



CITY OF DOVER

DOVER PLANNING BOARD – AGENDA

Meeting Type: Regular Meeting
Meeting Location: Council Chambers – 288 Central Avenue Dover NH 03820
Meeting Date: **Tuesday, February 28, 2012**
Meeting Time: **7:00 pm**

1. CITIZENS' FORUM

2. APPROVAL OF THE PRIOR MINUTES

- February 14, 2012 Regular Meeting Minutes

3. OLD BUSINESS

- A. Discussion and possible vote on a Conditional Use Permit for Colin McGarty, Seacoast Kettlebell, LLC (Owner: Freetrade, Inc.) Assessors Map 30, Lot 18, zoned I-1, located at 23 Horne Street. (4,900 square foot personal training studio) ***(P12-01)**

4. NEW BUSINESS

- A. Public Hearing to hear Community Development Block Grant (CDBG) funding requests for Fiscal Year 2012/2013. All applicants for CDBG funding will be given the opportunity to present their application to the Board.
- B. Consideration and acceptance of a Conditional Use Permit for Michael & Shelby Brewer, Assessor's Map 32, Lots 36-E & 36-F, zoned R-12, located at Fourth Street. (Encroachment into wetland buffer) ***(P11-61)**
- C. Consideration and acceptance of an Application for a one-year Extension to an approved Open Space Subdivision Plan for Brian Stern, Assessor's Map E, Lot 45, zoned R-40, located on Tolend Road/Lika Drive. Previously approved March 23, 2006. **(P05-71A)**
- D. Consideration and acceptance of a Major Subdivision of land for Graystone Builders, Inc. (Owner: Lionel & Kristina Paradis) Assessor's Map F, Lot 2, zoned R-40 & I-4, located at 180 Tolend Road. (4 lots) ***(P12-04)**

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

Meeting Type: Regular Meeting
Meeting Location: Media Access Center – Room #306 – McConnell Center
Meeting Date: **Tuesday, February 14, 2012**
Meeting Time: **7:00 pm**

Members Present: Dean Trefethen, Frank Torr (Vice Chair), Tom Clark, Dave White, Marcia Gasses, (Chair), Lee Skinner, Kirt Schuman

Members Not Present: Linda Merullo, Gary Green, Jake Forget (Alternate), Dennis Ciotti (Alternate)

Staff Present: Christopher Parker (Planning Director)

The Chair called the meeting to order at 7:00 pm.

1. CITIZENS' FORUM

No one spoke.

2. APPROVAL OF THE PRIOR MINUTES

- January 24, 2012 Regular Meeting Minutes

Motion: F.Torr motioned to approve the minutes, K.Schuman seconded. Vote: U/A.

3. OLD BUSINESS

4. NEW BUSINESS

- A. Consideration and acceptance of a Conditional Use Permit for Colin McGarty, Seacoast Kettlebell LLC (Owner: Freetrade Inc.) Assessors Map 30, Lot 18, zoned I-1, located at 23 Horne Street. (4,900 square foot personal training studio) ***(P12-01)**

C.McGarty explained the use and how it related to the surrounding uses.

Motion: K.Schuman motioned to accept the application, L.Skinner seconded. Vote: U/A.

Public hearing open.

B.Setear, 29 Horne St, spoke against the application with concerns about traffic on Berry Brook Ct.

J. Oconner, 48, Horne St, speaking for himself and A.Foss of Ash St, spoke against the application.

A.Adarian, 14 Horne St, spoke in favor of the use, believes it is better than an industrial alternative.

R. Wilson, 75 Horne St, spoke in favor of the use.

M.Snow, 6 Berry Brook Ct, echoed concerns about traffic on Berry Brook Ct.

C.Goodwin, 43 Hough St, has concerns about traffic congestion, and questioned the industrial uses.

C.Robinson, Berry Brook Ct, questions about the notice process, and recommended Board members view the site and see the traffic use of Berry Brook Ct.

R.Callaghan, 32 Horne St, has concerns about previous approvals on the lot, the parking calculation and traffic flow.



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R.Grimsley, 40 Maple St, has concerns about noise, and outdoor activity. Also have concerns about the Berry Brook.

Public hearing was recessed

C.Parker explained the connection with Chapter 170-19, discussed the zoning and history of the changes to the area to create a more context sensitive development. C.Parker discussed the Board's ability to add conditions of approval to limit traffic onto Berry Brook Ct and pointed out the email from the abutter in support of the request.

M.Gasses mentioned that the Board should consider holding a site walk.

D.Trefethen discussed the changing zoning, the traffic concerns and addressed the potential of a condition of approval of adding a gate to the end of Berry Brook Ct.

L.Skinner confirmed the history of the gate.

K.Shuman asked C.Parker to list potential uses that don't require Board approval. Parker listed uses allowed in the I-1 district, including warehousing, wholesale, manufacturing, trucking terminal, fuel storage, and that none of these uses would require Planning Board approval. Also, Parker explained the uses allowed by the provisions of 170-19.

Motion: D.Trefethen motioned to table the application until February 22 2012, L.Skinner seconded.
Vote: U/A.

The site walk will be 9 am on Saturday, February 18, 2012 at the 23 Horne Street entrance.

M.Gasses asked for a five minute recess.

B. Low Impact Development Presentation

C.Parker spoke about the February 9, 2012 EPA public hearing on the City's Permit to operate the Waste Water Treatment Facility on Middle Road.

M.Gasses presented information regarding LID (See handout in file).

C. Update to the Board on DBIDA activities and projects, by Dan Barufaldi

D.Barufaldi spoke about various projects, including business outreach, business retention and tourism.

F.Torr confirmed that the City was actively pursuing businesses related to Albany International and Safran.

5. STAFF COMMENTS

C.Parker reminded the Board about the City Council workshop, March 7, 2012, covering the recommendations of the Master Plan.

6. COMMITTEE REPORTS



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Media Access Center – Room #306 – McConnell Center
Meeting Date: **Tuesday, February 14, 2012**
Meeting Time: **7:00 pm**

M.Gasses updated the Board on the Commercial/Industrial Advisory Committees work.

L.Skinner updated the Board on the progress with the Open Space and Conservation Master Plan chapter.

K.Schuman updated the Board on the Master Plan process, and distributed a flyer of upcoming events.

7. ADJOURNMENT

Motion: F.Torr motioned to adjourn, K.Schuman seconded. Vote: U/A. (8:56 pm)

DRAFT



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P12-01

Application Type: Conditional Use Permit
Applicant: Colin McGarty, Seacoast Kettlebell, LLC
Owner: Freetrade Inc.
Location: 23 Horne Street (Assessor's Map 30, Lot 18)

INTENT: To obtain a Conditional Use Permit to allow a commercial recreation use in the Restricted Industrial (I-1) District.

LOTS/UNITS PROPOSED: 0

AGENDA ITEM #: 4-A

ACREAGE: N/A

ZONING DISTRICT:
Restricted Industrial (I-1) District

EXISTING LAND USE:
Industrial building and office uses

PROPOSED LAND USE:
Personal training studio to occupy 4,900 square feet

SURROUNDING LAND USE:
Industrial and residential uses

ZBA ACTION:
None

ATTACHMENTS:
Conditional Use Permit application and letter from applicant

PERMITS REQUIRED:
Conditional Use Permit

WAIVERS REQUESTED: None

Summary of Request and Background

The applicant is asking to locate a personal training studio in 4,900 square feet of the existing building. Chapter 170-19, Flexible Uses in the I-1 District, allows certain non-residential uses, such as a commercial recreation use, in the district if the Planning Board grants a Conditional Use Permit.

The Planning Board accepted the application on February 14, 2012 and held a site walk for this project on February 18, 2012.

Consistency with Land Use Regulations

The Planning Board must determine that the proposed use complies with the statement of purpose of the ordinance and meets all of the provisions of the district. The purpose and intent of the ordinance is as follows:

"The purpose of this section is to allow property owners to redevelop their industrial property in a more flexible and context sensitive method. Additionally, these non-residential nodes are located in areas that could accept commercial uses that are on a neighborhood scale and the property could offer surrounding residents opportunities that do not exist today.

The district includes options which enable and encourage greater flexibility in the design of residential housing with commercial projects that adaptively reuse the industrial property in a more context sensitive mode. The district encourages mixed residential and commercial uses are intended to be complementary of one another and to create a sense of community between the mixed uses."

The proposed use is compatible with the other uses in the building and in the neighborhood. The personal training studio could be used by employees from other businesses in the building and by people that live in the neighborhood. There is more than adequate parking available for the use.

STAFF RECOMMENDATION:

The Planning Department recommends approval of the Conditional Use Permit with the condition that a fence and gate system be installed to close the driveway onto Berry Brook Court prior to the issuance of a Certificate of Occupancy.

