

CITY OF DOVER

DOVER PLANNING BOARD – AGENDA

Meeting Type: Regular Meeting
Meeting Location: Council Chambers – 288 Central Avenue Dover NH 03820
Meeting Date: **Tuesday, August 23, 2011**
Meeting Time: **7:00 pm**

1. CITIZENS' FORUM

2. APPROVAL OF THE PRIOR MINUTES

- Amendment to June 28, 2011 Regular Meeting Minutes for address correction related to file (P11-27)
- July 26, 2011 Regular Meeting Minutes.

3. OLD BUSINESS

- A. Update on a Site Review and a Conditional Use application of land for STF Development, Assessor's Map I, Lot 18-1, zoned RM-SU/R-20, located on Durham Road/Route 108. (P11-13 and P11-14)
- B. Final compliance hearing for an Open Space Subdivision of land for Gladiola Lane Development, LLC, Assessor's Map A, Lot 28, located at Gladiola Way related to Autumn Ridge Subdivision. (P06-40)
- C. Consideration and acceptance of a amendment to a previously approved (07/26/11) Open Space Subdivision of land for Changing Places, LLC, Assessor's Map A, Lots 45 & 45A-2-1, zoned R-40, located at Olive Meadow Lane. *(P10-50A)

4. NEW BUSINESS

- A. Consideration and acceptance of a Conditional Use Permit for Aranco Oil Company, Assessor's Map 38, Lot 28, zoned B-3, located at 874 Central Avenue. (increase on site impervious area) *(P11-30)
- B. Consideration and acceptance of a Site Plan Review of land for Aranco Oil Company, Assessor's Map 38, Lot 28, zoned B-3 located at 874 Central Avenue. (demo existing structure & construct a 2,800 sq. ft. convenience store & gasoline sales) *(P11-35)
- C. Consideration and acceptance of a Minor Subdivision of land for LDSJ Holdings, LLC (Owner: Beulah Eldredge & Betharlene Weeden Miller, Trustees, Weeden Family Revocable Trust) Assessor's Map D, Lots 16 & 16-A, zoned B-4, located at 385 Sixth Street. (1 new lot) *(P11-36)
- D. Consideration and acceptance of a Site Plan Review of land for LDSJ Holdings, LLC (Owner: Beulah Eldredge & Betharlene Weeden Miller, Trustees, Weeden Family Revocable Trust) Assessor's Map D, Lots 16 & 16-A, zoned B-4, located at 385 Sixth Street. (Construction of a 5,544 sq. ft. Dental Clinic Building) * (P11-37)
- E. Consideration and acceptance of a Site Plan Review of land for MSC Civil Engineers & Land Surveyors, Inc. (Owner: The New Meadows, Inc.) Assessor's Map 4, Lot 35-D, zoned RM-SU/B-4, located at 1 Lilac Lane. (Proposed storage units) *(P11-38)
- F. Consideration and acceptance of a Conditional Use Permit for Berry Brook Condominium Association (Owner: Cynthia Dupuis), Assessor's Map 30, Lot 19B, zoned I-1, located at 34-40 Ash Street. *(P11-39)
- G. Consideration and acceptance of a Minor Subdivision of land for Kelley Nelson, Assessor's Map I, Lot 25C, zoned R-40, located at 48 Basil's Place. (1 new lot) *(P11-40)

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, Monday through Thursday from 8:30 am to 5:30 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. Follow us on Twitter @DoverNHPlanning and find us on Facebook at www.facebook.com/pages/Dover-NH/City-of-Dover-NH-Planning/446789895351



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

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Meeting Location: Council Chambers – 288 Central Avenue Dover NH 03820
Meeting Date: **Tuesday, June 28, 2011**
Meeting Time: **7:00 pm**

- A. Consideration and acceptance of a Conditional Use Permit for Geoffrey R. Aleva (Owner: Dover Housing Authority), Assessor's Map 20, Lot 96, zoned RM-U, located at ~~2 Union Street~~ 31-82 Union Street. *(P11-27)

Geoffrey R. Aleva, Civil Consultants representing applicant spoke. Proposal is to install a concrete headwall to reduce seepage in existing pipe and to install rip rap and plunge pool and vegetation to hold the embankment. Conservation Commission has approved, and the DES application has provided authorization to proceed through lack of response during timeline.

T.Clark noted a correction on site plan to the applicant.

Motion: G.Green made the motion accept the application. Seconded by L.Merullo. Vote: U/A.

Public hearing opened. No one spoke. Public hearing closed.

C.Parker stated that the Planning Department recommends that the Planning Board approve the conditional use permit with the following conditions:

Conditions to Be Met Prior to the Issuance of the Conditional Use Permit:

1. The applicant shall provide the Planning Department with a copy of the NH Department of Environmental Services Wetland dredge and fill permit.
2. Revise the plat to correct the spelling of the word "stream" on the plan.

Motion: L.Merullo made the motion to approve the application with staff conditions. Seconded by R.Cole. Vote: U/A.



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers – 288 Central Avenue Dover NH 03820
Meeting Date: **Tuesday, July 26, 2011**
Meeting Time: **7:00 pm**

Members Present: Marcia Gasses (Chair), Frank Torr (Vice Chair), Ron Cole, Dean Trefethen, Dave White, Linda Merullo, Lee Skinner, Gary Green (Alternate), Jake Forget (Alternate)

Members Not Present: Tom Clark, Dennis Ciotti (Alternate)

Staff Present: Steve Bird (City Planner), Jean Glidden (Recording Secretary)

The Chair called the meeting to order at 7:00 pm and announced that Items 3.A. & 3.B will not be heard tonight.

1. CITIZENS' FORUM

The Chair opened the Citizens Forum. No One Spoke. The Chair closed the Citizens Forum.

2. APPROVAL OF THE PRIOR MINUTES

- June 28, 2011 Regular Meeting Minutes.

Motion: F.Torr motioned to approve the June 28, 2011 Regular Meeting minutes. G.Green seconded. Vote: U/A.

3. OLD BUSINESS

- A. Consideration and possible vote on a Site Review of land for STF Development, Assessor's Map I, Lot 18-1, zoned RM-SU/R-20, located on Durham Road/Route 108. *(P11-13)
- B. Consideration and possible vote on a Conditional Use application for STF Development, Assessor's Map I, Lot 18-1, zoned RM-SU/R-20, located on Durham Road/Route 108. *(P11-14)

Items 3.A & 3.B will not be heard.

4. NEW BUSINESS

- A. Consideration, acceptance and possible vote on a Conditional Use Permit for wetlands impact for Summit Land Development, (Owner: Fortuna North LLC), Assessor's Map D, Lot 17-F, zoned B-4, located at 343 Sixth Street. *(P11-25)
- B. Consideration, acceptance and possible vote on a Conditional Use Permit for reduced parking spaces for Summit Land Development, (Owner: Fortuna North LLC), Assessor's Map D, Lot 17-F, zoned B-4, located at 343 Sixth Street. *(P11-29)
- C. Consideration, acceptance and possible vote on a Site Review of land for Summit Land Development, (Owner: Fortuna North LLC), Assessor's Map D, Lot 17-F, zoned B-4, located at 343 Sixth Street. (9,000 sq. ft. building for medical office) *(P11-26)

Chair announced that all three applications will be discussed with separate votes for each application.

Robert Stowell, Tritech Engineering represented the applicant. Proposal is to construct a one story, 9,000 sq. ft. medical office building with associated parking and drainage. This property is located on the corner of Sixth Street and Indian Brook Drive. This was before this Board in February to subdivide the five acre parcel. This has been before the Conservation Commission with favorable recommendations.



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B.Stowell continued with item B. The conditional use permit is to allow a reduction in parking spaces for a medical office building. This facility requires 51 parking spaces and this building will be used as a dialysis center and parking needs are dramatically less. Based on the knowledge of their needs we are asking to change 51 spaces to 36 parking spaces.

B.Stowell continued with item C. We have been through Technical Review Committee (TRC) on May 26, 2011 and July 14, 2100. This property was created under the Transfer of Development Rights (TDR) ordinance (Chapter 170.27.2). The applicant is proposing to use the TDR ordinance to obtain relief from the parking lot setback and building setback requirements. Parking spaces are proposed to be as close as 15 feet from the property line where 25 feet would be required. We have applied for a waiver to allow a driveway 215 feet from an existing driveway, where 230 feet is required. In speaking with Mr. Woodruff he is recommending a site distance of 200 feet.

L.Merullo confirmed that the reduced parking was addressed at TRC. She stated that she attended the meetings and is in full support of this project and that the developer will enhance landscaping to hide parking. She added that she is in agreement with the reduced parking for this use and added that this will be a quality project for the City of Dover.

D.Trefethen questioned the reduced parking spaces and if this use changes would the site have room to add parking spaces if needed. B.Stowell stated that this is the northerly end of the parcel and this is a very specific and long term lease for this use. D.Trefethen asked if this could be subdivided. B.Stowell said not likely, but there is room left for future development. D.Trefethen confirmed additional parking will be addressed if needed.

S.Bird noted that if this use changes the need of parking spaces would need to change. It would make sense to add a condition to this use if approved. He noted that you can make it so that a particular use requires revisiting the board.

M.Gasses stated that we can bring this back to make sure parking is adequate for that use. She stated that we make it a requirement, if it is a change of use, it would trigger that we would determine that the parking satisfies that use or it would be another application.

F.Torr asked why the parking is not in the rear of the building as the Board normally will set a precedence that it is located in the rear of a building. B.Stowell explained that this was discussion at TRC and we will hide it will landscape.

Motion: G.Green made the motion accept the application (Item A - P11-25). L.Merullo Seconded. Vote: U/A.

Motion: L.Merullo motioned to accept the application (Item B - P11-29). L.Skinner seconded. Vote: U/A

Motion: J.Forget motioned to accept the application (Item C - P11-26). R.Cole seconded. Vote: U/A

Public Hearing Open on items A, B & C. Nobody spoke. Public Hearing Closed.

S.Bird noted that the building setback will be 35 feet rather than 55 feet as submitted, however still comes under TDR. B.Stowell agreed.



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S.Bird continued with Item A, (P11-25) and noted that the Planning Department recommends approval of the conditional use permit for the wetlands with the following conditions:

Conditions to Be Met Prior to the Issuance of the Conditional Use Permit for Wetlands Impact:

1. The applicant shall provide the Planning Department with a copy of the NH Department of Environmental Services Wetland Permit.

Motion: L.Merullo motioned to approve with amended staff conditions. G.Green seconded. Vote: U/A.

S.Bird continued with Item B, (P11-29) and noted that an additional memo dated July 21, 2011 was submitted after the packet went out and is listed as condition #1. After the submittal and receiving that document we are recommending approval of the conditional use permit and deleting condition #1.

Conditions to Be Met Prior to the Issuance of the Conditional Use Permit for reduced parking spaces:

1. A formal agreement between the Planning Board and the applicant shall be prepared and recorded at the Strafford County Registry of Deeds.
2. The applicant shall revise the site plan to add a note stating that any change of use will require the owner to return to the Planning Board for reconsideration of the Conditional Use Permit.

Motion: L.Merullo motioned to approve with amended staff conditions. R.Cole seconded. Vote: U/A.

S.Bird continued with Item C, (P11-26) and noted that the Planning Department recommends that the Planning Board approve the site review application with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

1. The owner's signature shall be added to the final plan set submitted for signature.
2. The applicant shall provide the Planning Department with a digital version of the final plan.
3. The applicant shall add surveyor and engineer stamps and signatures to the appropriate sheets of the plan.
4. The approval includes the granting of the requested waiver for the driveway for the reasons stated by the applicant and as outlined above. The Board finds that the criteria of Chapter 149-19-A have been met.
5. The approval includes the granting of the requested TDR waiver for parking and building setbacks, per Chapter 170-27.2, F-4.
6. The applicant shall add the NH Wetlands Permit number to the plan.
7. The applicant shall provide the Planning Department with proof that the EPA Notice of Intent permit has been filed.

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

8. The new building shall pay the current impact fees in place at the time of building permit application.
9. Hours of construction shall be documented on a site construction sign along with the contact information for the general contractor. Said signage shall be located and approved by the City Engineer or Director of Planning and Community Development.

Conditions to Be Met Prior to Issuance of a Certificate of Occupancy:

10. The applicant shall provide a letter of credit or other form of security acceptable to the City for any unfinished work.

Motion: L.Merullo made the motion to approve with staff recommendations. R.Cole seconded.

Vote: U/A.



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 Meeting Location: Council Chambers – 288 Central Avenue Dover NH 03820
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D. Consideration and acceptance of a Minor Lot Line Adjustment of land for Cocheco Country Club, (Owner: Cocheco Country Club, First Hole LLC, & Cocheco Waters LLC,) Assessor’s Map N, Lots 8A, 15 & 16, zoned R-40, located at 145 Gulf Road. *(P11-31)

Nobody present. (See below item H)

Motion: R.Cole motioned to table the application. G.Green seconded. Vote: U/A

M.Gasses announced that she would be stepping down for the next two itmes.

Vice Chair F.Torr announced both items P10-50A & P11-34.

E. Consideration and acceptance of an amendment to a previously approved (March 22, 2011) Open Space Subdivision of land for Changing Places, LLC, Assessor’s Map A, Lot 45A-2-1, 45A-2-2 & 45A-2-3, zoned R-40, located at Olive Meadow Lane . *(P10-50A)

F. Consideration and acceptance of a Minor Lot Line Adjustment of land for Changing Places LLC, (Owner: Changing Places LLC & Jeffrey & Anne Bean) Assessor’s Map A, Lots 45 & 45A-2-1, zoned R-40, located at Olive Meadow Lane & 517 Sixth Street. *(P11-34)

Attorney Schulte explained the applications. The proposal is to convey land to relocate the driveway from Sixth Street on to Olive Meadow Lane. The applicant is asking to reduce no-cut zone from 50 feet to 30 feet. Mr. Bean is obtaining title to some of the buffer area and his home is more than 225 feet from any new home on these lots. Mr. Bean and Mr. O’Neil are present.

D.White confirmed that the developer would be responsible to relocate driveway and asked if this was part of the development plan. Attorney Schulte said we are looking to change Olive Meadow Lane and it is part of his project.

Motion: R.Cole motioned to accept the application (Item E – P10-50A). L.Merullo seconded. Vote: U/A

Motion: R.Cole motioned to accept the application (Item F – P10-34). G.Green seconded. Vote: U/A

Public Hearing Open on Item E and Item F.

F.Torr read a letter for the record in support of request (in file) submitted by Jeffrey Bean.

Public Hearing Closed

S.Bird continued with Item E, (P10-50A) and noted that the planning department supports the request to amend the approved subdivision plat. He added that the building setback on those three lots will remain at 50 ft. from the rear property line. Based on that change we recommend approval with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

1. The owner’s signature shall be added to the final plat submitted for signature.
2. The applicant shall provide the Planning Department with a digital version of the final plat.
3. The applicant shall add the surveyor stamp and signature to the plat.
4. The applicant shall revise the plat to add a note that there is a 30 foot rear no-cut, no disturb buffer.



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5. The approval includes the granting of the waiver to reduce the rear buffer from 50 feet to 30 feet, for the reasons stated by the applicant and as outlined above. The Board finds that the criteria of Chapter 155-51-A have been met.
6. The applicant shall revise the plat to revise the rear building setback to 50 feet.

L.Merullo questioned the 30 foot no-cut versus the 50 foot no-cut and what happens to future uses.

S.Bird said the intent written in to the regulations abutting owners that would potentially be impacted by new homes in a subdivision. This abutting lot by the fact that the lot line adjustment is being proposed is being incorporated into the subdivision. Mr. Bean has submitted a letter of support and that is why they are supporting it and feel comfortable with the reduction. As indicated in the memo any new house would be more than 250 ft from the Bean residence.

Motion: L.Skinner made the motion to approve with staff recommendations. R.Cole seconded. Vote: U/A.

S.Bird continued with Item F (P11-34) and noted that the Planning Department recommends that the Planning Board approve the lot line adjustment plat with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

1. The owner's signatures shall be added to the final plat submitted for signature.
2. The applicant shall provide the Planning Department with a digital version of the final plat.
3. The applicant shall add the surveyor stamp and signature to the plat.
4. The applicant shall revise the plat to add the Planning File #P11-34 to the title block.
5. The applicant shall revise the plat to relocate the proposed driveway to the Bean lot to enter onto Olive Meadow Drive in a location where the road width is 24 feet or extend the 24 foot road width to the proposed driveway location.

Motion: R.Cole motion to approve with staff recommendations. L.Merullo Seconded. Vote: U/A

M.Gasses resumed her position as Chair.

- G. Consideration and acceptance of a Minor Lot Line Adjustment of land for Berry Surveying & Engineering, (Owner: Fenton & David Groen) Assessor's Map 17, Lots 56 & 56A, zoned R-12, located at 67 & 75 Central Avenue. *(P11-33)

Chris Berry, Berry Surveying & Engineering represented the applicant and explained the application as submitted (in file). The owner would like to reconfigure the lot lines between two existing lots, transferring equal 521 square feet parcels between the two lots. There is no change in the number of lots.

Motion: F.Torr made the motion to accept the application. G.Green seconded. Vote: U/A.

Public Hearing Open. Nobody spoke. Public Hearing Closed.

D.Trefethen questioned the lot line adjustment and asked what the intention was for this request. Mr. Berry said that they would like to have a one car garage.

S.Bird noted that the Planning Department recommends that the Planning Board approve the lot line adjustment plat with the following conditions:



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Conditions to Be Met Prior to Signing of Plans:

1. The owner's signatures shall be added to the final plat submitted for signature.
2. The applicant shall provide the Planning Department with a digital version of the final plat.
3. The applicant shall add the surveyor stamp and signature to the plat.
4. The applicant shall revise the plat to add the Planning File #P11-33 to the title block.
5. The applicant shall revise the plat to add the owner information for the two abutters across Central Avenue.
6. The applicant shall revise the plat by labeling the driveways.

Motion: L.Merullo motioned to approve with staff recommendations. R.Cole seconded. Vote: U/A.

