



**CITY OF DOVER**

## DOVER PLANNING BOARD – MINUTES

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

**Members Present:** Frank Torr (Vice Chair), Dean Trefethen, Mayor; Dave White, Lee Skinner, Gary Green, Dennis Ciotti, Kirt Schuman, Jake Forget (Alternate), Dexter Tarbox (Alternate)

**Members Not Present:** Thomas Clark

**Staff Present:** Steve Bird (City Planner), Gail Pare (Recording Secretary)

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

### 1. ELECTION OF CHAIR

Vice Chair Frank Torr accepted nominations for the new Chair.

K.Schuman motioned to nominated Dennis Ciotti as Planning Board Chair. Seconded by G.Green.

The Board voted by secret ballot. The votes were tallied and the results were announced by Steve Bird. D.Ciotti was elected as Chair.

### 2. CITIZENS' FORUM

*Citizen's Forum open.*

Mary Hebbard, Spruce Lane spoke about the Visioning Chapter of the Master Plan. She asked not to approve this as part of the Master Plan. She voiced her opinion that this is a fraud. People like the City the way it is she stated. State RSA did not say to go out and hire a consultant. She spoke about sustainability and that this vision is not what Dover residents want. She asks for City surveys and to start the process over.

*Citizens Forum closed.*

The Chair announced that Item 4A, will be heard tonight. It will be reopened for any questions, but no vote will be decided tonight.

### 3. Approval of the Prior Minutes

- July 24, 2012 Regular Meeting Minutes.

**Motion:** F.Torr motioned to approve the minutes. Seconded by D.Trefethen. Vote: U/A

The Chair made a request to move item 5F under New Business ahead of schedule.

- F. Consideration and acceptance of a Conditional Use application for Friends Forever Real Estate, LLC (Owner: David Reall & Doreen Bovan), Assessor's Map 12, Lot 23, zoned RM-U, located at 16 Summer St. (Parking space reduction) \*(P12-26)

The variances that were granted on August 16, 2012 have been appealed by some abutters.



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The applicant has agreed that where as the variance granted by the ZBA has appealed, the Planning Board should not accept the application. The Planning Department recommends that the Planning Board vote to not accept the application due to the appeal of the variances.

**Motion:** G.Green motioned not to accept the application. Seconded by D.White. Vote: U/A

#### 4. OLD BUSINESS

- A. Consideration and possible vote on an amendment to a previously approved Site Plan (8/24/10) for 2830 Holdings, LLC, Assessor's Map K, Lot 19C, zoned R-12, B-3 & ETP, located at 30 Dover Point Road and Thornwood Lane. (P10-09A) (4,000 sq. ft. Convenience Store and Vehicle Refueling and Recharging Station)

**Motion:** F.Torr motioned to remove from the table. Seconded by K.Schuman. Vote: U/A

Steve Haight, of Haight Engineering, PLLC, reintroduced the project. He stated a site walk was held on August 7, 2012 at peak hours and modifications were made to the plan subsequent the site walk. Some of the changes including the access onto Dover Point Road which was reduced to 32 ft wide. The left hand turn lane has also changed.

Kim Hazavartian, of TEPP, LLC, spoke about the traffic during peak hours. He discussed trip generation, and that this will not be a destination. He reviewed the on-screen plans, speaking about the left hand turn lanes for south and the north turns. He stated the turn lanes will operate well and minimize safety concerns. He spoke about the traffic analysis and a build out in the future with improvements in the plan. He explained that the left hand lane will work without a signal and become one left hand lane when a signal is installed.

D.Trefethen asked about the original site plan approval which eliminated the northern driveway. He stated with the addition to the access to one or two more parcels, he has two concerns: 1) trying to make a left hand turn and traveling across three lanes; and 2) it will become difficult when a traffic light is present and the rear property is built out. He asked if the intention is for repeat customers who will learn to use the signalized driveway when necessary.

