



CITY OF DOVER

DOVER PLANNING BOARD - AGENDA

Meeting Type: Regular Meeting
Meeting Location: Council Chambers – 288 Central Avenue, Dover, NH 03820
Meeting Date: **Tuesday, February 26, 2013**
Meeting Time: **7:00 pm**

1. CITIZENS' FORUM

2. APPROVAL OF THE PRIOR MINUTES

- February 12, 2013 Regular Meeting Minutes

3. OLD BUSINESS

4. NEW BUSINESS

- A. Consideration and acceptance of a Conditional Use Permit for Liberty Mutual Insurance Company, Assessor's Map E, Lot 24, zoned ETP, located at 100 Liberty Way. (287 space parking lot expansion – 11,764 sq. ft. of grading within the wetland buffer and 19,887 sq. ft. of grading within 20% slopes). *(P12-39)
- B. Consideration and acceptance of a Site Review for Liberty Mutual Insurance Company, Assessor's Map E, Lot 24, zoned ETP, located at 100 Liberty Way. (Motor Vehicle parking lot expansion (287 additional spaces). *(P12-38)
- C. Consideration and acceptance of a Conditional Use Permit for Bennett Holmes, (Owner: John Gesek) Assessor's Map L, Lot 30, located at 127 Spur Road. (For construction of a retaining wall and concrete patio within 100 feet of the Bellamy River.) *(P13-02)
- D. Consideration and possible vote on an amendment to a previously approved Site Plan (2/28/06) for Dover Retirement Residence, LLC/Maple Suites, Assessor's Map I, Lot 56, zoned R-12, located at 30 Holiday Drive. (Add driveway lighting) *(P05-48A)
- E. Consideration and acceptance of a request by Public Service of New Hampshire to trim and remove trees and brush along the right-of-way of scenic roads (Old Garrison Road and Rochester Neck Road) *(P13-04)
- F. Consideration and acceptance of a Citizen Petition for Rezoning for South Dover Storage Solutions, LLC, Assessor's Map 15, Lot 62, located at 68 Rutland Street. (rezone approximately 2/3 acres of land from Medium-Density Residential District (R-12) to Restricted Industrial District (I-2)) (P13-05)
- G. Consideration and acceptance of a Citizen Petition for Rezoning for Grammas Investment, LLC, (Owner: George Mitropoulos, Trustee, of the George Mitropoulos Revocable Living Trust) Assessor's Map H, Lot 29-A, located on Littleworth Road. (rezone 6.4 acres of vacant land from Low-Density Residential District (R-20) to Hotel/Retail District (B-4)) (P13-06)

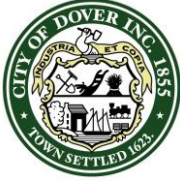
5. STAFF COMMENTS

6. COMMITTEE REPORTS

7. ADJOURNMENT

*Indicates that if the application is accepted for discussion, the public hearing will be held the same evening, at which time any interested party may offer comment to the Planning Board.

Persons with questions or wishing to see the plans are invited to visit the Planning Office, Monday through Thursday from 8:30 am to 5:30 pm. You may also view materials at www.dover.nh.gov, a map showing project locations can be found at www.dover.nh.gov/planhome.html. Follow us on Twitter @DoverNHPlanning and find us on Facebook at www.facebook.com/pages/Dover-NH/City-of-Dover-NH-Planning/446789895351



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Tuesday, February 12, 2013**
Meeting Time: **7:00 pm**

Members Present: Dennis Ciotti (Chair), Kirt Schuman (Vice Chair); Gary Green, Tom Clark, Lee Skinner, Frank Torr.

Members Not Present: Dave White, Dean Trefethen, Mayor; John Leggett, Dexter Tarbox (Alternate)

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

The Chair called the meeting to order at 7:02 pm.

1. CITIZENS' FORUM

Citizens Forum Open.

Anthony McManus, Glen Hill Road, mentioned that C.Parker asked him if he would serve on the Strafford Regional Planning, advocated for money to be put into the Planning budget to pay for dues for the Strafford Regional Planning or ask the City Council for the funding. He wants the Planning Board to look at it as an investment. Dover reduces the potential in participating in area wide projects that the Strafford Regional Planning Commission might be involved in. Long term it will return money to the City many fold. The Strafford Regional Planning Commission was involved with the Rockingham Regional Planning to work with the DOT to make a smooth transition on the Little Bay Bridge. It affects the people of Dover by improving transportation between Newington and Dover. He discussed additional benefits that (COAST bus services) will benefit the people of Dover. The Strafford Regional Planning Commission approached McManus on the Chestnut Street/Washington Street corridor for safety reasons and the urban safety plan. He stated that Dover may not be able to participate if they don't contribute to the fund.