(has poster)



City of Dover, New Hampshire CONDITIONAL USE PERMIT APPLICATION

[Revision Date: August 16, 2010]

Office Use Only	Project #:	<u>P12-01</u>	Date Received:	
	Amount Paid:	<u>\$ 538.00</u>	Time Received:	

CL# 894

By Glau

APPLICANT AND OWNER INFORMATION

Name of Applicant: COLIN MCGARTY, SEACOAST KETTLEBELL LLC Telephone # 603 767 4321

Address of Applicant: 505 CENTRAL AVE, DOVER NH 03820

Name of Property Owner (if different from applicant): FREETRADE INC. Telephone # 749 0660

Address of Property Owner: PO BOX 426 DOVER NH 03820

PROPERTY INFORMATION

Address of Property: 23 HORNE ST. DOVER, NH 03820

Assessor's Map #: 30 Lot(s) #: 18

Zoning District(s): I-1 Overlay District(s): _____

Existing Use of Property: VACANT

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:

TO RUN A PERSONAL TRAINING STUDIO

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

Name of Professional That Prepared Plans: _____


Address: _____ Telephone #: _____

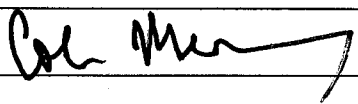
N/A

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:  Date: 1/24/12

Signature of Applicant (if different from owner):  Date: 1/24/12

Signature of Agent: _____ Date: _____

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: 1/24/12

41 @ 8.00 Abutters
1 @ 60.00 Legal Notice
1 @ Application * 150.00

* 538

1-24-12

CK# 894



505 Central Ave

Dover, NH 03820

January 24, 2012

Dear Sir or Ma'am,

Subject: Seacoast Kettlebell LLC Conditional Use Permit for 23 Horne Street

I am writing to request a conditional use permit for Seacoast Kettlebell LLC to rent 23 Horne Street. Seacoast Kettlebell is a private training facility that offers personal training and small group personal training. It was established in late 2008 by Colin McGarty who opened it after being honorably discharged and serving as a US Army Infantry Officer for eight years. The training is fun, fast paced and caters to all ability levels ranging from 30 local Police and Firefighters, to grandmas! Our services are already utilized by many individuals who live on Horne Street and many from the immediate area.

Seacoast Kettlebell has five part time employees. Usually one or two employees work at a time. Our training is by appointment only. Group personal training sessions typically have approximately 12 participants. There is ample parking at 23 Horne Street, which can hold 80+ vehicles. Training sessions start at 6:00AM and finish by 7:30PM. Weekend hours are typically from 9:00AM to 11:00AM.

23 Horne Street is the perfect location for our private training facility. The 4900 square feet will allow us to vastly improve the quality of our training services at an affordable price. Please consider approving Seacoast Kettlebell LLC for the conditional use of 23 Horne Street.

Sincerely,

A handwritten signature in black ink, appearing to read "Colin McGarty".

Colin McGarty

Owner, Seacoast Kettlebell LLC

Elizabeth M. Winzeler
39 Hough Street
Dover, NH 03820

Elizabeth M. Winzeler
39 Hough Street
Dover, NH 03820

Elizabeth M. Winzeler
39 Hough Street
Dover, NH 03820

Mildred E. Cragin
33 Hough Street # 4
Dover, NH 03820

Mildred E. Cragin
33 Hough Street # 4
Dover, NH 03820

Mildred E. Cragin
33 Hough Street # 4
Dover, NH 03820

Virginia D. Silver – Trustee
6 Granite Street
Dover, NH 03820

Virginia D. Silver – Trustee
6 Granite Street
Dover, NH 03820

Virginia D. Silver – Trustee
6 Granite Street
Dover, NH 03820

Nancy Greenwood
38 Maple Street
Dover, NH 03820

Nancy Greenwood
38 Maple Street
Dover, NH 03820

Nancy Greenwood
38 Maple Street
Dover, NH 03820

Dennis D. Ciotti – Trustee
P.O. Box 757
Dover, NH 03821

Dennis D. Ciotti – Trustee
P.O. Box 757
Dover, NH 03821

Dennis D. Ciotti – Trustee
P.O. Box 757
Dover, NH 03821

William E. Bradder, Jr.
P.O. Box 2064
Dover, NH 03821

William E. Bradder, Jr.
P.O. Box 2064
Dover, NH 03821

William E. Bradder, Jr.
P.O. Box 2064
Dover, NH 03821

Berry Brook Condos
38 Ash Street
Dover, NH 03820

Berry Brook Condos
38 Ash Street
Dover, NH 03820

Berry Brook Condos
38 Ash Street
Dover, NH 03820

Debra A. Kavanagh
34 James Farm Rd.
Lee, NH 03861-6528

Debra A. Kavanagh
34 James Farm Rd.
Lee, NH 03861-6528

Debra A. Kavanagh
34 James Farm Rd.
Lee, NH 03861-6528

Kristen Acheson
38 Ash Street
Dover, NH 03820

Kristen Acheson
38 Ash Street
Dover, NH 03820

Kristen Acheson
38 Ash Street
Dover, NH 03820

Cynthia H. Dupuis
36 Ash Street
Dover, NH 03820

Cynthia H. Dupuis
36 Ash Street
Dover, NH 03820

Cynthia H. Dupuis
36 Ash Street
Dover, NH 03820

P/2-01

Charlene A. Callaghan
32 Horne Street
Dover, NH 03820

Charlene A. Callaghan
32 Horne Street
Dover, NH 03820

Charlene A. Callaghan
32 Horne Street
Dover, NH 03820

Matthew A. Severson
38 Horne Street
Dover, NH 03820

Matthew A. Severson
38 Horne Street
Dover, NH 03820

Matthew A. Severson
38 Horne Street
Dover, NH 03820

Jane L. Caquette
50 Ash Street
Dover, NH 03820

Jane L. Caquette
50 Ash Street
Dover, NH 03820

Jane L. Caquette
50 Ash Street
Dover, NH 03820

Jason Gagnon &
Brett J. Mongeon
45 Hough Street
Dover, NH 03820

Jason Gagnon and
Brett J. Mongeon
45 Hough Street
Dover, NH 03820

Jason Gagnon and
Brett J. Mongeon
45 Hough Street
Dover, NH 03820

Rodney Charles Grimsley &
Suzanne T. Peterson
24 C. Maple Street
Dover, NH 03820

Rodney Charles Grimsley &
Suzanne T. Peterson
24 C. Maple Street
Dover, NH 03820

Rodney Charles Grimsley &
Suzanne T. Peterson
24 C. Maple Street
Dover, NH 03820

Georgia A. Catsoulis &
Christopher J. Donnelly
34 Maple Street
Dover, NH 03820

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Christopher J. Donnelly
34 Maple Street
Dover, NH 03820