H. Consideration and acceptance of a Minor Lot Line Adjustment of land for Cocheco Country Club, (Owner: Cocheco Country Club, First Hole LLC, & Cocheco Waters LLC,) Assessor's Map N, Lots 8A, 15 & 16, zoned R-40, located at 145 Gulf Road. *(P11-31)

Joseph Kane approached the podium @ 8:04 pm and stated that he represents the applicant. He apologized for being tardy and asked to continue with his application.

Motion: G.Green motioned to remove the item from the table. R.Cole seconded. Vote: U/A

J.Kane continued to explain his application. He mentioned that Steve Woods was not present. He gave a background of the project. The applicant has submitted a set of plans asking to reconfigure the lot lines between three existing lots.

D.Trefethen questioned the request. S.Bird stated that the end result will be an even land swap among the parties. The lot size will not change. S.Bird noted that this has been indicated to us that Mr. Woods has future development plans for Map N, Lot 8A. This will assist in moving the project forward.

Motion: D.Trefethen made the motion to accept the application. F.Torr seconded. Vote: U/A

Public Hearing Open. Nobody spoke. Public Hearing Closed.

S.Bird addressed the waiver request from Cocheco Country Club (in file) and stated that the Planning Department supports the request. He noted that the Planning Department recommends that the Planning Board approve the lot line adjustment plat with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

1. Add the owner's signature to the plat.
2. Provide a digital version of the plat to the Planning Office.
3. The approval includes the granting of the waiver requested for the reasons stated by the applicant and as outlined above. The Board finds that the criteria of Chapter 155-51-A have been met.
4. The applicant shall revise the plat to add the Planning File #P11-31 to the title block.
5. The applicant shall revise the plat to label the lot lines to be eliminated or add the line style to the legend.
6. The applicant shall relocate or remove the accessory structure that would encroach on the proposed lot line near area A. Any relocation shall provide a minimum ten foot setback from all property boundaries. Proof that this has been accomplished shall be provided to the Planning Department.

Motion: D.Trefethen made the motion to approve with staff recommendations. R.Cole seconded. Vote: U/A



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M.Gasses mentioned a couple of letters requesting extensions. These requests are not on the agenda and going forward would like to be made aware of them and placed on the agenda. She asked Mr. Bird if we had an extension application to list a project. S.Bird said no, the regulations do not require public hearing or abutter notification. The Planning Director is allowed to grant a 90 day extension in the form of a letter. This is an extension to allow them to meet the conditions of approval.

S.Bird provided background for Sherman School Street Condominium project P10-39 & P10-40 extension request (in file). They are requesting a 45 day extension.

L.Merullo questioned the extension and asked about the construction schedule.

G.Green questioned parking. S.Bird explained the project and said that this has to meet multiple conditions of approval. One of the conditions is making sure that there will be a formal agreement for spaces to be dedicated to this project.

Motion: R.Cole made the motion to grant the 45 day extension. L.Skinner seconded. Vote: U/A

G.Green recused himself.

S.Bird provided background on the Cooper project P10-16 extension request (in file) DOT driveway permit has been delayed. The process is taking longer than they hoped. They are asking for a 90 day extension.

Motion: R.Cole made the motion to grant the 90 day extension. L.Merullo seconded. Vote: U/A

5. STAFF COMMENTS

L.Merullo asked for an update on Gladiola Way. D.White stated that they do not have any further development. M.Gasses asked if the Planning Department could add this item under staff comment and provide an update at the next meeting.

6. COMMITTEE REPORTS

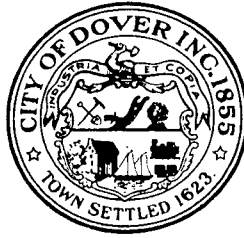
L.Skinner stated that the Conservation Commission and the Open Lands Committee met and had some great ideas. We went over individual ideas. It was a productive and very helpful discussion.

M.Gasses stated that the next Planning Board meeting will be August 23, 2011.

7. ADJOURNMENT

Motion: F.Torr motioned to adjourn the meeting at 8:38 pm. L.Merullo seconded. Vote: U/A

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P06-40

City of Dover, New Hampshire

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

NOTICE OF DECISION

AFTER A PUBLIC SESSION ON AUGUST 23, 2011, THE DOVER PLANNING BOARD ISSUES THE FOLLOWING DECISION BASED UPON THE RECOMMENDATION OF THE DOVER PLANNING DEPARTMENT, CONSIDERATION OF VARIOUS REPORTS AND STUDIES, PRESENTATIONS BY THE APPLICANT, ATTORNEYS AND WITNESSES, AND THE RECORD AS A WHOLE:

1. GENERAL INFORMATION

Applicant:	Gladiola Lane Development, LLC
Property Owner:	Same
Property Address:	Gladiola Way
Map A Lot(s)	28-1 through 28-20
Zoning:	Rural Residential (R-40)
Utilities:	Well and Septic/Electric and Gas – Geothermal
Access:	Sixth Street
Existing Land Use:	Single Family home/Farmland
FILE NO.:	06-40 – Subdivision Plan and conditional use application

2. PROJECT DESCRIPTION

Gladiola Lane is a subdivision consisting of twenty (20) lots located off Sixth Street. The present applicant purchased an approved Subdivision Plan for 20 lots located on a new roadway (to be made public) off Sixth Street, in 2008.

City staff has repeatedly reached out to the developer to complete the project in accordance with the plans and local regulations. Over time, Staff has developed a list of items which have not been met by the Applicant resulting in this hearing. Based on the continuing jurisdiction of the Planning Board, this Compliance hearing seeks to review the conditions for approval and compliance with City ordinances in an effort to establish suitable timelines for compliance and completion of the development.

3. BACKGROUND

The original developer was Long Hill Realty Investments, LLC. Long Hill Realty Investments, LLC filed the original Subdivision Application (Planning Board file # P06-40) on July 26, 2006. The application called for the subdivision of 105 acres resulting in 23 house lots off Sixth Street called "Long Meadow". The subdivision involves Tax Map A, Lot 28. Jones and Beach Engineers, Inc., Box 219, Stratham, New Hampshire 03885 is listed as the project engineers. McEneaney Survey Associates, Inc., Box 681, Dover, New Hampshire 03820 is listed as the surveyor. West

Environmental, Inc., 122 Mast Road, Suite 6, Lee, New Hampshire 03824 is the Wetlands Scientist. The Vivian Tsimekles Revocable Trust was the owner of the property at the time of the application.

Prior to the Planning Board approval on 8/28/07, various meetings occurred:

- On 8/10/06 and 7/5/07, the Technical Review Committee considered the project pursuant to Dover ordinance;
- On 9/11/06 and 7/2/07, the Dover Conservation Commission considered and approved an application for a Conditional Use Permit for proposed wetlands setback impacts associated with the construction of a private street for the subdivision;
- On 9/12/06, the Dover Planning Board conducted a public hearing on the application;
- On 9/19/06, the Planning Board conducted a site walk;
- On 3/10/07, a site walk was conducted by the Conservation Commission;
- Revision of the project by the developer to reduce the number of lots from 23 to 20 with no density bonus (See Planning Board minutes of 7/24/07)

APPROVAL OF THE PROJECT.

The Dover Planning Board approved the subdivision project on August 28, 2007. Planning Director, Christopher Parker, sent an approval letter on September 19, 2007. The letter detailed seventeen (17) conditions of approval.

The conditions of approval were:

1. Add the owners' signatures to the plat.
2. Add the Surveyor and engineer's stamps and signatures to applicable sheets.
3. Approval includes the granting of waivers for a road width of 24 feet.
4. The applicant shall provide the Planning Department with a copy of the NH Department of Environmental Services Subdivision Permit and add the permit number to the plat, prior to signing the plat.
5. The applicant shall provide the Planning Department with a copy of the NH Department of Environmental Services Wetlands Permit for the driveway crossings and add the permit number to the plat, prior to signing the plat.
6. The applicant shall provide the Planning Department with proof that the Environmental Protection Agency Notice of Intent Permit has been filed, prior to signing the plat.
7. 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. These documents shall be reviewed by the Planning Department, with consultation by the City Attorney on the proper form of the documents, prior to the signing of the plat.
8. The applicant shall provide (language in the Homeowners Association Documents to allow) for passive on-site recreation opportunities such as pedestrian trails for the subdivision lots in open space areas A, B, C & D as shown on the plat. Additionally, the applicant shall pay a \$4,000 recreation fee to the City for off-site recreational uses as determined by the City.
9. The applicant shall revise the plat by adding the 50-foot buffer to lot #4 and relocating the proposed house and driveway on Sheet # C1.
10. The applicant shall revise Sheet # D1 to delete the word "private" from the road detail.
11. The applicant shall revise the plat to add a note restricting parking on the inside curve side of the road and to add no parking signs on the hammer head.
12. The applicant shall revise the plat to address the drainage and grading issues at the intersection of Sixth Street and Gladiola Lane to the satisfaction of the City Engineer.
13. The applicant shall revise the title sheet to remove the words "sheet 1" from the Tax Map designation.
14. The applicant shall revise Sheet # A1 of the plat to add a note requiring the existing vegetation to remain as shown along the common boundary with lots 39-15, 39-16, 39-17,

39-18, 27, 28C, 28B, 39F, and 39D of Map A. Additionally, no disturbance shall be made within the Open Space lots. This vegetative buffer shall be staked in the field by the surveyor, checked and approved by staff prior to any road or land clearing.

15. Each new dwelling unit shall be subject to the Impact Fee Ordinance (Chapter 170-28.7) and the school impact fee shall be assessed prior to the issuance of a building permit.
16. The applicant shall provide the Planning Department with documentation that a State Septic approval has been granted for lot 20, prior to the issuance of the first building permit.
17. Applicant shall amend sheet A3 to adjust the easement along lots 12, 13, 14, 15, 16 to be 15' where 10' is shown. Additionally, Note 3 on same said sheet shall be amended with the words "snow storage" added.

COMPLIANCE HEARING.

On April 26, 2011 the Dover Planning Board held a compliance hearing, where it received testimony from residents of Gladiola Way, abutters to the project and City staff regarding the lack of progress and violations of local ordinances regarding the project. Additionally, staff provided a list of ten (10) outstanding issues related to the project. The Dover Planning Board made the following findings regarding the Applicant's compliance with the Conditions of Approval and the ordinances of the City of Dover:

- 1) The Applicant has failed to form a Homeowner's Association in violation of Dover ordinance 155-23 (E), and RSA 356-A and the conditions of approval;
 - a) Staff reviewed proposed HOA documents in December 2007, but the HOA was not formed by the Applicant. The Applicant has admitted to staff that a Homeowner's Association was not formed.
- 2) The Applicant has failed to comply with the performance guaranties pursuant to Dover ordinance 155-25 regarding the scope of the guaranty;
 - a) The Letter of Credit states the performance guaranty is for roadway improvements only, not all site improvements. The City ordinance requires the performance guaranty should cover all improvements required by the approved plan.
- 3) The current performance guaranty expires in June, 2011. An updated performance guaranty in the amount of \$109,152.06 is required to assure full performance according to the City Engineer. The Applicant shall file an updated performance guaranty by June 15, 2011 complying with Dover ordinance 155-25 in an amount sufficient to assure performance in an amount as determined by the City Engineer.
- 4) The Applicant has constructed the development resulting in the placement of water on streets. in violation of Dover ordinance 152-20 regarding Lots #16-19 and 11;
 - a) The City has received complaints from homeowners in the subdivision regarding water entering the street from Lots #16-19 and 11.
- 5) The Applicant has constructed the development in violation of Dover ordinance 96-6(I) regarding driveway cuts;
 - a) City staff has observed driveway cuts that exceed the width allowed by city ordinance.
- 6) The Applicant has violated the approved plan as described in the detail on Sheet D1 of the approved Plan and Dover ordinance 155-47 regarding concrete curbing;
 - a) The City Engineer is concerned about the thickness of the final pavement coat in relation to the height of the concrete curbing due to the current depth of the curbing prior to the application of the final pavement coat.
- 7) The Applicant has violated the approved plan as described in the Note on Sheet P1 on the approved Plan regarding tree planting on lots 1 and 2 since the trees were not planted as shown on the plan;
 - a) City staff reports the trees on Lots 1 and 2 were not planted as required by the approved plan.
- 8) The Applicant has violated Dover ordinance 155-36(E) regarding the planting of street trees since there are no street trees;

- a) City staff reports no street trees have been planted.
- 9) The Applicant has violated the approved plan as described in Note 15 on Sheet A1 of the approved Plan resulting in cracks in the street paving since cracks run down the center of the entire length of the roadway calling into question the suitability of the base construction;
 - a) City staff reports that asphalt cracks exist throughout the street.
- 10) The Planning Board has concerns about whether there is non-conformity of the drainage system with the Plan pursuant to Dover ordinances.
 - a) Drainage problems continue to exist affecting neighbors of the subdivision.

4. ACTION PLAN

On April 26, 2011, the Planning Board approved the following compliance measures, a schedule for compliance for the applicant and further review by the Planning Board:

- 1) Formation of a Homeowner's Association
 - i) A draft for Homeowner's Association documents by the Developer for review and approval by the City's General Legal Counsel by May 6, 2011.
 - ii) A letter from the Developer to the homeowners by May 6, 2011.
 - iii) A meeting by the Developer with the homeowners by June 1, 2011.
 - iv) Written progress report by the Developer to the Planning Board by July 1, 2011.
 - v) Creation and formation of a Homeowners Association complying with state law and local regulatory requirements by August 1, 2011.
- 2) Performance guaranty:
 - a) Filing of a Letter of Credit by the Developer for the full scope of improvements required by Dover Ordinance 155-25 by June 15, 2011 in the amount of \$109,152.06 as determined by the City Engineer.
- 3) Water on the Street:
 - a) Submission of a written plan by the Developer for addressing the placement of water on a street regarding Lots #11 and #16-19 by June 1, 2011.
 - b) Written progress report by the Developer to the Planning Board by July 1, 2011 including, but not limited to, a report on whether the Developer has received permission from affected homeowners to execute the plan.
 - c) Execution and completion of the plan by August 1, 2011.
- 4) Driveway cuts:
 - a) Submission of a written plan by the Developer for addressing oversize driveway cuts by June 1, 2011.
 - b) Written progress report by the Developer to the Planning Board by July 1, 2011.
 - c) Execution and completion of the plan by August 1, 2011.
- 5) Concrete curbing:
 - a) Submission of a written plan by the Developer for addressing curbing by June 1, 2011. The Developer may pursue a waiver pursuant to the Dover ordinances.
 - b) Written progress report by the Developer by July 1, 2011.
 - c) Execution and completion of the plan by August 1, 2011
- 6) Trees on Lots 1& 2:
 - a) Submission of a written plan by the Developer for addressing the planting of trees on Lots 1 + 2 by June 1, 2011.
 - b) Written progress report by the Developer to the Planning Board by July 1, 2011.
 - c) Execution and completion of the plan by August 1, 2011.
- 7) Street Trees:
 - a) Submission of a written plan by the Developer for addressing the planting of street trees by June 1, 2011.
 - b) Written progress report by the Developer to the Planning Board by July 1, 2011.
 - c) Execution and completion of the plan by August 1, 2011.
- 8) Cracks in the Street Pavement:

- a) Submission of a written plan by the Developer for addressing cracks in the street by June 1, 2011.
 - b) Written progress report by the Developer to the Planning Board by July 1, 2011.
 - c) Execution and completion of the plan by August 1, 2011. Developer may petition the Planning Board prior to July 1st for an extension of time for executing and completing the plans for performing the remedies for water on the street, curbing and cracks in the street pavement.
- 9) Drainage System:
- a) Deposit of \$5,000 paid by the Developer to pay for a consultant selected by the Planning staff by May 15, 2011 to assist the Planning Board to determine whether the drainage pond conforms to the approved plan.
 - b) Retention of the drainage consultant by the Planning Department to investigate and to prepare a report to assist the Planning Board with determining compliance of the constructed drainage system with the approved plan. The consultant shall meet with Jones and Beach Engineers. The consultant's plan shall be completed by August 1, 2011.
- 10) Follow-up Compliance Hearing:
- a) Follow-up compliance hearing by September 1, 2011
 - b) All compliance items shall be completed prior to the issuance of any further Certificates of Occupancy.

5. ACTION PLAN AND COMPLIANCE SCHEDULE REVIEW OF THE APPLICANT

The Developer complied, or partially complied with, the Compliance Schedule as follows:

- Paid a deposit of \$5,000 to hire the independent consultant pursuant to #9(a)
- Conducted a meeting with the residents of the neighborhood and provided a letter to the residents pursuant to #1
- Provided a draft of a written plan by June 1st (City staff objected to the vague content of the plan and requested the Developer to provide more details in a letter dated June 2, 2011. No further revisions were received from the Developer.)

The Developer failed to comply with the Compliance Schedule regarding the following:

- Formation of a Homeowner's Association;
- Extension of the Performance Guaranty;
- Amending the scope of the performance guaranty;
- Increasing the amount of the performance guaranty;
- Abating the discharge of water onto a street;
- Abating the violation of local ordinance regarding width of driveway cuts;
- Abating the incorrect installation concrete along curbing;
- Planting of trees on lots;
- Planting of street trees;
- Failure to correct deficiencies in the street paving-cracks in the street;
- Filing a status report by July 1st;
- Completion of the Compliance Schedule by August 1st.

6. INDEPENDENT DRAINAGE CONSULTANT REPORT

City staff arranged for the assistance of an independent drainage consultant. The City retained an outside engineer, Civilworks, Inc, a respected engineering firm in the region, to complete the review in July and it submitted its report by August 1st.

After a thorough review of the project, the Civilworks report raises concerns regarding the original drainage design assumptions and calculations of the original design engineering firm. Civil works found that analysis errors resulted in a number of flawed conclusions which, in turn, resulted in an inadequate drainage system design.

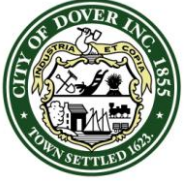
The Civilworks concerns were communicated to Jones and Beach, the original design engineering firm. City staff met on August 3, 2011 with Jones and Beach to review the findings. At this point these conclusions have also been communicated to Attorney Keane and the Developer.