Sam Reid, Lexington Street, asked that Dover rejoin the Regional Planning Commission. He previously served as Chair of the Strafford Regional Planning Commission. He mentioned Bruce Woodruff who lobbied for the bridge, and that the money would be returned to the City. Having the resource available and a seat at the table for future projects is important.

T.Clark agrees with both speakers.

D.Ciotti will research the costs, will discuss with C.Parker and respond back to McManus and Reid.

Citizens Forum Closed.

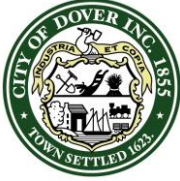
2. APPROVAL OF THE PRIOR MINUTES

- January 22, 2013 Regular Meeting Minutes

Motion: K.Schuman motioned to approve and accept the January 22, 2013 meeting minutes. Seconded by F.Torr. Vote: U/A.

3. OLD BUSINESS

- A. Public hearing and possible vote regarding proposed Fire, Police, Recreation and School Impact Fees for Accessory Dwelling Units (ADU's). NH RSA 674:21-I authorizes impact fees to be collected to pay for impacts to Capital Facilities caused by development. The details of the impact fees are



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Tuesday, February 12, 2013**
Meeting Time: **7:00 pm**

outlined in a memo prepared for the Planning Board, which is available for public inspection in the Planning Department and on the City's website at www.ci.dover.nh.us.

Public hearing open. Nobody spoke. Public hearing closed.

C.Parker discussed the proposed impact fees which total \$1,734. He referred board members to the memo drafted 1/22/13.

C.Parker confirmed for K.Schuman that many of these in-law apartments could contain senior citizens and that the proposed impact fees are at 75% of the apartment rate and staff feels this is a fair rate whether the ADU is for a senior citizen or income generating by college students.

D.Ciotti confirmed with C.Parker that the fee is a set fee and will not be adjusted. Parker stated that the only way it would be adjusted if the Planning Board adjusts it. Staff will review the fees in 3 and 5 years. The application fee is \$75 with an annual renewal.

C.Parker confirmed for T.Clark that the Planning Board has the authority to approve and change any fees without the City Council.

L.Skinner commented that the 3-5 year review may not be representative of the long-term.

C.Parker confirmed the methodology is in place and that the 3 and 5 year review is suitable.

C.Parker explained that staff recommendations would be to adopt the impact fees today, and revisit the fee schedule in 3 years and again in 5 years. These fees are not the same as water/investment fees.

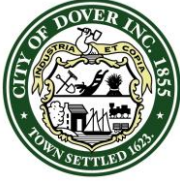
C.Parker confirmed for T.Clark that the if the ADU fees are approved they would go into effect tomorrow.

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

- B. Consideration and acceptance of an Open Space Subdivision of land for Salmon Falls Holdings, LLC and Henry & Jacqueline Brandt, Assessor's Map 11, Lots 16, 16-1 & 15, zoned R-12, located on Arch Street (4 lots, with 3 single family lots and 4 duplexes on one lot) *(P12-28A)

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

Christopher Berry, Berry Surveying and Engineering presented the case for the applicant. He discussed removing the existing two structures, and redeveloping the site into 11 units. The main proposal includes keeping a 20 foot buffer of vegetation to the southern boundary, and once graded, to plant heavily on the southern edge of the property. He discussed the landscaping on Arch Street. The plan has gone to TRC which includes a traffic analysis. There will be a need for some minor improvements to Washington and Arch Street. Berry stated that complaints from residents on Washington Street have included that traffic moves too quickly, and that there is poor visibility at the intersection of Washington Street and Arch Street. He discussed the traffic flow patterns of Washington Street, Arch Street to Silver Street. The plan is to modify the proposal to include an intersection modification that will be slow people down on Washington Street and Arch Street. He discussed the traffic in queue, the stop line and stop time. At most there were as many as 12 cars in queue during peak hours but the queue cleared quickly. The problem is that people are yielding instead of stopping at the intersection due to poor visibility, so they are proposing to move the stop



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Tuesday, February 12, 2013**
Meeting Time: **7:00 pm**

line out which will require vehicles to stop, slowing traffic to Arch Street. He discussed reducing the number of driveways from three existing driveways to two which allow drivers to pull face out instead of backing out onto Arch Street. Lighting is being worked out with the developer, PSNH for solar lighting, and with Unutil for natural gas. The Fire Department reviewed the driveway which is 84 feet longer than their maximum length so they required a turnaround at the base of the hill. The design of the turnaround has been approved by the Chief and Engineering.

F.Torr asked about the railroad bridge project which will be raised in the future. In regards to the intersection improvements, he feels funding should be put in escrow for future work to be done. He also asked C.Berry if they had considered putting up a barrier for right hand turns onto Washington Street.

C.Parker explained the railroad bridge project was removed from the CIP a few years ago. Parker explained they were not raising the bridge but lowering the tracks.