K.Hazavartian spoke about the peak and off-peak times in which traffic will find the best route. He stated during peak times, motorists will circle back through the lot and exit using the traffic lights. Driver behavior will adjust throughout the day during non-peak and peak hours.

L.Skinner asked about the proposed exit onto Dover Point Road and if it is narrower than originally proposed. He asked what is the sacrifice in making that drive narrower.

K.Hazavartian stated the proposed lanes are 14 foot inbound, and two 9 foot outbound lanes. He pointed out that left turns onto Dover Point Road in the morning peak hours, are approximately 70 vehicles, or 1 per minute over the course of an hour. The afternoon peak hours will have a much lower volume, estimated to be about 30 vehicles, or one every 2 minutes. There will be gaps between cars and the volume will not be as large as some big shopping areas.

G.Green asked about the in/out configuration, and about people leaving Thornwood Lane. He asked if there will be cut through.

K.Hazavardian explained it is not a convenient cut through due to the layout.



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Chair Ciotti removed the item from the table. He entertained public comments.

Marilyn Follansbee, Dover Point Road spoke about a previous application to build a bank which included road widening, and access to Dover Point Road. She feels a shared driveway will not make it any safer, but in fact may make it more dangerous. She spoke about a sign near the Spaulding Turnpike advertising for a gas station, which will make it a destination location. She spoke about the widening of Dover Point Road and about the site walk. She feels that many times throughout the day there is increased traffic, bicyclists, joggers and walkers. She feels the safety issue of a gas station outweighs the other concerns.

Lynn Devlin, spoke about the rationale of the second driveway, and where the trees stop. She asked about the R12 zone, and the single family residential district. She feels having a red light is the way to go.

S.Haight spoke that they will extend the fence and make sure that the trees will be extended all the way up as possible. Due to a shared access, some of the trees will be removed to allow for the new driveway.

Kevin McEaney, 8 Gold Post Road, one of the owners of the two abutting properties to the north of this property. There are currently two existing curb cuts which allows both right and left turns coming out and he expects them to remain. The second driveway to the north is owned by Ms. Devlin. He is in favor of the common driveway and thinks it is a good long term planning tool. If a common driveway is not approved, then they will be forced to have two driveways. Looking at the plan, the majority of the access is on his property, and an easement will be granted, which will limit the number of curb cuts. A left turn is absolutely necessary to the plan. In regards to the trees shown, the majority of the trees are on his property, and he suggests that the buffer be placed to the north to shield the most northerly abutter.

Chad Kageliery, Dover Point Road, spoke about permitted use on the property, and using his property rights to develop. The curb cut should be granted, and he referred to the new CITGO station on Central Avenue and compared the two. The City approves similar uses and he feels it's a fair and reasonable use of the property.

Susan Knowles, Finch Lane, would like to see something less intrusive than a gas station.

*Public hearing closed.*

Steve Bird spoke about the multiple letters received. Copies of the letters are in the file in the Planning Department.

### **Staff Recommendations:**

The Planning Department recommends the Planning Board discuss any issues resulting from the site walk. S.Bird asked the applicant to review historic traffic counts specific to and around school schedules. The goal is to try to identify any outstanding issues the Planning Board may have and make a list of conditions. This item will be placed on the September 11, 2012 agenda for a vote.

The Planning Department is working with the applicant on the following issues:

- The proposed driveway accessing Dover Point Road.
- The reduction of the width of all driveways to 32 feet to comply with Chapter 92-6-I.



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- The preparation of a Developer's Agreement that covers all subsequent conditions of approval.
- The preparation of Storm water Management Maintenance and Inspection Plan.
- The access easement with the owner of map K, lot 19A.
- The fair share of the off-site improvements associated with the signalization of the Thornwood Lane/Dover Point Road intersection.
- The fair share of the off-site improvements associated with the Central Avenue/Stark Avenue/East Watson Lane intersection.

G.Green spoke about introducing the second driveway, which is somewhat contradictory. He is glad the Board will take another month to review the plan. He questioned bullet #4 which is the preparation of the storm water management maintenance and inspection plan. Do these inspection plans get recorded?

