNATED SPECIAL FLOOD HAZARD ZONE (FLOOD HAZARD ZONE A - PANEL 0330D, MAP No. 33017C0310D, DATE: 5-17-2005).

TRITECH
ENGINEERING CORPORATION

REVISIONS	DESCRIPTION
DATE: 04-12-10	REVISED PER TRC COMMENTS

OPEN SPACE SUBDIVISION PLAN

LABRADOR WOODS

240 LONG HILL ROAD
DOVER, NEW HAMPSHIRE

JOB No. 04176

SCALE: 1" = 60'

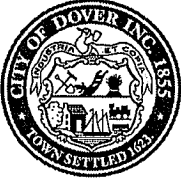
MARCH 18, 2010

SHEET NO.

S-1

(PI0-19)

785 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03800
TELEPHONE 603 742 8107
FAX 603 742 8680



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#:

Ordinance Number: O - yyyy.mm.dd -
Ordinance Title: Updating the Dover Zoning Ordinance
Chapter: 170

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 revising Chapter 170-3 "Purpose", by revising as follows:

"This chapter is an element of the Dover Comprehensive Development Plan and is designed to promote the health, safety, ~~moral~~s and the general welfare of Dover's residents by serving to facilitate the adequate provision of transportation, water, sewer, schools, parks and other public requirements; to encourage the maintenance of Dover's economic and aesthetic quality of life; and to encourage the most appropriate use of land throughout the City of Dover."

3. AMENDMENT

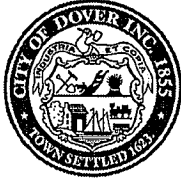
Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-6 "Definitions", to add new definitions and revise existing definitions to read as follows:

"**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.~~ **Additionally, as well as the individual owners of units within the association, which are located within two hundred (200) feet of the common property line shall be notified only by first class mail.**
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.
5. **For purposes of notification, abutter ownership information for LOTS located in Dover, shall be obtained through the City's Tax Assessment Office"**

AND

"**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."



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#:

Ordinance Number: O - yyyy.mm.dd -
Ordinance Title: Updating the Dover Zoning Ordinance
Chapter: 170

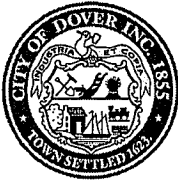
AND

CONSERVATION LOT means a LOT created solely for the purpose of land conservation. The CONSERVATION LOT must contain no less than fifty percent (50%) developable uplands, but will have no DEVELOPMENT RIGHTS. The CONSERVATION LOT may be owned by a private, nonprofit organization, which has as its purpose the preservation of OPEN SPACE, or dedicated to a public entity. CONSERVATION LOTS must meet the required minimum LOT size and SETBACKS. CONSERVATION LOTS do not need to meet the minimum FRONTAGE requirements. CONSERVATION LOTS must be created following the regulations outlined in Chapter 155, Subdivision of Land.

AND

CUSTOMARY HOME OCCUPATION - An occupation carried on 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 Residential 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, hairdresser, 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 non-electric non-illuminated 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, light emissions, 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.
Such uses as clinics, bakeries, gift shops, tearooms, tourist homes, massage, animal hospitals, KENNELS. The following uses, by nature of the investment or operation, have a potential to rapidly increase beyond the limits specified above for home occupations and impair the use, value and quiet enjoyment of adjacent residential



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#:

Ordinance Number: **O – yyyy.mm.dd -**
Ordinance Title: **Updating the Dover Zoning Ordinance**
Chapter: **170**

properties. Therefore, uses such as **Retail, Clinic, Landscaping, Freight, Trucking or Shipping, Painting of Vehicles, Trailers and Boats, Restaurants, Caterers or bakeries, Taxi Service, Tool or Equipment Rental, Veterinary hospital or KENNEL** and others of a similar nature shall not be considered as home occupations-

- 9. 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*.
- 10. Not more than one (1) commercial vehicle in connection with such home occupation shall be stored on the premises.
- 11. A certificate of use for the proposed use is issued by the Zoning Administrator verifying conformance with the preceding standards. **Said certificate shall be renewed annually. [Amended 12-09-09 by Ord. No. 2009-09.09-15]**

AND

“FARM ANIMALS FOR FAMILY USE means animals commonly raised or kept by a family for non-commercial purposes on a LOT containing a one or two family dwelling. Includes chickens, sheep and goats numbering six (6) or fewer, but does not include roosters.”

AND

“LIVESTOCK, POULTRY AND SWINE means animals that are commonly raised or kept in an agricultural setting, including, but not limited to, chickens, roosters, turkeys, ducks, pigs, sheep, goats, horses, cows, cattle, llamas, emus, ostriches, donkeys, mules, buffalo, bison, alpacas, elk, deer and reindeer; provided, however, that chickens, sheep and goats, numbering six (6) or fewer, shall not be considered to be included.”

4. AMENDMENT

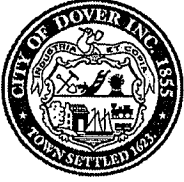
Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-7, Establishment of districts to read as follows:

“A. Districts:

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-SU Suburban Density Multi-residential District
- RM-U Urban Density Multi-residential District

* Editor's Note: See Ch. 92, Driveways.



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#:

Ordinance Number: **O – yyyy.mm.dd -**
 Ordinance Title: **Updating the Dover Zoning Ordinance**
 Chapter: **170**

Nonresidential

- B-1 NEIGHBORHOOD Business District
- B-3 Thoroughfare Business District
- B-4 HOTEL/Retail District
- B-5 ~~Commercial/Retail~~ Gateway District
- I-1 Restricted Industrial District
- I-2 Rural Restricted Industrial District
- I-4 Assembly and Office
- ETP Executive and Technology Park

Mixed -Use

- O Office District
- CBD Central Business District
- CWD Cochecho Waterfront District

Overriding

- CD Conservation District
- URD Urban Renewal District
- RRD Riverfront Residential Overlay District
- GWP Groundwater Protection District
- HWD Hazardous Waste Landfill District
- RCM Residential-Commercial Mixed Use
- SRD Scenic Road Overlay District
- TDR TRANSFER OF DEVELOPMENT RIGHTS
- TEL Telecommunications Facilities
- WPD Wetland Protection District

B. District Purpose Statements:

1) RESIDENTIAL DISTRICTS

The residential districts are intended to provide a wide range of residential units to provide the citizens of Dover with a balance of housing choices, with varying housing types, densities and costs. The goal is to preserve and create city NEIGHBORHOODS that are safe and promote harmonious development.

a) Rural Residential District (R-40)

The purpose of this residential district is to provide for conventional single-family NEIGHBORHOODS in the more rural areas of the city. These areas have larger LOT sizes (1+ acres) and the homes are most likely served by on-site septic systems and wells, but there are some portions of the district that have municipal sewer and water. New subdivisions are designed as OPEN SPACE developments with reduced LOT sizes allowed in return for the permanent preservation of OPEN SPACE. Agriculture and farming are promoted in this district. Some non-residential uses that are compatible with single-family homes are permitted, including churches, hospitals, elementary schools, high schools and CHILD CARE FACILITIES.



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#:

Ordinance Number: O – yyyy.mm.dd -
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Chapter: 170

b) Low-Density Residential District (R-20)

The purpose of this residential district is to provide for conventional single-family NEIGHBORHOODS on LOTS not less than 20,000 square feet. The homes in this district are likely served by municipal sewer and water, but there are some areas that still have on-site septic systems and wells. These districts are located near major roadways. The development of parcels with at least 15 acres can be done as OPEN SPACE subdivisions. Agriculture and farming are promoted in this district. Some non-residential uses that are compatible with single-family homes are permitted, including churches, elementary schools, high schools and CHILD CARE FACILITIES.

c) Medium-Density Residential District (R-12)

The purpose of this residential district is to provide for conventional single-family NEIGHBORHOODS on LOTS not less than 12,000 square feet. The homes in this district are almost all served by municipal sewer and water. Many of the NEIGHBORHOODS surrounding the elementary schools are in this district and have a SIDEWALK system that is conducive to children walking to school. The development of parcels with at least five acres can be done as OPEN SPACE subdivisions. Some non-residential uses that are compatible with single-family homes are permitted, including churches, elementary schools, high schools, colleges and CHILD CARE FACILITIES.

d) Suburban Density Multi-residential District (RM-SU)

The purpose of this residential district is to provide an environment suitable for a variety of moderate density housing types, including SINGLE-FAMILY, two family, 3-4 family and MULTI-FAMILY DWELLINGS. These districts are suburban NEIGHBORHOODS located along major roadways outside of the center of the city. The homes in this district are almost all served by municipal sewer and water. Some non-residential uses that are compatible with residences are permitted, including churches, elementary schools, high schools, and CHILD CARE FACILITIES.

e) Urban Density Multi-residential District (RM-U)

The purpose of this residential district is to provide an environment suitable for a variety of moderate/high density housing types, including SINGLE-FAMILY, two family, and 3-4 family dwellings. These districts are urban NEIGHBORHOODS located close to the downtown area and contain many historic homes that are built close to the SIDEWALKS and STREETS. The homes in this district are all served by municipal sewer and water. Some non-residential uses that are compatible with residences are permitted, including churches, funeral parlors, elementary schools, high schools, and CHILD CARE FACILITIES.

2) NONRESIDENTIAL DISTRICTS

The nonresidential districts are intended to provide suitable areas for commercial, service, retail, office and industrial developments, to provide employment opportunities for citizens of Dover and the region, to enhance property values, and expand the tax base. Development that uses land efficiently and has high quality design is encouraged.

a) NEIGHBORHOOD Business District (B-1)



CITY OF DOVER

CITY OF DOVER - ORDINANCE

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Ordinance Title: Updating the Dover Zoning Ordinance
Chapter: 170

The purpose of this business district is to provide small sites for commercial use in or near dense residential NEIGHBORHOODS without having significant impact upon residential uses. The district encourages traditional small scale retail and service uses that are convenient for the nearby residents. Development is intended to be pedestrian-oriented and compatible with the scale of the residential uses.

b) Thoroughfare Business District (B-3)

The purpose of this business district is to provide an environment that encourages efficient and attractive automobile oriented commercial development along major highways outside of the downtown. The 20,000 square foot minimum LOT size encourages moderately sized commercial uses. The district provides economic development opportunities for a mix of land uses, including retail sales, personal services, restaurants, automobile sales, HOTELS, offices, banks, and theaters. Other commercial uses and MULTI-FAMILY DWELLINGS are allowed by special exception.

c) HOTEL/Retail District (B-4)

The purpose of this business district is to provide an environment that encourages efficient and attractive commercial development on a larger scale along major highways outside of the downtown. The minimum LOT size of five acres encourages larger commercial development. The district provides economic development opportunities for a mix of land uses, including retail sales, personal services, restaurants, HOTELS, offices, banks, and theaters.

d) Gateway District (B-5)

The purpose of this business district is to provide an environment that encourages efficient and attractive commercial development along major highways that are gateways to the city. The minimum LOT size of 20,000 square feet encourages a mix of various sized commercial uses. The district provides economic development opportunities for a mix of land uses, including retail sales, personal services, restaurants, GAS STATIONS, automobile sales, HOTELS, offices, banks, and theaters.

e) Restricted Industrial District (I-1)

The purpose of this industrial district is to provide appropriate locations for manufacturing, assembly, fabrication, packaging, distribution, storage, warehousing, wholesaling and shipping activities that expand the economic base of the city and provide employment opportunities. These areas tend to be smaller sites closer to the downtown area containing older buildings that have historically been used for industrial and business uses. The smaller minimum LOT size of 40,000 square feet also encourages business uses such as PUBLISHING, HOTELS, GAS STATIONS, car sales, offices, and personal services. The close proximity of these areas to older residential NEIGHBORHOODS requires careful consideration of impacts on adjacent uses in other districts.

In 2009 the zoning for this district was amended to allow for the redevelopment of this industrial property in a more flexible and context sensitive method. The district



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#:

Ordinance Number: O – yyyy.mm.dd -
Ordinance Title: Updating the Dover Zoning Ordinance
Chapter: 170

encourages mixed residential and commercial uses that complement one another and create a sense of community between the mixed uses.

- f) **Rural Restricted Industrial District (I-2)**
The purpose of this industrial district is to provide appropriate locations for manufacturing, assembly, fabrication, packaging, distribution, storage, WAREHOUSING, WHOLESALING and shipping activities that expand the economic base of the city and provide employment opportunities. This area is the location of one of the first industrial parks in the city, located off Littleworth Road and Knox Marsh Road in a more rural area. The smaller minimum LOT size of 20,000 square feet also encourages business uses such as PUBLISHING, HOTELS, GAS STATIONS, restaurants, car sales, offices, and personal services.
- g) **Assembly and Office (I-4)**
The purpose of this industrial district is to provide appropriate locations for manufacturing, assembly, fabrication, packaging, distribution, laboratory, testing facility, WAREHOUSING, WHOLESALING, PUBLISHING and shipping activities that expand the economic base of the city and provide employment opportunities. These areas are located along major collector roads away from the downtown area. The newest industrial park developed by the city is located in this district. The minimum LOT size in this district is five acres, which encourages larger industrial users.
- h) **Executive and Technology Park (ETP)**
The purpose of this executive and technology district is to provide appropriate locations for large-scale high technology, research, professional office, and clean manufacturing uses that need large sites and high aesthetic standards. The general character of the district is intended to be a campus or park-like setting that encourages creative design and innovation is site planning and development, while protecting the natural resources. In this district the minimum LOT size is three acres and there is no FRONTAGE requirement, which encourages larger users in campus settings. Some of the city's largest employers are located in this district. This district includes special design standards for BUILDINGS, parking LOTS and landscaping.
- 3) **MIXED –USE DISTRICTS**
The mixed use districts are intended to provide suitable areas for a mixture of urban NEIGHBORHOODS containing residential, commercial, service, retail, and office uses. The mixed use development is intended to create a sense of community between the mixed uses and facilitate the economical and efficient use of land. The districts are intended to provide housing and employment opportunities for citizens of Dover and the region, to enhance property values, and expand the tax base. Development that uses land efficiently and has high quality design is encouraged.
- a) **Office District (O)**
The purpose of this office district is to provide appropriate locations for a mixture of residential and offices uses along higher volume STREETS. The remaining large historic homes are no longer suitable for single family residential due to the high traffic. This



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district is a transition area between the more commercial areas and the urban residential areas on the side streets. Residential uses up to four dwelling units per structure are permitted, along with commercial uses such as offices, banks, funeral parlors, churches, schools, hospitals, **NURSING HOMES and CONGREGATE CARE FACILITIES**. The density for residential uses is about eight units per acre and in new buildings residential is only allowed on the second floor or higher.

b) Central Business District (CBD)

The purpose of this district is to provide the appropriate locations for context sensitive zoning. The form based code in this district is intended to foster a vital main street both for itself and for its adjacent **NEIGHBORHOODS** through a lively mix of uses—with shop fronts, **SIDEWALK** cafes, and other commercial uses at street level, overlooked by canopy shade trees, upper story residences and offices. The district has an increased emphasis on the form and placement of structures and a decreased emphasis on the function(s) contained within them.

c) Cochecho Waterfront District (CWD)

The purpose of this mixed use district is to provide appropriate locations for a mixture of residential and commercial uses on the waterfront parcels along the downtown portion of the Cochecho River. This district has very flexible dimensional requirements, with no minimum **LOT** size, **FRONTAGE** or **SETBACK** requirements and a density of 43 dwelling units per acre. Several water related land uses are permitted in the district, including **MARINAS, WATERBORNE PASSENGER TRANSPORTATION FACILITIES** and **WATER RELATED EDUCATION AND RESOURCE CENTERS**. The architecture of the waterfront areas should encourage the development of marine, history or tourism related land uses and activities, which take advantage of the unique characteristics of the waterfront as well as its central location and proximity to historic areas.

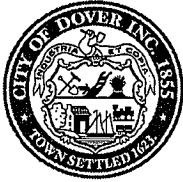
4) OVERRIDING DISTRICTS

The purpose of the overriding districts is to provide an additional layer of land use regulation or protection is certain sensitive areas of the city. The requirements of these overlay districts are in addition to the underlying zoning districts. Most of the districts are intended to protect environmentally sensitive areas. For specific purpose statements review the text of each overriding district.”

5. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Article Chapter 170-12 “Applicability of Tables of Use and Dimensional Regulations By District”, by revising the Permitted Use Tables for the R-40, R-20, and R-12 Districts by adding the following new use:

“CONSERVATION LOT”



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6. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Article Chapter 170-12 "Applicability of Tables of Use and Dimensional Regulations By District", by revising the Permitted Use Tables for the I-4 District by adding the following new use:

"EXCAVATION"

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Article Chapter 170-12 "Applicability of Tables of Use and Dimensional Regulations By District", by revising the Permitted Use Table for the R-40 District by replacing the term "Gravel Pit (12)" with "EXCAVATION (12)".

7. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Article Chapter 170-12 "Applicability of Tables of Use and Dimensional Regulations By District", by revising the Permitted Use Table for the R-40 District by deleting "Drive-In Theater" as a permitted use and by revising the Permitted Use Table for the B-4 District by adding "Drive-In Theater" as a permitted use.

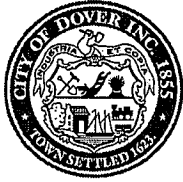
8. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Article Chapter 170-12 "Applicability of Tables of Use and Dimensional Regulations By District", by revising footnote #7 for the "Conversion of Existing Dwelling to Accommodate not more than 2 units" permitted use of the R-20 and R-12 Tables to read as follows:

"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 and a maximum of seven hundred and fifty (750) square feet per new dwelling unit. The new dwelling unit shall be constructed within or attached to the original structure and construction materials shall be uniform with the original structure. No new entrance or exit to the new unit shall be constructed facing the front of the building, and no new curb cut from the street shall be constructed."

9. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12, Applicability of Tables of Use and Dimensional Regulations by District, by revising the Permitted Uses Tables for the Rural Residential (R-40), Low Density Residential (R-20), Medium Density Residential (R-12), Suburban Density Multi-Residential (RM-SU), Urban Density Multi-



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Residential (RM-U), Neighborhood Business (B-1), and Office (O) Districts, by adding the following new permitted use:

“FARM ANIMALS FOR FAMILY USE, for non-commercial purposes, on LOTS containing a one or two family dwelling (#)

(15) Use is allowed provided the following standards are met: Chickens: No more than six (6) chickens and no roosters, with four (4) square feet of chicken coop and twenty (20) square feet of a fenced enclosure yard per chicken; all coops and enclosures shall be twenty (20) feet from any property line. Sheep or goats: one animal per 10,000 square feet of LOT area, with a maximum of six (6) animals; ten (10) square feet of shelter and thirty (30) square feet of a fenced enclosure yard per animal; all shelters and enclosures shall be thirty (30) feet from any property line.”

[# use next footnote number in sequence for each district]

10. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12, Applicability of Tables of Use and Dimensional Regulations by District, as follows:

Revise the Permitted Uses Tables for the Urban Density Multi-Residential (RM-U) and Office (O) Districts, by adding the following new Special Exception:

“RETAIL STORE (See Over)

Retail Store

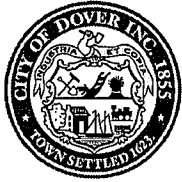
A Retail Store shall be subject to the following regulations:

- A. The store shall contribute to a NEIGHBORHOOD feel and be pedestrian friendly.**
- B. The store shall be no larger than 2,000 square feet.**
- C. No more than half of the required parking necessary shall be on-site parking, which shall be screened from abutting residential LOTS.**
- D. Any loading or unloading of products shall not disrupt neighbors or traffic flow.**
- E. The proposed use shall be compatible with the surrounding NEIGHBORHOOD.**
- F. Hours of operation shall be limited to 6 am to 9 pm Sunday – Thursday, and 6 am to 10 pm Friday and Saturday.”**

AND

11. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12, Applicability of Tables of Use and Dimensional Regulations by District, as follows:



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Revise the Permitted Uses Tables for the Central Business District (CBD) by renaming the “Commercial” subdistrict to “General” and removing the Freestanding sign as an allowed sign in all subdistricts.