C.Berry confirmed for F.Torr that the sidewalk on Washington Street is not moving. Berry confirmed that they had looked at a potential barrier, and the original plans had included extending the double yellow lines and narrowing the intersection, forcing cars to stop. He explained that there was a conflict with the extended yellow line and the safety at the cross walk so they have revised the plan.

C.Parker stated that he met with the Police, Fire and Community Services. The idea of a concrete island was discussed but quickly removed. Staff would recommend through the use of striping a visual barrier can be created. Staff agrees that the current proposed design is much better than the existing condition.

F.Torr commented he would like to see other type plantings near the railroad tracks and for the second set of buildings as a sound barrier from the trains. C.Berry stated he had not considered this, but would now consider.

G.Green confirmed with C.Berry that the driveway is identical to what it is currently.

Green stated there is 218 feet to the northern most edge of the driveway and asked how it relates to what is currently there. He is worried about the queue.

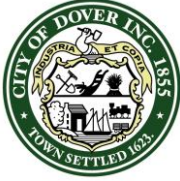
K.Schuman questioned the existing condition on the westerly side and is there a sidewalk there today. He asked about post-development plans include removing the gaps.

C.Berry confirmed the sidewalk gaps will be removed; the applicant doesn't want to promote walking on that side of the street because of the gaps. They want to promote walking on the other side.

T.Clark commented about the turnaround and that the pavement is extended to the entire length of the turnaround. Due to the weight of the emergency vehicles, Chief Driscoll wants to see it updated and the turnaround must be paved.

D.Ciotti discussed the intersection of Arch Street and Washington Street; he asked if there are plans to have an illuminated cross sign similar to Chestnut Street. Safety is of a highest concern as it is in a school walk area.

C.Berry stated that there currently are no plans for it. There is ample site distance up and down the street and it does not warrant the lights. The current signs will stay in place.



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Tuesday, February 12, 2013**
Meeting Time: **7:00 pm**

Motion: F.Torr to accept the application. Seconded by G.Green. Vote: U/A.

Reopen public hearing.

Ken McDavit, owns property on the corner of Arch and Washington Streets. He feels the improvements are great. He had concerns about the east of the crosswalk, and that there are cars parked there. It would improve the visibility but he is concerned about the queue in the late afternoon, with the exit so close to the intersection it would compromise it.

Nancy Cote-Carroll, 17 Arch Street, thanked the Planning staff and Mr. Brandt. She stated that many of the neighbors had not been able to review the latest proposed plans prior to tonight's meeting. Because of this, there are many questions of site line, landscape buffers, traffic, roof lines questions. She speaks on behalf of the many concerned neighbors who have worked with Mr. Brandt to bring forward a feasible plan. They want to be absolutely clear that if approved any litigation against the City by Mr. Brandt goes away. They feel that it is imperative the law suit goes away.

Henry Brandt commented that he is satisfied with the final plan, and if it is approved by City, he will end all legal action.

C.Parker suggested allowing an opportunity for the developer to meet with interested residents privately during the recess to discuss the proposal and review any plan changes.

Meeting recess.

Meeting resumed 8:11pm.

Nancy Cote-Carroll stated that after meeting with the developer, it is the consensus of the residents that they accept the plan as presented.

Public hearing closed.

L.Skinner confirmed after receiving the letter from Mr. Brandt's attorney, asked if any additional conditions of approval are required.

C.Parker responded we are all set. There is a standard appeal period, and after that period has passed, the letter states litigation will cease.

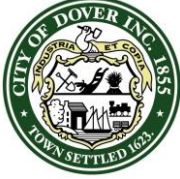
C.Parker confirmed for G.Green that he cannot respond if there has been any activity in the court on the suit recently.

H.Brandt commented that they have asked the court for a six month stay in November, which will run out in May.

STAFF RECOMMENDATION:

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

Conditions to Be Met Prior to Signing of Plans:



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Tuesday, February 12, 2013**
Meeting Time: **7:00 pm**