Georgia A. Catsoulis &
Christopher J. Donnelly
34 Maple Street
Dover, NH 03820

Vuong L. Wong &
Minh C. Nguyen
43 Maple Street
Dover, NH 03820

Vuong L. Wong &
Minh C. Nguyen
43 Maple Street
Dover, NH 03820

Vuong L. Wong &
Minh C. Nguyen
43 Maple Street
Dover, NH 03820

Michael A. Connolly &
Karen L. Bryant Connolly
33 Maple Street
Dover, NH 03820

Michael A. Connolly &
Karen L. Bryant Connolly
33 Maple Street
Dover, NH 03820

Michael A. Connolly &
Karen L. Bryant Connolly
33 Maple Street
Dover, NH 03820

Asaf Adorian &
Denise E. Adorian
14-1/2 Horne Street
Dover, NH 03820

Asaf Adorian &
Denise E. Adorian
14-1/2 Horne Street
Dover, NH 03820

Asaf Adorian &
Denise E. Adorian
14-1/2 Horne Street
Dover, NH 03820

William L. Yeaton
P.O. Box 983
Dover, NH 03821-0983

William L. Yeaton
P.O. Box 983
Dover, NH 03821-0983

William L. Yeaton
P.O. Box 983
Dover, NH 03821-0983

Marie T. Kelly
60 Maple Street
Dover, NH 03820

Marie T. Kelly
60 Maple Street
Dover, NH 03820

Marie T. Kelly
60 Maple Street
Dover, NH 03820

Danielle K. Moreau
10 Hartswood Road
Dover, NH 03820

Danielle K. Moreau
10 Hartswood Road
Dover, NH 03820

Danielle K. Moreau
10 Hartswood Road
Dover, NH 03820

Charlies S. Merritt
57 Maple Street
Dover, NH 03820

Charlies S. Merritt
57 Maple Street
Dover, NH 03820

Charlies S. Merritt
57 Maple Street
Dover, NH 03820

Patrick M. Murray
17 Hillcrest Drive
Dover, NH 03820

Patrick M. Murray
17 Hillcrest Drive
Dover, NH 03820

Patrick M. Murray
17 Hillcrest Drive
Dover, NH 03820

Doris E. Cason
51 Maple Street
Dover, NH 03820

Doris E. Cason
51 Maple Street
Dover, NH 03820

Doris E. Cason
51 Maple Street
Dover, NH 03820

Seacoast Veterans Properties, LLC
50 F W Hartford Drive
Portsmouth, NH 03801

Seacoast Veterans Properties, LLC
50 F W Hartford Drive
Portsmouth, NH 03801

Seacoast Veterans Properties, LLC
50 F W Hartford Drive
Portsmouth, NH 03801

Barry F. Ryan
P.O. Box 691
Dover, NH 03820

Barry F. Ryan
P.O. Box 691
Dover, NH 03820

Barry F. Ryan
P.O. Box 691
Dover, NH 03820

Thomas E. Forbes
P.O. Box 1806
Dover, NH 03821-1806

Thomas E. Forbes
P.O. Box 1806
Dover, NH 03821-1806

Thomas E. Forbes
P.O. Box 1806
Dover, NH 03821-1806

Robert C. Carrier
31 Hough Street
Dover, NH 03820

Robert C. Carrier
31 Hough Street
Dover, NH 03820

Robert C. Carrier
31 Hough Street
Dover, NH 03820

Alice A. Foss
44 Ash Street
Dover, NH 03820

Alice A. Foss
44 Ash Street
Dover, NH 03820

Alice A. Foss
44 Ash Street
Dover, NH 03820

Michael R. Bailey
28 Nathan Cutler Drive
Bedford, NH 03110-4841

Michael R. Bailey
28 Nathan Cutler Drive
Bedford, NH 03110-4841

Michael R. Bailey
28 Nathan Cutler Drive
Bedford, NH 03110-4841

Elizabeth Setear
29 Horne Street
Dover, NH 03820

Elizabeth Setear
29 Horne Street
Dover, NH 03820

Elizabeth Setear
29 Horne Street
Dover, NH 03820

James & Elizabeth Setear
29 Horne Street
Dover, NH 03820

James & Elizabeth Setear
29 Horne Street
Dover, NH 03820

James & Elizabeth Setear
29 Horne Street
Dover, NH 03820

Dennis Wilson & Linda Wilson
& Deanna Rounds
27 Horne Street
Dover, NH 038

Dennis Wilson & Linda Wilson
& Deanna Rounds
27 Horne Street
Dover, NH 038

Dennis Wilson & Linda Wilson
& Deanna Rounds
27 Horne Street
Dover, NH 038

Carole Robinson
LilyPad Revocable Trust
P.O. Box 290
Topsfield, MA 01983-0390

Carole Robinson
LilyPad Revocable Trust
P.O. Box 290
Topsfield, MA 01983-0390

Carole Robinson
LilyPad Revocable Trust
P.O. Box 290
Topsfield, MA 01983-0390

Jonathan E. Kenyon
15 Horne Street
Dover, NH 03820

Jonathan E. Kenyon
15 Horne Street
Dover, NH 03820

Jonathan E. Kenyon
15 Horne Street
Dover, NH 03820

Peter J. Malia
17 Horne Street
Dover, NH 03820

Peter J. Malia
17 Horne Street
Dover, NH 03820

Peter J. Malia
17 Horne Street
Dover, NH 03820

Paul D. Goodwin
43 Hough Street
Dover, NH 03820

Paul D. Goodwin
43 Hough Street
Dover, NH 03820

Paul D. Goodwin
43 Hough Street
Dover, NH 03820

Andrew E. Moores 1/3 &
David O'Shaughessy 1/3 &
Robert 1/3
18 Lafayette Rd. Unite 5
No. Hampton, NH 03862-2455

Richard Laughton &
Kimberly Laughton
188 Wednesday Hill Road
Durham, NH 03824

George M. Philbrick III &
Christine Philbrick
24 Horne Street St.
Dover, NH 03820

Andrew E. Moores 1/3 &
David O'Shaughessy 1/3 &
Robert 1/3
18 Lafayette Rd. Unite 5
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Robert 1/3
18 Lafayette Rd. Unite 5
No. Hampton, NH 03862-2455

Richard Laughton &
Kimberly Laughton
188 Wednesday Hill Road
Durham, NH 03824

George M. Philbrick III &
Christine Philbrick
24 Horne Street St.
Dover, NH 03820

Parker, Christopher G.

From: christopher donnelly [cdonnelly79@gmail.com]
Sent: Thursday, February 23, 2012 9:16 AM
To: Parker, Christopher G.

Mr. Parker

I am writing you this e-mail in reference to Seacoast Kettlebell opening a new gym. I live at 34 Maple St. and have lived here for 28 years and I do support the gym opening on Horne St. and feel it would be much less disturbing than any factory that could potentially go there, or that may have ever been there in the past. I hear a conditional use permit could be used at 23 Horne St. for seacoast Kettlebell and I am definitely in favor of that. Thank you for your time.

Chris Donnelly

February 13, 2012

Dear Members of the City of Dover Planning Board,

We are writing to voice our support for the proposed zoning variance to allow Seacoast Kettlebell to use a portion of the space at the existing industrial property on Horne Street for the purpose of an athletic training facility.

As abutters to the property in question and longtime members of Seacoast Kettlebell (SKB), we would like to offer an informed perspective on the potential impact of SKB to the local neighborhood.

When we purchased our home at 45 Hough Street six years ago, a major factor in our decision was the quality of the surrounding neighborhood. After moving in, the only thing that we found we did not care for was the industrial nature of the Horne Street property in our back yard. Since that time, residents of our neighborhood and the Horne Street property owner have worked together to find tenancy that enhances the livability of the neighborhood while also allowing the property owner the opportunity to run a successful and profitable business.

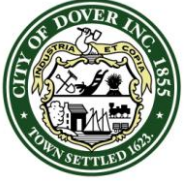
It is our opinion that allowing SKB to operate out of the Horne Street property is a winning proposition for the property owner, the neighborhood, and the community as a whole. From our understanding, this property is currently zoned for light industrial use – meaning that the owner may choose to rent space in which light industrial activity, including heavy truck traffic, could occur without need for a variance of any sort. From that perspective alone, allowing SKB to occupy the space and reduce the amount of industrial/truck activity is a win for the neighborhood.

SKB means much more to the neighborhood than reduced truck traffic, though. We've been members at SKB since Colin first opened his business on Third Street, right here in Dover. SKB offers something not found at any other fitness facility in the seacoast region: true community. People come for the workout; they stay for the community.

In a City like Dover, where the most successful new growth is that which incorporates and rejuvenates the old infrastructure, allowing a community-focused business to transform old industrial space in the heart of an existing residential neighborhood into a healthy place for people of all ages and backgrounds to come together is a smart move. We ask that you strongly consider our support for Seacoast Kettlebell's request for zoning variance when making your decision. Please feel free to contact us with any additional questions you may have.

Sincerely,

Jason & Brett Gagnon
45 Hough Street
(603) 781-2640



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P11-61

Application Type: Conditional Use Permit
Applicant: Michael and Shelby Brewer
Owner: Michael and Shelby Brewer
Location: Fourth Street (Assessor's Map 17, Lots 56 & 56-A)

INTENT: To obtain a Conditional Use Permit to impact 9,196± square feet of wetlands buffer to construct a single family dwelling and driveway.

LOTS/UNITS PROPOSED: One single family house

AGENDA ITEM #: 4-B

ACREAGE: 3.97 acres

ZONING DISTRICT: Medium Density Residential District – R-12

EXISTING LAND USE: Two vacant lots

PROPOSED LAND USE: One single family house

SURROUNDING LAND USE: Single family houses

ZBA ACTION: None

ATTACHMENTS: Conditional use plan and application

APPLICATION IS COMPLETE: Yes

NOTICES SENT: Abutter notices were sent by certified mail to all abutters

PERMITS REQUIRED:

- City of Dover Conditional Use Permit

WAIVERS REQUESTED: None

Summary of Request and Background

The applicant has submitted a set of plans for review to impact the Wetlands Protection District to place a single family dwelling and driveway within the 50-foot wetlands buffer. Total buffer impact is 9,196 square feet which includes 4,947 square feet of driveway and slope area, 1,132 square feet of house and garage impact, and 3,117 square feet of 15 foot building fill extension. There is another 6,516 square foot area between the fill and the 20-foot wetland buffer line where existing vegetation would be removed and new landscaping would be added. Two lots of record will be combined into one lot.

The applicant appeared before the Conservation Commission on December 12, 2011, January 9, 2012, and February 13, 2012 and received an endorsement (minutes enclosed), subject to the preparation of a landscape plan that includes native vegetation in the areas south and southeast of the house.

Consistency with Land Use Regulations

The Wetlands Protection District ordinance provides for Conditional Use Permits to allow impacts to 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 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 complete the Lot Merger Form and have it recorded at the Strafford County Registry of Deeds.

Conditions to Be Met Prior to any Earth Disturbance Activity:

2. The applicant shall have the surveyor stake the area of the proposed fill within the 50-foot wetland buffers on the lot and install silt fence or other suitable erosion control device. This shall be checked and approved by the Building Official and City Engineer.

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

3. The plantings shown on the proposed landscape plan prepared by Norm Fracassa shall be installed by the applicant.
4. Per Chapter 170-27.1-D-1-c, the applicant shall install wetland buffer signs at 25 foot intervals along the 20 foot wetland buffer line. This shall be checked and approved by the Building Official and City Engineer.



City of Dover, New Hampshire CONDITIONAL USE PERMIT APPLICATION

[Revision Date: August 16, 2010]

Office Use Only	Project #:	<u>P11-61</u>	Date Received:	<u>DEC 5 2011</u>
	Amount Paid:	<u>\$274.00</u>	Time Received:	<u>16389</u>

By: GP

APPLICANT AND OWNER INFORMATION

Name of Applicant: MCENEANEY SURVEY ASSOCIATES Telephone # 603-742-0911

Address of Applicant: 24 CHESTNUT STREET DOVER, NH 03820

Name of Property Owner (if different from applicant): MICHAEL + SHELBY BREWER Telephone # 603-343-5270

Address of Property Owner: 73 FOURTH STREET DOVER NH 03820

PROPERTY INFORMATION

Address of Property: FOURTH STREET

Assessor's Map #: 32 Lot(s) #: 36E + 36F

Zoning District(s): R-12 Overlay District(s): WETLAND PROTECTION DISTRICT

Existing Use of Property: VACANT

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:

TO MERGE TWO (2) LOTS OF RECORD AND CONSTRUCT A SINGLE FAMILY DWELLING. CONSTRUCTION CANNOT AVOID ENCROACHMENT INTO WETLAND BUFFER.

