



CITY OF DOVER

CITY COUNCIL - AGENDA

Meeting Type: **Regular Meeting**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, November 14, 2012**
Meeting Time: **7:00 pm**

1. **CALL TO ORDER**
2. **MOMENT OF SILENCE**
3. **PLEDGE OF ALLEGIANCE**
4. **ROLL CALL ATTENDANCE**
5. **PROCLAMATIONS/AWARDS – None**
6. **APPROVAL OF AGENDA**
7. **PUBLIC HEARINGS – None**
8. **CITIZEN'S FORUM**

Citizens are invited to speak on any issue pertaining to the business of the City of Dover. Statements shall be limited to five minutes.

9. **CITY MANAGER'S REPORT**
10. **APPROVAL OF MINUTES**
 - A. **October 17, 2012 – Workshop**
 - B. **October 24, 2012 – Regular Meeting**
11. **MAYOR'S REPORT**
12. **UNFINISHED BUSINESS**
 - A. **ORDINANCES IN THE 2nd READING – None**
 - B. **ORDINANCES IN THE 3rd READING – None**
 - C. **RESOLUTIONS**
 1. **SKATEBOARD PARK RELOCATION FUNDING**
SPONSORED BY MAYOR TREFETHEN, DEPUTY MAYOR CARRIER, AND COUNCILOR WEEDEN



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13. NEW BUSINESS

A. CONSENT CALENDAR

COMMITTEE REPORTS

- | | |
|--|---|
| 1. School Board | 7. Solid Waste Advisory Commission |
| 2. Planning Board | 8. Transportation Advisory Commission |
| 3. Appointments Committee | 9. Joint Building Committee – Horne Street School |
| 4. Recreation Advisory Board | 10. Legislative Liaison |
| 5. McConnell Center Advisory Committee | 11. Pool Advisory Committee |
| 6. Arts Commission | 12. Parking Commission |

B. RESOLUTIONS

- 1. AUTHORIZATION TO COMMIT FUNDS TO THE NUTRIENT CRITERIA, GREAT BAY ESTUARY COALITION**
SPONSORED BY MAYOR TREFETHEN BY REQUEST
- 2. ESTABLISHMENT OF FY 2013 EXPECTATIONS BY MAYOR AND CITY COUNCIL FOR CITY MANAGER**
SPONSORED BY MAYOR TREFETHEN
- 3. APPROPRIATION FOR FY2014 CAPITAL IMPROVEMENTS PROGRAM – AUTHORIZATION FOR BONDING (REQUIRES 2/3 MAJORITY VOTE) (TO BE REFERRED TO A PUBLIC HEARING ON NOVEMBER 28, 2012, WITH A CITY COUNCIL VOTE ON DECEMBER 12, 2012)**
SPONSORED BY MAYOR TREFETHEN BY REQUEST
- 4. APPROPRIATION FOR FY2014 CAPITAL IMPROVEMENTS PROGRAM – NON-DEBT FINANCED PROJECTS (REQUIRES 2/3 MAJORITY VOTE) (TO BE REFERRED TO A PUBLIC HEARING ON NOVEMBER 28, 2012, WITH A CITY COUNCIL VOTE ON DECEMBER 12, 2012)**
SPONSORED BY MAYOR TREFETHEN BY REQUEST
- 5. ESTABLISHMENT OF SCHOOL FACILITIES CAPITAL RESERVE FUND (TO BE REFERRED TO A PUBLIC HEARING ON NOVEMBER 28, 2012, WITH A CITY COUNCIL VOTE ON DECEMBER 12, 2012)**
SPONSORED BY COUNCILORS WESTON AND SPULER
- 6. ESTABLISHMENT OF SCHOOL CURRICULUM CAPITAL RESERVE FUND (TO BE REFERRED TO A PUBLIC HEARING ON NOVEMBER 28, 2012, WITH A CITY COUNCIL VOTE ON DECEMBER 12, 2012)**
SPONSORED BY COUNCILORS WESTON AND SPULER



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**7. ESTABLISHMENT OF SCHOOL TECHNOLOGY CAPITAL RESERVE FUND
(TO BE REFERRED TO A PUBLIC HEARING ON NOVEMBER 28, 2012, WITH A
CITY COUNCIL VOTE ON DECEMBER 12, 2012)
SPONSORED BY COUNCILORS WESTON AND SPULER**

**8. ESTABLISHMENT OF SCHOOL ATHLETICS CAPITAL RESERVE FUND
(TO BE REFERRED TO A PUBLIC HEARING ON NOVEMBER 28, 2012, WITH A
CITY COUNCIL VOTE ON DECEMBER 12, 2012)
SPONSORED BY COUNCILORS WESTON AND SPULER**

C. ORDINANCES IN 1ST READING

**1. CHAPTER 170 – UPDATES TO THE ZONING ORDINANCE
(TO BE REFERRED TO A PUBLIC HEARING ON NOVEMBER 28, 2012)
SPONSORED BY MAYOR TREFETHEN, PLANNING BOARD REPRESENTATIVE**

14. COUNCIL CORRESPONDENCE

A. LETTER FROM XFINITY, DATED OCTOBER 24, 2012

15. COUNCIL MATTERS OF INTEREST

16. ADJOURNMENT

CITY MANAGER'S REPORT



November 14, 2012

"All the art of living lies in a fine mingling of letting go and holding on."

- Havelock Ellis

SUBMITTED BY:

J. MICHAEL JOYAL, JR.
CITY MANAGER

**CITY OF
DOVER, NH**

AVAILABLE ONLINE:

WWW.DOVER.NH.GOV

STREETS, WATER, SEWER UPDATES

Utilities: The Utilities Division fared well during Hurricane Sandy, which struck the area during the last week in October. Most of the pump stations and wells did experience some power loss; however, all stations with a generator had performed without an issue. The River Street Pump Station experienced the longest outage, having been without power for 34 hours. A power spike caused damages to the Variable Frequency Drive (VFD) components at the Calderwood and Campbell Wells. Staff had replacement parts on-hand and was able to get the two wells back in operation by the next day. The portable generator was used at the Calderwood Well for approximately ten hours. Fortunately, a local company was found that specializes in repairing the circuit boards for these drives; they were able to repair the control boards so spares could be kept on-hand if needed again.

A major portion of the month had been spent on the north end pressure zone. Working with Underwood Engineers, employees have been conducting a pressure simulation by increasing the static pressure at the booster station from 78 psi to 90 psi, representing a 10-15 psi increase in the north end during these tests. The tests were conducted in order to determine whether pressure could be maintained with the gates closed. Two gates were located on Glenwood Avenue that would not hold and needed to be replaced (one at Central Avenue and the other next to the bridge by the Spaulding Turnpike). Staff performed this work at night due to the impact it would have had on businesses during the day. The system was successfully able to hold pressure after the replacements were complete. The tank filling is scheduled to commence on November 5th and will take approximately one week to disinfect and place online.

Crews completed the installation of an eight-inch water main from Tolend Road onto Upper Factory Road, running approximately 200 feet. Upper Factory Road did not have a water main; however, due to the upcoming construction on Tolend Road, installing the water main now would prevent having to dig up the road in the future.

Employees responded to a water break at on Coolidge Avenue. Staff replaced approximately six feet of pipe after a lateral break was discovered on the six-inch cast iron main. The main is over 100 years old and due to the age and pipe material, is slated for replacement in the City's Master Plan.

The City is currently seeking estimates to upgrade the server in order to handle the new water meter software. The software and antenna have already been purchased but the current server is unable to support the program. The new software is intended to improve meter readings and, by working with the current billing system, will eventually transmit data directly from the water meters to City Hall. Once in place, this should ultimately provide for more accurate readings (reducing the number of estimated bills) and cut down on abatements. The system is also designed to "red flag" issues, such as high usage, and help to notify residents of potential problems sooner.

Streets/Stormwater: The Highway Division continued to fill various potholes throughout the city. Crews have nearly finished with brush cutting and will return to any trouble spots as needed. Street sweeping was performed in the downtown on a couple occasions to remove leaves and debris that had accumulated. The salt and sand shed at Public Works is stocked and ready for winter operations. After several loads of salt were delivered to the facility, crews mixed roughly 800 yards of sand and salt and have approximately 600 additional yards of salt also available. The new tarp arrived for the residential sand/salt supply (located in the Shaw's Lane ball field lot) and the pile should be filled the first week in November.

Crews began shimming the road and making necessary repairs to Renaud Avenue and Keating Avenue. Efforts are being made to preserve these (and other) roads as much as possible until slated for reconstruction. City paving projects have been completed for the season and Brox has finished with the remainder of their punch-list items. The lot at the City's Lowell Avenue water facility was graded and excess materials cleared. The area had to be prepped prior to the installation of a security fence, which was initiated to limit unauthorized person(s) from accessing the station.

The Highway Division made preparations prior to Hurricane Sandy's arrival, such as filling gas cans and readying vehicles. Once the storm hit, crews worked through the night clearing debris from the catch basins and removing trees and brush from the roadways. Several days had been spent preparing for and cleaning up after the storm.

Broken manhole frames were repaired on Horne Street and Lisa Beth Drive. Crews located and repaired a damaged drain line behind Coolidge Avenue after reports of flooding in the area. Dye testing was performed behind the Central Wave (located at 368 Central Avenue) after water was discovered to be entering the building. In an attempt to help isolate the source, a test was able to determine the water was not drain-related. Crews mixed compost and delivered it to the Rain Garden on Horne Street and Glencrest Avenue. After working in collaboration with the University of New Hampshire for the past several months, the Rain Garden Project is nearly finished.

PROGRAMS AT CITY CENTERS/BUREAUS

Investigations/Legal Bureau: During the month of October 2012, there was one letter generated by the Dover Police Special Investigations Unit that was sent to a certain licensed liquor establishment in Dover. The letters are sent as a result of analysis of police reports involving overly intoxicated persons. When it is determined an overly intoxicated person had been over-served, a letter is sent from the police department to the establishment. The letter, along with the police report, is also sent to the NH Liquor Commission's Bureau of Enforcement.

A total of 13 registered sex offenders were processed during the month. The processing of a sex offender can range from the annual, semi-annual, quarterly, or initial registration, and can also include a change of address or other information that must be updated.

On October 12, 2012 the Dover Police Department's Special Investigations Unit and Crime Scene Unit began a missing person investigation that evolved into a death investigation

and ultimately led to the arrest of a subject for second degree murder. The Dover Police Department's detectives are the primary investigators in this case, while the New Hampshire Attorney General's Office will prosecute the accused. Numerous other law enforcement agencies have assisted in the investigation and the search for the victim's body. Although an arrest has been made, the investigation is ongoing.

During the month of October the SIU and the Crime Scene Unit investigated an armed robbery that occurred at a convenience store in Dover. During the robbery, the suspect displayed a knife and then fled the store on foot with a quantity of cash. Responding Patrol units contacted several people in the area before a full description of the suspect was available. After viewing surveillance photos of the suspect and canvassing the neighborhood, a detective was able to link one of those subjects to the robbery, and he was arrested within days.

The SIU, in partnership with Dover Fire & Rescue, is still investigating three suspicious fires that occurred in the month of October in the New York Street area.

The SIU also investigated two unattended deaths that occurred in October.

Parking Bureau: The roll out of "EasyPark", Dover's in-vehicle parking meter (IVPM) program is scheduled to begin on December 2, 2012. EasyPark devices will be available for sale on-line and in the Police Station lobby. Once purchased, drivers will be able to take advantage of several conveniences to include not having to go to the pay and display meter; no longer having to predict how long they will be parked; and will be able to pay "by the minute".

EasyPark accounts will need to be set up online, and funds can be added as needed. Adding EasyPark to the current discounted parking token program and our short visit exception for on street spaces, Dover's paid parking program provides several user-friendly options.

The request for proposal (RFP) for in-fill development of the First Street parking closed on October 18th and two submissions were received. City staff, the Parking Commission, and DBIDA are conducting evaluations of the proposals and will be forwarding their recommendation to City Council for consideration with a December target date. The responses to this RFP are a valuable barometer as to the potential sales price, potential tax income generation and the extent of development interest by the private sector of our downtown surface lots.

Parking Manager Bill Simons continues to work with the NH Department of Motor Vehicles to establish protocols that will allow the City's contracted collections agency to follow up on unpaid parking fines owed by New Hampshire vehicle owners. The NH Driver Privacy Act puts in significant controls that require special procedures in order to pass along vehicle owner information to collections agents.

Currently there are 7,193 outstanding parking tickets with a value of \$388,536 for New Hampshire registered cars going back as far as 2001. The NH DMV will only allow violations within 13 months to be forwarded to collections agencies.

Parking Manager Bill Simons continues to work with other city staff to prepare proposals of the TIF enabling documents for presentation to the Parking Commission and DBIDA. These documents will include recommendations for designating a TIF district administrator, the TIF district advisory board, along with the development and financing plans. He also continues to work with two construction companies and numerous parking facility managers to obtain a better understanding of the building costs, construction options, operational costs and challenges of operating a garage.

Traffic Bureau: Sgt. Speidel and Captain Terlemezian participated in Woodman Park Elementary School's celebration of International Walk to School Day on October 3. The police joined students, parents, school staff, and several other community leaders in "walking school bus" parades that began at predetermined locations and ended at the school with a rally in the morning.

Sgt. Speidel coordinated traffic control particulars for the Greater Dover Chamber of Commerce's annual Apple Harvest Day on October 6, which was believed to have attracted record crowds due to the fair weather. There were also 480 registered participants who completed the annual Apple Harvest 5K road race. Sgt. Speidel worked closely with Chamber staff and committee members and handled various festival and race logistics involving the police department. This included the advance deployment of barricades and signs to facilitate temporary parking restrictions, traffic diversions, and safe traffic flow, and the assignment of police officers to key intersections to manage the heavy flow of traffic.

Sgt. Speidel worked closely with Woodman Institute Museum to coordinate traffic logistics for a 100th anniversary commemoration of the Civil War Soldiers-Sailors Monument at the entrance to the McConnell Center/Library parking lot, on October 20.

Sgt. Speidel worked closely with organizers of the second annual Horne Street School PTG 5K road race on October 21. Sgt. Speidel coordinated the advance posting of temporary parking restrictions, deployment of traffic control equipment, and assignment of police and volunteer traffic personnel.

On October 26, Dover officers participated in another of the statewide coordinated efforts entitled "Operation Safe Commute". Extra traffic patrols were performed with a contract from the New Hampshire Highway Safety Agency to reimburse the agency's personnel costs. Targeted locations during these patrols included Sixth Street, Dover Point Road, Littleworth Road, Indian Brook Drive, Glenwood Avenue, and the Miracle Mile.

Sgt. Speidel performed 16 child passenger seat inspections during the month of October. Each safety check involves a review of child restraint systems in the caregiver's vehicle, instruction on proper child seat installation procedures, and discussion of safety precautions specific to the age group. Each individualized safety check takes approximately 30 to 60 minutes. Sgt. Speidel is a certified Child Passenger Safety technician, and the Police Department provides this service free of charge.

Sgt. Speidel participated in a child seat safety event with the NH Safe Kids Coalition at the Nottingham Fire Station on November 13, in conjunction with that fire department's annual open house and safety day.

The Traffic Bureau worked with requesting citizens to help coordinate, or in many cases provided equipment to facilitate temporary parking restrictions, event parking, road closures, or other traffic control particulars for the following community events during the month of October:

- American Cancer Society voluntary road toll at Central/Oak, October 7
- Seacoast Grower's Association's Farmer's Market on Sixth Street
- Dover Parent's Music Club Marching Band Show, October 13
- Making Strides against Breast Cancer walk, October 21
- CROP Hunger Walk, October 21

Patrol: During the month of October, officers handled a total of 2,710 incidents. Specific statistics on traffic stops and arrests can be found on the City Manager's web page.

On October 29th and October 30th, additional Patrol and Dispatch personnel were added to the second and third shifts to respond to an increased number of calls for service as a result of Hurricane Sandy. During the height of the storm (1200 until 2400 hours on October 29th) the Police Department received 121 storm related calls for service.

On October 18th, Patrol Officers responded to Diccico's Market on Washington Street for a reported Armed Robbery. Based on observations made and the investigation conducted by the first responding officers a suspect was quickly identified and subsequently arrested by detectives.

Diversion Program: The Diversion Committee met on Thursday, October 18, 2012. At the October meeting, the committee welcomed two new cases and reviewed three active cases. At the time of this report there are five active cases and two pending cases.

Dover Housing Authority: On October 3rd, Officer Joslin provided a six year old boy a bike helmet for his birthday. Officer Joslin had been approached by the father the prior week and stated the boy needed a bike helmet had been asking for one for his birthday. The helmet was made available to the Police Department through a NH Highway Safety Grant.

During the month, Officer Joslin continued to teach the ten week DARE program to three classes at the Dover Middle School.

On October 17th, Officer Joslin and DHA Staff met with the Barrington Evangelical Church in preparations for the 3rd Annual Halloween Bash at the SOCC. The bash was held on October 27th and there were approximately 120 children and parents in attendance for the festivities.

Throughout the month, Officer Joslin received information about possible underage drinking and drug activities within the neighborhood. In an effort to make it easier for

residents to report these incidents, he has placed forms in the DHA office for the residents to use.

Officer Joslin is in the process of setting up an educational program for some of the elderly residents of the Dover Housing Authority. The subject will be identity theft and fraud.

Community Service Program: The Community Service program tracked 23 active participants in the month of October. Of the 23 juveniles in the program 6 participated during the month of October. A total of 16 hours of community service work was completed with 1 member completing their obligation during the month of October. In 2012, 118 hours of community service has been completed and no members have finished their court ordered hours.

Dover Police Academy: During the month of October, the Dover Police Academy (DPA) met for the second time. The group met on October 23, 2012 to discuss the department's mission, overview and structure. Members learned about the different assignments within the agency and the chain of command which oversees the organization.

The next meeting is scheduled to take place on November 13, 2012.

Dover Coalition for Youth: The Dover Survey Committee met on October 26th to review preliminary results of the March 2012 survey given to middle and high school students. A full report is expected by early December and will be made available to the city council, school board and community members.

The Partnership for a Drug-Free NH met on October 17th and shared news that they will be receiving a grant from the NH Charitable Foundation for \$100,000 to conduct a statewide media campaign around substance abuse issues. The Coalition is working with the group to develop messages and campaigns as well as looking at the potential of using a variety of radio spots already developed by Dover Youth to Youth.

Dover Youth to Youth: Students from Youth to Youth created and recorded 4 new radio PSAs with WOKQ this month. Two are underage drinking related and two are related to tobacco use.

Dover Youth to Youth is in the process of creating 4 additional new radio PSAs for the Strafford County Sheriff's Office underage drinking enforcement program. Once finalized, the Sheriff's office will be paying to have them played on local radio stations in this county.

Dover Youth to Youth was recently selected by the New Hampshire Association of Broadcasters (NHAB) to receive its Media Campaign of the Year Award. The students were recognized for their series of 3 radio public service announcements that encouraged quitting tobacco and promoted the 800 number and web site that provides free quitting resources to smokers.

The award was presented October 18th at the annual "Granite Mikes" award ceremony held this year at Southern NH University. It was presented jointly to the student group and

their media partner, radio station WOKQ and its affiliated stations WPKQ, The SHARK WSHK and WSAK. The students created and acted in the radio spots. The station provided professional production services and studio time in their facility to record the 30-second and 60-second PSAs.

This is not the first time the NHAB has recognized the Dover students. In 2002, Youth to Youth also took home the Public Service Campaign of the Year Award. In addition, the students also won the award for best Public Service Announcement of the Year in 1996, 1999 and 2000; as well as the NHAB Merit Award in 2009.

Teen Center: The Dover Teen Center calendar for October of 2012 consisted of educational and social programming for its youth participants.

For the month of October of 2012, the Teen Center saw a total of 633 participants, on 22 days of programming, which yielded an average of just under 29 participants per day (the actual average was 28.7).

Some program highlights for the month of October of 2012 included, but were not limited to the following:

- TC Movie Night: "Hunger Games" (10/4)
- TC Special Event: "6th Grade Parent Open House" (10/10)
- TC Snack Special: "Grilled Cheese" (10/16)
- TC Academic Bowl: "Progress Report Community Buck\$ Event" (10/17)
- TC Snack Special: "Taco Tuesday" (10/23)
- TC Special Event – "Tie-Dye Party" (10/24)
- TC Trip – "Canobie Lake Park – Screeemfest" (10/26)
- TC Annual Event: "Halloween Costume Party w/Y2Y" (10/31)
- TC Round Table Event – "Girl's Group" (Every Monday)

New registrations continued to come in throughout the month of October. There have been 31 new registrants since the beginning of the school year.

The Teen Center participants are looking forward to two annual events in November. One is the "Community Thanksgiving Dinner" at Blue Latitudes and the other is the "Dover Holiday Parade".

Downtown Liaison Unit: The Downtown Liaison Unit handled a variety of calls for service while patrolling in the downtown area and along the community trail. They took enforcement action on numerous traffic and city ordinance violations. A breakdown of the enforcement activity is below:

- 14 pedestrian crosswalk warnings
- 11 assistance to public
- 11 total MV warnings
- 6 MV cross walk warnings
- 3 MV one-way warnings
- 5 MV traffic light warnings
- 5 Parking assist

- 4 Skateboard warnings
- 2 Warnings for Trespassing
- 2 Warnings for littering

Animal Control: For the month of October, there were a total of 46 animal calls. Of those, 10 were handled by the Animal Control Officer, 14 were handled by Dispatch and 22 by Patrol Officers, requiring the ACO to follow-up on 12 of them. The following is a breakdown of the calls handled by the Animal Control Officer:

- 1 animal welfare call
- 3 loose dog
- 2 dog bites
- 1 lost animal call
- 3 barking /nuisance dogs
- 2 wildlife calls

During the month ACO Ladisheff received 59 voicemails messages from citizens.

K-9: The Department has one K-9 handler, Officer Tim Keefe, who works two K-9 partners, Grinko a German shepherd and Norman, a Golden Retriever. During the month of October, the K-9 Unit conducted a total of 20 hours of training. The unit also conducted a total of 4 tracks. The tracks were for the crimes of Theft, Robbery and to locate a suicidal subject.

Traffic Accident Reconstruction Unit: The Dover Police Department's traffic accident reconstruction team was not called out during the month of October. The team conducted four hours of training specific to the total station scene mapping equipment.

Communications Bureau: During the month, the Communications Bureau handled 11,705 radio transmissions, 11,220 phone calls, 398 emergency calls, 101 alarms, and 294 customers in the Police Department's lobby.

Recreation Programs: Sign-ups have begun and are ongoing for many basketball leagues. Many youth basketball programs open registration to non-residents that attend a Dover school on November 1st. All youth programs still have openings available.

Pilates & Interval Toning classes, Yoga and Zumba® programs continue with success.

The new co-ed volleyball program on Wednesdays was drawing so many people that it was expanded to Sunday afternoons also in October.

Senior Center Programs: The Dover Community Senior Center (DCSC) continues their recurring daily activities of Bingo, Bridge, Cribbage, Mahjongg, Scrabble, Pay Me, and Whist, and many more.

Walking Group began the first week in July and ended in October. Participants will be part of the N.H. Governor's Council on Physical Fitness & Health fitness program called, "Walk New Hampshire." This program is designed to promote walking in New Hampshire and sets the goal of walking the mileage equivalent to the length of the state (190 miles). Each participant will receive a log to record their walking and each person who

completes this program will receive an 'I Walked NH' patch and a certificate signed by Governor John Lynch and First Lady Susan Lynch. As of October 31st, this class has 30 participants!

Visiting Nurse was checking Blood Pressure on October 11th and October 25th. She will visit again on, November 8th and November 22nd.

25 members attended the Dover Community Senior Center Halloween Social on October 26th.

Halloween Social: 25
Senior Mystery Lunches: 58

Indoor / Outdoor Pool: The month of October brought about the beginning of fall swim lessons with 93% of all available spots being filled. Lessons will come to an end the weekend of November 10th.

Seacoast Swimming continues to practice during the afternoon hours and is hard at work preparing for their upcoming meets. Therapy swim has seen a recent surge in activity as MSAD #'s 35 and 60 use the pool bringing in as many as 10 swimmers every week. Great Bay Masters are still practicing at the Indoor Pool with as many as 30 swimmers per practice.

A local homeschooling group meets on Fridays through October, November and December, normally bringing in 50 children for swim lessons and Rec Swim.

Finally, Mighty Seals commenced their season with practice beginning on October 21st, they will be preparing throughout the winter for their spring swim meet that will take place in April.

The Making Strides Against Breast Cancer Walk was held at Henry Law Park on October 21st.

Apple Harvest Day took place at the beginning of October with crowds flooding the streets of downtown Dover despite the windy conditions. The Dover Pool Advisory Committee hosted a booth while also having a raffle \$150 was raised from the effort as well as great advertising and community involvement.

Rec Swim ID Pool: 10-20 swimmers per day
Lap Swimmers ID Pool: 75-90 swimmers per day

Ice Arena: The arena is in full swing as the cooler months are upon us. Dover Youth Hockey Association has started with all levels of youth hockey and this makes for a busy facility. Soon the high school hockey season will start and the facility will be even busier. The weekend of October 26 – 27 the Dover Arena hosted a midget hockey tournament with teams from all over the country. Both arenas were full with games every day for these exciting games. This event brought in teams and families to the Dover area. This event also utilized the Exeter Ice Rink and Phillips Exeter Academy Ice arena. This was a very large tournament for our region.

Public Library: There was a 6.2% increase in circulation during October. Program attendance at library programs totaled 519 in October. 332 craft projects were made at the Children's Room's "Make-It, Take-It" table. The Public Library hosted 74 public meetings in its meeting rooms. The library provided 1,864 hours of free public Internet access in October, which does not include Wi-Fi use. Also, the Early Literacy computer station in the Children's Room was used 299 times.

DEPARTMENTAL COLLABORATION & ENHANCEMENTS

As system administrators for the DoverNet libraries' automation system, the Public Library aided the school libraries with 11 technical issues during October.

The Planning and Community Development staff is working to organize a discussion between the City and School departments on the traffic flow and issues present on Durham Road, between Back River Road and Mast Road.

The Director of Planning and Community Development worked with the Economic Development Director and Parking Manager to review responses to the Request for Proposals relative to the redevelopment of the First Street parking lot.

Planning and Community Development staff assisted the Community Services and Inspection staff with a review of outstanding issues on several projects, and took the lead on reaching out to the developers. The plans/projects are as follows:

- Gladiola Way
- Emerald Lane
- 14 Pacific Drive
- 343 Sixth Street
- Picnic Rock Subdivision
- 701 Central Avenue
- Wisteria Drive
- 27 Cushing Street
- The Village at Bellamy Commons
- 23 Horne Street

PLANNING & ZONING

Planning staff worked on the Community Trail, to assist in its completion. This work included having NHDES sign off on the plans for the parking lot at the Watson Road end of the trail. The parking lot will be installed in November, by Mick Construction as part of a Subdivision Plan approval for the Olive Meadow subdivision off Sixth Street, where the developer agreed to provide the infrastructure improvements to the trail.

This past July, the City of Dover was awarded a \$50,000 Community Planning Grant from the New Hampshire Housing Finance Authority to review the form and function of the corridors leading into the City of Dover's downtown area, and to suggest infrastructure and zoning amendments to continue the economic and community vitality of these areas. The grant funding is being used to hire a consultant to perform the work which includes defining the gateways to Dover's downtown, reinforcing the community's work

on sustainability, reinforcing transit oriented development along Central and Portland Avenues and Broadway, and creating a positive environment of the development of affordable housing within walking distance of transit, employment and retail centers, etc.

In October the project team toured the areas of interest for the project (Central Avenue north and south of downtown, Portland Avenue, Broadway, Silver Street and Sixth Street). This tour was followed up by an inventory process, where the consultant and staff measured building height, setbacks and lot coverage. In addition to the measurements, the team began noting characteristics of development and noted the existing conditions. This information will be used to document a baseline of uses and dimensions which can be reviewed as the project moves forward over the next year.

On October 2, 2012, Planning and Community Development staff conducted the fall sign sweep. The sweep netted 6 illegal commercial signs. This is the lowest number of signs collected since Dover began the process of periodic sign sweeps.

In addition to the day to day activities in the Planning Department, staff facilitated the following applications before Boards and Commissions:

Planning Board

- Adopted proposed zoning amendments to the Zoning Ordinance.
- Approved a Conditional Use application, Lot Line Adjustment Application and Major Subdivision application for River Valley Development. This will allow for twenty (20) lots to be created on Gulf Road. A site walk was scheduled for October 13th.
- Approved a request from Salmon Falls Holdings LLC to create an Open Space Subdivision, where it is not required.
This would create 6 new lots at 40 Arch Street.
- Approved a site plan request for Karen Caswell (applicant Comcast) to replace a single family home with a commercial use.
This will create a 1,796 sq. ft. facility with 5 parking spaces for service and maintenance of communication equipment
- Approved an amendment to the conditions for a previously approved Site Plan (10/25/11) for Changing Places, LLC.
This allows the collection date of impact fees to be paid prior to issuance of a certificate of occupancy.
- Approved a Waiver Request for Tory and Ryanne Bianchi.
To allow for the install a hot tub within a 25 foot setback.

Zoning Board

- Tabled a request for a variance for Robert E. Fisher (Owner: Anne E. Tucker Revocable Trust), to establish an eating a drinking establishment in the R-20 District.
This would allow a lunch truck at 49 Littleworth Road
- Approved a requested variance for David A. Goodwin to allow a commercial use in a residential zone.
This would allow a printing business at 37 Dover Neck Road.
- Approved a requested variance for Howard M. MacDonald (Owner: Doverbrook, LLC) to allow an encroachment into a side setback.
This will allow a carport addition onto the existing mobile home to be located within one (1) ft. of the side property line, where 12 feet is required.

- Denied a requested variance for Dover Chevrolet/Jerry Staveris (Owner: M & E Jespersen Realty, LLC), for additional signage.
The request was to permit a second wall sign where only one is permitted.

Conservation Commission

- Endorsed a Conditional Use application for River Valley Development.
This involved the crossing of wetlands for the construction of a new private road.

Transportation Advisory Commission

- Discussed restricting parking along Garrison Road, by Garrison Elementary School.
- Discussed restricting parking along Prebble and Twombly Streets.
- Wished Commissioner John Scruton good luck as he retired from the Commission.

Energy Commission

- Discussed developing outreach and education materials.

CITY GROUNDS – FACILITIES & PARKS

Facilities and Grounds employees conducted the normal day-to-day maintenance, clean-up and grounds maintenance of municipal buildings and continued to handle daily requests for service at the City Hall and Police Department offices. Custodial duties were also performed at the Public Works Facility, Train Station and City Hall, as well as filling in at the Library and McConnell Center as needed. Attempts to identify the cause of the leaking ceiling in City Hall also continued. The McConnell Center gym floor was refinished again this year due to damages incurred during a campaign rally.

Preparations were made for the annual Apple Harvest Day, held in the downtown during the first weekend in October. Picnic tables were collected and transported to Henry Law Park and trash barrels were also relocated. Crews assisted with cleanup after the event and picnic tables and barrels were stored away for the winter.

The main Shaw's Lane soccer field was lined weekly for games. The cover was put on the outdoor pool and the process of winterization of the pool began. The irrigation system at Shaw's Lane was shut off and will be winterized on November 5th and the Long Hill Road Rotary Park was shut off and winterized on October 4th. Paving was completed in October at the Pine Hill Cemetery. The roads paved were Mone Avenue, Elm Avenue, Hickory Lane, Cypress Avenue, Dogwood Lane and Ash Lane.

Preparations were made for Hurricane Sandy and cleanup continued for days after the storm. A décor light head was lost after smashing on the Riverwalk, a high light broke at the base and tipped over at Central Avenue and Second Street, and a traffic signal/pedestrian light pole also broke at the base and tipped over at Third Street and Central Avenue. Electric Light responded during the storm to help with temporarily removing the light poles and will assist in reinstalling the new poles. Three trees were also damaged heavily in Pine Hill Cemetery during the storm. The damaged wood was cut up and cleared away with help from Strafford County. The cleanup of downed limbs and clearing of leaves continued in Pine Hill Cemetery. In addition to certain areas within the cemetery, crews were still mowing on Shaw's Lane, the upper square, City Hall, the McConnell Center and Library lawns.

Bids were received for design work on the concept plan for improvements to the Henry Law Park playground area. The contract was awarded to Terra Firma Landscape Architects of Portsmouth.

GENERAL UPDATES

The McConnell Center and the Tenants Collaborative hosted an Arts Pavilion on Apple Harvest Day this year. There were over 20 artists displaying their work on the front lawn of the McConnell Center.

The Career Technical Center-Firefighter 1 and Emergency Medical Technician classes have continued with great success. These two classes are taught at the North End Liberty Station by department personnel. They are working on fire hose operations pharmacology.

The Deputy Chief covered 5 shifts to reduce over-time expenditures.

The Fire Department participated in two Strafford County Health Coalition flu clinic events. The events were designed to provide flu shots to school aged children at no cost. Each event was over four hours and 89 children at the Dover Middle School and 99 children at Woodman Park School were vaccinated.

The Fire Department participated in the Seabrook Energy Station quarterly meeting. As a host community it is essential to bring local issues to light and to receive briefings of current operations and issues.

The Fire Department started testing all ground ladders utilized on apparatus. This is a two month process to comply with NFPA 1932 standards.

Fire & Rescue submitted for the NH State EMS PIFT protocol. This program is the response plan for emergency medical transfer program for the department at the Paramedic Inter-Facility Transport level of care. The Department will respond and transfer stable patients with medium risk of deterioration as defined in the NH EMS protocols and by SAF-C 5900. There are very few Fire agency's operating at this level.

The Fire Department put the recent training for Emergency Operation Center to use with Hurricane Sandy. The EOC was opened in conjunction with all City agencies while responding to multiple emergencies and need for assistance over 48 hours. The team effort worked to prepare citizens to minimize the effects of the storm prior and post incident to serve the citizens in many capacities.

The department Fire Safety Festival has finished up its last meetings for the program to be presented to the schools on November 5-8, 2012. This all volunteer event promises to be exciting and educational for all schools K-4.

The Director of Planning and Community spoke on October 16th at the Manchester Chamber of Commerce's Infrastructure summit on the benefits Dover has witnessed with the Downeaster Service that stops in Dover 7 times a day. The Director served on a panel

with representatives of the Northern New England Rail Passenger Authority and Train Riders Northeast.

The Director of Planning and Community Development spoke to over 200 planners (citizen and professional) in Newington, Grantham and Derry about the innovative land uses that Dover employs. These lectures were part of the Local Government Center's Municipal Law Lecture series, which is a series of three law related seminars hosted around the state. The Director detailed Dover as a case study reviewing lessons learned, implementation steps and overall experiences with land use regulations, such as transfer of development rights, condition use permits, form based codes, and environmental impact regulations.

CITY OUTREACH

The Public Library continued communication efforts with the public through daily postings on Facebook, Twitter, Pinterest, the library blog, and in two electronic newsletters emailed to over 1100 customers. Library also re-tweets important community notices posted by others.

We have established a Facebook presence for the Recreation Department. We have also developed an e-mail newsletter that is sent out each month to over 400 addresses. The web is used for most outreach to the public and used to keep an up to date list of programs and facility information. The fall and winter programs are currently posted.

The Fire Department participated in walk for breast cancer. The team raised funds for the event and walked the three mile course.

The Fire Department personnel had a display at Apple Harvest Day. The department had the Fire Safety Trailer and put many visitors to the City through the education messages that many of our school age members receive yearly. A fire truck was available for the young and old to tour and learn about the fire protection capabilities.

The Fire Department and the Police Department hosted the Citizen Leadership Academy at the North End Fire Station. This over three hour event demonstrated capabilities, strategies and specialized equipment utilized by each agency.

Fire Prevention Week was established to commemorate the Great Chicago Fire; the tragic 1871 conflagration that killed more than 250 people, left 100,000 homeless, destroyed more than 17,400 structures and burned more than 2,000 acres. The fire began on October 8, but continued into and did most of its damage on October 9, 1871. Dover Fire celebrates this event all month. The Fire Department approaches this month with two targeted education areas to bring safety messages and life saving techniques to our youth.

- ❖ The first is by inviting all the day cares of the City of Dover to the fire station to learn about: not being afraid of a firefighter in his gear and equipment, exit drills in the home, two ways out, stay low and if your clothes are on fire to stop, drop and roll. These are critical messages to instill in the communities youth.
- ❖ The Fire Safety Trailer visits the elementary schools to put the above messages into practice in an environment that is designed to simulate their home and a smoke filled environment.

15 Day cares visited the North End Fire Station. The Fire Safety Trailer visited three schools and is scheduled for the other two in November.

The Fire Department sponsored fire extinguisher training for Liberty Mutual. Targeting large employers to be able to act and minimize issues that logistically are difficult to respond to.

The Department of Planning and Community Development continued to update its blog, face book page and twitter feed to communicate with the public. The Department of Planning and Community Development has 192 Facebook (City of Dover NH Planning) friends and 350 followers on Twitter @DoverNHPlanning.

During the month of October, twenty four (24) Planning blog posts were drafted. Highlights include looking at the upcoming zoning project, a review of a charrette that the Workforce Housing Coalition of the Greater Seacoast performed in Dover, the Capital Improvements Program and the placement of political advertisements in Dover and the August City Manager's report. The blog has been relocated to <http://dovernhplanning.tumblr.com> and had over 223 page views in the month of August, which brings the total page views to over 12,000 for the blog.

The Department of Planning and Community Development promoted the Dover Community Trail through the facebook fan page for the trail (with 403 fans), as well as a Sustainable Dover facebook fan page (with 147 fans).

The Director of Planning and Community Development filmed a promotional video for Dover Download to air on Channel 22. The video high lit the Dover Planning Board meeting agenda for October 23rd.

The Director of Planning and Community Development appeared on WTSN's Open Mike show to discuss the Capital Improvement's Program on October 4th.

The Director of Planning and Community sent out 42 letters to new homeowners congratulating them on their purchase, as well as informing them of the current zoning for their property and alerting them to the various methods the department uses to inform and update the public.