12. 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 D) 5) to read as follows:

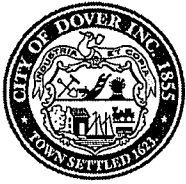
- “5) The illumination of any SIGN shall be nonflashing. Spot- or floodlights shall be arranged so that the direct rays of light do not shine or reflect directly into adjacent properties or the line of vision of a motorist.
- a) FLASHING SIGNS are prohibited.
 - b) Illuminance of the sign face shall not exceed the following standards:
 - i. External illumination: 50 foot-candles as measured on the sign face.
 - ii. Internal illumination: 5,000 nits (candelas per square meter) during daylight hours, and 500 nits between dusk and dawn, as measured at the sign’s face.
 - iii. Direct illumination: 5,000 nits during daylight hours, and 500 nits between dusk and dawn, as measured at the sign’s face.”

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 to read as follows:

“Elections SIGNS. Elections SIGNS are permitted as follows:

- 1) The provisions of this section are in addition to the political SIGN controls established under Chapter 70 of the New Hampshire Revised Statutes Annotated, as amended.
- 2) Elections SIGNS are permitted no sooner than thirty (30) days prior to a primary or regular election and must be removed within ten (10) days of the closing of the polls.
- 3) Elections SIGNS shall not be affixed in any manner to public property (City-owned) ~~nor within STREET RIGHTS OF WAY~~, nor to utility poles and fixtures, nor painted, pasted or affixed in any manner that prohibits quick and complete removal.
 - (a) *As per RSA 664:17, election SIGNS are permitted within the public RIGHT OF WAY but not within closer than the edge of pavement, with the consent of the owner of the land over which the RIGHT OF WAY passes. permission from the abutting property owner. Signage shall not obstruct the safe flow of traffic, vehicular or otherwise.*
- 4) The person whose name appears on each political SIGN as required by Chapter 70 of the New Hampshire Revised Statutes Annotated, as amended, is responsible for the placement, distribution and removal of political SIGNS in conformance with the requirements of this Zoning Ordinance.
- 5) No SIGN in any district, ~~other than the Central Business District~~, shall be larger than ~~four (4) feet by four (4) feet or a total SQUARE footage of sixteen (16) square feet.~~
- 6) Any candidate failing to comply with the above requirements shall be subject to a fine not to exceed fifty dollars (\$50.00) per SIGN violation.”



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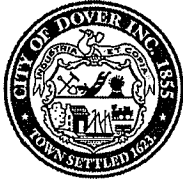
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13. AMENDMENT

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 A to read as follows:

“A. FENCE HEIGHTS. No person, firm, corporation or other organization shall erect or cause to be erected a FENCE exceeding ~~six (6)~~ **three (3)** feet in **HEIGHT** between the **RIGHT OF WAY** and a parallel line with the front of the house closest to the **RIGHT OF WAY**. **FENCES** may be up to **eight (8)** feet in **HEIGHT** from said parallel line with the front of the house, around both sides and around the **REAR YARD**. **HEIGHT** is measured from ground level.”



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14. 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:

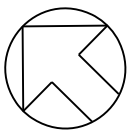
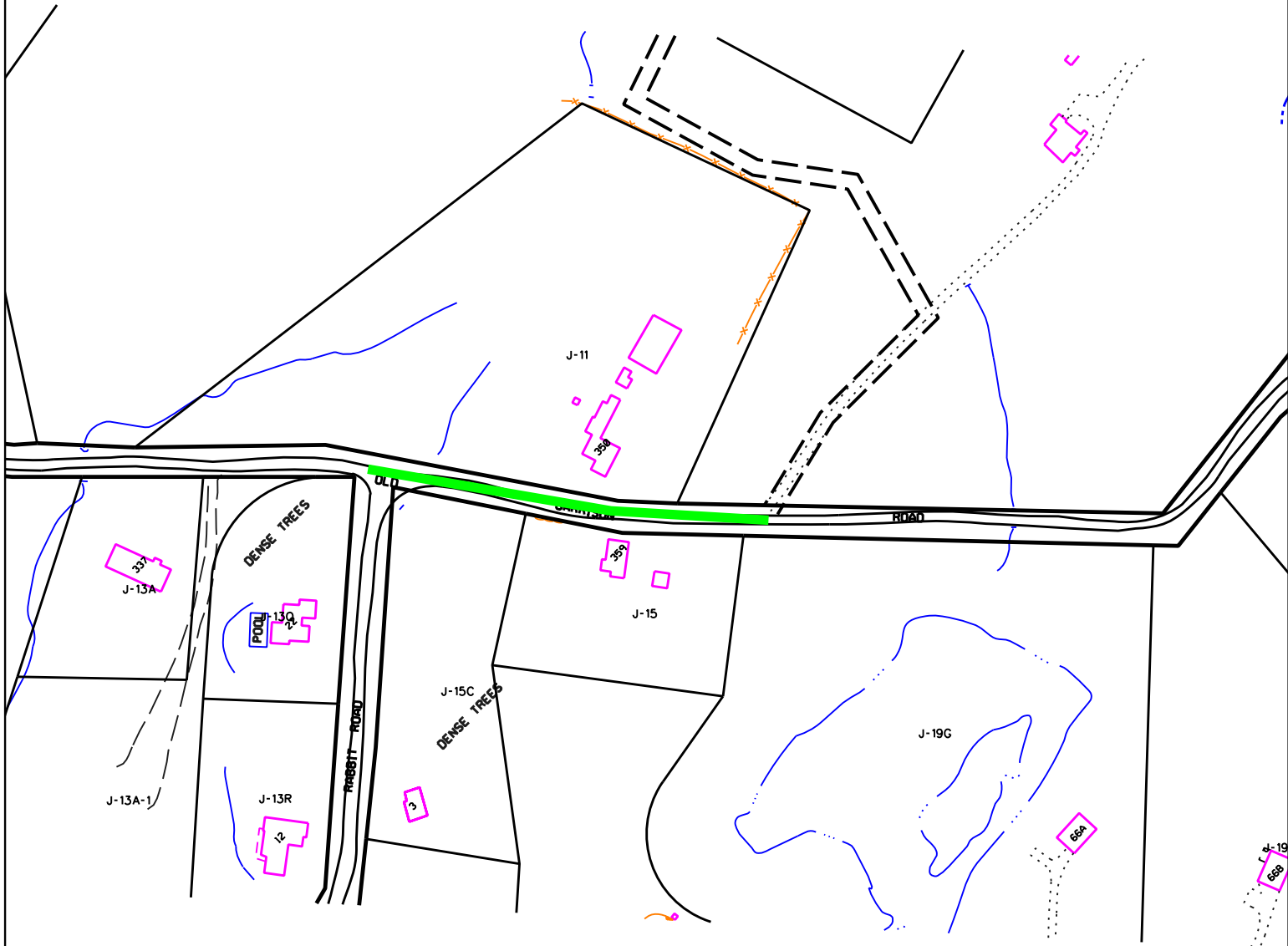
DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor Dean Trefethen		
Councilor Robert Carrier, Ward 1		
Councilor William Garrison, Ward 2		
Councilor Jan Nedelka, Ward 3		
Councilor Dorothea Hooper, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Gina Cruikshank, Ward 6		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		

ORDINANCE BACKGROUND MATERIAL:

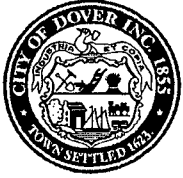
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OLD GARRISON ROAD



ROAD CONSTRUCTION

ACCOUNT_NO	OWNER_NAME	OWNER_NA_1	MAILING_AD	CITY	STATE_OR_C	ZIP_CODE
J0013-Q00000	HARTLEY MATTHEW J	HARTLEY KRISTI J	16455 RUNNING POST CT	CENTREVILLE	VA	20120-1058
J0015-C00000	LIRETTE ALAN R &	LIRETTE GLADYS A	3 RABBIT RD	DOVER	NH	03820
J0013-A00001	BRISTOW BEN M &	BRISTOW MARGARET V	341 OLD GARRISON RD	DOVER	NH	03820
J0011-000000	PERKINS NICOLE B	PERKINS JASON S	350 GARRISON RD	DOVER	NH	03820
J0015-000000	SCHADLER JAY &	COOK JORDAN N	359 GARRISON RD	DOVER	NH	03820
J0020-000000	STATE OF NEW HAMPSHIRE	C/O NH FISH & GAME	11 HAZEN DR	CONCORD	NH	03301
J0019-G00000	ROZZO JASON &	ROZZO KATHY	66A PISCATAQUA RD	DOVER	NH	03820



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P10-22/27

Application Type:	Site Review
Applicant(s):	Black Dog Car Wash Central Avenue LLC
Owner(s):	Driscoll Realty, Inc.
Location:	887 Central Avenue (Assessor's Map 38, Lot 9A)

INTENT: To obtain a Conditional Use Permit to demo existing building construct automatic car wash facility within the secondary groundwater protection district.

LOTS/UNITS PROPOSED: 0 Lots

AGENDA ITEM #: 1

ACREAGE: 56,935 sq. ft.

ZONING DISTRICT: B-3

EXISTING LAND USE:
Formerly "Woodsky's" Restaurant

PROPOSED LAND USE:
Automatic Car Wash

SURROUNDING LAND USE:
Thoroughfare Business

ZBA ACTION: None

ATTACHMENT: Site Plan

PERMITS REQUIRED:

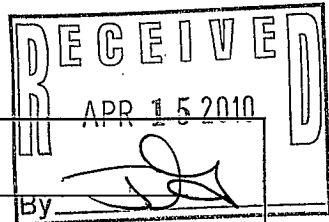
- Conditional Use Permit

WAIVERS REQUESTED:

- Landscaping

The applicant has submitted a set of plans for review. The applicant wishes to demolish an existing restaurant and construct an automatic car wash. The parcel is located within the secondary groundwater protection district located around the Smith and Cummings wells. The Conservation Commission considered this request on 5/10/10.

The Planning Department recommends the Planning Board accept the application, hold a public hear, recess the public hearing and schedule a site walk.



Account # P10-22 Date Received _____
 Amount Paid \$ 2909.13 Time Received _____
 CK# _____

**CITY OF DOVER, NEW HAMPSHIRE
 SITE REVIEW APPLICATION**

This application is hereby made for site review pursuant to the procedures set forth in the City of Dover's Site Review Ordinance. If this application is approved, you must apply for a Building Permit within **four years** of the issuance of this approval.

1. GENERAL INFORMATION

Date: 4-15-10 Project Number: 10101 Telephone # 749-0443
 Name of Applicant: Black Dog Car Wash Central Avenue, LLC
 Address of Applicant: 123 Farmington Road - Route 11, Rochester, NH 03867
 Name of Property Owner: Driscoll Realty, Inc.
 Address of Property Owner: P.O. Box 207, Kittery, ME 03905
 Address of Property Being Developed: 887 Central Avenue
 Assessor's Map # 38 Lot # 9A

2. APPLICANT'S PROPOSED ACTIONS (check where applicable)

New Site Commercial/Industrial Use Addition
 Change of Use Multi-Family Residential Use Demolition

Describe Present Use: N/A - Formerly "Woodsky's" Restaurant

Describe Proposed Use: Automatic Car Wash Facility

Number of Employees in Maximum Shift: 1

If Residential, Specify Number of Units and Buildings Proposed: N/A

3. TYPE OF OPERATION PROPOSED AND MIX (check where applicable)

<u> </u> Office Use <u> </u> sq. ft.	<u> </u> Wholesale/Distribution <u> </u> sq. ft.
<u> </u> Professional Use <u> </u> sq. ft.	<u> </u> Fast Food <u> </u> sq. ft.
<u> </u> Retail Sales <u> </u> sq. ft.	<u> </u> Restaurant <u> </u> sq. ft.
<u> </u> Customary Home Occupation	<u> </u> Manufacturer <u> </u> sq. ft.
<u> </u> Motel/Hotel <u> </u> sq. ft.	<u> X </u> Other (explain) <u> 3,944 </u> sq. ft.

Access (check where applicable): X City Highway County State
 Number of Parking Space: Existing 0 Proposed 2
 City Water X Yes No City Sewer X Yes No

4. SITE DEVELOPMENT DATA

Zoning District B-3 Special Districts Groundwater Protection

Area of Parcel to be Developed 56,935 s.f.

Disposition of Parcel:	Building Setbacks:
Building Area <u> 3,944 </u> sq. ft.	Front Yard <u> 52 </u> ft.
Green Area <u> 22,168 </u> sq. ft.	Rear Yard <u> 131 </u> ft.
Paved Area <u> 28,459 </u> sq. ft.	Side Yard: Right <u> 97 </u> ft.
	Left <u> 32 </u> ft.

5. BUILDING DATA

Type of Building to be Built: RBS Wall Form w/Brick Veneer

Height of Building: 26' Finished Floor Elevation: 155.5

Number of Seats (where applicable) N/A

Name of Professional (Licensed in N.H.) Paul J. Connolly, P.E., P.L.S.

Check One X Engineer X Land Surveyor Architect

Address c/o Civilworks, Inc.; P.O. Box 1166, Dover, NH 03821

License Number NHPE 5176, NHLLS 683 Telephone Number: (603) 749-0443

Signature of Applicant *Kevin W B Gage*

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CITY OF DOVER

PROJECT NARRATIVE
ACCOMPANYING SITE REVIEW APPLICATION

for

BLACK DOG CAR WASH

Tax Map 38, Lot 9A
887 Central Avenue, Dover

PROJECT OVERVIEW

The project includes demolition of an existing 15,000 sq. ft. abandoned commercial structure, formerly "Woodsky's" Restaurant, and construction of a 3,608 sq. ft. automatic car wash facility with four (4) wash bays and four (4) vacuum cleaner islands. The site design will also provide for ample vehicle storage and maneuvering area for queuing of up to six (6) vehicles per wash bay. Two (2) employee parking spaces plus a single vehicle (336 sq. ft.) garage/solid waste enclosure will be located at the back of the site.

PROJECT LOCATION AND SITE CHARACTERISTICS

The project site consists of a 56,935 sq. ft. parcel shown as Lot 9A on City of Dover Tax Map 38. This parcel is located in the Thoroughfare Business (B-3) Zoning District. The site is located on the easterly side of Central Avenue (a.k.a. Miracle Mile) and directly north of the northerly entrance to Shaw's Plaza, a signalized intersection. The site has 178.94 feet of frontage along Central Avenue and legal access to the Plaza entrance drive. Surrounding land uses include an auto repair facility and vacant land to the north, three (3) eating establishments on the westerly side of Central Avenue (Subway, Family Thai Restaurant and Dunkin' Donuts), a restaurant to the south of the Plaza entrance (Friendly's), a personal service establishment on the opposite corner of the intersection (Hair Excitement), and, to the east lie vacant lands and parking areas associated with the Dover Bowl.

The site slopes generally from northwest to southeast. Currently, the parcel is occupied by a vacant 15,000 sq. ft. concrete block and wood structure completely surrounded by an asphalt parking area, thus rendering the site 100 percent impervious. Underlying soils, according to the USDA Soil Conservation Service Soil Maps, consist of Hinckley loamy sand (HaB) immediately adjacent to Central Avenue and Manmade Land (Ma) over approximately 90 percent of the remainder of the parcel. There are no wetlands on or within 50 ft. of the subject parcel.

The proposed project structure will be setback 52 ft. from the Central Avenue right of way. The adjoining solid waste enclosure will be located to the rear of the site 13 ft. from the boundary. Vacuum islands will be setback approximately 21 ft. from the southerly boundary of the parcel. Traffic circulation areas will cover 30,823 sq. ft., or 61 percent of the parcel with the remaining 22,168 sq. ft., or 39 percent, converted to landscaped green space.

UTILITIES AND SITE LIGHTING

The proposed facility will be served by the following utilities:

Water: A 4-inch ductile iron water service will be tied into the existing 12-inch main in Central Avenue at the Shaw's Plaza entrance.

Sewer: Sewer service includes pre-treatment of wash water prior to discharge into the City sewer which is located adjacent to the southwest corner of the parcel. Pre-treatment facilities include a 2,000 gallon grit removal/settling chamber in series with a 2,000 gallon oil and grease removal chamber. All water used in the wash and rinse process is directed to floor drains within the wash bays.

Based on water consumption data recorded at similar facilities owned by the Applicant, the average daily consumption is approximately 4,000 gals./day and the peak consumption is approximately 8,000 gals./day.

Telephone, Electric, Cable: The public utilities providing electricity and voice/data access are readily available in Central Avenue. These utilities will be underground and coordinated with the respective utilities.

Lighting: Site lighting will meet the design criteria set forth in Section 149-14.E of the Dover Site Review Regulations. The Applicant is proposing the use of LED fixtures which, despite a higher initial cost, provide energy savings of 30-75% and require less maintenance. Lighting will provide adequate safety and security while not causing glare or directing illumination onto adjacent properties.

TRAFFIC & ACCESS

Currently, the site has a 45 ft. wide curb cut approximately 130 ft. north of the signalized intersection at the Shaw's Plaza/Dover Bowl entrance. This curb cut will be closed off and all traffic entering or leaving the proposed car wash will do so via an existing entrance located 240 ft. east of the Central Avenue signal as shown on the Site Plans.

Per the ITE Trip Generation handbook, Land Use Code 948, Automated Car Wash, the average vehicle trip end rate for the weekday, P.M peak hour of a car wash is 11.64 trip ends per 1,000 s.f. of gross floor area. For the subject proposal, this equates to 42 trip ends, or 22 entering and 22 exiting vehicles during the peak hour of operation.

The rate at which vehicles exit the subject site will be controlled by the cycle of the car wash operation; therefore, the maximum rate at which vehicles will exit the site will be 4 vehicles, one per wash bay, every 8-10 minutes or approximately 27 vehicles per hour when the car wash is in peak use. It should be noted that peak usage does not typically occur during the peak hour of traffic on the adjacent street. All vehicles exiting the car wash will access Central Avenue via existing signalized intersections currently serving Shaw's Plaza.

For purposes of comparison, the re-use of the existing 15,000 sq. ft. restaurant, assuming an ITE Land Use classification as a "high-turnover" sit-down restaurant, would generate approximately 282 trip ends, 155 entering and 127 exiting, during the peak PM hour of the restaurant. Exiting volumes would therefore be approximately 4.5 times these anticipated from the proposed car wash.

**CONSERVATION COMMISSION
AGENDA APPLICATION**

*Must be Submitted to the Planning Department a minimum of 10 days
prior to the Conservation Commission Meeting date*

Dover File # _____ State Wetlands Board File # N/A

The Conservation Commission meets on the 2nd Monday of each month, in the City Hall Council Chamber, 288 Central Avenue, at 5:30 PM. (When a holiday falls on the 2nd Monday, the meeting is adjusted to Tuesday.)

The information you enter below will help determine your obligations with regard to the State Wetlands Act and the Dover Regulations.