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

Name of Professional That Prepared Plans: MCENEANEY SURVEY ASSOCIATES INC.

Address: 24 CHESTNUT STREET DOVER NH 03820 Telephone #: 603-742-0911

Professional License #: NH ULS 6661 E-mail address: Kevin@surveynh.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): Kenn M. Kelly Date: 12/5/11

Signature of Agent: N/A Date: _____

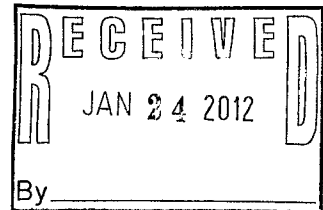
AUTHORIZATION TO ENTER SUBJECT PROPERTY

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: _____

TO: Dover Planning Board and Planning Dept. Staff

FROM: George and Holly Whitehead
85 Fourth St.
Dover, NH 03820-2900



SUBJECT: Agenda Item # 4-A, January 24, 2012 Planning Board Meeting
Consideration and Acceptance of a Conditional Use Permit for Michael and Shelby
Brewer, Assessor's Map 32, Lots 36-E & 36-F

As immediate west side abutters to the subject property, we support acceptance and approval of a Conditional Use Permit as requested by Michael and Shelby Brewer.

The subject lots were created by a subdivision approved by the Dover Planning Department in 1979 as a result of application by then owner Timothy Pearson. Tim acquired the property in 1979 after we relinquished our "right of first refusal" obtained from Bruce and Carol Nadeau when we purchased our property, Lot 32-36 in September 1977. We originally supported Tim's subdivision and intent to build three high quality residences on the lots, which he created by a massive filling operation in the early 1980's. (See "A note of history:" below)

We support the Brewers' conditional use permit because their intended construction will:

1. Add to the residential tax base of Dover
2. Contribute to the quality of our immediate neighborhood and the maintenance of property values.
3. Be consistent with Dover Planning's previous subdivision approval for Tim Pearson.
4. Prevent a significant hardship in the use of their property for the Brewers.
5. Be consistent with the recent endorsement by the Conservation Committee.

The Brewers will incur substantial cost in raising the elevation for flood safety and in excavating down eight plus feet to original base soil level for footings, and, in the process, removing significant amounts of illegally dumped general construction and renovation debris, including tons of tons of black top and roadbed re-construction debris dumped there by the City of Dover during Upper Square and "Miracle Mile" re-development in the early 1980's.

For the reasons stated above, we therefore urge acceptance of the Brewers' Conditional Use Permit by the Dover Planning Board without further delay.

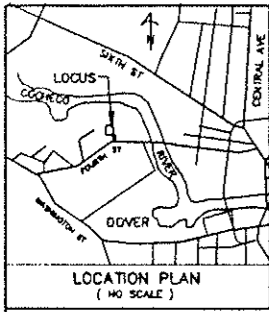
We further suggest that the Planning Board request that, during excavation and filling work, original natural drainage be restored to the areas behind and to the west of the subject lots, said drainage having been destroyed by the original 1980's filling operation. This will involve a slight excavation behind the northerly berm of the Brewers' property. Please see the details in the following note of history. We recognize that this would modify the approximate 25-year old artificially created permanent wetlands, and we would not want consideration of this request to in any way delay acceptance of the subject Conditional Use Permit. If anything, restoring the historical drainage would mitigate the impact of the proposed construction by the Brewers.

A note of history:

All of the subject property originally sloped gently down to the Cocheco River from our easterly property boundary to the River. The current wetlands, with year-around standing water on the Brewers', Taskers' and our property, was substantially created by a massive filling

operation conducted by Tim Pearson in the early 1980's. Previous to that, seasonal flooding by the Coheco River overflowing its banks across from Beckwith Field, would drain through a "creek" which flowed from the area at the back of ours, Taskers' and the Brewers' lots diagonally just behind the current Brewer residence to an outlet still visible at the northwest corner of the Fourth St. bridge. As a result, there would typically be no standing water in the Summer, Fall and Winter, and I could access the northernmost corner of our property on foot. This is no longer possible without hip waders because the filling by Pearson destroyed the natural creek drainage, forcing any current flood drainage to route behind the Brewer fill property to the Coheco; however, there exists a one to two foot rise in elevation between the current year-around standing water and the River, which prevents total drainage, thereby creating permanent wetlands.

Initially, the Pearson fill was high quality, first from the excavation of the then Seavey Hardware, now Abuchon Hardware at Washington and Chestnut Streets. As time went on, more and more general construction debris was dumped at the site, including massive amounts of road bed excavation, black top, old man holes, etc. by the City of Dover during the Upper Square and "Miracle Mile" renovations. Much of this, along with dirt, rock and bricks gravel, was bulldozed toward the back and sides of the property several times. When significant amounts of general construction debris built up on the surface in 1985, I investigated the legality, and after a letter of concern to Pearson, contacted the State Bureau of Solid Waste Management. Upon inspection, the Bureau representative declared the dumping illegal and ordered clean up, which was done to the extent of waste material then on the surface of the prevailing fill. No further dumping or filling was done and Pearson sold the property without fulfilling his construction intents.

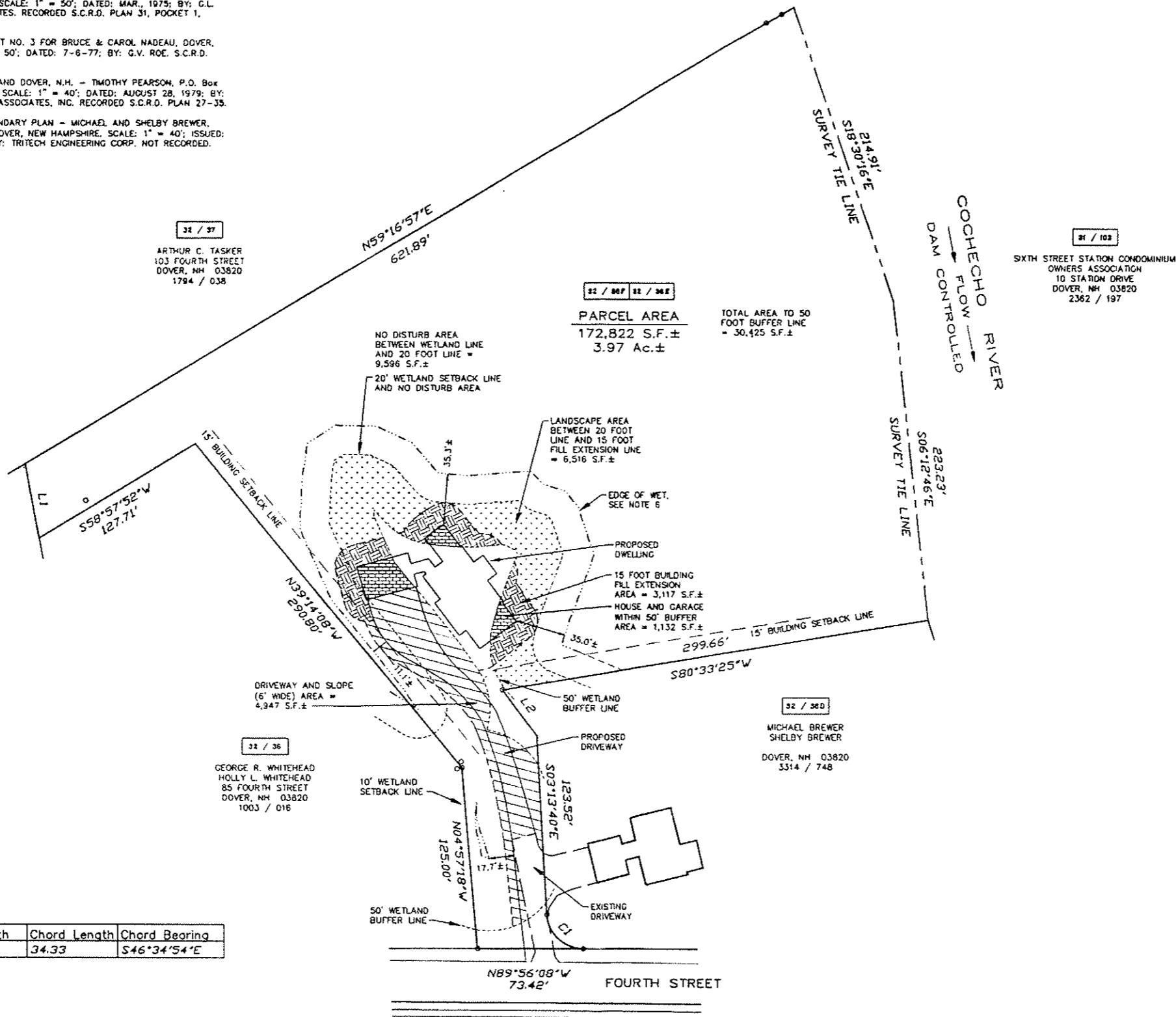


REFERENCE PLANS:

- 1.) PLAN OF LOTS A & B - PRISCILLA LEGG FARRIS, DOVER, NEW HAMPSHIRE. SCALE: 1" = 50'; DATED: JULY, 1973; BY: G.L. DAVIS & ASSOCIATES. RECORDED S.C.R.D. PLAN 36, POCKET 1, FOLDER 4.
- 2.) PLAN OF LOT NOS. 1 & 2 - BRUCE E. & CAROL N. NADEAU, DOVER, NEW HAMPSHIRE. SCALE: 1" = 50'; DATED: MAR., 1975; BY: G.L. DAVIS & ASSOCIATES. RECORDED S.C.R.D. PLAN 31, POCKET 1, FOLDER 12.
- 3.) PLOT PLAN OF LOT NO. 3 FOR BRUCE & CAROL NADEAU, DOVER, N.H. SCALE: 1" = 50'; DATED: 7-6-77; BY: G.V. ROE. S.C.R.D. PLAN 17C-44.
- 4.) SUBDIVISION OF LAND DOVER, N.H. - TIMOTHY PEARSON, P.O. Box 664, DOVER, N.H. SCALE: 1" = 40'; DATED: AUGUST 28, 1979; BY: JOHN W. DURGIN ASSOCIATES, INC. RECORDED S.C.R.D. PLAN 27-35.
- 5.) PRELIMINARY BOUNDARY PLAN - MICHAEL AND SHELBY BREWER, FOURTH STREET, DOVER, NEW HAMPSHIRE. SCALE: 1" = 40'; ISSUED: APRIL 1, 2010; BY: TRITECH ENGINEERING CORP. NOT RECORDED.

NOTES:

- 1.) OWNERS OF RECORD:
MICHAEL BREWER
SHELBY BREWER
24 LEXINGTON STREET
DOVER, NEW HAMPSHIRE 03820
S.C.R.D. VOL. 3314 PAGE 0748
- 2.) **32 / 36F** - DENOTES TAX MAP AND PARCEL NUMBER.
- 3.) ZONING DISTRICT: R-12.
ZONING REQUIREMENTS AND PROVISIONS:
MINIMUM LOT SIZE = 12,000 S.F.
MINIMUM FRONTAGE = 100 FEET
BUILDING SETBACKS:
FRONT = AVG. OF NEIGHBORHOOD
SIDE = 15 FEET
REAR = 30 FEET
- 4.) PER FLOOD INSURANCE RATE MAP COMMUNITY NUMBER 330145; PANEL 0310; SUFFIX E; MAP NUMBER 33017003100; EFFECTIVE DATE MAY 17, 2005.
THE SUBJECT PARCEL IS LOCATED WITHIN:
SHADED ZONE X: AREAS OF 0.2 PERCENT ANNUAL CHANCE FLOOD, AND
ZONE AE: SPECIAL FLOOD HAZARD AREAS (SFHA) SUBJECT TO INUNDATION BY THE 1 PERCENT ANNUAL CHANCE FLOOD. BASE FLOOD ELEVATIONS DETERMINED.
- 5.) BASIS OF BEARINGS IS THE CITY OF DOVER / GEOD CORP. GRID.
- 6.) WETLANDS SHOWN ARE AS DELINEATED BY MARK WEST, C.W.S., OF WEST ENVIRONMENTAL, INC. AND LOCATED BY THIS OFFICE. WETLANDS DELINEATED PER NHDES E-n-Wq 1014.03.



32 / 36C
TYLER J. PARKHURST
AMANDA J. PETRUZZELLI
95 FOURTH STREET
DOVER, NH 03820
3673 / 316

32 / 37
ARTHUR C. TASKER
103 FOURTH STREET
DOVER, NH 03820
1794 / 038

32 / 36F 32 / 36E
PARCEL AREA
172,822 S.F. ±
3.97 Ac. ±

TOTAL AREA TO 50
FOOT BUFFER LINE
= 30,425 S.F. ±

31 / 102
SIXTH STREET STATION CONDOMINIUM
OWNERS ASSOCIATION
10 STATION DRIVE
DOVER, NH 03820
2382 / 197

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

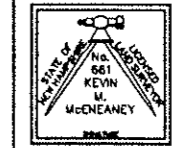
"I HEREBY CERTIFY THAT THIS PLAN IS BASED ON AN ACTUAL GROUND SURVEY PERFORMED WITH A TOTAL STATION, BY ME OR THOSE UNDER MY DIRECT SUPERVISION AND THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, SAID SURVEY MEETS OR EXCEEDS THE MINIMUM PRECISION REQUIREMENTS FOR SURVEY CLASSIFICATION "U" AS SET FORTH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

"I CERTIFY THAT THIS SURVEY PLAT IS NOT A SUBDIVISION PURSUANT TO THIS TITLE AND THAT THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW WAYS ARE SHOWN." (RSA 676:18)

DATE: / KEVIN M. McENEANEY LLS # 661

PLAN OF LAND
PREPARED FOR
MICHAEL AND SHELBY BREWER
TAX MAP 32, LOT NOS. 36D & 36E
FOURTH STREET
CITY OF DOVER
COUNTY OF STRAFFORD
STATE OF NEW HAMPSHIRE

DOVER PLANNING FILE No. P 11-
DRAWN BY: RJM FILE: C:\CPK\1933\11-1933-1
SCALE: 1" = 40' DATE: DECEMBER 29, 2011



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

SURVEYING - PLANNING - CONSULTING

LEGEND

- I.R.(fnd) - IRON ROD (FOUND)
- S.S.(fnd) - STEEL STAKE (FOUND)
- I.R.(set) - IRON ROD WITH ID CAP #661 (SET)
- ⊙ - SEWER MANHOLE
- ⊕ - UTILITY POLE
- ⊙ - LIGHT POST
- S.C.R.D. - STRAFFORD COUNTY REGISTRY OF DEEDS
- WETLAND LINE

No.	Bearing	Distance
L1	N10°41'25"W	52.72'
L2	S37°13'30"E	39.78'

No.	Central Angle	Radius	Arc Length	Chord Length	Chord Bearing
C1	86°42'28"	25.00	37.83	34.33	S46°34'54"E

NO.	DATE	DESCRIPTION	BY	CHK
2	2/7/12	ADD HOUSE AND GARAGE BUFFER AREA	RJM	KJM
1	1/24/12	ADD 20' NO. DISTURB AREA, 15' FILL EXT. LINES	RJM	KJM
REVISIONS				
11-1933		BOUNDARY	-	-
PROJECT NO	TYPE	FIELDBOOK & PAGES		

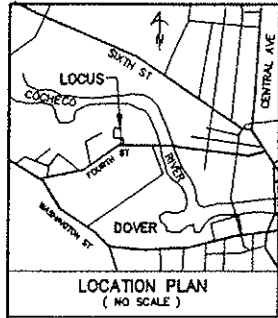
32 / 4
EVELYN B. REYNOLDS TRUST
EVELYN B. REYNOLDS, TR
84 FOURTH STREET
DOVER, NH 03820
1127 / 330