Planning staff worked with land owners of property at the following locations on development or redevelopment opportunities:

- 475 Tolend Road
- Thornwood Commons project
- 44 Arch Street
- Various properties owned by Robbins Auto Parts Realty
- 385 Sixth Street
- The Tuttle Square area
- Property on Gulf Road and King's Highway.
- Property on Sixth Street
- Property at the intersection of Tolend Road and Washington Street
- Property on Jefferson Drive
- 72 Durham Road
- 85 Fourth Street

- Intersection of Mill Street Central Avenue
- Harmony Lane
- 903 Central Avenue
- 436 Central Avenue

ACKNOWLEDGEMENTS & EVENTS

Friends of the Library's annual booksale made \$4400 during October. All funds will be used to support library programs and equipment needs.

Friends of the Library renewed passes for the Portland Museum of Art (\$250) and paid costs for moving in and tuning the new baby grand piano for the Lecture Hall (\$175).

PROFESSIONAL DEVELOPMENT

Firefighter Joshua Ambrose completed the NEEMSI paramedic program. Emergency Medical Technician –Paramedic (EMT-P) is the highest level of pre-hospital care available. Paramedics are trained members of the healthcare community, often responsible for bringing life-saving diagnostic and treatments to the patient at the scene of an emergency. The Paramedic has extensive training in pre-hospital pharmacology, advanced patient assessment, advanced airway and cardiac management, trauma management, and the pathophysiology and management of shock. The scope of practice of the paramedic is rapidly expanding. This nationally accredited, 1,200 hour, 16-month long Paramedic Program is maintained and supported by clinically experienced EMS Educators and Paramedics. They perform intensive clinical and field rotations at over 50 hospitals and ALS EMS services across New England. The program is equivalent to 35 credits hours at NHTI associate degree program.

Dover Fire personnel have been taking full advantage of training opportunities offered through a grant with the New Hampshire Fire Academy. Through the grant offering, NHFA will reimburse Dover Fire for employee overtime to attend training sessions and overtime for personnel that backfill for on-duty employees using professional time to attend. During the months of October employees attended training sessions as follows:

- HazMat Refresher
- Fireground Survival

Dover Fire will continue to capitalize on this grant opportunity for as long as it is available.

The Director of Planning and Community Development attended a daylong seminar on local business and community building at the Portsmouth Library on October 5th. Sessions included focus on supporting local investment through local dollars, the value of shopping local and the value of local sourcing for materials and products.

Tim Corwin, Assistant City Planner, attended a workshop titled "Reclaiming Commercial Strips and Strengthening Town Centers", held on October 25th at the New Hampshire Housing Finance Authority. The workshop, facilitated by acclaimed author, lecturer, and planner Randall Arendt, was preceded by a presentation focusing on successful

examples of commercial redevelopment and addressing the visual blight and land-use dysfunctionality of most highway commercial corridors and many downtowns. Arendt argued that by adopting progressive site planning and design standards, cities and counties can prevent this kind of destructive development. The presentation was followed by a participatory workshop that provided attendees with an opportunity to learn first-hand how to retrofit an existing section of degraded commercial highway strip.

Capital Improvement Projects Update

Community Services Department

October 2012

APPLEVALE RECONSTRUCTION

- Current: Base pavement and curbing have been installed on all streets. The concrete sidewalk will be installed by mid-November on Middlebrook and Newport. All driveways have been base paved. Loaming, seeding and landscaping are currently taking place.
- Previous: Base pavement and curbing have been installed on Hawthorn Road, Applevale Drive, Salem Avenue, and Winston Avenue. Base pavement will be installed on the second half of Hawthorne Road, Middlebrook Road, Newport Road, and Kent Avenue in mid-October.

NORTH END PRESSURE

- Current: The tank site is complete and has only a few punch list items remaining. The pressure zone will go online November 5th.
- Previous: The Booster Pump Station is complete and has only a few punch list items remaining. The tank requires PSNH to connect the electrical service and the road needs to be graveled and paved. The site work at the tank has been completed. DeFelice is still working on punch list items.

WASTEWATER TREATMENT PLANT FACILITIES PLAN

- Current: A meeting is now scheduled in Boston with EPA Region 1 to discuss the Dover wastewater treatment plant NPDES permit on November 19th. The Mayors of Dover, Portsmouth, and Rochester and the City Managers met with NHDES Commissioner Burack in October to discuss the nitrogen issue.
- Previous: The EPA canceled the meeting scheduled for the 19th of September. The City has requested to reschedule the meeting but no date has been offered yet by EPA.

WHITTIER BRIDGE

- Current: The City has signed the Federal and State Bridge Aid Agreement and is moving forward with the preliminary design.
- Previous: The City is reviewing the Federal and State Bridge Aid Agreement.

BERRY BROOK WATERSHED MANAGEMENT

- Current: The Berry Brook Watershed Assistance Grant work was completed in October with the exception of some final loaming, seeding and planting.
- Previous: Supplemental grant funding of an additional \$25,000 was approved by the Governor and Council in September to fund additional improvements in the watershed. The require 40% match required will primarily be in kind services of labor and equipment. A new grant is available later this fall and the City will be submitting a proposal to continue implementing the recommendations in the Berry Brook Watershed Plan.

PLANNING BOARD APPROVED PROJECTS

NAME	STREET NAME		Total Units	Units Built*	Units left	DATE OF PE SIGNATURE	DATE OF PB APPROVAL	SCRD DATE	PLANNING FILE#	MAP	LOT	EXPIRATION DATE	SCHOOL	Students**
Code	H = Homes A = Apts. C = Condos													
Multi-Family:														
Paolini	Sheffield Dr	A	8	8	0		9/11/2012	Site	P12-19	K	38		G	0.88
Woodbury Mills	Dover St	A	42	0	42	10/26/2012	6/26/2012	Site	P12-07	27	20	10/26/2017	H	4.62
Cochecho Falls Mills	Central Ave	A	120	0	120	12/20/2011	11/28/2011	Site	P11-60	3	3	12/20/2015	H	13.2
Brick Road	Jefferson Dr	A	24	24	0	5/9/2012	10/25/2011	Site	P11-42	28	9-C	5/9/2017	H	2.64
Paolini	Appaloosa	C	11	11	0	12/7/2011	9/27/2011	Site	P11-13	I	18-1	12/7/2015	G	1.76
Sherman School	School Street	C	48	0	48	9/27/2011	10/26/2010	Site	P10-39	3	10	9/27/2016	G	7.68
Paolini	54 Dover Point Road	C	12	12	0	10/6/2009	7/22/2008	Site	P08-15	K	20	10/6/2013	G	1.92
New Meadows Inc	Knox Marsh Rd	A	120	48	72	9/27/2005	9/27/2005	Site	P04-04	H	35C	9/27/2009	W	13.2
Total: Multi-family			335	95	240									15
Subdivisions:														
Child's Subdivision	Kings Highway	H	20	0	20		10/23/2012		P12-20	N	8A-1		H	7.4
Tidewater Farm	Winterberry Dr	H	7	5	2	6/16/2011	4/26/2011	6/20/2011	P10-51	N	8	6/16/2016	H	2.59
Olive Meadow	Olive Meadow Ln	H	9	8	1	7/19/2011	3/23/2010	7/19/2011	P10-50	A	45-A2	7/19/2016	H	3.33
Labrador Woods	Labrador Dr	H	9	3	6	7/19/2010	5/25/2010	7/19/2010	P10-19	A	51-9	7/19/2014	H	3.33
Hidden Valley Drive	Hidden Valley Dr	H	10	1	9	7/30/2009	3/24/2009	8/4/2009	P09-03	I	94C	7/30/2013	G	3.7
Harbor Hills	Shore Rd	H	16	6	10	8/10/2010	3/23/2010	8/11/2010	P07-39	L	89G	8/10/2014	G	5.92
Paddocks/Tidewater Farms	Saddle Trail Dr	H	9	3	6	2/21/2008	10/23/2007	2/21/2008	P07-43	N	8	2/21/2012	G	7.4
Long Meadow	Gladiola Way	H	20	20	0	1/30/2008	8/28/2007	2/6/2008	P06-40	A	28	1/30/2012	H	7.4
Picnic Rock	Back River Rd	H	21	6	15	10/31/2007	7/10/2007	11/6/2007	P07-32	16	20	10/31/2011	G	7.77
Schooner Landing	Schooner Dr	H	10	2	8	7/19/2007	4/10/2007	7/25/2007	P06-54	M	96A	7/19/2011	G	3.7
Pacific Landing	Pacific/Nye	H	15	14	1	2/8/2007	7/25/2006	2/8/2007	P05-72	E	49	2/18/2011	W	5.55
Goldberg/Tolend Rd Prop.	Stocklan Dr, etc	H	72	16	56	10/5/2006	7/14/2005	11/2/2006	P03-36	G	24	10/5/2010	W	26.64
Stern Subdivision	Lika Dr	H	3	0	3	3/23/2006	2/28/2006	3/23/2006	P05-71	E	45	3/23/2013	W	1.11
Narrows at Tidewater Farm	Wysteria Dr	H	5	5	0	12/16/2005	8/9/2005	12/21/2005	P05-38	N	8-3	12/16/2009	G	1.85
StoneCroft	Carriage Hill Ln	H	11	9	2	8/9/2005	5/24/2005	8/9/2005	P05-18	A	16	8/9/2009	H	4.07
Havenwood Farm at Alden	Boxwood/Wildewood	H	32	23	9	6/6/2005	5/10/2005	6/7/2005	P04-42	B	21	6/6/2009	H	11.84
Waldron Falls	Lennon/Cardinal	H	10	6	4	5/10/2005	1/11/2005	5/17/2005	P04-54	E	35	5/10/2009	W	6.29
White Tail	Picard Ln	H	17	14	3	1/10/2005	11/10/2004	1/10/2005	P04-47	A	19	1/10/2010	H	6.29
Emerald Woods I & II	Emerald Ln	H	25	19	6	12/6/2004	9/28/2004	12/10/2004	P02-01	F	27	12/6/2008	W	9.25
Weeden	Garrison Rd	H	4	3	1	9/28/2004	6/22/2004	10/4/2004	P04-25	I	1P	9/24/2008	G	1.48
Cornerstone Crossing III	Conerstone Dr	H	18	13	5	7/28/2005	4/12/2005	8/1/2005	P05-13	B	18	7/28/2011	H	6.66
Lionheart	Littleworth Rd.	H	4	2	2	2/24/2004	2/24/2004	3/8/2004	P03-66	G	28-1	2/24/2008	W	1.48
Ayer	McKone Ln	H	2	1	1	6/5/2003	6/5/2003	6/5/2003	P02-67	N	18	6/5/2007	G	0.74
Total: Single Family			329	179	150									128
TOTAL APPROVED UNITS			663	274	390									143
Elderly:														
The Village at Thornwood	Jacqueline Dr/Sonia Dr	H	48	31	17	7/2/2008	3/13/2007		P06-55	M	4	7/2/2011	G	
Arbor Woods	Cielo Dr	H	63	26	37	2/20/2007	1/9/2007	2/20/2007	P06-25	H	4	2/20/2011	W	
Total: Elderly			111	57	54									
APPROVED + ELDERLY			775	331	444									143

** Students are estimated based upon Impact Fee multipliers. THERE IS NO GUARANTEE TO THESE NUMBERS
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* Built or permit issued and unit under construction

Total Permits Issued: October 2012

Permit #	Owner's Last Name	Street #	Street	Description	Type	Map	Lot	Construction Value	Fee
12-114	COCHECO MILLS HOLDINGS,	383	CENTRAL AVENUE	INT. RENO./RMDL OF OFFICE SPACES (L	C	2	37A	4000	65
12-263	MASON	83	WASHINGTON STREET	RENO./RMDL. A RESTAURANT	C	2	40	40000	425
12-273	APPLEBEES	232	INDIAN BROOK DRIVE	EXT. & INT. RENOV. TO RESTAURANT	C	39	9	45000	475
12-302	WASHINGTON STREET MILLS,	1	WASHINGTON STREET	1ST FLR, STE 1013, BAKERY	C	23	14	6000	85
12-304	GOODWIN	37	DOVER NECK ROAD	RENO/RMDL A VACANT NON-RESIDENT	C	M-0	B0000	10000	125
12-312	GEORGAKALIS	2A	WALDRON COURT	INT. RENO. TO A BAGEL SHOP/CAFÉ	C	2	51	15000	175
12-316	STOCK REALTY TRUST	835	CENTRAL AVENUE	TO DEMO. & REMOVE A GREENHOUSE	C	37	24H	50	50
12-319	CAPITAL PIZZA HUTS	915	CENTRAL AVENUE	FOR ROOF REPAIRS & REPLACEMENT	C	38	13	24000	265
12-327	STOCK	835	CENTRAL AVENUE	CONST. A SIDE ADD. FOR A PROPOSED	C	37	24-H	472000	4745
12-336	MOUZOURAKIS	14	CHESTNUT STREET	RNOV. /RMDL INT. FOR A CHANG EOF U	C	5	1	2000	45
12-276	TAYTAV PARTNERSHIP	25	CORNERSTONE DRIVE	NEW CONST. SFD W/ATT. GARAGE	R	B	18-30	135000	1375
12-281	DUFFY	536	MIDDLE ROAD	NEW CONST. SFD W/ATT. GARAGE	R	M	56	700000	7025
12-283	GOODMAN	26	FARMINGTON DRIVE	STORAGE SHED	R	I	22	3000	55
12-290	GIFFORD	306A	DOVER POINT ROAD	RMDL./RENOVATE MASTER BATHRM	R	L	111-C	25000	275
12-292	DOVER BROOK, LLC	12	CONSTITUTION WAY	INSTALL A SFD (MANUFACTURED HOU	R	K	21	64000	665
12-293	RENSSELARE PROPERTIES	142	BROADWAY	RENOV./REMODEL BLDGS. TO CONVER	R	27	278	47000	495
12-294	GRAYSTONE BUILDERS, INC.	13	ARCH STREET	CONST. A SFD W/ATT. GARAGE; UNFIN.	R	10	162-1	131000	1335
12-297	ELAINE PLANT REV. TRUST	270	BACK ROAD	CONST. A SFD W/ATT. GARAGE	R	M	2-2	250000	2525
12-298	GOODSPEED	350	WASHINGTON STREET	FINISH BASEMENT FOR ADD. LIVING AR	R	15	G-3	7000	95
12-307	ERNEST 3G HOLDING, LLC	86-88	THIRD STREET	INT. DEMO. OF A TWO FAMILY DWELLI	R	31	10	0	50
12-309	PELLERIN	47	GLENWOOD AVENUE	REPLACE 50' OF FOUNDATION WALL	R	D	33	15000	175
12-310	SHORT	3	WENTWORTH TERRACE	CONST. AN BARN/GARAGE	R	8	32	66000	685

Permit #	Owner's Last Name	Street #	Street	Description	Type	Map	Lot	Construction Value	Fee
12-313	POWELL BUILDERS, LLC	144	BOXWOOD LANE	CONST. SFD W/ATT. GARAGE	R	B	21-20	275000	2775
12-314	GARCIA	240	BLACKWATER ROAD	CONST. A REAR ADD. (FAMILY RM W/G R	R	a	32-4	30000	325
12-315	PACKARD	2	NILES STREET	INT. RENOVATIONS OF A DWELLING UN	R	20	4	3000	55
12-317	SCOTTON	131	LITTLEWORTH ROAD	CONST. A STORAGE ADD. ONTO AN ATT	R	F	21	6000	85
12-321	TAGOR	3	STILES LANE	REPAIR DMAAGE ON 3RD FLOOR & INS	R	40	32-1	4500	75
12-322	BROOKS	35	SHAWNEE LANE	ONE STORY SIDE ADDITION, SHELL ON	R	A-1		19000	215
12-323	HEMLOCK FOREST CONDOS	116	DURHAM ROAD	BACK FILL INGROUND SWIM POOL & D	R	I	16	0	50
12-330	YUNHUI	3	FAIRWAY DRIVE	TO ENCLOSE REAR PORCH FOR CONVE	R	N	14N	9000	115
12-332	CORRETTE	67	DURHAM ROAD	CONST./INSTALL A ROOF MOUNTED SO	R	H	9-A	19000	215
12-333	RIVER VALLEY DEV. CORP.	20	KINGS HIGHWAY	DEMO. & REMOVE A BARN	R	N	8A	0	50
12-334	HERTEL	53	COUNTY FARM ROAD	CONST. ONE-STORY REAR ADD. W/DEC	R	B	23C	40000	425
12-335	WHITE	416	DOVER POINT ROAD	RENOV/RMDL A SFD & TO CONST. A RE	R	8	39	128000	1305
12-337	COAST	11	DEEPWOOD DRIVE	RMV DECK & CONST. A SIDE 3-SEASON	R	I	22	17000	195
12-340	BUCKLEY	2	ELLIOTT PARK	CONST. A REAR SUNROOM ON EXISTIN	R	17	17	22000	245
12-360	SLAINTE, LLC	28	PICNIC ROCK DRIVE	PERMIT TRANS. TO CONST. A SFD W/AT	R	16	20-10	17000	195
12-287	STRAFFORD COUNTY	259	COUNTY FARM ROAD	CONST. A 16'X116' STORAGE SHED	REC	B	20-1	1500	45

Permit #	Owner's Last Name	Street #	Street	Description	Type	Map Lot	Construction Value	Fee
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Total Permits Issued: 38

Total Construction Value: \$2,652,050.00

Total Fees Collected: \$27,580.00

Type of Permits Issued		Certificate of Occupancy's	
Commercial	1	Change of Use	2
Commercial Renovations	8	Commercial	0
Convert 1 to 2 Fmly Dwlg	0	Convert 1 to 2 Fmly Dwlg	0
Two Family Dwelling	0	Two Family Dwelling	0
Multi-Family Dwelling Units	0	Industrial	0
Industrial	0	Renovations	3
Industrial Renovations	0	Manufactured Dwlg	0
Manufactured Dwelling	1	Multi-Family Dwelling Units	0
Single Family Dwelling	5	Single Family Dwellings	12
Renovations Dwelling Unit	16		0
Demo. of a Dwelling Unit	0	Total	17

PO Date	PO No.	Vendor Name	Amount	DAC
10/10/2012	201303398	SUR CONSTRUCTION, INC.	\$5,500.00	Community Services Department
10/24/2012	201303936	FOX TOURS	\$5,596.45	Recreation
10/24/2012	201303965	CCMSI	\$5,946.71	Executive
10/31/2012	201304155	BORDEN REMINGTON	\$6,116.29	Community Services Department
10/10/2012	201303404	MAHER CORPORATION	\$6,160.00	Community Services Department
10/02/2012	201303068	PUBLIC SERVICE CO OF NH-CITY	\$6,451.39	City Finance Office
10/04/2012	201303222	AD-WEAR & SPECIALTY OF TEXAS, INC.	\$6,994.80	Fire and Rescue
10/16/2012	201303614	WRIGHT-PIERCE	\$7,500.00	Community Services Department
10/02/2012	201302939	CLEAN WATER, INC.	\$7,526.95	Community Services Department
10/24/2012	201303911	STATE OF NH-DOT	\$7,929.52	Community Services Department
10/24/2012	201303914	STATE OF NH-DOT	\$8,329.04	Police
10/16/2012	201303611	JORDAN EQUIPMENT CO.	\$8,347.25	Community Services Department
10/16/2012	201303612	JP TOWLE CONSTRUCTION CORP	\$8,912.50	Community Services Department
10/24/2012	201303967	PUBLIC SERVICE CO OF NH-CITY	\$9,518.26	City Finance Office
10/15/2012	201303453	BAYRING COMMUNICATIONS	\$10,534.06	City Finance Office
10/10/2012	201303392	CCMSI	\$13,341.70	Executive
10/02/2012	201303069	PUBLIC SERVICE CO OF NH-CITY	\$14,220.34	City Finance Office
10/02/2012	201302940	NORMANDEAU ASSOCIATES, INC.	\$16,528.34	Community Services Department
10/23/2012	201303829	EMERY & GARRETT	\$19,250.00	Community Services Department
10/29/2012	201304025	CONSTANCE dESCHUYTNER	\$20,000.00	Planning
10/09/2012	201303253	PUBLIC SERVICE CO OF NH-CITY	\$29,665.27	City Finance Office
10/31/2012	201304162	TRI-STATE SEALCOATING & PAVING, INC.	\$33,113.00	Community Services Department
10/23/2012	201303825	PUBLIC SERVICE CO OF NH-CITY	\$39,453.10	City Finance Office
10/04/2012	201303220	JEFFREY H TAYLOR & ASSOCIATES	\$50,000.00	Planning
10/31/2012	201304160	SHEEHAN, PHINNEY, BASS & GREEN	\$50,073.84	Executive
10/10/2012	201303396	SHEEHAN, PHINNEY, BASS & GREEN	\$50,141.90	Executive
10/04/2012	201303217	AGGREGATE RECYCLING CORP	\$62,100.00	Community Services Department
10/10/2012	201303403	COAST	\$142,391.00	Executive

City of Dover

Bid Solicitation Report

For October 2012

10/31/2012

Department	PO Date	PO No	Vendor	Description	PO Amount
Bid Number	Bid Date	Bid Due	CC Meeting	Item No	PO Notes
	Approved By	Fund		Function/Division	
Recreation				Lease Purchase of Fitness Equipment for McConnell Center Recreation Department	
B13021	10/03/2012	10/30/2012			
Police				Manual Snow Removal Services	
Q13-010	10/10/2012	10/25/2012			
Community Services				Construction of wrap around deck with 2 sets of stairs	
B13024	10/17/2012	10/25/2012			
Recreation				McConnell Center Renovations for Five Rooms	
B13022	10/24/2012	11/29/2012			

City of Dover

Bid Solicitation Report

For October 2012

10/31/2012

Department	PO Date	PO No	Vendor	Description	PO Amount
Bid Number	Bid Date	Bid Due	CC Meeting	Item No	PO Notes
	Approved By	Fund		Function/Division	
Community Services-WWTP				Ashland Praestol K274FLX Emulsion Flocculent	
B13025	10/29/2012	11/13/2012			
Community Services				Curbside Weed Control Spraying	
B13016	10/30/2012	11/14/2012			

Total for

Grand Total All Departments

City of Dover

Revenues of Major Funds October 31, 2012

(General Fund Includes Property Taxes and Education Revenues)

	<u>Budget</u>	<u>Range To Date</u>	<u>Year To Date</u>	<u>% Year To Date</u>	<u>Budget Balance</u>	<u>Encumbrance</u>	<u>Budget Available</u>	<u>% Uncollected</u>
REVENUES								
1000 General Fund								
Taxes	\$ 66,111,865	\$ 328,470	\$ 2,184,947	3.0%	\$ 63,926,918	\$ -	\$ 63,926,918	(96.7)%
Licenses & Permits	4,220,905	490,985	1,536,667	36.0	2,684,238	-	2,684,238	63.6
Intergovernmental	2,035,912	60,372	222,382	11.0	1,813,530	-	1,813,530	89.1
Charges for Services	3,056,986	239,867	933,698	31.0	2,123,288	-	2,123,288	69.5
Miscellaneous Revenue	440,437	40,146	129,718	29.0	310,719	-	310,719	70.5
Education	12,515,976	1,131,968	2,477,013	20.0	10,038,963	(487)	10,039,450	80.2
Operating Transfers In	292,725	-	-	0.0	292,725	-	292,725	100.0
Sub-total : 1000 General Fund	\$ 88,674,806	\$ 2,291,808	\$ 7,484,424	8.0%	\$ 81,190,382	\$ (487)	\$ 81,190,869	91.6%
3213 Parking Activity Fund								
Parking Income	\$ 325,000	\$ 25,975	\$ 113,047	35.0%	\$ 211,953	\$ -	\$ 211,953	65.2%
Parking Fines	168,000	13,219	44,692	27.0	123,308	-	123,308	73.4
Sub-total : 3320 Residential Solid Waste	\$ 493,000	\$ 39,193	\$ 157,739	32.0%	\$ 335,261	\$ -	\$ 335,261	68.0%
3320 Residential Solid Waste								
Charges for Services	\$ 950,663	\$ 88,749	\$ 313,608	33.0%	\$ 637,055	\$ -	\$ 637,055	67.0%
Miscellaneous Revenue	0	48	95	0.0	(95)	-	(95)	0.0
Sub-total : 3320 Residential Solid Waste	\$ 950,663	\$ 88,797	\$ 313,702	33.0%	\$ 636,961	\$ -	\$ 636,961	67.0%
3381 McConnell Center								
Miscellaneous Revenue	\$ 603,726	\$ 19,752	\$ 184,790	31.0%	\$ 418,936	\$ -	\$ 418,936	69.4%
Operating Transfers In	221,479	-	66,294	30.0	155,185	-	155,185	70.1
Sub-total : 3381 McConnell Center	\$ 825,205	\$ 19,752	\$ 251,085	30.0%	\$ 574,120	\$ -	\$ 574,120	69.6%
5300 Water Fund								
Charges for Services	\$ 4,688,762	\$ 606,909	\$ 1,563,759	33.0%	\$ 3,125,003	\$ -	\$ 3,125,003	66.6%
Miscellaneous Revenue	21,000	4,841	34,031	162.0	(13,031)	-	(13,031)	(62.1)
Sub-total : 5300 Water Fund	\$ 4,709,762	\$ 611,750	\$ 1,597,790	34.0%	\$ 3,111,972	\$ -	\$ 3,111,972	66.1%
5320 Sewer Fund								
Intergovernmental	\$ 6,840	\$ -	\$ -	0.0%	\$ 6,840	\$ -	\$ 6,840	100.0%
Charges for Services	5,354,011	647,623	1,660,095	31.0	3,693,916	-	3,693,916	69.0
Miscellaneous Revenue	31,000	4,664	35,107	113.0	(4,107)	-	(4,107)	(13.2)
Other Financing Sources	1,012,476	-	-	0.0	1,012,476	-	1,012,476	100.0
Sub-total : 5320 Sewer Fund	\$ 6,404,327	\$ 652,287	\$ 1,695,202	26.0%	\$ 4,709,125	\$ -	\$ 4,709,125	73.5%
Total : REVENUES	\$ 102,057,763	\$ 3,703,588	\$ 11,499,943	11.0%	\$ 90,557,820	\$ (487)	\$ 90,558,307	88.7%

City of Dover

Expenditures of Major Funds

October 31, 2012

(General Fund Includes County, School and Debt Service)

	<u>Budget</u>	<u>Range To Date</u>	<u>Year To Date</u>	<u>% Year To Date</u>	<u>Budget Balance</u>	<u>Encumbrance</u>	<u>Budget Available</u>	<u>% Available</u>
EXPENDITURES								
1000 General Fund								
City Council	\$ 461,065	\$ 36,435	\$ 110,820	24.0%	\$ 350,245	\$ 127,734	\$ 222,511	48.3%
Executive	778,979	45,777	174,056	22.0	604,923	290,798	314,124	40.3
Finance	1,587,765	110,548	515,572	32.0	1,072,193	738,578	333,615	21.0
Planning	463,527	32,661	146,365	32.0	317,162	206,517	110,645	23.9
Misc General Government	823,908	12,544	171,450	21.0	652,458	128,078	524,380	63.6
Police	6,918,903	509,032	2,323,735	34.0	4,595,168	3,048,129	1,547,039	22.4
Fire & Rescue	6,839,516	499,120	2,191,572	32.0	4,647,944	2,705,996	1,941,948	28.4
Community Service Public Works	5,397,091	316,106	1,289,483	24.0	4,107,608	1,640,909	2,466,700	45.7
Recreation	2,002,240	124,451	589,374	29.0	1,412,866	366,259	1,046,607	52.3
Public Library	1,056,273	73,844	340,589	32.0	715,684	516,514	199,170	18.9
Public Welfare	829,853	70,568	273,949	33.0	555,904	125,694	430,210	51.8
Debt Service	9,690,031	143,833	534,702	6.0	9,155,329	9,090,996	64,333	0.7
Other Financing Sources/Uses	2,122,757	-	-	0.0	2,122,757	-	2,122,757	100.0
School	42,264,590	3,467,421	9,465,508	22.0	32,799,082	29,450,099	3,348,983	7.9
Intergovernmental	7,482,308	-	-	0.0	7,482,308	-	7,482,308	100.0
Sub-total : 1000 General Fund	\$ 88,718,806	\$ 5,442,339	\$ 18,127,174	20.4%	\$ 70,591,632	\$ 48,436,301	\$ 22,155,331	25.0%
3213 Parking Activity Fund								
Police	\$ 614,320	\$ 31,624	\$ 121,802	20.0%	\$ 492,518	\$ 246,558	\$ 245,960	40.0%
Sub-total : 3213 Parking Activity Fund	\$ 614,320	\$ 31,624	\$ 121,802	19.8%	\$ 492,518	\$ 246,558	\$ 245,960	40.0%
3320 Residential Solid Waste								
Community Service Public Works	\$ 950,663	\$ 56,864	\$ 216,442	23.0%	\$ 734,221	\$ 659,910	\$ 74,311	7.8%
Sub-total : 3320 Residential Solid Waste	\$ 950,663	\$ 56,864	\$ 216,442	22.8%	\$ 734,221	\$ 659,910	\$ 74,311	7.8%
3381 McConnell Center								
Recreation	\$ 825,205	\$ 21,520	\$ 97,773	12.0%	\$ 727,432	\$ 529,434	\$ 197,997	24.0%
Sub-total : 3381 McConnell Center	\$ 825,205	\$ 21,520	\$ 97,773	11.8%	\$ 727,432	\$ 529,434	\$ 197,997	24.0%
5300 Water Fund								
Community Service Public Works	\$ 4,733,097	\$ 194,338	\$ 1,030,012	22.0%	\$ 3,703,086	\$ 1,006,970	\$ 2,696,116	57.0%
Sub-total : 5300 Water Fund	\$ 4,733,097	\$ 194,338	\$ 1,030,012	21.8%	\$ 3,703,086	\$ 1,006,970	\$ 2,696,116	57.0%
5320 Sewer Fund								
Community Service Public Works	\$ 6,534,439	\$ 212,218	\$ 1,484,106	23.0%	\$ 5,050,333	\$ 1,335,973	\$ 3,714,360	56.8%
Sub-total : 5320 Sewer Fund	\$ 6,534,439	\$ 212,218	\$ 1,484,106	22.7%	\$ 5,050,333	\$ 1,335,973	\$ 3,714,360	56.8%
Total : EXPENDITURES	\$ 102,376,531	\$ 5,958,903	\$ 21,077,309	20.6%	\$ 81,299,222	\$ 52,215,146	\$ 29,084,075	28.4%

City of Dover

**Arena - General Fund
Revenue & Expenditure Report**
(Including Arena Debt Service attributed to the General Fund)
September 30, 2012

	<u>Budget</u>	<u>Range To Date</u>	<u>Year To Date</u>	<u>% Year To Date</u>	<u>Budget Balance</u>	<u>Encumbrance</u>	<u>Budget Available</u>	<u>% Available</u>
Revenue	1,307,885	90,727	200,117	15.3	1,107,768	0	1,107,768	84.7
Expenditures	940,627	60,006	195,656	20.8	744,971	168,880	576,091	61.2
Debt Service								
Principal	242,190	0	0	-	242,190	0	242,190	100.0
Interest	74,185	0	0	-	74,185	0	74,185	100.0
	50,883	30,720	4,461	8.8	46,422	(168,880)	215,302	423.1



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Workshop Session
Meeting Location: Council Chambers, City Hall
Meeting Date: **Wednesday, October 17, 2012**
Meeting Time: **7:00 pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Councilor Garrison led the Pledge of Allegiance.

4. ROLL CALL ATTENDANCE

Present: Mayor Trefethen, Deputy Mayor Carrier, Councilor Cheney, Councilor Garrison, Councilor Hooper, Councilor Weeden, and Councilor Weston.

Absent: Councilor Crago and Councilor Spuler.

Also Present: City Manager Joyal, General Legal Counselor, and City Clerk Lavertu.

5. DISCUSSIONS

A. HAZARD MITIGATION PLAN

Fire Chief Driscoll gave a PowerPoint presentation to the Council regarding the 2012 Multi-Hazard Mitigation Plan.

Councilor Weeden asked about the differences between this plan and the 2005 plan.

Chief Driscoll said some of the projects in the 2005 plan have been completed.

B. CAPITAL IMPROVEMENT PROJECTS (CIP)

City Manager Joyal said there would be no formal presentation, but the Department Heads were present to answer questions regarding the CIP from the Council.

Mayor Trefethen asked Police Chief Colarusso about the police facility.

Chief Colarusso discussed possible plans for building a new police facility, and answered questions from the Council.

Councilor Cheney asked about the affect of the tax rate being \$0.52.

City Manager Joyal said that was correct.

6. CITIZEN'S FORUM

Citizens are invited to speak on the subject matter of the Workshop. Statements shall be limited to five minutes.

Mayor Trefethen, seeing no one wishing to speak, closed the Citizen's Forum.

7. ADJOURNMENT

Deputy Mayor Carrier moved to adjourn; seconded by Councilor Weston.

Vote: 7/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, October 24, 2012**
Meeting Time: **7:00 pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Deputy Mayor Carrier led the Pledge of Allegiance.

4. ROLL CALL ATTENDANCE

Present: Mayor Trefethen, Deputy Mayor Carrier, Councilor Cheney, Councilor Crago, Councilor Garrison, Councilor Hooper, Councilor Spuler, Councilor Weeden, and Councilor Weston.

Also Present: City Manager Joyal, General Legal Counselor Krans, and City Clerk Lavertu.

5. PROCLAMATIONS/AWARDS – None

6. APPROVAL OF AGENDA

Deputy Mayor Carrier moved to add a resolution: Joe B. Parks Riverwalk Public Gardens/Shed License as item 13.B.3.; seconded by Councilor Weeden.

Vote: 9/0.

Deputy Mayor Carrier moved to approve the agenda as amended; seconded by Councilor Hooper.

Vote: 9/0.

7. PUBLIC HEARINGS – None

8. CITIZEN'S FORUM

Citizens are invited to speak on any issue pertaining to the business of the City of Dover. Statements shall be limited to five minutes.

Mayor Trefethen, seeing no one wishing to speak, closed the Citizen's Forum.

9. CITY MANAGER'S REPORT

City Manager Joyal submitted his report in writing. He informed the Council that the Applevale reconstruction project is wrapping up for the winter. He said the North End water pressure project is about to come online.

Mayor Trefethen asked about if the water pressure change will be gradually phased in.

City Manager Joyal said it will be gradual over the course of several days.

Councilor Weeden asked about the economy.

City Manager Joyal said in general things are holding their own.

Councilor Weeden asked about the CPI figures.

City Manager Joyal said they expect them in January and the Council will have a workshop to go over them at that point.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, October 24, 2012**
Meeting Time: **7:00 pm**

Councilor Crago started a discussion about the fiscal cliff and the New Year. City Manager Joyal said he hasn't received any specifics on what to expect. He discussed certain areas that would be impacted.

Deputy Mayor Carrier moved to accept the City Manager's Report; seconded by Councilor Weeden.

Vote: 9/0.

10. APPROVAL OF MINUTES

- A. October 3, 2012 – Workshop**
- B. October 3, 2012 – Joint Meeting with the Planning Board**
- C. October 10, 2012 – Regular Session**

Deputy Mayor Carrier moved to approve the minutes; seconded by Councilor Crago. Councilor Cheney referred to page 3/6 of the October 10, 2012 minutes, and corrected the name to Mr. Senuski. She also referred to page 6/6 and corrected "acceptable" to "ex officio". Councilor Weeden said he was present for the October 3, 2012 Joint Meeting with the Planning Board.

Councilor Weeden moved to accept the changes to the minutes; seconded by Councilor Cheney. Vote: 9/0.

Deputy Mayor Carrier moved to approve the minutes as amended; seconded by Councilors Weston, Spuler, Cheney and Weeden.

Vote: 9/0.

11. MAYOR'S REPORT

Mayor Trefethen attended two 100th anniversaries; St. Mary Academy's and the dedication of the Sailor/Soldier monument. He said the City Manager and him met with the Department of Environmental Services (DES) along with other communities regarding the nutrient levels in the Great Bay area.

Deputy Mayor Carrier asked about the other communities' sentiments.

Mayor Trefethen said they were all on the same page and the message was consistent that they needed a peer review from scientists.

Deputy Mayor Carrier moved to accept the Mayor's report; seconded by Councilor Crago.

Vote: 9/0.

12. UNFINISHED BUSINESS

- A. ORDINANCES IN THE 2nd READING – None**
- B. ORDINANCES IN THE 3rd READING – None**
- C. RESOLUTIONS – None**



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, October 24, 2012**
Meeting Time: **7:00 pm**

13. NEW BUSINESS

A. CONSENT CALENDAR

1. **RAFFLE – End 68 hours of Hunger**
2. **RAFFLE –Dover High School Girls Basketball Boosters**
3. **WALK-A-THON – Kiwanis Club of Dover**

4. **RESOLUTION: B13014 SNOW PLOWING/HAULING SERVICES FOR CITY STREETS AND PARKING LOTS**
SPONSORED BY MAYOR TREFETHEN BY REQUEST

5. **RESOLUTION: 2012 MULTI HAZARD MITIGATION PLAN APPROVAL**
SPONSORED BY MAYOR TREFETHEN BY REQUEST

6. **RESOLUTION: McCONNELL CENTER LISTING AGREEMENT EXTENSION WITH GRUBB & ELLIS**
SPONSORED BY MAYOR TREFETHEN BY REQUEST

COMMITTEE REPORTS

- | | |
|--|---|
| 1. School Board | 7. Solid Waste Advisory Commission |
| 2. Planning Board | 8. Transportation Advisory Commission |
| 3. Appointments Committee | 9. Joint Building Committee – Horne Street School |
| 4. Recreation Advisory Board | 10. Legislative Liaison |
| 5. McConnell Center Advisory Committee | 11. Pool Advisory Committee |
| 6. Arts Commission | 12. Parking Commission |

Deputy Mayor Carrier moved to approve the Consent Calendar; seconded by Councilor Garrison. Mayor Trefethen asked the Council if they had items they would like pulled for further discussion. Councilor Weeden asked to pull Item #13.A.5. Councilor Hooper asked to pull Item #13.A.1. Councilor Crago asked to pull Item #13.A.6. Mayor Trefethen asked for a roll call vote on the remaining items of the Consent Calendar. Roll Call Vote: 9/0.