Name of Property Owner: Driscoll Realty, Inc. Phone # _____

Address: P.O. Box 207, Kittery, ME 03905

Engineering by: Civilworks, Inc. Phone # 749-0443

Address: P.O. Box 1166, Dover, NH 03821

Email address: civilworksdover@comcast.net

Assessor's Map 38 Lot # 9A Zone B-3

Please check the boxes that apply: [It is possible that I, II and III could be checked on a single application]

I. Conditional Use Permit Application [Available from Dover Planning Department]
See reverse side for explanation

- a. Wetland y
- b. Conservation District y See reverse side for explanation
- c. Groundwater Protection District y

II. State Wetlands Permit Application [Available from City Clerk's Office]
See reverse side for explanation

- a. Expedited (< 3,000 sq. ft. impact area) y
 - 1. Tidal Buffer Zone y See reverse side for explanation
 - 2. Other y
- b. Minor Impact in Wetland Area (> 3,000 sq. ft. impact area)
- c. Major Impact in Wetland Area

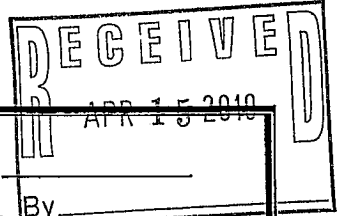
III. Boat Dock (Requires both Conditional Use Permit and State Wetlands Bureau Approval)

IV. Other _____

Description of proposed project: Demolition of existing 15,000 s.f. restaurant and construction of a 3,608 +/- s.f. four (4) bay automatic car wash. Site improvements to include reduction of impervious area from 100 percent to 61 percent.

planning/consapl.doc (rev. 01-12-99)

Applicant: Black Dog Car Wash, LLC



Amount Paid <u>See P10-22</u>	Date Received _____
Account # <u>P10-27</u>	Time Received _____ By _____

**CONDITIONAL USE APPLICATION
CITY OF DOVER PLANNING BOARD**

GENERAL INFORMATION

Date: April 15, 2010 Telephone #: 749-0443

Name of Applicant: Black Dog Car Wash Central Avenue, LLC

Address of Applicant: 123 Farmington Road - Route 11, Rochester, NH 03867

Signature of Applicant: *Kavanaugh Gage*

Name of Property Owner: Driscoll Realty, Inc.

Address of Property Owner: P.O. Box 207, Kittery, ME 03905

Signature of Property Owner: _____

Address of Property Being Developed: 887 Central Avenue

Assessor's Map #: 38 Lot #: 9A

Zoning District: B-3

2. APPLICANT'S PROPOSED ACTIONS (check where applicable)

Activity in Dover Conservation District – Describe activity _____

Impact to Dover Wetlands – Describe impact _____

Other Activity in Groundwater Protection Overlay District (Per Dover Code 170-28.3)

3. THE FOLLOWING PERMITS HAVE BEEN OBTAINED AND ARE ATTACHED

Army Corps of Engineers

New Hampshire Wetlands Board

Other

Black Dog Car Wash
 Site Development Plan
 887 Central Avenue
 Dover, New Hampshire
 April 15, 2010
 Civilworks, Inc. Reference No. 10101

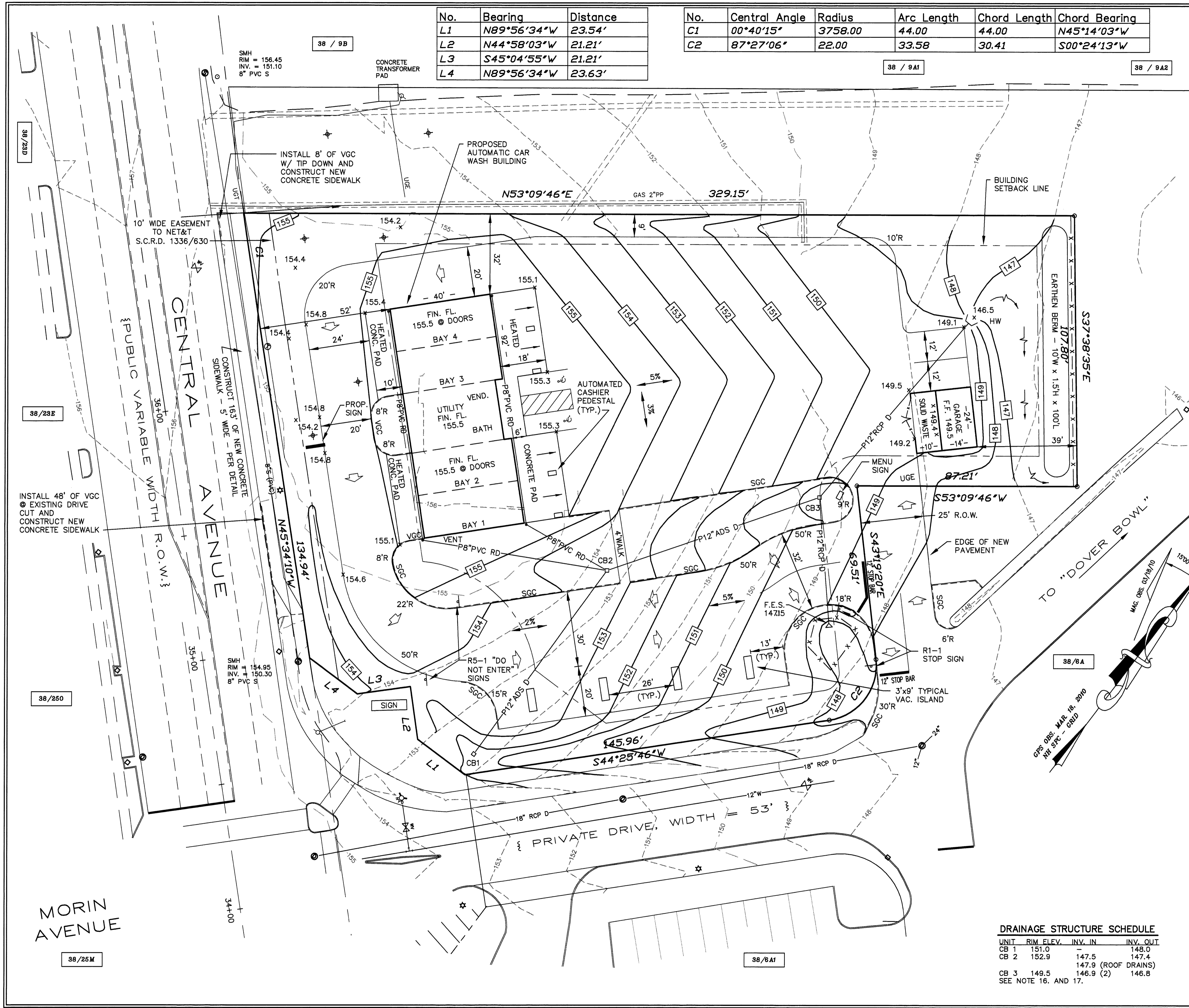
Tax Map	Lot No.	Name & Address
38	9A (subject)	Driscoll Realty, Inc. P.O. Box 207, Kittery, ME 03905
38	9B	Daniel W. Nebesky P.O. Box 723, Dover, NH 03821
38	9A1	Driscoll Realty, Inc. P.O. Box 207, Kittery, ME 03905
38	9A2	Mitchell A. & Edward A. Hyder Irrevocable Trust of 1993 Suite 201, One Raynes Avenue, Portsmouth, NH 03801
38	6A	Shaw's Realty Co. NP Dover, LLC, c/o Northstar Centers, LLC 532 Page Street, Stoughton, MA 02072
38	6A1	O Ice, LLC; c/o Income Corp. P.O. Box 460069, Escondido, CA 92046
38	23D, 25E	Joan Yacoub & Nancy Pindrus & Jessica Angell 12 Greenfield Drive, Somersworth, NH 03878
38	25M	RAP Realty 110 Washington Street, Dover, NH 03820
38	25O	Salema Realty Trust, c/o Joe Salema 199 Constitution Avenue, Portsmouth, NH 03801
	Responsible	Civilworks, Inc.
	Professional:	P.O. Box 1166, 181 Watson Road, Dover, NH 03821

No.	Bearing	Distance
L1	N89°56'34"W	23.54'
L2	N44°58'03"W	21.21'
L3	S45°04'55"W	21.21'
L4	N89°56'34"W	23.63'

No.	Central Angle	Radius	Arc Length	Chord Length	Chord Bearing
C1	00°40'15"	3758.00	44.00	44.00	N45°14'03"W
C2	87°27'06"	22.00	33.58	30.41	S00°24'13"W

NOTES:

- TOTAL AREA OF MAIN BUILDING FOOTPRINT = 3,608 S.F.
TOTAL AREA OF GARAGE FOOTPRINT = 336 S.F.
- WATER SERVICE PIPING: 4" DUCTILE IRON, CEMENT LINED AND SHOWN ON THE PLAN AS P4"DI.
- REQUIRED PARKING (PER SITE REVIEW REGS. 149-14-D):
PERSONAL SERVICE ESTABLISHMENT: 1 SPACE / 300 S.F. G.F.A.
∴ 1 SPACE x 3,608 S.F. = 12 SPACES
PROVIDED PARKING:
8 SPACES @ VAC. ISLANDS (13' x 20')
2 SPACES @ REAR (12' x 24')
2 HANDICAP ACCESSIBLE SPACES @ MAIN BUILDING (8' x 20')
12 SPACES TOTAL
- CONTACT INDIVIDUAL UTILITY COMPANIES TO DETERMINE CONDUIT SIZES AND SCHEDULES.
- ALL EXISTING UTILITY LOCATIONS ARE APPROXIMATE AS SHOWN. THE CONTRACTOR SHALL VERIFY THEIR EXACT LOCATIONS WITH THE RESPECTIVE UTILITY OWNERS PRIOR TO WORK BEING PERFORMED. CALL DISSAFE AT 1-888-344-7233.
- THE PLANS AND SPECIFICATIONS ARE INTENDED TO BE EXPLANATORY OF THE WORK TO BE DONE AND OF EACH OTHER, BUT SHOULD ANY OMISSION, ERRORS OR DISCREPANCIES APPEAR, THEY SHALL BE SUBJECT TO CORRECTION AND INTERPRETATION BY THE "DESIGN ENGINEER" THEREBY DEFINING AND FULFILLING THE INTENT OF THE PLANS.
- ALL DISTURBED AREAS NOT OTHERWISE CALLED FOR SURFACE TREATMENT SHALL RECEIVE 4" OF HIGH QUALITY LOAM AND SHALL BE SEEDED WITH GRASS. SEE PERMANENT SEEDING NOTES.
- PAVEMENT STRIPING TO BE 4" WIDE/WHITE.
- AS-BUILT (RECORD) PLANS OF THE COMPLETED SITE CONSTRUCTION SHALL BE SUBMITTED ON A REPRODUCIBLE MYLAR MEDIUM AND IN A DIGITAL DXF FORMAT TO THE CITY OF DOVER ENGINEER'S OFFICE UPON COMPLETION OF PROJECT. AS-BUILT PLANS SHALL BE PREPARED AND CERTIFIED CORRECT BY A L.L.S. OR P.E.
- BUILDING CONTRACTOR SHALL INDEPENDENTLY DETERMINE THE STRUCTURAL LOAD CARRYING CAPACITY OF ANY EXISTING ON SITE SOILS.
- P6"PVCS = PROPOSED 6" P.V.C., SDR 35 SANITARY SEWER, MINIMUM SLOPE = 0.01'/.
P4"PVCS = PROPOSED 4" P.V.C., SDR 35 SANITARY SEWER, MINIMUM SLOPE = 0.02'/.
- P8"PVC RD = PROPOSED 8" P.V.C., SDR 35 ROOF DRAIN, MINIMUM SLOPE = 0.01'/.
- P12"ADS D = PROPOSED 12" ADS STORM DRAIN.
P12"RCP D = PROPOSED 12" RCP STORM DRAIN.
- FURNISH AND INSTALL 2,000 GALLON SAND SETTLING TANK.
- FURNISH AND INSTALL 2,000 GALLON OIL AND GRIT SEPARATOR TANK.
- INSTALL T.E.C. TYPE "B" AT ALL RIMS UNTIL SITE IS STABILIZED AND VEGETATED.
- INSTALL CATCH BASIN HOODS ON ALL OUTLET PIPES EXITING CATCH BASINS.
- SLOPED GRANITE CURBING (SGC) TO BE TIPPED DOWN AT ALL TERMINUS / END SECTIONS EXCEPT WHERE MATCHING EXISTING CURB (SEVEN (7) LOCATIONS TOTAL).
- EXTERIOR LIGHTING SHALL BE CUT-OFF TYPE FIXTURES PER CHAPTER 149-14-E AND SHALL PROVIDE LIGHTING DIRECTED ON-SITE ONLY. SEE LIGHTING PLAN, SHEET 6 OF 9.
- THE PROPOSED STRUCTURE SHALL BE SERVED BY A SPRINKLER SYSTEM AS REQUIRED UNDER CHAPTER 109-30 OF THE CODE OF THE CITY OF DOVER.
- A SECURITY ALARM SYSTEM SHALL BE INSTALLED AS REQUIRED BY CHAPTER 58, ARTICLE I, SECTION 58-2 OF THE CODE OF THE CITY OF DOVER.
- ALL ON-SITE UTILITIES SHALL BE INSTALLED UNDERGROUND.
- THE SUBJECT PARCEL IS SERVED BY MUNICIPAL WATER AND SEWER.
- ALL MATERIALS AND CONSTRUCTION SHALL CONFORM TO APPLICABLE CITY AND STATE CODES.
- BACKFLOW PREVENTORS SHALL BE PROVIDED FOR BOTH FIRE AND DOMESTIC WATER LINES.



DRAINAGE STRUCTURE SCHEDULE

UNIT	RIM ELEV.	INV. IN	INV. OUT
CB 1	151.0	-	148.0
CB 2	152.9	147.5	147.4
CB 3	149.5	147.9 (2)	146.8

SEE NOTE 16. AND 17.

1	5-3-10	PJC	REVISE PER TRC COMMENTS
No.	DATE	BY	REVISION FILE: VR QP\1890\10-1890

DOVER PLANNING FILE No. P 10-22

**"BLACK DOG CAR WASH"
SITE DEVELOPMENT, GRADING
AND DRAINAGE PLAN**
Lot No. 9A, Tax Map 38
887 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE
COUNTY OF STRAFFORD

OWNERS OF RECORD: SEE NOTE #1
APPLICANT: BLACK DOG CAR WASH CENTRAL AVENUE, LLC
123 FARMINGTON ROAD, ROUTE 11
ROCHESTER, NH 03867

SIGNATURE _____
SCALE IN FEET

civilworks
engineers • surveyors

DESIGN: PJC / RJM
SCALE: 1" = 20'
DATE: 4-15-10
SHEET 3 OF 9
PROJECT # 10101

P.O. Box 1166
Dover, NH 603-749-0443



CITY OF DOVER

PLANNING BOARD - STAFF MEMO MAST RD SAND & GRAVEL EXTRACTION PERMIT APPLICATION

Application Type:	Annual Extraction Permit
Applicant:	Mast Road Sand & Gravel
Owner:	Mast Road Sand & Gravel
Location:	Mast Road (Assessor's Map H, Lot 52, 53, 54 & 57)

INTENT: To obtain annual extraction permit (gravel pit) renewal after review by Planning staff and Planning Board.

LOTS/UNITS PROPOSED:

None.

AGENDA ITEM #: ---

FILE: Martel 2010

APPLICANT(S): Mast Road Sand & Gravel Inc.

OWNER(S): Paul Martel

LOCATION: Mast Road
(Assessor's Map H, Lot 52, 53, 54 & 57)

ACREAGE: 45 acres

ZONING DISTRICT: I-4

EXISTING LAND USE:
Extraction of earth materials for sale

PROPOSED LAND USE:
Same as above

SURROUNDING LAND USE:
Extraction industries, municipal DPW facility and commercial and Single Family Houses

ZBA ACTION: none

ATTACHMENTS:
Excavation plan, Reclamation plan and required permit documents

PERMITS REQUIRED:
Extraction permit

WAIVERS REQUESTED:
None

Planning staff met with the pit operator's engineer to discuss requirements in April and performed a site inspection on May 21, 2010. The excavation and reclamation plans and application are complete. The Planning Department recommends the extraction permit be approved with a caveat that any time-based conditions that are not met and certified by the owner/operator may result in the Planning Board considering permit revocation at the next regularly scheduled meeting, and these following conditions:

1. The reclamation and operational plan documents last submitted in 2002 shall be considered as part of the permit and the hours of operation hours are as follows: 7:00 AM – 5:00 PM on weekdays with the gates opening at 6:30 AM, and 7:00 AM - 2:00 PM on Saturday.
2. Limit excavation at the property lines of disapproving abutters to no closer than 50 ft. The letter from a disapproving abutter is on file.
3. Continue the condition from the lot line adjustment plat that states no excavation shall take place beyond Cold Springs Road (So-called).
4. The property shall not be used for the storage or introduction of any foreign materials unless the pit operator has sought and received advance written permission from the City's Environmental Projects Manager (Mr. Dean Peschel).
5. Continue regular access roadway water wash-downs, to include updating and submitting the schedule of same to the Planning Office by May 28, 2010.
6. Continue to mitigate blowing sand, dust and other particulate matter near the Mast Road property frontage throughout the permit year.

Account # _____	Date Received _____	RECEIVED APR 13 2010 By _____
Application Fee Paid <u>\$193.10</u>	Permit Fee _____	
<u>CK 5754</u>	Time Received _____	

**CITY OF DOVER, NEW HAMPSHIRE
EXTRACTION PERMIT APPLICATION**

Application is hereby made for an extraction permit pursuant to the procedures set forth in the City of Dover's Zoning Ordinance.

(FOR OFFICE USE ONLY)
 This application is hereby approved (disapproved) and permission is hereby granted (refused) to the applicant. This approval is good for one year from the date specified. Once approved by the Planning Board, a permit fee of \$75.00 shall be paid prior to the permit taking effect.