32 / 3
WILLIAM S. NORDABY
LISA NORDABY
80 FOURTH STREET
DOVER, NH 03820
2118 / 146

32 / 2
EDWARD J. GEORGE FAMILY TRUST
151 ROBERTS ROAD
ROLLINSFORD, NH 03869
1675 / 756

32 / 1
GEORGE, JR. & GLEENA LAW TRUSTS
GEORGE, JR. & GLEENA LAW, TR
72 FOURTH STREET
DOVER, NH 03820
3376 / 252

32 / 35
SCOTT A. ARRIGONI
ELLEN A. ARRIGONI
400 SLICO ROAD
ROLLINSFORD, NH 03869
1863 / 203

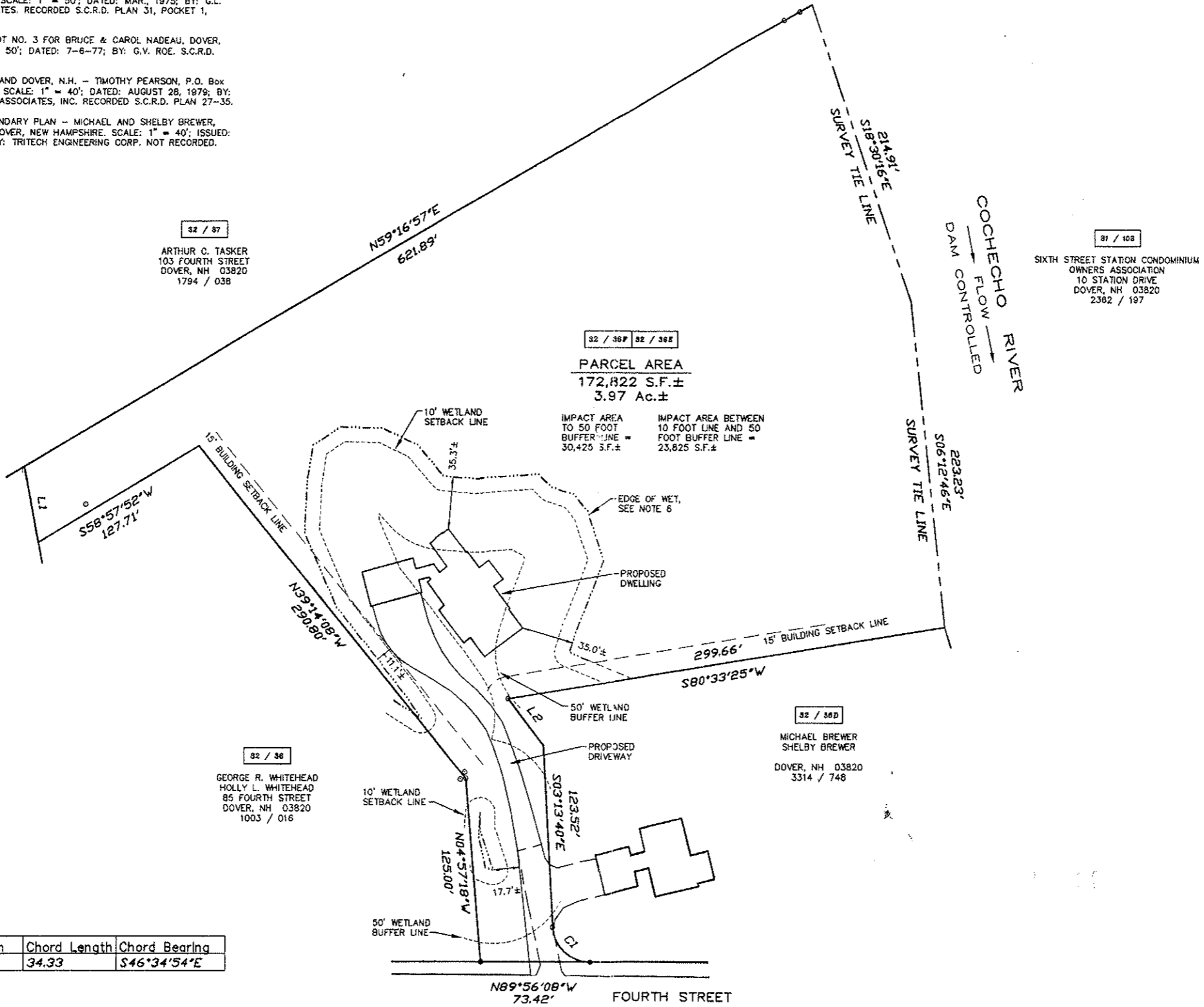


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BUILDING SETBACKS:
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SIDE = 15 FEET
REAR = 30 FEET
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DATE: / KEVIN M. McEANEY LLS # 661

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 - S.S.(fd) - STEEL STAKE (FOUND)
 - I.R.(set) - IRON ROD WITH ID CAP #681 (SET)
 - (S) - SEWER MANHOLE
 - (U) - UTILITY POLE
 - (*) - LIGHT POST
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REVISIONS				
11-1933		BOUNDARY		
PROJECT NO	TYPE	FIELDBOOK & PAGES		

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MICHAEL AND SHELBY BREWER
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DOVER, NH 03820 (603) 742-0911

SURVEYING - PLANNING - CONSULTING



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P05-71A

Application Type: Extension for Open Space Subdivision
Applicant(s): Brian Stern
Owner(s): Brian Stern
Location: Tolend Road/Lika Drive (Assessor's Map E, Lots 45-1, 45-2, 45-3, & 45-4)

INTENT: To obtain a one year extension to an open space subdivision that was signed on March 23, 2006.

LOTS/UNITS PROPOSED: Three single family house lots

AGENDA ITEM #: 4-C

ACREAGE: 5.28 acres

ZONING DISTRICT:
R-40 Rural residential

EXISTING LAND USE: Three vacant lots and one open space lot

PROPOSED LAND USE: Three single family houses and one open space lot

SURROUNDING LAND USE: Single family residential

ZBA ACTION: N/A

ATTACHMENT: Extension letter and application

APPLICATION IS COMPLETE: Yes

NOTICES SENT: Yes

PERMITS REQUIRED: None

WAIVERS REQUESTED: None

Summary of Request and Background

This subdivision was approved by the Planning Board on February 28, 2006 and signed by the Chair on March 23, 2006. NH law (RSA 674:39) provides the subdivision with six years to achieve substantial completion. Chapter 155-24-B of the Dover Code allows the Planning Board to grant one year extensions if certain criteria are met. The owner has applied for a one year extension.

Consistency with Land Use Regulations

Chapter 155-24-B of the Dover Code allows the Planning Board to grant time extensions, not to exceed one year if the following criteria are met:

- 1) The proposed project is consistent with the City Master Plan.
- 2) Surrounding conditions (ie. traffic flow, school capacity, water/sewer demand) have not changed to the point of requiring reanalyzing of the proposed project.
- 3) The proposed project complies with current City, State and Federal regulations, ordinances and statutes.
- 4) Notification of abutters shall be required of all first time extension requests. Said notification shall be by certified mail and shall be at the expense of the applicant.

The applicant has addressed these criteria in his letter and this application is consistent with the requirements.

STAFF RECOMMENDATION:

The Planning Department recommends that the extension request be approved for one year with the following conditions:

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

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



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P05-71A

Application Type: Extension for Open Space Subdivision
Applicant(s): Brian Stern
Owner(s): Brian Stern
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AGENDA ITEM #: 4-C

ACREAGE: 5.28 acres

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R-40 Rural residential

EXISTING LAND USE: Three vacant lots and one open space lot

PROPOSED LAND USE: Three single family houses and one open space lot

SURROUNDING LAND USE: Single family residential

ZBA ACTION: N/A

ATTACHMENT: Extension letter and application

APPLICATION IS COMPLETE: Yes

NOTICES SENT: Yes

PERMITS REQUIRED: None

WAIVERS REQUESTED: None

Summary of Request and Background

This subdivision was approved by the Planning Board on February 28, 2006 and signed by the Chair on March 23, 2006. NH law (RSA 674:39) provides the subdivision with six years to achieve substantial completion. Chapter 155-24-B of the Dover Code allows the Planning Board to grant one year extensions if certain criteria are met. The owner has applied for a one year extension.

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The applicant has addressed these criteria in his letter and this application is consistent with the requirements.

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2. Any new dwelling unit shall be assessed the current water investment fees in place at the time of building permit application.



P05-71A

City of Dover, New Hampshire

APPLICATION FOR EXTENSIONS OF/ AMENDMENTS TO AN APPROVED PLAN

[Creation Date: December 13, 2011]

Office Use Only Amount Paid: 274.00 Date/Time Received: Bail fare

APPLICANT INFORMATION

Name of Applicant: BRIAN STERN Telephone # 603-767-7789 Project Name: O.S.S. Brian Stern Project Location: Tolend Rd/Lika

EXTENSION INFORMATION

Current deadline date: 3/22/12 Number of Extensions Previously granted by Board 0 Reason(s) for extension/comments See attached letter

AMENDMENT INFORMATION

Condition(s) to be amended: Performance date Reason(s) for amendment/comments

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.

Signature of Property Owner: [Signature] Date: 1/24/12 Signature of Applicant (if different from owner): Date: Signature of Agent: Date:

P05-71A

BRIAN T. STERN

201 TOLEND ROAD
DOVER, NEW HAMPSHIRE
03820-3769

TELEPHONE (603) 767-7789
E-MAIL brian@sternlawoffice.com

January 24, 2012

Christopher G. Parker AICP - Director of Planning & Community Development
Marcia Gasses, Chair of the Planning Board
Dover City Hall
Dover, NH 03820

JAN 24 2012

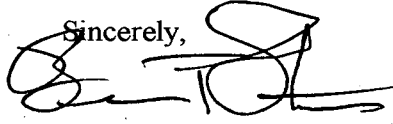
RE: Application for Extension of Time for Open Space Subdivision of Brian Stern
Tax Map E, Lot No. 45 approved 3/23/06.

Dear Mr. Parker and Ms. Gasses:

Please accept this letter as an Application for Extension of Time to meet performance requirements of the above referenced Open Space Subdivision. Dover Code 155-24(A); NH RSA 674:39(v). This Subdivision was approved March 23, 2006 with the approval expiring on March 22, 2012. NH RSA 674:39(v). I respectfully request a one-year extension provided for in the Code. Dover Code 155-24(B). I would appreciate you having the Board act on this as soon as possible so that if for some unexpected reason the extension is not granted I may immediately begin construction.

This Application for Extension meets all the requirements for an extension. The project remains consistent with the Master Plan. The surrounding conditions have not changed. The Subdivision approval complies with current City State and Federal regulations. In fact, the only change in the Dover Code which potentially impacts this subdivision is a change in dimensional requirements between units from 20' to 30'. This is not significant given that the smallest lots in this subdivision are 150' x 200'. Dover Code 155-22(F).