S.Bird stated they get included in the Developer's Agreement which is recorded. Anyone buying the property would see the agreement on file. The City Engineer office will use these plans, and commercial projects are required to have a management plan for their storm water system. An Annual report is required and submitted to community services department. Annual letters are sent out to the developers to remind them of the reports that are due.

F.Torr asked about property screenings and he would like to see adequate screening and plan for the new driveway being planned later which would allow screening to the road.

S.Bird discussed an 8 foot white vinyl fencing and vegetative screenings would meet today's conditions, but screening will be impacted with further development.

D.Ciotti stated K.McEneaney has offered to give up his two curb cuts, in exchange for access off the gas station lot. D.Ciotti requested that it needs to be shown on the plans. He also wants to see the placement of the trees on the plans.

S.Haight clarified they will extend the trees and fence down as far as they can go, and show the easements and the trees on the plans, but based on future development out back, those trees may be moved with further development.

D.Ciotti asked about the runoff to the road and if someone were driving north and jogging or running, there is no curb runoff.

S.Haight explained there is a 4 foot shoulder along the entire frontage. There is no defined edge now. He is widening out Dover Point Road, and adding the 4 foot wide bicycle lane.

**Motion:** F.Torr motioned to table until the September 11, 2012 meeting. Seconded by L.Skinner.

Vote: U/A

- B. Pursuant to NH RSA 674:4 & 675:6, a vote on adoption of the Visioning Chapter of the Master Plan. The chapter is available for viewing in the Planning Department and on the City's web site under View Current City Reports.

S.Bird gave a brief background about the Draft Vision Chapter. Previously, presentations were given by consultants, many members of the Board were involved, there was a public hearing on July 24, 2012. He



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referred to the staff memo dated August 23, 2012 from Planning Board Director Christopher Parker. He reviewed the proposed minor changes to the draft. The Staff recommends the Board approve the chapter with these changes.

**Motion:** F.Torr motioned to remove from the table. Seconded by L.Skinner. Vote: U/A.

G.Green stated he wrote a memo to the staff, which he then read to the Board. He discussed his reasons to request the changes in the wording of the document. With the public outcry and much controversy in the press linking the word sustainability with Agenda 21, he has taken a second look at the Dover 2023 Master Plan proposal. In this world of unintended meanings, could we remove the word “sustainability” and substitute it with “maintaining” on page 25, meaning “maintaining economic development”. On page 26, the word “stability”, meaning “environmental stability” could be substituted with environmental stability on page 27. Sustainability may appear in other places, and he asks that the word be removed from the chapter all together. He complimented the Steering Committee, and the public for its participation. By removing the word would not change the meaning, but remove much of the controversy. He stated the Chapter is a wonderful chapter, and he is not critical of the Master Plan.

L.Skinner agrees with some of the wording, which does not change the content; its not going to gain supporters who are not there already.

D.Trefethen spoke about some of the words in the visioning statement have taken on a negative political nature. Citizens have volunteered there time, be on a Board or commission, and also willing to take this extra step, and participate in that as well. It’s a testament to the citizens of Dover. He is ready to vote on it with the suggested changes.

D.Ciotti spoke about the citizens, board members, commissions, they are all citizens of Dover. Many people put in many hours to work on this visioning chapter. Regardless of the wording, he supports the visioning chapter.

K.Schuman as Chair of the Steering Committee, he is proud of the process and the plan. It does not need to be a public process. The fact is, that it was a multi month effort to include all the citizens, and he is proud of the effort and the outcome of the document.

**Motion:** K.Schuman motioned to adopt the visioning chapter. Seconded by G.Green. Vote: U/A.

- C. Public Hearing and possible vote on proposed zoning amendments to the Zoning Ordinance (Chapter 170), per NH RSA 675:2 & 675:7. 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.