7. FINDINGS AND RULINGS

The Dover Planning Board hereby finds that the Developer has failed to comply with the Compliance Schedule, the approved plan and city ordinances as follows:

- A. Formation of a Homeowner's Association to provide for the care and maintenance of open spaces areas by the property owners;
- B. Extension of the Performance Guaranty to secure the performance of the installation and completion of the public improvements;
- C. Amending the scope of the performance guaranty to secure the performance of the installation and completion of the public improvements;
- D. Increasing the amount of the performance guaranty to secure the performance of the installation and completion of the public improvement;
- E. Abating the placement of water on a street;
- F. Abating the violation of local ordinance regarding driveway cuts;
- G. Abating the incorrect installation of concrete along curbing;
- H. Planting of trees on lots;
- I. Planting of street trees;
- J. Correcting the cracks in the street paving;
- K. Filing a compliance plan by June 1st;
- L. Filing a status report for the compliance activities of the Developer by July 1st;
- M. Completion of the Compliance Schedule by August 1st.
- N. Improper grading and failure to prevent ponding and erosion of property;
- O. Improper design of the storm water drainage system consistent with acceptable engineering practices.

8. VOTE: AFFIRMATIVE _____ NEGATIVE _____



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P10-50-A

Application Type:	Amendment to Condition of Approval for an Open Space Subdivision Plan
Applicant(s):	Changing Places, LLC
Owner(s):	Changing Places, LLC
Location:	Olive Meadow Drive (Assessor's Map A, Lot 45A-2)

INTENT: To request an amendment to a condition of approval for a previously approved Open Space Subdivision plan.

LOTS/UNITS PROPOSED: None

AGENDA ITEM #: 3-C

ACREAGE: 30.225 acres

ZONING DISTRICT:
Rural Residential District – R-40

EXISTING LAND USE:
Five single family house lots

PROPOSED LAND USE:
Five single family house lots

SURROUNDING LAND USE:
Single family houses and temple

ZBA ACTION: None

ATTACHMENT: Letter dated August 16, 2011 from Attorney James H. Schulte

APPLICATION IS COMPLETE: N/A

NOTICES SENT: N/A

PERMITS REQUIRED: None

WAIVERS REQUESTED: None

Summary of Request and Background

The applicant has submitted a letter asking to amend one of the conditions of approval for the Open Space Subdivision that was approved on March 22, 2011. The applicant wishes to modify condition #20, which reads as follows:

“20. The Watson Road Trailhead parking and gate system shall be completed by the applicant.”

This condition was to be completed prior to the issuance of a building permit.

As the letter explains, due to the delay in construction of the trailhead, the applicant is asking to revise the condition to allow a \$30,000 bond to be provided to guarantee the work. This would allow for building permits to be issued prior to the completion of the work.

Consistency with Land Use Regulations

This project is located in the Rural Residential District (R-40), which encourages open space developments for major subdivisions, with reduced lot sizes in return for the permanent preservation of open space. This amendment is consistent with those regulations.

STAFF RECOMMENDATION:

The Planning Department supports the request for an amendment to condition #20.

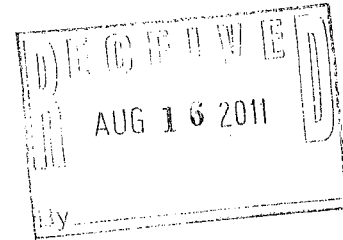
The Planning Department recommends that the Planning Board approve the amendment to the conditions of approval as requested.

660 Central Avenue, Suite 101
Dover, New Hampshire 03820
Tel. 603-743-6300
Fax. 603-743-6400

August 16, 2011

PIC-50A

Mr. Christopher Parker
Planning Director
City of Dover
288 Central Avenue
Dover, NH 03820



Re: Olive Meadow

Dear Mr. Parker:

On behalf of Changing Places, LLC, I am writing to request that the conditions of approval for this project be revised. One of the conditions was that construction of the trailhead at Watson Road be completed before any building permit would issue. Changing Places, LLC has been ready to perform that work, but the State of New Hampshire has not yet approved the grading plans for the land owned by the State. Until the State approves the plans, the applicant cannot begin construction.

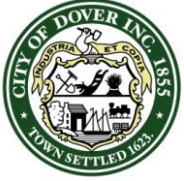
I therefore am requesting that the condition of approval be revised to state that the applicant will provide a bond in the amount of \$30,000.00 for the completion of the trailhead construction before building permits will be issued. Construction of the trailhead will occur as soon as weather permits after all approvals and consents of property owners have been obtained for that construction.

Thank you for your assistance with this matter.

Sincerely,

James H. Schulte

cc: Changing Places, LLC
TriTech Engineering, Inc.



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P11-30

Application Type: Conditional Use Permit
Applicant: Aranco Oil Company
Owner: Aranosian Oil Company, Inc.
Location: 874 Central Avenue (Assessors Map 38, Lot 28)

INTENT: To obtain a Conditional Use Permit to expand the on site impervious area above 20%; from 55% existing to 62% proposed in a Secondary Groundwater Protection District.

LOTS/UNITS PROPOSED: Convenience Store with gasoline sales

AGENDA ITEM #: 4-A

ACREAGE: 33,320 square feet

ZONING DISTRICT: Thoroughfare Business District (B-3); Groundwater Protection District

EXISTING LAND USE: Gas station with service bays

PROPOSED LAND USE: Convenience Store with gasoline sales

SURROUNDING LAND USE: Commercial, retail uses and single family residential

ZBA ACTION: None

ATTACHMENTS: Conditional use application

APPLICATION IS COMPLETE: Yes

NOTICES SENT: Notices were sent by certified mail to abutters

PERMITS REQUIRED:

- City of Dover Conditional Use Permit for Groundwater Protection District

WAIVERS REQUESTED: None

Summary of Request and Background

The applicant has submitted a set of plans for review to increase the area of impervious area from 55% to 62 % for a proposed convenience store with gas pumps.

The applicant received an endorsement of the application from the Dover Conservation Commission on July 11, 2011 (see enclosed minutes).

Consistency with Land Use Regulations

The Groundwater Protection ordinance provides for Conditional Use Permits to allow an increase in impervious surfaces if standards related to storm water management, retention and percolation of development generated storm water runoff, and the removal of oil and gasoline from parking lot runoff are met. This application meets these standards.

STAFF RECOMMENDATION:

The Planning Department recommends the Planning Board accept the application, open the public hearing, and then table the application until the September 13th meeting and schedule a site walk.



City of Dover, New Hampshire CONDITIONAL USE PERMIT APPLICATION

RECEIVED
[Revision Date: August 16, 2010]
JUL 07 2011
BY: _____

Office Use Only Project #: 11-30 Date Received: _____
Amount Paid: \$590 Time Received: _____

APPLICANT AND OWNER INFORMATION

Name of Applicant: Aranco Oil Company Telephone # 603-224-7500
Address of Applicant: 557 North State Street, Concord, NH 03301
Name of Property Owner (if different from applicant): Aranosian Oil Company, Inc. Telephone # SAA
Address of Property Owner: Same as Applicant

PROPERTY INFORMATION

Address of Property: 874 Central Avenue
Assessor's Map #: 38 Lot(s) #: 28
Zoning District(s): B - 3 Overlay District(s): Groundwater Protection Zone
Existing Use of Property: Gas Station with Service Bay

CONDITIONAL USE PERMIT INFORMATION

Type of Conditional Use Permit (Check All That Apply):

- Conservation District
- Groundwater Protection
- Wetland Protection District
- RCM Use Overlay District
- Off-Street Parking and Loading
- Central Business District
- I-1 District Uses

Describe Proposed Use or Activity That Requires Conditional Use Permit and Describe Any Impacts:
Expansion of the on site impervious area above 20%; from 55% Existing to ^{62%} 64% Proposed.
The proposal is to Replace an existing Gas & Service Station with a Convenience Store with Gasoline sales.

List Any Associated State or Federal Permits That Have Been or Will Be Applied For and Indicate Their Status: _____

Name of Professional That Prepared Plans: John Chagnon, PE Ambit Engineering, Inc.
Address: 200 Griffin Road, Unit 3, Portsmouth, NH 03801 Telephone #: 603-430-9282
Professional License #: 738 LLS, 07651 PE E-mail address: jrc@ambitengineering.com

SIGNATURES

I/We hereby submit this application to the City of Dover Planning Board and attest that to the best of my knowledge all of the information on this application form and in the accompanying application materials and documentation is true and accurate. As applicant or as agent, I attest that I am duly authorized to act in this capacity.

Signature of Property Owner: _____ Date: _____

Signature of Applicant (if different from owner): _____ Date: _____

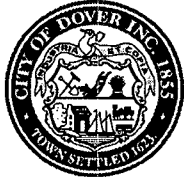
Signature of Agent:  _____ Date: 7/1/11

AUTHORIZATION TO ENTER SUBJECT PROPERTY

I hereby authorize members of the Dover Planning Board, Planning Department, Conservation Commission and other pertinent City Departments and boards to enter my property for the purpose of evaluating this application, including performing inspections during the application phase, post-approval phase, construction phase and occupancy phase. It is understood that these individuals must use all reasonable care, courtesy, and diligence when on the property.

Signature of ~~Property Owner~~:  _____ Date: 7/1/11
Agent

Attached Authorization



CITY OF DOVER

DOVER CONSERVATION COMMISSION – MINUTES

Meeting Type: Regular Meeting
Meeting Location: First Floor Conference Room - 288 Central Avenue Dover NH
Meeting Date: Monday, July 11, 2011
Meeting Time: 5:30 pm

MEMBERS PRESENT: Bill Hunt (Chair), Lauren Jacoby, Deborah Calabro, Cora Quisumbing-King, Ron Hebert (Alternate)

STAFF PRESENT: Steve Bird (City Planner), Dave White (City Engineer)

OTHERS PRESENT: Malcolm McNeill, Bruce Crawford, Floyd Hayes, Steve Rickerich

The meeting was convened by the Chair Hunt at 5:30 PM.

1. APPROVAL OF THE PRIOR MINUTES

Quisumbing-King moved to approve the June 13, 2011 minutes as presented, Jacoby seconded. Vote: Unanimous

2. OLD BUSINESS - NONE

3. NEW BUSINESS

- A. City of Dover Conditional Use Permit for Aranco Oil Company (Agent: John Chagnon, Ambit Engineering, Inc.) Assessor's Map 38, Lot 28, zoned B-3, located at 874 Central Avenue.

McNeill explained that the proposal is to increase the on site impervious area from 55% to 64% in a Groundwater Protection Zone, in order to replace an existing gas and service station with a convenience store with gasoline sales. It will be a new modern gas station. Copies of the colored site plan and elevation of the building were distributed. There is a 3,000 square foot increase in impervious surface. Run-off will decrease 65-70% due to changes in the drainage systems. McNeill spoke with Dean Peschel earlier in the day and he is in favor of the changes and the proposed design. Porous pavement is not appropriate for this use.

Crawford of Ambit Engineering displayed an existing condition plan and a proposed plan. He described the changes in the drainage patterns and the pretreatment being proposed.

Rickerich discussed the improvements in design and safety on site. Underground tanks are much safer environmentally. Vehicle repair use will be discontinued.

Calabro asked about the existing underground tanks. Rickerich said that they will all be removed and replaced.

Bird explained that the plan still needs to go through the TRC process and will likely result in changes in the layout. If there are any significant changes, the plans will have to come back to the Conservation Commission for further review. This plan results in more rainwater infiltration than under existing conditions, which is more in line with the Groundwater Protections requirements.

Hunt asked if the members were comfortable with making a decision tonight. After a brief discussion, Calabro moved to endorse the application, Hebert seconded. Vote: Unanimous

J:\JOBS\JN700s\Jn790s\JN792\2011 Site Plan\Plans & Specs\Site\792WD02.dwg, Impervious Areas - Existing



IMPERVIOUS AREAS -EXISTING

OWNER: ARANOSIAN OIL COMPANY, INC.
PROPERTY LOCATION: 862 CENTRAL AVENUE
CITY OF DOVER
COUNTY OF STRAFFORD
STATE OF NEW HAMPSHIRE

CENTRAL
AVENUE

358 S.F. OFF SITE
TO BE REMOVED
IN PROPOSED CONDITION

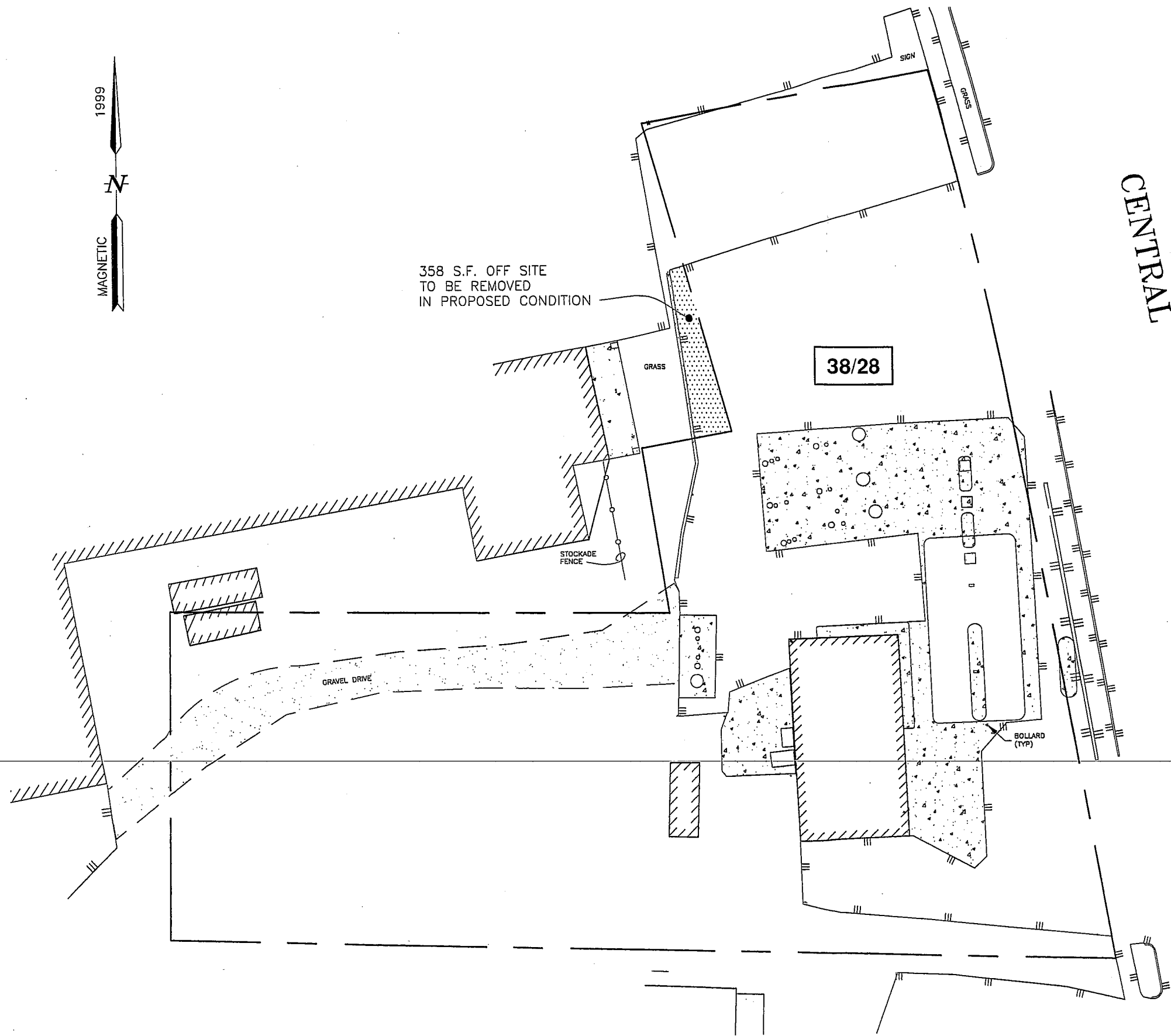
38/28

NOTE:

IMPERVIOUS AREAS:

BUILDINGS	1,534 S.F.
SHEDS	289 S.F.
CONCRETE	5,259 S.F.
PAVEMENT	9,199 S.F.
GRAVEL	1,915 S.F.

TOTAL EXISTING
IMPERVIOUS AREA: 18,196 S.F.