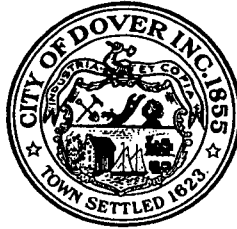
In your deliberation of this request I ask that you consider the following. This was originally a 20 acre parcel. All I asked for and received was the approval of this 4 lot subdivision on 5.28 acres and protected the remaining acreage under a conservation easement. An additional 1.84 remains in open space out of the subdivision's 5.28 acres. Accordingly only 3.44 acres out of 20 are subject to development. This Subdivision abuts my home and I have been in no rush to develop this land. During the interim-I have been regularly paying taxes on the Subdivision's individual lots. Tolend Road is going to be reconstructed and development of this subdivision can be best accomplished in coordination with the Road reconstruction. The Road reconstruction may open some possibilities for revising the plan. Finally, the current economic climate does not support subdivision development as it did at the time of approval.

Sincerely,

Brian T. Stern

See attached list of abutters

STEVEN J. STANCEL
Director

steve.stancel@ci.dover.nh.us



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

City of Dover, New Hampshire

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

March 14, 2006

Mr. Brian Stern
201 Tolend Road
Dover, NH 03820

Re: Plan entitled **Open Space Subdivision Plan prepared for Brian Stern, Tax Map E, Lot No. 45, Tolend Road, City of Dover, County of Strafford, State of New Hampshire** – zoned R-40, located on Tolend Rd. Planning File #P05-~~76~~ 71

Dear Mr. Stern:

Please be advised that the Dover Planning Board, on Tuesday, February 28, 2006, voted to approve the above referenced plan with the following conditions:

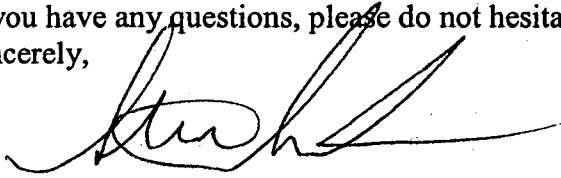
1. Add all of the owners' signatures to the plat.
2. Provide the Planning Department with a digital version of the plat.
3. The applicant shall provide a copy of the proposed homeowner's association documents to the Planning Department for review and approval prior to the signing of the plat. Said documents shall address open space preservation, maintenance of the common driveway and water line, and the limits on clearing of vegetation within the 50-foot external buffer.
4. Provide the Planning Department with a copy of the NH Department of Environmental Services Subdivision Permit and add the permit number to the plat.
5. Approval includes the granting of the waiver to allow the existing house to remain.
6. Revise the plat to add an approved road name.
7. Revise the plat to show vegetation to be placed between the common driveway area and the Jacoby lot, to be agreed upon by the applicant, the Planning Department, and the owner of Map E, Lot 46.
8. The applicant shall agree to discuss granting a utility easement to the City during the negotiations for a potential conservation easement on Map E, Lot 47.

Please bring to the Planning Office five (5) blue prints and one (1) mylar of your plan. The plans must be submitted within ninety (90) days from Planning Board approval. Upon receipt, the Planning Board Chairman will sign them approved. Please submit with your plans a check payable to the Registry of Deeds for the correct recording fee so that the Planning Department may record your mylar. (See attached schedule)

Mr. Brian Stern
Page 2

March 14, 2006

If you have any questions, please do not hesitate to contact my office.
Sincerely,

A handwritten signature in black ink, appearing to read "Steve Stancel", written over the word "Sincerely,".

Steve Stancel, Director
Planning and community Development

SS/jdf

Cc: Building Inspection Office
Engineering Office

List of Abutters

Brian Stern
201 Tolend Rd
Dover NH 03820

Lauren Jacoby
211 Tolend Rd
Dover NH 03820

Sam Siegel
229 Tolend Rd
Dover NH 03820

Norman and Sally Cote
241 Tolend Rd
Dover NH 03820

Dan Milton and Sherri Watson
212 Tolend Rd
Dover NH 03820

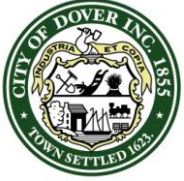
Judith A Coyman
220 Tolend Rd
Dover NH 03820

Dustin and Dana Gray
226 Tolend Rd
Dover NH 03820

Dirleton Place Living Trust
232 Tolend Rd
Dover NH 03820

Brondolo, Roberta +
Pupino, Silvio
13 Bramber II
Rochester NH 03867

P05-71



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P12-04

Application Type: Major Subdivision
Applicant: Graystone Builders, Inc.
Owner: Lionel & Kristina Paradis
Location: 180 Tolend Road (Assessor's Map F, Lot 2)

INTENT: To subdivide a 63.63 acre lot on Tolend Road into five lots.

LOTS/UNITS PROPOSED: Four new single family house lots.

AGENDA ITEM #: 4-D

ACREAGE: 63.63 acres

ZONING DISTRICT:

Rural Residential District – R-40 and
Assembly and Office District – I-4

EXISTING LAND USE: Single family home and farm buildings

PROPOSED LAND USE: Four single family house lots and single family home and farm buildings on remainder of lot

SURROUNDING LAND USE:
Single family residential

ZBA ACTION: None

ATTACHMENTS:

Subdivision plan and application

APPLICATION IS COMPLETE: Yes

NOTICES SENT: Notices were sent by certified mail

PERMITS REQUIRED:

- NH Department of Environmental Services Subdivision Permit

WAIVERS REQUESTED:

Request to waive the requirement that a major subdivision be done as an Open Space Subdivision (Chapter 155-7-A-1)

Summary of Request and Background

The applicant has submitted a set of plans showing the subdivision of the existing lot into five lots, all with frontage on Tolend Road. The existing house and farm would remain on a lot of 55.59 acres. The four new house lots range in size from 1.4 acres to 2.45 acres, with frontages ranging from 150 feet to 323 feet. Each lot would have a septic system and City 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 plan is consistent with the purpose of the R-40 District, which is to provide for single family neighborhoods in the more rural areas, with larger lot sizes and homes served by on-site septic systems and wells. This plan is consistent with those regulations.

Waiver Request

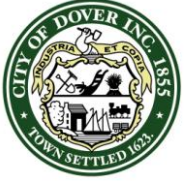
The applicant has requested a waiver so that this major subdivision in the R-40 District does not have to be designed as an Open Space Subdivision. A letter submitted with the application provides three reasons supporting the request. The Planning Department supports the waiver request due to the fact that the four lots being created are all frontage lots.

STAFF RECOMMENDATION:

The Planning Department recommends the application be approved 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 and wetland scientist stamps and signature to the appropriate sheets.
4. The approval includes the granting of the requested waiver 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.
5. The applicant shall add a neighborhood plan to the plan set.
6. The applicant shall add the plan number, P12-04, to the title block on all sheets.
7. The applicant shall revise note #14 on sheet 2 to reference Chapter 170-10-E.
8. The applicant shall revise sheet 2 to add the zoning districts to the zone boundary line.
9. The applicant shall revise the plat to add a legend.



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P12-04

Application Type: Major Subdivision
Applicant: Graystone Builders, Inc.
Owner: Lionel & Kristina Paradis
Location: 180 Tolend Road (Assessor's Map F, Lot 2)

10. The applicant shall revise the plat to add the water lines and hydrant locations.
11. The applicant shall revise the plat to add the common note #23 regarding street addresses being assigned by the Building Inspector.
12. The applicant shall revise the plat to tie the survey into the Dover GIS points.
13. 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.

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

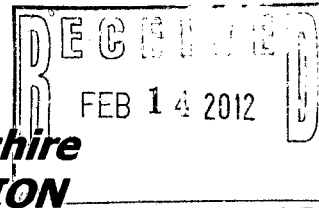
14. Per Chapter 170-27.1-D-1-c, the applicant shall install wetland buffer signs at 75 foot intervals along the wetland buffer line in any area where development is proposed within 20 feet of the wetland buffer. This shall be checked and approved by the Building Official and City Engineer.

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

15. Any new dwelling unit shall be assessed 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 #: P12-04 Date Received: 2-14-12
Amount Paid: 398.00 Time Received: 12:00 pm

OK # 4727

APPLICANT AND OWNER INFORMATION

Name of Applicant: Graystone Builders, INC. Telephone #

Address of Applicant: 38 Beechwood Drive, Strafford, NH 03884

Name of Property Owner (if different from applicant): Lionel & Kristina Paradis Telephone #

Address of Property Owner: 180 Tolend Road, Dover, NH 03820

PROPERTY INFORMATION

Address of Property: 180 Tolend Road, Dover, NH 03820

Assessor's Map # F Lot(s) # 2

Zoning District(s) R-40 & I-4 Overlay District(s)

Size of Parcel: 63.63 Ac. Property Deed: Book 1868 Page: 382

Existing Use of Property: residential/agricultural

SUBDIVISION INFORMATION

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

Existing Number of Lots: 1 Proposed Number of Lots: 4

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

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

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

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

SURVEYOR INFORMATION

Name of Surveyor and Company (Licensed in N.H.) David A. Berry, Berry Surveying & Engineering

Address 335 Second Crown Point Rd. Telephone #: (603) 332-2863

Professional License #: 328 E-mail address: crberry@metrocast.net

(Has poster)

ENGINEER INFORMATION

Name of Engineer and Company (Licensed in N.H.) BERRY SURVEYING - ENG.