SUBJECT TO THE FOLLOWING CONDITIONS:

APPROVED BY: _____ DATE: _____

(FOR APPLICANT TO FILL OUT)

1. GENERAL INFORMATION

Date: 4-12-10 Project Number: 769 Telephone #: 742-2092

Name of Applicant: MAST ROAD SAND & GRAVEL

Address of Applicant: 241 MAST ROAD DOVER, NH 03820

Name of Property Owner: PAUL MARTEL

Address of Property Owner: 7 DREW ROAD DOVER, NH 03820

Address of Property Being Excavated: MAST ROAD

Assessor's Map # H Lot #: 53, 54, 52, 57

Acres of Land: 45 ± Zoning District: R-40

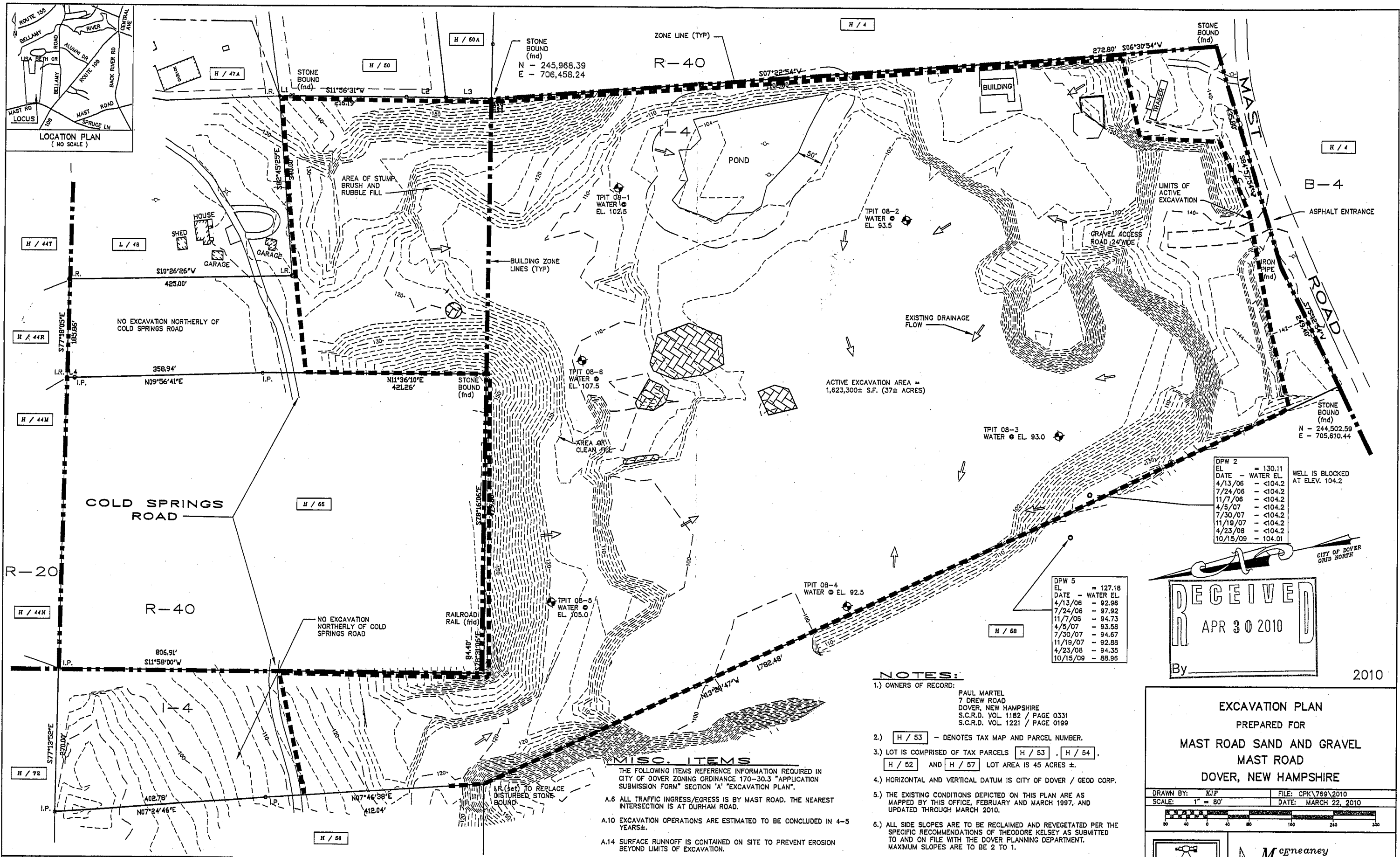
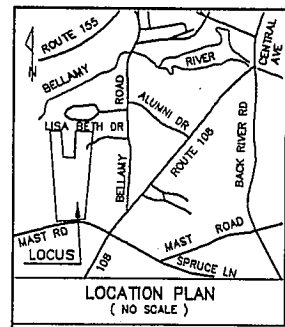
Depth of Excavation: 100' *This should be 102' as per previous years.* Finished Elevation: 100' *(3)*

Elevation of Highest Annual Average Groundwater Table: 99' (2008)

Projected Length of Excavation Project: 4-5 yrs *← This doesn't seem*

MAST ROAD SAND & GRAVEL
ABUTTERS LIST - April 9, 2010
(page 2)

<u>TAX MAP</u>	<u>LOT NO.</u>	<u>OWNER & ADDRESS</u>
H	48	Kevin Tully & Sharon E. Tully 49 Bellamy Road Dover, NH 03820
H	50	Gary & Kim Bates 52 Martel Road Chichester, NH 03234
H	50A	Donald S. Chandler Christine Janus-Chandler 65A Bellamy Road Dover, NH 03820
H	53 (locus)	Paul Martel 7 Drew Road Dover, NH 03820
H	55	Sandy MacLean Karen Garrison 180 Piscataqua Road Durham, NH 03824
H	56, 58	City of Dover 288 Central Avenue Dover, NH 03820
H	72	Carolyn Dupont 24 Lisa Beth Drive Dover, NH 03820
Surveyor		McEaney Survey Associates, Inc. 24 Chestnut Street Dover, NH 03820



DATE	WATER EL.
4/13/06	<104.2
7/24/06	<104.2
11/7/06	<104.2
4/5/07	<104.2
7/30/07	<104.2
11/19/07	<104.2
4/23/08	<104.2
10/15/09	104.01

DATE	WATER EL.
4/13/06	92.96
7/24/06	97.92
11/7/06	94.73
4/5/07	93.58
7/30/07	94.67
11/19/07	92.88
4/23/08	94.35
10/15/09	88.96

RECEIVED
APR 30 2010
By _____

2010

- NOTES:**
- OWNERS OF RECORD: PAUL MARTEL, 7 DREW ROAD, DOVER, NEW HAMPSHIRE, S.C.R.D. VOL. 1182 / PAGE 0331, S.C.R.D. VOL. 1221 / PAGE 0199
 - H / 53 - DENOTES TAX MAP AND PARCEL NUMBER.
 - LOT IS COMPRISED OF TAX PARCELS H / 53, H / 54, H / 52 AND H / 57. LOT AREA IS 45 ACRES ±.
 - HORIZONTAL AND VERTICAL DATUM IS CITY OF DOVER / GEOD CORP.
 - THE EXISTING CONDITIONS DEPICTED ON THIS PLAN ARE AS MAPPED BY THIS OFFICE, FEBRUARY AND MARCH 1997, AND UPDATED THROUGH MARCH 2010.
 - ALL SIDE SLOPES ARE TO BE RECLAIMED AND REVEGETATED PER THE SPECIFIC RECOMMENDATIONS OF THEODORE KELSEY AS SUBMITTED TO AND ON FILE WITH THE DOVER PLANNING DEPARTMENT. MAXIMUM SLOPES ARE TO BE 2 TO 1.
 - MINIMUM SETBACK FROM PROPERTY LINES TO TOP OF SLOPES:
 - 50 FEET FROM R.O.W. LINE OF MAST ROAD
 - 10 FEET FROM ABUTTING PROPERTY LINES
 - BUILDING ZONE IS I-4
 - TEST PITS WERE LOGGED BY JOSEPH W. NOEL, CSS #17, ON MARCH 27, 2008.
 - EXCAVATION WILL NOT TAKE PLACE BELOW 4' ABOVE THE CURRENT WATER ELEVATION OBSERVED AT ANY TEST PIT LOCATION.

MISC. ITEMS

- THE FOLLOWING ITEMS REFERENCE INFORMATION REQUIRED IN CITY OF DOVER ZONING ORDINANCE 170-30.3 "APPLICATION SUBMISSION FORM" SECTION "A" "EXCAVATION PLAN".
- ALL TRAFFIC INGRESS/EGRESS IS BY MAST ROAD. THE NEAREST INTERSECTION IS AT DURHAM ROAD.
 - EXCAVATION OPERATIONS ARE ESTIMATED TO BE CONCLUDED IN 4-5 YEARS±.
 - SURFACE RUNOFF IS CONTAINED ON SITE TO PREVENT EROSION BEYOND LIMITS OF EXCAVATION.
 - STORMWATER REMAINS WITHIN EXCAVATION AREA, LEACHING THROUGH THE PIT BOTTOM.
 - NO PETROLEUM OR REGULATED MATERIALS ARE STORED ONSITE. TEMPORARY USE OF SUCH PRODUCTS IS IN ACCORDANCE WITH BEST MANAGEMENT PRACTICES.
 - ASPHALT ENTRANCE AT MAST ROAD TO PREVENT MATERIAL FROM BEING TRACKED ONTO ROADWAY.

LEGEND

- 108- - EXISTING CONTOUR, 2 FOOT INTERVAL
- - - - BUILDING ZONE BOUNDARY
- - - - EXTENT OF EXCAVATION
- - - - LEDGE OUTCROP

No.	Bearing	Distance
L1	S12°01'58"W	23.72'
L2	S11°53'16"W	74.68'
L3	S12°40'53"W	85.43'
L4	N09°56'57"E	15.02'

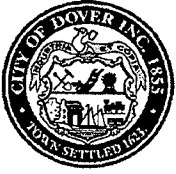
NO.	DATE	DESCRIPTION	BY	CHK
1	4/30/10	ADD WELL INFO	KJF	CA
REVISIONS				
95-769	EXCAVATION	FIELDBOOK & PAGES		
PROJECT NO	TYPE	FIELDBOOK & PAGES		

EXCAVATION PLAN
PREPARED FOR
MAST ROAD SAND AND GRAVEL
MAST ROAD
DOVER, NEW HAMPSHIRE

DRAWN BY: KJF FILE: CPK789/2010
SCALE: 1" = 80' DATE: MARCH 22, 2010

McNeaney Survey Associates, inc.
P.O. Box 681 - 24 CHESTNUT STREET
DOVER, NH 03820 (603) 742-0911

SURVEYING - PLANNING - CONSULTING



CITY OF DOVER

PLANNING BOARD - STAFF MEMO BROX EXTRACTION PERMIT APPLICATION

Application Type: Annual Extraction Permit
Applicant: Brox Industries, Inc.
Owner: Stephen M. Brox Revocable Indenture of Trust
Location: Between Rochester Neck Rd and Tolend Rd

INTENT: To obtain annual extraction permit (gravel pit) renewal after review by Planning staff and Planning Board.

LOTS/UNITS PROPOSED:

None.

AGENDA ITEM #: ---

FILE: Brox 2010

APPLICANT(S): Brox Industries Inc.

OWNER(S): Stephen M. Brox Revocable Indenture of Trust

LOCATION: Rochester Neck Rd.
(Assessor's Map C, Lot 12A, 13 & 14)

ACREAGE: 4.8, 10.8 and 80+ acres

ZONING DISTRICT: R-40

EXISTING LAND USE:

Extraction of earth materials for sale

PROPOSED LAND USE:

Same as above

SURROUNDING LAND USE:

Rock Quarry, Extraction industries, asphalt & concrete batch plants, and Single Family Houses

ZBA ACTION: none

ATTACHMENTS:

Excavation plan, Reclamation plan and required permit documents

PERMITS REQUIRED:

Extraction permit

WAIVERS REQUESTED:

None

Planning staff met with both the pit operator to discuss requirements in April. Staff performed a site inspection in April and on May 21, 2010. The application materials are complete. The excavation/reclamation plans are complete. The Planning Department recommends the extraction permit be approved with the following conditions:

1. The property shall not be used for the storage or introduction of any foreign materials unless the pit operator has sought and received advance written permission from the City's Environmental Projects Manager (Mr. Dean Peschel)

Account # _____

Date Received _____

Application Fee Paid \$93.50

Permit Fee 75.00

Time Received _____

Total of \$133.50

PD CK #041683

RECEIVED
MAR 23 2010
BY: _____

**CITY OF DOVER, NEW HAMPSHIRE
EXTRACTION PERMIT APPLICATION**

Application is hereby made for an extraction permit pursuant to the procedures set forth in the City of Dover's Zoning Ordinance.

(FOR OFFICE USE ONLY)

This application is hereby approved (disapproved) and permission is hereby granted (refused) to the applicant. This approval is good for one year from the date specified. Once approved by the Planning Board, a permit fee of \$75.00 shall be paid prior to the permit taking effect.

SUBJECT TO THE FOLLOWING CONDITIONS:

APPROVED BY: _____ DATE: _____

(FOR APPLICANT TO FILL OUT)

1. GENERAL INFORMATION

Date: 03-26-09 Project Number: 1-2010 Telephone #: 603-332-4262

Name of Applicant: BROX INDUSTRIES INC.

Address of Applicant: 1471 METHUEN ST. DRACUT, MASS.01826

Name of Property Owner: STEPHEN M. BROX REV INDENTURE OF TRUST

Address of Property Owner: SAME AS ABOVE

Address of Property Being Excavated: ROCHESTER NECK ROAD/TOLEND ROAD

Assessor's Map # C Lot #: 12-A, 13, 14

Acres of Land: 4.8, 10.8, +80 Zoning District: R-40

Depth of Excavation: ELEV. +50' Finished Elevation: 121+/-

Elevation of Highest Annual Average Groundwater Table: 115+/-

Projected Length of Excavation Project: COMPLETION OF REMOVAL OF ALL MATERIALS

2. PROFESSIONAL SIGNOFF

Name of Professional (Licensed in NH) THOMAS DUFFIELD

Check One: Engineer Land Surveyor _____ Architect _____

Address: 664 WEST STREET KEENE, N.H. 03431

License No. Telephone # 603-332-4262

PLEASE RETURN THE FOLLOWING WITH YOUR APPLICATION TO THE PLANNING OFFICE:

1. List of abutters within 200 feet
2. 16 copies of sketch of the location with boundaries (one sent to Conservation Commission)
3. 16 copies of restoration plan (one sent to Conservation Commission)
4. Tax Collector's statement that all property taxes have been paid in full & that excavation taxes have been paid in full & that there are no unreleased tax liens encumbering said properties
5. Surety Bond or other form of performance guarantee
6. Copy of Notice of Intent to Excavate that is filed with Assessor's Office
7. **An annual report documenting compliance with the requirements of Zoning Section 170-28, Groundwater Protection. Pursuant to RSA 155-E:11, the requirements of this section may be waived if the applicant demonstrates that such exception shall be recorded in the Registry of Deeds, and one copy filed with the NH Department of Environmental Services**
8. Check made out to the City of Dover for fees listed below:

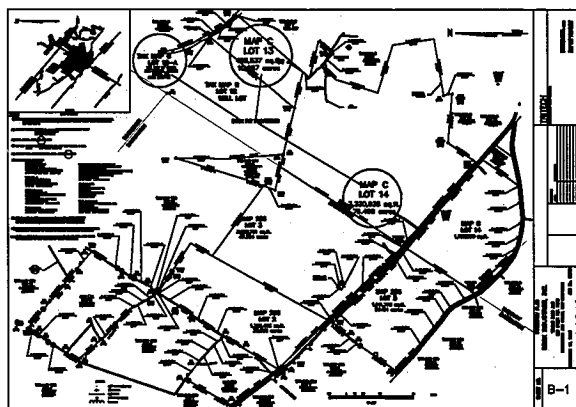
\$50.00 application fee PD CR 041387
\$25.00 Foster's ad PD CR 041389 owes \$35.
\$4.64 per abutter & applicant for certified mail notification
PD CR 041388 owes \$3.60

~~\$~~ 38.60
40.00
PD cash

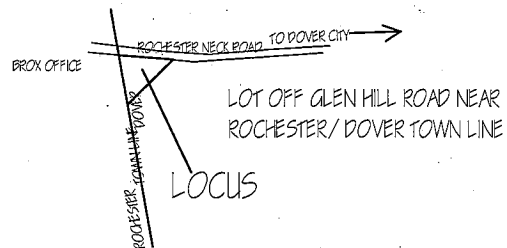
GENERAL NOTES

- 1) ALL EXCAVATION TO BE IN ACCORDANCE WITH CITY OF DOVER ZONING CHAPTER 170; ARTICLE VIII. ALL PERTINENT STATE OF N.H. AND FEDERAL PERMITS IN PLACE AND CURRENT.
- 2) SLOPES TO BE LEFT AT 2:1 MAXIMUM
- 3) NO STORAGE OF HAZARDOUS WASTE OF ANY KIND ON THIS LAND.
- 4) EXCAVATION AMOUNT FOR 2010: 1500 C.Y.±
- 5) HOURS OF OPERATION ARE GENERALLY 6:30 TO 6:00 P.M. BUT COULD VARY DUE TO JOB REQUIREMENTS
- 6) PIT FLOOR GRADE AT ELEVATION 120± WHEN COMPLETELY EXCAVATED AND RECLAIMED.
- 7) SETBACKS FLAGGED FOR DOVER OFFICIALS.
- 8) ALL SURFACE WATER RUNOFF TO REMAIN ON BROX PARCELS, WITH NO DISCHARGES OFF SITE.
- 9) SLOPES THAT ARE RECLAIMED, THAT WILL HAVE NO FUTURE EXCAVATION, TO BE SEEDED TO ASSURE STABILIZATION.
- 10) ADJUTERS TO THIS PROPERTY RECOGNIZED AS APPROVING. THIS ONLY A 10' SETBACK TO THEIR PROPERTY LINES
- 11) LOT IN ZONE-R-40 : EXCAVATION AREA 4.0 AC.

NOTE:
TOPOGRAPHY FROM 2005 FLYOVER
BY EASTERN TOPO
CURRENT CONTOURS UPDATED
LATE 2009

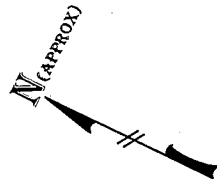


LOCATION MAP



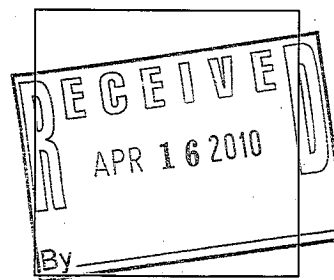
TEST PIT DATA

TEST PIT #1
 GROUND WATER ELEVATION AT PIT FLOOR
 =ELEV. 115±
 (PIEZOMETER READINGS CONFIRM @ TEST WELL ANNUALLY)



SCALE: 1" = 50'

MAP # C LOT # 12-A



TOM DUFFIELD
 P.E. #

EXCAVATION PLAN

OWNER:
 STEPHEN M. BROX REV INDENTURE OF TRUST
 1471 METHUEN ST.
 DRACUT, MASS. 01826

DRAWN BY: D. CLIFF
 03-26-10

CHKD BY: T. DUFFIELD
 04-10

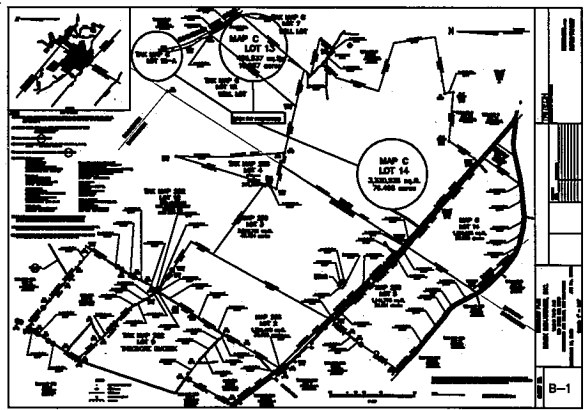
SCALE AS NOTED

GENERAL NOTES

- 1) ALL EXCAVATION TO BE IN ACCORDANCE WITH CITY OF DOVER ZONING CHAPTER 170; ARTICLE VIII.
- 2) ALL PERTINENT STATE OF N.H. AND FEDERAL PERMITS IN PLACE AND CURRENT.
- 3) SLOPES TO BE LEFT AT 2:1 MAXIMUM
- 4) NO STORAGE OF HAZARDOUS WASTE ON THIS LOT.
- 5) EXCAVATION AMOUNT FOR 2010: 8,000 C.Y.±
- 6) HOURS OF OPERATION ARE GENERALLY 6:30 TO 6:00 P.M. BUT COULD VARY DUE TO JOB REQUIREMENTS
- 7) PIT FLOOR GRADE AT ELEVATION 120± WHEN COMPLETELY EXCAVATED AND RECLAIMED.
- 8) SETBACKS FLAGGED FOR DOVER OFFICIALS.
- 9) ALL SURFACE WATER RUNOFF TO REMAIN ON BROX PARCELS, WITH NO DISCHARGES OFF SITE.
- 10) SLOPES THAT ARE RECLAIMED, THAT WILL HAVE NO FUTURE EXCAVATION, TO BE SEEDED TO ASSURE STABILIZATION.
- 11) ADJUTERS TO THIS PROPERTY RECOGNIZED AS APPROVING THIS ONLY A 10' SETBACK TO THEIR PROPERTY LINES.
- 12) EXISTING TOPOGRAPHY BY CUOCO AND CORMIER-2005
- 13) WETLANDS TO SOUTH OF PARCEL FLAGGED BY JAMES LONG CERTIFIED SOIL SCIENTIST / WETLAND SCIENTIST
- 14) LOT IN ZONE: R-40.(C EXCAVATION AREA 39 AC.±)

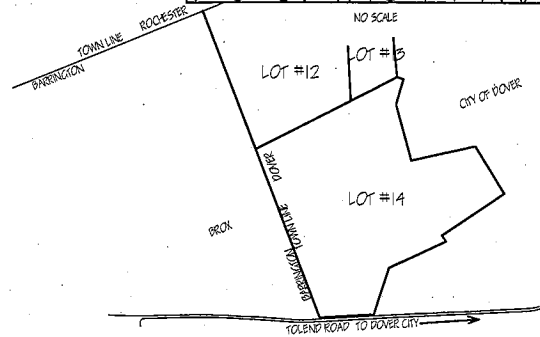
NOTE:

TOPOGRAPHY FROM 2005 FLYOVER
 BY EASTERN TOPO
 CURRENT CONTOURS UPDATED
 LATE 2009 PIT FACE RELOCA-
 TED



SCALE: 1" = 100'

LOCATION MAP



TEST PIT DATA

TEST PIT #2
 GROUND WATER ELEVATION AT PIT FLOOR
 = ELEV. 115±
 (PIEZOMETER READINGS CONFIRM ON
 SURROUNDING PROPERTY)

MAP # C LOT # 14

RECEIVED
 APR 16 2010
 BY

TOM DUFFIELD
 P.E.