**Motion:** D.Ciotti motioned to removed from the table. Seconded by F.Torr. Vote. U/A

S.Bird gave an overview of zoning changes.  
*Public hearing open*

Janice Gardner, Dover Point Road, spoke about amendment #16 of the draft zoning amendments. This would amend chapter 170-12 by revising the footnote for the R-20 district to add a kennel standard. She suggested to the Board, that there is already a state statue in place, state statue, 466:31 entitled dogs menace,



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or nuisance, or vicious. She gave a brief description of the statue including the civil penalties enforced through the animal control officer 466:31(a). She said distances don't matter, it is enforcement.

Mary Hebbard, spoke that some 25 zoning amendments is a huge amount of changes to review all at once. She would like to see maps and color shadings, to help the citizens understand. She stated what you intend to propose is hard to understand for the common citizen. Additionally she spoke about amendment #8 spoke on behalf of Jack Newick, who was unable to attend. Adding the new Little Bay Waterfront District, does not say changing to a working waterfront district. Changes in the district affect current businesses because new residents may impact the outcome. It adds to the mixed use district. With mixed use, commercial on the bottom, residential on the top; will affect the way the working waterfront businesses operate.

*Public hearing closed.*

S.Bird spoke about the concerns of Ms. Gardner. He stated most people just had questions about the rezoning and how does it affect them.

G.Green who served on the subcommittee and attended the neighborhood meeting for the waterfront district. He was surprised by the neighborhood support. Mr. Newick would have received the invite for the neighborhood meetings.

D.Trefethen has a concern about the Little Bay Waterfront district, he is not sure the staff has captured what the neighborhood desired through this amendment. He would like further discussion with item #8.

S.Bird further discussed the proposed changes in the Little Bay Waterfront district.

G.Green wants to confirm that the current businesses would become non-conforming.

S.Bird confirmed none of the businesses would be affected.

S.Bird reviewed the three proposed amendment changes in the Little Bay Waterfront district. He mentioned that he has no problem holding off on a decision and take more time to review further.

D.Trefethen asked about the proposed change in amendment #18, retaining the conversion of existing dwelling to accommodate not more than 2 units. He asked if it make the district more restrictive.

S.Bird states it retains the right of uses of the ADU.

**Motion:** D.Trefethen motioned to table until the September 25, 2012 meeting. Seconded by F.Torr.  
Vote: 7/1 (D.Tarbox opposed.)

### 5. NEW BUSINESS

- A. Consideration and acceptance of a Site Review of land for STF Development Corp., Assessor's Map K, Lot 38, zoned R-12, located at 37 Dover Point Road. (Multi-Unit (8) townhouses with parking.) \*(P12-19)

*Lee Skinner recused himself from the above case.*



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Paul Connelly, appearing on behalf of STF (David and Robert Paolini, principals). He gave a brief overview of the proposed multi-unit (8) townhouses with parking. He stated that the Zoning Board of Adjustment requested two additional parking spaces and they will be added to the far end of the building. He stated the approximate footprint size and widths of the units. He discussed that there will be a 6" water service installed. He spoke about impervious and pervious areas, storm water flow and systems. Landscaping screenings were discussed and that he stated traffic assessments, storm water drainage reports, and assessments have been submitted.

K.Schuman asked about the rationale for requesting shared curb cuts.

P.Connolly responded.

S.Bird stated this proposed driveway is directly opposite Thornwood Lane.

D.Trefethen questioned the development, and the possible congregate care facility next door which will affect traffic in the future.

S.Bird feels it should be answered through a traffic assessment study through Dana Lynch.

D.Ciotti asked if the intent is the same access from Lot K – 37. He did not see an easement.

P.Connolly stated it is in the notes given to Planning staff. He referred to note #7 in staff packets.

D.White questioned the location of the two parking spaces added and what about the snow removal plan.

P.Connolly showed the locations to staff on the plans. He stated there is approximately 12 feet of grassy area where snow could be pushed.

D.Ciotti asked why the Zoning Board of Adjustment variances were granted.

P.Connolly explained.

D.Trefethen echoed what D.Ciotti said and he feels that the garages are not always used for parking, but for stuff.