Address 335 SECOND CROWN POINT RD Telephone #: 603-332-2863.
BARRINGTON, NH 03825

Professional License #: 328 E-mail address: CBERRY@METROCAST.NET

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: [Signature] Date: 2/14/12

Signature of Applicant (if different from owner): [Signature] Date: 2/14/12

Signature of Agent: _____ Date: _____

AUTHORIZATION TO ENTER SUBJECT PROPERTY

I, and my successors, 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: [Signature] Date: 2/14/12

AUTHORIZATION TO COMPLETE THE PROJECT ON SUBJECT PROPERTY

I, and my successors, hereby authorize the City of Dover and its assigns to enter my property for the purpose of completing the site work as required by the approved plan should the letter or credit or other surety be called. It is understood that these individuals must use all reasonable care, courtesy, and diligence when on the property.

Signature of Property Owner: _____ Date: _____

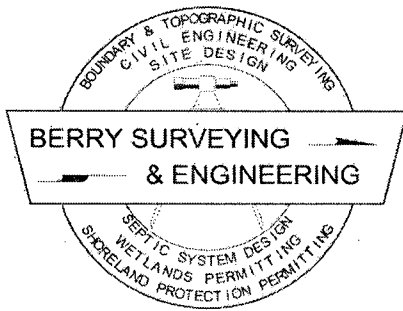
Signature of Applicant (if different from owner): _____ Date: _____

CERTIFICATION OF FEES

I, and my successors, hereby certify that I understand that the City of Dover collects impact fees, utility investment fees and inspection fees for projects developed in Dover. Said fees must be paid before a Certificate of Occupancy can be obtained for a structure, unless a different payment schedule is agreed to by the applicant and the City prior to approvals being issued by the Dover Planning Board. Additionally, should the property be in "Current Use" it will be subject to the Land Use Change Tax.

* Signature of Property Owner: [Signature] Date: 2/14/12

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



BERRY SURVEYING & ENGINEERING

335 Second Crown Point Road

Barrington, NH 03825

Phone: (603) 332-2863

Fax: (603) 335-4623

www.BerrySurveying.Com

City of Dover Planning Board
Attn: Christopher Parker
288 Central Ave
Dover, NH 03820

February 14, 2012

RE: Graystone Builders
Waiver Request
Tolend Road

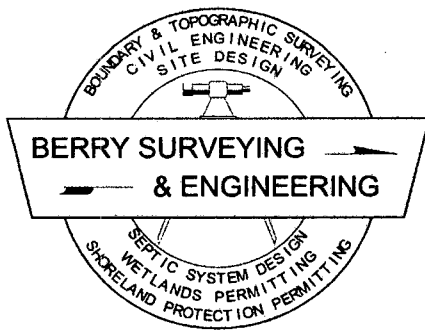
Madam Chair and Members of the Dover Planning Board,

On behalf of Graystone Builders Inc., and the land owner Lionel Paradis, we are requesting a waiver to the subdivisions regulations requiring an open space design on major subdivisions.

- We have designed the lots to utilize the natural wetlands boundary for the rear and side of each of the lots. This serves to better define ownership for the future end users.
- The existing infrastructure is being utilized without the extension of municipal roadways and services.
- The land that would be granted to the use of open space will be utilized as the same. Much of the rear of each lot cannot currently be developed for residential purposes.

Berry Surveying & Engineering

Christopher R. Berry President



BERRY SURVEYING & ENGINEERING

335 Second Crown Point Road
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Fax: (603) 335-4623
www.BerrySurveying.Com

February 14, 2012

Abutters List

Owner of Record

Tax Map F, Lot 2

Paradis, Lionel R. JR. & Kristina L.
180 Tolend road
Dover, NH 03820

Current owner

Book 1868, Page 382

Abutters

Tax Map F, Lot 1A

Sheehy, Margaret & Edward J.
116 Tolend Road
Dover, NH 03820

Book 616, Page 267

Tax Map F, Lot 1E

Menez, Francis W.
9 McCarthy Blvd.
Dover, NH 03820

Book 1653, Page 358

Tax Map F, Lot 1-1

Nyberg, Melinda & Randall R.
8 McCarthy Blvd.
Dover, NH 03820

Book 1756, Page 695

Tax Map F, Lot 1M

Clark, Gordon & Donna M.
35 Columbus Ave.
Dover, NH 03820

Book 2007, Page 128

Tax Map F, Lot 2A

Nadeau, Eileen & Raymond L.
160 Tolend Road
Dover, NH 03820

Book 1038, Page 241

Tax Map F, Lot 3

Ambrose, Richard E. & Donna M.
210 Tolend Road
Dover, NH 03820

Book 1630, Page 630

Tax Map F, Lot 23A

Ezras Green's Farm Homeowners Assoc.
PO Box 1312
Dover, NH 03820

Book 3494, Page 618

Tax Map F, Lot 24A

Towle, Jeremy D.
83 Columbus Ave.
Dover, NH 03820

Book 1484, Page 419

Tax Map F, Lot 25

Duane, Kay
131 Columbus Ave.
Dover, NH 03820

Book 1070, Page 811

Tax Map E, Lot 47

Stern, Brian
201 Tolend Road
Dover, NH 03820

Book 2114, Page 0001

Tax Map E, Lot 47-1

Stern, Brian
201 Tolend Road
Dover, NH 03820

Book 2114, Page 0001

Tax Map E, Lot 47A

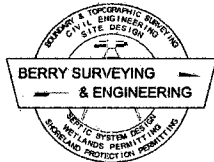
Fernald, William H.
185 Tolend Road
Dover, NH 03820

Book 2109, Page 159

Tax Map E, Lot 48

Bailey, Raymond E. & Edith
181 Tolend Road
Dover, NH 03820

Book 1506, Page 189



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335 Second Crown Pt. Rd., Barrington, NH 03825
(603) 332-2863 / (603) 335-4623 FAX
www.BerrySurveying.Com

Tax Map E, Lot 48A

Dondero, Estelle M. & Edward
157 Tolend Road
Dover, NH 03820

Book -, Page -

Tax Map E, Lot 48B

Allen, Gary & Carol A.
163 Tolend Road
Dover, NH 03820

Book 2167, Page 180

Tax Map E, Lot 48B-1

Martin, Laurie L. & Lucas P.
169 Tolend Road
Dover, NH 03820

Book 3790, Page 784

Tax Map E, Lot 48B-2

Bakke, Erik N. & Jennifer M.
173 Tolend Road
Dover, NH 03820

Book 2231, Page 159

Tax Map E, Lot 54A

Bigelow, Justin D. & Gail M.
149 Tolend Road
Dover, NH 03820-5510

Book 3092, Page 845

Tax Map E, Lot 55

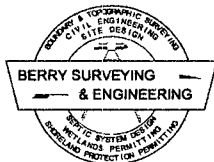
Bernier, Jason
147 Tolend Road
Dover, NH 03820

Book 3745, Page 226

Tax Map E, Lot 56

Wood, Scott A. & Brady, Melissa L.
141 Tolend Road
Dover, NH 03820

Book 3909, Page 616



BERRY SURVEYING & ENGINEERING

335 Second Crown Pt. Rd., Barrington, NH 03825
(603) 332-2863 / (603) 335-4623 FAX
www.BerrySurveying.Com

Tax Map E, Lot 57A

Steadman, Susan F.
115 Tolend Road
Dover, NH 03820

Book 2964, Page 723

Tax Map E, Lot 57C

Mulvey, Philip & Parsons, Rebecca
119 Tolend Road
Dover, NH 03820

Book 3793, Page 414

Tax Map E, Lot 57G

Maxon Family Rev. Trust of 2008
C/O Maxon, Thomas G. & Patricia M. Trustees
40 Baldpate Road
Georgetown, MA 01833

Book 3697, Page 455

Tax Map E, Lot 57G-1

Mone, Florence & Kevin
1 Mones Folly
Dover, NH 03820

Book 1240, Page 44

Tax Map E, Lot 60

Marion, Steven
137 Tolend Road
Dover, NH 03820

Book 1734, Page 555

Tax Map E, Lot 61

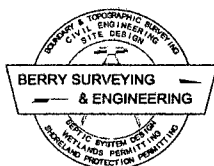
Newton, Joyce K. & Richard D.
135 Tolend Road
Dover, NH 03820

Book 935, Page 463

Tax Map E, Lot 62A

Willis, Christopher Jeremy
125 Tolend Road
Dover, NH 03820

Book 3234, Page 538



BERRY SURVEYING & ENGINEERING
335 Second Crown Pt. Rd., Barrington, NH 03825
(603) 332-2863 / (603) 335-4623 FAX
www.BerrySurveying.Com

Tax Map E, Lot 62B

Foss, Tyler P. & Annie T.
129 Tolend Road
Dover, NH 03820

Book -, Page -

Tax Map E, Lot 63

Wiebold, Martin James & Shawna Marie
109 Tolend Road
Dover, NH 03820

Book 1762, Page 497

Tax Map E, Lot 64

Forbes, Donald W. & Linda R.
181 Old Fields Road
South Berwick, ME 03908

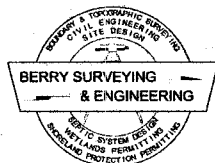
Book 1906, Page 249

Professionals:

Marc Jacobs, CWS, CSS
PO box 417
Greenland, NH 03840

Christopher R. Berry
David A. Berry LLS
335 Second Crown Point Road
Barrington, NH 03825

Graystone Builders
38 Beechwood Drive
Strafford, NH 03884



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