1. The owner's signature shall be added to the final plat submitted for signature.
2. The applicant shall provide the Planning Department with a digital version of the final plat.
3. The applicant shall add the surveyor's, engineers, and wetland scientist stamps and signature to the appropriate sheets.
4. The applicant shall revise the plat to correct the plan number to be P12-28A on all sheets.
5. The applicant shall revise the plat by amending note #20 on sheet 4 to state that no further subdivision is allowed.
6. The applicant shall revise the plat to show how water and sewer services will be brought to lots 15 and 16-1.
7. The applicant shall revise the plat to add gas lines to sheet #9.
8. The applicant shall revise the plat by adding silt fence along the southern side of the project on sheets # 8 and 10.
9. The applicant shall revise sheet #7 of the plat to extend the landscaping along the common boundary with lot 14-B
10. The applicant shall receive written confirmation that all the details sheets are acceptable to the City Engineer.
11. The applicant shall prepare an easement plan to be recorded.
12. The approval includes the granting of the requested waiver for the buffer for the reasons stated by the applicant and staff. The Board finds that the criteria of Chapter 155-51-A have been met.
13. The applicant shall submit proposed Homeowner's Association Documents, addressing maintenance of the road, drainage infrastructure, and utilities, open space ownership, and preservation of perimeter landscaping. These documents shall be reviewed by the Planning Department, with consultation by the City Attorney on compliance with conditions.
14. The applicant shall have the Stormwater Management Maintenance and Inspection Plan approved by the Community Services Department.
15. The applicant shall revise the plat to note that the turnaround shall be paved.

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

16. Construction hours shall be limited to Monday-Friday 7am-6pm, Saturday 8am-5pm, No Sunday hours. Hours of construction shall be documented on a site construction sign along with the contact information for the general contractor. Said signage shall be located and approved by the City Engineer or Director of Planning and Community Development.

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

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

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

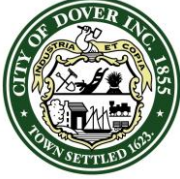
18. Any new building shall be assessed the current water/sewer investment fees in place at the time of building permit application.
19. The applicant shall submit documentation that a Homeowner's Association has been formed.
20. The applicant shall complete all of the proposed off-site intersection improvements to the satisfaction of the City Engineer.
21. A letter of credit shall be established with the City Engineer for all remaining site work.

Motion: F.Torr motioned to approve with recommended conditions. Seconded by K.Schuman.

Vote: U/A.

4. NEW BUSINESS

- A. Update to Planning Board on Dover Business & Industrial Development Authority (DBIDA) activities and projects by Dan Barufaldi.



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Tuesday, February 12, 2013**
Meeting Time: **7:00 pm**

Dan Barufaldi, Economic Development Director, gave an overview of the various projects, including business outreach, business retention, tourism, the new ambassador program, Education Business Connect Committee, and the new DBIDA website www.locateindovernh.com.

- B. Presentation from Cynthia Copeland – Executive Director, Strafford Regional Planning Commission Regarding Current Activities and Services Description
- C. Strafford Regional Planning Commission (SRPC) - Review of Regional Master Plan Livability Principle Matrix

The Vice-Chair stated that both items B & C will be discussed at the same time.

Cynthia Copeland, Executive Director of Strafford Regional Planning Commission gave a presentation about the Strafford Regional Planning Commission, established in 1969, its legal structure and participation. She detailed the primary duties of commission, and its regional impacts. The City of Dover has not been a member since Fiscal Year 2007.

5. STAFF COMMENTS

- Impact Fee explanation chart will be updated.
- Update to the Aroma Joe's – at the TAC meeting, Marn Speidel confirmed that no parking is allowed in a turn lane, so no TAC is required.
- The City's Demographic Profile is available on the City web under current City reports and it will be distributed to Board members.
- Dave Paolini has volunteered to be on the RCM Overlay District Committee.
- Reminder that the Gateway survey is available on the City website.
- The Dover Gateway design charrett has been rescheduled for March 2nd from 10-11am which is the input session; return at 2 pm for the results.

6. COMMITTEE REPORTS

7. ADJOURNMENT

Motion: L.Skinner motioned to adjourn at 9:15 p.m. Seconded by F.Torr. Vote: U/A.

112-38 & 39

MALCOLM R. McNeill, JR.
R. PETER TAYLOR*
ROBERT J. GALLO**
WILLIAM L. TANGUAY



Hale Schoolhouse
180 Locust Street
P.O. Box 815
Dover, NH 03821

TEL (603) 749-5535
FAX (603) 749-1187

**Also admitted in Maine and Mass.
† Also admitted in Mass



February 20, 2013

Via Email c.parker@ci.dover.nh.us
Chris Parker, Planning Director
Department of Planning and Community Development
City of Dover
288 Central Avenue
Dover, New Hampshire 03820

Re: Liberty Mutual Insurance Company
Applications for a conditional use permit and site plan review

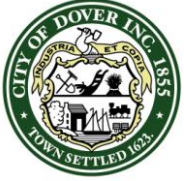
Dear Mr. Parker:

Please be advised that this office represents Liberty Mutual Insurance Company. The purpose of this correspondence is to respectfully request that the hearing on the above applications scheduled for February 26, 2013 be continued to the March 12, 2013 meeting of the Planning Board.

Thank you very much for your cooperation inn this matter.