EXCAVATION PLAN

OWNER:
 STEPHEN M. BROX REV INDENTURE OF TRUST
 1471 METHUEN ST.
 DRAUGHT, MASS. 01826

DRAWN BY: D. CLIFF
 03-28-10
 CHKD BY: K. BRIGGS
 04-10 TD

SCALE AS NOTED

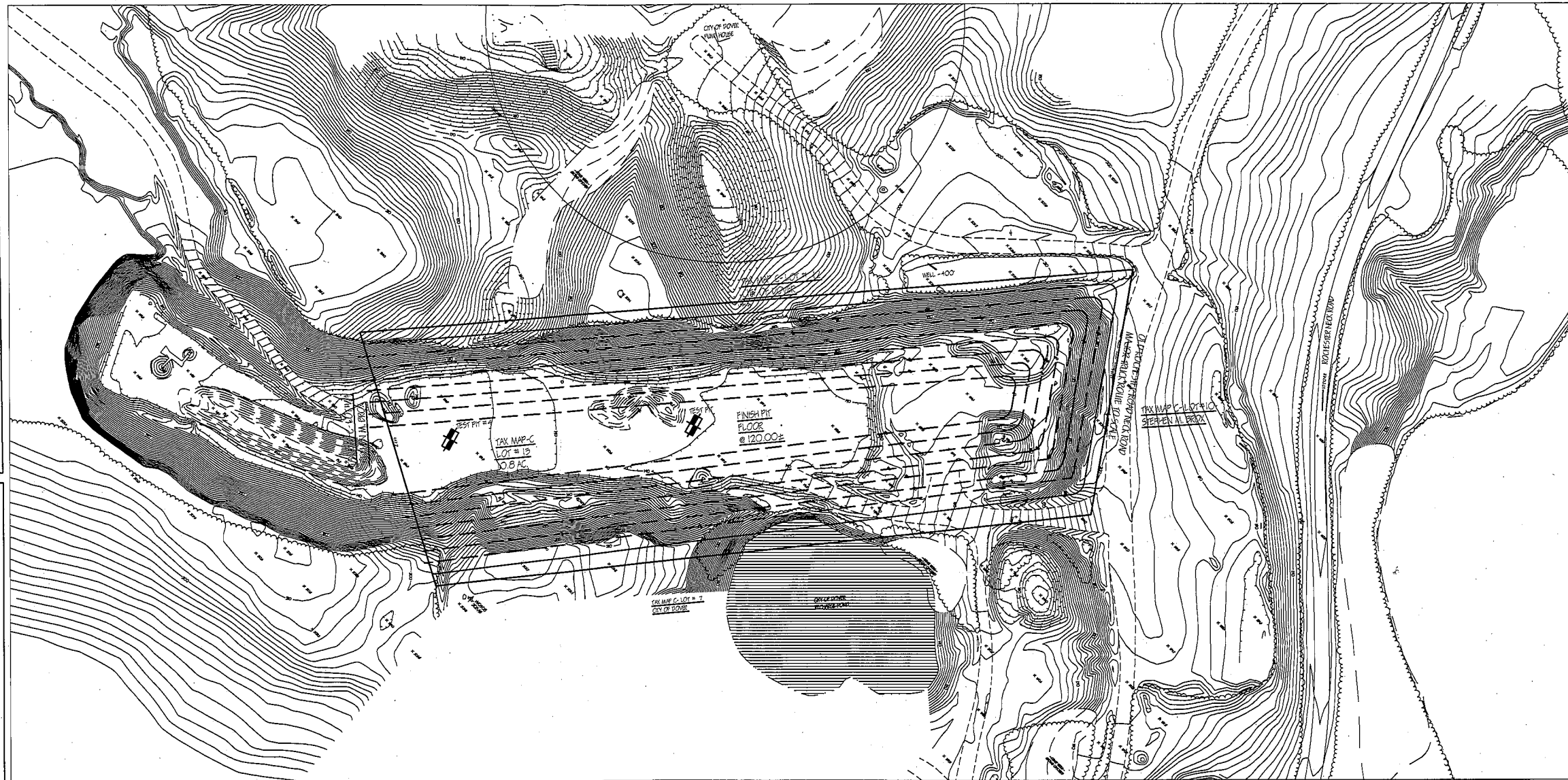
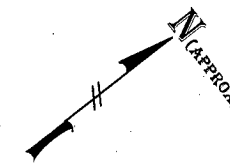
GENERAL NOTES

- 1) ALL EXCAVATION TO BE IN ACCORDANCE WITH CITY OF DOVER ZONING CHAPTER 170, ARTICLE VIII
ALL PERTINENT STATE OF N.H. AND FEDERAL PERMITS IN PLACE AND CURRENT.
- 2) SLOPES TO BE LEFT AT 2:1 MAXIMUM
- 3) NO STORAGE OF HAZARDOUS WASTE OF ANY KIND ON THIS LOT. ALL IMPORTED MATERIAL TO BE APPROVED BY CITY OF DOVERS ENVIRONMENTAL ENGINEER.
- 4) EXCAVATION AMOUNT FOR 2010: 5,000 C.Y.±
- 5) HOURS OF OPERATION ARE GENERALLY 6:30 TO 6:00 P.M. BUT COULD VARY DUE TO JOB REQUIREMENTS
- 6) PIT FLOOR GRADE AT ELEVATION 120± WHEN COMPLETELY EXCAVATED AND RECLAIMED.
- 7) SETBACKS FLAGGED FOR DOVER OFFICIALS.
- 8) ALL SURFACE WATER RUNOFF TO REMAIN ON BROX PARCELS, WITH NO DISCHARGES OFF SITE.
- 9) SLOPES THAT ARE RECLAIMED, THAT WILL HAVE NO FUTURE EXCAVATION, TO BE SEEDED TO ASSURE STABILIZATION.
- 10) ABUTTERS TO THIS PROPERTY RECOGNIZED AS APPROVING THIS ONLY A 10' SETBACK TO THEIR PROPERTY LINES.
- 11) EXISTING TOPOGRAPHY FLYOVER BY ETOPO-2005
EXCAVATION TOPO REVISED-2009
- 12) LOT IN ZONE R-40 : EXCAVATION AREA 8+ AC±

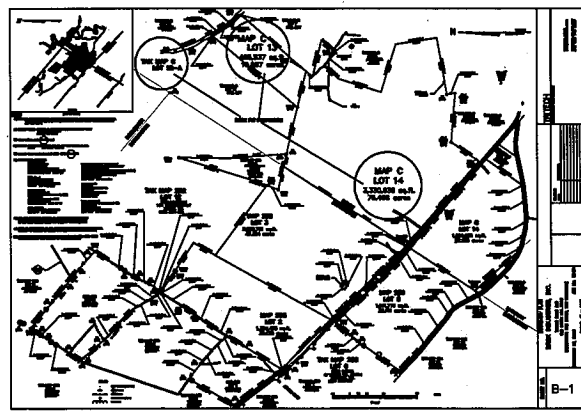
NOTE:
TOPOGRAPHY FROM 2005 FLYOVER
BY EASTERN TOPO
CURRENT CONTOURS UPDATED
LATE 2009

TEST PIT DATA

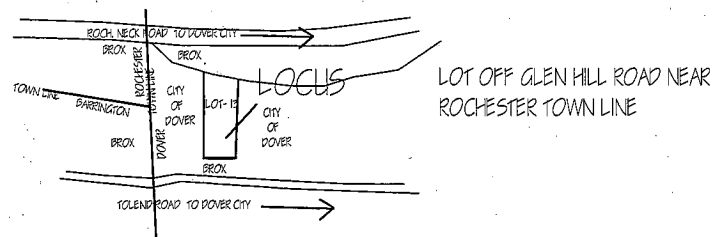
TEST PIT #1
GROUND WATER ELEVATION AT PIT FLOOR
= ELEV. 115±
(PIEZOMETER READINGS CONFIRM @
TEST WELL) SAME-2008



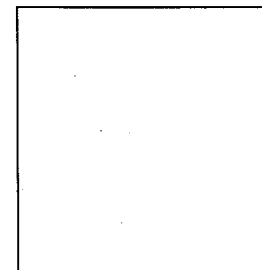
SCALE: 1" = 100'



LOCATION MAP



MAP # C LOT # 13



TOM DUFFIELD
P.E. #

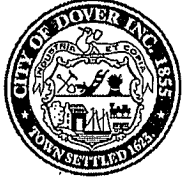
EXCAVATION PLAN

OWNER:
STEPHEN M. BROX REV INDENTURE OF TRUST
1471 METHUEN ST.
DRACLIT, MASS. 01826

DRAWN BY: D. CLUFF
03-26-10

CHKD BY: T. DUFFIELD
04-10

SCALE AS NOTED



CITY OF DOVER

PLANNING BOARD - STAFF MEMO SEVERINO EXTRACTION PERMIT APPLICATION

Application Type: Annual Extraction Permit
Applicant: Severino Trucking Co., Inc.
Owner: City of Dover
Location: Mast Road (Assessor's Map H, Lot 58)

INTENT: To obtain annual extraction permit (gravel pit) renewal after review by Planning staff and Planning Board.

LOTS/UNITS PROPOSED:

None.

AGENDA ITEM #: ---

FILE: Severino 2010

APPLICANT(S): Severino Trucking Co., Inc.

OWNER(S): City of Dover

LOCATION: Mast Road
(Assessor's Map H, Lot 58)

ACREAGE: 54.5 acres

ZONING DISTRICT: I-4

EXISTING LAND USE:
Extraction of earth materials for sale

PROPOSED LAND USE:
Same as above

SURROUNDING LAND USE:
Extraction industries, municipal DPW facility and Single Family Houses

ZBA ACTION: none

ATTACHMENTS:
Excavation plan, Reclamation plan and required permit documents

PERMITS REQUIRED:
Extraction permit

WAIVERS REQUESTED:
None

Planning staff met with the pit operator's engineer to discuss requirements in April and performed a site inspection on May 21, 2010. The excavation and reclamation plans are complete. The Planning Department recommends the extraction permit be approved with a caveat that any time-based conditions that are not met and certified by the owner/operator may result in the Planning Board considering permit revocation at the next regularly scheduled meeting, and these following conditions:

1. Hours of operation shall be restricted to 7:00 AM to 5:00 PM weekdays and 7:00 AM to 2:00 PM on Saturdays, with gates to the site opening no earlier than 6:30 AM.
2. The property shall not be used for the storage or introduction of any foreign materials unless the pit operator has sought and received advance written permission from the City's Environmental Projects Manager (Mr. Dean Peschel).
3. Continue regular access roadway water wash-downs, to include updating and submitting the schedule of same to the Planning Office by May 28, 2010.
4. Continue to mitigate blowing sand, dust and other particulate matter near the Mast Road property frontage throughout the permit year.

Account # _____

Date Received APR 13 2010

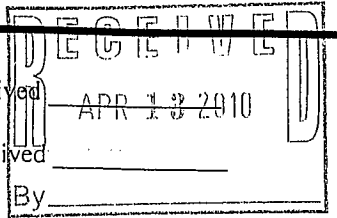
Application Fee Paid \$148.78

Permit Fee _____

Time Received _____

CK 32562

By _____



CITY OF DOVER, NEW HAMPSHIRE EXTRACTION PERMIT APPLICATION

Application is hereby made for an extraction permit pursuant to the procedures set forth in the City of Dover's Zoning Ordinance.

(FOR OFFICE USE ONLY)

This application is hereby approved (disapproved) and permission is hereby granted (refused) to the applicant. This approval is good for one year from the date specified. Once approved by the Planning Board, a permit fee of \$75.00 shall be paid prior to the permit taking effect.

SUBJECT TO THE FOLLOWING CONDITIONS:

APPROVED BY: _____ DATE: _____

(FOR APPLICANT TO FILL OUT)

1. GENERAL INFORMATION

Date: 4-12-10 Project Number: 10601 Telephone #: 483-2133

Name of Applicant: SEVERINO TRUCKING CO., INC.

Address of Applicant: P.O. Box 202 CANDIA, NH 03034

Name of Property Owner: CITY OF DOVER

Address of Property Owner: 288 CENTRAL AVENUE DOVER, NH 03820

Address of Property Being Excavated: MAST ROAD

Assessor's Map # H Lot #: 58

Acres of Land: 54.5 Zoning District: R-40

Depth of Excavation: 100' Finished Elevation: 100' +

Elevation of Highest Annual Average Groundwater Table: 90' ± (2008)

Projected Length of Excavation Project: 3-4 yrs ±

2. PROFESSIONAL SIGNOFF

Name of Professional (Licensed in NH) MCENEANEY SURVEY ASSOCIATES, INC

Check One: Engineer _____ Land Surveyor Architect _____

Address: 2A CHESTNUT STREET DOVER NH 03820

License No. NH 6661 Tele. # 603-742-0911

PLEASE RETURN THE FOLLOWING WITH YOUR APPLICATION TO THE PLANNING OFFICE:

1. List of abutters within 200 feet
2. 16 copies of sketch of the location with boundaries (one sent to Conservation Commission)
3. 16 copies of restoration plan (one sent to Conservation Commission)
4. Tax Collector's statement that all property taxes have been paid in full & that excavation taxes have been paid in full & that there are no unreleased tax liens encumbering said properties
5. Surety Bond or other form of performance guarantee
6. Copy of Notice of Intent to Excavate that is filed with Assessor's Office
7. **An annual report documenting compliance with the requirements of Zoning Section 170-28, Groundwater Protection. Pursuant to RSA 155-E:11, the requirements of this section may be waived if the applicant demonstrates that such exception shall be recorded in the Registry of Deeds, and one copy filed with the NH Department of Environmental Services**
8. Check made out to the City of Dover for fees listed below:

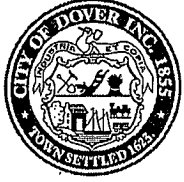
\$50.00 application fee
~~60~~ ~~\$25.00~~ Foster's ad
~~5.54~~ ~~\$4.64~~ per abutter & applicant for certified mail notification

jackie/word/list/gravelpitapl.doc

FEE = 50
 AD = 60
 ABUTTERS = 38.78
 7 x 5.54 = 38.78
 148.78

ABUTTERS LIST
for
SEVERINO TRUCKING CO., INC.
April 9, 2010

<u>Tax Map</u>	<u>Lot No.</u>	<u>Owner & Address</u>
H (locus)H	56, 58	City of Dover 288 Central Avenue Dover, NH 03820
H	4	Heron Bay Partners, LLC 242 Central Avenue Dover, NH 03820
H	53	Paul Martel 7 Drew Road Dover, NH 03820
H	59	Prugen Aggregates, Inc. PO Box 85 Dover, NH 03821
H	35D	The New Meadows, Inc. 1 Lilac Lane Dover, NH 03820
H	41S, 41T	MSM Brothers, Inc. 510 Martha's Way Dover, NH 03820
Applicant		Severino Trucking Co., Inc. PO Box 202 Candia, NH 03034
Surveyor		McEaney Survey Associates, Inc. 24 Chestnut Street Dover, NH 03820



CITY OF DOVER

PLANNING BOARD - STAFF MEMO SEVERINO EXTRACTION PERMIT APPLICATION

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Owner: City of Dover
Location: Mast Road (Assessor's Map H, Lot 58)

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LOTS/UNITS PROPOSED:

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ACREAGE: 54.5 acres

ZONING DISTRICT: I-4

EXISTING LAND USE:
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PROPOSED LAND USE:
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SURROUNDING LAND USE:
Extraction industries, municipal DPW facility and Single Family Houses

ZBA ACTION: none

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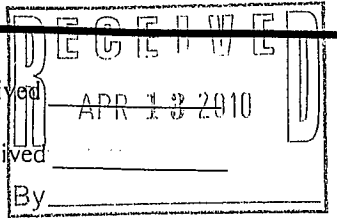
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Permit Fee _____

Time Received _____

CK 32562

By _____



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Check One: Engineer _____ Land Surveyor Architect _____

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License No. NH 6661 Tele. # 603-742-0911

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~~60~~ ~~\$25.00~~ Foster's ad
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jackie/word/list/gravelpitapl.doc

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Applicant		Severino Trucking Co., Inc. PO Box 202 Candia, NH 03034
Surveyor		McEaney Survey Associates, Inc. 24 Chestnut Street Dover, NH 03820

COPY

948

SEVERINO

ENGINEERING CO., INC.

P O Box 202 Candia, NH 03034
Tel. (603) 483-2133
Fax (603) 483-2998

RECEIVED
MAR 09 2010
By _____

LETTER OF TRANSMITTAL

TO City Of Dover Assessment Office 288 Central Avenue Dover, NH 03820-4169	JOB NUMBER 600	DATE 3/8/2010
	ATTENTION Claire Vermitte	
	RE:	

WE ARE SENDING YOU Attached Under separate cover via _____ the following items.