*K.Schuman left the meeting at 8:58 pm.*

G.Green questioned that four of the garages will be two car garages. P.Connolly confirmed.

**Motion:** F.Torr motioned to accept the application. Seconded by D.White. Vote: U/A.

*Open public bearing*

Marilyn Follansbee, 25 Dover Point Road, who was first opposed to the plan, likes the look of the buildings, and the garages.

Dan Gabriel, Gulf Road, owner of Map K, 19-26, reviewed the plan and he has no objection.



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*Public hearing closed.*

### **Staff Recommendation:**

The Planning Department recommends the Planning Board accept the application, open the public hearing, and then table the application to a date certain so that a site walk can be held.

S.Bird feels a site walk may not be needed. He gave a list of items that would need to be looked at. A list of outstanding issues was emailed to the applicant. He hopes all issues will be worked out prior to the September 11, 2012 meeting.

**Motion:** D.White motioned to table the application until the September 11, 2012. Seconded by D.Tarbox. Vote: U/A.

*Lee Skinner returned 9:06 pm.*

- B. Consideration and acceptance of a Conditional Use application for Jerry and Lori Terpstra, Assessor's Map B, Lot 8-D, zoned R-40, located at 620 Sixth Street. (wetland and buffer impacts) \*(P12-21)

Bruce Crawford, Ambit Engineering, represents the applicants. He gave an overview of the application. He stated that when it rains, the applicants have a slow draining water issue. They would like to use their yard better. He referred to the site plan. The solution is to dig out approximately 12,000 s.f., of clay soil and replace it with a sandy soil, and perimeter drain. The Conservation Commission required a mitigation plan. He stated that approval is needed to cross through the buffer, and State approval was needed to disturb the buffer. He discussed plantings, trees, and shrubs.

D.White asked where the septic system is.

B.Crawford responded in the front yard.

S.Bird asked about removing the clay soil, and where the removed soil will be taken.

B.Crawford responded that is up to the site contractor who will remove it from the site. There is no room on the site to repurpose it.

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

*Open public hearing. Nobody spoke. Public hearing closed.*

Conservation Commission met on August 13, 2012, and a compromise was agreed to. The wetland buffer is mostly lawn, and by restoring some of the wetland vegetation, or replanting in the buffer area, this would help mitigate some of the issues, and this would have a fairly low impact. The Conservation Commission recommends endorsing the application as recommended, if the applicant prepares a landscaping plan, and the Planning Department finds it acceptable. S.Bird stated that he has reviewed the landscaping plan, finds it acceptable and recommends approving the application with the following conditions:

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



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1. The Applicant shall file the Permit by Notification with the Department of Environmental Services via the City Clerk.
2. The applicant shall have the surveyor stake the area of the proposed fill within the wetlands and 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 Completion of the Earth Disturbance Activity:**

3. The plantings shown on the proposed landscape plan prepared by Doug Grenier of g2+1, LLC shall be installed by the applicant and a verification report, with photographs, shall be submitted to the Planning Department.

**Motion:** F.Torr motioned to approve the application with conditons. Seconded by G.Green. Vote: U/A.

- C. Consideration and acceptance of a Waiver Request for Daniel & Stacy Furman, Assessor's Map E, Lot 50-2, zoned R-40, located at 10 Pacific Dr. (relief from 50 ft. "No-cut" zone to install an above ground pool & deck) \*(P12-22)

Daniel Furman presented on his case. He gave a brief overview of the size of his back yard. He is requesting an exception to condition #4 and would like to install a locking gate in lieu of the fence. He discussed the location of the proposed decks, the septic system, and where he would like the pool.

D.Trefethen asked about the no cut zone, which is mostly grass. He asked about the location of the septic system which is also in the no cut zone.

S.Bird stated that a waiver was requested in 2011. Original plan was part of OSS with no lot lines. The developer came back to the Board and has created lot lines around house locations, which led to lots that had very little buildable area. It is unfortunate, and this is the third property in this neighborhood asking for waivers. There are hardly any trees in the no cut zone, and that the back tree line is heavily treed. This area is lawn and lacking of trees. Open Space regulation has been discussed to address this issue about the remaining buffer. They have not come up with a perfect solution.