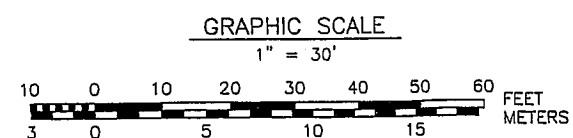
DEED REFERENCE: 789/372, 373, & 374
PLAN REFERENCE:
EXISTING CONDITIONS PLAN BY THIS OFFICE

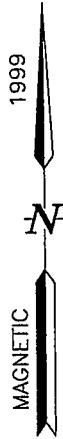
SCALE: 1"=30' APRIL 21, 2011



AMBIT ENGINEERING, INC.
Civil Engineers & Land Surveyors

200 Griffin Road - Unit 3
Portsmouth, N.H. 03801-7114
Tel (603) 430-9282
Fax (603) 436-2315





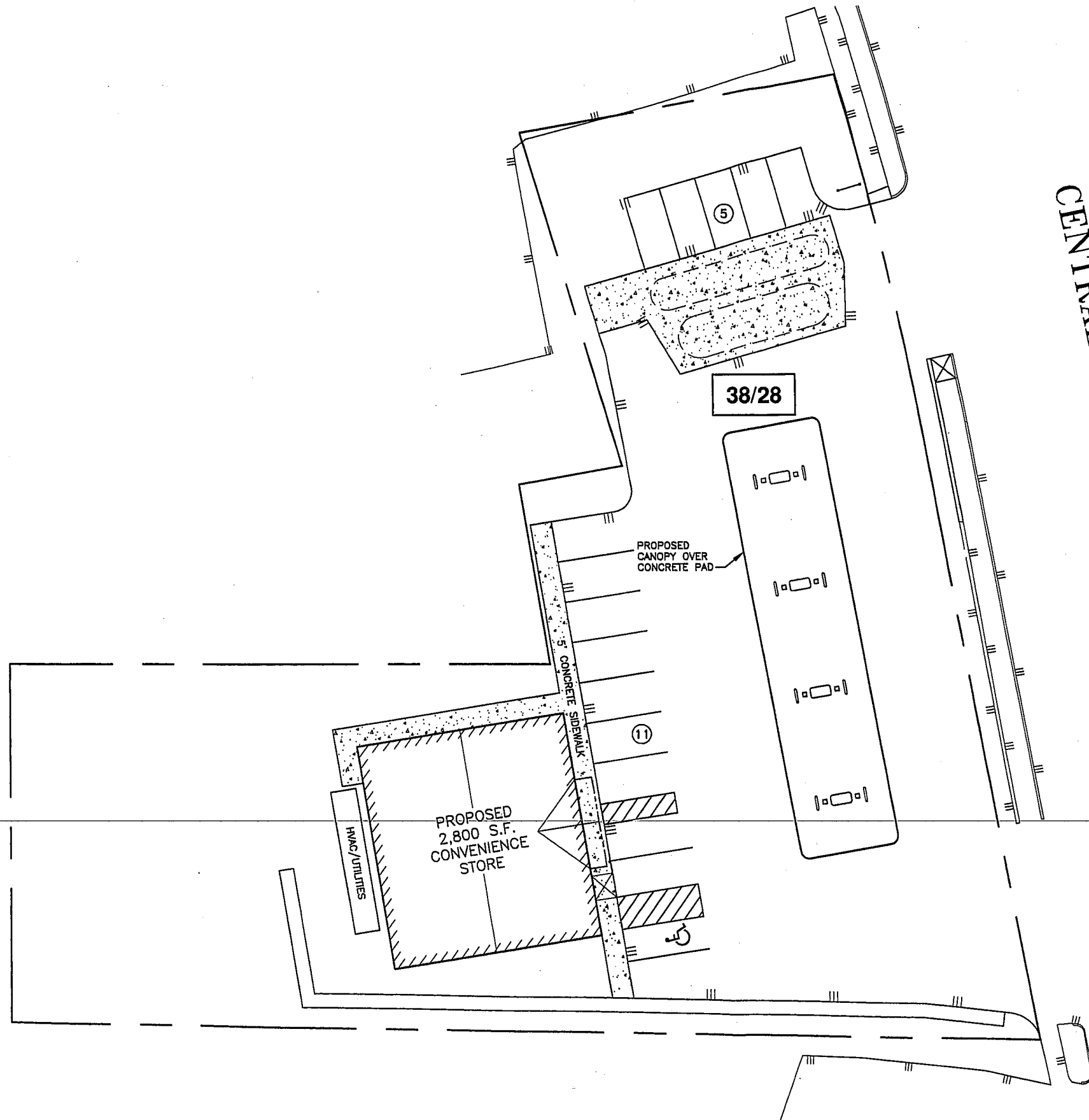
IMPERVIOUS AREAS -PROPOSED

OWNER: ARANOSIAN OIL COMPANY, INC.
PROPERTY LOCATION: 862 CENTRAL AVENUE
CITY OF DOVER
COUNTY OF STRAFFORD
STATE OF NEW HAMPSHIRE

NOTE:

IMPERVIOUS AREAS:	
BUILDING:	2,800 S.F.
RETAINING WALL:	687 S.F.
CONCRETE:	5,097 S.F.
PAVEMENT:	12,744 S.F.*
	(*358 S.F. DEDUCTED)

TOTAL PROPOSED
IMPERVIOUS AREA: 21,328 S.F.



DEED REFERENCE: 789/372, 373, & 374
PLAN REFERENCE:
EXISTING CONDITIONS PLAN BY THIS OFFICE

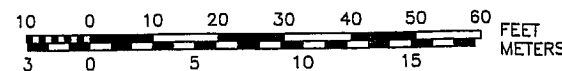
SCALE: 1" = 30' JUNE 23, 2011



AMBIT ENGINEERING, INC.
Civil Engineers & Land Surveyors

200 Griffin Road - Unit 3
Portsmouth, N.H. 03801-7114
Tel (603) 430-9282
Fax (603) 436-2315

GRAPHIC SCALE
1" = 30'



J:\JOBS\JN700s\Jn790s\JN792\2011 Site Plan\Plans & Specs\Site\792WD02.dwg, IMPERVY_AREAS_PROF



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P11-35

Application Type: Site Plan Review
Applicant: Aranco Oil Company
Owner: Aranosian Oil Company, Inc.
Location: 874 Central Avenue (Assessors Map 38, Lot 28)

INTENT: Site plan review for the construction of a 2,800 square foot convenience store with gasoline pumps

LOTS/UNITS PROPOSED: Convenience Store with gasoline sales

AGENDA ITEM #: 4-B

ACREAGE: 33,320 square feet

ZONING DISTRICT: Thoroughfare Business District (B-3); Groundwater Protection District

EXISTING LAND USE: Gas station with service bays

PROPOSED LAND USE: Convenience Store with gasoline sales

SURROUNDING LAND USE: Commercial, retail uses and single family residential

ZBA ACTION: None

ATTACHMENTS: Site plan application and plans

APPLICATION IS COMPLETE: Yes

NOTICES SENT: Notices were sent by certified mail to abutters

PERMITS REQUIRED:

- City of Dover Conditional Use Permit for Groundwater Protection District

WAIVERS REQUESTED:

- Waiver to allow overhead utilities where underground is required
- Waiver to allow paving in 5 foot rear setback

Summary of Request and Background

The applicant has submitted a set of plans for review to construct a 2,800 square foot convenience store with gasoline pumps and 13 parking spaces.

The applicant appeared before the Technical Review Committee (TRC) on July 28, 2011 (see enclosed TRC Notes).

Consistency with Land Use Regulations

Chapter 149-4 of the Site Review Regulations of the City Code provides for site review approval. This property is located in the B-3 District, which has as its purpose to provide an environment that encourages efficient and attractive automobile oriented, moderately sized commercial development along major highways outside of the downtown. This plan is consistent with those regulations.

STAFF RECOMMENDATION:

The Planning Department recommends the Planning Board accept the application, open the public hearing, and then table the application until the September 13th meeting and schedule a site walk.



City of Dover, New Hampshire

SITE REVIEW APPLICATION

[Revision Date: July 19, 2011]

RECEIVED
 JUL 14 2011
 By _____

Office Use Only Project #: PII-35 Date Received: _____
 Amount Paid: \$ 600.00 Time Received: _____
OK # 3185

APPLICANT AND OWNER INFORMATION

Name of Applicant: Aranco Oil Telephone # 603-224-7500
 Address of Applicant: 557 North State Street, Concord, NH 03301
 Name of Property Owner (if different from applicant): Aranosian Oil Company Telephone # Same
 Address of Property Owner: Same

PROPERTY INFORMATION

Address of Property: 874 Central Avenue
 Assessor's Map # 38 Lot(s) # 28
 Zoning District(s) B - 3 Overlay District(s) Aquifer Protection
 Size of Parcel: 33,320 sq. ft. ac. Property Deed: Book 789 Page: 372 - 374
 Existing Use of Property: Gas Station with Service Bays

SITE PLAN INFORMATION

Describe Proposed Use: Convenience Store with Gasoline Sales
 Area of Parcel to be Developed: 33,320 sq. ft.
 If Multi-family Residential, Specify Number of Units & Buildings Proposed: _____
 Number of Parking Spaces: Existing _____ Not Striped _____ Proposed 16 (plus spaces at fuel ports)
 Highway Access (check where applicable): City Street _____ State Highway
 Number of Employees Total: TBD In Maximum Shift: _____

Disposition of Parcel:	Building Setbacks:
Building Footprint <u>2,800</u> sq. ft.	Front Yard <u>24 (to Canopy)</u> ft.
Total Building Area <u>2,800</u> sq. ft.	Rear Yard <u>84</u> ft.
Paved Area <u>12,744</u> sq. ft.	Side Yard: Right <u>12</u> ft.
	Left <u>14</u> ft.

City Water? Yes No How far is city water from the property? _____

City Sewer? Yes No How far is city sewer from the property? _____

BUILDING INFORMATION

Type of Building to be Built: Wood Frame / Clapboard

Height of Building: 25" - 10" Finished Floor Elevation: 100

Number of Seats (where applicable) _____

SURVEYOR INFORMATION

Name of Surveyor and Company (Licensed in N.H.) John Chagnon, Ambit Engineering, Inc.

Address 200 Griffin Road, Unit 3, Portsmouth, NH 03801 Telephone #: 603-430-9282

Professional License #: 738 E-mail address: jrc@ambitengineering.com

ENGINEER INFORMATION

Name of Engineer and Company (Licensed in N.H.) John Chagnon, Ambit Engineering, Inc.

Address SAA Telephone #: _____

Professional License #: 07651 E-mail address: _____

SIGNATURES

I/We hereby submit this application to the City of Dover Planning Board and attest that to the best of my knowledge all of the information on this application form and in the accompanying application materials and documentation is true and accurate. As applicant or as agent, I attest that I am duly authorized to act in this capacity.

Signature of Property Owner: _____ Date: _____

Signature of Applicant (if different from owner): _____ Date: _____

Signature of Agent:  _____ Date: 7/14/11

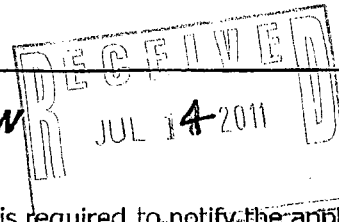
AUTHORIZATION TO ENTER SUBJECT PROPERTY

I hereby authorize members of the Dover Planning Board, Planning Department and other pertinent City Departments and boards to enter my property for the purpose of evaluating this application, including performing inspections during the application phase, post-approval phase, construction phase and occupancy phase. It is understood that these individuals must use all reasonable care, courtesy, and diligence when on the property.

Signature of Property Owner:  _____ Date: 7/14/11

John Chagnon, as Agent

**CITY OF DOVER SITE REVIEW
LIST OF ABUTTERS**



Pursuant to RSA 676:4, the State Law of New Hampshire, the City of Dover is required to notify the applicant, abutters (including holders of conservation easements), and any professional whose seal is on the plan, of the public hearing by certified mail, return receipt requested. The applicant must obtain the abutter information from the records of the Tax Assessor's Office (not more than five days prior to filing) in order to process the site review application.

ABUTTER is defined as the owner of record of a parcel of land located in New Hampshire and that adjoins or is directly within two hundred (200) feet (including land across the street or waterway) of the proposed site under consideration by the Planning Board. (See additional requirement below)

Owner:

TAX MAP	LOT #	PROPERTY OWNER	MAILING ADDRESS
38	28	Aranosian Oil Company	557 North State Street, Concord, NH 03301

Applicant (if different from owner):

APPLICANT NAME	APPLICANT COMPANY	MAILING ADDRESS
Same as Above		

Surveyor and/or Engineer:

NAME	COMPANY	MAILING ADDRESS
John R. Chagnon	Ambit Engineering, Inc.	200 Griffin Road, Unit 3 Portsmouth, NH 03801

Conservation Easement Holder:

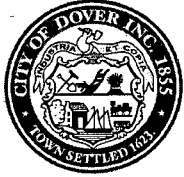
TAX MAP	LOT #	NAME OF EASEMENT HOLDER	MAILING ADDRESS

Abutters:

TAX MAP	LOT #	OWNER (S) OF RECORD	MAILING ADDRESS
38	25H	Joseph Cicala	8 Morin Street Dover, NH 03820
38	25J	Dominic J. & Michael Caligiure	10 Morin Street Dover, NH 03820
38	25K	Hollie L. Crosbie	12 Morin Street Dover, NH 03820
38	25N	Billy S. Mumu & Grace I Tasik	6 Morin Street Dover, NH 03820
38	25M	R A P Realty	110 Washington Street Dover, NH 03820
38	30	Friends Fiduciary Corporation	PO Box 98 Dover, NH 03820
38	4B	NP Dover LLC, C/o Laconia Savings	62 Pleasant Street Laconia, NH 03246
		Bank AP	
38	6A1	O Ice, LLC C/o Realty Income Corp.	PO Box 460069 Escondido, CA 92046
38	7	Michael Tsopas	869 Central Avenue, Dover, NH 03820
38	6A	NP Dover LLC C/o Northstar Center, LLC	532 Page Street Stoughton, MA 02072
38	6A2	Same as Above	
38	5	Barbara & William Scotti	400 Seasage Drive #903 Del Ray Beach, FL 33483
38	24	Charles S. & Paul Arvenitis	800 Central Avenue, Dover, NH 03820
38	29	Margaret E. Flayhan, Trustee, C/o Terrance Dunn	15 Lakeview Drive Dover, NH 03820

If a condominium association is an abutter, add below all owners of individual units that are located within two hundred (200) feet of the common property line for notification by first class mail.

UNIT #	OWNER (S) OF RECORD	MAILING ADDRESS



CITY OF DOVER

TECHNICAL REVIEW COMMITTEE NOTES

Application Type: Site Plan Review
Applicant(s): Aranco Oil
Owner(s): Aranosian Oil Company
Location: 874 Central Avenue (Assessors Map 38, Lot 28)
Date: July 28, 2011

INTENT: Site plan for 2,800 square foot convenience store with gas pumps

LOTS/UNITS PROPOSED: N/A

AGENDA ITEM #: 1

ACREAGE: 33,320 square feet

ZONING DISTRICT: Thoroughfare Business District (B-3); Groundwater Protection District

EXISTING LAND USE:
Gas station with service bays

SURROUNDING LAND USE:
Commercial, retail uses and single family residential

ZBA ACTION: None

PERMITS REQUIRED:

- City of Dover Conditional Use Permit for Groundwater Protection District

WAIVERS REQUESTED: Waiver requested to allow overhead utilities instead of underground

ATTENDANCE:

Linda Merullo – Planning Board
Steve Bird (Planner)
David White (Engineering)
Tom Clark (Inspection/Fire Department)
Marn Speidel (Police Department)
John Chagnon, Ambit Engineering
Bill Tanguay
Don Mitchell
Steven Rickerich
Paul Kenney
Dennis Stevens

Planning Department Comments:

- Need Neighborhood plan (can be aerial photograph) and add primary wellhead protection zone
- Remove approval line from all sheets
- Add plan number P11-35 to title block on all sheets
- Review need for Traffic Impact Assessment and Analysis with Bruce Woodruff

Sheet C-1

- Add note that parcel is in the Groundwater Protection District
- Confirmed that second shed in the northwest corner of property is not owned by Aranco

Sheet C-2

- All new pavement has to be 5 feet from property lines
- Reduce width of driveways, especially the southern driveway
- Add tip downs to the sidewalks
- Can not relocate nonconforming sign without bringing it into compliance with existing requirements
- Add crosswalk paint at driveways
- In note # 4, use retail as use instead of grocery
- Look to eliminate 5-space parking area to reduce impervious area and add some spaces along the southern edge of pavement after reducing driveway width
- Clarify front setback requirement for canopy and freestanding sign with Zoning Administrator

Sheet L-1

- Reduce lighting to conform to Chapter 149-14-E
- Calculate canopy lighting to include area within five feet of canopy

Sheet D-2

- Free standing sign must meet current regulations; LED not allowed

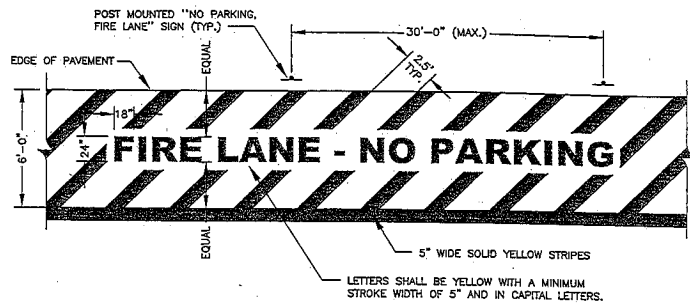
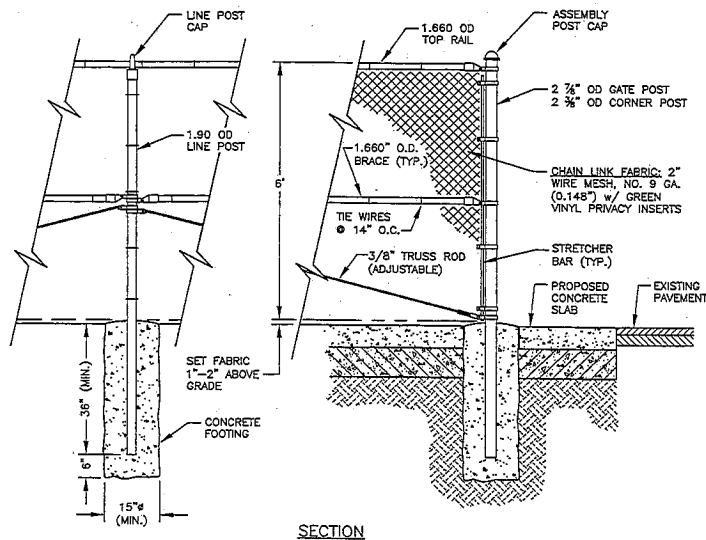
Police Department Comments:

- What is the timeline for termination of the current on-site vehicle storage agreement?
- Potential vision obstruction of proposed vegetation between two driveways.
- Security alarm system necessary if independent operator does not maintain 24 hour operations.
- Plan for snow storage

Fire/Inspections Comments:

- Add fire lane and signage along the front island

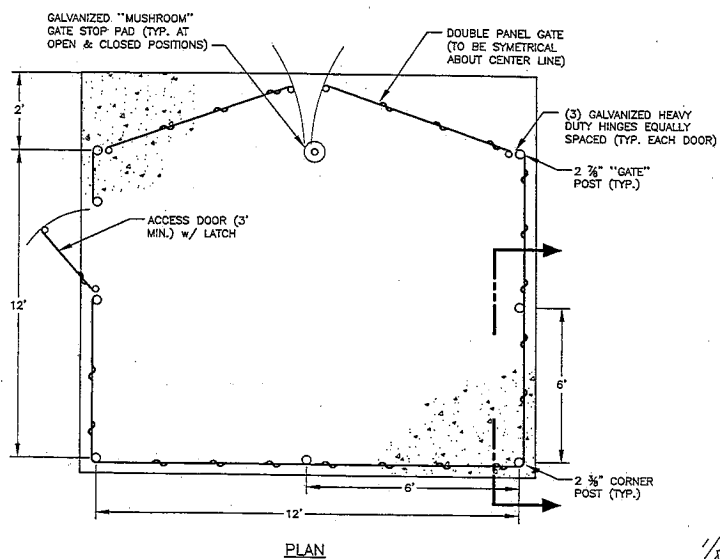
Economic Development Comments: None



3 PAINTED "FIRE LANE - NO PARKING" DETAIL
NTS

LANDSCAPE SCHEDULE

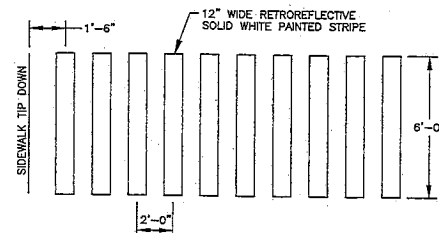
I.D. No.	ITEM	SIZE	QTY.
1	Fraxinus pennsylvanica 'Patmore' Ash Tree	2.5"-3" C.	2
2	Spirea japonica 'Neon Flash' Japanese Spirea	#3 (3' O.C.)	42
3	Hemerocallis 'Mary Todd' Daylily	1 Gal. (2' O.C.)	52
4	Malus 'Red Jade' Red Jade Crabapple	2" C.	3
5	Quercus robur fastigiata Columnar English Oak	2.5"-3" C.	2



PLAN

- NOTES:
- 1) ALL CORNER & INTERMEDIATE POST ASSEMBLIES SHALL HAVE TWO BRACES.
 - 2) CHAIN LINK FABRIC: KNUCKLED TOP AND TWISTED BOTTOM.
 - 3) WHERE GROUND CONDITIONS PERMIT, FORMS FOR FOOTINGS WILL NOT BE REQUIRED.
 - 4) ALL METAL FITTINGS AND FASTENERS SHALL BE HOT DIPPED GALVANIZED.
 - 5) DESIGN PLANS ARE FOR STEEL FENCING.
 - 6) ALTERNATE DESIGNS & MATERIALS MAY BE USED IF CONSTRUCTION DRAWINGS ARE PROVIDED TO, AND APPROVED BY THE BUILDING INSPECTOR.

