



**CITY OF DOVER**

## DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting  
Meeting Location: Council Chambers – 288 Central Avenue Dover NH 03820  
Meeting Date: **Tuesday, December 20, 2011**  
Meeting Time: **7:00 pm**

**Members Present:** Marcia Gasses (Chair), Frank Torr (Vice Chair), Tom Clark, Lee Skinner, Gary Green, Mayor Dean Trefethen, Ron Cole, Dave White, Jake Forget (Alternate), Kirt Schuman (Alternate).

**Members Not Present:** Linda Merullo.

**Staff Present:** Christopher Parker (Planning Director), Gail Pare (Recording Secretary)

*The Chair called the meeting to order at 7:05 pm*

### 1. CITIZENS' FORUM

*Citizens Forum Open.*

C.Parker made a presentation to Ron Cole who is retiring from the Planning Board after 20+ years of service.

Chair Gasses thanked Mr. Cole for his many years of dedicated service to the Planning Board and presented him with a gift.

Ron Cole then spoke to the Board and gave a chronological history of his tenure with the City since 1991. R.Cole stepped down and allowed Jake Forget to sit in. R.Cole left the meeting at 7:15 pm.

*Citizens Forum Closed.*

### 2. APPROVAL OF THE PRIOR MINUTES

- November 29, 2011 - Regular Meeting Minutes

**Motion:** F.Torr motioned to approve the November 29, 2011 minutes. Seconded by G.Green.

G.Green requested a change to the minutes under Committee Reports regarding discussions about the CIP. Chair Gasses also requested a change to the minutes under the Committee Reports/Master Plan section – positions to be filled (4 from Boards/Commissions, 3 volunteers from the community).

G.Green motioned to accept the minutes as amended. Seconded by F.Torr. Vote: U/A.

### 3. OLD BUSINESS

- A. Public Hearing and possible vote on zoning amendments to the Zoning Ordinance (Chapter 170). The full text of the amendments is available in the Planning Department and at [www.dover.nh.gov](http://www.dover.nh.gov) located under City Documents and View Current City Reports.

Reopen the Public Hearing. Nobody spoke. Public Hearing Closed.

T.Clark motioned to remove the amendments from the table. Seconded by G.Green. Vote: U/A

G.Green questioned where the board discussed changing the wording/description of Church.

C.Parker explained the location of/and the definition of Assembly Hall in the amendments. A discussion ensued with G.Green, regarding the use and conformity w/Utilities Commission rules.



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**Motion:** T.Clark motioned to forward the posted amendments to Council for adoption. Seconded by K.Schuman. Vote: U/A.

B. Consideration and possible posting of amendments to the land use regulations.

C.Parker stated in October there were questions on three items that were discussed. He highlighted the changes made in the subdivision regulations on page 2 item 7 – “provide for the crossing of pedestrian traffic and underground utilities”; on page 6 item 22, “the most energy efficient lighting shall be installed”; On the Site Review Regulations, page 2 item 8 – the line “The design of the area shall meet or exceed standards developed and outlined in the New Hampshire Stormwater Manual” was added.

C.Parker recommends that these changes be posted and a public hearing held.

**Motion:** D.Trefethen motioned to post the Subdivision and Site Review Regulations. Seconded by L.Skinner. Vote: U/A

C. Request for a one year extension of the Conditional Use Permit and phasing plan of Thornwood Commons that was approved on 12/19/2006.

Chad Kageliery and John O’Neill were present. Mr. Kageliery gave an overview of the project and the reasons for the extension, outlined in the application.

D.Trefethen asked if there would be any changes in conditions of the approval in regards to phasing.

C.Parker suggested to review the Developers Agreement and give the contractors etc., the same parallel extension. There would be no changes in phasing.

L.Skinner asked what the implications would be if the request were denied.

C.Parker states the developers are covered by state law – which covers them for four years on site plans. He stated that this plan meets the states criteria for an extension.

J.Forget asked about the passed deadline. Mr. Parker stated the request to extend came in before the deadline of 12/19/2011.

The Planning Department recommends the Planning Board approve the Conditional Use Permit and phasing plan extension request so that the new expiration date is December 19, 2012.

**Motion:** D.Trefethen motioned to grant the one year extension. Seconded by K.Schuman. Vote: U/A.

D. Is not on the agenda, but brought to the board for discussion. The reason is about fencing and cutting vegetation from a buffer and no cut/zone. Visual impact of erecting a fence where a no cut buffer exists on Beacon Circle.