Shop drawings Prints Plans Specifications Samples

Copy of letter Change order Other:

COPIES	DATE	NUMBER	DESCRIPTION
1			CONTINUATION CERTIFICATE FOR BOND NO. 0117615

THESE ARE TRANSMITTED as checked below:

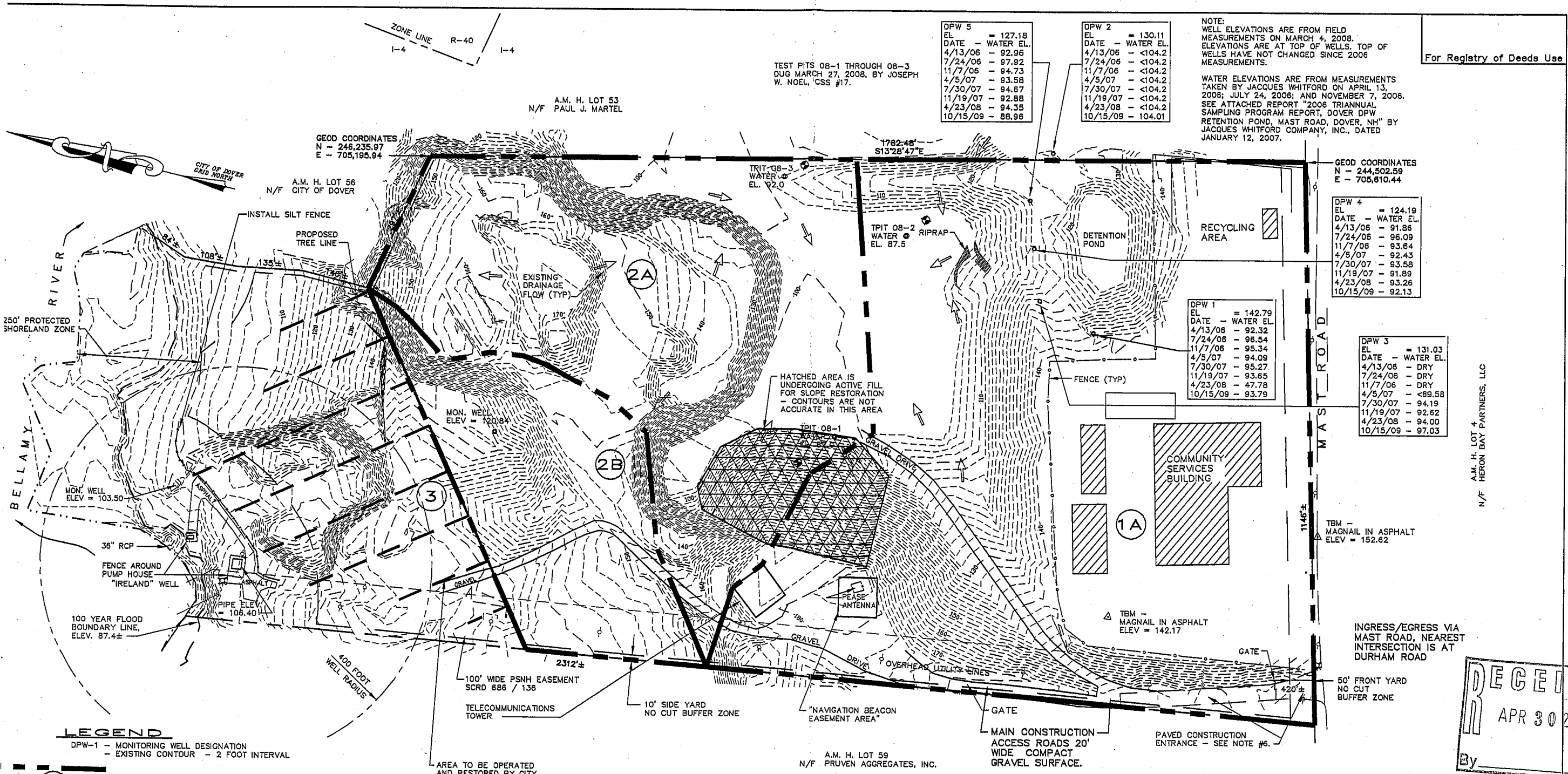
- | | | | |
|--|---|---|--|
| <input type="checkbox"/> For approval | <input type="checkbox"/> Approved as submitted | <input type="checkbox"/> Resubmit | <input type="checkbox"/> _____ copies for approval |
| <input checked="" type="checkbox"/> For your use | <input type="checkbox"/> Approved as noted | <input type="checkbox"/> Submit | <input type="checkbox"/> _____ copies for distribution |
| <input type="checkbox"/> As requested | <input type="checkbox"/> Returned for corrections | <input type="checkbox"/> Return | <input type="checkbox"/> _____ corrected prints |
| <input type="checkbox"/> For review and comment | <input type="checkbox"/> Other | | |
| <input type="checkbox"/> FOR BIDS DUE/DATE: | | <input type="checkbox"/> PRINTS RETURNED AFTER LOAN TO US | |

REMARKS

COPY TO

SIGNED *Joe E. Sherwin*

If enclosures are not as noted, please notify us at once.



DPW 5

EL	= 127.18
DATE - WATER EL.	
4/13/06	- 92.96
7/24/06	- 97.92
11/7/06	- 94.73
4/5/07	- 93.58
7/30/07	- 94.87
11/19/07	- 92.88
4/23/08	- 94.35
10/15/09	- 88.96

DPW 2

EL	= 130.11
DATE - WATER EL.	
4/13/06	- <104.2
7/24/06	- <104.2
11/7/06	- <104.2
4/5/07	- <104.2
7/30/07	- <104.2
11/19/07	- <104.2
4/23/08	- <104.2
10/15/09	- 104.01

NOTE:
WELL ELEVATIONS ARE FROM FIELD MEASUREMENTS ON MARCH 4, 2008. ELEVATIONS ARE AT TOP OF WELLS. TOP OF WELLS HAVE NOT CHANGED SINCE 2008 MEASUREMENTS.

WATER ELEVATIONS ARE FROM MEASUREMENTS TAKEN BY JACQUES WHITFORD ON APRIL 13, 2008; JULY 24, 2008; AND NOVEMBER 7, 2008. SEE ATTACHED REPORT "2006 TRIANNUAL SAMPLING PROGRAM REPORT, DOVER DPW RETENTION POND, MAST ROAD, DOVER, NH" BY JACQUES WHITFORD COMPANY, INC., DATED JANUARY 12, 2007.

For Registry of Deeds Use

GEOD COORDINATES
N - 244,502.59
E - 705,610.44

DPW 4

EL	= 124.19
DATE - WATER EL.	
4/13/06	- 91.86
7/24/06	- 96.09
11/7/06	- 93.64
4/5/07	- 92.43
7/30/07	- 93.58
11/19/07	- 91.89
4/23/08	- 93.26
10/15/09	- 92.13

DPW 1

EL	= 142.79
DATE - WATER EL.	
4/13/06	- 92.32
7/24/06	- 96.54
11/7/06	- 95.34
4/5/07	- 94.09
7/30/07	- 95.27
11/19/07	- 93.65
4/23/08	- 47.78
10/15/09	- 93.79

DPW 3

EL	= 131.03
DATE - WATER EL.	
4/13/06	- DRY
7/24/06	- DRY
11/7/06	- DRY
4/5/07	- <89.58
7/30/07	- 94.19
11/19/07	- 92.62
4/23/08	- 94.00
10/15/09	- 97.03

A.M.H. LOT 4
N/F HERON BAY PARTNERS, LLC

LEGEND
DPW-1 - MONITORING WELL DESIGNATION
- EXISTING CONTOUR - 2 FOOT INTERVAL

1B - PHASE BOUNDARY AND SCHEDULE REFERENCE

+100.0 - EXISTING SPOT GRADE

MISC. ITEMS
THE FOLLOWING ITEMS REFERENCE INFORMATION REQUIRED IN CITY OF DOVER ZONING ORDINANCE 170-30.3 "APPLICATION SUBMISSION FORM" SECTION 'A' "EXCAVATION PLAN".

- A.6 INGRESS/EGRESS IS BY MAST ROAD, NEAREST INTERSECTION IS AT DURHAM ROAD.
- A.9 MAIN ACCESS ROAD IS 20' WIDE COMPACTED GRAVEL WITH STABILIZED CONSTRUCTION ENTRANCE. OTHER ROADS WITHIN SITE ARE TEMPORARY TRAVELED WAYS OF VARYING WIDTHS AND OF NATIVE SAND & GRAVEL.
- A.10 FINISHED GRADE FOR PHASE 2 TO BE 100 FEET. FINAL GRADES TO BE NO STEEPER THAN 2:1. FOR SCHEDULE OF EXCAVATION OPERATIONS SEE SCHEDULE KEY.
- A.12 THE SITE HAS 5 MONITORING WELLS AS WELL AS 3 TEST PITS DUG MARCH 27, 2008.
- A.13 PLASTIC SNOW FENCING ABOVE AREAS OF STEEP SLOPES ON PERIMETER OF OPERATION.
- A.14 ALL SURFACE RUNOFF IS CONTAINED ONSITE, OPERATION CAUSES NO EROSION OR SEDIMENTATION OUTSIDE OF EXCAVATION.
- A.15 STORM WATER REMAINS ONSITE TO LEACH THROUGH SOIL FOR GROUNDWATER RECHARGE.
- A.16 NO PETROLEUM OR REGULATED MATERIALS ARE STORED

SCHEDULE KEY

- 1A AREA OF COMPLETED RESTORATION OF A PORTION OF PHASE 1 - AREA = 25.3 ACRES
- 2A NEXT AREA OF EXCAVATION (A PORTION OF PHASE 2) SCHEDULED FOR FALL 2008 - 2012. AREA = 12.8 ACRES
- 2B FINAL AREA OF PHASE 2 EXCAVATION. SCHEDULED FOR FALL 2012 - 2015. AREA = 5.5 ACRES
- 3 AREA TO BE OPERATED AND RESTORED BY CITY OF DOVER. ANY CHANGES IN THIS AREA ARE NOT A PART OF THIS PLAN. THE LAST OBSERVATIONS IN THIS AREA WERE CONDUCTED IN DECEMBER 1998.

NOTES:

- 1.) HORIZONTAL AND VERTICAL DATUM IS CITY OF DOVER / GEOD CORP.
- 2.) THE EXISTING CONDITIONS DEPICTED ON THIS PLAN ARE AS MAPPED BY THIS OFFICE, DECEMBER 1998, AND UPDATED THROUGH MARCH 2010. CONTOUR INTERVAL = 2 FEET.
- 3.) ALL SIDE SLOPES ARE TO BE RECLAIMED AND REVEGETATED. MAXIMUM SLOPES ARE TO BE 2 TO 1. SEE RECLAMATION PLAN.
- 4.) MINIMUM SETBACK FROM PROPERTY LINES TO TOP OF SLOPES:
- 50 FEET FROM R.O.W. LINE OF MAST ROAD
- 10 FEET FROM ABUTTING PROPERTY LINES
- 5.) SHADED AREAS DEPICT SLOPES OF 2:1 OR GREATER.
- 6.) PAVED AND GATED ENTRANCE AT MAST ROAD TO PREVENT MATERIAL FROM BEING TRACKED ONTO ROADWAY.
- 7.) BASED ON MONITORING WELLS, WATER TABLE IS ELEVATION 96±.
- 8.) BERMS ON WORKING FACES WILL BE PLOWED IN WINTER.
- 9.) BUILDING ZONE IS I-4.
- 10.) MATERIAL IS TO BE EXTRACTED TO A BOTTOM ELEVATION OF 100.
- 11.) EXCAVATION WILL NOT TAKE PLACE BELOW 4' ABOVE THE CURRENT

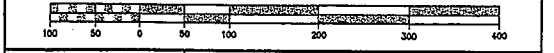
OWNER OF RECORD:
CITY OF DOVER
288 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE

EXCAVATOR:
SEVERINO TRUCKING CO., INC.
P.O. BOX 202
CANDIA, NEW HAMPSHIRE

- 2010 -

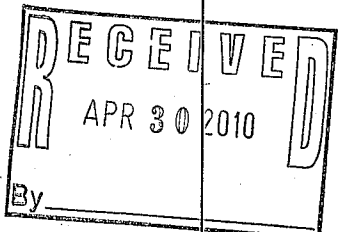
EXCAVATION PLAN
EARTH EXTRACTION OPERATIONS
TAX MAP H, LOT 58
MAST ROAD
DOVER, NEW HAMPSHIRE
COUNTY OF STRAFFORD

DRAWN BY: KJF FILE: VK CP\1061\2010
SCALE: 1" = 100' DATE: MARCH 22, 2010



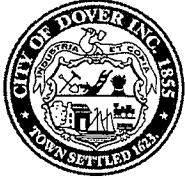
McNeaney
Survey
Associates, inc.

P.O. Box 681 - 24 CHESTNUT STREET
DOVER, NH 03802 (603) 740-0011



NO	REVISIONS	DATE	BY	CHECKED	PAGES
1	UPDATE WELL WATER ELEVATIONS	06-01	KJF	CA	66-69
2	DESCRIPTION		BY	CHK	
3	TOPO	06-01	66-69		
4	TYPE	FIELDBOOK & PAGES			

For Registry of Deeds Use



CITY OF DOVER

PLANNING BOARD - STAFF MEMO PRUVEN EXTRACTION PERMIT APPLICATION

Application Type: Annual Extraction Permit
Applicant: Pruven Aggregates, Inc.
Owner: Pruven Aggregates, Inc.
Location: 349 Mast Road (Assessor's Map H, Lot 59)

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LOTS/UNITS PROPOSED:

None.

AGENDA ITEM #: ---

FILE: Proulx 2010

APPLICANT(S): Pruven Aggregates Inc.

OWNER(S): Pruven Aggregates Inc.

LOCATION: 349 Mast Road
(Assessor's Map H, Lot 59)

ACREAGE: 25.4 acres

ZONING DISTRICT: I-4

EXISTING LAND USE:
Extraction of earth materials for sale

PROPOSED LAND USE:
Same as above

SURROUNDING LAND USE:
Extraction industries, concrete batch plant, municipal DPW facility and Single Family Houses

ZBA ACTION: none

ATTACHMENTS:
Excavation plan, Reclamation plan and required permit documents

PERMITS REQUIRED:
Extraction permit

WAIVERS REQUESTED:
None

Planning staff met with the pit owner/operator to discuss requirements in April. Staff performed site inspections in April and on May 21, 2010. The application materials are complete. The excavation/ reclamation plans are complete. The Planning Department recommends the extraction permit be approved with a caveat that any time-based conditions that are not met and certified by the owner/operator may result in the Planning Board considering permit revocation at the next regularly scheduled meeting, and these following conditions:

1. The owner shall comply with Best Management Practices document submitted to the Board with the previous permit submittal.
2. The April 13, 2005 letter to the Planning Board Chair continues to be a part of this permit.
3. The property shall not be used for the storage or introduction of any foreign materials unless the pit operator has sought and received advance written permission from the City's Environmental Projects Manager (Mr. Dean Peschel)
4. Continue regular access roadway water wash-downs, to include updating and submitting the schedule of same to the Planning Office by May 28, 2010.
5. Continue to mitigate blowing sand, dust and other particulate matter near the Mast Road property frontage throughout the permit year.

Account # _____
Application Fee Paid \$143.24
CK# 007563

Permit Fee _____

Date Received _____
Time Received APR 13 2010
BY: _____

CITY OF DOVER, NEW HAMPSHIRE EXTRACTION PERMIT APPLICATION

Application is hereby made for an extraction permit pursuant to the procedures set forth in the City of Dover's Zoning Ordinance.

(FOR OFFICE USE ONLY)

This application is hereby approved (disapproved) and permission is hereby granted (refused) to the applicant. This approval is good for one year from the date specified. Once approved by the Planning Board, a permit fee of \$75.00 shall be paid prior to the permit taking effect.

SUBJECT TO THE FOLLOWING CONDITIONS:

APPROVED BY: _____ DATE: _____

(FOR APPLICANT TO FILL OUT)

1. GENERAL INFORMATION

Date: 4/12/2010 Project Number: _____ Telephone #: (603)664-8816

Name of Applicant: Praven Aggregates, Inc.,

Address of Applicant: 349 Mast Road, Dover NH 03820

Name of Property Owner: Praven Aggregates, Inc.,

Address of Property Owner: 349 Mast Road, Dover NH 03820

Address of Property Being Excavated: See Attached

Assessor's Map # 11 Lot #: 11

Acres of Land: 11 Zoning District: 11

Depth of Excavation: 11 Finished Elevation: 100^{ft} per agreement

Elevation of Highest Annual Average Groundwater Table: _____

Projected Length of Excavation Project: 8 to 10 years +/-

2. PROFESSIONAL SIGNOFF

Name of Professional (Licensed in NH)

American Engineering

Check One: Engineer

Land Surveyor

Architect

Address:

12 Meserve Rd, Durham N.H. 03824

License No.

#5353

Tele. #

(603)868-1227

PLEASE RETURN THE FOLLOWING WITH YOUR APPLICATION TO THE PLANNING OFFICE:

1. List of abutters within 200 feet
2. 16 copies of sketch of the location with boundaries (one sent to Conservation Commission)
3. 16 copies of restoration plan (one sent to Conservation Commission)
4. Tax Collector's statement that all property taxes have been paid in full & that excavation taxes have been paid in full & that there are no unreleased tax liens encumbering said properties
5. Surety Bond or other form of performance guarantee
6. Copy of Notice of Intent to Excavate that is filed with Assessor's Office
7. **An annual report documenting compliance with the requirements of Zoning Section 170-28, Groundwater Protection. Pursuant to RSA 155-E:11, the requirements of this section may be waived if the applicant demonstrates that such exception shall be recorded in the Registry of Deeds, and one copy filed with the NH Department of Environmental Services**
8. Check made out to the City of Dover for fees listed below:

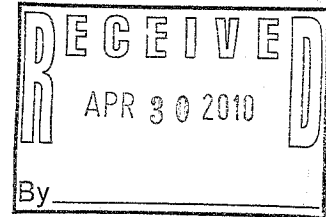
\$50.00 application fee

\$25.00 Foster's ad

\$4.64 per abutter & applicant for certified mail notification

PRUVEN AGGREGATES INC.

**P.O. Box 85
Dover, N.H. 03821**



Tel: (603) 664-8816

Fax: (603) 664-7124

April 15, 2010

Planning Board
City of Dover, NH
288 Central Ave
Dover, N.H. 03820

Dear Mr. Chairman:

Pruven Aggregates, Inc., is the owner and operator of the gravel pits, washed sand, and gravel operation on Mast Road, Dover, N.H.

Our fuel is contained in our registered fuel tanker, chemicals are not used by Pruven Aggregates as part of their operations in Dover, and our wet processing plant enables us to constantly perform dust control. The traffic of the operation is self-contained with all entering and exiting trucks coming in/off (or traveling to) Mast Road and Route 108. Several measures have been taken to further noise control and abatement, in coordination with the Mine Safety and Health Administration, Bureau of Mines, U.S. Government. The site safety of unauthorized persons is also within the guidelines of M.S.H.A.

The following responses are to section 170-30.3. Application Submission Items.

A. Excavation Plan:

1. A. Property Owner:

Pruven Aggregates, Inc.
P.O. Box 85
Dover, N.H. 03821-0085

B. Abutters:

1. City of Dover, N.H. (H-58)
288 Central Ave.
Dover, N.H. 03820

2. New Meadows (H-35D & H-35E)
1 Lilac Lane
Dover, N.H. 03820

3. Tyra Inc. (H0060-000000, H0060-001000)
P.O. Box 907
Portsmouth, N.H. 03802

4. Mr. James McDonald (H0005-B00000)
Stacie De Rosa
330 Mast Road
Dover, N.H. 03820

5. Mr. David Browne (H0005-B00001)
324 Mast Road
Dover, N.H. 03820

6. Heron Bay Partners, LLC (H0004-000000)
242 Central Ave
Dover, N.H. 03820

2. ~~Please see attached plan titled "Excavation Plan-2010".~~
3. Please see attached plan titled "Excavation Plan-2010", our property is entirely within the I-4 zoning district.
4. Please see attached plan titled "Excavation Plan-2010". The entire site is available for excavation pursuant to RSA 155-E and applicable State operational requirements.
5. Please see attached plan titled "Excavation Plan-2010".
6. Please see attached plan titled "Excavation Plan-2010".
7. Please see attached plan titled "Excavation Plan-2010".
8. Please see attached plan titled "Excavation Plan-2010".
9. Please see attached plan titled "Excavation Plan-2010", and also fourteen-foot (14 ft.) asphalt driveway.
10. Please see attached plan titled "Excavation Plan-2010".
11. Per agreement with Planning Staff, 96 ft. and 4 ft. buffer rule.
12. Per agreement with Planning Staff, 96 ft. is seasonal high water table.
13. Our property has natural vegetation along the Belamy River, day lighting agreements with Tyra Inc., and the City of Dover, N.H. to the East and West, and berms and vegetation along Mast Road. Please see attached plan titled "Excavation Plan-2010". Berms are constructed from "fill" material at a height of 4 to 6 feet in accordance to M.S.H.A. guidelines.
14. Same as last years.
15. Same as last years.
16. We heat our garage with a "State of the art" waste oil burner, which consumes all our waste oils. Our anti-freeze is recycled and reconstituted by our own recycling machine. Please see last years Spill Prevention Control and Countermeasure, in addition, operation complies with D.E.S. Best Management Practices.
17. The entrance onto Mast Road used by Tyra, City of Dover, N.H., and Mast Road Sand & Gravel, is paved. Our other entrances in Dover are kept damp.