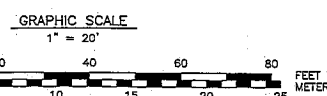
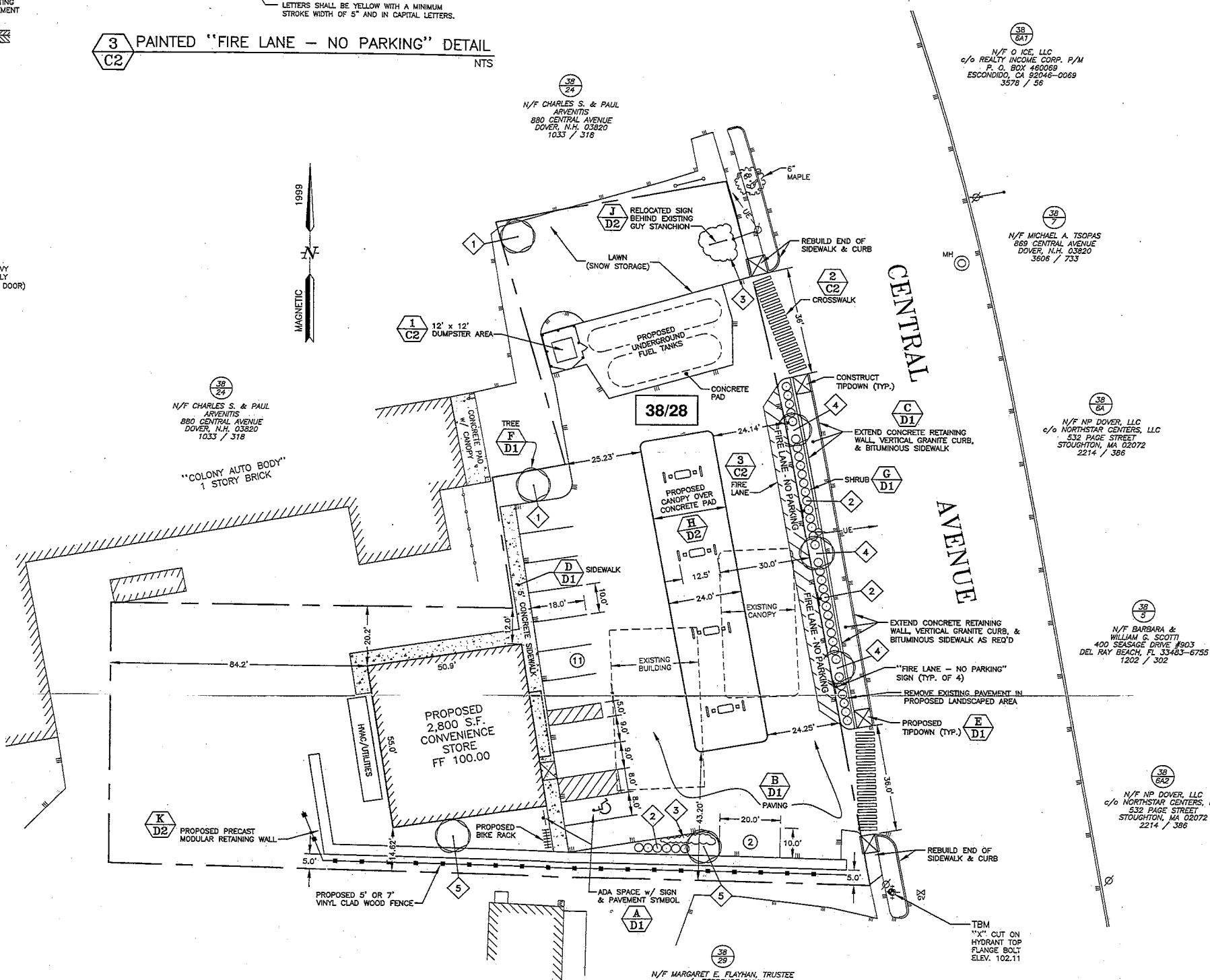
1 CHAIN LINK DUMPSTER ENCLOSURE DETAILS
NTS



2 PAINTED CROSSWALK DETAIL
NTS

OWNER OF RECORD:
ARANOSIAN OIL COMPANY, INC.
557 NORTH STATE STREET
CONCORD, N.H. 03301

AUTHORIZED SIGNATURE



Reduced Size
Not to Scale

AMBIT ENGINEERING, INC.
Civil Engineers & Land Surveyors
200 Griffin Road, Unit 3
Portsmouth, N.H. 03801-7114
Tel (603) 430-9282
Fax (603) 436-2315

- NOTES:
- 1) THE CONTRACTOR SHALL NOTIFY DIG SAFE AT 1-888-DIG-SAFE (1-888-344-7233) AT LEAST 72 HOURS PRIOR TO COMMENCING ANY EXCAVATION ON PUBLIC OR PRIVATE PROPERTY.
 - 2) UNDERGROUND UTILITY LOCATIONS ARE BASED UPON BEST AVAILABLE EVIDENCE AND ARE NOT FIELD VERIFIED. LOCATING AND PROTECTING ANY ABOVEGROUND OR UNDERGROUND UTILITIES IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR AND/OR THE OWNER. UTILITY CONFLICTS SHOULD BE REPORTED AT ONCE TO THE DESIGN ENGINEER.
 - 3) CONTRACTOR SHALL INSTALL AND MAINTAIN EROSION CONTROL MEASURES IN ACCORDANCE WITH THE "NEW HAMPSHIRE STORMWATER MANUAL, VOLUME 3, EROSION AND SEDIMENT CONTROLS DURING CONSTRUCTION. (NHDES DECEMBER 2008).
 - 4) PARKING CALCULATION (RETAIL & GAS SERVICE STATION*):
1 SPACE / 250 S.F. FLOOR AREA
2,800 S.F. / 250 S.F. = 11 SPACES
1 SPACE / EMPLOYEE
2 EMPLOYEES X 1 SPACE = 2 SPACES
13 SPACES REQUIRED
13 SPACES PROVIDED
*NOTE THAT 2 SPACES ARE AVAILABLE AT EACH PUMP ISLAND.
 - 5) PROPOSED OPEN SPACE:
11,600 S.F. / 33,320 S.F. X 100 = 34.8%
 - 6) THE PURPOSE OF THIS PLAN IS TO SHOW THE LAYOUT AND LANDSCAPING FOR A PROPOSED SELF SERVICE GAS AND CONVENIENCE STORE ON MAP 38 LOT 28.
 - 7) EXTERIOR LIGHTING SHALL BE CUT-OFF TYPE FIXTURES PER CHAPTER 149-14-E AND SHALL PROVIDE LIGHTING DIRECTED ON-SITE ONLY.
 - 8) A SECURITY SYSTEM SHALL BE INSTALLED AS REQUIRED BY CHAPTER 58, ARTICLE I, SECTION 58-2 OF THE CODE OF THE CITY OF DOVER.
 - 9) ALL MATERIALS AND CONSTRUCTION SHALL CONFORM TO APPLICABLE CITY AND STATE CODES.
 - 10) AS-BUILT PLANS OF THE SITE SHALL BE SUBMITTED ON A REPRODUCIBLE MYLAR MEDIUM AND IN A DIGITAL DXF FORMAT ON DISK TO THE CITY OF DOVER ENGINEER'S OFFICE UPON COMPLETION OF PROJECT. AS-BUILT PLANS SHALL BE PREPARED AND CERTIFIED CORRECT BY A LLS OR P.E.

PROPOSED CONVENIENCE STORE WITH GAS PUMPS
ARANCO OIL
874 CENTRAL AVENUE
DOVER, N.H.

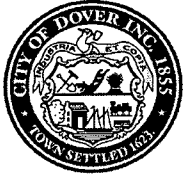
NO.	DESCRIPTION	DATE
3	LANDSCAPING, CROSSWALK, NOTE 4	8/4/11
2	OWNER BLOCK, DETAIL 1/C2	7/13/11
1	ISSUED FOR APPROVAL	6/30/11
0	ISSUED FOR COMMENT	6/23/11

STATE OF NEW HAMPSHIRE
JOHN R. CHAGNON
No. 7651
LICENSED PROFESSIONAL ENGINEER

SCALE: 1" = 20' APRIL 2011

PROPOSED LAYOUT & LANDSCAPING PLAN
C2

CITY OF DOVER FILE NO. P11-35



CITY OF DOVER

TECHNICAL REVIEW COMMITTEE NOTES

Application Type: Site Plan Review
Applicant(s): Aranco Oil
Owner(s): Aranosian Oil Company
Location: 874 Central Avenue (Assessors Map 38, Lot 28)
Date: July 28, 2011

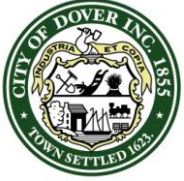
S:\Department\Planning\Planning_Share\TRC\2011 TRC\2011 TRC Notes\2011.07.28_TRCnotesArancoOil.docx

Planning Board Comments:

- Reduce the size of the canopy, which is twice as large as the existing canopy; are four pumps necessary?
- Add some trees along the front landscaping to shield the canopy and lighting
- Right turns only on exiting; traffic impacts of left turns out of site
- Reduce sign size and height

Engineering Comments:

- Entrances are too wide
- Provide truck movement diagrams
- Roof drain seems too small at 4"; recommend 6" or 8"
- Proposed overhead service should be underground
- Move curb box to property line
- Lighting is too bright
- Landscaping is minimal – add more
- Drainage study will be reviewed
- Questioned pavement setbacks of 10' in front and 5' on sides



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P11-36

Application Type:	Minor Subdivision
Applicant:	LDSJ Holdings, LLC
Owner:	Beulah Eldredge & Betharlene Weeden Miller, Trustees, Weeden Family Revocable Trust
Location:	385 Sixth Street (Assessor's Map D, Lots 16 & 16-A)

INTENT: To subdivide an existing parcel on Sixth Street into two lots.

LOTS/UNITS PROPOSED: Two lots

AGENDA ITEM #: 4-C

ACREAGE: 37.6 acres

ZONING DISTRICT: Hotel/Retail District – B-4

EXISTING LAND USE: Single family house and vacant lot

PROPOSED LAND USE: Dental office on one lot and single family house on second lot

SURROUNDING LAND USE: Single family residential and office buildings

ZBA ACTION: None

ATTACHMENTS:
Subdivision application and plans

APPLICATION IS COMPLETE: Yes

NOTICES SENT: Notices were sent by certified mail to abutters

PERMITS REQUIRED: None

WAIVERS REQUESTED: None

Summary of Request and Background

The applicant has submitted a set of plans asking to subdivide an existing lot into two lots, one would be 32.57 acres and the other would be 5.01 acres. Each lot would be serviced by municipal sewer and water.

Consistency with Land Use Regulations

Chapter 155-15 of the Land Subdivision Regulations of the City Code provides for subdivisions of existing lots. The project is located in the Hotel/Retail District – B-4, which allows for large scale commercial development along major highways. This subdivision creates a new five acre lot which is consistent with the requirements for the district. This plan is consistent with those regulations.

STAFF RECOMMENDATION:

The Planning Department recommends that the Planning Board accept the application, hold the public hearing, and approve the subdivision application with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

1. The owner's signature shall be added to the final plat submitted for signature.
2. The applicant shall provide the Planning Department with a digital version of the final plat.
3. The applicant shall add the surveyor's stamp and signature to the plat.
4. The applicant shall revise the plat to add the Planning file number, P11-36 to the title block.
5. The applicant shall revise the plat to change "Town" to "City" in the title block.
6. The applicant shall revise the plat to add a note explaining the history of lot 16A as it relates to the City tax maps and deeds that were filed.
7. The applicant shall revise sheet #1 of the plat by changing "Proposed Conservation Easement" to "Proposed Conservation Restriction".



City of Dover, New Hampshire SUBDIVISION APPLICATION

[Revision Date: July 19, 2010]

Office Use Only	Project #:	<u>P11-36</u>	Date Received:	<u>JUL 28 2011</u>
	Amount Paid:	<u>\$530</u>	Time Received:	

APPLICANT AND OWNER INFORMATION

Name of Applicant: LDSJ Holdings, LLC, Attn: Lydia Howard Telephone # (603) 749-0636

Address of Applicant: 51 Grove Street, Greenland, NH 03840
Beulah Eldredge & Betharlene Weeden Miller, Trustees

Name of Property Owner (if different from applicant): Weeden Family Rev. Trust Telephone # _____

Address of Property Owner: 447 Sixth Street, Dover, NH 03820

PROPERTY INFORMATION

Address of Property: 385 Sixth Street, Dover, NH

Assessor's Map # D Lot(s) # 16 & 16A

Zoning District(s) B-4 Overlay District(s) Conservation District/WPD/TDR

Size of Parcel: 37.6 +/- Ac Property Deed: Book 3837 Page: 0042

Existing Use of Property: vacant land with abandoned buildings

SUBDIVISION INFORMATION

Subdivision Type: Major (4 + net new lots): _____ Minor (3 or fewer lots): Open Space: _____

Existing Number of Lots: 1 Proposed Number of Lots: 2

City Water? Yes No How far is city water from the property? 30' +/-

City Sewer? Yes No How far is city sewer from the property? 20' +/-

Highway Access (check where applicable): City Street State Highway

Estimated Length of Proposed Roads: N/A feet Public or Private Road? N/A

SURVEYOR INFORMATION

Name of Surveyor and Company (Licensed in N.H.) Michael Bouffard, Jones & Beach Engineers, Inc.

Address PO Box 219, Stratham, NH 03885 Telephone #: (603) 772-4746

Professional License #: NH 880 E-mail address: mbouffard@jonesandbeach.com

ENGINEER INFORMATION

Name of Engineer and Company (Licensed in N.H.) Jonathan S. Ring, Jones & Beach Engineers, Inc.

Address PO Box 219, Stratham, NH 03885 Telephone #: (603) 772-4746

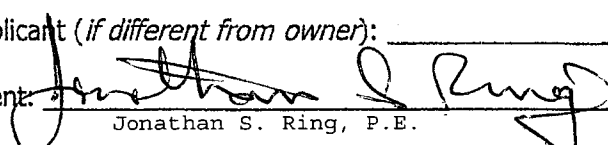
Professional License #: NH 7488 E-mail address: jring@jonesandbeach.com

SIGNATURES

I/We hereby submit this application to the City of Dover Planning Board and attest that to the best of my knowledge all of the information on this application form and in the accompanying application materials and documentation is true and accurate. As applicant or as agent, I attest that I am duly authorized to act in this capacity.

Signature of Property Owner: _____ Date: _____

Signature of Applicant (if different from owner): _____ Date: _____

Signature of Agent:  Date: 7/28/11
Jonathan S. Ring, P.E.

AUTHORIZATION TO ENTER SUBJECT PROPERTY

I hereby authorize members of the Dover Planning Board, Planning Department and other pertinent City Departments and boards to enter my property for the purpose of evaluating this application, including performing inspections during the application phase, post-approval phase, construction phase and occupancy phase. It is understood that these individuals must use all reasonable care, courtesy, and diligence when on the property.

Signature of Property Owner: _____ Date: 7/28/11
Agent: 
Jonathan S. Ring, P.E.