A discussion ensued between C.Parker and the board members regarding the buffer zone, the cutting of vegetation, replacing vegetation, and the abutters.



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K.Schuman clarified the fence would be on the property line or on the other side of the property line.

T.Clark asked if the fence could have been installed without approval and without changing the buffer.

Chair Gasses stated she feels the buffer should have been replaced with vegetation and not a fence.

D.Trefethen feels the fence is not an issue if placed on the property line; but he feels the buffer is still of concern and the board should discuss further. He feels board discussion is needed for future buffer issues and how to handle them. A discussion with board members ensued.

Bob Crawford of 1 Beacon Circle, spoke about the need to clean up the buffer area. He stated it was dangerous with twisted wire, broken trees and other debris. The owner plans to maintain the buffer and replant the buffer and welcomed the board to his property.

#### 4. NEW BUSINESS

~~A. 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) (Withdraw)~~

B. Consideration and a possible vote of a request for a 2 year extension of approved plans for the overall phasing plan of Dover Marketplace (approved on 1/9/2007) for VC Dover Investments LLC, Assessor's Map H, Lot 4-3, zoned B-4, located at NH Route 108 & Mast Road. \*(P06-25E)

Project Manager Jeff Kevan, of TFMoran, gave the board an update on the phasing and the reason for the extension.

D.Trefethen asked about the extension which is to provide more time for phase planning.

C.Parker states it allows the property owner to continue by giving them 2 years to get site approvals.

D.Trefethen stated he is a homeowner in one of these developments and feels he has no conflict with the development and stated he will not recues himself.

*Public hearing open. Nobody spoke. Close public hearing.*

The Planning Department recommends the Planning Board approve the phasing plan extension request so that the new expiration date is January 9, 2014.

**Motion:** D.White motioned to grant the request as submitted. Seconded by F.Torr. Vote: U/A.

C. Consideration and acceptance of an architectural design review for Site Plan of land for a retail building (9,100 sq. ft.), Assessor's Map H, Lot 4-3, zoned B-4, located at NH Route 108 & Mast Road. \*(P11-62)



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J.Kevan showed the board the proposed construction, which includes 64 parking spaces and road extensions.

D.Trefethen asked if the colors in the plan are appropriate for other businesses.

T.Clark asked about screening on the roof of the building.

L.Skinner asked if the buildings would be continuous.

**Motion:** T.Clark motioned to accept the application. Seconded by L.Skinner. Vote: U/A

*Open public hearing. Nobody spoke. Closed public hearing.*

The Planning Department recommends the Planning Board approve the architectural rendering and site plan for Phase 4C 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 revise the plan by adding the project number to the title block on all sheets.
4. The applicant shall revise the architectural rendering to show window elements on the west side of the building facing Cielo Drive.
5. This decision does not constitute approval of the sign shown. A sign permit application is required for all proposed signs.
6. A note shall be added to the rendering clarifying that any roof top mechanicals will be screened from view.

### **Conditions to Be Met Prior to Any Earth Disturbance Activity:**

7. Construction hours shall be limited to Monday-Friday 7am-6pm, Saturday 8am-5pm, No Sunday hours. 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 Building Permit:**

8. The applicant shall pay the current impact fees in place at the time of building permit application.

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

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

**Motion:** F.Torr motioned to approve the Site Plan with recommendations. Seconded by T.Clark Vote: U/A.

### **5. STAFF COMMENTS:**

- The Council approved the award of bid for the community visioning project. Timeline is coming.
- January 10<sup>th</sup> - there will be a special meeting – elect Officers, set goals, review workshop topics.
- NHBR (New Hampshire Business Review) newspaper – has a great article about Dover.



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### 6. COMMITTEE REPORTS

- M.Gasses thanked the board for her year on the Board. She hopes the Board will support her in the coming year but won't be able to attend the January meeting. She stated that F.Torr would like to remain as Vice Chair.
- Josh Cote is a Strafford Regional Planning Commission nominee.
- L.Skinner mentioned the Master Plan. The draft is in final stages, if it is ready it will be discussed at the normal meeting in January and potentially the final meeting will be in February.

### 7. ADJOURNMENT

**Motion:** F.Torr motioned to adjourn the meeting at 8:22 pm. Seconded by L.Skinner Vote: U/A