18. Please see attached U.S. Army Corps. of Engineers Permit and Storm Water Pollution Prevention Plan, Permit#NHR05A671 and NHDES Air Resources Division Permit.

Our operation is a "Prior existing, nonconforming, grand-fathered pit".

B. Reclamation Plan:

1. Please see attached plan titled "Reclamation Plan-2010".
2. Please see attached plan titled "Reclamation Plan-2010".
3. Please see attached plan titled "Reclamation Plan-2010".
4. Please see attached plan titled "Reclamation Plan-2010".
5. Please see attached plan titled "Reclamation Plan-2010".
6. The final reclamation of this property is many years out and to be sensitive to the ground water with respect to fertilizers. We will comply with State reclamation standards in effect at time of final reclamation.

C. Other Information:

1. Pruven has neither collected nor documented wellhead or water elevation data since the completion of the hydrology study organized and prepared by GZA Geoenvironmental, Inc., in May of 2008. GZA was commissioned by the City of Dover, and funded by Pruven Aggregates, Inc., to analyze and determine a reasonable and lasting estimation for an otherwise fluctuating water elevation. The 2008 GZA study considered both seasonal fluctuations and the uncertain influence of localized artificial recharge in recommending that the maximum seasonal groundwater elevation be fixed at 96' ASL. Based on the GZA's recommendations, and consistent with Dover's groundwater regulations, Pruven has maintained a corresponding minimum pit floor elevation of 100'. Pruven per GZA's recommendation, plans to observe the same 100' minimum pit floor elevation for excavation year "2010".
2. Please see attached copy.
3. Please see attached copy.
4. Please see attached copy.

Respectfully submitted,

Richard L. Proulx, Jr.
V.P. Pruven Aggregates, Inc.

May 26, 2004

Chairman Cole
Dover Planning Board
Department of Planning and Community Development
288 Central Avenue
Dover, New Hampshire 03820

Re: Pruven Aggregates, Inc. ("Pruven")

Dear Chairman Cole:

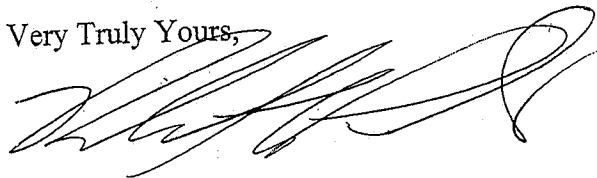
On May 11, 2004, the Dover Planning Board ("the Board:") renewed Pruven's Status as a prior existing, non-conforming, grandfathered excavation operator subject to certain conditions and waivers as recommended by the planning staff. This letter is intended to clarify Pruven's status as an exempt or "grandfathered" excavation operator with a permanent wash plant, established and continuously operated since 1954.

From the Board's May 11, 2004 minutes (published in draft format on May 24, 2004), any reference to "Permit" is incorrect. For the record, it is important to note that Pruven's operations are exempt from local permitting pertaining to "existing Excavations" under RSA 155-EE:2(I). Thus, and reference to a "permit" for Pruven's operation is incorrect.

To the extent the Board desires that Pruven satisfy its "beyond compliance" requests, such requests are an expansion of the minimum operational standards within RSA Chapter 155-E and inconsistent with Pruven's status as a "grandfathered" operator exempt from local permitting. Having said this, Pruven values its relationship with the City of Dover and enjoys its status as a respected corporate neighbor. For these reasons, Pruven will take under serious consideration the "beyond compliance" requests levied by the Board during its certification.

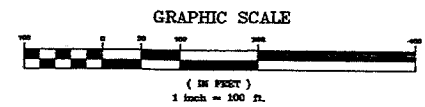
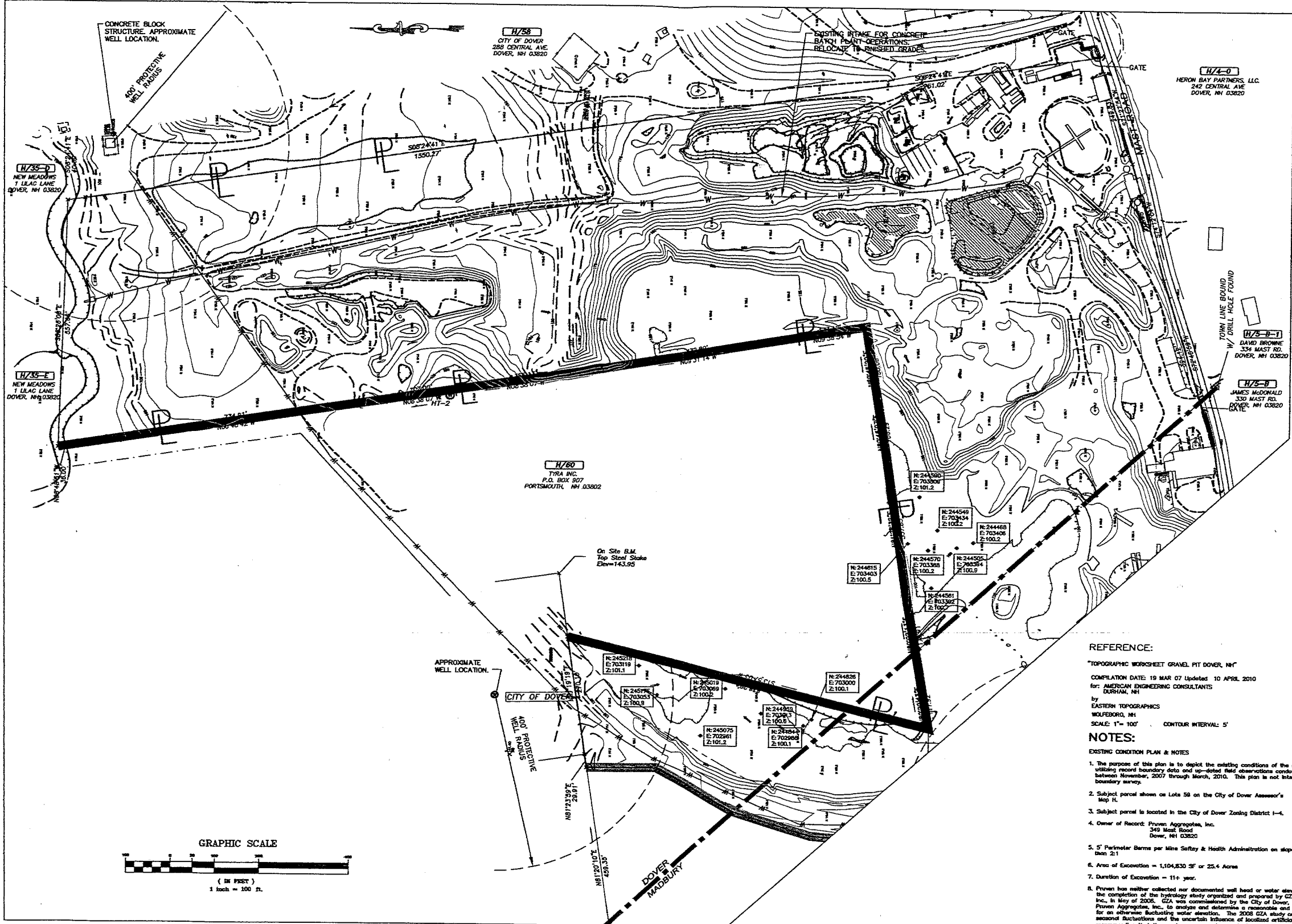
We appreciate the opportunity to clarify the record. Please contact us with any questions.

Very Truly Yours,



Richard L. Proulx, Sr.

Cc: Ari B. Pollack, Esq.

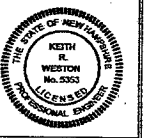


REFERENCE:
 TOPOGRAPHIC WORKSHEET GRAVEL PIT DOVER, NH
 COMPILED DATE: 19 MAR 07 Updated: 10 APRIL 2010
 for: AMERICAN ENGINEERING CONSULTANTS
 DURHAM, NH
 by:
 EASTERN TOPOGRAPHICS
 WOLFEBORO, NH
 SCALE: 1" = 100' CONTOUR INTERVAL: 5'

NOTES:
 EXISTING CONDITION PLAN & NOTES
 1. The purpose of this plan is to depict the existing conditions of the subject parcels utilizing record boundary data and up-dated field observations conducted between November, 2007 through March, 2010. This plan is not intended to be a boundary survey.
 2. Subject parcel shown on Lots 58 on the City of Dover Assessor's Map H.
 3. Subject parcel is located in the City of Dover Zoning District 1-4.
 4. Owner of Record: Pruvex Aggregates, Inc.
 349 Mast Road
 Dover, NH 03820
 5. 5' Perimeter Berms per Mine Safety & Health Administration on slopes greater than 2:1
 6. Area of Excavation = 1,104,830 sq' or 25.4 Acres
 7. Duration of Excavation = 11+ year.
 8. Pruvex has neither collected nor documented well head or water elevation data since the completion of the hydrology study organized and prepared by GZA Geoenvironment, Inc. in May of 2008. GZA was commissioned by the City of Dover, and funded by Pruvex Aggregates, Inc. to analyze and determine a reasonable and lasting estimation for an otherwise fluctuating water elevation. The 2008 GZA study considered both seasonal fluctuations and the uncertain influence of localized artificial recharge in recommending that the maximum seasonal groundwater elevation be fixed at 96' ASL. Based on the GZA's recommendations, and consistent with Dover's groundwater regulations, Pruvex has maintained a corresponding minimum pit floor elevation of 100'. Pruvex per GZA's recommendation, plans to observe the same 100' minimum pit floor elevation for excavation year 2010.

ISSUE	DATE	DESCRIPTION	BY	CHKD

AMERICAN ENGINEERING
 CONSULTANTS, CORP.
 12 Meserve Road, Durham, NH 03824 (603)868-1227



EXCAVATION PLAN (DOVER)
PRUVEX AGGREGATES, INC.
 Dover, New Hampshire

DESIGNED: KW
 CAD: Dover Sand
 DATE: April 1, 2010
 JOB No.: DS&G
 SCALE: H: 1" = 100'
 V: n/a
 SHEET OF
 1 2



CITY OF DOVER

PLANNING BOARD STAFF MEMO FILE: P10-20

Application Type: Major Subdivision
Applicant(s): Sonoma Builders, Inc.
Owner(s): Mary A. Moscato Trust of 2001
Location: 46-48 Arch Street (Assessor's Map 11, Lot 16)
Date: May 25, 2010

INTENT: Subdivide 1 lot into 6 lots

LOTS/UNITS PROPOSED: 6 Lots/14 units

AGENDA ITEM #: 1

ACREAGE: 3.518 Acres

ZONING DISTRICT: RM-U

EXISTING LAND USE:
Triplex

PROPOSED LAND USE:
7 Duplexes, 14 units

SURROUNDING LAND USE:
Single Family Residential

ZBA ACTION: None

ATTACHMENT:
Subdivision plan

PERMITS REQUIRED:
None

WAIVERS REQUESTED: None

The applicant has submitted a set of plans for review. The applicant wishes to subdivide the existing lot into seven single family lots and construct a public roadway. This is a major subdivision. The houses would be serviced by public water and sewer.

The applicant met with staff on November 30, 2009 and February 18, 2010. The applicant appeared before the Technical Review Committee on April 8, 2010. At all three meetings staff advised the applicant that three waivers were required for this project:

- 155-32B), which requires an easement to adjacent property for future connectivity
- 155-32F), which requires a minimum block length of 500 feet, where 384 feet is provided.
- 155-32G), which requires a minimum distance of 400 feet from the intersection with an arterial roadway (Washington Street), where 302 feet is provided.

At these meetings and at subsequent meetings in early May, the applicant disagreed with staff's assessment that the waivers are required. The applicant has chosen to proceed without the waivers. Please see the attached letters as background.

The waiver section outlined in 155-51 sets a process for applicants who believe their property is unique and can not meet the requirements set forth. This applicant has chosen to proceed without requesting waivers.

The Planning Board could decide not to accept jurisdiction over the project, as it does not meet the requirements of a complete application (the waiver requests). Alternatively, the board can accept jurisdiction and process the application.

Should the Board accept jurisdiction, the Planning Department recommends denial of the subdivision plan based upon the fact that it does not meet the requirements of Chapter 155. The waivers are required and not providing them creates an unsafe situation and is not consistent with the standards and regulations the City has.

KEANE & MACDONALD

A PROFESSIONAL CORPORATION • ATTORNEYS AT LAW

May 4, 2010

Christopher G. Parker
Director of Planning and Community Development
CITY OF DOVER
288 Central Avenue
Dover, NH 03820

RE: Sonoma Builders, Inc. - Story Street Subdivision

Dear Mr. Parker:

This letter will advise you that I represent Sonoma Builders, Inc. Sonoma Builders, Inc. has made an application for a subdivision of land located at Dover, Tax Map 11, Lot 16, 46 - 48 Arch Street. The subdivision application was referred to the Technical Review Committee who submitted comments to the Planning Department following their review. The subdivision application is scheduled to be considered at the Planning Board meeting on May 25, 2010.

The purpose of this letter is to address certain comments made by the Technical Review Committee in their Comment Memorandum dated April 10, 2010.

First, the Technical Review Committee indicated that the road intersection is less than 400 feet from the Arch/Washington Street intersection and that a waiver was needed. It is our position that a waiver is not required. Chapter 155, Article VII, Section 155-32 (G) of the Dover Subdivision Regulations addresses Intersections with a collector or major arterial roads. It states that local or secondary street openings into such roads shall be at least four hundred (400) feet apart. The plan submitted to the Planning Board by the applicant and reviewed by the Technical Review Committee shows that the proposed road will be 405 feet from the nearest intersection and therefore it is in compliance with the subdivision regulations.

Page Two

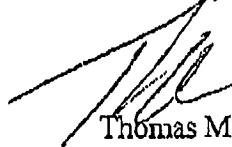
The second requirement which we take issue with is the fact that a waiver is required for a Block size less than five hundred (500) feet. Chapter 155, Article X, section 155-60 of the Dover Subdivision Regulations defines a Block as a tract of land bounded by streets or by a combination of streets and public land, railroad rights of way, water ways or other barriers to the continuity of the development. The Subdivision in question does not meet this definition. The subdivision is not surrounded by streets and public land, railroad rights of way, water ways or other barriers to the continuity of the development and therefore fails to meet the definition of a Block. Furthermore, the City of Dover has never interpreted a cul-de-sac as creating a block. Therefore a waiver from this provision is unnecessary.

Finally the right-of-way continuing through to the abutting land to the south is unnecessary and unwarranted. The property to the rear of Map 11, Lot 14 contains extensive wetland areas within the conservation district. It is comprised of deep slopes and is wet and not buildable. Under Chapter 155, Article VII, Section 155-32 (B), the regulation requires streets and/or right-of-ways into adjoining subdivisions which are not yet developed in order to make possible necessary fire protection, movement of traffic and the construction or extension of needed utilities and public services. However, this section states that where the topography or other conditions make such continuance undesirable or impractical the above conditions may be modified. In the case at hand, the abutting property is unbuildable making the continuation of the street impractical or impossible and for these reasons this requirement is unnecessary.

Therefore, for the above reasons, I would ask that the above referenced Technical Review Committee comments and recommendations be deemed to be unnecessary..

Thank you.

Sincerely,

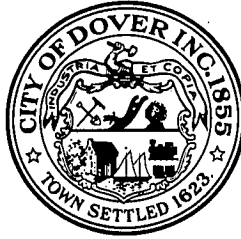


Thomas M. Keane

TMK/lch

KEANE & MACDONALD
A PROFESSIONAL CORPORATION • ATTORNEYS AT LAW

CHRISTOPHER G. PARKER, AICP
Director
c.parker@dover.nh.gov



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

City of Dover, New Hampshire

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

May 6, 2010.

Thomas Keane, Esq
Keane & Macdonald
1000 Market Street; Building 2, Suite 7
Portsmouth, NH 03801

RE: Sonoma Builders, Inc – Story Street Subdivision

Dear Attorney Keane:

Thank you for your letter dated May 4, 2010, regarding the need for waivers for the above project. I do not concur with your assertions, and believe that all three items need to be addressed. I have mentioned these three items two times prior to our TRC meeting, the first being November 30, 2009, the second being on February 18, 2010, when I met with your client and TriTech Engineering.

The following is my response to your positions:

Regarding Chapter 155 Section 32 G) - the proximity to the Washington and Arch Street intersection - I have reviewed the plans dated March 18th, 2010 with a scale of one (1) inch to forty (40) feet. Using a scale ruler, I have determined the distance from the intersection is three hundred (300) feet. Please document for me how you measure the four hundred five (405) foot distance you claim in your letter.

To be clear, the intention behind this regulation is to reduce conflict points, minimize congestion and to ensure public safety through adequate site distances. As you may be aware, the turn from Washington onto Arch is at what's called a soft right, as it does not require a full stop and staff has concerns about the interaction between vehicles on Washington and those exiting the proposed street.

In regards to the waiver from the block requirements, Chapter 155 Section 32 F), I do not understand your position. You quote the definition and I fail to understand how the property proposed for subdivision is not bounded by a street and railroad right of way. The subdivision plan clearly shows the property fronting on a public street (Arch Street) and abutting the railroad right of way to the rear. You state that "the City of Dover has never

interpreted a cul-de-sac as creating a block.” The claim of never, notwithstanding, I am not sure a cul-de-sac is the issue. I would be interested in examples of sub five hundred (500) foot long blocks in Dover; especially those that are public roads. Please supply my office a list of examples you believe were approved without waiver. Your assistance in understanding your position would be appreciated.

The block style of development is integral to the urban form of development, and while normally connected as part of a grid network, the grid is not a requirement. In urban design, this arrangement is intended to provide good social interaction among people, as well as logical and clean development patterns.

Finally, regarding the connectivity to abutting properties, Chapter 155 section 32 B), I have not seen a wetlands study or topographic map of the adjacent lot (Assessors Map 11, Lot 14), so I cannot comment on your claim that it is undevelopable due to wetlands and steep slopes. You correctly state that based upon topography or other conditions the Planning Board may deem it un-necessary to require the easement over the property. I believe this would be the basis for the waiver from the requirement; the waiver is the process by which the Planning Board makes the determination that there is no need to require connectivity. Please furnish a plan of said adjacent land or other technical documentation that supports your claims that the land is undevelopable.

As I am sure you can imagine, proper planning looks to the future. In this case the regulation requiring connectivity is looking to ensure that where adjoining properties can be connected via a roadway they should. This creates neighborhoods and through streets which encourage good design and are consistent with the urban surrounds of the project location.

Should you wish to continue to assert that no waivers are necessary I will place you on the May 25, 2010 Planning Board agenda for the Planning Board to hear your appeal of my decision. The Planning Board cannot take action on the proposed subdivision until this item has been resolved.

Should you wish to have the subdivision appear on the agenda instead, please submit the waiver requests in writing prior to noon on May 10, 2010.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Parker', written in a cursive style.

Christopher Parker, AICP
Director of Planning and Community Development

Cc: Allan Krans, City Attorney

CHRISTOPHER G. PARKER, AICP
Director
c.parker@dover.nh.gov



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

City of Dover, New Hampshire

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

May 7, 2010

Thomas Keane, Esq
Keane & Macdonald
1000 Market Street; Building 2, Suite 7
Portsmouth, NH 03801

RE: Sonoma Builders, Inc – Story Street Subdivision

Dear Attorney Keane:

Thank you for your meeting with myself, Dave White, City Engineer and Attorney Krans, regarding the need for waivers for the above project. I now have a better understanding of your thought process on the waivers.

Again, regarding Chapter 155 Article VII Section 32 G) - the proximity to the Washington and Arch Street intersection - I now see why our measurements diverged and hope you understand my concerns relative to public safety through adequate site distances. As we left it at our meeting, you now see my concerns relative to the turn from Washington onto Arch St. If you choose to have a revised traffic study completed we will look at having a peer review look at the study and make a decision regarding mitigation of safety concerns.