**ABUTTERS LIST
FOR
HOWARD DENTAL CLINIC
385 SIXTH STREET, DOVER, NH
JBE PROJECT No. 11066
July 27, 2011**

OWNER OF RECORD/APPLICANT:

TAX MAP D/16 & 16A
BEULAH M. ELDREDGE &
BETHARLENE WEEDEN MILLER, TRUSTEES
WEEDEN FAMILY REVOCABLE TRUST
447 SIXTH STREET
DOVER, NH 03820
BK 3837/PG 0042
BK 1061/PG 417

ABUTTERS:

D/5A
CITY OF DOVER
288 CENTRAL AVENUE
DOVER, NH 03820
1739/243

D/7 & D/14
DIDA
288 CENTRAL AVENUE
DOVER, NH 03820
1790/581 (D/7)
2140/167 (D/14)

D/13
JOHANNES CRAMER
20 VENTURE DRIVE
DOVER, NH 03820
3461/261

D14-1
MSN PROPERTIES, LLC
67 VENTURE DRIVE
DOVER, NH 03820
2502/0674

D/14-2
PILLAR INVESTMENT CORP.
PO BOX 728
DOVER, NH 03821
1806/107

D/14-3A & D/14-3-1
EVEREST CO., INC.
PO BOX 1900
AUBURN, ME 04211
1892/429

D/14-3B & 14-3-2
69 VENTURE DRIVE REALTY, LLC
PO BOX 695
NORTH HAMPTON, NH 03862
3358/860

D/15
DIANE I. & JEFFREY A. WEEDEN
387 SIXTH STREET
DOVER, NH 03820
1106/609

D/16B
JOHN W. & DEBRA J. WEEDEN
365 SIXTH STREET
DOVER, NH 03820
2818/983

D/16C
EDWARD M. & VALERIE C. SAWYER
399 SIXTH STREET
DOVER, NH 03820
3478/150

D/16E
DENNIS D. JR & KIMBERLY J. DUBE
401 SIXTH STREET
DOVER, NH 03820
3689/830

D/17D
CHARLES P. KAGELEIRY
PO BOX 728
DOVER, NH 03821-0728
3519/808

E/24
LIBERTY MUTUAL INSURANCE CO.
C/O JOANNE BRAGG
175 BERKELEY STREET, MS03L
BOSTON, MA 02116
1364/453

E/26B
SEAN M. LAROSE
390 SIXTH STREET
DOVER, NH 03820
2137/498

E/27A
171 WATSON ROAD OF DOVER HOLDING CORP.
PO BOX 1217
DOVER, NH 03821-1217

E/27E
RUSSELL A. & JENNIFER K. NEWELL
398 SIXTH STREET
DOVER, NH 03820
2448/223

ENGINEERS/SURVEYORS/WETLAND SCIENTIST:

JONES & BEACH ENGINEERS, INC.
ATTN: JONATHAN S. RING, P.E.
PO BOX 219
STRATHAM, NH 03885

APPLICANT:

LDSJ HOLDINGS, LLC
ATTN: LYDIA HOWARD
51 GROVE STREET
GREENLAND, NH 03840

CONTRACTOR:

COBB HILL CONSTRUCTION
ATTN: JERRY KINGWILL
206 NORTH STATE STREET
CONCORD, NH 03301


ARCHITECT:

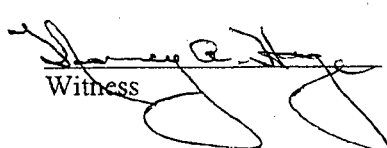
WARRENSTREET ARCHITECTS
ATTN: JONATHAN HALLE
27 WARREN STREET
CONCORD, NH 03301-2714

Letter of Authorization

We, Beulah M. Eldredge & Betharlene F. Weeden Miller, Weeden Family Revocable Trust, Sixth Street, Dover, NH 03820, owners of property located in Dover, NH, known as Tax Map D Lots 16 & 16A, do hereby authorize Jones & Beach Engineers, Inc., PO Box 219, Stratham, NH, to act on our behalf concerning the previously mentioned property. The parcel is located at 385 Sixth Street in Dover, NH.

We hereby appoint Jones & Beach Engineers, Inc., as our agent to act on our behalf in the review process, to include any required signatures.


Witness Beulah M. Eldredge Trustee 7-27-11
Beulah M. Eldredge Date
Weeden Family Revocable Trust

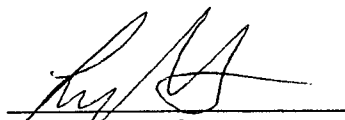

Witness Betharlene Weeden Miller 7-27-11
Betharlene Weeden Miller Date
Weeden Family Revocable Trust

Letter of Authorization

I, Lydia Howard, LDSJ Holding, LLC, 51 Grove Street, Greenland, NH 03840, applicant of property located in Dover, NH, known as Tax Map D Lots 16 & D16A, do hereby authorize Jones & Beach Engineers, Inc., PO Box 219, Stratham, NH, to act on my behalf concerning the previously mentioned property. The parcel is located at 385 Sixth Street in Dover, NH.

I hereby appoint Jones & Beach Engineers, Inc., as my agent to act on my behalf in the review process, to include any required signatures.


Witness


Lydia Howard
LDSJ Holdings, LLC

7/28/11
Date



CITY OF DOVER

TECHNICAL REVIEW COMMITTEE NOTES

Application Type: Site Plan Review
Applicant(s): LDSJ Holdings, LLC
Owner(s): Beulah Eldredge & Betharlene Weeden Miller, Trustees, Weeden Family Revocable Trust
Location: 385 Sixth Street (Assessor's Map D, Lot 16-A)
Date: August 11, 2011

INTENT: Site Plan review for the construction of a 5,544 square foot dental office building and 52 parking spaces.

LOTS/UNITS PROPOSED: N/A

AGENDA ITEM #: 1

ACREAGE: 5.01 acres

ZONING DISTRICT: Hotel/Retail District – B-4/Transfer of Development Rights

EXISTING LAND USE: Vacant lot with barn

PROPOSED LAND USE: Dental office building

SURROUNDING LAND USE: Single family residential and office buildings

ZBA ACTION: None

PERMITS REQUIRED:
None

WAIVERS REQUESTED: None

ATTENDANCE:

Linda Merullo – Planning Board
Marcia Gasses – Planning Board
Chris Parker (Planning Director)
Steve Bird (Planner)
David White (Engineering)
Tom Clark (Inspection/Fire Department)
Jonathan Ring – Jones & Beach Engineers
Josh and Lydia Howard
Jerry Kingwell – Cobb Hill Construction
Jonathan Halle – Warren Street
Ralph Pope

Planning Department Comments:

- Add plan number P11-37 to title block on all sheets
- Need Neighborhood Plan
- Need Traffic Assessment and Analysis
- Remove Subdivision plat, sheet A1 from this plan set and increase scale to 1" = 100'
- Need Streetscape plan
- LED signs are not allowed
- Impact fees will be assessed
- Water and sewer investment fees will be assessed

Sheet C-1

- Is the pond on site a natural or manmade pond? It makes a difference with the Conservation District setbacks
- Show Conservation District setbacks from Indian Brook
- Note demolition of barn

Sheet C-2

- Show wetlands buffer for the wetlands along Indian Brook
- One driveway cut is preferred
- Driveways must comply with Chapter 149-14-H-1 spacing requirements
- Add note specifying the requirements that are being waived under TDR
- Look at deceleration lanes and left turn lanes in Sixth Street
- Parking spaces are 9 more than required
- Did you review options for placing the parking to the rear or side of the building?
- Who would the conservation easement be granted to?
- Consider pervious concrete for sidewalks
- Label employee parking spaces

Sheet C-3

- Look to reduce the wetland buffer impacts

Sheet L-1

- Need lighting calculations to determine if the plan conforms to Chapter 149-14-E

Sheet LA1.1

- Add Landscape Architect stamp and signature
- Show 5% interior landscaping calculation

Sheet LA1.2

- Delete sign detail

Police Department Comments:

- No comments



CITY OF DOVER

TECHNICAL REVIEW COMMITTEE NOTES

Application Type: Site Plan Review
Applicant(s): LDSJ Holdings, LLC
Owner(s): Beulah Eldredge & Betharlene Weeden Miller, Trustees, Weeden Family Revocable Trust
Location: 385 Sixth Street (Assessor's Map D, Lot 16-A)
Date: August 11, 2011

Fire/Inspections Comments:

- Sheet C-2, note 20, change reference from 2006 edition of the IBC to '09
- Add note re: address
- Due to the quantity of parking spaces, an additional space for the disabled is required
- Indicate fire lane on site plan
- Doesn't appear to be any lighting @ rear of bldg

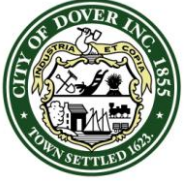
Economic Development Comments: None

Planning Board Comments:

- Consider placing the building along the street, not behind parking.

Engineering Comments:

- Will review drainage with Mike Cariver of Jones & Beach
- Show 1 foot contours in parking lots
- Add catch basin instead of gravel swale from west corner of parking lot with hood
- Identify the roof drains
- Discourage two entrances
- Do one 6" tap for water and tie 2" off of that outside building
- Move some lighting to entrance
- Tie sewer service into main, maybe closer to water crossing
- Show light poles on utility plan and landscape plan



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P11-37

Application Type:	Site Plan Review
Applicant:	LDSJ Holdings, LLC
Owner:	Beulah Eldredge & Betharlene Weeden Miller, Trustees, Weeden Family Revocable Trust
Location:	385 Sixth Street (Assessor's Map D, Lots 16 & 16-A)

INTENT: Site Plan review for the construction of a 5,544 square foot dental office building and 43 parking spaces.

LOTS/UNITS PROPOSED: None

AGENDA ITEM #: 4-D

ACREAGE: 5.01 acres

ZONING DISTRICT: Hotel/Retail District – B-4

EXISTING LAND USE: Vacant lot with barn

PROPOSED LAND USE: Dental office building

SURROUNDING LAND USE: Single family residential and office buildings

ZBA ACTION: None

ATTACHMENTS:
Site plan application and plans

APPLICATION IS COMPLETE: Yes

NOTICES SENT: Notices were sent by certified mail to abutters

PERMITS REQUIRED: None

WAIVERS REQUESTED: None

Summary of Request and Background

The applicant has submitted a set of plans asking to construct a 5,544 square foot dental office building and 43 parking spaces. The project will be serviced by municipal water and sewer.

The applicant appeared before the Technical Review Committee (TRC) on August 11, 2011 (see enclosed TRC Notes).

This application proposes to utilize the Transfer of Development Rights ordinance (Chapter 170-27.2). The applicant is proposing to use the TDR ordinance to obtain relief from the 50-foot wetland setback and 100-foot pond setback requirements. Drainage facilities, grading, generator pads and a patio are proposed to be within the wetlands and pond buffers. The total disturbance within the wetlands buffer is 13,100 square feet and the total impervious in the wetlands buffer is 235 square feet. Chapter 170-27.2, F-4, specifically allows for the Planning Board to waive setbacks for parking, paved areas, and buildings to promote intensive development of suitable development sites.

Consistency with Land Use Regulations

Chapter 149-4 of the Site Review Regulations of the City Code provides for site review approval. This property is located in the B-4 District, which has as its purpose to provide an environment that encourages efficient and attractive commercial development on a larger scale along major highways outside of the downtown. This plan is consistent with those regulations.

STAFF RECOMMENDATION:

The Planning Department recommends the Planning Board accept the application, open the public hearing, and then table the application until the September 13th meeting and schedule a site walk.



City of Dover, New Hampshire SITE REVIEW APPLICATION

[Revision Date: July 19, 2010]

Office Use Only	Project #:	<u>PL-37</u>	Date Received:	
	Amount Paid:	<u>\$ 704.60</u>	Time Received:	<u>JUL 28 2011</u>

CR# 6164

APPLICANT AND OWNER INFORMATION

Name of Applicant: LDSJ Holdings, LLC, Attn: Lydia Howard Telephone # (603) 749-0636

Address of Applicant: 51 Grove Street, Greenland, NH 03840
Beulah Eldredge & Betharlene Weeden Miller, Trustees

Name of Property Owner (if different from applicant): Weeden Family Rev. Trust Telephone # _____

Address of Property Owner: 447 Sixth Street, Dover, NH 03820

PROPERTY INFORMATION

Address of Property: 385 Sixth Street, Dover, NH

Assessor's Map # D Lot(s) # 16 & 16A

Zoning District(s) B-4 Overlay District(s) Conservation District/WPD/TDR

Size of Parcel: 218,237 sq. ft. 5.01 ac. Property Deed: Book 3837 Page: 0042

Existing Use of Property: vacant land with existing barn

SITE PLAN INFORMATION

Describe Proposed Use: Dental Clinic Building

Area of Parcel to be Developed: 90,000 +/- sq. ft.

If Multi-family Residential, Specify Number of Units & Buildings Proposed: N/A

Number of Parking Spaces: Existing 0 Proposed 52

Highway Access (check where applicable): City Street State Highway

Number of Employees Total: 15 In Maximum Shift: N/A

Disposition of Parcel:	Building Setbacks:
Building Footprint <u>5,544</u> sq. ft.	Front Yard <u>85' +/-</u> ft.
Total Building Area <u>5,544</u> sq. ft.	Rear Yard <u>200' +/-</u> ft.
Paved Area <u>30,000 +/-</u> sq. ft.	Side Yard: Right <u>142' +/-</u> ft.
	Left <u>173' +/-</u> ft.

City Water? Yes No How far is city water from the property? 30' +/-

City Sewer? Yes No How far is city sewer from the property? 20' +/-

BUILDING INFORMATION

Type of Building to be Built: wood frame

Height of Building: less than 25' Finished Floor Elevation: 164.0'

Number of Seats (where applicable) N/A

SURVEYOR INFORMATION

Name of Surveyor and Company (Licensed in N.H.) Michael Bouffard, Jones & Beach Engineers, Inc.

Address PO Box 219, Stratham, NH 03885 Telephone #: (603) 772-4746

Professional License #: NH 880 E-mail address: mbouffard@jonesandbeach.com

ENGINEER INFORMATION

Name of Engineer and Company (Licensed in N.H.) Jonathan Ring, Jones & Beach Engineers, Inc.

Address PO Box 219, Stratham, NH 03885 Telephone #: (603) 772-4746

Professional License #: NH 7488 E-mail address: jring@jonesandbeach.com

SIGNATURES

I/We hereby submit this application to the City of Dover Planning Board and attest that to the best of my knowledge all of the information on this application form and in the accompanying application materials and documentation is true and accurate. As applicant or as agent, I attest that I am duly authorized to act in this capacity.

Signature of Property Owner: _____ Date: _____

Signature of Applicant (if different from owner): _____ Date: _____

Signature of Agent: Jonathan S. Ring Date: 7/28/11
Jonathan S. Ring, P.E.

AUTHORIZATION TO ENTER SUBJECT PROPERTY

I hereby authorize members of the Dover Planning Board, Planning Department and other pertinent City Departments and boards to enter my property for the purpose of evaluating this application, including performing inspections during the application phase, post-approval phase, construction phase and occupancy phase. It is understood that these individuals must use all reasonable care, courtesy, and diligence when on the property.

Signature of Property Owner: Jonathan S. Ring Date: 7/28/11
Agent: Jonathan S. Ring, P.E.



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P11-39

Application Type: Conditional Use Permit
Applicant: Berry Brook Condominium Association
Owner: Cynthia H. Dupuis
Location: 34-40 Ash Street (Assessor's Map 30, Lot 19B)

INTENT: To obtain a Conditional Use Permit to impact 995± square feet of wetlands buffer to replace and partially relocate an existing timber retaining wall that is failing with a new retaining wall within 50 feet of Berry Brook.

LOTS/UNITS PROPOSED: None

AGENDA ITEM #: 4-F

ACREAGE: 0.36 acres

ZONING DISTRICT: Restricted Industrial District – I-1

EXISTING LAND USE: Four unit multi-family condominium

PROPOSED LAND USE: Four unit multi-family condominium

SURROUNDING LAND USE: Single family, duplexes, and multi-family residential

ZBA ACTION: None

ATTACHMENTS:
Conditional Use Permit Plan and application

APPLICATION IS COMPLETE: Yes

NOTICES SENT: Yes

PERMITS REQUIRED:

- NHDES Wetlands Permit
- City of Dover Conditional Use Permit

WAIVERS REQUESTED: None

Summary of Request and Background

The applicant has submitted a set of plans to impact the Conservation District and Wetlands Protection District to replace and partially relocate a timber retaining wall with a new mechanically stabilized earth retaining wall with concrete facing.

The applicant received an endorsement of the application from the Dover Conservation Commission on August 8, 2011. (See enclosed Conservation Commission minutes).

The existing retaining wall is in danger of collapse which would cause considerable damage to Berry Brook and potentially block the outlet of the culvert that carries Berry Brook through the property. Due to volume of water that passes through the culvert, any blockage could cause flooding upstream.

Consistency with Land Use Regulations

The Conservation District and Wetland Protection District ordinances provides for Conditional Use Permits to allow impacts to conservation areas, wetlands and wetland buffers if standards related to demonstration of need, avoidance, minimization, and mitigation are met. This application meets these standards.

STAFF RECOMMENDATION:

The Planning Department recommends that the Planning Board accept the application, hold the public hearing, and approve the conditional use permit with the following recommendations:

Conditions to Be Met Prior to the Issuance of the Conditional Use Permit:

1. The applicant shall provide the Planning Department with a copy of the NH Department of Environmental Services Wetlands Permit.



City of Dover, New Hampshire CONDITIONAL USE PERMIT APPLICATION

Office Use Only Project #: 011-39 Date Received: _____
Amount Paid: _____ Time Received: _____

Revision Date: August 16, 2010
AUG 08 2011
By _____

APPLICANT AND OWNER INFORMATION

Name of Applicant: Berry Brook Condominium Association Telephone # _____

Address of Applicant: 36 Ash Street, Dover, NH 03820

Name of Property Owner (if different from applicant): Cynthia H Dupuis Telephone # 603.843.0809

Address of Property Owner: 36 Ash Street, Dover, NH 03820

PROPERTY INFORMATION

Address of Property: Ash Street, Dover, NH 03820

Assessor's Map #: 30019 Lot(s) #: B00003

Zoning District(s): R-102 Overlay District(s): SS

Existing Use of Property: Multi-family residential

CONDITIONAL USE PERMIT INFORMATION

Type of Conditional Use Permit (Check All That Apply):

- Conservation District
- Groundwater Protection
- Wetland Protection District
- RCM Use Overlay District
- Off-Street Parking and Loading
- Central Business District
- I-1 District Uses

Describe Proposed Use or Activity That Requires Conditional Use Permit and Describe Any Impacts:
Replace existing timber retaining wall with new mechanically stabilized earth (MSE) retaining wall with concrete facing.

List Any Associated State or Federal Permits That Have Been or Will Be Applied For and Indicate Their Status: NH DEP Permit by Notification (pending)

Name of Professional That Prepared Plans: Stephen McNally, P.E., Assistant VP, Greenman Pedersen, Inc.

Address: 14 Manchester Square, Portsmouth, NH 03801 Telephone #: 603.891.2213

Professional License #: NH PE 6954 E-mail address: smcnally@gpinet.com



CITY OF DOVER

DOVER CONSERVATION COMMISSION – MINUTES

Meeting Type: Regular Meeting
Meeting Location: First Floor Conference Room - 288 Central Avenue Dover NH
Meeting Date: Monday, August 8, 2011
Meeting Time: 5:30 pm

Hebert asked who reviews the impact on the channel. Taylor said that it is the Division of Ports and Harbors and the US Army Corps of Engineers. Quisumbing-King asked about the Natural Heritage Bureau review. Taylor explained the review process.