Very truly yours,
/s/
Malcolm R. McNeill, Jr.
Email: McNeill@McNeill-law.com

MRM/jhf
cc: Carl Cressey (carl.cressey@libertymutual.com)
Gordon Leedy (gleedy@vhb.com)
Mike Leo (mleo@vhb.com)



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P13-02

Application Type: Conditional Use Permit
Applicant: Bennett Holmes
Owner: John Gesek
Location: 127 Spur Road (Assessor's Map L, Lot 30)

**** Please bring the application materials from the January 22, 2013 meeting ****

INTENT: To obtain a Conditional Use Permit to impact 600 sq. ft. of the Conservation District for the construction of a 2 ½ foot high retaining wall and concrete patio within an area of existing crushed stone. The property abuts the Bellamy River.

LOTS/UNITS PROPOSED: None

AGENDA ITEM #: 4-C

ACREAGE: 0.5 acres

ZONING DISTRICT: Low Density Residential District - R-20

EXISTING LAND USE: Single-family residential

PROPOSED LAND USE: Single-family residential

SURROUNDING LAND USE: Single-family residential

ZBA ACTION: None

ATTACHMENTS: Conditional use plan and application

APPLICATION IS COMPLETE: Yes

NOTICES SENT: Abutter notices were sent by certified mail to all abutters for the January 22, 2013 meeting and the Planning Board voted to refer the item to the February 26, 2013 meeting.

PERMITS REQUIRED:

- NHDES Wetlands Permit
- City of Dover Conditional Use Permit

WAIVERS REQUESTED: None

Summary of Request and Background

The applicant has submitted a set of plans to impact the Conservation District by replacing a crushed stone area adjacent to the house with a concrete patio surrounded by a retaining wall.

The applicant appeared before the Conservation Commission on January 14, 2013 and February 11, 2013. The Conservation Commission voted on February 11, 2013 to endorse the application with the condition that the applicant amends the plan to add a drywell to the patio for drainage (see Conservation Commission minutes).

Consistency with Land Use Regulations

The Conservation District ordinance provides for Conditional Use Permits to allow impacts to areas within 100 feet of a tidal water body if standards related to demonstration of need, avoidance, minimization, and mitigation are met.

STAFF RECOMMENDATION:

The Planning Department recommends the Planning Board approve the Conditional Use Permit with the following conditions:

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

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



City of Dover, New Hampshire CONDITIONAL USE PERMIT APPLICATION

[Revision Date: August 16, 2010]

Office Use Only	Project #:	<u>P13-02</u>	Date Received:	<u>JAN 7 2013</u>
	Amount Paid:	_____	Time Received:	_____

APPLICANT AND OWNER INFORMATION

Name of Applicant: Bennett Holmes Telephone # 603-396-7218

Address of Applicant: P.O. Box 200 Rye Beach, NH. 03871

Name of Property Owner (if different from applicant): John Geseke Telephone # _____

Address of Property Owner: 127 Spur Rd

PROPERTY INFORMATION

Address of Property: 127 Spur Rd

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

Zoning District(s): R20 Overlay District(s): Conservation

Existing Use of Property: Residential

CONDITIONAL USE PERMIT INFORMATION

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

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Conservation District | <input type="checkbox"/> RCM Use Overlay District | <input type="checkbox"/> I-1 District Uses |
| <input type="checkbox"/> Groundwater Protection | <input type="checkbox"/> Off-Street Parking and Loading | |
| <input type="checkbox"/> Wetland Protection District | <input type="checkbox"/> Central Business District | |

Describe Proposed Use or Activity That Requires Conditional Use Permit and Describe Any Impacts:

Construction of 2.5' high retaining wall and concrete piers within 100' of Bellamy River. Project is located within existing crushed stone area (see picture attached). Materials to be concrete, see attached plan for layout.

List Any Associated State or Federal Permits That Have Been or Will Be Applied For and Indicate Their Status: DES - to be submitted

Name of Professional That Prepared Plans: Bennett Holmes

Address: P.O. Box 200 Rye Beach, NH. 03871 Telephone #: 603-396-7218

Professional License #: _____ E-mail address: Ben@RyeBeachNHscapity.com

SIGNATURES

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

Signature of Property Owner: (see attached prior application) Date: _____

Signature of Applicant (if different from owner): [Signature] Date: 1-7-13

Signature of Agent: [Signature] Date: 1-7-13

AUTHORIZATION TO ENTER SUBJECT PROPERTY

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

Signature of Property Owner: See attached prior signed application Date: _____

Amount Paid _____	Date Received _____
Account # _____	Time Received _____

**CONDITIONAL USE APPLICATION
CITY OF DOVER PLANNING BOARD**

GENERAL INFORMATION

Date: January 4, 2013 Telephone #: 603-964-6888
 Name of Applicant: Bennett Holmes
 Address of Applicant: P.O. Box 200 Rye Beach, NH 03871
 Signature of Applicant: _____
 Name of Property Owner: John Gesek
 Address of Property Owner: 127 Spur Road Dover NH 03820
 Signature of Property Owner: [Signature]
 Address of Property Being Developed: 127 Spur Road Dover
 Assessor's Map #: _____ Lot #: L-30
 Zoning District: _____

2. APPLICANT'S PROPOSED ACTIONS (check where applicable)

Activity in Dover Conservation District – Describe activity Construction of retaining walls and patio within 100 ft of Bellamy River, location to be within existing crushed stone area. Construction materials to be concrete, see attached plan for layout.