Deputy Mayor Carrier moved to adopt Item 13.A.1.; seconded by Councilor Hooper. Councilor Hooper gave an overview of this permit application, the program it supported, and how to contact them to give support. Vote: 9/0.

Deputy Mayor Carrier moved to adopt Item 13.A.5.; seconded by Councilor Weston. Councilor Weeden referred to page 22, table 3.1, and asked about what type of hazardous threat they were referring to.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, October 24, 2012**
Meeting Time: **7:00 pm**

City Manager Joyal talked about hazardous materials being transported on highway, railroads and waterways.

Councilor Cheney asked several questions regarding the document, but asked why it needed to be reviewed annually.

City Manager Joyal said they needed to go through the process on an annual basis to see if they are in fact recognizing the intent of this document.

Vote: 9/0.

Deputy Mayor Carrier moved to adopt Item 13.A.6.; seconded by Councilor Spuler.

Councilor Crago talked about the service the City has received from Grubb & Ellis.

Vote: 9/0.

B. RESOLUTIONS

1. LICENSE FOR 2013 WILLAND POND HOCKEY TOURNAMENT SPONSORED BY MAYOR TREFETHEN BY REQUEST

Deputy Mayor Carrier moved to approve; seconded by Councilor Weeden.

Vote: 9/0.

2. ADOPTION OF FY2014-FY2019 CAPITAL IMPROVEMENTS PROGRAM (TO BE REFERRED TO PUBLIC HEARING ON NOVEMBER 28, 2012) SPONSORED BY MAYOR TREFETHEN BY REQUEST

Deputy Mayor Carrier moved to refer to a public hearing on November 28, 2012; seconded by Councilor Crago.

Vote: 9/0.

3. JOE B. PARKS RIVERWALK PUBLIC GARDENS/SHED LICENSE SPONSORED BY MAYOR TREFETHEN BY REQUEST

Deputy Mayor Carrier moved to approve; seconded by Councilor Hooper.

Mayor Trefethen gave an overview of the resolution to the Council.

Vote: 9/0.

C. ORDINANCES IN 1ST READING – None

14. COUNCIL CORRESPONDENCE – None

15. COUNCIL MATTERS OF INTEREST

Councilor Spuler talked about the Trick or Treat event at the Grimm Theatre this Saturday. He asked when the Appointments Committee is planning to meet.

Mayor Trefethen said the Appointments Committee has not scheduled a meeting at this time.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, October 24, 2012**
Meeting Time: **7:00 pm**

Councilor Weston asked the Council to thank John Scruton for his dedicated service to the City on the Transportation Advisory Commission. She confirmed the time for Trick or Treating to be October 30, 2012, 5:00 to 8:00 pm.

Mayor Trefethen started a discussion about the process of signing of the resolutions by the Finance Director and General Legal Counsel. He was hoping they could start some sort of electronic signatures.

Councilor Cheney said this went against the Charter and Council rules.

Mayor Trefethen said the Council can change the rules by a vote of the Council.

Mayor Trefethen talked about the use of laptops, Ipads, and smartphones during meetings. He wasn't accusing anyone on the Council, but he issued a word of caution that if the device is used to send an email to another Councilor is a violation of State law. All discussions are supposed to be public, open and transparent.

16. ADJOURNMENT

Deputy Mayor Carrier moved to adjourn; seconded by Councilor Weston.

Vote: 9/0.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.1.

Resolution Number: **R – 2012.09.26 – 124**
Resolution Re: Skateboard Park Relocation Funding

- WHEREAS: The proposed waterfront development creates a need to relocate the skateboard park; and
- WHEREAS: Financial Policy #20 *Use of One-Time Revenues* identifies that use of one-time revenues shall be for limited purposes, or non-recurring capital expenditure and/or contributing towards building established stabilization funds; and
- WHEREAS: In accordance with NH RSA 31:95-d the City Council is authorized to restrict revenues from a specific source for specific purposes; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

In accordance with NH RSA 31:95-c, the amount of \$5,000.00 per month up to a total of \$30,000.00 over six (6) months, representing a portion of the monthly revenue received from Dickinson Development Corporation for exercising their rights for an extension to the Initial Closing Deadline for the waterfront development project shall be deposited into the special revenue fund to be known as the Skateboard Park Relocation Fund, separate from the General Fund. The monies in said fund are to be used for the purposes of funding the relocation of the skateboard park to Maglaras Park. Any balance in said fund shall not be deemed part of the General Fund and shall be expended only after a vote of the City Council.

AUTHORIZATION

Approved as to Funding:	Daniel R. Lynch Finance Director	Sponsored by:	Mayor Dean Trefethen
Approved as to Legal Form:	Allan B. Krans, Sr. City General Counsel		Deputy Mayor Robert Carrier At Large
Recorded by:	Karen Lavertu City Clerk		

NOTE: This resolution requires a public hearing 15 days before vote of the City Council.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.1.

Resolution Number: **R – 2012.09.26 – 124**
Resolution Re: Skateboard Park Relocation Funding

RESOLUTION BACKGROUND MATERIAL:

In accordance with NH RSA 31:95-c and 31:95-d a City Council may establish a Special Revenue Fund to restrict revenues to be expended for specific purposes. In accordance with these statutes a public hearing is required to be held at least 15 days but not more than 30 days before a vote of the City Council.

This resolution will create a special revenue fund to be known as the Skateboard Park Relocation Fund. This fund is separate from the General Fund.

This resolution intends to restrict \$5,000.00 a month up to a total of \$30,000.00 over six months be placed into the Special Revenue Fund. This revenue is derived from a portion of any monthly payment made by Dickinson Development Corporation to exercise their right to extend the Initial Closing Date on the waterfront development project.

The intent of this resolution is to allow for the revenue to be set aside and allowed to accumulate for a designated non-recurring expenditure. Expenditure of the monies in said fund will be authorized by vote of the City Council.

The Recreation Advisory Board supports this resolution since there is a clear cause and effect relationship with the proposed waterfront development and the movement of the skateboard park. Any additional funding for the relocation of the skateboard park would come from donations from outside supporters or through the Recreation budget.

To: Dover City Council

From: Dorothea Hooper, Ward 4

Re: School Board Meeting

The Dover School Board met November 5, 2012 in regular session.

CITIZEN'S FORUM: Greg Brown discussed the Manchester Marathon which had our students log their miles under the leadership of Mike Romp a 2nd grade teacher at Garrison School and then students ran the last mile in Manchester. Two of our students came in 1st and 2nd in the boys and girls run.

Dr. Small, a Dover doctor spoke in disagreement with board member Dr. Butler who had suggested that Dover High School consider dropping football from their athletic program. Dr. Small said we are taking many more precautions nowadays with concussions. He felt that our coaches are being very vigilant keeping students out of games until their concussions heal. He stressed he hoped students would continue to be in athletic competitions.

A Barrington mother agreed. She stressed the need to educate everyone concerning the symptoms of concussions (parents, teachers, coaches, and trainers). She showed the board a well made helmet that protects the youngsters during games.

CONSENT AGENDA : A request for a waiver of the transportation policy was requested. This had been tabled at the last meeting. The waiver was granted. As a result of this vote, the School Board Chair, Rocky D'Andrea, asked that current busing policies be reviewed at the next School Board Workshop.

The Dover High School Soccer Boosters requested approval to build a shed and donate it to the district.

Nominations and election of aides, secretaries and coaching positions were completed.

One retirement was announced -----long time social studies teacher at the Middle School, Richard Barrett. Board recognized his contributions to learning in Dover.

SUPERINTENDENT'S REPORT: A Learning Celebration is a new feature in the Superintendent's Report. Each month students will be invited to share what they are learning. This meeting hosted students from Horne Street School. They presented a math lesson. Their teachers explained what would be happening. Students partnered with board members for the lesson. I was truly grateful that I was no longer on the school board and imagine that Mrs. Grady, a former math teacher, had an unfair advantage! This was a great idea!! The children were wonderful.

The Superintendent went on to give the rest of her report. She noted that this was Fire Safety Week when the Dover Fire Department gives an entertaining and educational program to the elementary schools. Briggs-Badger announced the variety of activities being held in the various elementary, middle school and high school activities. She also announced various awards and programs Dover students and staff have won /selected to participate in during the last month. Many of these were geared towards academic achievements.

STUDENT REPRESENTATIVE REPORT: Matthew discussed the fall athletic programs which are wrapping up. He noted the efforts of the marching band during the season. Students held a mock election on election day Matthew also announced club activities at the high school. The Student Council thanked the Homecoming Committee for a generous donation.

COMMITTEE REPORTS: The Curriculum Committee, Dr. Butler reporting, met to discuss the Health, Science and Art curriculums. The Dover Police Department is working on a survey on drug use in the district. NECAP scores at the middle school have improved due to the hands on approach in science. The Art Department showed slides of student art work.

The Revenue Committee has met 5 times and was reported on by Secretary Betsy Andrews Parker who is serving as chair. The ideas for earning more revenue turned out to be more of a challenge than expected. There will be a need to address some of the board's policies particularly in the use of corporate sponsorship and advertising. The next step is what will be to prioritize the use of monies when they are received. There were also discussions on fees with the

result that the committee members decided they did not want to go down that road but needed to continue the discussion. Ms. Parker-Andrews Investigated Portsmouth High School noting they had tasteful advertising banners bringing in revenue.

NEW BUSINESS:

- 1) Superintendent Contract Summary: The board surveyed teachers, administrators and support staff for input on the Superintendent's performance. In the areas of personnel, professional, and management style with 4 being the highest ranking and 1 the lowest. Briggs-Badgers cumulative score was 3.31. In addition the superintendent received a 2-year contract extension and 100% reimbursement for her portion of the NH retirement fund. The board did not offer her vacation buyback. Chair D'Andrea added that Briggs-Badger had put some excellent people in place to help run the district, she did a "remarkable job defending the budget" and appreciated her open door policy.
- 2) Athletic Director Peter Wotton took on the issue of concussions due to football. He noted it was an activity of choice for students and parents. He also noted that no sport is completely safe but there are now better diagnosis and treatments for concussions and fewer instances of contact. Two experts in the field, Dr. Fred Brennan and Eric Schultz spoke in favor of keeping the football program. They recommended educating all involved in the sport to recognize head injuries and have a physician check players before having them return to the game.
- 3) Principal Patrick Boodey presented the results from the Grade Level Reassignment Feasibility Study after the committee held 5 meetings. After some discussion of the problems facing the district in growing enrollment and coming to some conclusions based on data and trends, the committee recommends: a) continue monitoring school space and class sizes, b) While additional space and faculty will be needed, some thought to partnering with local private schools ,and c) a year-round schooling schedule (students attending 3 out of 4 quarters). As for the high school population, the Future Dover H.S. Planning Committee should address these needs. It was

suggested that Dover might want to also look into an Early Childhood Learning Center.

- 4) Alternative School Update: This was given to the Special Education Director, Ms Sandy Crosson and high school principal, Christine Boston. They reported on the role of the At-Risk Coordinator at the high school who is working with students who are over-age and under credited, early identification of freshmen and sophomores who may move into that category, students who are working on credit-recovery via the computer, and students who would like to return to DHS in order to graduate.
- 5) Great Bay Charter School: this school requested funding. This request was not approved.
- 6) Mr. Limanni gave a quarterly update on special funds.

School Board Matters of Interest:

Ms. Andrews-Parker commended the district for collecting 4000 cans of food for the Caring and Sharing program.

The Board appointed Ms. Andrews-Parker to the DTU Negotiating Committee and Ms Russell to the DEOP Negotiating Committee.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R – 2012.11.14 – 134**
Resolution Re: Authorization to Commit funds to the Nutrient Criteria, Great Bay Estuary Coalition

WHEREAS: In 2010 the cities of Dover, Portsmouth and Rochester as well as the towns of Exeter, Durham and Newmarket entered into a memorandum of agreement relative to reducing uncertainty in nutrient criteria for the Great Bay/Piscataqua River Estuary to assist with regulatory challenges as well as improve the NHDES numeric nutrient criteria for the states estuaries; and

WHEREAS: This initial efforts have evolved and additional items such as the UNH sampling effort, DES Science meeting and Peer Review Efforts require funds beyond the initial commitment; and

WHEREAS: The Projected funding needed to complete the peer review efforts, comment on Exeter’s new NPDES permit, participation in the Southeast Watershed Science Symposium and continued efforts to challenge the regulatory requirements through October 2013 is approximately \$62,000 per city-town.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The Purchasing Agent is hereby authorized to issue Purchase Orders as needed for City of Dover NH share to various vendors selected by the Great Bay Municipal Coalition and NHDES. The amount of this authorization shall be limited so as not to exceed available funding.


Financing

Account	Description	Appropriation	Balance
5320.1.300.43256.4725.04590.13	WWTP Facility Upgrade	3,000,000	2,606,890

AUTHORIZATION


 Approved as to Funding: Daniel R. Lynch
 Finance Director

Sponsored by: Mayor Dean Trefethen
 By request

Approved for Legal Compliance: Allan B. Krans, Sr. 
General Legal Counsel

Recorded by: Karen Lavertu 
City Clerk

DOCUMENT HISTORY:

Document Created by: Purchasing
Document Posted on: November 8, 2012

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2012.11.14_authorization_to_commit_funds_to_the_nutri
en_criteria_great_bay_estuary_coalitionP



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R – 2012.11.14 – 134**
Resolution Re: Authorization to Commit funds to the Nutrient Criteria,
Great Bay Estuary Coalition

First Reading Date:
Approved Date:

Public Hearing Date:
Effective Date:

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor Dean Trefethen		
Deputy Mayor Robert Carrier, At Large		
Councilor Edward Spuler, Ward 1		
Councilor William Garrison III, Ward 2		
Councilor Michael Crago, Ward 3		
Councilor Dorothea Hooper, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Michael Weeden, Ward 6		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		

RESOLUTION BACKGROUND MATERIAL:

The City of Dover owns and operates a waste water treatment plant which discharges to the Piscataqua River and is reliant on a NPDES permit issued by the US Environmental Protection



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R – 2012.11.14 – 134**
Resolution Re: Authorization to Commit funds to the Nutrient Criteria,
Great Bay Estuary Coalition

Agency (EPA). Dover's permit expired in October 2011. A new draft permit was issued in December of 2011 and a public Hearing was held by EPA in February 2012 to receive comments.

Nutrients have been identified as pollutants adversely impacting the water quality and natural habitat of the Great Bay Estuary, and that the NH Department of Environmental Services (NHDES) has published a Nutrient Criteria document which establishes water quality limits for nitrogen in the estuary that are believed to be necessary to protect the resource.

The communities of Dover, Exeter, Newmarket, Portsmouth, and Rochester all of which operate waste water treatment plants in the watershed, have formed a coalition to review the findings and conclusions of the Nutrient Criteria. The coalition communities' technical consultants have concluded that some of the methods of analysis and assumptions used in development of the Nutrient Criteria are inappropriate and introduce an element of uncertainty into the conclusions drawn in the report.

The EPA has issued a draft NPDES permit to Dover and the Towns of Exeter and Newmarket which includes "limits of technology" nitrogen permit limits based on the NHDES Nutrient Criteria, and which will cost the communities tens of millions of dollars in waste water plant upgrades. The remaining coalition communities will soon be receiving new NPDES permits from the EPA with nitrogen limits. In light of the concerns over the efficacy of the Nutrient Criteria findings and the extraordinary costs associated with upgrades to the waste water treatment plants, the coalition communities with their consultants have raised questions to NHDES about the Nutrient Criteria. The coalition communities want to be sure that the investments they will be required to make in nutrient reduction are warranted and will produce the desired benefits to the natural resources of the estuary..

The Coalition has tried to meet with NHDES and present findings from the work completed by the Coalition's consultants that dispute the conclusions drawn in the Numeric Nutrient Criteria without success. The Coalition has filed suit against NHDES in Merrimack County Superior Court for failing to initiating rule making process as required by law. A decision is pending on the case and a judgment is expected soon. The Coalition has also met with EPA Region 1 and EPA Headquarters in Washington to discuss the Coalitions concerns and EPA's current position. The Coalition is requesting EPA and NHDES to agree to an independent peer review of the available data and research including recent data collected following the issuance of the Numeric Nutrient Criteria that further supports the Coalitions view. The Coalition communities of Portsmouth, Rochester, and Dover have filed a letter notifying EPA that the communities intend to file suit against them. The letter gives EPA a 60 day notice as is required prior to filing any law suit against the federal government.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R – 2012.11.14 – 135**
Resolution Re: Establishment of FY 2013 Expectations by Mayor and City Council for City Manager

WHEREAS: Well thought out and clearly defined expectations by the Mayor and City Council for the City Manager will aid in the establishment of an effective Council-Manager relationship; and

WHEREAS: An effective Council-Manager relationship will support the further prosperity and growth of the Dover community; and,

WHEREAS: The Dover City Council and City Manager are committed to efficiently and effectively meeting the increasingly complex and diverse needs of the Dover citizens; and,

WHEREAS: The Dover City Council and City Manager have proactively discussed ongoing expectations and priorities for the coming year;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The Mayor and City Council establish the attached list of ongoing expectations for the City Manager during the ensuing year.

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Dean Trefethen

Approved as to Legal Compliance: Allan B. Krans, Sr.
General Legal Counsel

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R – 2012.11.14 – 134**
 Resolution Re: Authorization to Commit funds to the Nutrient Criteria,
 Great Bay Estuary Coalition

During the coming months several technical tasks need to be completed. A hydrodynamic model of the estuary will be completed by Hydroqual a NJ water resource engineering firm, that has been performing technical analysis for the Coalition. Normandeau Associates has been hired by the Coalition to review the eelgrass mapping work done by UNH to verify their reported results. John Hall the Coalition’s legal counsel and advisor will continue to provide advice and legal representation should the Coalition move forward with the federal law suit. As the year progresses additional technical resources may be hired by the Coalition to support on going efforts.

Award Information:

Purchase orders will be issued to the vendor selected by the Great bay Municipal Coalition & NHDES to authorize future expenditures.

Purchasing Information:

Type:	Purchase Order	Advertised:	na
Invitations Mailed:	NA	Number of Responses:	NA
Warranty:	Per manufacturer	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	Na	Estimated Delivery:	As needed
Recommended Award to:	As needed vendors	Fund:	WWTP
Other Approvals Required:	NHDES	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase to exceed the \$25,000 amount requiring Council approval subsequent to a bid solicitation



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R – 2012.11.14 – 135**
Resolution Re: Establishment of FY 2013 Expectations by Mayor and City Council for City Manager

DOCUMENT HISTORY:

First Reading Date:	Public Hearing Date:
Approved Date:	Effective Date:

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEA	NAY
Mayor Dean Trefethen		
Deputy Mayor, Robert Carrier, At Large		
Councilor Edward Spuler, Ward 1		
Councilor William Garrison III, Ward 2		
Councilor Michael Crago, Ward 3		
Councilor Dorothea Hooper, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Michael Weeden, Ward 6		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R – 2012.11.14 – 135**
Resolution Re: Establishment of FY 2013 Expectations by Mayor and City Council for City Manager

RESOLUTION BACKGROUND MATERIAL:

The following expectations are established for the City Manager through FY2013 to be evaluated during the City Manager's annual performance evaluation.

1. Continue to carefully monitor the FY2013 budget and report on any financial concerns as they may arise during the course of the fiscal year. Propose new revenue sources not related to current fees or property tax.
2. Develop and present a proposed FY2014 budget prior to April 15, 2013 in accordance with the tax cap and with guidance to be provided by the City Council.
3. Continue to communicate with the community at large through means deemed appropriate along with exploring new methods to increase interaction and participation by citizens in local governance and community forums.
4. Keep the City Council informed regarding community problems and actions taken.
5. Keep response time to citizen concerns reasonable and follow-up on what has been done by departments to meet their needs.
6. Attend workshops and participate in other education opportunities to support ongoing professional development. Inform City Council of professional development activities as completed, verbally, via City Manager's Report.
7. Continue to develop working relationships with other governmental entities for potential cost savings opportunities and efficiencies in service delivery including regionalization of services that may be appropriate at the County and/or State level, as well as with neighboring communities. Provide periodic reports to the City Council.
8. Continue to support a closer working relationship with the School Department and all other City Departments. Further explore and pursue opportunities where City and Schools can combine and/share services for the benefit of the community and invite the school department to participate in efforts to implement best management practices. Provide periodic reports to the City Council.
9. Support local businesses to aid in the community's economic growth by working in conjunction with local economic development groups and business organizations, to help facilitate expanding the property tax base.
10. Provide quarterly reports of energy savings realized from ongoing energy efficiency improvements.
11. Prepare annual tax cap calculation and develop a five year municipal budget forecast to present prior to February 28, 2013 reflecting continuing budget efficiencies going into the FY2014 budget season.
12. Update and post online the pavement management plan and 3 year pavement overlay schedule, reflecting adjustments required by currently available funding levels prior to December 31, 2012.
13. Develop and present a proposed six-year CIP program that conforms with the adopted financial policies and seeks to maintain new debt service requirements at or below the amount being retired each year or highlight where that is not being met and why. Present prior to October 31, 2012.
14. Define and identify core city service deliverables in accordance with a best management framework. Place copies of these goals, the City Council goals and the Framework with the Council Rules binders in Council Chambers.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.3.

Resolution Number: **R – 2012.11.14 – 136**
Resolution Re: **Appropriation For FY2014 Capital Improvements Program and Authorization for Bonding**

WHEREAS: The City Council desires to make public improvements and to finance these improvements with the sale of general obligation bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The following capital projects are appropriated with estimated useful lives in excess of the length indicated:

Item #	Description	Proposed Appropriations	Life/Yrs	Department	Fund
1	New Police Facility - Design & Construction	9,900,000	20	Police	General
2	Downtown Traffic Efficiency Improvements	50,000	15	Comm Serv - PW	General
3	Mast Rd/Spruce Lane - Sidewalk	300,000	20	Comm Serv - PW	General
4	Street Reconstruction - Lisa Beth Drive & Circle	675,000	20	Comm Serv - PW	General
5	Street Reconstruction - Tolend Road	2,500,000	20	Comm Serv - PW	General
6	Street Reconstruction - Union Street	30,000	20	Comm Serv - PW	General
7	Downtown Parking Facility	100,000	20	Police - Parking	Parking Activity
8	Parking Deck - School Street	300,000	20	Police - Parking	Parking Activity
9	Water Main - Willand Pond	300,000	15	CS - Water	Water
10	WWTP - Facility Upgrade	3,000,000	20	CS - Sewer	Sewer
11	Leighton Way Pump Station Replacement	30,000	20	CS - Sewer	Sewer
	Total	<u>\$17,185,000</u>			

AND FURTHER BE IT RESOLVED THAT:

To meet the appropriations of this resolution there is authorized, under and pursuant to the City Charter and the New Hampshire Municipal Finance Act and any other enabling authority, the issuance and sale of general obligation bonds of the City of Dover in a principal amount equal to the total of the appropriations. The full faith and credit of the City is hereby pledged for the principal and interest on said bonds. The bonds are to be signed by the City Manager and countersigned by the City Treasurer, with the Finance Director and City Treasurer having the discretion of fixing the dates, maturities, denominations, place of payment, interest rate or rates and form, and to provide for the sale of the bonds.

NOTE: This resolution requires a duly advertised public hearing and a 2/3 favorable vote of all members for passage with the vote deferred until at least three (3) days after public hearing.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.3.

Resolution Number: **R – 2012.11.14 – 136**
Resolution Re: **Appropriation For FY2014 Capital Improvements Program and Authorization for Bonding**

AUTHORIZATION

Approved as to Funding: *Daniel R. Lynch*
Daniel R. Lynch
Finance Director
Sponsored by: Mayor Dean Trefethen
By request

Approved as to Legal Form: Allan B. Krans, Sr.
General Legal Counsel *AK*

Recorded by: Karen Lavertu
City Clerk *KL*

DOCUMENT HISTORY:

First Reading Date:	Public Hearing Date:
Approved Date:	Effective Date:

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor Dean Trefethen		
Deputy Mayor Robert Carrier, At Large		
Councilor Edward Spuler, Ward 1		
Councilor William Garrison III, Ward 2		
Councilor Michael Crago, Ward 3		
Councilor Dorothea Hooper, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Michael Weeden, Ward 6		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.3.

Resolution Number: **R – 2012.11.14 – 136**
 Resolution Re: **Appropriation For FY2014 Capital Improvements Program and Authorization for Bonding**

RESOLUTION BACKGROUND MATERIAL:

This resolution makes appropriations for the projects of the FY2014 Capital Improvements Program financed by debt and authorizes the sale of bonds.

This resolution makes appropriations for projects that are scheduled to be completed over multiple years. The Finance Department requests from all departments with projects to submit cash flow requirements for projects. These cash flow projections are completed to determine the amount by project for the coming bond issuance. Those projects that are not financed or are only partially financed remain as authorized unissued debt and bonded (financed) when the cash need arises.

Debt Authorization versus Debt Retirement

The following table compares the tentative authorization amount to the amount of debt being retired: The Net Sewer reflects the amount retired by user fees (total debt retirement less State aid for principal).

Description	City	School	General			Net Sewer	Total
			Fund	Parking	Water		
FY2014 Authorization	13,455,000	0	13,455,000	400,000	300,000	3,030,000	17,185,000
FY2014 Retirement	3,966,420	2,400,691	6,367,111	55,000	977,000	1,045,350	8,685,951
Net Change	9,488,580	(2,400,691)	7,087,889	345,000	(677,000)	1,984,650	8,499,049

Legal Debt Limits

The following table summarizes the amount of debt outstanding & authorized-unissued, as of June 30, 2012 and this authorization, against the legal debt limits.

Description	City	School	Water	DBIDA-IP	DBIDA-IB	Exempt	Total
Debt Outstanding	37,226,320	26,097,769	10,083,800	0	0	17,136,399	90,544,288
Authorized - Unissued	7,500,000	1,900,056	4,200,000	0	0	6,545,922	20,145,978
Total Issued & Unissued	44,726,320	27,997,825	14,283,800	0	0	23,682,321	110,690,266
This Authorization	13,455,000	0	300,000	0	0	3,430,000	17,185,000
Grand Total	58,181,320	27,997,825	14,583,800	0	0	27,112,321	127,875,266
Legal Debt Limit	81,427,620	189,997,780	271,425,399	4,000,000	NA	NA	
Unused Capacity	23,246,300	161,999,955	256,841,599	4,000,000			
Percent Unused	28.5%	85.3%	94.6%	100.0%			

Notes: Legal debt limits are based on a percent of equalized assessed value. City 3%, School 7%, Water 10%.

DBIDA limits are set by special legislation.

IP = Industrial Park projects

IB = Industrial Building projects

Exempt includes Sewer, Special Revenue Funds and Tolend Road Landfill debt.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.3.

Resolution Number: **R – 2012.11.14 – 136**
 Resolution Re: **Appropriation For FY2014 Capital Improvements Program and Authorization for Bonding**

Rate Impacts

The following tables summarize the change from year to year on the Property Tax Rate and the Utility Rates, net of existing debt service and aid, related to this FY14 authorization. The top table reflects the impact of the new CIP projects only; the second set reflects the combined impact of the new CIP projects and anticipated debt related to prior year authorizations. The rate changes have been adjusted for any amendments to projects from the proposed CIP.

CIP Only

Net Change in Property Tax Rates

	<u>2014</u>	<u>2015</u>	<u>2016</u>
City	0.12	0.50	0.48
School	-	-	-
Total Change	0.12	0.50	0.48
Est Tax Rate	<u>25.64</u>	<u>26.14</u>	<u>26.62</u>
% Change City	1.24%	5.09%	4.70%
% Change School	0.00%	0.00%	0.00%
% Change Total	0.48%	1.98%	1.87%

Including Prior Year Authorizations

Net Change in Property Tax Rates

	<u>2014</u>	<u>2015</u>	<u>2016</u>
City	(0.02)	0.29	0.20
School	(0.04)	(0.02)	0.01
Total Change	(0.06)	0.27	0.21
Est Tax Rate	<u>25.46</u>	<u>25.73</u>	<u>25.94</u>
% Change City	-0.21%	2.99%	2.00%
% Change School	-0.39%	-0.19%	0.10%
% Change Total	-0.24%	1.06%	0.81%

Rate per \$1,000 of Assessed Value

CIP Only

Net Change in Utility Rates

	<u>2014</u>	<u>2015</u>	<u>2016</u>
Water	0.01	0.03	0.03
Sewer	0.08	0.31	0.31
Total Change	0.09	0.34	0.34
Est Utility Rate	<u>10.23</u>	<u>10.57</u>	<u>10.91</u>
% Change Water	0.23%	0.69%	0.68%
% Change Sewer	1.38%	5.29%	5.09%
% Change Total	0.96%	3.58%	3.49%

Including Prior Year Authorizations

Net Change in Utility Rates

	<u>2014</u>	<u>2015</u>	<u>2016</u>
Water	0.14	0.50	0.16
Sewer	0.37	0.50	0.47
Total Change	0.51	1.00	0.63
Est Utility Rate	<u>10.65</u>	<u>11.65</u>	<u>12.28</u>
% Change Water	3.21%	11.11%	3.29%
% Change Sewer	6.40%	8.13%	7.48%
% Change Total	5.03%	9.39%	5.66%

Rate per 100 Cubic Feet of Water Consumption



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.3.

Resolution Number: **R – 2012.11.14 – 136**

Resolution Re: **Appropriation For FY2014 Capital Improvements Program and Authorization for Bonding**

The table below reflects the net change from year to year, and the total change after 3 years, for an average single family home for taxes and user fees, based on the FY13 assessed value at \$249,356 with 75 HCF of average water usage.

Impact to Average Single Family Home

Description	Yr1	Yr2	Yr3	Change After 3 Years
CIP Only				
Property Tax	30	125	120	274
Water Fees	1	2	2	5
Sewer Fees	6	23	23	53
Total Avg SFH Impact	37	150	145	332
Including PY Authorizations				
Property Tax	5	72	50	127
Water Fees	11	38	12	60
Sewer Fees	28	38	35	101
Total Avg SFH Impact	43	147	97	288



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.4.

Resolution Number: **R – 2012.11.14 – 137**
Resolution Re: **Appropriation For FY2014 Capital Improvements Program – Non-Debt Financed Projects**

WHEREAS: The City Council desires to make public improvements as listed in the Capital Improvements Program for Year 1 and to finance these improvements with transfers from Reserve Trust Funds and appropriation of existing funds.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL, THAT:

The following capital outlays are appropriated as part of the FY14 Capital Improvements Program for the purposes so designated and the Finance Director is authorized to transfer the funds from the respective Reserve Funds in the amounts listed.

Item	Description	Appropriation	Funding	Fund
1	Police Vehicle Replacement	\$126,000	General Fund Capital Reserve	Trust
2	Fire Quint/Pumper Replacement	500,000	General Fund Capital Reserve	Trust
3	Public Works Heavy Equipment	200,000	General Fund Capital Reserve	Trust
4	Cemetery Improvements	30,000	Cemetery Maintenance Reserve	Trust
5	TIP - Traffic Signal Upgrades	75,000	Transportation Reserve	Trust
6	Indoor Pool Roof Replacement	110,000	Park Improvements Reserve	Trust
7	Smith Well Replacement	135,000	Water Fund Capital Reserve	Trust
8	Water Exploration	100,000	Water Fund Capital Reserve	Trust
9	Wellhead Protection	100,000	Water Fund Capital Reserve	Trust
10	Water Main Replacement - Lisa Beth Circle	50,000	Water Fund Capital Reserve	Trust
11	Inflow/Infiltration Mitigation	300,000	Sewer Fund Capital Reserve	Trust
12	Sewer Main - Henry Law Avenue	200,000	Sewer Fund Capital Reserve	Trust
	Total	<u>\$1,926,000</u>		

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Dean Trefethen
By request

Approved as to Legal Form: Allan B. Krans, Sr.
General Legal Counsel

Recorded by: Karen Lavertu
City Clerk

Note: This resolution requires a public hearing and a 2/3 majority vote according to C6-6 of the charter.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.4.

Resolution Number: **R – 2012.11.14 – 137**
Resolution Re: **Appropriation For FY2014 Capital Improvements Program – Non-Debt Financed Projects**

DOCUMENT HISTORY:

First Reading Date:	Public Hearing Date:
Approved Date:	Effective Date:

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor Dean Trefethen		
Deputy Mayor Robert Carrier, At Large		
Councilor Edward Spuler, Ward 1		
Councilor William Garrison III, Ward 2		
Councilor Michael Crago, Ward 3		
Councilor Dorothea Hooper, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Michael Weeden, Ward 6		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.4.

Resolution Number: **R – 2012.11.14 – 137**
Resolution Re: **Appropriation For FY2014 Capital Improvements Program – Non-Debt Financed Projects**

RESOLUTION BACKGROUND MATERIAL:

This resolution appropriates reserve trust funds and special revenue funds to finance a portion of the FY14 Capital Improvements Program. In addition, it authorizes the transfer of Reserve Trust Fund moneys.

The following table reflects the amount to be appropriated from the various funds and their projected balances as of 6/30/2013:

Description	Proposed Appropriation	Balance 6/30/2013
Trust Reserve Funds CIP		
General Fund Capital Reserve *	826,000	381,332
Cemetery Maintenance Reserve	30,000	38,594
Transportation Improvements	75,000	307,965
Parks Improvements Reserve **	110,000	40,323
Water Capital Reserve	385,000	2,817,139
Sewer Capital Reserve	500,000	764,082
Totals	<u>\$1,926,000</u>	

* The General Fund Capital Reserve will have sufficient funds for the appropriations as a transfer from the General Fund of \$575,000 into the reserve is proposed in the CIP FY 2014-2019 to be budgeted during FY2014.

** The Parks Improvements Capital Reserve will have sufficient funds for the appropriation as a transfer from the Recreation Field Construction (Sand & Gravel) Fund of \$112,500 into the reserve is proposed in the CIP FY 2014-2019 to be budgeted during FY2014.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.5.

Resolution Number: **R – 2012.11.14 – 138**
Resolution Re: **Establishment of School Facilities Capital Reserve Fund**

WHEREAS: The Dover School Board is responsible for the care and maintenance of the Dover school facilities; and

WHEREAS: The City Council adopts the City’s annual Capital Improvements Program, which may include appropriations for capital outlay and funding capital reserve funds; and

WHEREAS: The City Council is authorized to establish capital reserve funds, and direct the Board of Trustees of Trust Fund to hold and invest the amounts so designated until such time as the funds are needed;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:
In accordance with NH RSA 34, a capital reserve fund is established titled School Facilities Capital Reserve for the purpose of acquisition, construction and/or rehabilitation of school facilities that have been identified as a project within the City’s annual Capital Improvements Program. Moneys deposited into the capital reserve fund are to be held in custody by the Board of Trustees of the Trust Funds.

AND, FURTHER BE IT RESOLVED;
The School Board is designated as the agent to carry out the purposes of the reserve, only after approval of a majority vote of the City Council to expend funds for each project as identified within the City’s Capital Improvements Program. The total expenditures in any one year from the School Facilities Capital Reserve shall not exceed 85% of the current year contribution to the Capital Reserve fund until after Fiscal Year 2019.

AUTHORIZATION

Daniel R Lynch
Approved as to Funding: Daniel R. Lynch
Finance Director

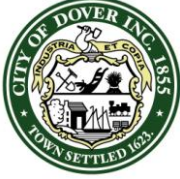
Sponsored by: Councilor Karen Weston
At Large

Approved as to Legal Compliance: Allan B. Krans, Sr. *AK*
City General Counsel

Councilor Edward Spuler
Ward 1

Recorded by: Karen Lavertu *KL*
City Clerk

NOTE: This resolution requires a majority favorable vote for passage after a public hearing.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.5.

Resolution Number: **R – 2012.11.14 – 138**

Resolution Re: Establishment of School Facilities Capital Reserve Fund

RESOLUTION BACKGROUND MATERIAL:

In accordance with NH RSA 34, a City may establish a Capital Reserve Fund once a public hearing has been held on the proposal and the City Council votes to approve creating the Reserve.

The intent of a Capital Reserve Fund is to allow a community to set aside funds on an annual basis and allow them to accumulate for a designated purpose related to future capital projects. When adequate funding has been accumulated and the timing is appropriate, projects may be identified in the CIP and authorized by vote of the City Council to be funded from this fund.

This resolution restricts expenditure from the Capital Reserve to no more than 85% of the current year contribution to the Capital Reserve fund until after Fiscal Year 2019. This will allow the fund time to accumulate resources to be utilized for future CIP projects.

The School Facilities Capital Reserve Fund is to be established for funding the acquisition, construction and/or rehabilitation of school facilities as identified and approved in the City's annual Capital Improvements Program.

The School Facilities Capital Reserve fund will be financed from annual appropriations approved by the City Council in adopting the operating budget; not debt financing. Other funding sources may include user fees or other sources voted by the Council at a future date.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.6.

Resolution Number: **R – 2012.11.14 – 139**
Resolution Re: Establishment of School Curriculum Capital Reserve Fund

- WHEREAS: The Dover School Board approved a February 23, 2012 resolution requesting the City Council adopt the creation of a School Curriculum Capital Reserve fund; and
- WHEREAS: The City Council adopts the City’s annual Capital Improvements Program, which may include appropriations for capital outlay and funding capital reserve funds; and
- WHEREAS: The City Council is authorized to establish the capital reserve fund, and direct the Board of Trustees of Trust Fund to hold and invest the amounts so designated until such time as the funds are needed;




NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

In accordance with NH RSA 34, a capital reserve fund is established titled School Curriculum Capital Reserve for the purpose of acquisition of curriculum materials including equipment that has been identified as a project within the City’s annual Capital Improvements Program. The funds are to be used for the purpose of purchasing school curriculum materials and equipment as planned for and documented by a multi-year curriculum development plan. Moneys deposited into the capital reserve fund are to be held in custody by the Board of Trustees of the Trust Funds.

AND, FURTHER BE IT RESOLVED;

The School Board is designated as the agent to carry out the purposes of the reserve, only after approval of a majority vote of the City Council to expend funds for each project as identified within the City’s Capital Improvements Program. The total expenditures in any one year from the School Curriculum Capital Reserve shall not exceed 85% of the current year contribution to the Capital Reserve fund until after Fiscal Year 2019.