G.Green asked about impervious surface and the percentage of the lot size.

S.Bird responded that in the R-40 district, lot coverage is 10%.

D.Trefethen asked about the property line adjacent to the driveway, if any structures are behind the proposed pool area.

S.Bird stated he did a site walk last week, and he is confident in the location of the septic plan.

**Motion:** F.Torr motioned to accept the application. Seconded by D.Trefethen. Vote: U/A.

*Open public hearing:*

Linda Mikula, 52 Upper Factory Road and husband questioned the location of the pool. They asked if it would be fenced in.

S.Bird responded that applicant asked for a retractable locking gate.



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Art Burke, owns land at 40 Upper Factory Road spoke in opposition. He opposes the waiver on three points. 1) He feels the 50 ft. buffer should be respected. 2) Above ground pools and decks are unattractive, and 3) there are children in the neighborhood, and in ground or above ground pools provide possible dangers.

*Public hearing closed.*

### **Staff recommendation:**

The Planning Department recommends the Board find that the criteria of Chapter 155-51-A have been met and that the waiver be approved with the following conditions:

1. The applicant shall not remove any of the existing trees to install the pool, which shall be verified prior to the issuance of any permits from the Building Inspection Office.
2. The applicant shall plant two 6 to 8 foot tall arborvitae in the southeast corner of the lot to increase screening, which shall be verified prior to the issuance of any permits from the Building Inspection Office.
3. The deck shall maintain a minimum setback of 15 feet from the lot lines.
4. The applicant shall install a fence that complies with Chapter 170-16-A.  
The applicant has asked for modification for fence which Chapter 170-16-F allows.

D.Trefethen has no issue with the retractable locking ladder.

L.Skinner asked S.Bird to change the wording in #4 for conditions of approval to: The applicant shall comply with Chapter 170-16-F. and add condition #5: The applicant shall calculate the amount of impervious surface on the lot.

**Motion:** D.Trefethen motioned to approve the application with conditions. Seconded by L.Skinner.

Vote: U/A

- D. Consideration and acceptance of a Minor Subdivision of land for Eric Goldfine, SERPT, Assessor's Map A, Lot 15-1, zoned R-12, located at Route 16B (Somersworth Tax Map 65 Lot 2). (1 additional lot). \*(P12-23)

Doug Larosa, Trittech Engineering represented the applicant. He gave an overview of the proposed subdivision. They will be on the agenda for the City of Somersworth Planning Board on September 19, 2012. He referred to the lot development plan.

D.Trefethen asked if the septic systems would be within the wetland setbacks for both Dover and Somersworth.

D.Larosa stated the Dover plan has been designed and meets all requirements. The State has provided approval for onsite septic.

**Motion:** F.Torr motioned to accept the application. Seconded by D.White. Vote: U/A.

*Open public hearing. Nobody spoke. Public hearing closed.*

### **Staff recommendation:**

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The Planning Department recommends that the Planning Board approve the subdivision plat with the following conditions:

### Conditions to Be Met Prior to Signing the Plat:

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 revise the plat to add the planning file number P12-23 to the title block.
4. The applicant shall revise the plat to correct the minimum setbacks in note #7 and on the lots.
5. The applicant shall revise the plat to add Old Rochester Road to the Route 16B road name.
6. The applicant shall obtain a NH Department of Environmental Services Subdivision Permit and add the permit number to the plat.
7. The applicant shall obtain a NH Department of Transportation Driveway Permit and add the permit number to the plat.
8. The applicant shall obtain approval of the plat from the City of Somersworth Planning Board.
9. The driveway to access the new house on lot 2 shall comply with NFPA 1 (2009 Edition), Chapter 18.
10. The applicant shall revise the plat and change the house number to Lot 15 Lot 1-1.