____ Impact to Dover Wetlands – Describe impact _____

____ Other _____

3. THE FOLLOWING PERMITS HAVE BEEN OBTAINED AND ARE ATTACHED

Army Corps of Engineers
 New Hampshire Wetlands Board
 Other DES

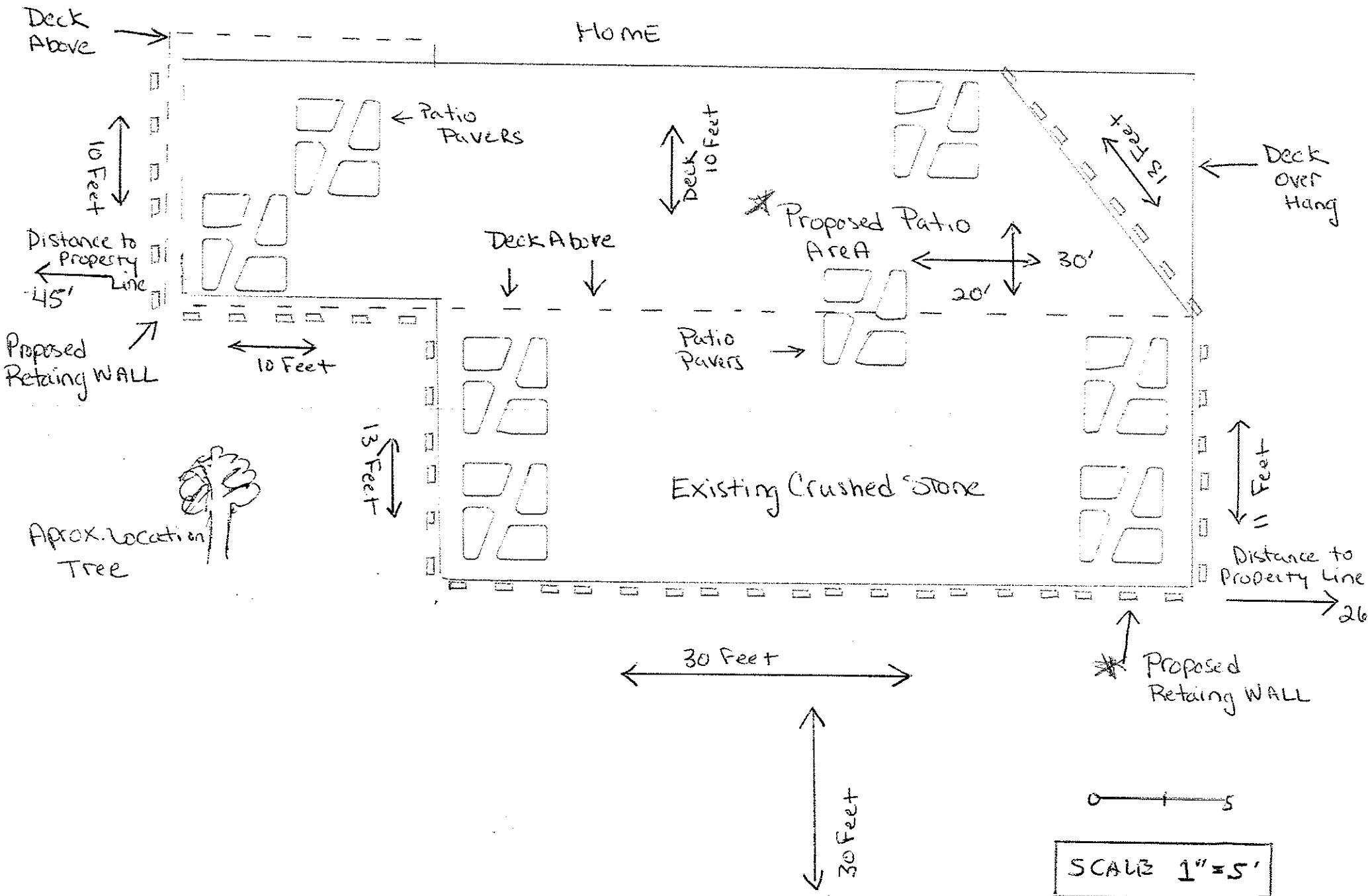
January, 4, 2013

To Whom It May Concern:

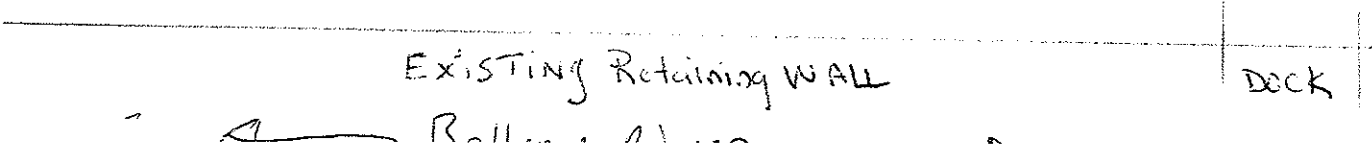
I, John Gesek, grant permission to Bennett Holmes of Rye Beach Landscaping, LLC to conduct business on my behalf for the purposes of obtaining state and local permits for landscaping and related projects at 127 Spur Road, Dover, NH 03820.



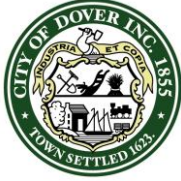
John Gesek



127 SPUR ROAD
DOVER N.H







CITY OF DOVER

DOVER CONSERVATION COMMISSION – MINUTES

Meeting Type: Regular Meeting
Meeting Location: First Floor Conference Room - 288 Central Avenue Dover NH
Meeting Date: Monday, February 11, 2013
Meeting Time: 5:30 pm

MEMBERS PRESENT: Bill Hunt (Chair), Marcia Gasses (5:35 pm), Ron Hebert, Cora Quisumbing-King, Kevin Perron (5:38 pm), Kris Houle (Alternate)

STAFF PRESENT: Steve Bird (City Planner)

OTHERS PRESENT: Ben Holmes, Michael Leo, Ray Konisky, Ray Grizzle, Zachary Taylor, Sarah Hourihane, Robert Hall, Lisa Hall, Carl Cressey

The meeting was convened by Chair Hunt at 5:32 PM.

1. APPROVAL OF THE PRIOR MEETING MINUTES

Quisumbing-King moved to approve the January 14, 2013 minutes, Houle seconded. Vote: Unanimous

2. OLD BUSINESS

This item was taken up after agenda item 3-A

- A. City of Dover Conditional Use Permit and NHDES Expedited Review Wetlands Permit for Bennett Holmes of Rye Beach Landscaping (Owner: John Gesek), Assessor's Map L, Lot 30, zoned R-20, located at 127 Spur Road. Proposed work involves the installation of a retaining wall and patio in an existing crushed stone area in the Conservation District along the Bellamy River. Total area of disturbance is 600 sq. ft.

Gasses moved to remove the application from the table, Quisumbing-King seconded. Vote: Unanimous

Holmes was present and distributed copies of the revised plans showing the patio area in relation to the entire property, cross sections and product brochures.

Houle: Did the homeowner receive permits for the crushed stone patio?

Bird: I searched our database for any Conditional Use Permit for the property and could not find any. Holmes distributed copies of an e-mail from Eban Lewis of DES that says that crushed stone is considered to be an impervious surface.

Houle: How would drainage collected in the patio be handled?

Holmes: Could use permeable pavers. My idea is to tie it into the roof drain which is tied into the foundation drain.

Gasses: There would be no treatment for this water.

Hunt: Where is foundation drain?

Holmes: It is fairly close to the river.

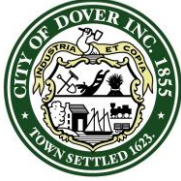
Gasses: You are taking a less than ideal existing situation and making it worse.

Holmes: The owner is worried about floodwaters entering patio door, which the retaining wall would prevent.

Bird: One alternative would be to have the patio have some permeable function.

Gasses: It would be good to have some infiltration capability to handle the water.

Gasses: I am okay with wall providing that we are improving the environmental situation.



CITY OF DOVER

DOVER CONSERVATION COMMISSION – MINUTES

Meeting Type: Regular Meeting
Meeting Location: First Floor Conference Room - 288 Central Avenue Dover NH
Meeting Date: Monday, February 11, 2013
Meeting Time: 5:30 pm

Herbert: I am worried about the bathtub effect.

Holmes: We could install a drywell in a corner of the patio to infiltrate the water.

Gasses: Could foundation drain be tied into a drywell?

Holmes: I am not sure if it is an active foundation drain. I would be concerned about the capacity of the drywell to handle both.

Hunt: The area has a lot of clay.

Holmes: The owners would agree to install a drywall to solve the problem.

Houle: What erosion control measures would you use?

Holmes: We would use straw wattles.