AUTHORIZATION

		
Approved as to Funding:	Daniel R. Lynch Finance Director	Sponsored by: Councilor Karen Weston At Large
Approved as to Legal Compliance:	Allan B. Krans, Sr. City General Counsel 	Councilor Edward Spuler Ward 1
Recorded by:	Karen Lavertu City Clerk 	

NOTE: This resolution requires a majority favorable vote for passage after a public hearing.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.7.

Resolution Number: **R – 2012.11.14 – 140**
Resolution Re: **Establishment of School Technology Capital Reserve Fund**

- WHEREAS: The Dover School Board approved a February 23, 2012 resolution requesting the City Council adopt the creation of a School Technology Capital Reserve fund; and
- WHEREAS: The City Council adopts the City’s annual Capital Improvements Program, which may include appropriations for capital outlay and funding capital reserve funds; and
- WHEREAS: The City Council is authorized to establish the capital reserve fund, and direct the Board of Trustees of Trust Fund to hold and invest the amounts so designated until such time as the funds are needed;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:
 In accordance with NH RSA 34, a capital reserve fund is established titled School Technology Capital Reserve for the purpose of acquisition of technology equipment or improvement that has been identified as a project within the City’s annual Capital Improvements Program. The funds are to be used for the purpose of purchasing school technology equipment and improvements as planned for and documented by a multi-year acquisition plan. Moneys deposited into the capital reserve fund are to be held in custody by the Board of Trustees of the Trust Funds.

AND, FURTHER BE IT RESOLVED;
 The School Board is designated as the agent to carry out the purposes of the reserve, only after approval of a majority vote of the City Council to expend funds for each project as identified within the City’s Capital Improvements Program. The total expenditures in any one year from the School Technology Capital Reserve shall not exceed 85% of the current year contribution to the Capital Reserve fund until after Fiscal Year 2019.

AUTHORIZATION

<p><i>Daniel R. Lynch</i> Approved as to Funding: Daniel R. Lynch Finance Director</p>	<p>Sponsored by: Councilor Karen Weston At Large</p>
<p>Approved as to Legal Compliance: Allan B. Krans, Sr. City General Counsel <i>AK</i></p>	<p>Councilor Edward Spuler Ward 1</p>
<p>Recorded by: Karen Lavertu City Clerk <i>KL</i></p>	

NOTE: This resolution requires a majority favorable vote for passage after a public hearing.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.6.

Resolution Number: **R – 2012.11.14 – 139**

Resolution Re: Establishment of School Curriculum Capital Reserve Fund

RESOLUTION BACKGROUND MATERIAL:

In accordance with NH RSA 34, a City may establish a Capital Reserve Fund once a public hearing has been held on the proposal and the City Council votes to approve creating the Reserve.

The intent of a Capital Reserve Fund is to allow a community to set aside funds on an annual basis and allow them to accumulate for a designated purpose related to future capital projects. When adequate funding has been accumulated and the timing is appropriate, projects may be identified in the CIP and authorized by vote of the City Council to be funded from this fund.

This resolution restricts expenditure from the Capital Reserve to no more than 85% of the current year contribution to the Capital Reserve fund until after Fiscal Year 2019. This will allow the fund time to accumulate resources to be utilized for future CIP projects.

The School Curriculum Capital Reserve Fund is to be established for purchasing curriculum materials and equipment as approved in the City's annual Capital Improvements Program and supported by a multi-year curriculum development plan.

The School curriculum Capital Reserve fund will be financed from annual appropriations approved by the City Council in adopting the operating budget; not debt financing. Other funding sources may include user fees or other sources voted by the Council at a future date.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.7.

Resolution Number: **R – 2012.11.14 – 140**

Resolution Re: Establishment of School Technology Capital Reserve Fund

RESOLUTION BACKGROUND MATERIAL:

In accordance with NH RSA 34, a City may establish a Capital Reserve Fund once a public hearing has been held on the proposal and the City Council votes to approve creating the Reserve.

The intent of a Capital Reserve Fund is to allow a community to set aside funds on an annual basis and allow them to accumulate for a designated purpose related to future capital projects. When adequate funding has been accumulated and the timing is appropriate, projects may be identified in the CIP and authorized by vote of the City Council to be funded from this fund.

This resolution restricts expenditure from the Capital Reserve to no more than 85% of the current year contribution until after Fiscal Year 2019. This will allow the fund time to accumulate resources to be utilized for future CIP projects.

The School Technology Capital Reserve Fund is to be established for purchasing technology equipment and improvements approved in the City's annual Capital Improvements Program and supported by a multi-year technology acquisition plan.

The School Technology Capital Reserve fund will be financed from annual appropriations approved by the City Council in adopting the operating budget; not debt financing. Other funding sources may include user fees or other sources voted by the Council at a future date.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.8.

Resolution Number: **R – 2012.11.14 – 141**
Resolution Re: Establishment of School Athletics Equipment Capital Reserve Fund

- WHEREAS: The Dover School Board approved a February 23, 2012 resolution requesting the City Council adopt the creation of a School Athletics Equipment Capital Reserve fund; and
- WHEREAS: The City Council adopts the City’s annual Capital Improvements Program, which may include appropriations for capital outlay and funding capital reserve funds; and
- WHEREAS: The City Council is authorized to establish the capital reserve fund, and direct the Board of Trustees of Trust Fund to hold and invest the amounts so designated until such time as the funds are needed;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:
 In accordance with NH RSA 34, a capital reserve fund is established titled School Athletics Equipment Capital Reserve for the purpose of acquisition of athletic equipment that has been identified as a project within the City’s annual Capital Improvements Program. The funds are to be used for the purpose of purchasing school athletic equipment as planned for and documented by a multi-year acquisition plan. Moneys deposited into the capital reserve fund are to be held in custody by the Board of Trustees of the Trust Funds.

AND, FURTHER BE IT RESOLVED;
 The School Board is designated as the agent to carry out the purposes of the reserve, only after approval of a majority vote of the City Council to expend funds for each project as identified within the City’s Capital Improvements Program. The total expenditures in any one year from the School Athletics Equipment Capital Reserve shall not exceed 85% of the current year contribution to the Capital Reserve fund until after Fiscal Year 2019.

AUTHORIZATION

Daniel R. Lynch
 Approved as to Funding: Daniel R. Lynch
 Finance Director

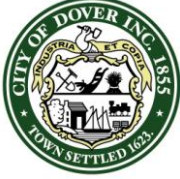
Sponsored by: Councilor Karen Weston
 At Large

Approved as to Legal Compliance: Allan B. Krans, Sr.
 City General Counsel *(Signature)*

Councilor Edward Spuler
 Ward 1

Recorded by: Karen Lavertu
 City Clerk *(Signature)*

NOTE: This resolution requires a majority favorable vote for passage after a public hearing.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.8.

Resolution Number: **R – 2012.11.14 – 141**

Resolution Re: Establishment of School Athletics Equipment Capital Reserve Fund

RESOLUTION BACKGROUND MATERIAL:

In accordance with NH RSA 34, a City may establish a Capital Reserve Fund once a public hearing has been held on the proposal and the City Council votes to approve creating the Reserve.

The intent of a Capital Reserve Fund is to allow a community to set aside funds on an annual basis and allow them to accumulate for a designated purpose related to future capital projects. When adequate funding has been accumulated and the timing is appropriate, projects may be identified in the CIP and authorized by vote of the City Council to be funded from this fund.

This resolution restricts expenditure from the Capital Reserve to no more than 85% of the current year contribution to the Capital Reserve fund until after Fiscal Year 2019. This will allow the fund time to accumulate resources to be utilized for future CIP projects.

The School Athletic Equipment Capital Reserve Fund is to be established for purchasing athletic equipment approved in the City's annual Capital Improvements Program and supported by a multi-year acquisition plan.

The School Athletic Equipment Capital Reserve fund will be financed from annual appropriations approved by the City Council in adopting the operating budget; not debt financing. Other funding sources may include user fees or other sources voted by the Council at a future date.



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: **O –2012.11.14 – 24**
Ordinance Title: Updating the Dover Zoning Ordinance
Chapter: 170

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to amend Chapter 170 of the Code of the City of Dover, entitled Zoning, by updating the Code to reflect changes in the community and in land use regulations.

2. AMENDMENT

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

“~~APPLICANT means the owner of the property to be excavated or the owner's agent, so designated in writing as part of the EXCAVATION application.~~ **any person, agent, firm, association, partnership or corporation that makes application to a land use board, pursuant to the rules and regulations of this chapter.**”

AND

“~~BLOCK means the aggregate of private LOTS, passages, alleys and Lanes, circumscribed by public streets.~~ **a tract of land bounded by STREETS or by a combination of STREETS and public land, railroad rights of way, waterways or other barriers to the continuity of a development.**”

AND

“**CERTIFICATE OF OCCUPANCY – See Chapter 68 of the Code of the City of Dover, titled “Building Construction”, Section 68-15.**”

AND

“~~DWELLING UNIT means a BUILDING or entirely self-contained portion thereof containing complete housekeeping facilities not in common with any other DWELLING UNIT, except for vestibules, entrance halls, porches or hallways.~~ **one or more rooms, designed, occupied or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided within the DWELLING UNIT for exclusive use of a single family maintaining a household.**”

AND



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: **O –2012.11.14 – 24**
Ordinance Title: Updating the Dover Zoning Ordinance
Chapter: 170

“LOT means a parcel of land which fronts on and has ingress and egress by means of a public vehicular right-of way and is occupied by, or is intended to be occupied by one (1) PRINCIPAL BUILDING and its accessory buildings or uses customarily incidental to it, together with such OPEN SPACES and yards as are required by this chapter. More than one (1) PRINCIPAL BUILDING may be placed on a LOT located in the Central Business District. More than one (1) PRINCIPAL BUILDING may also be placed on a LOT in all other districts with PLANNING BOARD approval for non-residential developments, multi-family dwelling developments, and OPEN SPACE subdivisions as approved by the PLANNING BOARD.”

AND

“LOT, CORNER means a LOT abutting upon two (2) or more STREETS at their intersection. The side of the corner lot that fronts on the street that provides the address for the property shall be considered the front, and the side(s) of the CORNER LOT that front on any other streets shall be considered the abut-a-street.”

AND

“LOT LINE means a line of record bounding a LOT which divides one LOT from another LOT or from a public or private STREET or any other public space.”

AND

“ROOMING HOUSE means any BUILDING in which ~~not more than five (5)~~ ROOMS are rented, leased or otherwise made available for compensation to not more than ten (10) persons, for longer than one night, but not requiring a long term lease. Ssaid ROOMS being for a sleeping purpose ~~for compensation,~~ and containing communal bathroom facilities and cooking facilities.”

AND

“PLANNING BOARD means the PLANNING BOARD of the City of Dover, ~~as provided in the New Hampshire Revised Statutes Annotated 36:15.”~~

AND

“PLAT means a ~~professionally rendered plan for the subdivision of land illustrating all provisions as outlined in this Chapter and Chapter 155, entitled "Subdivision of Land, of~~



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: **O –2012.11.14 – 24**
Ordinance Title: Updating the Dover Zoning Ordinance
Chapter: 170

~~the Code of the City of Dover."~~ **map or plan of a subdivision or a site plan, prepared by a registered surveyor or engineer in compliance with all applicable provisions of the Zoning Ordinance (Ch. 170), the Site Review Regulations (Ch. 149), and the Subdivision Regulations (Ch.155) of the City of Dover."**

AND

~~"RIGHT- OF- WAY means the strip of land over which facilities such as highways, railroads, or power lines are built.~~ **a public or private area that allows for the passage of people, goods, and/or utilities. A public right-of-way is a right-of-way that is dedicated or deeded to the public for public use and under the control of a public agency."**

AND

"RIGHT-OF-WAY LINES means the lines that form the boundaries of the RIGHT-OF-WAY."

3. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

"The official Zoning Map of the City of Dover, New Hampshire, dated December 9, 2009, is amended by changing from Urban Density Multi-residential (RM-U) to Central Business District (CBD) – **General Commercial** an area of approximately 2 acres located along Central Avenue, Ham Street and Milk Street, consisting of lots 27-1*, 27-2*, 27-3*, 27-4*, 27-5*, 27-6*, 27-8*, 27-15, 30-116*, 30-116A*, 30-117, 30-118*, 30-125A*, and 30-125B*.

* = only those portions within the RM-U zone are being adjusted."

AND

"The official Zoning Map of the City of Dover, New Hampshire, dated December 9, 2009, is amended by changing from Office (O) to Central Business District (CBD) an area of approximately 3 acres located along Central Avenue consisting of lots 27-1*, 27-2*, 27-3*, 27-4*, 27-5*, 27-6*, 27-7, 27-8*, 30-116*, 30-116A*, 30-117*, 30-118*, 30-125A*, and 30-125B*.



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: **O –2012.11.14 – 24**
Ordinance Title: Updating the Dover Zoning Ordinance
Chapter: 170

* = only those portions within the O zone are being adjusted.”

4. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

“The official Zoning Map of the City of Dover, New Hampshire, dated December 9, 2009, is amended by changing from Medium-Density Residential (R-12) to Office District (O) an area of approximately 3.67 acres located along the western side of Central Avenue, from Abbott Street to Ash Street and along the eastern side of Central Avenue, north of Hill Street, consisting of lots 29-23*, 29-22*, 29-21*, 29-20*, 29-19*, 29-17*, 29-16*, 29-10*, 29-9*, 29-7, 29-6, 29-5, 29-2*, 29-1, 27-222*, 27-223*, 27-224*, 27-225**, and 27-227* .

* = only those portions within the R-12 District are being adjusted.

** = only that portion between 100 and 160 feet of the Central Avenue right-of way is being changed to the Office District.”

5. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

“The official Zoning Map of the City of Dover, New Hampshire, dated December 9, 2009, is amended by changing from Urban Density Multi-residential (RM-U) to Office District (O) an area of approximately 3.07 acres located along the both sides of Central Avenue, from Ash Street to Ham Street consisting of lots 30-139*, 30-138*, 30-137*, 30-136*, 30-135*, 30-134**, 30-133*, 30-132*, 30-131*, 30-130*, 30-129-1, 30-127*, 30-126*, 27-143*, 27-144*, 27-145*, 27-146*, 27-147*, 27-148*, 27-149*, and 27-150*.

* = only those portions within the RM-U District are being adjusted.

** = only that portion between 100 and 168 feet of the Central Avenue right-of way is being changed to the Office District.”

6. AMENDMENT



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: **O –2012.11.14 – 24**
Ordinance Title: Updating the Dover Zoning Ordinance
Chapter: 170

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

“The official Zoning Map of the City of Dover, New Hampshire, dated December 9, 2009, is amended by changing from Office District (O) to a new Hospital District (H) an area of approximately 37.5 acres located along the north side of Central Avenue, Old Rollinsford Road and the north side of Abbey Sawyer Memorial Highway consisting of lots 28-1, 28-2, 28-3, 28-4, 28-5, 28-6, 28-6A, 28-32*, 28-37, 37-1, 37-1A, 37-2A, 37-4, 37-5, 37-6, 37-13, 37-13A, 37-13B, 37-13C, 37-13D, and 37-16.

* = only those portions within the Office District are being adjusted.”

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-7 “Establishment of districts”, Section A), by adding “H Hospital District” to the list of Mixed Use Districts.

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-7 “Establishment of districts”, Section B) subsection 3) by adding new part d) to read as follows:

“d) Hospital District (H)

The purpose of the hospital district is to provide appropriate locations for hospitals and medical offices associated with a hospital. This district also encourages other health care services and various housing facilities providing levels of service for older persons. Single and two family residential uses are permitted along with commercial uses such as offices, banks, funeral parlors, assembly halls, and schools.”

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12 “Applicability of Tables of Use and Dimensional Regulations By District”, by adding a new Hospital (H) District Table that reads as follows:

[SEE TABLE AT END OF DOCUMENT]



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: **O –2012.11.14 – 24**
Ordinance Title: Updating the Dover Zoning Ordinance
Chapter: 170

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12 “Applicability of Tables of Use and Dimensional Regulations By District”, by revising the Permitted Uses Table in the Office District to delete the use **Hospital**.

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12 “Applicability of Tables of Use and Dimensional Regulations By District”, by revising the Building Height in the Office (O) District from 65 feet to 45 feet.

7. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

“The official Zoning Map of the City of Dover, New Hampshire, dated December 9, 2009, is amended by changing from Medium-Density Residential (R-12) to Thoroughfare Business District (B-3) an area of approximately 8.36 acres located along Portland Avenue and Oak Street consisting of lots 25-43F*, 25-43E*, 25-43H*, 25-43*, 25-43A and 25-43D.

* = only those portions within the R-12 District are being adjusted.”

8. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

“The official Zoning Map of the City of Dover, New Hampshire, dated December 9, 2009, is amended by changing from Neighborhood Business (B-1) District to a new zoning district, Little Bay Waterfront (LBW) District an area of approximately 19.02 acres located on Dover Point Road and Leighton Road, consisting of lots 7-29A, 8-13-A-1, 8-14, 8-16*, 8-25*, 8-25A, 8-28, 8-29, 8-38, 8-38A, 8-38B, 8-38C, 8-38D, 8-39, 8-39B, 8-44, 8-44A, 8-45, 8-48, and 8-47.



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: **O –2012.11.14 – 24**
Ordinance Title: Updating the Dover Zoning Ordinance
Chapter: 170

* = only those portions within the B-1 District are being adjusted.”

AND

“The official Zoning Map of the City of Dover, New Hampshire, dated December 9, 2009, is amended by changing from Low-Density Residential (R-20) District to a new zoning district, Little Bay Waterfront (LBW) District an area of approximately 13.1 acres located on Dover Point Road and Leighton Road, consisting of lots 8-2, 8-3, 8-4, 8-5, 8-6, 8-7, 8-8A, 8-8, 8-8B, 8-9, 8-10, 8-11, 8-12, 8-16* and 8-25*.

* = only those portions within the R-20 District are being adjusted.”

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-7 “Establishment of districts”, Section A), by adding “LBW Little Bay Waterfront District” to the list of Mixed Use Districts.

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-7 “Establishment of districts”, Section B) subsection 3) by adding new part e) to read as follows:

“e) Little Bay Waterfront District (LBW)

The purpose of this mixed use district is to provide locations for a mixture of residential and commercial uses on the waterfront parcels along a portion of the shores of the Little Bay. The small minimum lot size encourages a mix of various sized commercial uses, with water related uses, such as marinas, specifically permitted. Single and two family homes are allowed in recognition of the historically residential use of the area. Three or four family dwellings are allowed only as part of a mixed use building. Businesses that take advantage of the unique location along Little Bay are encouraged.”

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12 “Applicability of Tables of Use and Dimensional Regulations By District”, by adding a new Little Bay Waterfront (LBW) District Table that reads as follows:



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: **O –2012.11.14 – 24**
Ordinance Title: Updating the Dover Zoning Ordinance
Chapter: 170

[SEE TABLE AT END OF DOCUMENT]

9. AMENDMENT

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

“AGRICULTURE - See NH RSA 21:34-a.II. AGRICULTURE shall not include marketing or selling at wholesale or retail, except where permitted as part of a ROADSIDE FARM STAND or where the retail sale of agricultural or farm products raised on site is a permitted use. One single family dwelling shall be permitted as an accessory to the principle use.”

AND

“FARM - See NH RSA 21:34-a.I. See also definition of AGRICULTURE.”

AND

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

AND

“ROADSIDE FARM STAND means an accessory use where permitted AGRICULTURE products grown on site are sold.”

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12 “Applicability of Tables of Use and Dimensional Regulations By District”, by adding **FARM** as a Permitted Use in the R-12, RM-SU, and I-2 districts with the following footnote:

“# Shall not include the raising and sale of FARM ANIMALS; the breeding, boarding, and training of equines, and equine riding instruction; the commercial



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**raising, harvesting, and sale of fresh water fish or other aquaculture products;
and/or the breeding of poultry or game birds.”**

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12 “Applicability of Tables of Use and Dimensional Regulations By District”, by adding **ROADSIDE FARM STAND** as a permitted use in the R-12 district with the following footnote:

“# ROADSIDE FARM STANDS shall be set back a minimum of twenty (20) feet from all abutting vehicular rights-of-way. The area of any BUILDING associated with the ROADSIDE FARM STAND shall not be greater than 200 hundred (200) sq. ft. in area, and shall be considered an accessory structure if a residence is also located on the property. The total of the display area, including the building, shall not exceed four hundred (400) sq. ft. Off-street parking shall be provided in the amount of one (1) off-street parking space per 250 sq. ft. of display and building area, and all required parking spaces shall have safe access to and from a public street. A certificate of use issued by the Zoning Administrator and a driveway permit shall be required in all cases.”

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12 “Applicability of Tables of Use and Dimensional Regulations By District”, by adding **FARM** as a Permitted Use in the R-40 district with the following footnote:

“# FARM ANIMALS permitted, provided that the tract upon which such animals are kept shall support a minimum land area of one hundred thousand (100,000) square feet. In no instance shall the shelters used to contain said animals be closer than one hundred (100) feet from any property boundary.”

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12 “Applicability of Tables of Use and Dimensional Regulations By District”, by adding **FARM** as a Permitted Use in the R-20 district with the following footnote:



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“# FARM ANIMALS permitted, provided that the tract upon which such animals are kept shall support a minimum land area of one hundred thousand (100,000) square feet. In no instance shall the shelters and pens or runs used to contain said animals be closer than one hundred (100) feet from any property boundary.”

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12 “Applicability of Tables of Use and Dimensional Regulations By District”, by deleting **ROADSIDE FARM STAND** as a use permitted by Special Exception in the R-20 and RM-SU districts, and adding **ROADSIDE FARM STAND** as permitted use in the ~~R-20~~ and RM-SU districts with the following footnote:

~~“ROADSIDE FARM STANDS or sales facilities, where agriculture products raised on site are sold, shall be set back a minimum of forty~~ **twenty (20)** feet from all abutting vehicular rights-of-way. The **area of any BUILDING area of said facility associated with the ROADSIDE FARM STAND** shall not be greater than ~~eight~~ **two hundred (8200)** square feet in area, **and shall be considered an accessory structure if a residence is also located on the property.** ~~For each roadside stand there shall be a minimum of six (6) off-street parking spaces, which~~ **The total of the display area and building area shall not exceed six hundred (600) sq. ft. Off-street parking shall be provided in the amount of one (1) off-street parking space per 250 sq. ft. of display and building area, and all required parking spaces shall have safe access to and from a public street. A certificate of use issued by the Zoning Administrator and a driveway permit shall be required in all cases.”**

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12 “Applicability of Tables of Use and Dimensional Regulations By District”, by replacing the Permitted Use **Greenhouse, Retail Sale of Agricultural or Farm Products Raised on Site** with the Permitted Use **Retail Sale of AGRICULTURE Products Raised on Site** in the R-20, R-40, B-4, I-1, I-2, I-4, and ETP districts.

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12 “Applicability of Tables of Use and Dimensional Regulations By District”, by adding **Farm** as a Permitted Use in the following B-4 and I-1 districts.



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AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12 “Applicability of Tables of Use and Dimensional Regulations By District”, by adding **Farm** as a Permitted Use in the I-4 and ETP districts with the following footnote:

“# Where FARM ANIMALS are raised and boarded, shelters to house said animals shall not be less than one hundred (100) feet from any property boundary.”

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12 “Applicability of Tables of Use and Dimensional Regulations By District”, by deleting the following permitted uses from every zoning district in which they currently appear: **Agriculture, Horticulture and Floriculture; Farm Livestock, Poultry and Swine; and Farm Produce.**

10. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12 “Applicability of Tables of Use and Dimensional Regulations By District”, by revising the Principal Building Setback for Front/Abut a Street in the Hotel/Retail (B-4) District from 75 feet to 50 feet and revising the parking area setback from property lines in the Hotel/Retail (B-4) District from 25 feet to 20 feet.

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12 “Applicability of Tables of Use and Dimensional Regulations By District”, by revising the Permitted Uses Table in the Hotel/Retail (B-4) District to revise the footnote for Eating and Drinking Establishment from (7) to (8) and by revising the Sign Regulations Table in the B-4 District to revise the Wall/Awning from “Yes” to “(7)”, and revise footnotes 6 and 7 and add footnote 8 as follows:

“[6] Max. size: 60 sf Max. height is 16’. One Sign per side of frontage. Freestanding signs shall be located on low planter walls or be monument signs. Signs shall be designed and located to be visible from both pedestrian and vehicular areas, and shall be designed to further the design theme of the building and be consistent with any sign package. Paint sign backgrounds and sign cabinets to complement building colors.



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[7] Provide building signage that is proportional to the SCALE of the tenant façade. Signs should be designed to further the design theme of the building and be consistent with any sign package. Paint sign backgrounds and sign cabinets to complement building colors.

[8] If fully enclosed with no drive-in service.”

11. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12 “Applicability of Tables of Use and Dimensional Regulations By District”, by revising the Permitted Uses Table to add **COMMERCIAL RECREATION** and **EDUCATIONAL INSTITUTION, POST SECONDARY** as permitted uses in the Rural Restricted Industrial District (I-2).

12. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12 “Applicability of Tables of Use and Dimensional Regulations By District”, by revising the Office District Table by deleting the use **Retail Store** from the Uses Via Special Exception table and deleting the Special Exception Criteria for **Retail Store** and adding a new table and footnote that reads as follows:

Uses Allowed By Conditional Use Permit

Retail Store (9)

SEE PAGE 2 FOR FOOTNOTES

“[9] A Retail Store shall be allowed if a Conditional Use Permit is granted by the Planning Board upon a finding that the following criteria are met:

- A. The store shall contribute to a NEIGHBORHOOD feel and be pedestrian friendly.**
- B. The store shall be no larger than 2,000 square feet.**
- C. The store shall not include DRIVE-IN SERVICE.**
- D. The required parking may be reduced by fifty percent (50%) if on street parking is available in the NEIGHBORHOOD.**
- E. All onsite parking shall be screened from abutting residential LOTS.**
- F. Any loading or unloading of products shall not disrupt NEIGHBORHOODS or traffic flow.**



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- G. The proposed use shall be compatible with the surrounding NEIGHBORHOOD.**
- H. Hours of operation shall be limited to 6 am to 9 pm Sunday – Thursday, and 6 am to 10 pm Friday and Saturday.**
- I. If a new building is proposed for the use, it shall be a minimum of two stories.”**

13. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12 “Applicability of Tables of Use and Dimensional Regulations By District”, by revising the Office District Table by adding a new table and footnote that reads as follows:

Uses Allowed By Conditional Use Permit
Eating and Drinking Establishment (10)

SEE PAGE 2 FOR FOOTNOTES

- “[10] An Eating and Drinking Establishment shall be allowed if a Conditional Use Permit is granted by the Planning Board upon a finding that the following criteria are met:**
- A. The Eating and Drinking Establishment shall contribute to a NEIGHBORHOOD feel and be pedestrian friendly.**
 - B. The Eating and Drinking Establishment shall be no larger than 2,000 square feet.**
 - C. The Eating and Drinking Establishment shall not include DRIVE-IN SERVICE.**
 - D. The required parking may be reduced by fifty percent (50%) if on street parking is available in the NEIGHBORHOOD.**
 - E. All onsite parking shall be screened from abutting residential LOTS.**
 - F. Any loading or unloading of products shall not disrupt NEIGHBORHOODS or traffic flow.**
 - G. The proposed use shall be compatible with the surrounding NEIGHBORHOOD.**
 - H. Hours of operation shall be limited to 6 am to 10 pm Sunday – Thursday, and 6 am to 11 pm Friday and Saturday.**
 - I. If a new building is proposed for the use, it shall be a minimum of two stories.**



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J. The applicant shall provide proof that they have conducted a Preliminary Code Review for an Eating and Drinking Establishment with the Inspection Services Office.”

14. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12 “Applicability of Tables of Use and Dimensional Regulations By District”, by revising the Permitted Uses to add the use **Rooming House** in the Office District.

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12 “Applicability of Tables of Use and Dimensional Regulations By District”, by revising the Permitted Uses to remove the footnote for the use **Rooming House** in the RM-U District.

15. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by replacing the term “Mobile Home” with the term “Manufactured House” throughout the entire ordinance.

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-6 “Definitions”, to delete the definition of “Mobile Home” and add a new definition to read as follows:

“MANUFACTURED HOUSING means any structure, transportable in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width and forty (40) body feet or more in length, or when erected on site, is three hundred and twenty (320) square feet or more, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to required utilities, which include plumbing, heating and electrical heating systems contained therein. MANUFACTURED HOUSING shall not include presite built housing as defined in RSA 674:31-a.”

16. AMENDMENT



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Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12 “Applicability of Tables of Use and Dimensional Regulations By District”, by revising footnote # 13 in the table for the R-20 District as follows:

“Veterinary Office, Animal Hospital uses are **also** allowed as a commercial component to an Open Space Subdivision. (See 155.22 section 7). [Added 1-22-2003 by Ord. No. 35].
Shelters and runs used to house and/or contain animals shall be no closer than one hundred (100) feet from any property line and must support a minimum tract size of one hundred thousand (100,000) square feet.”

17. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12 “Applicability of Tables of Use and Dimensional Regulations By District”, by revising the Permitted Uses to delete the use **Mobile Home Unit** and the associated footnote # 11 and add the use **MANUFACTURED HOUSING** in the table for the R-40 District.

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-6 “Definitions”, to delete the definition of “Mobile Home Subdivision.”

18. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-6 “Definitions”, to add the definition of “Accessory Dwelling Unit” to read as follows:

“ACCESSORY DWELLING UNIT means a secondary DWELLING UNIT (a) attached and subordinate to a SINGLE FAMILY DWELLING or (b) constructed above a detached garage that is accessory and subordinate to a SINGLE FAMILY DWELLING. See Section 170-24 for the ACCESSORY DWELLING UNIT regulations.”

AND

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



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By District”, by revising the Permitted Uses to add the use **ACCESSORY DWELLING UNIT** in the RM-SU, RM-U, and B-1 Districts.

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12 “Applicability of Tables of Use and Dimensional Regulations By District”, by revising the Permitted Uses to add **ACCESSORY DWELLING UNIT** as a permitted use in the R-12, R-20, and R-40 Districts.

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by adding a new Chapter 170-24 to Article VI, as read as follows:

“170-24. ACCESSORY DWELLING UNITS.

Where permitted, an **ACCESSORY DWELLING UNIT** shall comply with the following:

- A) **A maximum of one (1) accessory dwelling unit (ADU) per property is permitted. An ADU shall not be permitted on property where more than one DWELLING UNIT currently exists.**
- B) **Exterior alterations, enlargements, or extensions of the SINGLE FAMILY DWELLING or detached ACCESSORY STRUCTURE are permitted in order to accommodate the ACCESSORY DWELLING UNIT. However, no such change is permitted which would alter-the appearance of the SINGLE FAMILY DWELLING to look like a duplex or any other multi-family structure (i.e., the house should not look like it was designed to occupy more than one family). The construction of any accessways into the house and/or detached garage which are required for access to the ACCESSORY DWELLING UNIT shall be located to the side or rear of the building whenever possible.**
- C) **An ADU shall have an area of no less than 300 square feet and no greater than 800 square feet. An attached accessory dwelling unit shall occupy no more than 30% of the FLOOR AREA of the SINGLE-FAMILY DWELLING, including the ADU. If located in a detached ACCESSORY STRUCTURE, the ACCESSORY DWELLING UNIT shall be located entirely on the second floor of the structure.**



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- D) A minimum of one dedicated off-street parking space shall be provided for the ADU.**
- E) The SINGLE-FAMILY DWELLING (and detached ACCESSORY STRUCURE, when applicable) and lot shall not be converted to a condominium or any other form of legal ownership distinct from the ownership of the SINGLE-FAMILY DWELLING. In order to assure compliance with this requirement, the property owners at the time the ADU is established shall be required to execute a restrictive covenant running in favor of the City, which shall be recorded in the Strafford County Registry of Deeds and a copy provided to the Planning and Community Development Department and the Assessor prior to the issuance of a Certificate of Occupancy.**
- F) The property owner must occupy one of the two DWELLING UNITS. Electric, water and sewer utilities shall be metered on a single bill.**
- G) Where municipal sewer service is not provided, the septic system shall meet NH Water Supply and Pollution Control Division requirements for the combined system demand for total occupancy of the premises.**
- H) A certificate of use issued by the Zoning Administrator is required to verify conformance with the preceding standards. Said certificate shall be renewed annually. Applications to renew the certificate of use shall be due by January 1st following the date of approval of the certificate of use and then by every January 1st thereafter for so long as the ACCESSORY DWELLING UNIT continues. Fees shall be levied as set forth in the City of Dover Adopted Schedule of Fees, as amended annually, for ACCESSORY DWELLING UNIT certificates of use and renewals.”**

19. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-6 “Definitions”, to amend the definition of “Child Care Facility” to read as follows:

“**CHILD CARE FACILITY** means a **non residential** facility used for the care of children for periods of less than twenty-four (24) hours per day, and/or the provision of educational services commonly associated with preschool, nursery schools or kindergartens. **A CHILD CARE FACILITY requires Technical Review Committee**



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review and is subject to possible Site Review and Planning Board approval per Section 149-4.C.3 of the Site Review Regulations.”

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-6 “Definitions”, to add the definition of “CHILD CARE HOME” to read as follows:

“CHILD CARE HOME means an occupied single family dwelling in which child day care is provided for less than twenty four (24) hours per day, except in emergencies. A CHILD CARE HOME is subject to the CUSTOMARY HOME OCCUPATION requirements and requires a CUSTOMARY HOME OCCUPATION Certificate of Use. There are two types of CHILD CARE HOMES, as follows:

- A. Group Child Care Home is a child day care for seven (7) to twelve (12) preschool aged children from one or more unrelated families. The twelve (12) children shall include all children residing with the caregiver in the home, except children ten (10) years of age or older. In addition to the twelve (12) children, up to five (5) children enrolled in a full day school program may also be cared for up to five (5) hours per day on school days and all day during school holidays. Applications require Technical Review Committee review, are subject to possible Site Review and Planning Board approval per Section 149-4.C.3 of the Site Review Regulations.**
- B. Family Child Care Home is a child day care for up to six (6) preschool aged children from one or more unrelated families. The six (6) children shall include all children residing with the caregiver in the home, except children ten (10) years of age or older. In addition to the six (6) children, up to three (3) children enrolled in a full day school program may also be cared for up to five (5) hours per day on school days and all day during school holidays. A Family Child Care Home for up to three (3) children (at any one time and not including the provider’s own children) shall not require a Customary Home Occupation Certificate of Use and does not require Technical Review Committee review.”**

AND



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Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12 “Applicability of Tables of Use and Dimensional Regulations By District”, to add the use **CHILD CARE HOME** as a Permitted Use in the R-40, R-20, R-12, RM-SU, RM-U, and B-1 Districts.

20. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-6 “Definitions”, to amend the definition of CUSTOMARY HOME OCCUPATION to read as follows:

“CUSTOMARY HOME OCCUPATION ~~—An~~ **means** an occupation carried on as a secondary use in a DWELLING UNIT or accessory BUILDING by the occupant of such unit. **See Section 170-18 for the CUSTOMARY HOME OCCUPATION regulations.** ~~For the use of a dwelling or accessory BUILDING in any Residential District for a "home occupation," the following conditions shall apply:~~

- ~~1) "Home occupation" shall include not more than one (1) of the following uses, provided that such uses are clearly incidental and secondary residential purposes; dressmaker, artist, arts and crafts, writer, teacher, provided that not more than eight (8) pupils simultaneously occupy the BUILDING, musician, antique dealer, hairdresser, HOME BASED AGRICULTRUAL ACTIVITIES, lawyer, doctor, photographer, dentist, architect, engineer or practitioner of any other profession or similar occupation which may be unobtrusively pursued in a residential area.~~
- ~~2) No more than one (1) nonresident shall be employed therein.~~
- ~~3) The use is carried on strictly by the occupant of the PRINCIPAL BUILDING.~~
- ~~4) No more than twenty five percent (25%) of the existing net FLOOR AREA of the principal and any accessory BUILDINGS not to exceed six hundred (600) square feet is devoted to such use.~~
- ~~5) There shall be no display of goods or wares visible from the STREET.~~
- ~~6) No advertising on the premises other than a small no illuminated SIGN not to exceed two (2) square feet in area and carrying only the occupant's name and his occupation.~~
- ~~7) The BUILDINGS or premises occupied shall not be rendered objectionable or detrimental to the residential character of the NEIGHBORHOOD because of the exterior appearance, traffic emission of odor, gas, smoke, dust, noise, electrical disturbance, light emissions, or in any other way. In a MULTIFAMILY DWELLING, the use shall in no way become objectionable or detrimental to any residential use within the multifamily STRUCTURE.~~



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~~8) Any such BUILDING shall include no feature of design not customary in BUILDINGS for residential use. The following uses, by nature of the investment or operation, have a potential to rapidly increase beyond the limits specified above for home occupations and impair the use, value and quiet enjoyment of adjacent residential properties. Therefore, uses such as Retail, Clinic, Landscaping, Freight, Trucking or Shipping, Painting of Vehicles, Trailers and Boats, Restaurants, Caterers or Bakeries, Taxi Service, Tool or Equipment Rental, Veterinary hospital or KENNEL and others of a similar nature shall not be considered as home occupations.~~

~~9) A minimum of two (2) OFF STREET PARKING SPACES shall be provided. All driveways to be used in connection with such occupations shall conform to the city's Driveway Ordinance*.~~

~~10) Not more than one (1) commercial vehicle in connection with such home occupation shall be stored on the premises.~~

~~11) A certificate of use for the proposed use is issued by the Zoning Administrator verifying conformance with the preceding standards. Said certificate shall be renewed annually.”~~

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by deleting Chapter 170-18 “Grant of special exceptions; conditions” in its entirety, and enacting the following new Chapter 170-18, to read as follows:

“170-18. CUSTOMARY HOME OCCUPATIONS.

A CUSTOMARY HOME OCCUPATION is a permitted use in all Residential Districts. The following conditions apply:

A) "Home occupation" shall include not more than one (1) of the following uses, provided that such uses are clearly incidental and secondary residential purposes; dressmaker, artist, arts and crafts, writer, teacher, provided that not more than eight (8) pupils simultaneously occupy the BUILDING, musician, antique dealer, hairdresser, HOME BASED AGRICULTURAL ACTIVITIES, lawyer, doctor, photographer, dentist, architect, engineer or practitioner of any other profession or similar occupation which may be unobtrusively pursued in a residential area.