In regards to Chapter 155 Article VII Section 32 F), I now understand your position. I am willing to take a closer look at the definition of "block" and its application in previous subdivisions. As stated today, the subdivision plan clearly shows the property fronting on a public street (Arch Street) and abutting the railroad right of way to the rear, as well as wetlands to the south. What I will be considering when I review the definition is the phrase "other barriers to the continuity of a development". I want to consider if wetlands are a barrier to continuity to a development.

Finally, regarding Chapter 155 Article VII section 32 B), I believe I can support a waiver request for not extending an easement through to the adjacent lot (Assessors Map 11, Lot 14), based upon the perceived lack of development potential. That said, I am now wondering if there is potential to connect through to (Assessors Map 11, Lot 14B-1) through either proposed lots 16-4 or 16-5. This might avoid the wetlands/steep slopes. I recognize that we did not discuss this option yesterday. You might ask TriTech to consider that potential if they have not.

As we discussed, some methods to obviate the need for waivers are:

- Create one additional frontage lot on Arch Street which could have a duplex placed on it by right or up to four units after a special exception was granted.
 - This would utilize the existing structure
 - This would also lower your development costs
 - Less impact fees
 - Less investment fees
 - Less infrastructure costs
 - This would remove the need to meet all three waivers
 - No roadway would be created, so no block would be created
 - No new intersection would be created
 - No new connection to adjacent property would be reviewed
- Remove the existing structure and subdivide into three lots on Arch St.
 - If one went this route you could create two additional lots which could have a duplex placed on it by right or up to four units after a special exception was granted.
 - This would have an increase in the above mentioned costs, but not as substantial as the subdivision.
 - This would remove the need to meet all three waivers
 - No roadway would be created, so no block would be created
 - No new intersection would be created
 - No new connection to adjacent property would be reviewed
- Bill indicated he would need at least a net increase of 10 units for an acceptable ROI. In order to meet that one could:
 - Apply for a variance for an multi-family building on the property
 - Apply for a variance for 2 buildings with more than 4 units in each
- We also discussed that as mitigation for the proximity to the Washington Street intersection, Bill could look into creating a three way stop at the intersection realigning Washington Street to slow down traffic turning onto Arch Street.

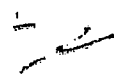
I look forward to hearing from you or your client as to the direction he wishes to take, by Monday, May 10, 2010. If you have any further questions, please don't hesitate to contact my office. Finally, I am available to continue reviewing alternative options on the property.

Sincerely,

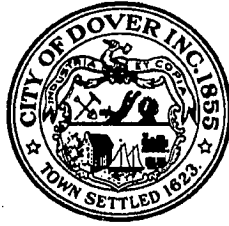


Christopher Parker, AICP
Director of Planning and Community Development

Cc (via email): Allan Krans, City Attorney
Dave White, City Engineer



CHRISTOPHER G. PARKER, AICP
Director
c.parker@dover.nh.gov



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(603) 516-6008
Fax: (603) 516-6007
www.dover.nh.gov

City of Dover, New Hampshire

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

May 10, 2010

William Goldstein
Sonoma Builders, Inc
35 Third Street
Dover, NH 03820

RE: Story Street Subdivision

Dear Mr. ^{Bill}Goldstein:

This letter is a follow up to ones mailed on May 6 and 7, 2010.

Thank you for your meeting with me regarding the above project Friday; based upon our continued discussion regarding the waivers necessary to approve the project I am writing to advise you that I do not foresee supporting the waivers. Without the waivers, staff would be required to recommend denial to the Planning Board for a seven lot subdivision upon your property located on Arch Street.

As we discussed, a method to obviate the need for waivers is to create one additional frontage lot on Arch Street which could have a duplex placed on it by right or up to four units after a special exception was granted. This would remove the need to meet all three waivers as no roadway would be created, thus no block would be created; no new intersection would be created and no new connection to adjacent property would be reviewed.

Without a plan I cannot comment on the success of the above concept, however, I feel that it would be a concept we could look to support with the Planning Board.

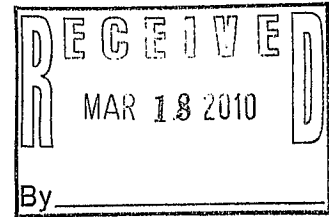
To answer your question regarding fees, should you withdraw your application, the City would abate the portion of the fees unexpended (notice and legal fees etc). At this point, my understanding is that you will be pursuing approval of your project, without waivers on May 25, 2010.

If you have any further questions, please don't hesitate to contact my office.

Sincerely,

Christopher Parker, AICP
Director of Planning and Community Development

Cc (via email): Allan Krans, City Attorney
Dave White, City Engineer



Account # <u>P10-20</u>	Date Received _____
Amount Pd. \$ <u>1036.48</u>	Time Received _____

**CITY OF DOVER
SUBDIVISION APPLICATION**

Applicant (s) Name sonoma Builders, Inc Phone _____

Applicant (s) Address 35 Third Street, Dover, NH 03820

Signature of Applicant(s) _____

Land Owner's Name(s) (if different from applicant) Mary A. Moscato Trust of 2001

Land Owner's Address (es) 48 Arch Street, Dover, NH 03820

Signature of Land Owner _____

Area of entire tract 3.518 acres, 153,246 square feet

Area being subdivided 3.518 acres, 153,246 square feet

Proposed number of lots 6

Zoning District RM-U Assessor's Map 11 Lot Nos. 16

Special District(s) Wetland Protection District Flood Hazard Zone _____ Conservation Zone _____ Other WPD

Development Data

Construction of Homes:
1. Number of dwelling units _____ 2. Number of buildings _____

Construction of Apartments:
1. Number of dwelling units n/a 2. Number of buildings n/a

Construction of non-residential units: Yes _____ No Explain _____

Professional Certification

Preparer of Plat Tritech Engineering Corporation, 755 Central Ave., Dover, NH 03820

Phone #: (603) 742-8107 Profession Professional Engineer, Land Surveyor

Abutters List

Subdivision of Land

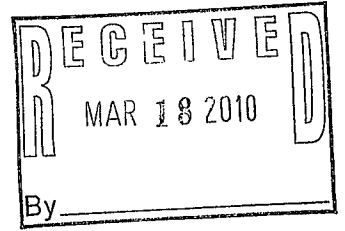
Sonoma Builders, Inc. Story Street Subdivision

Tax Map 11, Lot 16

46 - 48 Arch Street
Dover, New Hampshire

Job No. 09151

Page 1 of 2



Abutters:

- | | |
|------------------|--|
| Map 10, Lot 151 | Kenneth & Sandra McDavitt
PO Box 245
Sanbornville, NH 03872 |
| Map 10, Lot 152 | George & Jane Sherwood
43 Arch Street
Dover, NH 03820 |
| Map 10, Lot 153 | Peter & Patricia Driscoll
41 Arch Street
Dover, NH 03820 |
| Map 10, Lot 154 | Gerard & Anita St. Laurent
39 Arch Street
Dover, NH 03820 |
| Map 11, Lot 14 | Mark & Suzanne Jones
PO Box 1480
Rockport, TX 78381 |
| Map 11, Lot 14B | John & Sharon Buckley Revocable Living Trust
John & Sharon Buckley, Trustees
36 Arch Street
Dover, NH 03820 |
| Map 11, Lot 14B1 | Virginia C. Goodwin &
Earle Goodwin
34 Arch Street
Dover, NH 03820 |
| Map 11, Lot 15 | Innocenza & Evellina Bastianelli
40 Arch Street
Dover, NH 03820 |
| Map 11, Lot 17 | Boston & Maine Railroad
Iron Horse Park
High Street
N. Billerica, MA 01862 |

Abutters List

Subdivision of Land

Sonoma Builders, Inc. Story Street Subdivision

Tax Map 11, Lot 16

46 - 48 Arch Street
Dover, New Hampshire

Job No. 09151

Page 2 of 2

Owner:
Map 11, Lot 16

Mary A. Moscato Revocable Trust
Mary A. Moscato, Trustee
48 Arch Street
Dover, NH 03820

Applicant:

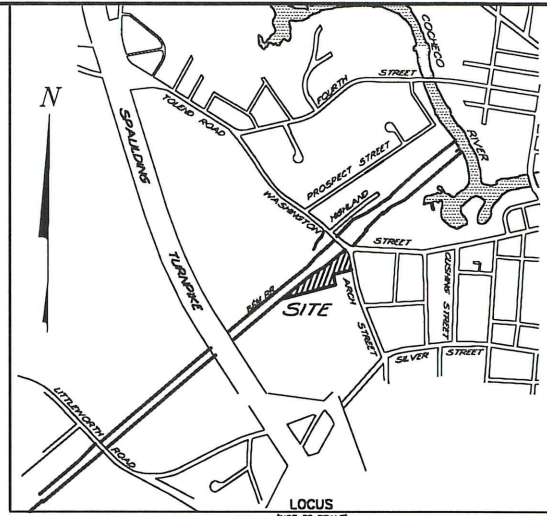
Sonoma Builders, Incorporated
34 Third Street
Dover, NH 03820

Agent:

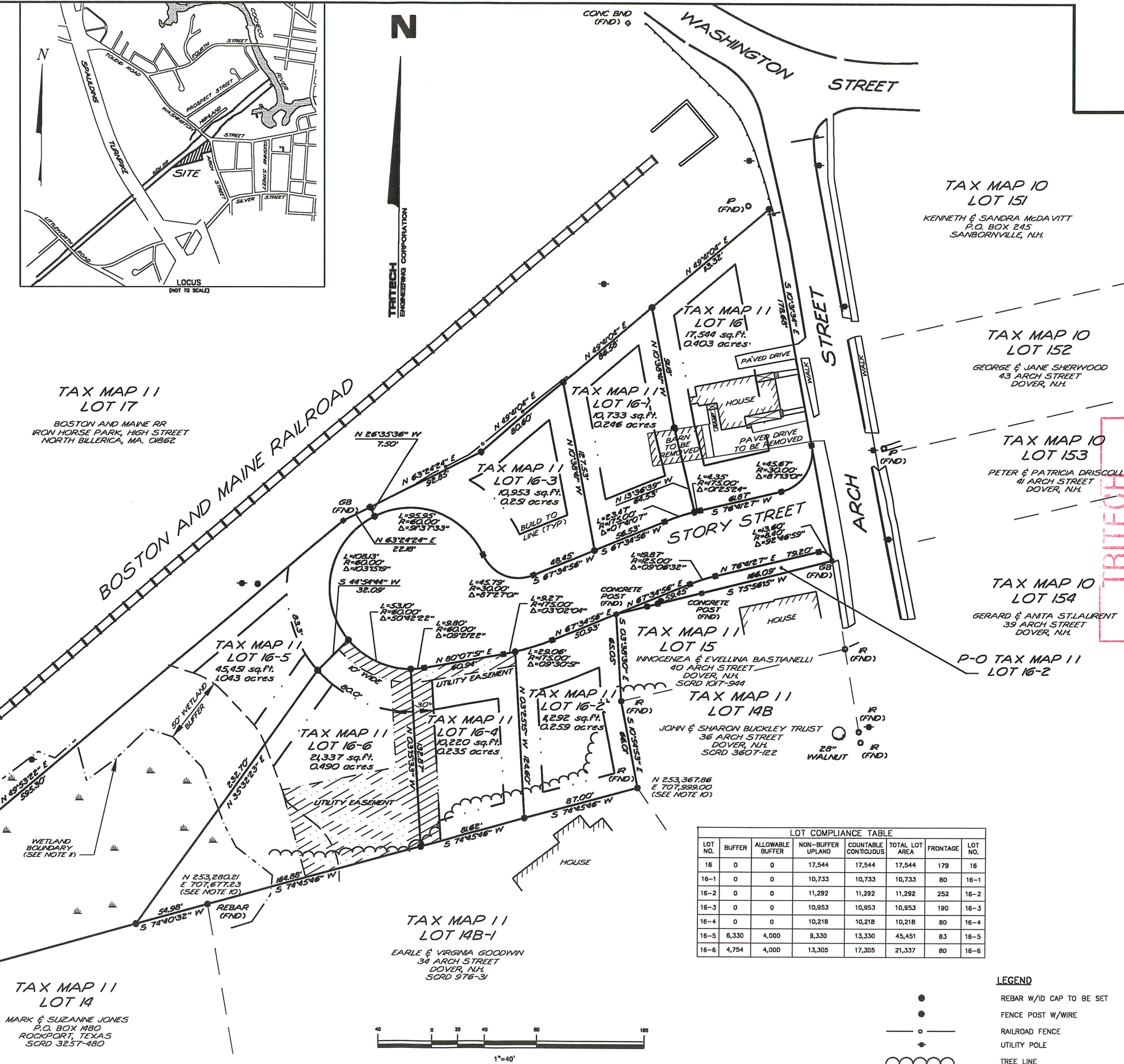
Tritech Engineering Corporation
755 Central Avenue
Dover, NH 03820

NOTES

- INTENT: TO SUBDIVIDE DOVER TAX MAP 11 LOT 16 INTO 7 LOTS, WITH A MAXIMUM OF 14 POTENTIAL UNITS.
- CURRENT OWNER OF RECORD: MARY MOSCATO REVOCABLE TRUST
48 ARCH STREET
DOVER, N.H. 03820
- SUBJECT PARCEL IS LOCATED IN THE CITY OF DOVER, COUNTY OF STRAFFORD AND THE STATE OF NEW HAMPSHIRE.
- TOTAL LOT AREA: 152,870 SQ.FT. - 3.509 ACRES
- TAX MAP 11 LOT 16
- PROJECT DEED REFERENCE: SCRD BOOK 2314 PAGE 691
- PROJECT PLAN REFERENCE:
ARCH ST
LAND IN
DOVER N.H.
ADAH S J CANNEY, ET ALS
TO BOSTON AND MAINE RAILROAD
MAY 1928 SCRD 2-15-36
PLAN OF LOT
EARLE JR. & VIRGINIA GOODWIN
DOVER, NEW HAMPSHIRE
G.L. DAVIS & ASSOCIATES
SEPTEMBER 1952 SCRD 1-2-54
RIGHT-OF-WAY AND TRACK MAP
BOSTON AND MAINE R.R.
OPERATED BY THE
BOSTON AND MAINE R.R.
STATION 3495+77 TO STATION 3545+57
OFFICE OF VALUATION ENGINEER
JUNE 30, 1914
LOT LINE ADJUSTMENT PLAN
FOR EARLE GOODWIN JR.
AND JOHN BUCKLEY
34 & 36 ARCH STREET
DOVER, STRAFFORD COUNTY, NEW HAMPSHIRE
KENNETH E. MOORE
MARCH 12, 2002 SCRD 66-53
- ZONING: RM-U
MIN. LOT SIZE: 10,000 SQ.FT.
MIN. FRONTAGE: 80 FT
MIN. SETBACKS:
FRONT: 32 FT (SEE SHEET T-2)
SIDE: 15 FT
REAR: 15 FT
MAX. LOT COVERAGE: 40 %
MAX. BUILDING HEIGHT: 40 FT
- THE RAW UNADJUSTED CLOSURE OF OUR RANDOM POINT TRAVERSE WAS 1 PART IN 43,000, AND WAS ACCOMPLISHED USING A LEICA TC 703 TOTAL STATION, DURING THE MONTH OF MARCH, 2010.
- BASIS OF BEARING: DOVER GIS SYSTEM WAS USED TO DETERMINE LOCATION, DIRECTION AND ELEVATION.
- DURING THE MONTH OF MARCH, 2010 MICHAEL MARIANO, STATE OF NEW HAMPSHIRE CERTIFIED SOIL SCIENTIST CONDUCTED AN ON-SITE WETLANDS DELINEATION OF THE SUBJECT PARCEL. WETLANDS WERE IDENTIFIED BASED ON THE CITY OF DOVER ZONING ORDINANCE (170-27.1) AND ON STATE & FEDERAL CRITERIA OUTLINED IN THE "CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL (DEPT. OF THE ARMY, 1987). ON THIS SITE, WETLANDS BASED ON LOCAL CRITERIA SHARE THE SAME BOUNDARIES WITH THOSE BASED ON STATE AND FEDERAL CRITERIA.
- SUBJECT PARCEL IS NOT WITHIN A FEDERALLY DESIGNATED SPECIAL FLOOD HAZARD ZONE (FLOOD HAZARD ZONE A - PANEL 0330D, MAP No. 33017C0310D, DATE: 5-17-2005).
- LOTS TO BE SERVICED BY CITY WATER AND SEWER.
- STREET ADDRESSES FOR EACH LOT SHALL BE ASSIGNED BY THE BUILDING INSPECTOR AT THE TIME OF ISSUANCE OF A BUILDING PERMIT.
- PLANS T-2, EX-1 & C-1 THROUGH C-6 ARE ALSO PART OF THIS APPROVAL.
- ALL ON-SITE UTILITIES SHALL BE INSTALLED UNDERGROUND.
- THE FINAL SUBDIVISION PLAN SHALL BE SUBMITTED IN A DIGITAL DXF FORMAT ON A TRANSFERABLE DISK TO THE CITY OF DOVER ENGINEER'S OFFICE.

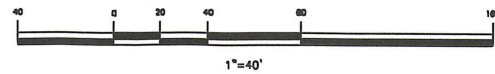


TAX MAP 11 LOT 17
BOSTON AND MAINE RR
IRON HORSE PARK, HIGH STREET
NORTH BILLERICA, MA. 01862



LOT NO.	BUFFER	ALLOWABLE BUFFER	NON-BUFFER UPLAND	COUNTABLE CONTIGUOUS	TOTAL LOT AREA	FRONTAGE	LOT NO.
16	0	0	17,544	17,544	17,544	179	16
16-1	0	0	10,733	10,733	10,733	80	16-1
16-2	0	0	11,292	11,292	11,292	252	16-2
16-3	0	0	10,953	10,953	10,953	190	16-3
16-4	0	0	10,218	10,218	10,218	80	16-4
16-5	6,330	4,000	9,330	13,330	45,451	83	16-5
16-6	4,754	4,000	13,305	17,305	21,337	80	16-6

- LEGEND**
- REBAR W/ID CAP TO BE SET
 - FENCE POST W/WIRE
 - RAILROAD FENCE
 - UTILITY POLE
 - ~ TREE LINE



TAX MAP 10 LOT 151
KENNETH & SANDRA McDAVITT
P.O. BOX 245
SANBORNVILLE, N.H.

TAX MAP 10 LOT 152
GEORGE & JANE SHERWOOD
43 ARCH STREET
DOVER, NH.

TAX MAP 10 LOT 153
PETER & PATRICIA DRISCOLL
41 ARCH STREET
DOVER, NH.

TAX MAP 10 LOT 154
GERARD & ANITA ST.LAURENT
39 ARCH STREET
DOVER, NH.

P-O TAX MAP 11 LOT 16-2

TAX MAP 11 LOT 14
MARK & SUZANNE JONES
P.O. BOX 1480
ROCKPORT, TEXAS
SCRD 3257-480

TAX MAP 11 LOT 14B-1
EARLE & VIRGINIA GOODWIN
34 ARCH STREET
DOVER, NH.
SCRD 976-31

TRITECH ENGINEERING CORPORATION
765 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820
TELEPHONE 603 748 1907
FAX 603 748 1930

TRITECH ENGINEERING CORPORATION

MAY 10 2010

REVISIONS	DATE	DESCRIPTION
1	5-10-10	REVISED PER TRAC COMMENTS

SUBDIVISION PLAN
SONOMA BUILDERS
STORY STREET SUBDIVISION
46-48 ARCH STREET
DOVER, NEW HAMPSHIRE
MARCH 18, 2010 SCALE: 1" = 40'

SHEET NO. S-1
(PI0-20)