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

11. Any new dwelling unit shall be assessed the current impact fees in place at the time of building permit application.
12. Any new dwelling unit shall be assessed water investment fees unless the water is from the City of Somersworth.

**Motion:** L.Skinner motioned to approve with conditions. Seconded by D.Tarbox. Vote: U/A

- E. Consideration and acceptance of an Open Space Subdivision of land for Joanne Johnson, Assessor's Map H, Lot 2A, zoned R-40, located at 18 Freshet Road (Madbury Tax Map 9, Lot 67). (2 additional lots). \*(P12-24)

Scott Frankiewicz, Brown Engineering represented the application. The existing lot is approximately 9.7 acres, is partially in Madbury, but the majority is in Dover. The Zoning Board of Adjustment approved two variances in Madbury. The two new lots share a common driveway which will expand from 16 ft to 20 ft. There is an Open Space component on the back side of the property.

D.White questioned why the open space did not incorporate more wetlands.

S.Frankiewicz responded that it was the owner's preference.

**Motion:** F.Torr motioned to accept the application. Seconded by D.White. Vote: U/A.

*Public hearing open. Nobody spoke. Closed Public hearing.*

The Madbury Planning Board still has to approve, once Dover approves the application to move forward.

The Planning Department recommends that the Planning Board approve the subdivision application with the following conditions:



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### 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 revise the plat to add the Planning File #P12-24 to the title block.
4. The applicant shall add a neighborhood plan to the plan set.
5. The applicant shall obtain approval of the plat from the Madbury Planning Board.
6. The applicant shall obtain a NH Department of Environmental Services Subdivision Permit and add the permit number to the plat.
7. The common driveway to access the two new house lots shall comply with NFPA 1 (2009 Edition), Chapter 18.
8. The applicant shall submit proposed Homeowner's Association documents, addressing driveway maintenance, access easements, open space maintenance, and preservation of natural vegetation in the 50-foot exterior buffer. These documents shall be reviewed by the Planning Department, with consultation by the City General Legal Counsel for compliance with conditions of approval.

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

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

**Motion:** D.White motioned to approve the application. Seconded by L.Skinner. Vote: U/A.

G. Consideration and acceptance of a Conditional Use application for Dean Peschel (Owner: Sixth Street Station Association), Assessor's Map 31, Lot 103, zoned RM-U, located at Station Drive. (Remove culvert & stabilize stream bed for Berry Brook) \*(P12-27)

Dean Peschel represented himself. This project is part of the Berry Brook watershed. The brook is not functioning as a free flowing brook right now. 2+ years ago UNH helped the City and applied for grants to rebuild the watershed. A wooden footbridge would be installed for access to the remainder of the property. New vegetation will be planted along the watershed.

**Motion:** F.Torr motioned to accept the application. Seconded by D.Trefethen. Vote: U/A.

*Public hearing open*

Alexandra Barbehenn, 80 Sixth Street, asked where this site is relative to her property.

D.Peschel explained the site location and the location of the new bridge to Ms. Barbehenn. He explained that the culvert will be removed, and replaced with a new footbridge which will be installed.

*Public hearing closed.*

The Planning Department recommends that the Planning Board 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



**CITY OF DOVER**

## DOVER PLANNING BOARD – MINUTES

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

Environmental Services Shoreland Permit.

**Motion:** L.Skinner motioned to approve the application with staff recommendations. Seconded by D.Tarbox. Vote U/A

### 5. STAFF COMMENTS:

- S.Bird apologized for the lateness of the staff packets. Planning Department staff has been reviewing ways to make the packet timing and pickup better. This includes requesting applicant information sooner, and considering changing the location of the packet pickup. Staff will update the Board at a later time.
- L.Skinner suggested the packets could be brought to the public library.
- D.Ciotti requested that recommendations be presented to the Planning staff.
- D.Ciotti mentioned a letter received from Linda Merullo which was handed out tonight. Please review on your own.

### 6. ADJOURNMENT:

**Motion:** G.Green motioned to adjourn at 10:18 pm. Seconded by D.White. Vote: U/A.