B) No more than one (1) nonresident shall be employed therein.

C) The use is carried on strictly by the occupant of the PRINCIPAL BUILDING.



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- D) No more than twenty-five percent (25%) of the existing net FLOOR AREA\of the principal and any accessory BUILDINGS not to exceed six hundred (600) square feet is devoted to such use.**
- E) There shall be no display of goods or wares visible from the STREET.**
- F) No advertising on the premises other than a small no-illuminated SIGN not to exceed two (2) square feet in area and carrying only the occupant's name and his occupation.**
- G) The BUILDINGS or premises occupied shall not be rendered objectionable or detrimental to the residential character of the NEIGHBORHOOD because of the exterior appearance, traffic emission of odor, gas, smoke, dust, noise, electrical disturbance, light emissions, or in any other way. In a MULTIFAMILY DWELLING, the use shall in no way become objectionable or detrimental to any residential use within the multifamily STRUCTURE.**
- H) Any such BUILDING shall include no feature of design not customary in BUILDINGS for residential use. The following uses, by nature of the investment or operation, have a potential to rapidly increase beyond the limits specified above for home occupations and impair the use, value and quiet enjoyment of adjacent residential properties. Therefore, uses such as Retail, Clinic, Landscaping, Freight, Trucking or Shipping, Painting of Vehicles, Trailers and Boats, Restaurants, Caterers or Bakeries, Taxi Service, Tool or Equipment Rental, Veterinary hospital or KENNEL and others of a similar nature shall not be considered as home occupations.**
- I) A minimum of two (2) OFF-STREET PARKING SPACEs shall be provided. All driveways to be used in connection with such occupations shall conform to the city's Driveway Ordinance (Chapter 92).**
- J) Not more than one (1) commercial vehicle in connection with such home occupation shall be stored on the premises.**
- K) A certificate of use for the proposed home occupation is issued by the Zoning Administrator verifying conformance with the preceding standards. Said certificate shall be renewed annually. Applications to renew the certificate of use shall be due by January 1st following the date of approval of the certificate of use and then by every January 1st thereafter for so long as the customary home occupation continues. Fees shall be levied as set forth in the City of Dover**



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Adopted Schedule of Fees, as amended annually, for CUSTOMARY HOME OCCUPATION certificates of use and renewals.

- L) **The use of a room in a dwelling or accessory building as a home office by a resident/occupant is a permitted use and does not require a certificate of use, provided that the use does not generate any traffic such as (i) deliveries or pickup of supplies or materials in excess of normal residential use, or (ii) clients coming to the property.”**

21. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by changing the title of Article VI from “**Special Exceptions**” to “**Additional Regulations**”.

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by moving the entirety of Chapter 170-10.1 “Central Business District Regulations” to a new section entitled, **Chapter 170-20. Central Business District Regulations** and deleting Chapter 170-10.1.

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by moving the entirety of Chapter 170-27.3 “SMALL WIND ENERGY SYSTEM” to a new section entitled, **Chapter 170-21. SMALL WIND ENERGY SYSTEM** and deleting Chapter 170-27.3.

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by moving the entirety of Chapter 170-28.6 “Telecommunication Facilities” to a new section entitled, **Chapter 170-22. Telecommunication Facilities and deleting Chapter 170-28.6**. Any reference to 170-28.6 within the chapter shall be changed to 170-22.

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by moving the entirety of Chapter 170-28.7 “IMPACT FEE Ordinance” to a new section entitled, **Chapter 170-23. IMPACT FEE Ordinance** and deleting Chapter 170-28.7.



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Ordinance Number: **O –2012.11.14 – 24**
Ordinance Title: Updating the Dover Zoning Ordinance
Chapter: 170

22. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-28.2 “Residential-Commercial Mixed Use (RCM) Overlay District”, by revising Section D) “Permitted Uses” subsection a) in part as follows:

- “i) SINGLE-FAMILY DWELLING
 - (a) **Including the use of MANUFACTURED HOUSING”**

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-28.2 “Residential-Commercial Mixed Use (RCM) Overlay District”, by revising Section E) “Procedural Concepts” in part as follows:

“For residential development that includes ~~single family~~, two (2) family, three (3) to four (4) family, or MULTI-FAMILY DWELLINGS, density shall be based upon calculating one (1) unit per forty thousand (40,000) square feet of CONTIGUOUS upland, and using one hundred fifty (150) feet of FRONTAGE on a public roadway.

For ~~mobile home~~ **single family** residential development, density shall be based upon calculating one unit per ten thousand (10,000) square feet of CONTIGUOUS upland, and using one hundred (100) feet of FRONTAGE on public a roadway.”

23. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-33 “FENCE review and regulations”, by revising Section A) as follows:

- “A) FENCE Heights. No person, or other entity shall erect or cause to be erected a FENCE exceeding **four (4)** ~~three (3)~~ feet in height between the RIGHT OF WAY and a parallel line with the front of the house closest to the RIGHT OF WAY. FENCES may be up to eight (8) feet in height from said parallel line with the front of the house, around both sides and around the REAR YARD. Height is measured from ground level.”

24. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-39 “Nonconforming LOTS”, as follows:



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“170-39. Nonconforming LOTS. [Amended 6-10-87 by Ord. No. 13-87]

In any district, STRUCTURES which are allowed by right, but not STRUCTURES that are allowed by special exception, may be erected on any nonconforming LOT of record even though such LOT fails to meet the requirements for area width or FRONTAGE. ~~Such LOT must be in separate ownership and shall not be adjacent or in continuous FRONTAGE with other LOTS in the same ownership. If two (2) or more nonconforming LOTS that are adjacent or with continuous FRONTAGE are in single ownership and are of record at the time of passage of amendment of this chapter, the LOTS involved shall be considered to be an undivided parcel for the purposes of this chapter. No portion of said parcel shall be used or sold in a manner which diminishes compliance with LOT WIDTH, area or FRONTAGE requirements established by this chapter, nor shall any ZONING division or parcel be made which creates a LOT with width, area or FRONTAGE below the requirements stated in this chapter. See 170-14 for exceptions to the dimensional regulations. Further, yard dimensions and requirements other than those applying to area, width and FRONTAGE shall conform to the regulations for the district in which the LOT is located.~~

25. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-52 “Zoning Board of Adjustment”, by revising Section C) 1) “Powers and Duties” as follows:

“C) Powers and Duties.

- 1) Powers. The Board shall have the following powers:
 - a) To hear and decide appeals where it is alleged there is error in any order, requirements, decision or determination made by the in the enforcement of this chapter (interpretation of ordinance).
 - b) To hear and decide special exceptions to the terms of this chapter upon which such Board is required to pass under this chapter (special exception).
 - c) To authorize, upon appeal in specific cases, such variance from the terms of this chapter as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary hardship and so that the spirit of this chapter shall be observed and substantial justice done (variance).
 - d) To hear and decide requests for equitable waivers from the dimensional terms of this chapter upon where a structure has been found to be in violation of said dimensional requirement.”**

AND



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Chapter: 170

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-52 “Zoning Board of Adjustment”, by revising Section C) 3) “Powers and Duties” as follows:

- “3)Special exceptions. The Board shall have the power to hear and decide on application for special exceptions. In applying a special exception, the APPLICANT need not demonstrate hardship, since the basis for the action is of general benefit to the city as a whole. In granting a special exception, the Board, with due regard to the nature and condition of all adjacent STRUCTURES and uses and the district within which the same is located, shall find all of the following general conditions to be fulfilled:
 - a) The requested use is essential or desirable to the public convenience or welfare.
 - b) The requested use will not create undue traffic congestion, or unduly impair pedestrian safety.
 - c) The requested use will not overload any public water, drainage or sewerage system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the city will be unduly subjected to hazards affecting health, safety or the general welfare. Refer to Article VI of this chapter for additional provisions regarding special exceptions.
 - d) **Any special exception which has not been acted upon in accordance with the approval of the ZONING BOARD OF ADJUSTMENT within four (4) years of the date of said approval shall be considered null and void.**

26. TAKES EFFECT

This ordinance shall take effect upon passage and publication of notice as required by RSA 47:18.

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch Sponsored by: Dean Trefethen, Mayor
Finance Director Planning Board Representative

Approved as to Legal Form: Allan B. Krans, Sr.
City Attorney

Recorded by: Karen Lavertu
City Clerk



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DOCUMENT HISTORY:

First Reading Date:	Public Hearing Date:
Approved Date:	Effective Date:

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEA	NAY
Mayor Dean Trefethen		
Deputy Mayor Robert Carrier		
Councilor Edward Spueller, Ward 1		
Councilor William Garrison, Ward 2		
Councilor Michael Crago, Ward 3		
Councilor Dorothea Hooper, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Michael Weeden, Ward 6		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		

ORDINANCE BACKGROUND MATERIAL:

The amendments, with the Planning Board posted on June 26, 2012, were drafted by staff and the Planning Board during the winter and spring of 2012. The amendments are the result of a comprehensive effort by the Planning Board to involve the public in the process. These amendments were suggested by the Zoning Board of Adjustment, the US Environmental Protection Agency, property owners and the Planning staff. Goals of the amendments include the protection of Dover’s character, promotion of development that will have a positive tax impact, and protection of natural resources. Since some amendments affect all zoning districts in the City, a notice was sent to all property owners inviting them to a public hearing on July 24th and August 28, 2012. Further comment was received by the Board on September 25, 2012.



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During the October 23, 2012 meeting the Planning Board unanimously voted to approve the zoning amendments and forwarded them to the City Council. The Council may overturn the amendments with a 2/3rds vote.

The following is a list of the amendments summarized:

- 1) Purpose statement.
- 2) Amend Chapter 170-6, “Definitions” by revising the definitions of Applicant, Block, Dwelling Unit, Lot, Rooming House, Planning Board, Plat, Right-of-Way, and by adding definitions for Certificate of Occupancy, Lot Corner, Lot Line, and Right-of-way Lines.
- 3) Amend Chapter 170-8 to rezone a 2 acre area of Central Ave/Ham St. /Milk St. from Residential Multi-family Urban (RM-U) to Central Business District (CBD) and rezone a 3 acre area of Central Avenue from Office (O) to Central Business District (CBD).
- 4) Amend Chapter 170-8 to rezone a 3.67 acre area of Central Ave/Abbott St. /Reservoir St. /Hill St. from Medium-Density Residential (R-12) to Office (O).
- 5) Amend Chapter 170-8 to rezone a 3.07 acre area of Central Ave/Ash St. /Ham St. from Residential Multi-family Urban (RM-U) to Office (O).
- 6) Amend Chapter 170-8 to rezone a 37.5 acre area of Central Ave/Old Rollinsford Rd. /Abbey Sawyer Memorial Highway from Office (O) to new Hospital District (H); amend Chapter 170-7 to add Hospital District to list of Mixed Use Districts and add purpose statement; and amend Chapter 170-12 to add Hospital District table, delete Hospital as permitted use in the Office District and reduce Building Height in Office District to 45 ft.
- 7) Amend Chapter 170-8 to rezone a 8.36 acres area of Portland Ave./Oak St. from Medium Density Residential (R-12) to Thoroughfare Business District (B-3).
- 8) Amend Chapter 170-8 to rezone a 19 acre area of Dover Point Rd./Leighton Rd. from Neighborhood Business (B-1) to new Little Bay Waterfront District (LBW); amend Chapter 170-8 to rezone a 13.1 acre area of Dover Point Rd./Leighton Rd. from Low Density Residential (R-20) to LBW; amend Chapter 170-7 to add LBW District to list of Mixed Use Districts and add purpose statement; & amend Chapter 170-12 to add LBW District table.
- 9) Amend Chapter 170-6, by adding definitions for Agriculture, Farm & Roadside Farm Stand and revising definition of Farm Animals; amend Chapter 170-12 to add Farm as permitted use in R-12, RM-SU, & I-2, add Roadside Farm Stand as permitted use in R-12, add Farm as permitted use in R-40 & R-20, change Roadside Farm Stand from special exception to permitted use in R-20 & RM-SU, replace Greenhouse, Retail Sale of Agricultural or Farm Products Raised on Site with Retail Sale of Agriculture Products Raised on Site in R-20, R-40, B-4, I-1, I-2, I-4 & ETP, & add Farm as permitted use in B-4, I-1, I-4 & ETP, with footnotes.
- 10) Amend Chapter 170-12 by revising the front setback from 75 to 50 feet and the parking area setback from 25 to 20 feet for the Hotel/Retail (B-4) district. Amend the wall and freestanding sign regulations in the B-4 to improve design and visual appeal standards.



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- 11) Amend Chapter 170-12 by adding “Commercial Recreation” and “Educational Institution, Post Secondary” as permitted uses in the I-2 District Table.
- 12) Amend Chapter 170-12 by changing “Retail Store” from special exception to Use Allowed by Conditional Use Permit and add criteria in footnote for the Office District.
- 13) Amend Chapter 170-12 by adding “Eating and Drinking Establishment” as a Use Allowed by Conditional Use Permit and add criteria in footnote for the Office District.
- 14) Amend Chapter 170-12 by adding “Rooming House” as a permitted use in the Office District Table and delete the footnote for “Rooming House” in the RM-U District.
- 15) Amend Chapter 170 by replacing “Mobile Home” with “Manufactured House” in ordinance and amend Chapter 170-6 to delete definition for “Mobile Home” and add definition for “Manufactured Housing”.
- 16) Amend Chapter 170-12 by revising footnote #13 for R-20 District to add kennel standards.
- 17) Amend Chapter 170-12 by deleting “Mobile Home Unit” and adding “Manufactured Housing” in the R-40 District table and delete definition of “Mobile Home Subdivision”.
- 18) Amend Chapter 170-6 to add definition of “Accessory Dwelling Unit”, amend Chapter 170-12 to add “Accessory Dwelling Unit” as permitted use in RM-SU, RM-U & B-1 Districts, and add “Accessory Dwelling Unit” as a permitted use in the R-12, R-20 & R-40 Districts. Add Chapter 170-24 “Accessory Dwelling Units” to set standards for the use.
- 19) Amend Chapter 170-6, “Definitions” by revising definition of “Child Care Facility” and adding definition of “Child Care Home”. Amend Chapter 170-12 to add “Child Care Home” as a permitted use in the R-40, R-20, R-12, RM-SU, RM-U and B-1 Districts.
- 20) Amend Chapter 170-6, “Definitions” by revising definition of “Customary Home Occupation” & replace Chapter 170-18 with “Customary Home Occupation” standards.
- 21) Amend Chapter 170 by changing Article VI to “Additional Regulations” & moving existing sections to be Chapter 170-20 Central Business District Regulations, 170-21 Small Wind Energy System, 170-22 Telecommunication Facilities & 170-23 Impact Fee Ordinance.
- 22) Amend Chapter 170-28.2 by adding “Manufactured Housing” as a permitted use in the RCM overlay district and decreasing the density for single family to 10,000 sq. ft. per unit.
- 23) Amend Chapter 170-33 to increase front yard fence height from 3 feet to 4 feet.
- 24) Amend Chapter 170-39 to remove involuntary lot merger requirement.
- 25) Amend Chapter 170-52 to amend ZBA powers to include equitable waivers and add requirement that special exceptions expire after 4 years if not acted upon.

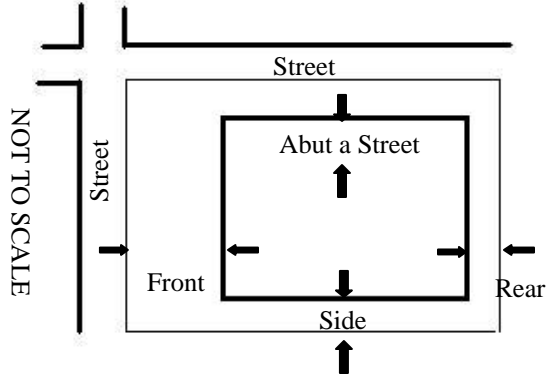
In addition to the above, Planning Staff has provided a summary document of the amendments, the required report to the City Council and a copy of the presentation which the Planning Board held on July 24th.

Hospital (H) District

The information included in this Table represents the requirements for development in this District.

LOT OCCUPATION (1)	
Min. LOT Size (2)	10,000 sf
FRONTAGE (feet)	100 ft
LOT Coverage	50%
SETBACKS - PRINCIPAL BUILDING (FEET)	
Front/ Abut a Street	12
Side	10
Rear	15
OUTBUILDING/ACCESSORY USE SETBACKS (FEET)	
Front SETBACK	12
Side SETBACK	10
Rear SETBACK	10
Abut-a-street SETBACK	12
BUILDING HEIGHT (FEET)	
PRINCIPAL BUILDING	65
OUTBUILDING	40

Permitted Uses
ADULT DAY CARE
ASSEMBLY HALL
ASSISTED LIVING FACILITY (5)
Bank
BED and BREAKFAST
CHILD CARE FACILITY
Clinic
CONGREGATE CARE (6)
CONTINUING CARE COMMUNITY FACILITY (5)
Dwelling, 2 Family
DWELLING, SINGLE FAMILY
EDUCATIONAL INSITUTION, POST SECONDARY
EDUCATIONAL INSITUTION, K-12
ELDERLY ASSISTED CARE (7)
Funeral Parlor
Hospital
NURSING HOME (6)
OFFICE
PUBLIC RECREATION
Public Utility (8)
ROOMING HOUSE



The PRINCIPAL STRUCTURE shall be distanced from the lot lines as shown.

Uses Via Conditional Use Permit (see OVER)
Eating and Drinking Establishment
Retail Store
GROUP HOME FOR MINORS

SIGN Regulations	
Total SIGN No.	1
Maximum SIGN Area	12 sf*
Total SIGN # is per tenancy, and is for lot (excluding development identification signs)	
SETBACKS - FREESTANDING SIGN	
Building	20'
SIGN Type	
FREESTANDING	(3)
PROJECTING	No
WALL/Awning	(4)
TEMPORARY	No

- [1] Refer to §§ 170-13 and 170-14 for exceptions to lot size, frontage and setback requirements.
- [2] All land containing wetlands shall not be counted in determining the gross land area of a lot for the purposes of minimum lot size or minimum density requirements for residential uses. The minimum non-wetland portion of any newly created lot shall be contiguous. For the purposes of this calculation, wetlands shall include areas that meet the definition of wetland in the NH Code of Administrative Rules – Wt. 101.87 and the 1987 Federal Manual For Identifying Jurisdictional Wetlands. [Amended 1-22-2003 by Ord. No. 35]. Wetland buffers shall only be allowed to count for 40 percent of the minimum lot size required.
- [3] If multiple tenants, maximum size: 4sf/tenant. Max. height: 8'
- [4] Max. height is 16' above ground elevation, or to bottom of the sills of the first level of windows above the first floor, whichever is lowest.
- [5] An ASSISTED LIVING FACILITY or CONTINUING CARE COMMUNITY FACILITY shall be serviced by municipal sewer, have a density of one unit requirement per 2,000 square feet of lot area. Parking lots and service areas are screened from abutting residential uses, and the facility shall obtain a license from the State of New Hampshire.
- [6] A CONGREGATE CARE Facility shall require a minimum lot size of 1,000 sq. ft. per unit, and a NURSING HOME Facility shall require a minimum lot size of 1,000 sq.ft. per bedroom. [Amended 09-15-93 by Ord. No. 19-93]
- [7] An ELDERLY ASSISTED CARE FACILITY larger than 6 bedrooms shall meet the density of one bedroom per 2,500 sq. ft. Provide parking and service areas that are screened from abutting residential uses. Also, the maximum number of bedrooms and residents allowed in a facility may be increased provided the increase is found not to be detrimental to the surrounding properties and conforms with parking standards in Chapter 170-44 (Off Street Parking). Furthermore, any increase to an existing structure must be contained within or contiguous to the original structure. [Added 01-22-03 by Ord. No. 35-02]
- [8] The utility facility shall be appropriately fenced to protect the public. Landscaping materials shall be required to provide a visual screen from any structures and storage within. [Amended 10-28-88 by Ord. No. 18-88]

- Thursday, and 6 am to 11 pm Friday and Saturday.
- I. If a new building is proposed for the use, it shall be a minimum of two stories.
- J. The applicant shall provide proof that they have conducted a Preliminary Code Review for an Eating and Drinking Establishment with the Inspection Services Office.

Retail Store

A Retail Store shall be allowed if a Conditional Use Permit is granted by the Planning Board upon a finding that the following criteria are met:

- A. The store shall contribute to a NEIGHBORHOOD feel and be pedestrian friendly.
- B. The store shall be no larger than 2,000 square feet.
- C. The store shall not include DRIVE-IN SERVICE.
- D. The required parking may be reduced by fifty percent (50%) if on street parking is available in the neighborhood.
- E. All onsite parking shall be screened from abutting residential LOTS.
- F. Any loading or unloading of products shall not disrupt NEIGHBORHOODS or traffic flow.
- G. The proposed use shall be compatible with the surrounding NEIGHBORHOOD.
- H. Hours of operation shall be limited to 6 am to 9 pm Sunday – Thursday, and 6 am to 10 pm Friday and Saturday.
- I. If a new building is proposed for the use, it shall be a minimum of two stories.

GROUP HOME FOR MINORS [Added 09-01-93 by Ord. No. 20-93]

Group Home for Minors shall be subject to the following conditions:

- A. The group home site shall be compatible with abutting uses.
- B. The group home shall be located in areas of transitional land use or mixed land uses.
- C. Parking and service areas shall be screened from abutting residential uses, unless the abutter chooses to not want said screening.
- D. Open space shall be maintained on the property in an amount comparable to the neighborhood.
- E. The planned occupancy of the group home shall be compatible with the permitted density of the surrounding neighborhood.

CONDITIONAL USE PERMIT CRITERIA

Eating and Drinking Establishment

An Eating and Drinking Establishment shall be allowed if a Conditional Use Permit is granted by the Planning Board upon a finding that the following criteria are met:

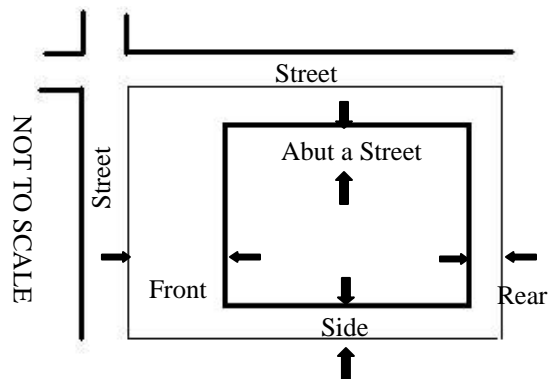
- A. The Eating and Drinking Establishment shall contribute to a NEIGHBORHOOD feel and be pedestrian friendly.
- B. The Eating and Drinking Establishment shall be no larger than 2,000 square feet.
- C. The Eating and Drinking Establishment shall not include DRIVE-IN SERVICE.
- D. The required parking may be reduced by fifty percent (50%) if on street parking is available in the neighborhood.
- E. All onsite parking shall be screened from abutting residential LOTS.
- F. Any loading or unloading of products shall not disrupt NEIGHBORHOODS or traffic flow.
- G. The proposed use shall be compatible with the surrounding NEIGHBORHOOD.
- H. Hours of operation shall be limited to 6 am to 10 pm Sunday –

Little Bay Waterfront (LBW) District

The information included in this Table represents the requirements for development in this District.

LOT OCCUPATION (1)	
Min. LOT Size (2)	10,000 sf
FRONTAGE (feet)	75 ft
LOT Coverage	50%
SETBACKS - PRINCIPAL BUILDING (FEET)	
Front/ Abut a Street	15
Side	10
Rear	15
OUTBUILDING/ACCESSORY USE SETBACKS (FEET)	
Front/ Abut a Street	15
Side SETBACK	10
Rear SETBACK	10
BUILDING HEIGHT (FEET)	
PRINCIPAL BUILDING	40
OUTBUILDING	40

Permitted Uses
ASSEMBLY HALL
Bank
Barber and Beauty Shop
BED AND BREAKFAST
CHILD CARE FACILITY
COMMERCIAL RECREATION
DWELLING, 3-4 Family (7)
DWELLING, 2 Family
DWELLING, SINGLE FAMILY
Eating and Drinking Establishment (8)
EDUCATIONAL INSTITUTION, POST SECONDARY
FARM ANIMALS FOR FAMILY USE, for non-commercial purposes, on lots containing a one or two family dwelling (9)
MARINA
OFFICE
PERSONAL SERVICE ESTABLISHMENT
Public Utility (10)
Retail Store
WATER RELATED EDUCATION/RESOURCE CENTER
WATERBORNE PASSENGER TRANSPORTATION FACILITY



The PRINCIPAL BUILDING shall be distanced from the lot lines as shown.

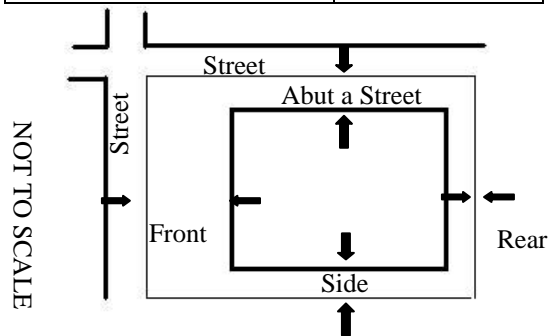
SIGN Regulations	
Total SIGN No.	1
Maximum SIGN Area	(3)
Total SIGN # is per tenancy, and is for lot (excluding development identification signs)	
SETBACKS - FREESTANDING SIGN	
Building	20'
SIGN Type	
FREESTANDING	(4)
PROJECTING	(5)
WALL/Awning	(6)
TEMPORARY	No

- [1] Refer to §§ 170-13 and 170-14 for exceptions to lot size, frontage and setback requirements.
- [2] All land containing wetlands shall not be counted in determining the gross land area of a lot for the purposes of minimum lot size or minimum density requirements for residential uses. The minimum non-wetland portion of any newly created lot shall be contiguous. For the purposes of this calculation, wetlands shall include areas that meet the definition of wetland in the NH Code of Administrative Rules – Wt. 101.87 and the 1987 Federal Manual For Identifying Jurisdictional Wetlands. [Amended 1-22-2003 by Ord. No. 35]. Wetland buffers shall only be allowed to count for 40 percent of the minimum lot size required.
- [3] 1sf of sign area for each 3' of lineal business frontage. Max. height is 16' or to the bottom of the sills of the first level of windows above the first floor, whichever is lowest.
- [4] Max. height sixteen (16) feet in height or twelve (12) square feet in area, regardless of the number of individual tenants within the building
- [5] Max. size: 8sf.
- [6] Max. size: 16sf.
- [7] Provided that the lot contains at least ten thousand (10,000) square feet per dwelling unit.
- [8] If fully enclosed with no drive-in service.
- [9] Use is allowed on the portion of the lot that is behind the principal structure, provided the following standards are met: Chickens: No more than six (6) chickens and no roosters, with three (3) square feet of chicken coop and twenty (20) square feet of a fenced enclosure yard per chicken; all coops and enclosures shall be twenty (20) feet from any property line. Sheep or goats: one animal per 10,000 square feet of lot area, with a maximum of six (6) animals; ten (10) square feet of shelter and thirty (30) square feet of a fenced enclosure yard per animal; all shelters and enclosures shall be thirty (30) feet from any property line . [Amended 12-08-10 by Ord. No. 2010-10.27-13]
- [10] The utility facility shall be appropriately fenced to protect the public. Landscaping materials shall be required to provide a visual screen from any structures and storage within. [Amended 10-28-88 by Ord. No. 18-88]

Rural Residential (R-40) District

The information included in this Table represents the requirements for development in this District.

LOT OCCUPATION (1) (2)	
Min. LOT Size (3) (4)	40,000 sf
FRONTAGE (feet)	150 ft
LOT Coverage	10%
SETBACKS - PRINCIPAL BUILDING (FEET)	
Front/ Abut a Street	40
Side	25
Rear	30
OUTBUILDING/ACCESSORY USE SETBACKS (FEET)	
Front/ Abut a Street	40
Side SETBACK	10
Rear SETBACK	10
BUILDING HEIGHT (FEET)	
PRINCIPAL BUILDING	35
OUTBUILDING	35



The PRINCIPAL BUILDING shall be distanced from the lot lines as shown.

SIGN Regulations	
Total SIGN No.	1
Maximum SIGN Area	16 sf*
* Cust. Home Occupation Sign Max 2 Sf a Development Identification SIGN may be 20 sf	
SETBACKS - FREESTANDING	
SIGN	10'
SIGN Type	Allowed
FREESTANDING	Yes
PROJECTING	Yes
WALL/Awning	No
TEMPORARY	No

[1] In the case of an Open Space Subdivision, in accordance with Article IV of Chapter 155 of the Code of Dover, the dimensional requirements shall be as specified in § 155-22 of the Code of the City of Dover, 1983. [Added 6-10-87 by Ord. No. 13-87]

Permitted Uses
ACCESSORY DWELLING UNIT
ADULT DAY CARE (5)
ASSEMBLY HALL
Bank (5)
Beauty and Barber Shop (5)
BED and BREAKFAST
CHILD CARE FACILITY
CHILD CARE HOME
Clinic
CONSERVATION LOT
COUNTRY CLUB (6)
Dwelling, 2 Family (7)
Dwelling, 3 To 4 Family (7)
DWELLING, SINGLE FAMILY
EDUCATIONAL INSTITUTION, K-12
EXCAVATION (6)
FARM (8)
FARM ANIMALS FOR FAMILY USE, for non-commercial purposes, on lots containing a one or two family dwelling (9)
Hospital
MANUFACTURED HOUSING (10)
OFFICE (5, 11)
PERSONAL SERVICE ESTABLISHMENT (5)
PUBLIC RECREATION
Public Utility
Recreational Camp
Retail Sale of Agricultural or Farm Products Raised on Site
Theater (5)
Veterinary Office, Animal Hospital or KENNEL (13, 14)
WHOLESALING of Farm Products (6)

Uses Via Special Exception (see 170-52 & OVER)
ASSISTED LIVING FACILITY
CONGREGATE CARE
CONTINUING CARE COMMUNITY FACILITY
EDUCATIONAL INSTITUTION, POST SECONDARY
ELDERLY ASSISTED CARE HOME
Helicopter Take Offs & Landings
JUNKYARD (12)
MOBILE HOME PARK
NURSING HOME

- [2] Refer to µµ 170-13 and 170-14 for exceptions to lot size, frontage and setback requirements.
- [3] All land containing wetlands shall not be counted in determining the gross land area of a lot for the purposes of minimum lot size or minimum density requirements for residential uses. The minimum non-wetland portion of any newly created lot shall be contiguous. For the purposes of this calculation, wetlands shall include areas that meet the definition of wetland in the NH Code of Administrative Rules – Wt. 101.87 and the 1987 Federal Manual For Identifying Jurisdictional Wetlands. [Amended 1-22-2003 by Ord. No. 35]. Wetland buffers shall only be allowed to count for 40 percent of the minimum lot size required.
- [4] Refer to Chapter 155, Subdivision of Land, Article IV for the minimum lot size for a major Subdivision. In an R-40 district, any major subdivision must follow the procedures for an Open Space Subdivision (OSS). [Amended 1-22-2003 by Ord. No. 35]
- [5] Use is allowed as a commercial component to an Open Space Subdivision. (See 155.22 section 7) . [Added 1-22-2003 by Ord. No. 35].
- [6] Use is not allowed as a commercial component to an Open Space Subdivision. (See 155.22 section 7). [Added 1-22-2003 by Ord. No. 35].
- [7] Use is allowed when included within an Open Space Subdivision with commercial components. (See 155.22 section 7). [Added 1-22-2003 by Ord. No. 35].
- [8] FARM ANIMALS permitted, provided that the tract upon which such animals are kept shall support a minimum land area of one hundred thousand (100,000) square feet. In no instance shall the shelters and pens or runs used to contain said animals be closer than one hundred (100) feet from any property boundary
- [9] Use is allowed on the portion of the lot that is behind the principal structure, provided the following standards are met: Chickens: No more than six (6) chickens and no roosters, with three (3) square feet of chicken coop and twenty (20) square feet of a fenced enclosure yard per chicken; all coops and enclosures shall be twenty (20) feet from any property line. Sheep or goats: one animal per 10,000 square feet of lot area, with a maximum of six (6) animals; ten (10) square feet of shelter and thirty (30) square feet of a fenced enclosure yard per animal; all shelters and enclosures shall be thirty (30) feet from any property line . [Amended 12-08-10 by Ord. No. 2010-10.27-13]
- [10] Permitted only if operated as a customary home occupation (Refer to definition in µ 170-6B)
- [11] Veterinary Office, Animal Hospital uses are allowed as a commercial component to an Open Space Subdivision. (See 155.22 section 7) . [Added 1-22-2003 by Ord. No. 35].
- [12] Shelters and runs used to house and/or contain animals shall be no closer than one hundred (100) feet from any property line and must support a minimum tract size of one hundred thousand (100,000) square feet. [Amended 8-1-90 by Ord. 8-90]

SPECIAL EXCEPTION CRITERIA ASSISTED LIVING FACILITY:

- A. The facility shall be serviced by municipal sewer.
- B. The density per unit requirement is 7,500 square feet of lot area in the R-40 District.
- C. Parking lots and service areas are screened from abutting residential uses.
- D. The facility shall obtain a license from the State of New Hampshire.

CONGREGATE CARE FACILITY [Added 09-15-93 by Ord. No. 19-93]

Congregate Care Facility is allowed as a Special Exception in accordance with the density and provisions stated below:

- A. In the R-40 District in areas not serviced by City water and sewer utilities at a density of one unit per 10,000 sq. ft. of land; in the R-40 District in areas serviced by City water and sewer utilities at a density of one unit per 7,500 sq. ft. of land;
- B. Provided that parking and service areas are screened from abut-

ting residential uses.

CONTINUING CARE COMMUNITY FACILITY :

- A. The facility shall be serviced by municipal sewer.
- B. The density per unit requirement is 7,500 square feet of lot area in the R-40 District.
- C. Parking lots and service areas are screened from abutting residential uses.
- D. The facility shall obtain a license from the State of New Hampshire.

Elderly Assisted Care Home. [Added 09-15-93 by Ord. No. 19-93]

Elderly Assisted Care Home is allowed by Special Exception in accordance with the densities and provisions stated below:

- A. Elderly Assisted Care Homes larger than 6 bedrooms shall meet the following density requirements: In the R-40 District in areas not serviced by City water and sewer utilities at a density of one bedroom per 10,000 sq. ft. of land; in the R-40 District in areas serviced by City water and sewer utilities at a density of one bedroom per 7,500 sq. ft.;
- B. Provided that parking and service areas are screened from abutting residential uses.
- C. Notwithstanding the above requirements, the maximum number of bedrooms and residents allowed in a facility may be increased provided the increase is found not to be detrimental to the surrounding properties and conforms with parking standards in Chapter 170-44 (Off Street Parking). Furthermore, any increase to an existing structure must be contained within or contiguous to the original structure. [Added 01-22-03 by Ord. No. 35-02]

Helicopter Take offs and Landings

Helicopter take offs and landings are allowed as a special exception subject to the following conditions:

- A. There shall be a distance of one thousand (1,000) feet between any existing residential structure and any proposed helicopter landing pad.
- B. Except in the case of an emergency, no helicopter take offs or landings shall occur between the hours of 9:00 p.m. and 7:00 a.m.
- C. The facility shall be accessory to the principal use located on the lot.
- D. All facilities shall be located and designed so that the operation thereof will not adversely affect adjacent residential areas, particularly with respect to noise levels.
- E. The conditions for granting a Special Exception, contained in Chapter 170-52-C(3), must also be satisfied

Junkyard.

A junkyard may only be permitted upon the determination that the property values of land adjacent to such use will not be compromised. Conditions may include but not be limited to the provision of adequate and properly maintained screening around land so used.

MANUFACTURED HOUSING Parks.

Mobile home parks shall be subject to the following regulations:

- A. The proposed park must conform to the Mobile Home Chapter of the Code (Ch. 126, Mobile Home Parks)
- B. All plans for the proposed mobile home park must have been granted preliminary approval from the Dover Planning Board.
- C. A determination by the Zoning Board of Adjustment that the proposed mobile home park will not adversely affect overall land values in the neighborhood.
- D. A determination by the Zoning Board of Adjustment that the proposed mobile home park will not result in the creation of hazardous traffic conditions.

Nursing Home. [Added 09-15-93 by Ord. No. 19-93]

Nursing Home is allowed as a Special Exception in accordance with the density and provisions stated below:

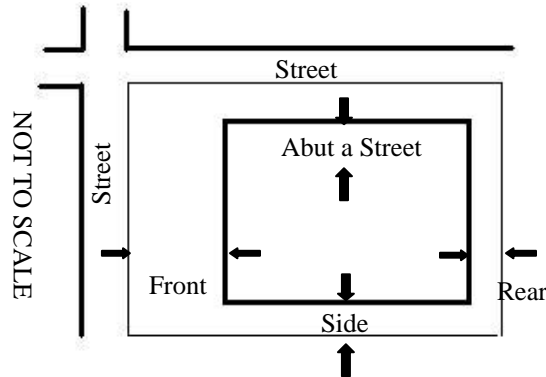
- A. In the R-40 District in areas not serviced by City water and sewer utilities at a density of one bedroom per 10,000 sq. ft. of land; in the R-40 District in areas serviced by City water and sewer utilities at a density of one bedroom per 7,500 sq. ft. of land;
- B. Provided that parking and service areas are screened from abutting residential uses.

Low Density Residential (R-20) District

The information included in this Table represents the requirements for development in this District.

LOT OCCUPATION (1) (2)	
Min. LOT Size (3) (4)	20,000 sf
FRONTAGE (feet)	125 ft
LOT Coverage	30%
SETBACKS - PRINCIPAL BUILD-	
Front/ Abut a Street	*
Side	20
Rear	30
OUTBUILDING/ACCESSORY USE SETBACKS (FEET)	
Front/ Abut a Street	*
Side SETBACK	10
Rear SETBACK	10
BUILDING HEIGHT (FEET)	
PRINCIPAL BUILDING	35
OUTBUILDING	35

* The front setback and abut a street shall be a build to line no closer than twenty (20) feet and no greater than thirty five (35) feet to the front LOT line. Expansions to, or renovations of, existing structures have a twenty (20) foot setback.