Sorbello moved to endorse the application, Hebert seconded. Vote: Unanimous

- B. City of Dover Conditional Use Permit and NHDES Permit by Notification for Berry Brook Condominium Association and Cynthia Dupuis (Agent: Stephen McNally, Greenman Pedersen, Inc.) Assessor's Map 30, Lot 19B, zoned I-1, located at 34-40 Ash Street.

Stephen McNally was present to explain the proposal to impact 995± sq. ft. of wetlands buffer to replace and partially relocate an existing timber wall with a new mechanically stabilized earth retaining wall with concrete facing within the Conservation District of Berry Brook. He presented two plan options. One that kept the retaining wall in the same location so that it would be easily permitted under the Permit by Notification (PBN) process, however this kept the wall over the large culvert owned by the City that contains Berry Brook. The second would relocate the wall away from the culvert and allow for easier maintenance by the City in the future. McNally stated that the wall needs to get fixed this year or it could collapse during the winter.

Gasses asked if any one involved with the restoration of Berry Brook had been consulted on this project. McNally said that he had talked with Dean Peschel, but that there was no funding for fixing this project. Bird confirmed that all construction equipment would remove the wall from behind and above the wall. McNally asked for support for the plan that keeps the wall in the same location to make sure that the work could be completed this year. He was not sure if the plan showing the relocated wall would qualify for the PBN. Gasses preferred the second plan with the relocated wall and if that plan did not qualify for the PBN, she supports the applicant filing a minimum impact application.

Gasses moved to endorse the application for the relocated retaining wall plan, Sorbello seconded. Vote: Unanimous

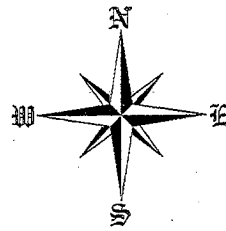
- C. Request for expenditure from the Conservation Fund for Apple Harvest Day booth rental for Open Lands Committee.

Bird explained that the Open Lands Committee was once again requesting that the Conservation Commission approve an expenditure of \$75 from the Conservation Fund for the purpose of having a booth at the Apple Harvest Day on October 1, 2011.

Gasses moved to approve the expenditure, Quisumbing-King seconded. Vote: Unanimous

- D. Review of Proposed Amendments to Rules of Procedure

Bird explained that the Legal Counsel was working to make sure that all committees and boards had standard components so there is some consistency. This includes items such as purpose, function, minutes, staffing, etc. The Conservation Commission just amended the rules in December of 2010, so the rules are mostly up to date. There mostly formatting changes proposed for consistency. Bird



GW GREAT WORKS PUMP & TEST BORING, INC.
P.O. Box 491 Rollinsford, NH 03869 (207)698-4824 - Fax (207)698-1954

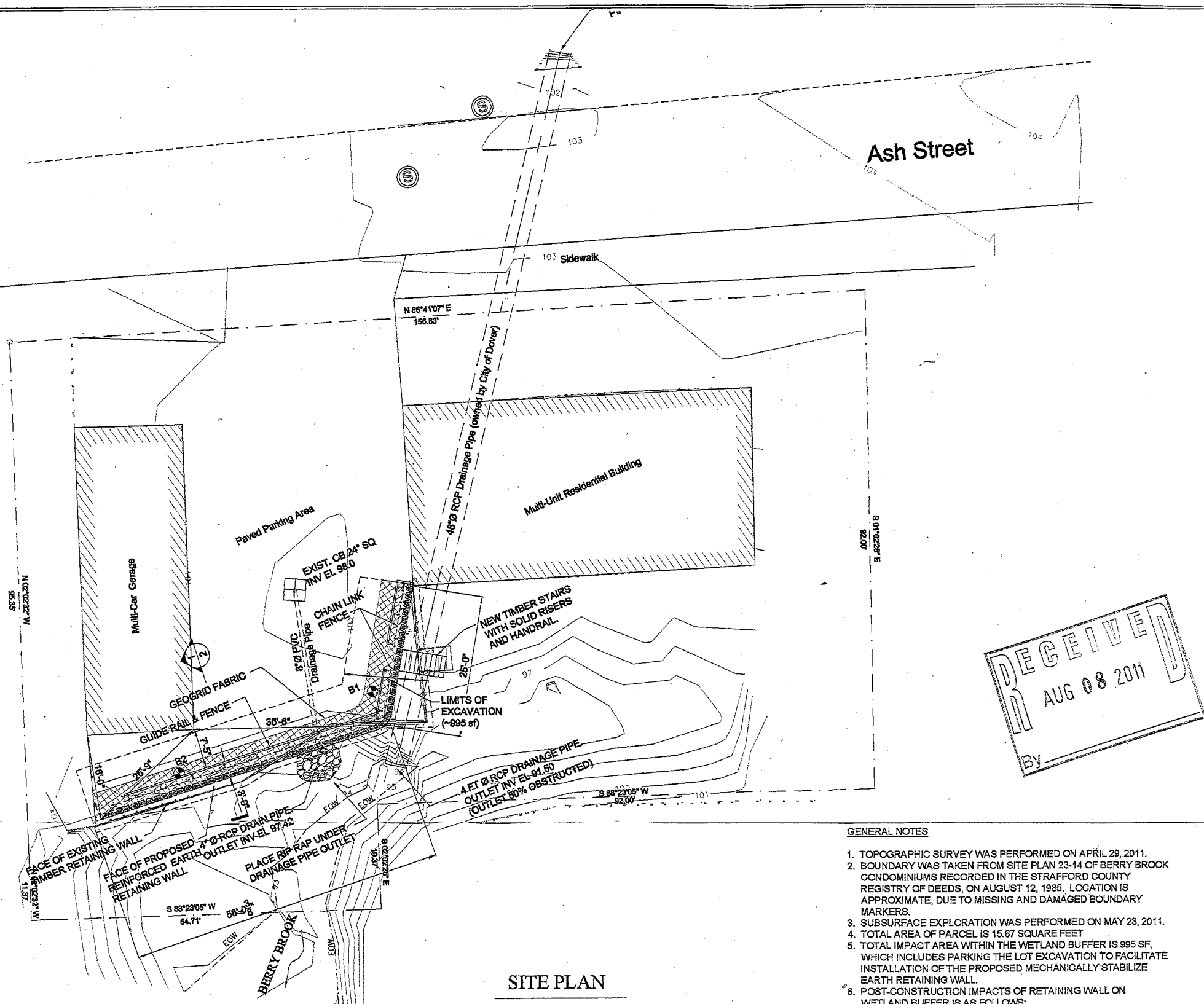
TEST BORING LOG
Boring No. B-1 Driller: Will Alkman Sheet 1 of 1
Project: Ret. Wall Investigation Location: Dover, NH Client: Star Construction
Date Started: May 23, 2011 Completed: May 23, 2011
Ground Water Observations: At After Hours
N - No. of Blows to Drive 2" Sampler 6" w/140 LB. Weight Falling 30"
C - No. of Blows to Drive Casing 12" w/300 LB. Weight Falling 24"

DEPTH @ BOT.	C.	N.	SAMPLE NO.	REC. WALK READ	SAMPLE DEPTH	STRATUM DESCRIPTION
		1-2-4-4	S1	12"	5.0' To 7.0'	Fine to Coarse Sand w/Gravel
		3-3-5-5	S2	6"	10.0' To 12.0'	Brown Fine Sand
		3-2-2-2	S3	16"	15.0' To 17.0'	Greyish Brown Fine Silty Sand WET
		3-2-1-1	S4	12"	20.0' To 22.0'	Grey Fine Silty Sand
		2-2-2-2	S5	24"	25.0' To 27.0'	

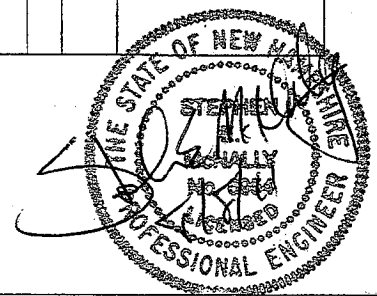
GW GREAT WORKS PUMP & TEST BORING, INC.
P.O. Box 491 Rollinsford, NH 03869 (207)698-4824 - Fax (207)698-1954

TEST BORING LOG
Boring No. B-2 Driller: William Alkman Sheet 1 of 1
Project: Ret. Wall Investigation Location: Dover, NH Client: Star Construction
Date Started: May 23, 2011 Completed: May 23, 2011
Ground Water Observations: At After Hours
N - No. of Blows to Drive 2" Sampler 6" w/140 LB. Weight Falling 30"
C - No. of Blows to Drive Casing 12" w/300 LB. Weight Falling 24"

DEPTH @ BOT.	C.	N.	SAMPLE NO.	REC. WALK READ	SAMPLE DEPTH	STRATUM DESCRIPTION
		2-1-1-25/0"	S1	6"	5.0' To 6.5'	Brown F/M Sand w/Trace Silt
		4-2-3-4	S2	12"	10.0' To 12.0'	Dk. Grey Fine Silty Sand
		4-3-2-2	S3	24"	15.0' To 17.0'	
		2-5-3-5	S2	24"	10.0' To 12.0'	Greyish Brown Fine Silty Sand



- GENERAL NOTES**
- TOPOGRAPHIC SURVEY WAS PERFORMED ON APRIL 29, 2011.
 - BOUNDARY WAS TAKEN FROM SITE PLAN 23-14 OF BERRY BROOK CONDOMINIUMS RECORDED IN THE STRAFFORD COUNTY REGISTRY OF DEEDS, ON AUGUST 12, 1985. LOCATION IS APPROXIMATE, DUE TO MISSING AND DAMAGED BOUNDARY MARKERS.
 - SUBSURFACE EXPLORATION WAS PERFORMED ON MAY 23, 2011.
 - TOTAL AREA OF PARCEL IS 15.67 SQUARE FEET
 - TOTAL IMPACT AREA WITHIN THE WETLAND BUFFER IS 995 SF, WHICH INCLUDES PARKING THE LOT EXCAVATION TO FACILITATE INSTALLATION OF THE PROPOSED MECHANICALLY STABILIZE EARTH RETAINING WALL.
 - POST-CONSTRUCTION IMPACTS OF RETAINING WALL ON WETLAND BUFFER IS AS FOLLOWS:
 BUFFER IMPACT REMOVED = 106.5 SF
 BUFFER IMPACT ADDED = 47.7 SF
 REDUCTION OF IMPACT ON BUFFER = 57.8 SF



SITE PLAN
36 ASH STREET
DOVER, NEW HAMPSHIRE

PROJECT: **BERRY BROOK CONDOMINIUM
RETAINING WALL REPLACEMENT**
PREPARED FOR: **STAR CONSTRUCTION**

GPI Greenman-Pedersen, Inc.
Engineers, Architects, Planners, Construction Engineers & Inspectors
14 MANCHESTER SQUARE, SUITE 246, PORTSMOUTH, NH Tel: (603) 891-2213
105 Central Street, Suite 4100, Stoneham, MA 02980 Tel: (781) 279-5500
<http://www.gpinet.com>

NO.	REVISION	DATE	DESIGN/DRAWN BY:	SEM
			CHECK BY:	
			DATE:	JULY 29, 2011
			SCALE:	AS NOTED
			JOB NO.:	
			FILE NAME:	MAX-2011040.00
			DRAWING NO.:	

PLAN_INFORMATION



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P11-40

Application Type: Minor Subdivision
Applicant: Kelley Nelson
Owner: Kelley Nelson
Location: 48 Basil's Place (Assessor's Map I, Lot 25-C)

INTENT: To subdivide an existing parcel on Basil's Place and Drew Road into two lots.

LOTS/UNITS PROPOSED: 2 lots

AGENDA ITEM #: 4-G

ACREAGE: 14.15 acres

ZONING DISTRICT: Rural Residential District – R-40

EXISTING LAND USE: Single family house

PROPOSED LAND USE: Existing single family house on one lot and single family house on new lot

SURROUNDING LAND USE: Single family residential

ZBA ACTION: None

ATTACHMENTS:
Subdivision Plan and application

APPLICATION IS COMPLETE: Yes

NOTICES SENT: Yes

PERMITS REQUIRED:

- NH Department of Environmental Services Subdivision Permit

WAIVERS REQUESTED: None

Summary of Request and Background

The applicant has submitted a set of plans asking to subdivide an existing lot into two lots, one would be 12.08 acres and the other would be 2.09 acres. Each lot would be serviced by an on-site septic system and well. Basil's Place is a private road.

Consistency with Land Use Regulations

Chapter 155-15 of the Land Subdivision Regulations of the City Code provides for subdivisions of existing lots. The plan is consistent with the purpose of the R-40 District, which is to provide for single family neighborhoods in more rural areas, with larger lot sizes and homes served by on-site septic systems and wells. This plan is consistent with those regulations.

STAFF RECOMMENDATION:

The Planning Department recommends that the Planning Board accept the application, hold the public hearing, and approve the subdivision application with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

1. The owner's signature shall be added to the final plat submitted for signature.
2. The applicant shall provide the Planning Department with a digital version of the final plat.
3. The applicant shall add the surveyor's stamp and signature to the plat.
4. The applicant shall revise the plat to add the Planning file number, P11-40 to the title block.
5. The applicant shall provide the Planning Department with a copy of the NHDES Subdivision Permit and add the permit number to the plat.
6. The applicant shall revise the plat to add a note indicating that the owner of Map I, Lot 25-C-8 will grant an access easement to the other lot owners on Basil's Place.

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

7. Any new house shall be subject to the current impact fees in place at the time of building permit application.



City of Dover, New Hampshire
SUBDIVISION APPLICATION

[Revision Date: July 19, 2010]

Office Use Only	Project #:	<u>P11-40</u>	Date Received:	<u>AUG 04 2011</u>
	Amount Paid:	<u>\$320</u>	Time Received:	

APPLICANT AND OWNER INFORMATION

Name of Applicant: Kelley Nelson Telephone # 603-742-8392
 Address of Applicant: 48 Basil's Place
 Name of Property Owner (if different from applicant): _____ Telephone # _____
 Address of Property Owner: _____

PROPERTY INFORMATION

Address of Property: 48 Basil's Place
 Assessor's Map # I Lot(s) # 25C
 Zoning District(s) R-40 Overlay District(s) _____
 Size of Parcel: 14.15 Acres Property Deed: Book 1781 Page: 0633
 Existing Use of Property: Single Family Home

SUBDIVISION INFORMATION

Subdivision Type: Major (4 + net new lots): _____ Minor (3 or fewer lots): Open Space: _____
 Existing Number of Lots: 1 Proposed Number of Lots: 2
 City Water? Yes No How far is city water from the property? 1 MILE
 City Sewer? Yes No How far is city sewer from the property? 1 MILE
 Highway Access (check where applicable): City Street State Highway
 Estimated Length of Proposed Roads: N/A feet Public or Private Road? Private Road

SURVEYOR INFORMATION

Name of Surveyor and Company (Licensed in N.H.): Kevin McEneaney
 Address 24 Chestnut Street Telephone #: 603-742-0911
 Professional License #: NH US 661 E-mail address: Kevin@SurveyNH.com

ENGINEER INFORMATION - None - N/A

Name of Engineer and Company (Licensed in N.H.) _____

Address _____ Telephone #: _____

Professional License #: _____ E-mail address: _____

SIGNATURES

I/We hereby submit this application to the City of Dover Planning Board and attest that to the best of my knowledge all of the information on this application form and in the accompanying application materials and documentation is true and accurate. As applicant or as agent, I attest that I am duly authorized to act in this capacity.

Signature of Property Owner: Kelley Nelson Date: 7/12/11

Signature of Applicant (if different from owner): _____ Date: _____

Signature of Agent: _____ Date: _____

AUTHORIZATION TO ENTER SUBJECT PROPERTY

I hereby authorize members of the Dover Planning Board, Planning Department and other pertinent City Departments and boards to enter my property for the purpose of evaluating this application, including performing inspections during the application phase, post-approval phase, construction phase and occupancy phase. It is understood that these individuals must use all reasonable care, courtesy, and diligence when on the property.