The PRINCIPAL BUILDING shall be distanced from the lot lines as shown.

SIGN Regulations	
Total SIGN No.	1
Maximum SIGN Area	16 sf*
* Cust. Home Occupation SIGN Max 2 Sf a Development Identification sign may be 20 sf	
SETBACKS - FREESTANDING SIGN	
SIGN	10'
SIGN Type	
FREESTANDING	Yes
PROJECTING	Yes
WALL/Awning	No
TEMPORARY	No

Permitted Uses
ACCESSORY DWELLING UNIT
ADULT DAY CARE (5)
ASSEMBLY HALL
Bank (5)
Beauty and Barber Shop (5)
BED and BREAKFAST
CHILD CARE FACILITY
CHILD CARE HOME
CONSERVATION LOT
Dwelling, 2 Family (6)
Dwelling, 3 To 4 family (6)
DWELLING, SINGLE FAMILY
EDUCATIONAL INSTITUTION, K-12
FARM (7)
FARM ANIMALS FOR FAMILY USE, for non-commercial purposes, on lots containing a one or two family dwelling (8)
OFFICE (9) (5)
PERSONAL SERVICE ESTABLISHMENT (5)
PUBLIC RECREATION
Public Utility (10)
Retail Sale of Agricultural or Farm Products Raised on Site
ROADSIDE FARM STAND (11)
Theater (5)
Veterinary Office, Animal Hospital or KENNEL (12)

Uses Via Special Exception (see 170-52 & OVER)
ASSISTED LIVING FACILITY
CONGREGATE CARE FACILITY
CONTINUING CARE COMMUNITY FACILITY
EDUCATIONAL INSTITUTION, POST SECONDARY
ELDERLY ASSISTED CARE HOME
Helicopter Take Offs & Landings
NURSING HOME

[1] In the case of an Open Space Subdivision, in accordance with Article IV of Chapter 155 of the Code of Dover, the dimensional requirements shall be as specified in § 155-22 of the Code of the City of Dover, 1983. [Added 6-10-87 by Ord. No. 13-87]

- [2] Refer to μμ 170-13 and 170-14 for exceptions to lot size, frontage and setback requirements.
- [3] All land containing wetlands shall not be counted in determining the gross land area of a lot for the purposes of minimum lot size or minimum density requirements for residential uses. The minimum non-wetland portion of any newly created lot shall be contiguous. For the purposes of this calculation, wetlands shall include areas that meet the definition of wetland in the NH Code of Administrative Rules – Wt. 101.87 and the 1987 Federal Manual For Identifying Jurisdictional Wetlands. [Amended 1-22-2003 by Ord. No. 35]. Wetland buffers shall only be allowed to count for 40 percent of the minimum lot size required.
- [4] Refer to Chapter 155, Subdivision of Land, Article IV for the minimum lot size for a major Subdivision. Any major subdivision in an R-20 district, must follow the procedures for an OSS if the original lot meets the minimum lot size required. [Amended 1-22-2003 by Ord. No. 35]
- [5] Use is allowed as a commercial component to an Open Space Subdivision. (See 155.22 section 7) . [Added 1-22-2003 by Ord. No. 35].
- [6] Veterinary Office, Animal Hospital uses are also allowed as a commercial component to an Open Space Subdivision. (See 155.22 section 7). [Added 1-22-2003 by Ord. No. 35]. Shelters and runs used to house and/or contain animals shall be no closer than one hundred (100) feet from any property line and must support a minimum tract size of one hundred thousand (100,000) square feet.
- [7] FARM ANIMALS permitted, provided that the tract upon which such animals are kept shall support a minimum land area of one hundred thousand (100,000) square feet. In no instance shall the shelters and pens or runs used to contain said animals be closer than one hundred (100) feet from any property boundary.
- [8] Use is allowed on the portion of the lot that is behind the principal structure, provided the following standards are met: Chickens: No more than six (6) chickens and no roosters, with three (3) square feet of chicken coop and twenty (20) square feet of a fenced enclosure yard per chicken; all coops and enclosures shall be twenty (20) feet from any property line. Sheep or goats: one animal per 10,000 square feet of lot area, with a maximum of six (6) animals; ten (10) square feet of shelter and thirty (30) square feet of a fenced enclosure yard per animal; all shelters and enclosures shall be thirty (30) feet from any property line . [Amended 12-08-10 by Ord. No. 2010-10.27-13]
- [9] Permitted only if operated as a customary home occupation (Refer to definition in μ 170-6B)
- [10] The utility facility shall be appropriately fenced to protect the public. Landscaping materials shall be required to provide a visual screen from any structures and storage within. [Amended 10-28-88 by Ord. No. 18-88]
- [11] ROADSIDE FARM STANDS shall be set back a minimum of twenty (20) feet from all abutting vehicular rights-of-way. The area of any BUILDING associated with the ROADSIDE FARM STAND shall not be greater than two hundred (200) square feet in area, and shall be considered an accessory structure if a residence is also located on the property. The total of the display area and building area shall not exceed six hundred (600) square feet Off-street parking shall be provided in the amount of one (1) off-street parking space per 250 sq. ft. of display and building area, and all required parking spaces shall have safe access to and from a public street. A certificate of use issued by the Zoning Administrator and a driveway permit shall be required in all

cases.

- [12] Veterinary Office, Animal Hospital uses are allowed as a commercial component to an Open Space Subdivision. (See 155.22 section 7) . [Added 1-22-2003 by Ord. No. 35]. Shelters and runs used to house and/or contain animals shall be no closer than one hundred (100) feet from any property line and must support a minimum tract size of one hundred thousand (100,000) square feet.

SPECIAL EXCEPTION CRITERIA

ASSISTED LIVING FACILITY:

- A. The facility shall be serviced by municipal sewer.
- B. The density per unit requirement is 5,000 square feet of lot area in the R-20 District.
- C. Parking lots and service areas are screened from abutting residential uses.
- D. The facility shall obtain a license from the State of New Hampshire.

Congregate Care Facility. [Added 09-15-93 by Ord. No. 19-93]

Congregate Care Facility is allowed as a Special Exception in accordance with the density and provisions stated below:

- A. In the R-20 District at one unit per 5,000 sq. ft. of land;
- B. Provided that parking and service areas are screened from abutting residential uses.

CONTINUING CARE COMMUNITY FACILITY :

- A. The facility shall be serviced by municipal sewer.
- B. The density per unit requirement is 5,000 square feet of lot area in the R-20 District.
- C. Parking lots and service areas are screened from abutting residential uses.
- D. The facility shall obtain a license from the State of New Hampshire.

Elderly Assisted Care Home. [Added 09-15-93 by Ord. No. 19-93]

Elderly Assisted Care Home is allowed by Special Exception in accordance with the densities and provisions stated below:

- A. Elderly Assisted Care Homes larger than 6 bedrooms shall meet the following density requirements: In the R-20 District at a density of one bedroom per 5,000 sq. ft.;
- B. Provided that parking and service areas are screened from abutting residential uses.
- C. Notwithstanding the above requirements, the maximum number of bedrooms and residents allowed in a facility may be increased provided the increase is found not to be detrimental to the surrounding properties and conforms with parking standards in Chapter 170-44 (Off Street Parking). Furthermore, any increase to an existing structure must be contained within or contiguous to the original structure. [Added 01-22-03 by Ord. No. 35-02]

Helicopter Take offs and Landings

Helicopter take offs and landings are allowed as a special exception subject to the following conditions:

- A. There shall be a distance of one thousand (1,000) feet between any existing residential structure and any proposed helicopter landing pad.
- B. Except in the case of an emergency, no helicopter take offs or landings shall occur between the hours of 9:00 p.m. and 7:00 a.m.
- C. The facility shall be accessory to the principal use located on the lot.
- D. All facilities shall be located and designed so that the operation thereof will not adversely affect adjacent residential areas, particularly with respect to noise levels.
- E. The conditions for granting a Special Exception, contained in Chapter 170-52-C(3), must also be satisfied

Nursing Home. [Added 09-15-93 by Ord. No. 19-93]

Nursing Home is allowed as a Special Exception in accordance with the density and provisions stated below:

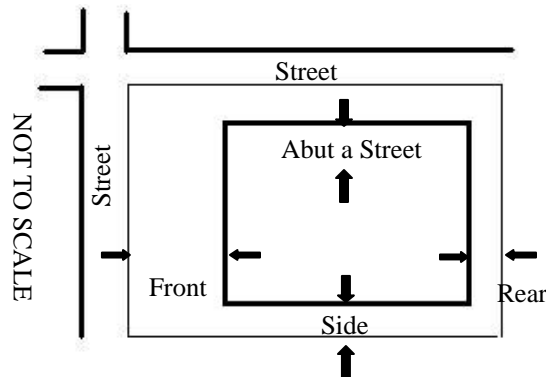
- A. In the R-20 District at one unit per 5,000 sq. ft. of land;
- B. Provided that parking and service areas are screened from abutting residential uses.

Medium Density Residential (R-12) District

The information included in this Table represents the requirements for development in this District.

LOT OCCUPATION (1) (2)	
Min. LOT Size (3) (4)	12,000 sf
FRONTAGE (feet)	100 ft
LOT Coverage	30%
SETBACKS - PRINCIPAL BUILDING (FEET)	
Front/ Abut a Street	(5)
Side	15
Rear	30
OUTBUILDING/ACCESSORY USE SETBACKS (FEET)	
Front/ Abut a Street	(5)
Side SETBACK	10
Rear SETBACK	10
BUILDING HEIGHT (FEET)	
PRINCIPAL BUILDING	35
OUTBUILDING	35

Permitted Uses
ACCESSORY DWELLING UNIT
ASSEMBLY HALL
BED and BREAKFAST
CHILD CARE FACILITY
CONSERVATION LOT
CHILD CARE HOME
Dwelling, 2 Family (6)
DWELLING, SINGLE FAMILY
EDUCATIONAL INSTITUTION, K-12
EDUCATIONAL INSTITUTION, POST SECONDARY
FARM (7)
FARM ANIMALS FOR FAMILY USE, for non-commercial purposes, on lots containing a one or two family dwelling (8)
OFFICE(9)
PUBLIC RECREATION
Public Utility (10)
ROADSIDE FARM STAND (11)



The PRINCIPAL STRUCTURE shall be distanced from the lot lines as shown.

SIGN Regulations	
Total SIGN No.	1
Maximum SIGN Area	16 sf*
* Cust. Home Occupation Sign Max 2 Sf a Development Identification sign may be 20 sf	
SETBACKS - FREESTANDING SIGN	
SIGN	10'
SIGN Type	
FREESTANDING	Yes
PROJECTING	Yes
WALL/Awning	No
TEMPORARY	No

Uses Via Special Exception (see 170-52)
ELDERLY ASSISTED CARE (SEE OVER)

- [1] In the case of an Open Space Subdivision, in accordance with Article IV of Chapter 155 of the Code of Dover, the dimensional requirements shall be as specified in µ 155-22 of the Code of the City of Dover, 1983. [Added 6-10-87 by Ord. No. 13-87]
- [2] Refer to µµ 170-13 and 170-14 for exceptions to lot size, front-age and setback requirements.
- [3] All land containing wetlands shall not be counted in determining the gross land area of a lot for the purposes of minimum lot size or minimum density requirements for residential uses. The minimum non-wetland portion of any newly created lot shall be contiguous. For the purposes of this calculation, wetlands shall include areas that meet the definition of wetland in the NH Code of Administrative Rules – Wt. 101.87 and the 1987 Federal Manual For Identifying Jurisdictional Wetlands. [Amended 1-22-2003 by Ord. No. 35]. Wetland buffers shall only be allowed to count for 40 percent of the minimum lot size required.
- [4] Refer to Chapter 155, Subdivision of Land, Article IV for the minimum lot size for a major Subdivision. Any major subdivision in an R-12 district, must follow the procedures for an OSS if the original lot meets the minimum lot size required. [Amended 1-22-2003 by Ord. No. 35]
- [5] For new subdivisions, the applicant the average setbacks of all lots within the same zone located within five hundred (500) feet from the exterior lot lines of the original lot to be subdivided. This dimension shall be considered to be a build to line. Regardless of the average, in no case shall the build to line be closer than five (5) feet to the front LOT line. Expansions to, or renovations of, structures on existing lots have a twenty five (25) foot setback. Vacant lots created prior to December 2009, have a build to line no closer than five (5) feet and no greater than twenty five (25) feet to the front LOT line.
- [6] Two family dwellings are permitted in the R-12 Districts when incorporated in an open space subdivision and comply with all regulations specified in Chapter 155, Subdivision of Land, Article IV, Open Space Subdivisions, of the Code of the City of Dover, 1983 [Added 9-14-88 by Ord No. 13-88] [Amended 1-15-03 by Ord No. 35-11]
- [7] Shall not include the raising and sale of FARM ANIMALS; the breeding, boarding, and training of equines, and equine riding instruction; the commercial raising, harvesting, and sale of fresh water fish or other aquaculture products; and/or the breeding of poultry or game birds.
- [8] Use is allowed on the portion of the lot that is behind the principal structure, provided the following standards are met: Chickens: No more than six (6) chickens and no roosters, with three (3) square feet of chicken coop and twenty (20) square feet of a fenced enclosure yard per chicken; all coops and enclosures shall be twenty (20) feet from any property line. Sheep or goats: one animal per 10,000 square feet of lot area, with a maximum of six (6) animals; ten (10) square feet of shelter and thirty (30) square feet of a fenced enclosure yard per animal; all shelters and enclosures shall be thirty (30) feet from any property line . [Amended 12-08-10 by Ord. No. 2010-10.27-13]
- [9] Permitted only if operated as a customary home occupation (Refer to definition in µ 170-6B)
- [10] The utility facility shall be appropriately fenced to protect the public. Landscaping materials shall be required to provide a visual screen from any structures and storage within. [Amended 10-28-88 by Ord. No. 18-88]

- [11] ROADSIDE FARM STANDS shall be set back a minimum of twenty (20) feet from all abutting vehicular rights-of-way. The area of any BUILDING associated with the ROADSIDE FARM STAND shall not be greater than two hundred (200) square feet in area, and shall be considered an accessory structure if a residence is also located on the property. The total of the display area, including the building, shall not exceed four hundred (400) sq. ft. Off-street parking shall be provided in the amount of one (1) off-street parking space per 250 sq. ft. of display and building area, and all required parking spaces shall have safe access to and from a public street. A certificate of use issued by the Zoning Administrator and a driveway permit shall be required in all cases."

SPECIAL EXCEPTION CRITERIA

Elderly Assisted Care Home. [Added 09-15-93 by Ord. No. 19-93]

Elderly Assisted Care Home is allowed by Special Exception in accordance with the densities and provisions stated below:

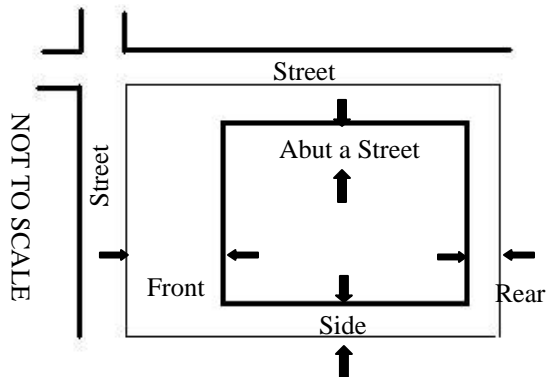
- A. Elderly Assisted Care Homes larger than 6 bedrooms shall meet the following density requirements: In the R-20 District at a density of one bedroom per 3,000 sq. ft.;
- B. Provided that parking and service areas are screened from abutting residential uses.
- C. Notwithstanding the above requirements, the maximum number of bedrooms and residents allowed in a facility may be increased provided the increase is found not to be detrimental to the surrounding properties and conforms with parking standards in Chapter 170-44 (Off Street Parking). Furthermore, any increase to an existing structure must be contained within or contiguous to the original structure. [Added 01-22-03 by Ord. No. 35-02]

Suburban Density Multi-Residential (RM-SU) District

The information included in this Table represents the requirements for development in this District.

LOT OCCUPATION (1)	
Min. LOT Size (2)	20,000 sf
FRONTAGE (feet)	100 ft
LOT Coverage	40%
SETBACKS - PRINCIPAL BUILDING (FEET)	
Front/ Abut a Street	50
Side	20
Rear	20
OUTBUILDING/ACCESSORY USE SETBACKS (FEET)	
Front SETBACK	50
Side SETBACK	10
Rear SETBACK	10
Abut-a-street SETBACK	50
BUILDING HEIGHT (FEET)	
PRINCIPAL BUILDING	40
OUTBUILDING	40

Permitted Uses
ACCESSORY DWELLING UNIT
ADULT DAY CARE
ASSEMBLY HALL
CHILD CARE FACILITY
CHILD CARE HOME
Conversion of Existing Dwelling to Accommodate 5 or more units (3)
Conversion of Existing Dwelling to Accommodate not more than 4 units (3)
Dwelling, 2 Family
Dwelling, 3-4 Family (3)
DWELLING, MULTI-FAMILY (3)
DWELLING, SINGLE FAMILY (4)
EDUCATIONAL INSTITUTION, K-12
FARM (5)
FARM ANIMALS FOR FAMILY USE, for non-commercial purposes, on lots containing a one or two family dwelling (6)
OFFICE (7)
PUBLIC RECREATION
Public Utility (8)
ROADSIDE FARMSTAND (9)



The PRINCIPAL BUILDING shall be distanced from the lot lines as shown.

SIGN Regulations	
Total SIGN No.	1
Maximum SIGN Area	16 sf*
* Cust. Home Occupation Sign Max 2 Sf a Development Identification sign may be 20 sf	
SETBACKS - FREESTANDING SIGN	
SIGN	10'
SIGN Type	
FREESTANDING	Allowed
PROJECTING	Yes
WALL/Awning	No
TEMPORARY	No

Uses Via Special Exception (see 170-52 & OVER)
ELDERLY ASSISTED CARE HOME

- [1] Refer to §§ 170-13 and 170-14 for exceptions to lot size, frontage and setback requirements.
- [2] All land containing wetlands shall not be counted in determining the gross land area of a lot for the purposes of minimum lot size or minimum density requirements for residential uses. The minimum non-wetland portion of any newly created lot shall be contiguous. For the purposes of this calculation, wetlands shall include areas that meet the definition of wetland in the NH Code of Administrative Rules – Wt. 101.87 and the 1987 Federal Manual For Identifying Jurisdictional Wetlands. [Amended 1-22-2003 by Ord. No. 35]. Wetland buffers shall only be allowed to count for 40 percent of the minimum lot size required.
- [3] Provided that the lot upon which such multifamily residence is to be constructed shall contain at least ten thousand (10,000) square feet for each dwelling unit. [Amended 02/17/99 by Ord. No. 25-98]
- [4] A single-family residential dwelling may be constructed within this zoning district under the same dimensional regulations that govern development in a R-20 District.
- [5] Shall not include the raising and sale of FARM ANIMALS; the breeding, boarding, and training of equines, and equine riding instruction; the commercial raising, harvesting, and sale of fresh water fish or other aquaculture products; and/or the breeding of poultry or game birds.
- [6] Use is allowed on the portion of the lot that is behind the principal structure, provided the following standards are met: Chickens: No more than six (6) chickens and no roosters, with three (3) square feet of chicken coop and twenty (20) square feet of a fenced enclosure yard per chicken; all coops and enclosures shall be twenty (20) feet from any property line. Sheep or goats: one animal per 10,000 square feet of lot area, with a maximum of six (6) animals; ten (10) square feet of shelter and thirty (30) square feet of a fenced enclosure yard per animal; all shelters and enclosures shall be thirty (30) feet from any property line. [Amended 12-08-10 by Ord. No. 2010-10.27-13]
- [7] Permitted only if operated as a customary home occupation (Refer to definition in § 170-6B)
- [8] The utility facility shall be appropriately fenced to protect the public. Landscaping materials shall be required to provide a visual screen from any structures and storage within. [Amended 10-28-88 by Ord. No. 18-88]
- [9] ROADSIDE FARM STANDS shall be set back a minimum of twenty (20) feet from all abutting vehicular rights-of-way. The area of any BUILDING associated with the ROADSIDE FARM STAND shall not be greater than four hundred (400) square feet in area, and shall be considered an accessory structure if a residence is also located on the property. The total of the display area and building area shall not exceed 1,000 sq. ft. Off-street parking shall be provided in the amount of one (1) off-street parking space per 250 sq. ft. of display and building area, and all required parking spaces shall have safe access to and from a public street. A certificate of use issued by the Zoning Administrator and a driveway permit shall be required in all cases

SPECIAL EXCEPTION CRITERIA

Elderly Assisted Care Home. [Added 09-15-93 by Ord. No. 19-93]

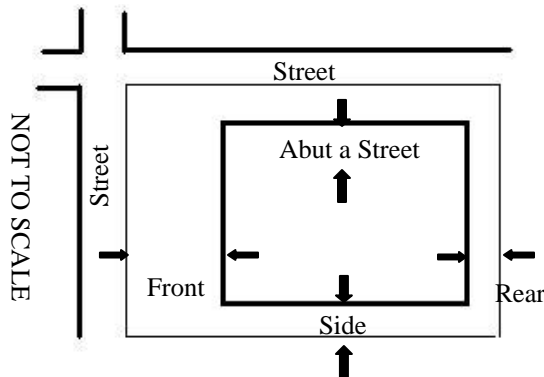
- Elderly Assisted Care Home is allowed by Special Exception in accordance with the densities and provisions stated below:
- A. Elderly Assisted Care Homes larger than 6 bedrooms shall meet the following density requirements: In the RM-SU District at a density of one bedroom per 5,000 sq. ft.;
 - B. Provided that parking and service areas are screened from abutting residential uses.
 - C. Notwithstanding the above requirements, the maximum number of bedrooms and residents allowed in a facility may be increased provided the increase is found not to be detrimental to the surrounding properties and conforms with parking standards in Chapter 170-44 (Off Street Parking). Furthermore, any increase to an existing structure must be contained within or contiguous to the original structure. [Added 01-22-03 by Ord. No. 35-02]

Urban Density Multi-Residential (RM-U) District

The information included in this Table represents the requirements for development in this District.

LOT OCCUPATION (1)	
Min. LOT Size (2)	10,000 sf
FRONTAGE (feet)	80 ft
LOT Coverage	40%
SETBACKS - PRINCIPAL BUILDING (FEET)	
Front/ Abut a Street	(3)
Side	15
Rear	15
OUTBUILDING/ACCESSORY USE SETBACKS (FEET)	
Front/ Abut a Street	(3)
Side SETBACK	10
Rear SETBACK	10
BUILDING HEIGHT (FEET)	
PRINCIPAL BUILDING	40
OUTBUILDING	40

Permitted Uses
ACCESSORY DWELLING UNIT
ADULT DAY CARE
ASSEMBLY HALL
CHILD CARE FACILITY
CHILD CARE HOME
CONSERVATION LOT
Conversion of Existing Dwelling to Accommodate not more than 2 units (4)
Dwelling, 2 Family
DWELLING, SINGLE FAMILY
EDUCATIONAL INSTITUTION, K-12
FARM ANIMALS FOR FAMILY USE, for non-commercial purposes, on lots containing a one or two family dwelling (5)
Funeral Parlor
OFFICE (6)
PUBLIC RECREATION
Public Utility (7)
ROOMING HOUSE



The PRINCIPAL BUILDING shall be distanced from the lot lines as shown.

SIGN Regulations	
Total SIGN No.	1
Maximum SIGN Area	16 sf*
* Cust. Home Occupation Sign Max 2 Sf a Development Identification sign may be 20 sf	
SETBACKS - FREESTANDING SIGN	
SIGN	10'
SIGN Type	Allowed
FREESTANDING	Yes
PROJECTING	Yes
WALL/Awning	No
TEMPORARY	No

Uses Via Special Exception (see 170-52 & OVER)
ASSISTED LIVING FACILITY
Beauty and barbershop
CONGREGATE CARE FACILITY
CONTINUING CARE COMMUNITY FACILITY
Conversion of Existing Dwelling to accommodate not more than 4 units
Dwelling, 3 to 4 Family
ELDERLY ASSISTED CARE HOME
GROUP HOME FOR MINORS
NURSING HOME
Retail Store

- [1] Refer to μμ 170-13 and 170-14 for exceptions to lot size, frontage and setback requirements.
- [2] All land containing wetlands shall not be counted in determining the gross land area of a lot for the purposes of minimum lot size or minimum density requirements for residential uses. The minimum non-wetland portion of any newly created lot shall be contiguous. For the purposes of this calculation, wetlands shall include areas that meet the definition of wetland in the NH Code of Administrative Rules – Wt. 101.87 and the 1987 Federal Manual For Identifying Jurisdictional Wetlands. [Amended 1-22-2003 by Ord. No. 35]. Wetland buffers shall only be allowed to count for 40 percent of the minimum lot size required.
- [3] The front setback and abut a street shall be calculated by determining the setbacks of all lots within the same zone located with 500 feet from the exterior lot lines of the original lot to be subdivided. *For new construction*, this dimension shall be considered to be a build to line, as opposed to a setback. *For expansions*, it will remain a setback. Regardless of the average, in no case shall the build to line be closer than five (5) feet to the front lotline.
- [4] Provided that the lot contains at least two thousand (2,000) square feet for each dwelling unit plus an additional five hundred (500) square feet for every bedroom contained in such multiunit residence. A maximum of four (4) units per lot is allowed.
- [5] Use is allowed on the portion of the lot that is behind the principal structure, provided the following standards are met: Chickens: No more than six (6) chickens and no roosters, with three (3) square feet of chicken coop and twenty (20) square feet of a fenced enclosure yard per chicken; all coops and enclosures shall be twenty (20) feet from any property line. Sheep or goats: one animal per 10,000 square feet of lot area, with a maximum of six (6) animals; ten (10) square feet of shelter and thirty (30) square feet of a fenced enclosure yard per animal; all shelters and enclosures shall be thirty (30) feet from any property line. [Amended 12-08-10 by Ord. No. 2010-10.27-13]
- [6] Permitted only if operated as a customary home occupation (Refer to definition in μ 170-6B)
- [7] The utility facility shall be appropriately fenced to protect the public. Landscaping materials shall be required to provide a visual screen from any structures and storage within. [Amended 10-28-88 by Ord. No. 18-88]

**SPECIAL EXCEPTION CRITERIA
ASSISTED LIVING FACILITY:**

- A. The facility shall be serviced by municipal sewer.
- B. The density per unit requirement is 2,500 square feet of lot area in the RM-U District.
- C. Parking lots and service areas are screened from abutting residential uses.
- D. The facility shall obtain a license from the State of New Hampshire.

Barber- and Beauty Shops

Barber- and beauty shops shall be subject to the following regulations:

- A. No more than one (1) operator's chair is permitted.
- B. No assistants are to be employed.
- C. All operators are to be members of the immediate family who reside in the home.
- D. All such uses shall conform to the regulations governing customary home occupations in 170-6B.

CONGREGATE CARE FACILITY. [Added 09-15-93 by Ord. No. 19-93]

Congregate Care Facility is allowed as a Special Exception in accordance with the density and provisions stated below:

- A. In the RM-U District at one unit per 2,500 sq. ft. of land;
- B. Provided that parking and service areas are screened from abutting residential uses.

CONTINUING CARE COMMUNITY FACILITY :

- A. The facility shall be serviced by municipal sewer.
- B. The density per unit requirement is 5,000 square feet of lot area in the R-20 District.
- C. Parking lots and service areas are screened from abutting resi-

dential uses.

- D. The facility shall obtain a license from the State of New Hampshire.

Dwelling, 3-4 Family. [Added 3-25-87 by Ord. No. 6-87]

Three- or four-family dwellings and conversions of existing dwellings to three (3) or four (4) units shall be subject to the following regulations:

- A. The specific site must have an amount of open space, either landscaped or left natural, at least equal to the average amount of open space on all developed lots in the RM-U District that are wholly or partly within two hundred (200) feet of the subject parcel. Existing parking areas, either gravel, paved or unpaved, shall not be considered to be open space.
- B. Off-street parking, in accordance with Chapter 149, Site Review, shall be provided as to avoid vehicles backing into the street. Two (2) parking spaces per unit shall be required.
- C. Parking lots shall be at least five (5) feet from a side property line and ten (10) feet from a front property line.
- D. Parking areas shall be screened from the street and from abutting lots.
- E. Structures shall be at least twenty (20) feet from a front property line, fifteen (15) feet from a rear property line and fifteen (15) feet from a side property line unless abutting a street, in which case, the distance from the side property line shall be twenty (20) feet.

ELDERLY ASSISTED CARE FACILITY. [Added 09-15-93 by Ord. No. 19-93]

Elderly Assisted Care Home is allowed by Special Exception in accordance with the densities and provisions stated below:

- A. Elderly Assisted Care Homes larger than 6 bedrooms shall meet the following density requirements: In the RM-U District at a density of one bedroom per 2,500 sq. ft.;
- B. Provided that parking and service areas are screened from abutting residential uses.
- C. Notwithstanding the above requirements, the maximum number of bedrooms and residents allowed in a facility may be increased provided the increase is found not to be detrimental to the surrounding properties and conforms with parking standards in Chapter 170-44 (Off Street Parking). Furthermore, any increase to an existing structure must be contained within or contiguous to the original structure. [Added 01-22-03 by Ord. No. 35-02]

GROUP HOME FOR MINORS [Added 09-01-93 by Ord. No. 20-93]

Group Home for Minors shall be subject to the following conditions:

- A. The group home site shall be compatible with abutting uses.
- B. The group home shall be located in areas of transitional land use or mixed land uses.
- C. Parking and service areas shall be screened from abutting residential uses, unless the abutter chooses to not want said screening.
- D. Open space shall be maintained on the property in an amount comparable to the neighborhood.
- E. The planned occupancy of the group home shall be compatible with the permitted density of the surrounding neighborhood.

NURSING HOME. [Added 09-15-93 by Ord. No. 19-93]

Nursing Home is allowed as a Special Exception in accordance with the density and provisions stated below:

- A. In the RM-U District at one unit per 2,000 sq. ft. of land;
- B. Provided that parking and service areas are screened from abutting residential uses.

Retail Store [Added 12-08-10 by Ord. No. 2010-10.27-13]

A Retail Store shall be subject to the following regulations:

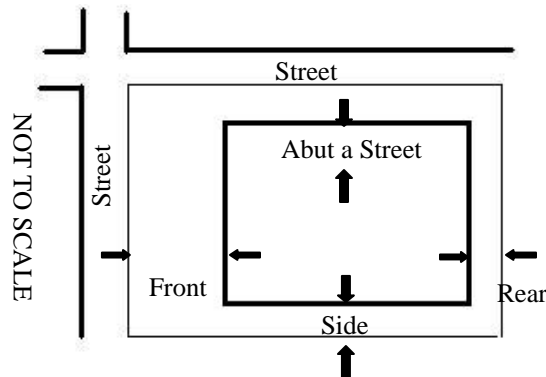
- A. The store shall contribute to a NEIGHBORHOOD feel and be pedestrian friendly.
- B. The store shall be no larger than 2,000 square feet.
- C. No more than half of the required parking necessary shall be on-site parking, which shall be screened from abutting residential LOTS.
- D. Any loading or unloading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

Neighborhood Business (B-1) District

The information included in this Table represents the requirements for development in this District.

LOT OCCUPATION (1)	
Min. LOT Size (2)	10,000 sf
FRONTAGE (feet)	100 ft
LOT Coverage	50%
SETBACKS - PRINCIPAL BUILDING (FEET)	
Front/ Abut a Street	15
Side	10
Rear	15
OUTBUILDING/ACCESSORY USE SETBACKS (FEET)	
Front/ Abut a Street	15
Side SETBACK	10
Rear SETBACK	10
BUILDING HEIGHT (FEET)	
PRINCIPAL BUILDING	40
OUTBUILDING	40

Permitted Uses
ACCESSORY DWELLING UNIT
ASSEMBLY HALL
Bank
Barber and Beauty Shop
BED AND BREAKFAST
CHILD CARE FACILITY
CHILD CARE HOME
DWELLING, SINGLE FAMILY
Eating and Drinking Establishment (7)
EDUCATIONAL INSTITUTION, POST SECONDARY
FARM ANIMALS FOR FAMILY USE, for non-commercial purposes, on lots containing a one or two family dwelling (8)
OFFICE
PERSONAL SERVICE ESTABLISHMENT
Public Utility (9)
Retail Store



The PRINCIPAL BUILDING shall be distanced from the lot lines as shown.

SIGN Regulations	
Total SIGN No.	1
Maximum SIGN Area	(3)
Total SIGN # is per tenancy, and is for lot (excluding development identification signs)	
SETBACKS - FREESTANDING SIGN	
Building	20'
SIGN Type Allowed	
FREESTANDING	(4)
PROJECTING	(5)
WALL/Awning	(6)
TEMPORARY	No

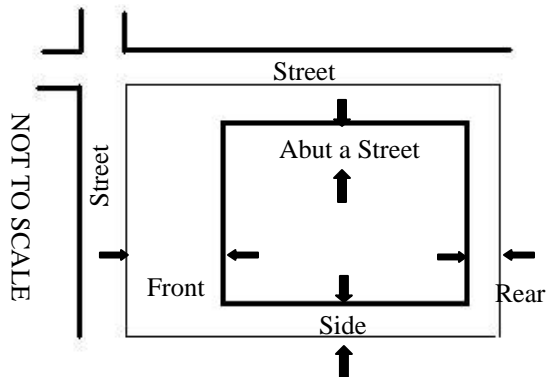
- [1] Refer to §§ 170-13 and 170-14 for exceptions to lot size, frontage and setback requirements.
- [2] All land containing wetlands shall not be counted in determining the gross land area of a lot for the purposes of minimum lot size or minimum density requirements for residential uses. The minimum non-wetland portion of any newly created lot shall be contiguous. For the purposes of this calculation, wetlands shall include areas that meet the definition of wetland in the NH Code of Administrative Rules – Wt. 101.87 and the 1987 Federal Manual For Identifying Jurisdictional Wetlands. [Amended 1-22-2003 by Ord. No. 35]. Wetland buffers shall only be allowed to count for 40 percent of the minimum lot size required.
- [3] 1sf of sign area for each 3' of lineal business frontage. Max. height is 16' or to the bottom of the sills of the first level of windows above the first floor, whichever is lowest.
- [4] Max. height sixteen (16) feet in height or twelve (12) square feet in area, regardless of the number of individual tenants within the building
- [5] Max. size: 8sf.
- [6] Max. size: 16sf.
- [7] If fully enclosed with no drive-in service.
- [8] Use is allowed on the portion of the lot that is behind the principal structure, provided the following standards are met: Chickens: No more than six (6) chickens and no roosters, with three (3) square feet of chicken coop and twenty (20) square feet of a fenced enclosure yard per chicken; all coops and enclosures shall be twenty (20) feet from any property line. Sheep or goats: one animal per 10,000 square feet of lot area, with a maximum of six (6) animals; ten (10) square feet of shelter and thirty (30) square feet of a fenced enclosure yard per animal; all shelters and enclosures shall be thirty (30) feet from any property line . [Amended 12-08-10 by Ord. No. 2010-10.27-13]
- [9] The utility facility shall be appropriately fenced to protect the public. Landscaping materials shall be required to provide a visual screen from any structures and storage within. [Amended 10-28-88 by Ord. No. 18-88]

Hotel/Retail District (B-4) District

The information included in this Table represents the requirements for development in this District.

LOT OCCUPATION (1)	
Min. LOT Size (2)	5 Acres
FRONTAGE (feet)	400 ft
LOT Coverage	33% (3)
SETBACKS - PRINCIPAL BUILDING (FEET) (4)	
Front/ Abut a Street	50
Side	75
Rear	75
OUTBUILDING/ACCESSORY USE SETBACKS (FEET)*	
Front SETBACK	75
Side SETBACK	10
Rear SETBACK	10
Abut-a-street SETBACK	75
BUILDING HEIGHT (FEET)	
PRINCIPAL BUILDING	55
OUTBUILDING	55

* Parking areas shall be set back at least twenty-five (20) feet from property lines. [Added 7-8-87 by Ord. No. 15-87]



The PRINCIPAL BUILDING shall be distanced from the lot lines as shown.

SIGN Regulations	
Total SIGN No.	2
Maximum SIGN Area	(5)
Total SIGN # is per tenancy, and is for lot (excluding development identification signs)	
SETBACKS - FREESTANDING SIGN	
Building	0'
SIGN Type Allowed	
FREESTANDING	(6)
PROJECTING	No
WALL/Awning	(7)
TEMPORARY	No

Permitted Uses
Bank
CHILD CARE FACILITY
COMMERCIAL PARKING FACILITY
COMMERCIAL RECREATION FACILITY
Drive In Theater
Eating and Drinking Establishment (8)
EDUCATIONAL INSTITUTION POST SECONDARY
FARM
HOTEL/MOTEL
Liquor Store
OFFICE
PERSONAL SERVICE ESTABLISHMENT
PUBLISHING FACILITY
Retail Sale of Agricultural or Farm Products Raised on Site
Retail Store
Theater
Veterinary Office, Animal Hospital or KENNEL

Uses Via Special Exception (see 170-52 & OVER)
Helicopter Take Offs & Landings

- [1] Refer to §§ 170-13 and 170-14 for exceptions to lot size, frontage and setback requirements.
- [2] All land containing wetlands shall not be counted in determining the gross land area of a lot for the purposes of minimum lot size or minimum density requirements for residential uses. The minimum non-wetland portion of any newly created lot shall be contiguous. For the purposes of this calculation, wetlands shall include areas that meet the definition of wetland in the NH Code of Administrative Rules – Wt. 101.87 and the 1987 Federal Manual For Identifying Jurisdictional Wetlands. [Amended 1-22-2003 by Ord. No. 35]. Wetland buffers shall only be allowed to count for 40 percent of the minimum lot size required.
- [3] At least thirty-three percent (33%) of the site shall be maintained as open space, either landscaped or left natural. A maximum of thirty-three percent (33%) of the site can be covered by buildings [Added 10-26-88 by Ord. No. 18-88]
- [4] Buildings shall be at least one hundred fifty (150) feet from all residential structures that exist on the date of enactment of the B-4 Zoning District. A continuous visual buffer of either vegetation or fencing shall separate buildings from these existing residential structures. [Added 10-26-88 by Ord. No. 18- 88]
- [5] 1sf of sign area for each lineal foot of business frontage. See regulations for businesses bordering the Spaulding Tpk
- [6] Max. size: 60sf Max. height is 16'. One Sign per side of frontage. Freestanding signs shall be located on low planter walls or be monument signs. Signs shall be designed and located to be visible from both pedestrian and vehicular areas, and shall should be designed to further the design theme of the building and be consistent with any sign package. Paint sign backgrounds and sign cabinets to complement building colors.
- [7] Provide building signage that is proportional to the SCALE of the tenant façade. Signs should be designed to further the design theme of the building and be consistent with any sign package. Paint sign backgrounds and sign cabinets to complement building colors.
- [8] If fully enclosed with no drive-in service.

SPECIAL EXCEPTION CRITERIA

Helicopter Take offs and Landings

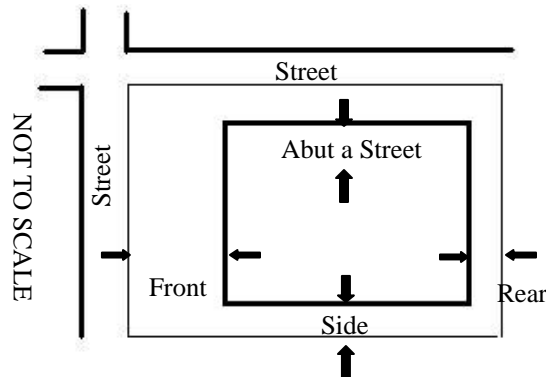
Helicopter take offs and landings are allowed as a special exception subject to the following conditions:

- A. There shall be a distance of one thousand (1,000) feet between any existing residential structure and any proposed helicopter landing pad.
- B. Except in the case of an emergency, no helicopter take offs or landings shall occur between the hours of 9:00 p.m. and 7:00 a.m.
- C. The facility shall be accessory to the principal use located on the lot.
- D. All facilities shall be located and designed so that the operation thereof will not adversely affect adjacent residential areas, particularly with respect to noise levels.
- E. The conditions for granting a Special Exception, contained in Chapter 170-52-C(3), must also be satisfied

Restricted Industrial (I-1) District

The information included in this Table represents the requirements for development in this District.

LOT OCCUPATION (1)	
Min. LOT Size (2)	40,000
FRONTAGE (feet)	150 ft
LOT Coverage	50%
SETBACKS - PRINCIPAL BUILDING (FEET)	
Front/Abut a Street	50
Side	15
Rear	25
OUTBUILDING/ACCESSORY USE SETBACKS (FEET)	
Front SETBACK	50
Side SETBACK	10
Rear SETBACK	10
Abut-a-street SETBACK	50
BUILDING HEIGHT (FEET)	
PRINCIPAL BUILDING	50 (3)
OUTBUILDING	40



The PRINCIPAL BUILDING shall be distanced from the lot lines as shown.

SIGN Regulations	
Total SIGN No.	2
Maximum SIGN Area	(4)
Total SIGN # is per tenancy, and is for lot (excluding development identification signs)	
SETBACKS - FREESTAND-	
Building	35'
SIGN Type	
FREESTANDING	(5)
PROJECTING	Yes
WALL/Awning	Yes
TEMPORARY	No

Permitted Uses (6)
CHILD CARE FACILITY
COMMERCIAL PARKING FACILITY
Establishments for the manufacture assembly, services and repair of the products listed below: <ul style="list-style-type: none"> • Drugs • Office, computing and accounting machines • Radio and television receiving equipment • Communication equipment • Electronic components and Engineering, laboratory, scientific and research instruments and associated equipment • Measuring and controlling instruments • Optical instruments and lenses • Surgical, medical and dental instruments and supplies • Photographic equipment and supplies • Electrotherapeutic, electro-medical and X-ray apparatus
FARM
Fuel, Oil, or Gas Storage
Helicopter Take Offs & Landings (8)
HOTEL/MOTEL
Industry
Liquor Store
New Car Sales
OFFICE
Open Storage (7)
PERSONAL SERVICE ESTABLISHMENT
PUBLIC RECREATION
Public Utility
PUBLISHING FACILITY
Retail Sale of Agricultural or Farm Products Raised on Site
Trucking Terminal
Veterinary Office, Animal Hospital or KENNEL
WAREHOUSING
WHOLESALE

Uses Via Special Exception (see 170-52 & OVER)
AUTO SERVICE
VEHICLE REFUELING AND RECHARGING STATION

SEE PAGE 2 FOR FOOTNOTES

- [1] Refer to §§ 170-13 and 170-14 for exceptions to lot size, frontage and setback requirements.
- [2] All land containing wetlands shall not be counted in determining the gross land area of a lot for the purposes of minimum lot size or minimum density requirements for residential uses. The minimum non-wetland portion of any newly created lot shall be contiguous. For the purposes of this calculation, wetlands shall include areas that meet the definition of wetland in the NH Code of Administrative Rules – Wt. 101.87 and the 1987 Federal Manual For Identifying Jurisdictional Wetlands. [Amended 1-22-2003 by Ord. No. 35]. Wetland buffers shall only be allowed to count for 40 percent of the minimum lot size required.
- [3] The maximum building heights may be increased to seventy-five (75') feet in the Industrial Districts provided the following conditions are met:
 - A. The additional building height above fifty (50') feet is necessary to meet an industrial function;
 - B. The building is located a minimum of 150 feet from a Residential District, and;
 - C. The Planning Board has granted preliminary approval to the development proposal containing the taller building.
 - D. The building is for a use permitted in the I-1, I-2 or I-4 Zones. [Amended 09-16-92 by Ord. No. 23-92]
- 4. 1sf of sign area for each 100sf of leased space. If less than 700 sf of leased space, then 6sf max
- 5. Max. size: 100sf. Max. height 30'
- 6. See 170-19 Flexible Zoning in the I-1 District, for more uses
- 7. Provided that safety precautions be implemented so to prevent the endangerment of people and property adjacent to said storage. Screening, of at least six (6) feet in height, of all open storage shall be accomplished through use of a fence, wall or vegetal (evergreens) material.
- [8] Helicopter take offs and landings are allowed subject to the following conditions:
 - A. There shall be a distance of one thousand (1,000) feet between any existing residential structure and any proposed helicopter landing pad.
 - B. Except in the case of an emergency, no helicopter take offs or landings shall occur between the hours of 9:00 p.m. and 7:00 a.m.
 - C. The facility shall be accessory to the principal use located on the lot.
 - D. All facilities shall be located and designed so that the operation thereof will not adversely affect adjacent residential areas, particularly with respect to noise levels.

SPECIAL EXCEPTION CRITERIA

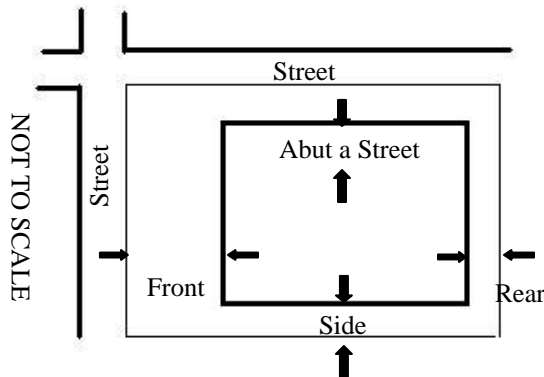
VEHICLE REFUELING AND RECHARGING and AUTO SERVICE STATIONS.

- A. The use of land for a VEHICLE REFUELING AND RECHARGING and AUTO SERVICE STATION may only be permitted upon the determination that the property values of adjacent land will not be compromised. Any VEHICLE REFUELING AND RECHARGING and AUTO SERVICE STATION which discontinues operations for a period in excess of ninety (90) days shall be required to file a new application for a special exception with the Zoning Board of Adjustment. Such conditions may include but need not be limited to the provision of adequate and properly maintained screening around land so used.
- B. The minimum lot size shall be sixty thousand (60,000) square feet, the minimum lot width shall be one hundred fifty (150) feet. Twenty-five percent (25%) of the subject parcel shall be open/green space. The total permitted sign area shall not exceed one hundred (100) square feet.

Rural Restricted Industrial (I-2) District

The information included in this Table represents the requirements for development in this District.

LOT OCCUPATION (1)	
Min. LOT Size (2)	20,000
FRONTAGE (feet)	100 ft
LOT Coverage	50%
SETBACKS - PRINCIPAL BUILDING (FEET)	
Front/Abut a Street	35 (3)
Side	10
Rear	10
OUTBUILDING/ACCESSORY USE SETBACKS (FEET)	
Front SETBACK	35
Side SETBACK	10
Rear SETBACK	10
Abut-a-street SETBACK	35
BUILDING HEIGHT (FEET)	
PRINCIPAL BUILDING	50 (4)
OUTBUILDING	40



The PRINCIPAL BUILDING shall be distanced from the lot lines as shown.

SIGN Regulations	
Total SIGN No.	2
Maximum SIGN Area	(5)
Total SIGN # is per tenancy, and is for lot (excluding development identification signs)	
SETBACKS - FREESTAND-	
Building	35'
SIGN Type	
FREESTANDING	(6)
PROJECT	Yes
WALL/Awning	Yes
TEMPORARY	No

Permitted Uses
CHILD CARE FACILITY
Clinic
COMMERCIAL PARKING FACILITY
COMMERCIAL RECREATION
Eating and Drinking Establishment (7)
EDUCATIONAL INSTITUTION, POST-SECONDARY
Establishments for the manufacture assembly, services and repair of the products listed below:
<ul style="list-style-type: none"> • Drugs • Office, computing and accounting machines • Radio and television receiving equipment Communication equipment • Electronic components and Engineering, laboratory, scientific and research instruments and associated equipment • Measuring and controlling instruments • Optical instruments and lenses • Surgical, medical and dental instruments and supplies • Photographic equipment and supplies • Electrotherapeutic, electro-medical and X-ray apparatus
FARM (8)
Fuel, Oil, or Gas Storage
Helicopter Take Offs & Landings (9)
HOTEL/MOTEL
Industry
LIGHT INDUSTRY
Liquor Store
New Car Sales
OFFICE
Open Storage (10)
PERSONAL SERVICE ESTABLISHMENT
Public Utility
PUBLISHING FACILITY
Retail Sale of Agricultural or Farm Products Raised on Site
Trucking Terminal
WAREHOUSING
WHOLESALING
Uses Via Special Exception (see 170-52 & OVER)
AUTO SERVICE
VEHICLE REFUELING AND RECHARGING STATION

SEE PAGE 2 FOR FOOTNOTES

- [1] Refer to §§ 170-13 and 170-14 for exceptions to lot size, frontage and setback requirements.
- [2] All land containing wetlands shall not be counted in determining the gross land area of a lot for the purposes of minimum lot size or minimum density requirements for residential uses. The minimum non-wetland portion of any newly created lot shall be contiguous. For the purposes of this calculation, wetlands shall include areas that meet the definition of wetland in the NH Code of Administrative Rules – Wt. 101.87 and the 1987 Federal Manual For Identifying Jurisdictional Wetlands. [Amended 1-22-2003 by Ord. No. 35]. Wetland buffers shall only be allowed to count for 40 percent of the minimum lot size required.
- [3] Except where parcels front Littleworth and Knox Marsh Roads, the front setback shall be 50 feet
- [4] The maximum building heights may be increased to seventy-five (75') feet in the Industrial Districts provided the following conditions are met:
 - A. The additional building height above fifty (50') feet is necessary to meet an industrial function;
 - B. The building is located a minimum of 150 feet from a Residential District, and;
 - C. The Planning Board has granted preliminary approval to the development proposal containing the taller building.
 - D. The building is for a use permitted in the I-1, I-2 or I-4 Zones. [Amended 09-16-92 by Ord. No. 23-92]
- [5] 1sf of sign area for each 100sf of leased space. If less than 700 sf of leased space, then 6sf max
- [6] Max. size: 100sf. Max. height 30'
- [7] If the eating and drinking establishment has drive-in services, said service shall be setback either 50' from a residential abutting lot line, or 100' from the abutting residential structure whichever is greater. [Added 1-22-2003 by Ord. No. 35].
- [8] Shall not include the raising and sale of FARM ANIMALS; the breeding, boarding, and training of equines, and equine riding instruction; the commercial raising, harvesting, and sale of fresh water fish or other aquaculture products; and/or the breeding of poultry or game birds.
- [9] Helicopter take offs and landings are allowed subject to the following conditions:
 - A. There shall be a distance of one thousand (1,000) feet between any existing residential structure and any proposed helicopter landing pad.
 - B. Except in the case of an emergency, no helicopter take offs or landings shall occur between the hours of 9:00 p.m. and 7:00 a.m.
 - C. The facility shall be accessory to the principal use located on the lot.
 - D. All facilities shall be located and designed so that the operation thereof will not adversely affect adjacent residential areas, particularly with respect to noise levels.
- [9] Provided that safety precautions be implemented so to prevent the endangerment of people and property adjacent to said storage. Screening, of at least six (6) feet in height, of all open storage shall be accomplished through use of a fence, wall or vegetal (evergreens) material.

SPECIAL EXCEPTION CRITERIA

VEHICLE REFUELING AND RECHARGING and AUTO SERVICE STATIONS.

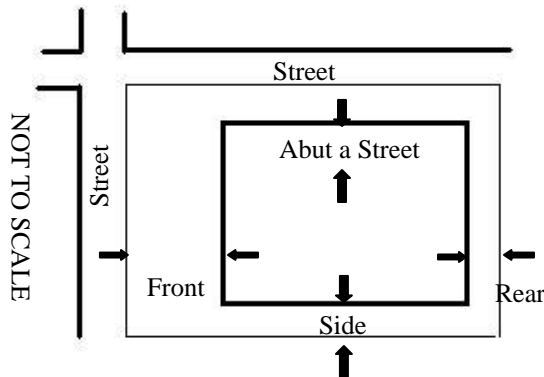
- A. The use of land for a VEHICLE REFUELING AND RECHARGING and AUTO SERVICE STATION may only be permitted upon the determination that the property values of adjacent land will not be compromised. Any VEHICLE REFUELING AND RECHARGING and AUTO SERVICE STATION which discontinues operations for a period in excess of ninety (90) days shall be required to file a new application for a special exception with the Zoning Board of Adjustment. Such conditions may include but need not be limited to the provision of adequate and properly maintained screening around land so used.
- B. The minimum lot size shall be sixty thousand (60,000) square feet, the minimum lot width shall be one hundred fifty (150) feet. Twenty-five percent (25%) of the subject parcel shall be open/green space. The total permitted sign area shall not exceed one hundred (100) square feet.

Assembly and Office (I-4) District

The information included in this Table represents the requirements for development in this District.

LOT OCCUPATION (1)	
Min. LOT Size (2)	5 Acres
FRONTAGE (feet)	400 ft
LOT Coverage	33% (3)
SETBACKS - PRINCIPAL BUILDING (FEET) (4)	
Front/ Abut a Street	75
Side	75
Rear	75
OUTBUILDING/ACCESSORY USE SETBACKS (FEET)*	
Front SETBACK	75
Side SETBACK	10
Rear SETBACK	10
Abut-a-street SETBACK	75
BUILDING HEIGHT (FEET)	
PRINCIPAL BUILDING	40 (5)
OUTBUILDING	55

* Parking areas shall be set back at least twenty-five (25) feet from property lines. [Added 7-8-87 by Ord. No. 15-87]



The PRINCIPAL BUILDING shall be distanced from the lot lines as shown.

SIGN Regulations	
Total SIGN No.	2
Maximum SIGN Area	(6)
Total SIGN # is per tenancy, and is for lot (excluding development identification signs)	
SETBACKS - FREESTANDING SIGN	
Building	35'
SIGN Type	
FREESTANDING	(7)
PROJECTING	Yes
WALL/Awning	Yes
TEMPORARY	No

Permitted Uses
CHILD CARE FACILITY
Computer and data processing
Establishments for the manufacture assembly, services and repair of the products listed below:
<ul style="list-style-type: none"> • Drugs • Office, computing and accounting machines • Radio and television receiving equipment Communication equipment • Electronic components and Engineering, laboratory, scientific and research instruments and associated equipment • Measuring and controlling instruments • Optical instruments and lenses • Surgical, medical and dental instruments and supplies • Photographic equipment and supplies • Electrotherapeutic, electro-medical and X-ray apparatus
EXCAVATION
FARM (8)
Helicopter Take Offs & Landings (9)
Laboratories (scientific, medical chemical) and testing facilities devoted to experimental production, research, product development or similar activity
OFFICE
Public Utility (10)
PUBLISHING FACILITY
Retail Sale of Agricultural or Farm Products Raised on Site
Veterinary Office, Animal Hospital or KENNEL (11)
WAREHOUSING
WHOLESALE

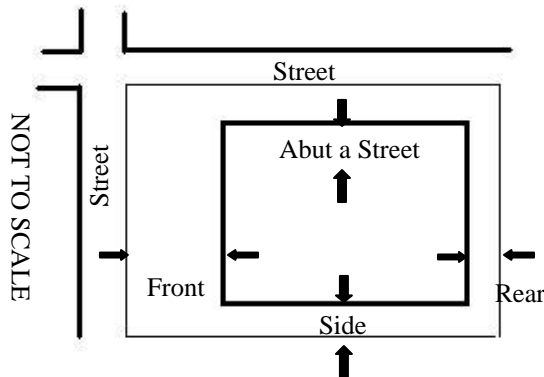
- [1] Refer to §§ 170-13 and 170-14 for exceptions to lot size, frontage and setback requirements.
- [2] All land containing wetlands shall not be counted in determining the gross land area of a lot for the purposes of minimum lot size or minimum density requirements for residential uses. The minimum non-wetland portion of any newly created lot shall be contiguous. For the purposes of this calculation, wetlands shall include areas that meet the definition of wetland in the NH Code of Administrative Rules – Wt. 101.87 and the 1987 Federal Manual For Identifying Jurisdictional Wetlands. [Amended 1-22-2003 by Ord. No. 35]. Wetland buffers shall only be allowed to count for 40 percent of the minimum lot size required.
- [3] At least thirty-three percent (33%) of the site shall be maintained as open space, either landscaped or left natural. A maximum of thirty-three percent (33%) of the site can be covered by buildings [Added 10-26-88 by Ord. No. 18-88]
- [4] Buildings shall be at least one hundred fifty (150) feet from all residential structures that exist on the date of enactment of the B-4 Zoning District. A continuous visual buffer of either vegetation or fencing shall separate buildings from these existing residential structures. [Added 10-26-88 by Ord. No. 18- 88]
- [5] The maximum building heights may be increased to seventy- five (75') feet in the Industrial Districts provided the following conditions are met:
 - A. The additional building height above fifty (50') feet is necessary to meet an industrial function;
 - B. The building is located a minimum of 150 feet from a Residential District, and;
 - C. The Planning Board has granted preliminary approval to the development proposal containing the taller building.
 - D. The building is for a use permitted in the I-1, I-2 or I-4 Zones. [Amended 09-16-92 by Ord. No. 23-92]
- [6] 1sf of sign area for each lineal foot of business frontage. See regulations for businesses bordering the Spaulding Tpk
- [7] Max. size: 100sf. Max. height 30'
- [8] Where FARM ANIMALS are raised and boarded, shelters to house said animals shall not be less than one hundred (100) feet from any property boundary
- [9] Helicopter take offs and landings are allowed subject to the following conditions:
 - A. There shall be a distance of one thousand (1,000) feet between any existing residential structure and any proposed helicopter landing pad.
 - B. Except in the case of an emergency, no helicopter take offs or landings shall occur between the hours of 9:00 p.m. and 7:00 a.m.
 - C. The facility shall be accessory to the principal use located on the lot.
 - D. All facilities shall be located and designed so that the operation thereof will not adversely affect adjacent residential areas, particularly with respect to noise levels.
- [10] The utility facility shall be appropriately fenced to protect the public. Landscaping materials shall be required to provide a visual screen from any structures and storage within. [Amended 10-28-88 by Ord. No. 18-88]
- [11] Shelters and runs used to house and/or contain animals shall be no closer than one hundred (100) feet from any property line and must support a minimum tract size of one hundred thousand (100,000) square feet. [Amended 8-1-90 by Ord. 8-90]

Executive Technology Park (ETP) District

The information included in this Table represents the requirements for development in this District.

LOT OCCUPATION (1)	
Min. Lot Size (2) (3)	3 Acres
Frontage (feet)	0 ft
Lot Coverage	33% (4)
SETBACKS - PRINCIPAL BUILDING (FEET) (5)	
Front/ Abut a Street	50
Side	50 (6)
Rear	50 (6)
OUTBUILDING/ACCESSORY USE SETBACKS (FEET) (7)*	
Front Setback	50
Side Setback	10
Rear Setback	10
Abut-a-street Setback	50
BUILDING HEIGHT (FEET)	
Principal Building	55
Outbuilding	55

* Parking areas shall be set back at least twenty-five (25) feet from property lines. [Added 7-8-87 by Ord. No. 15-87]



The PRINCIPAL BUILDING shall be distanced from the lot lines as shown.

SIGN Regulations	
Total SIGN No.	2
Maximum SIGN Area	(8)
Total SIGN # is per tenancy, and is for lot (excluding development identification signs)	
SETBACKS - FREESTANDING SIGN	
Building	0'
SIGN Type Allowed	
FREESTANDING	(9)
PROJECTING	No
WALL/Awning	Yes
TEMPORARY	No

Permitted Uses (10, 11, 12, 13, 14, 15, 16)
CHILD CARE FACILITIES
Computer and data processing
EDUCATIONAL INSTITUTION, POST-SECONDARY
Establishments for the manufacture assembly, services and repair of the products listed below:
<ul style="list-style-type: none"> • Drugs • Office, computing and accounting machines • Radio and television receiving equipment Communication equipment • Electronic components and Engineering, laboratory, scientific and research instruments and associated equipment • Measuring and controlling instruments • Optical instruments and lenses • Surgical, medical and dental instruments and supplies • Photographic equipment and supplies • Electrotherapeutic, electro-medical and X-ray apparatus
FARM (17)
Helicopter Take Offs & Landings (18)
Laboratories (scientific, medical chemical) and testing facilities devoted to experimental production, research, product development or similar activity
OFFICE
Other (19)
PUBLISHING FACILITY
Research Institutes
Retail Sale of Agricultural products Raised on Site
Veterinary Office, Animal Hospital or KENNEL (20)

- [1] Refer to §§ 170-13 and 170-14 for exceptions to lot size, frontage and setback requirements.
- [2] All land containing wetlands shall not be counted in determining the gross land area of a lot for the purposes of minimum lot size or minimum density requirements for residential uses. The minimum non-wetland portion of any newly created lot shall be contiguous. For the purposes of this calculation, wetlands shall include areas that meet the definition of wetland in the NH Code of Administrative Rules – Wt. 101.87 and the 1987 Federal Manual For Identifying Jurisdictional Wetlands. [Amended 1-22-2003 by Ord. No. 35]. Wetland buffers shall only be allowed to count for 40 percent of the minimum lot size required.
- [3] Parcels greater than four hundred seventy-five thousand six hundred (475,600) square feet in area that contain a residential structure as of the public hearing posting date of this chapter may be subdivided one (1) time in such a manner as to separate the residential structure from the remaining vacant property. At least forty thousand (40,000) square feet of land area shall remain with the structure. [Added 7-8-87 by Ord. No. 15.]
- [4] At least thirty-three percent (33%) of the site shall be maintained as open space, either landscaped or left natural.
- [5] All new buildings shall be setback a minimum of one hundred (100) feet from Sixth Street, County Farm Road and Watson Road, and from all residential structures existing at the date of enactment of this amendment. All new parking lots shall be setback a minimum of fifty (50) feet from Sixth Street, County Farm Road and Watson Road, and from all residential structures existing at the date of enactment of this amendment. The building and parking lot setbacks. From residential structures shall not apply to existing residential structures located on the same lot as the proposed building. [Added by Ord. No. 6-05-13-98]
- [6] The building setback may be reduced to thirty-five (35) feet if a continuous visual buffer of vegetation is installed and maintained within the reduced setback area. [Added by Ord. No. 6-05/13/98]
- [7] Structures shall be separated by a distance at least equal to the height of the taller structure. [Added 7-8-87 by Ord. No. 15-87]
- [8] 1sf of sign area for each lineal foot of business frontage. See regulations for businesses bordering the Spaulding Tpk
- [9] Max. size: 60sf Max. height is 16'. One Sign per side of frontage
- [10] A minimum of ten percent (10%) of the land contained within the perimeter of parking lots shall be landscaped and maintained as permanent open spaces.
- [11] Parking areas shall be screened from public streets and existing residential uses so as to minimize the visibility of such areas. Screening may consist of vegetation, earth berms, fencing or any combination of the above.
- [12] A landscaping plan shall be submitted as part of the development application. The landscaping plan shall depict a scheme that creates a park-like setting. Maintenance of existing vegetation may be incorporated in the landscaping plan when appropriate.

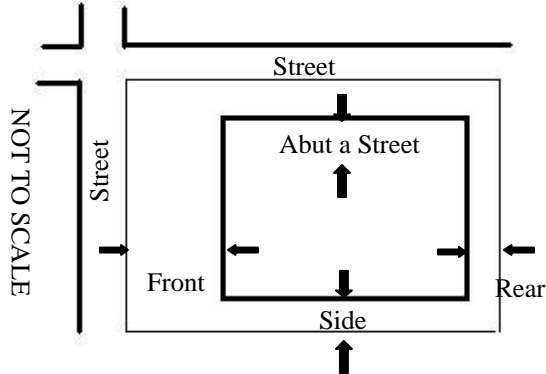
- [13] Exterior lighting shall be low profile. High-intensity directional lighting shall be prohibited. Lighting shall be designed and oriented so as to avoid glare onto adjacent property or streets.
- [14] The allowed activities shall not be obnoxious or offensive by reason of emission of dust, odor, smoke, gas, noise or similar cause. Prior to site plan approval, the applicant shall submit evidence to the Planning Board identifying waste products to be generated by on-site activities. A plan for removal of the waste shall be approved by the Planning Board. Developments that will use, store or generate hazardous chemicals shall identify such chemicals prior to site plan approval. A plan for storage and use of hazardous chemicals shall be approved by the Planning Board. Plans pertaining to waste or hazardous chemicals shall verify compliance with applicable federal, state and local regulations.
- [15] A residential structure located within the Executive and Technology Park Zone and existing prior to the posting date of this amendment may be increased up to twenty percent (20%) of the gross floor area of habitable space. New dwelling units shall not be allowed. Furthermore, customary accessory structures shall be allowed within the Executive and Technology Park Zone, but must remain within seventy-five (75) feet of the nonconforming residential structure.
- [16] Development within the ETP District shall conform to design standards contained in Chapter 149, entitled Site Review, Chapter 149-14.1.[Amended 5-13-98 by Ord. No. 6]
- [6] Where FARM ANIMALS are raised and boarded, shelters to house said animals shall not be less than one hundred (100) feet from any property boundary
- [1] Helicopter take offs and landings are allowed subject to the following conditions:
 - A. There shall be a distance of one thousand (1,000) feet between any existing residential structure and any proposed helicopter landing pad.
 - B. Except in the case of an emergency, no helicopter take offs or landings shall occur between the hours of 9:00 p.m. and 7:00 a.m.
 - C. The facility shall be accessory to the principal use located on the lot.
 - D. All facilities shall be located and designed so that the operation thereof will not adversely affect adjacent residential areas, particularly with respect to noise levels.
- [19] Uses that are accessory and complimentary to the principal use. Such uses and related structures shall be designed and operated to serve only the principal use and not be designed and operated so as to serve the general public.
- [20] Shelters and runs used to house and/or contain animals shall be no closer than one hundred (100) feet from any property line and must support a minimum tract size of one hundred thousand (100,000) square feet. [Amended 8-1-90 by Ord. 8-90]

Office (O) District

The information included in this Table represents the requirements for development in this District.

LOT OCCUPATION (1)	
Min. LOT Size (2)	10,000 sf
FRONTAGE (feet)	100 ft
LOT Coverage	50%
SETBACKS - PRINCIPAL BUILDING (FEET)	
Front/ Abut a Street	12
Side	10
Rear	15
OUTBUILDING/ACCESSORY USE SETBACKS (FEET)	
Front SETBACK	12
Side SETBACK	10
Rear SETBACK	10
Abut-a-street SETBACK	12
BUILDING HEIGHT (FEET)	
PRINCIPAL BUILDING	45
OUTBUILDING	40

Permitted Uses
ADULT DAY CARE
ASSEMBLY HALL
Bank
BED and BREAKFAST
CHILD CARE FACILITY
Clinic
CONGREGATE CARE (5)
Dwelling, 2 Family
Dwelling, 3-4 Family (6)
DWELLING, SINGLE FAMILY
EDUCATIONAL INSITUTION, POST SECONDARY
EDUCATIONAL INSITUTION, K-12
FARM ANIMALS FOR FAMILY USE, for non-commercial purposes, on lots containing a one or two family dwelling (7)
Funeral Parlor
NURSING HOME (5)
OFFICE
PUBLIC RECREATION
Public Utility (8)
ROOMING HOUSE



The PRINCIPAL STRUCTURE shall be distanced from the lot lines as shown.

Uses Via Conditional Use Permit (see OVER)
Eating and Drinking Establishment
Retail Store

SIGN Regulations	
Total SIGN No.	1
Maximum SIGN Area	12 sf*
Total SIGN # is per tenancy, and is for lot (excluding development identification signs)	
SETBACKS - FREESTANDING SIGN	
Building	20'
SIGN Type Allowed	
FREESTANDING	(3)
PROJECTING	No
WALL/Awning	(4)
TEMPORARY	No

Uses Via Special Exception (see 170-52 & OVER)
ASSISTED LIVING FACILITY
CONTINUING CARE COMMUNITY FACILITY
ELDERLY ASSISTED CARE
GROUP HOME FOR MINORS

- [1] Refer to §§ 170-13 and 170-14 for exceptions to lot size, frontage and setback requirements.
- [2] All land containing wetlands shall not be counted in determining the gross land area of a lot for the purposes of minimum lot size or minimum density requirements for residential uses. The minimum non-wetland portion of any newly created lot shall be contiguous. For the purposes of this calculation, wetlands shall include areas that meet the definition of wetland in the NH Code of Administrative Rules – Wt. 101.87 and the 1987 Federal Manual For Identifying Jurisdictional Wetlands. [Amended 1-22-2003 by Ord. No. 35]. Wetland buffers shall only be allowed to count for 40 percent of the minimum lot size required.
- [3] If multiple tenants, maximum size: 4sf/tenant. Max. height: 8'
- [4] Max. height is 16' above ground elevation, or to bottom of the sills of the first level of windows above the first floor, whichever is lowest.
- [5] A Congregate Care Facility shall require a minimum lot size of 1,000 sq. ft. per unit, and a Nursing Home Facility shall require a minimum lot size of 1,000 sq.ft. per bedroom. [Amended 09-15-93 by Ord. No. 19-93]
- [6] Provided that the lot contain at least five thousand (5,000) square feet for each dwelling unit. Dwelling units are allowed only in the second story or higher of a newly constructed structure. Amended 8/13/08 by Ord. No 2008.07.23-9]
- [7] Use is allowed on the portion of the lot that is behind the principal structure, provided the following standards are met: Chickens: No more than six (6) chickens and no roosters, with three (3) square feet of chicken coop and twenty (20) square feet of a fenced enclosure yard per chicken; all coops and enclosures shall be twenty (20) feet from any property line. Sheep or goats: one animal per 10,000 square feet of lot area, with a maximum of six (6) animals; ten (10) square feet of shelter and thirty (30) square feet of a fenced enclosure yard per animal; all shelters and enclosures shall be thirty (30) feet from any property line . [Amended 12-08-10 by Ord. No. 2010-10.27-13]
- [9] The utility facility shall be appropriately fenced to protect the public. Landscaping materials shall be required to provide a visual screen from any structures and storage within. [Amended 10-28-88 by Ord. No. 18-88]

CONDITIONAL USE PERMIT CRITERIA

Eating and Drinking Establishment

An Eating and Drinking Establishment shall be allowed if a Conditional Use Permit is granted by the Planning Board upon a finding that the following criteria are met:

- A. The Eating and Drinking Establishment shall contribute to a NEIGHBORHOOD feel and be pedestrian friendly.
- B. The Eating and Drinking Establishment shall be no larger than 2,000 square feet.
- C. The Eating and Drinking Establishment shall not include DRIVE-IN SERVICE.
- D. The required parking may be reduced by fifty percent (50%) if on street parking is available in the neighborhood.
- E. All onsite parking shall be screened from abutting residential LOTS.
- F. Any loading or unloading of products shall not disrupt NEIGHBORHOODS or traffic flow.
- G. The proposed use shall be compatible with the surrounding NEIGHBORHOOD.
- H. Hours of operation shall be limited to 6 am to 10 pm Sunday – Thursday, and 6 am to 11 pm Friday and Saturday.
- I. If a new building is proposed for the use, it shall be a minimum of

- J. two stories. The applicant shall provide proof that they have conducted a Preliminary Code Review for an Eating and Drinking Establishment with the Inspection Services Office.

Retail Store

A Retail Store shall be allowed if a Conditional Use Permit is granted by the Planning Board upon a finding that the following criteria are met:

- A. The store shall contribute to a NEIGHBORHOOD feel and be pedestrian friendly.
- B. The store shall be no larger than 2,000 square feet.
- C. The store shall not include DRIVE-IN SERVICE.
- D. The required parking may be reduced by fifty percent (50%) if on street parking is available in the neighborhood.
- E. All onsite parking shall be screened from abutting residential LOTS.
- F. Any loading or unloading of products shall not disrupt NEIGHBORHOODS or traffic flow.
- G. The proposed use shall be compatible with the surrounding NEIGHBORHOOD.
- H. Hours of operation shall be limited to 6 am to 9 pm Sunday – Thursday, and 6 am to 10 pm Friday and Saturday.
- I. If a new building is proposed for the use, it shall be a minimum of two stories.

SPECIAL EXCEPTION CRITERIA

ASSISTED LIVING FACILITY:

- A. The facility shall be serviced by municipal sewer.
- B. The density per unit requirement is 2,000 square feet of lot area in the O District.
- C. Parking lots and service areas are screened from abutting residential uses.
- D. The facility shall obtain a license from the State of New Hampshire.

CONTINUING CARE COMMUNITY FACILITY :

- A. The facility shall be serviced by municipal sewer.
- B. The density per unit requirement is 2,000 square feet of lot area in the O District.
- C. Parking lots and service areas are screened from abutting residential uses.
- D. The facility shall obtain a license from the State of New Hampshire.

ELDERLY ASSISTED CARE FACILITY. [Added 09-15-93 by Ord. No. 19-93]

Elderly Assisted Care Home is allowed by Special Exception in accordance with the densities and provisions stated below:

- A. Elderly Assisted Care Homes larger than 6 bedrooms shall meet the following density requirements: In the O District at a density of one bedroom per 2,500 sq. ft.;
- B. Provided that parking and service areas are screened from abutting residential uses.
- C. Notwithstanding the above requirements, the maximum number of bedrooms and residents allowed in a facility may be increased provided the increase is found not to be detrimental to the surrounding properties and conforms with parking standards in Chapter 170-44 (Off Street Parking). Furthermore, any increase to an existing structure must be contained within or contiguous to the original structure. [Added 01-22-03 by Ord. No. 35-02]

GROUP HOME FOR MINORS [Added 09-01-93 by Ord. No. 20-93]

Group Home for Minors shall be subject to the following conditions:

- A. The group home site shall be compatible with abutting uses.
- B. The group home shall be located in areas of transitional land use or mixed land uses.
- C. Parking and service areas shall be screened from abutting residential uses, unless the abutter chooses to not want said screening.
- D. Open space shall be maintained on the property in an amount comparable to the neighborhood.
- E. The planned occupancy of the group home shall be compatible with the permitted density of the surrounding neighborhood.

To: Dover City Council
From: Christopher Parker, AICP
CC: J. Michael Joyal, City Manager
Dover Planning Board
Date: November 5, 2012
Re: Zoning Amendments

ISSUE:

On October 23, 2012, the City of Dover Planning Board unanimously approved 24 amendments to the City' Zoning Ordinance, chapter 170.

INTENT:

This memo will briefly describe the findings of the Planning Board and ensure compliance with Chapter 170 section 53, subsection F of the City of Dover Code.

GOALS:

The proposed zoning amendments must meet certain criteria for the Planning Board to support its adoption. This memo will review the report criteria laid out in Chapter 170 to explain to the City Council the findings of the Planning Board.

PROCESS:

In January of 2012, staff presented the planning board with a list of suggested areas of the zoning code to review. This list was generated by public input, input from land use boards, and from staff. Additionally, in June the City received input from the US EPA, through a grant it received.

The Planning Board and staff developed the amendments during the winter and spring months, and

posted them, after consideration on June 26, 2012. It held public hearings on July 24, and August 28, 2012. On October 23, 2012, the Board unanimously approved the amendment and forwarded it to the City Council for ratification.

ATTACHMENTS:

- Presentation to Planning Board with maps and comparison tables
- Proposed new district tables
- Summary of amendments

As per section 170-53 F), the Planning Board shall provide to the City Council a report on each proposed amendment that has been proposed and endorsed by it. This report shall include the Board's findings and recommendations on the following:

The consistency of the proposed amendments with the Master Plan;

The 2007 update to the City's Land Use Chapter of its Master Plan is entitled "It's All About Context." This chapter emphasizes the need for new development to be in keeping with the existing conditions in a neighborhood. Amendments 3,4, 5, and 7 all are revising existing districts to follow more closely the neighborhoods they are around, and to clarify district boundaries, which match property owner needs.

The consistency of the proposed amendment with other plans, studies, or technical reports prepared by or for the Board and the City;

The proposed amendments do not conflict with any other plans, studies or technical reports.

The effect of the proposed amendment on the City's municipal services and capital facilities as described in the Capital Improvements Program;

The proposed amendments do not conflict with the Capital Improvements Program.