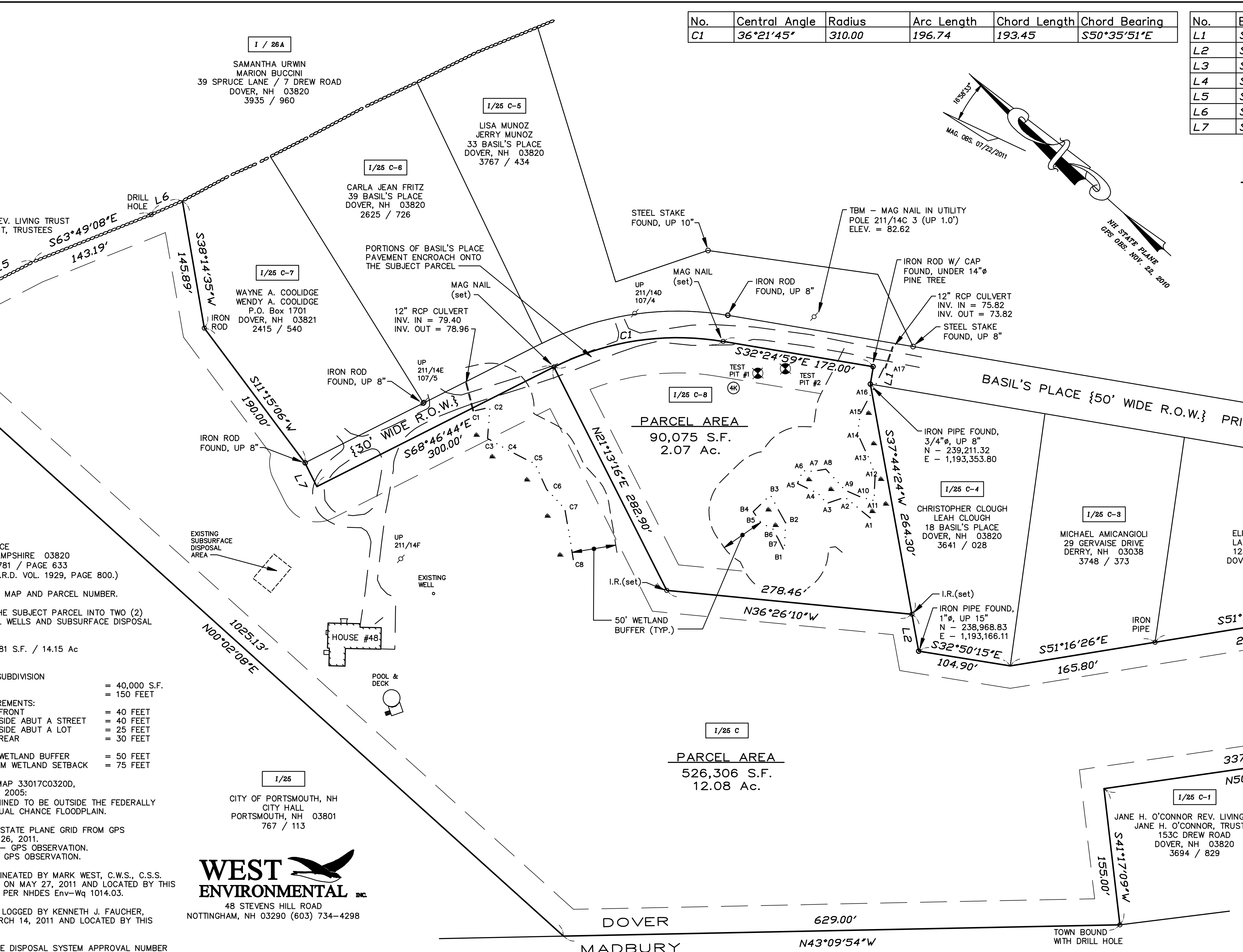
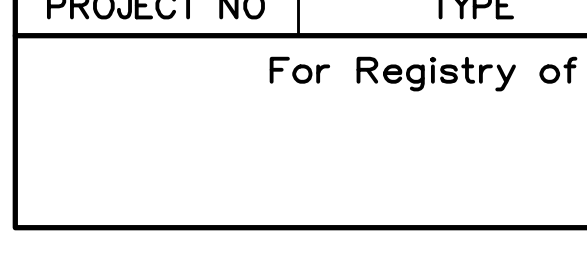
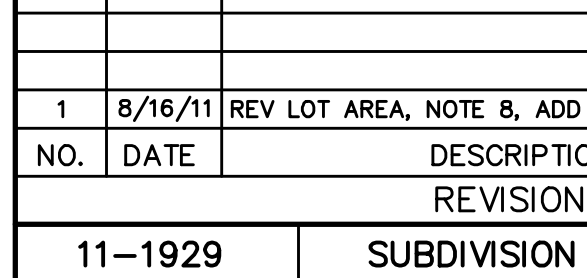
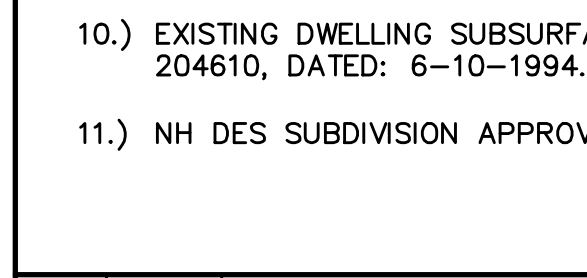
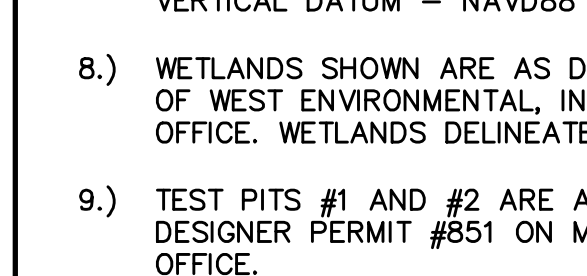
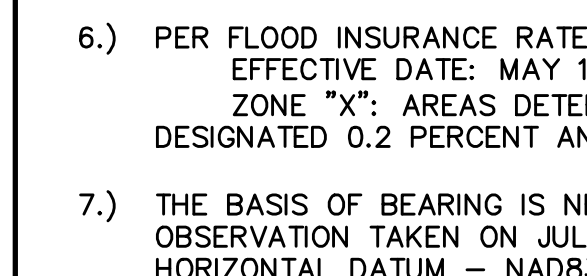
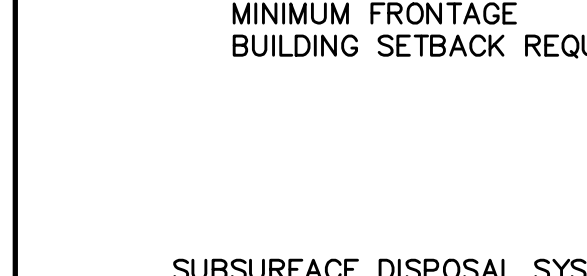
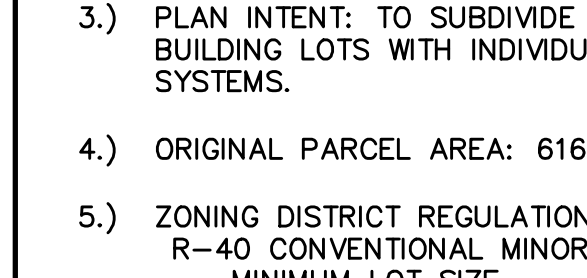
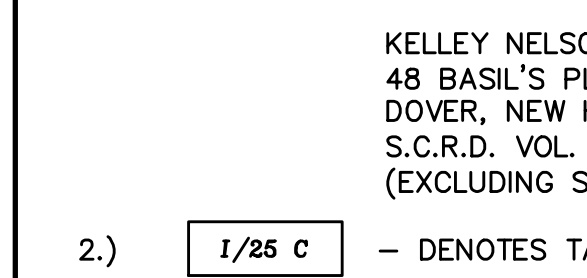
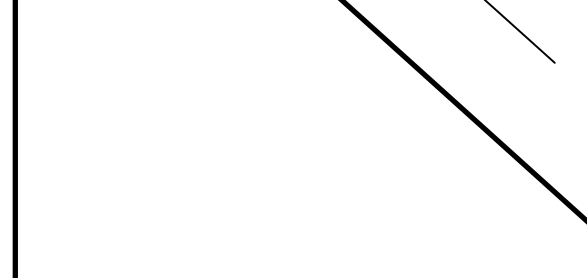
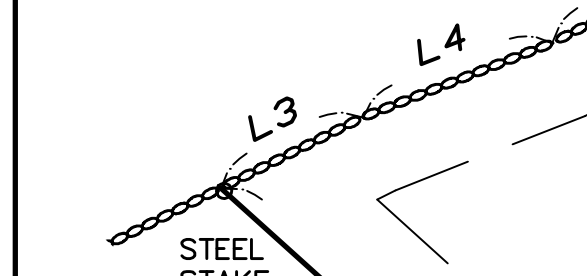
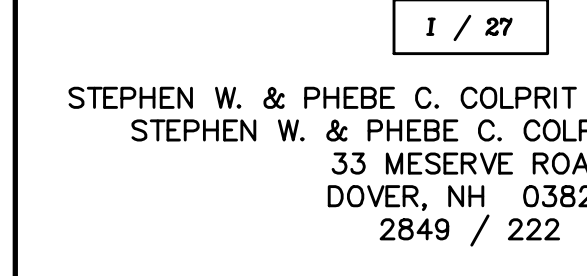
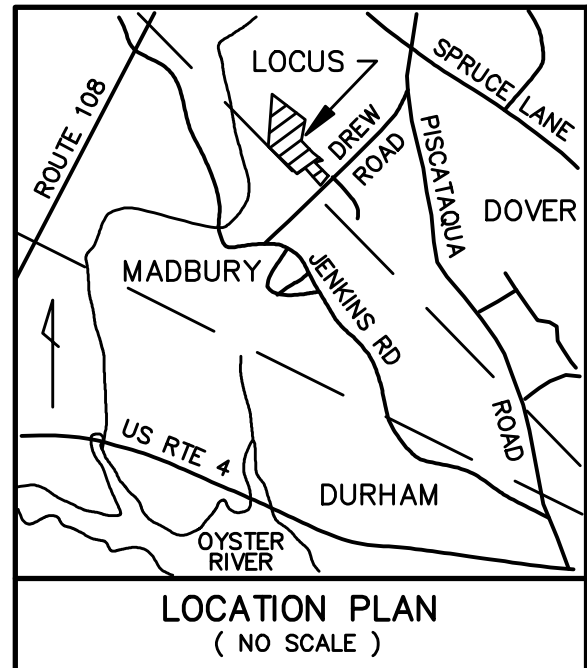
Signature of Property Owner: Kelley Nelson Date: 7/12/11

MAP/LOT NO.	OWNERS NAME(S)	ADDRESS	CITY	STATE	ZIP
DOVER					
I / 25	City of Portsmouth	1 Junkins Avenue	Portsmouth	NH	03801
I / 25C	Kelley Nelson	48 Basil's Place	Dover	NH	03820
I / 25C-7	Wayne & Wendy Coolidge	P.O. Box 1701	Dover	NH	03821
I / 25C-6	Carla Jean Fritz	39 Basil's Place	Dover	NH	03820
I / 25C-5	Lisa & Jerry Munoz	33 Basil's Place	Dover	NH	03820
I / 25C-4	Christopher & Leah Clough	18 Basil's Place	Dover	NH	03820
I / 25C-3	Michael Amicangioli	29 Gervaise Drive	Derry	NH	03038
I / 25C-2	Elizabeth & Lawrence Dunn	123 Drew Road	Dover	NH	03820
I / 25C-1	Jane H. O'Connor Revocable Living Trust	153C Drew Road	Dover	NH	03820
I / 102H	Joseph & Michelle Register	3 Gold Post Road	Dover	NH	03820
I / 27	Stephen W. & Phebe C. Colprit Revocable Living Trust	33 Meserve Road	Dover	NH	03820
I / 26A	Samantha Urwin	7 Drew Road	Dover	NH	03820
MADBURY					
10 / 13	Albert & Patricia Lawrence	155 Drew Road	Madbury	NH	03823
SURVEYOR					
WET SCI	McEneaney Survey Associates, Inc.	24 Chestnut Street	Dover	NH	03820
	West Environmental, Inc.	48 Stevens Hill Road	Nottingham	NH	03290

No.	Central Angle	Radius	Arc Length	Chord Length	Chord Bearing
C1	36°21'45"	310.00	196.74	193.45	S50°35'51"E

No.	Bearing	Distance
L1	S57°36'59"W	20.05'
L2	S37°44'24"W	53.05'
L3	S68°34'06"E	49.55'
L4	S63°25'14"E	63.56'
L5	S69°15'04"E	66.53'
L6	S65°38'30"E	38.53'
L7	S21°12'33"W	30.00'

For Registry of Deeds Use



REFERENCE PLANS:

- 1.) SUBDIVISION PLAN FOR GEORGE DEMOSTHENES, DREW ROAD, DOVER, NEW HAMPSHIRE. DATED MAY 6, 1988 BY T.F.MORAN, INC. S.C.R.D. PLAN 38-64.
- 2.) PROPOSED SEWAGE DISPOSAL SYSTEM PLAN LOT 3 - OWNED BY GEORGE DEMOSTHENES, DOVER, NH, BY T.F.MORAN, INC. NHWSPPC SEPTIC APPROVAL NUMBER 184461.
- 3.) LOT LINE ADJUSTMENT PLAN PREPARED FOR MICHAEL AND ELIZABETH LANDRY AND JOSEPH NELSON, OFF DREW ROAD, DOVER, NEW HAMPSHIRE. SCALE: 1" = 60'; DATED: JUNE 13, 1994, REVISED THROUGH 7/27/1994; BY THIS OFFICE. RECORDED S.C.R.D. PLAN 44-66.
- 4.) SUBSURFACE DISPOSAL SYSTEM - NELSON PROPERTY, LOT 4 BASIL'S PLACE, DOVER, NH. LOT 4, TAX MAP I-25; BY: JAMES REA; DATED: MAY 2, 1994; NHWSPPC SEPTIC APPROVAL NUMBER 204610.

NOTES:

- 1.) OWNER OF RECORD:
KELLEY NELSON
48 BASIL'S PLACE
DOVER, NEW HAMPSHIRE 03820
S.C.R.D. VOL. 1781 / PAGE 633
(EXCLUDING S.C.R.D. VOL. 1929, PAGE 800.)
- 2.) 1/25 C - DENOTES TAX MAP AND PARCEL NUMBER.
- 3.) PLAN INTENT: TO SUBDIVIDE THE SUBJECT PARCEL INTO TWO (2) BUILDING LOTS WITH INDIVIDUAL WELLS AND SUBSURFACE DISPOSAL SYSTEMS.
- 4.) ORIGINAL PARCEL AREA: 616,381 S.F. / 14.15 Ac
- 5.) ZONING DISTRICT REGULATIONS:
R-40 CONVENTIONAL MINOR SUBDIVISION
MINIMUM LOT SIZE = 40,000 S.F.
MINIMUM FRONTAGE = 150 FEET
BUILDING SETBACK REQUIREMENTS:
FRONT = 40 FEET
SIDE ABUT A STREET = 40 FEET
SIDE ABUT A LOT = 25 FEET
REAR = 30 FEET
WETLAND BUFFER = 50 FEET
SUBSURFACE DISPOSAL SYSTEM WETLAND SETBACK = 75 FEET
- 6.) PER FLOOD INSURANCE RATE MAP 33017C0320D, EFFECTIVE DATE: MAY 17, 2005:
ZONE "X": AREAS DETERMINED TO BE OUTSIDE THE FEDERALLY DESIGNATED 0.2 PERCENT ANNUAL CHANCE FLOODPLAIN.
- 7.) THE BASIS OF BEARING IS NH STATE PLANE GRID FROM GPS OBSERVATION TAKEN ON JULY 26, 2011.
HORIZONTAL DATUM - NAD83 - GPS OBSERVATION.
VERTICAL DATUM - NAVD88 - GPS OBSERVATION.
- 8.) WETLANDS SHOWN ARE AS DELINEATED BY MARK WEST, C.W.S., C.S.S. OF WEST ENVIRONMENTAL, INC. ON MAY 27, 2011 AND LOCATED BY THIS OFFICE. WETLANDS DELINEATED PER NHDES Env-Wq 1014.03.
- 9.) TEST PITS #1 AND #2 ARE AS LOGGED BY KENNETH J. FAUCHER, DESIGNER PERMIT #851 ON MARCH 14, 2011 AND LOCATED BY THIS OFFICE.
- 10.) EXISTING DWELLING SUBSURFACE DISPOSAL SYSTEM APPROVAL NUMBER 204610, DATED: 6-10-1994.
- 11.) NH DES SUBDIVISION APPROVAL NUMBER - PENDING



48 STEVENS HILL ROAD
NOTTINGHAM, NH 03290 (603) 734-4298

LEGEND

I.R.(set)	- IRON ROD W/ PLASTIC I.D. CAP (SET)
○ UP	- UTILITY POLE
---	- OVERHEAD UTILITIES
CMP	- CORRUGATED METAL PIPE
+	- SIGN POST
—	- STONEWALL
S.F.	- SQUARE FEET
Ac.	- ACRE
±	- MORE OR LESS
(TYP.)	- TYPICAL
∅	- DIAMETER
R.O.W.	- RIGHT OF WAY
S.C.R.D.	- STRAFFORD COUNTY REGISTRY OF DEEDS
—	- WETLAND LINE
A3	- WETLAND FLAG ID
⊙	- SOIL TEST PIT

NO.	DATE	DESCRIPTION	BY	CHK
1	8/16/11	REV LOT AREA, NOTE B, ADD PLANNING FILE #	RJM	KMM
REVISIONS				
11-1929		SUBDIVISION	11-06	64-74
PROJECT NO		TYPE	FIELDBOOK & PAGES	

For Registry of Deeds Use

10-12
CITY OF PORTSMOUTH, NH
CITY HALL
PORTSMOUTH, NH 03801
767 / 113

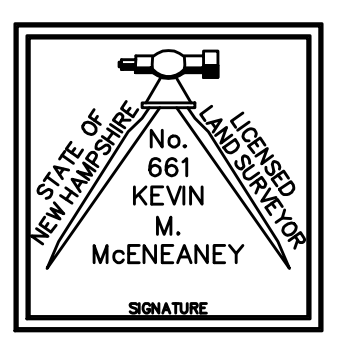
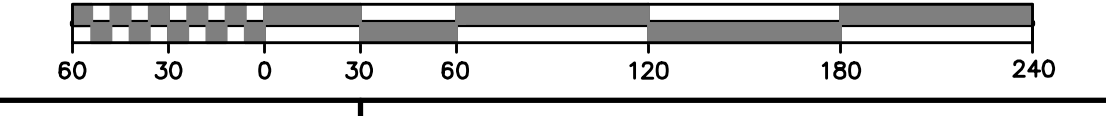
10 / 13
ALBERT LAWRENCE
PATRICIA LAWRENCE
155 DREW ROAD
MADBURY, NH
1147 / 222

"I HEREBY CERTIFY THAT THIS PLAN IS BASED ON AN ACTUAL GROUND SURVEY PERFORMED WITH A TOTAL STATION, BY ME OR THOSE UNDER MY DIRECT SUPERVISION AND THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, SAID SURVEY MEETS OR EXCEEDS THE MINIMUM PRECISION REQUIREMENTS FOR SURVEY CLASSIFICATION "U" AS SET FORTH IN TABLE 500.1 OF THE NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES OF THE BOARD OF LICENSURE FOR LAND SURVEYORS."

OWNERS SIGNATURES

MINOR SUBDIVISION OF LAND
PREPARED FOR
KELLEY NELSON
TAX MAP I, LOT No. 25C
48 BASIL'S PLACE - OFF DREW ROAD
CITY of DOVER
COUNTY of STRAFFORD
STATE of NEW HAMPSHIRE

DOVER PLANNING FILE No. P 11-40
DRAWN BY: RJM FILE: VR CP\1929\11-1929
SCALE: 1" = 60' DATE: JULY 25, 2011



McEaney
Survey
Associates, inc.

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

SURVEYING - PLANNING - CONSULTING