The effect of the proposed amendment on the natural, environment, and historical resources of the City;

Amendment 9 strives to clarify the agricultural uses within the City and seeks to expand said uses to encourage more opportunity for small farms and for urban agricultural uses. The amendments seek to promote uses historic to Dover's development.

The effect of the proposed amendment on neighborhood including the extent to which nonconformities will be created or eliminated;

Amendments 6 and 8 seek to create two new zoning districts within the City. The first would be located on Dover Point, surrounding the Little Bay Marina. The second is located along Central Avenue, centered on Wentworth Douglas Hospital. Both of these were devised with the interest of property owners in mind, and neighborhood meetings were held by the Planning Board to solicit input. In both cases, the existing zoning district was used as a guide, and modifications were made to add opportunity, but not create nonconformities.

Amendment 7 eliminates an existing non-conformity by placing the Armory property, currently zoned residential, into a non-residential district.

Furthermore, by realigning the zoning boundaries along Central Avenue, in the existing office district from one common 300 foot off the centerline of the road to the back property line, this eliminates a hardship property owners have faced when developing property. A clear boundary will exist for them to grow with.

The effect of the proposed amendment on the City's economy and fiscal resources; and

The Planning Board sought to create amendments which foster economic diversity and to allow for continued and sustained growth in Dover.

In particular, amendment 18 allows accessory dwelling units to be created in all single family homes. This amendment is proposed for a variety of reasons, but one of those is to promote the ability of single family homeowners to create small (no larger than 800 square foot) accessory units, which may be rented.

These units will provide an option for low to moderate income residents to have an affordable place to rent, while providing opportunity for income production, while not creating investment scenarios (the home must be owner occupied) for established homeowners. Additionally, these units may be economical ways for older residents to live in their home longer with relatives (an example of "mother-in-law" apartments).

Furthermore, amendment 19 clarifies the requirements of child care uses, by separating the blanket child care into two levels, more consistent with the State of New Hampshire's definitions. This will allow those property

owners who wish to operate a small in home child care to not be held to the same requirements that a larger child care facility.

Additionally, amendment 11 allows for increased non-residential uses in the rural industrial (I-2) district. This will allow these older industrial districts to be easier adapted to modern uses, which will not negatively impact the older industry that still exists in these districts.

Finally, amendments 12 and 13 allow for neighborhood sized retail and eating and drinking establishments in the Office zones, where a property owner can demonstrate to the Planning Board that the use will not be detrimental to the neighborhood. Previously these uses required Zoning Board approval. This change will allow for a reduction in meetings and obstacles presented to a property/business owner.

The recommendation of the Planning Board relative to whether the proposed amendment should be adopted or rejected, and any recommendations for modifications to the proposed amendment.

The Planning Board unanimously approved the amendments and hereby submits them to the City Council for ratification.

SUMMARY OF PROPOSED AMENDMENTS - 2012

Zoning Ordinance

Amendment	Summary	Why
2	Amend Applicant definition	To make definition consistent with Subdivision Regulations
2	Amend Block definition	To make definition consistent with Subdivision Regulations
2	Add Certificate of Occupancy definition	To make definition consistent with Building Code
2	Amend Dwelling Unit definition	To make definition consistent with Subdivision Regulations
2	Amend Lot definition	To make definition more consistent with Subdivision Regulations & address more than 1 principal building per lot in some districts
2	Add Lot, Corner definition	To make definition more consistent with Subdivision Regulations & address which side of the lot is the front
2	Add Lot Line definition	To make definition consistent with Subdivision Regulations
2	Amend Rooming House definition	General updates to definition based on ZBA case
2	Amend Planning Board definition	To make more consistent with Subdivision Regulations & remove outdated RSA
2	Amend Plat definition	Complete rewrite to reference all land use regulations
2	Amend Right-of-Way definition	Complete rewrite to replace obsolete wording
2	Add Right-of-Way Lines definition	To make definition consistent with Subdivision Regulations
3	Rezone land on Central Ave., Ham St. & Milk St.	From RM-U to CBD to extend CBD further north along Central Ave.
4	Rezone land on both sides of Central Avenue	From R-12 to Office District to reduce the number of lots split by zone lines
5	Rezone land on both sides of Central Avenue	From RM-U to Office District to reduce the number of lots split by zone lines
6	Rezone land on Central Ave., Old Rollinsford Rd., and Abbey Sawyer Memorial Highway	From Office to a new Hospital District; add Hospital District to list of zones; add Hospital District purpose; insert Hospital District table; delete hospital as a permitted use in Office District; and revise building height to 45 feet in Office
7	Rezone land on Portland Ave. and Oak Street	From R-12 to B-3 to reduce the number of lots split by zone lines
8	Rezone land on Dover Point Road & Leighton Rd.	From B-1 to a new Little Bay Waterfront (LBW) District; from R-20 to LBW; add LBW to list of zones; add LBW District purpose; and insert LBW table
9	Add Agriculture definition	To add a reference to the State definition, address sales & allow single family
9	Add Farm definition	To add a reference to the State definition
9	Amend Livestock, Poultry & Swine definition	To change it to Farm Animals
9	Add Roadside Farm Stand definition	To add that they are allowed accessory uses to Agriculture
9	Add Farm as permitted use in R-12, RM-SU & I-2	To increase the opportunity for agriculture uses with some limitations
9	Add Roadside Farm Stand as permitted use in R-12 and add standards for the use	To set some standards for roadside farm stands and require a certificate of use from the Zoning Administrator
9	Add Farm as permitted use in R-20 and R-40	To add a new term to R-20 with footnote requiring 100,000 s.f. lot & 100 ft. setback
9	Change Roadside Farm Stand from special exception to permitted use in R-20 and RM-SU	To set some standards for roadside farm stands and require a certificate of use from the Zoning Administrator

SUMMARY OF PROPOSED AMENDMENTS - 2012

Amendment	Summary	Why
9	Add Retail Sale of Agriculture Products Raised on Site as permitted use	Replaces the use Greenhouse, Retail Sale of Agricultural or Farm Products Raised on Site in the R-40, B-4, I-1, I-2, I-4 & ETP Districts
9	Add Farm as permitted use in B-4 and I-1	To add this new term
9	Add Farm as permitted use in I-4 and ETP	To add this new term with a footnote requiring 100 foot setback for shelters
9	Delete Agriculture, Horticulture & Floriculture; Farm Livestock, Poultry and Swine; and Farm Produce as permitted uses in all districts	These terms are deleted because they are being replaced by Farm
10	Reduce the front setback and parking area setback in the B-4 District	To reduce the front setback from 75 to 50 feet & the parking setback from 25 to 20 feet. This is in conjunction with requiring more parking to side & rear of building.
10	Add standards for freestanding & wall signs in B-4	To improve the design and visual appeal of signs in the B-4 District
11	Add Commercial Recreation & Educational Institution, Post Second. as permitted uses in I-2	To increase the permitted uses in the I-2 District to give property owners more options for reuse
12	Change Retail Store from special exception to use allowed by Conditional Use Permit in Office	To allow Retail Store by CUP in the Office District with 9 criteria that have to be met
13	Add Eating and Drinking Establishment as a use allowed by Conditional Use Permit in Office	To allow Eating and Drinking Establishment by CUP in the Office District with ten criteria that have to be met
14	Add Rooming House as permitted use in Office	To expand affordable housing opportunities in the Office District
14	Amend Rooming House in RM-U	To remove limit of five rooms to be consistent with new definition
15	Change Mobile Home to Manufactured Home in entire ordinance and add new definition	To bring ordinance into compliance with state RSA's
16	Amend R-20 to clarify that Veterinary Offices and Animal Hospitals are allowed in OSS	To require that Veterinary Offices, Animal Hospitals and Kennels provide 100 foot setbacks for shelters and runs and have a lot size of 100,000 square feet
17	Delete Mobile Home Unit and add Manufactured Housing in R-40	To allow Manufactured Housing on R-40 lots
17	Delete Mobile Home Subdivision definition	To remove definition since Manufactured Housing is allowed on individual lots
18	Add Accessory Dwelling Unit definition	To allow a second dwelling unit that is accessory to single family dwelling
18	Add Accessory Dwelling Unit as permitted use in RM-SU, RM-U and B-1	To allow more housing opportunities for homeowners in these districts
18	Add Accessory Dwelling Unit as permitted use in R-12, R-20 and R-40	To allow more housing opportunities for homeowners in these districts
18	Add a new section containing standards for Accessory Dwelling Units	To allow more housing opportunities for homeowners while establishing standards that will lessen impacts to the neighborhoods
19	Amend Child Care Facility definition and add Child Care Home definition	To set standards for different types of child care facilities
19	Add Child Care Home as a permitted use in R-40, R-20, R-12, RM-SU, RM-U and B-1 Districts	To expand the areas where Child Care Home uses are allowed

SUMMARY OF PROPOSED AMENDMENTS - 2012

Amendment	Summary	Why
20	Amend Customary Home Occupation definition	To remove the use criteria from the definition
20	Add a new section containing standards for Customary Home Occupations	To clarify the application renewal procedures and fees; to exempt certain low impact uses from the Customary Home Occupation requirements
21	Amend Article VI to read Additional Regulations	To reorganize code sections to move them into one Article, including CBD Regulations, Small Wind Energy System, Telecommunication Facilities & Impact Fees
22	Amend the Residential-Commercial Mixed Use Overlay District to add Manufactured Housing as a permitted use	To clarify that Manufactured Housing can be used by right in these types of developments
22	Amend the Residential-Commercial Mixed Use Overlay District to decrease the density for single family to 10,000 sq. ft. per unit	To clarify that there is one density for single family development and one density for more than single family
23	Amend fence heights to allow 4 foot fences	To change requirement for lower fences in the front yards to be a common size
24	Amend Nonconforming Lots to remove merger requirement	To bring the ordinance into compliance with State law
25	Amend ZBA powers to include equitable waivers	To bring the ordinance into compliance with State law
25	Amend ZBA rules to state that special exceptions expire after 4 years if not acted upon	To make the special exception requirements consistent with the variance requirements

Rezoning 2012



Planning Board Public Hearing
July 24, 2012 – Revised November 5, 2012

How We Got Here:

- 2007 Land Use Master Plan Chapter
- Overview of Land Use Amendments Process
- Public Meetings
 - Agenda items
 - Neighborhood meetings
 - Public hearings
- Amendments posted
- Citywide letter
- Planning Board approval

Amendment Type

Amendment	Non-Use	Use	Housekeeping
2			X
9		X	
10	X		
11		X	
12		X	
13		X	
14		X	
15		X	
16			X
17		X	

Amendment Type

Amendment	Non-Use	Use	Housekeeping
18		X	
19		X	
20	X		X
21			X
22		X	
23	X		
24			X
25			X

Non-Use Amendments

#	Intent
10	Revise the front setback from 75 to 50 feet and the parking area setback from 25 to 20 feet for the Hotel/Retail (B-4) district. Amend the wall and freestanding sign regulations in the B-4 to improve design and visual appeal standards.
20	Revise definition of “Customary Home Occupation” & replace Chapter 170-18 with “Customary Home Occupation” standards, including procedures for Certificate of Use Renewal and a small office exemption.
23	Increase front yard fence height in residential districts from 3 feet to 4 feet.

Use Amendments

#	Intent
9	Add definitions for Agriculture, Farm & Roadside Farm Stand and revising definition of Farm Animals; Add Farm as permitted use in R-12, RM-SU, & I-2; add Roadside Farm Stand as permitted use in R-12; add Farm as permitted use in R-40 & R-20; change Roadside Farm Stand from special exception to permitted use in R-20 & RM-SU; replace Greenhouse, Retail Sale of Agricultural or Farm Products Raised on Site with Retail Sale of Agriculture Products Raised on Site in the R-40, B-4, I-1, I-2, I-4 & ETP; and add Farm as permitted use in B-4, I-1, I-4 & ETP, with footnotes.
11	Add “Commercial Recreation” and “Educational Institution, Post Secondary” as permitted uses in the I-2 District Table.
12	Change “Retail Store” from special exception to Use Allowed by Conditional Use Permit and add criteria in footnote for the Office District.

Use Amendments

#	Intent
13	Add “Eating and Drinking Establishment” as a Use Allowed by Conditional Use Permit and add criteria in footnote for the Office District.
14	Add “Rooming House” as a permitted use in the Office District Table and delete the footnote for “Rooming House” in the RM-U District.
18	Add definition of “Accessory Dwelling Unit”, add “Accessory Dwelling Unit” as permitted use in the R-12, R-20, R-40 RM-SU, RM-U & B-1 Districts. Add Chapter 170-24 “Accessory Dwelling Units” to set standards for the use.
19	Revise definition of “Child Care Facility” and adding definition of “Child Care Home”; Amend Chapter 170-12 to add “Child Care Home” as a permitted use in the R-40, R-20, R-12, RM-SU, RM-U and B-1 Districts.

Use Amendments

#	Intent
15	Replace “Mobile Home” with “Manufactured House” in ordinance and delete definition for “Mobile Home” and add definition for “Manufactured Housing”.
17	Delete “Mobile Home Unit” and add “Manufactured Housing” in the R-40 District table and delete definition of “Mobile Home Subdivision”.
22	Add “Manufactured Housing” as a permitted use in the RCM overlay district and decreasing the density for single family to 10,000 sq. ft. per unit.

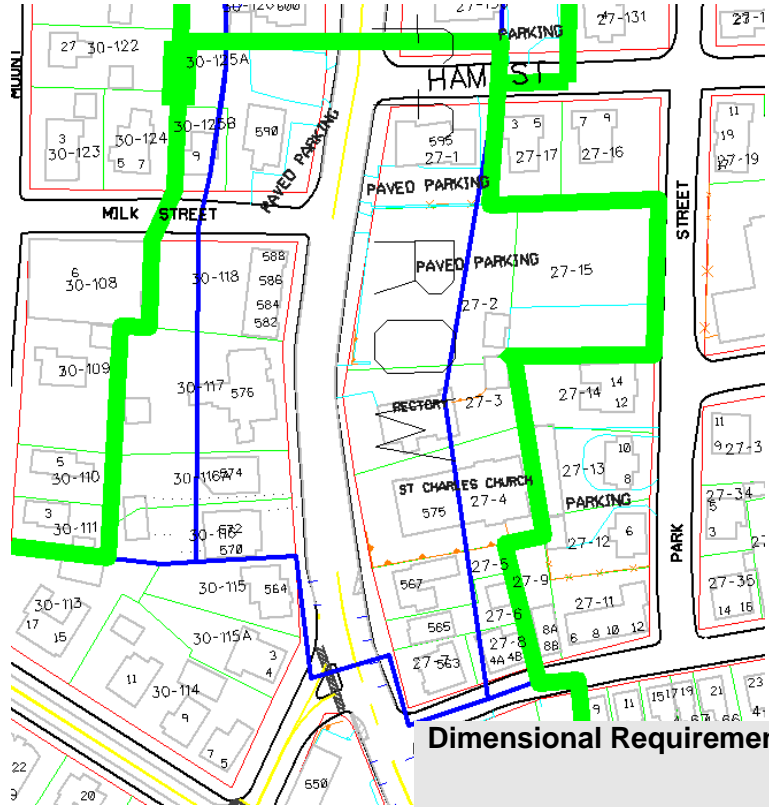
Housekeeping Amendments

#	Intent
2	Revise the definitions of Applicant, Block, Dwelling Unit, Lot, Rooming House, Planning Board, Plat, Right-of-Way, and by adding definitions for Certificate of Occupancy, Lot Corner, Lot Line, and Right-of-way Lines.
16	Revise footnotes for R-20 District to add kennel standards.
21	Amend Chapter 170 by changing Article VI to “Additional Regulations” & moving existing sections to be Chapter 170-20 Central Business District Regulations, 170-21 Small Wind Energy System, 170-22 Telecommunication Facilities & 170-23 Impact Fee Ordinance.
24	Remove involuntary lot merger requirement.
25	Amend ZBA powers to include equitable waivers and add requirement that special exceptions expire after 4 years if not acted upon.

Amendment 3

Central Avenue

The proposal revises the zoning along Central Avenue between New York and Ham Streets adjusting the zoning boundary from 100 feet off the Right of Way to the back of property lines. This will adjust portions of lots from the RM-U or O to CBD so the whole lot is within the Central Business District

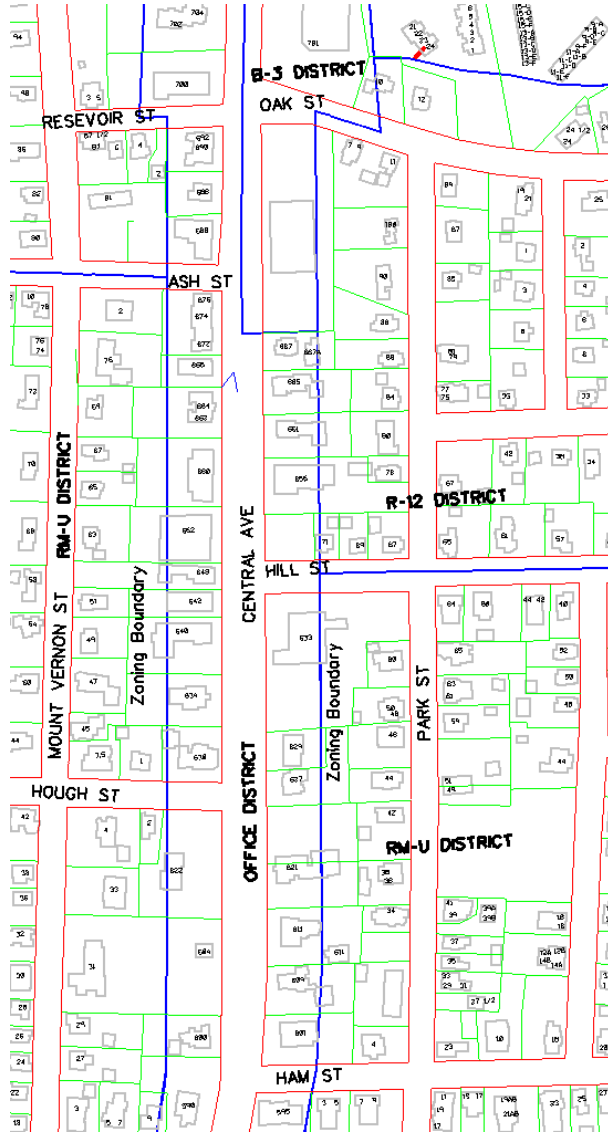


Dimensional Requirements	Office (O)	Residential Multi-Family Urban (RM-U)	Central Business District
Minimum Lot Size	10,000 square feet	10,000 square feet	0 square feet
Minimum Frontage	100 feet	80 feet	0 feet
Minimum Front Building Setback	12 feet	Neighborhood Ave	10 Feet Maximum
Minimum Rear Building Setback	15 feet	15 feet	0 feet
Minimum Side Building Setback	10 feet	15 feet	0 feet
Maximum Coverage of a Lot	50 percent	40 percent	75 percent
Maximum Height	45 feet	40 feet	2 Story Min
Density	1 unit per 5,000 sf	1 unit per 10,000 sf*	N/A 0

* Multi-family requires 2000 sf per unit

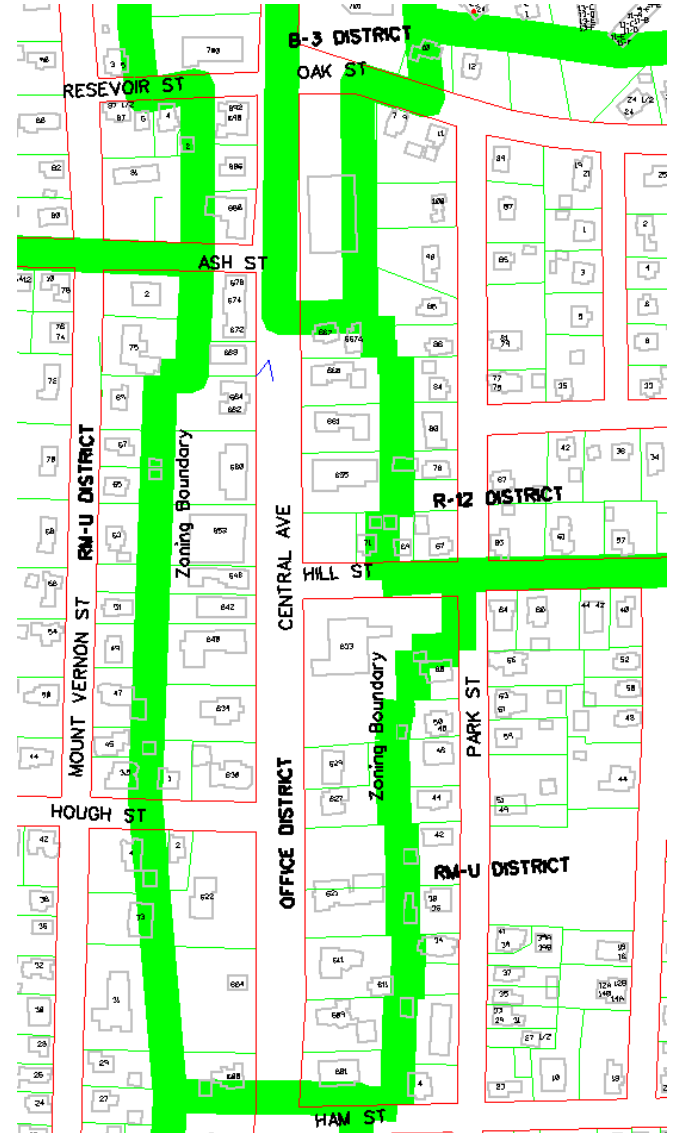
Central Avenue

CURRENT



Amendments 4/5

PROPOSED



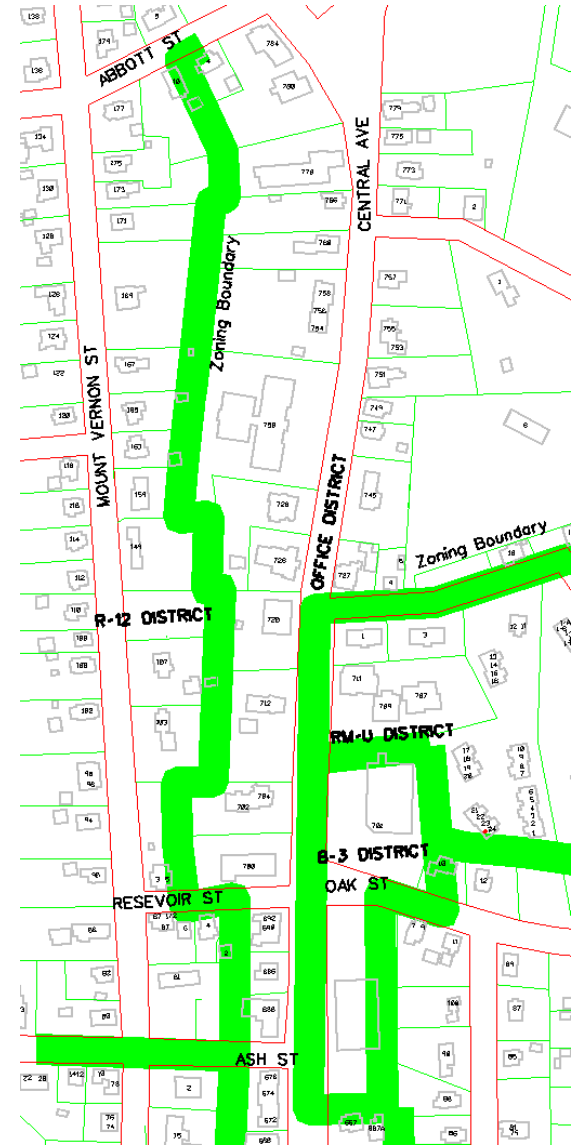
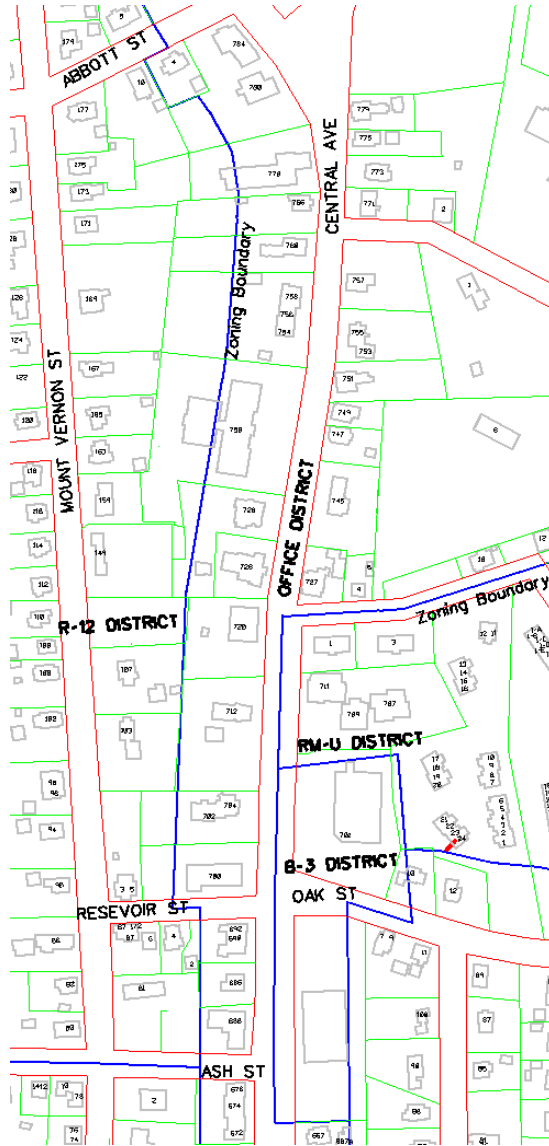
The proposal revises the zoning along Central Avenue between Ham Street & Abbott Street adjusting the zoning boundary from 100 feet off the Right of Way to the back of property lines. This will adjust portions of lots from the RM-U or R-12 so the whole lot is within the Office District

CURRENT

Amendments 4/5

PROPOSED

Central Avenue



The proposal revises the zoning along Central Avenue between Ham Street & Abbott Street adjusting the zoning boundary from 100 feet off the Right of Way to the back of property lines. This will adjust portions of lots from the RM-U or R-12 so the whole lot is within the Office District

Amendments 4/5

Central Avenue

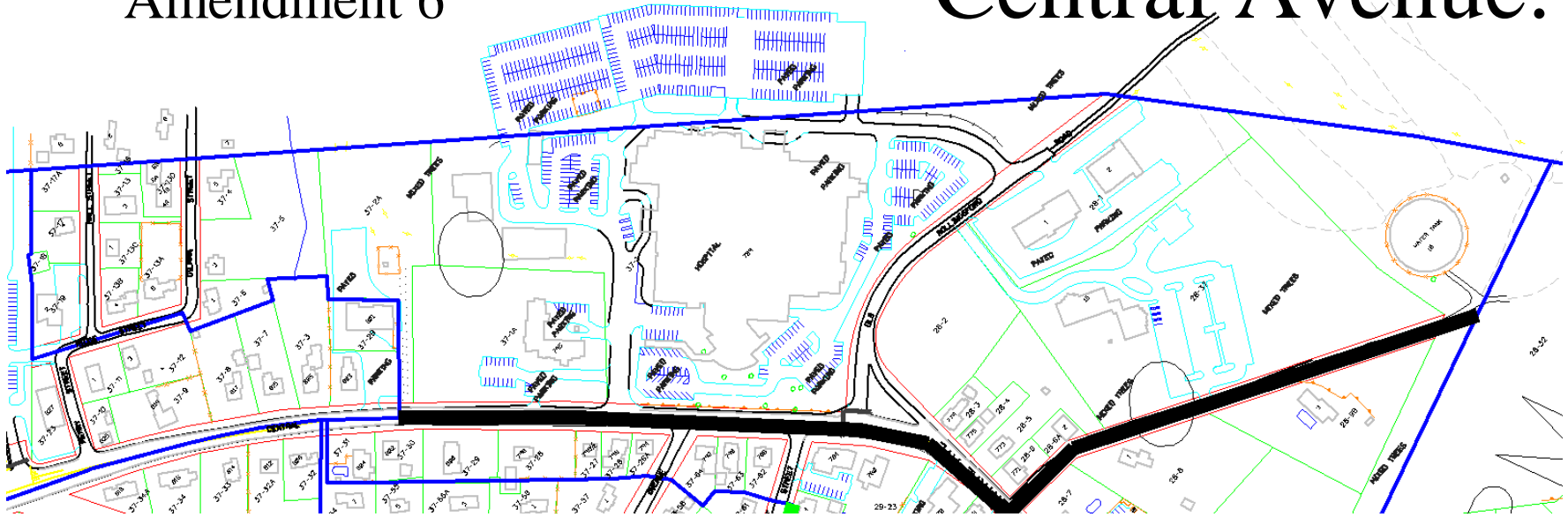
The proposal revises the zoning along Central Avenue between Ham Street & Abbott Street adjusting the zoning boundary from 100 feet off the Right of Way to the back of property lines. This will adjust portions of lots from the RM-U or R-12 so the whole lot is within the Office District

Dimensional Requirements	Office (O)	Residential Multi-Family Urban (RM-U)	Low Density Residential (R-12)
Minimum Lot Size	10,000 square feet	10,000 square feet	12,000 square feet
Minimum Frontage	100 feet	80 feet	100 feet
Minimum Front Building Setback	12 feet	Neighborhood Ave	Neighborhood Ave
Minimum Rear Building Setback	15 feet	15 feet	30 feet
Minimum Side Building Setback	10 feet	15 feet	15 feet
Maximum Coverage of a Lot	50 percent	40 percent	30 percent
Maximum Height	45 feet	40 feet	35 feet
Density	1 unit per 5,000 sf	1 unit per 10,000 sf*	1 unit per 12,000 sf

* Multi-family requires 2000 sf per unit

Amendment 6

Central Avenue:



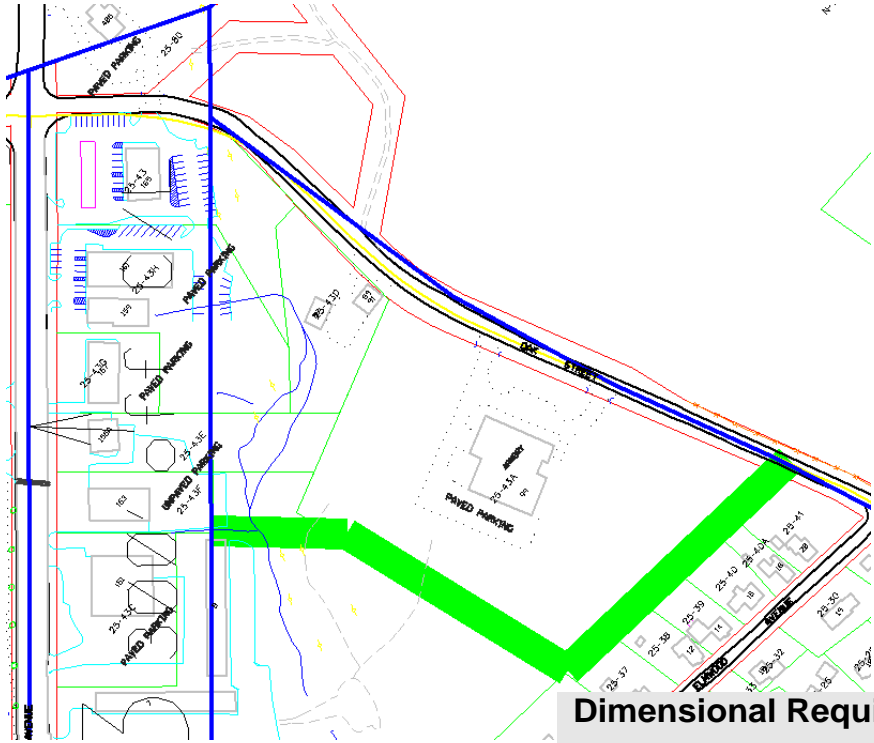
Changes 37 acre area of Central Avenue and Abbey Sawyer Memorial Highway to Hall St from Office (O) to Hospital (H)

Dimensional Requirements	Office (O)	Hospital (H)
Minimum Lot Size	10,000 square feet	10,000 square feet
Minimum Frontage	100 feet	100 feet
Minimum Front Building Setback	12 feet	12 Feet
Minimum Rear Building Setback	15 feet	15 feet
Minimum Side Building Setback	10 feet	10 feet
Maximum Coverage of a Lot	50 percent	50 percent
Maximum Height	45 feet	65 feet
Density	1 unit per 10,000 sf	1 unit per 14,000 sf

Amendment 7

Oak Street:

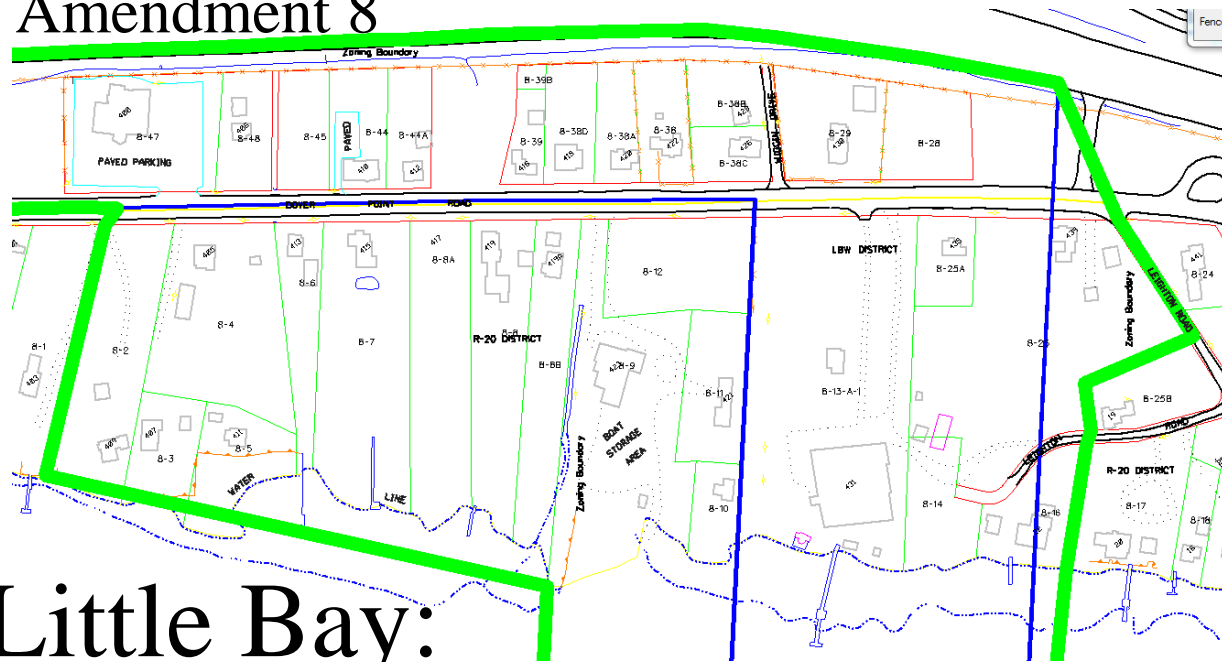
Changes 8 acre area of Portland Avenue and Oak Street from Medium Density Residential (R-12) to Thoroughfare Business (B-3)



Dimensional Requirements	Thoroughfare Business (B-3)	Medium Density Residential (R-12)
Minimum Lot Size	20,000 square feet	12,000 square feet
Minimum Frontage	125 feet	100 feet
Minimum Front Building Setback	50 feet	Neighborhood Ave
Minimum Rear Building Setback	25 feet	30 feet
Minimum Side Building Setback	15 feet	15 feet
Maximum Coverage of a Lot	50 percent	30 percent
Maximum Height	40 feet	35 feet
Density	1 unit per 5,000 sf with SE	1 unit per 12,000 sf

Rezone a 22 acre area of Dover Point Road from Low Density Residential (R-20) and Neighborhood Business (B-1 to Little Bay Waterfront (LBW).

Amendment 8



Little Bay:

Dimensional Requirements	Low Density Residential (R-20)	Neighborhood Business (B-1)	Little Bay Waterfront (LBW)
Minimum Lot Size	20,000 square feet	10,000 square feet	10,000 square feet
Minimum Frontage	125 feet	100 feet	100 feet
Minimum Front Building Setback	Neighborhood Average	15 feet	15 feet
Minimum Rear Building Setback	20 feet	10 feet	10 feet
Minimum Side Building Setback	20 feet	15 feet	15 feet
Maximum Coverage of a Lot	30 percent	50 percent	50 percent
Maximum Height	35 feet	40 feet	40 feet
Density	1 unit per 12,000 sf	N/A	1 unit per 10,000 sf

For More Information....

- **The full text is available:**
 - **On the City’s Web Site:** www.dover.nh.gov under “Current Reports”
 - **In the Planning Department and City Clerk’s Office M-Th 8 am to 6 pm.**
 - **At the Public Library**
- **Please call 516-6008 with further questions.**
 - ◉ Blog: <http://dovernhplanning.tumblr.com/>
 - ◉ Facebook: www.facebook.com/DoverNHPLanning
 - ◉ Twitter: @DoverNHPlanning



October 24, 2012

Dover City Council
City of Dover
288 Central Avenue
Dover, NH 03820

Re: Channel Information

Dear Council Members:

In keeping with our ongoing efforts to provide regular updates regarding our service, I am writing to inform you:

On 12/12/12, the following channels will be added to MultiLatino: LAS on channel 678, Centro Americana on channel 723, VME Kids on channel 658, Baby First TV Americas Spanish on channel 722, Pasiones on channel 644, Telefutura West on channel 727, Univision West on channel 728, and Xfinity Latino on channel 640.

Also on 12/12/12, Canal 22 on channel 676, Gol TV on channel 714, Telenovela on channel 723, Sorpresa on channel 722, Telemicro on channel 718, and ViendoMovies West on channel 671 will no longer be available however beIN Sports English will be added to Sports Entertainment Package channel 192.

Additionally, on 9/5/12, beIN Sports Spanish was added to MultiLatino and Sports Entertainment Package channel 726.

Please be advised customers are receiving notice of this information via bill message.

Should you have any questions, please do not hesitate to contact me at 603-224-1871, ext. 202.

Sincerely,

Bryan Christiansen

Bryan Christiansen, Sr. Manager
Government & Regulatory Affairs