Houle moved to endorse the Conditional Use Permit and NHDES Permit, with a condition that a drywell be added, Gasses seconded. Vote: Unanimous

Bird: The applicant should modify the plan to add the drywell and add specifications for size and submit those to the Planning Department for distribution to the Planning Board. Need the plans in the next four or five days.

3. NEW BUSINESS

- A. City of Dover Conditional Use Permit for Liberty Mutual Insurance Company (Agent: Michael Leo, Vanasse Hangen Brustlin, Inc.), Assessor's Map E, Lot 24, zoned ETP, located at 100 Liberty Way.

Michael Leo of VHB was present to explain the proposed 287 space parking lot that will require 11,764 sq. ft. of grading within wetlands buffer for fill extensions, drainage outfalls and pedestrian walkway and 19,887 sq. ft. of grading within 20% slopes. There is no wetland impact proposed. The plan has been before the Technical Review Committee on December 13, 2012. Most slopes were created when the heli-pad and driveway was built.

Quisumbing-King: What percent of the total wetland buffer is being impacted?

Leo: I have not calculated that number, but it appears to about 10 percent.

Gasses: It is good that you are using pervious pavement for the sidewalk.

Houle: Have you done test pits or borings?

Leo: We have done quite a few and it shows that there is 5 to 6 feet of soil over the bedrock.

Gasses: Are you increasing the post development runoff over the pre development runoff?

Leo: The flow is actually reducing for most of the storms.

Hunt: Could you walk us through the drainage plan?

Leo explained the design of the drainage system. There are three catch basins with hoods for pretreatment and an overflow basin.

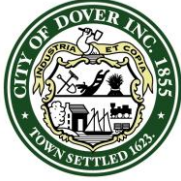
Houle: Did you consider the use of bio-retention in the landscape areas?

Leo: We did look at it but the issue is the slope and higher bedrock.

Houle: Did you look at permeable pavement?

Leo: We did but the primary issue is ease of maintenance. Permeable pavement has had mixed results in our experience. This parking lot will be a high traffic area.

Houle: There is plenty of precedence for high traffic parking lots.



CITY OF DOVER

DOVER CONSERVATION COMMISSION – MINUTES

Meeting Type: Regular Meeting
Meeting Location: First Floor Conference Room - 288 Central Avenue Dover NH
Meeting Date: Monday, February 11, 2013
Meeting Time: 5:30 pm

Gasses: Will you need waiver from the Planning Board for not doing permeable pavement? Liberty Mutual has a good record of maintaining its facilities so they would be the perfect company for this.
Bird: They have applied for a waiver, and we had extensive discussion on the permeable pavement at TRC.

Gasses: Will the Planning Board do a site walk.

Bird: Probably not since this is an already disturbed area.

Houle: What are your erosion control measures? It might be wise to add wattles on the midpoint of the slopes.

Leo: I agree that would be a good idea.

Gasses: I would agree since we have had erosion issues on the previous project with silt running towards the river.

Gasses moved to endorse the Conditional Use Permit, Quisumbing-King seconded. Vote: 5 in favor, 1 opposed (Houle). Motion passes.

B. NHDES Expedited Review Wetlands Permit for NH Department of Fish & Game (Agent: Ray Konisky of The Nature Conservancy).

Ray Konisky and Ray Grizzle were present to explain the proposal to restore a degraded oyster reef in the Piscataqua River by using a barge to place seasoned clam shells on a 150 foot by 400 foot area of the river bed, approximately 310 feet off the shore, near Shore Drive. This is similar to other oyster bed restoration projects in other parts of Great Bay. This is the fifth year of going to conservation commissions in the region to get permission to do oyster restoration projects. We need to create a firm bottom for oysters to grow. The process has been working well so far. These areas are not open to harvesting, but are useful to filter and clean the water.

Hunt: Is the bed in the channel?

Grizzle: It is just at the edge of the channel, but it is 6 to 8 feet below the water at low tide.

Perron: Is the boat traffic a concern?

Grizzle: There is no problem as there is plenty of water depth.

Hunt: How long will it take to do the work?

Grizzle: 1 or 2 days

Konisky: Maybe longer but less than a week.

Gasses confirmed that there all the work will be in the river with no land impact.

Houle: Did you have to inspect for eelgrass?

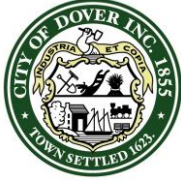
Grizzle: Yes, we do a video inspection.

Quisumbing-King: When will you be doing this?

Konisky: The second week of June.

Hebert moved to endorse the NHDES Wetlands Permit, Quisumbing-King seconded. Vote: Unanimous

Bird: The Chair will be signing the applications after the meeting and I will take them to the City Clerk to get the process going.



CITY OF DOVER

DOVER CONSERVATION COMMISSION – MINUTES

Meeting Type: Regular Meeting
Meeting Location: First Floor Conference Room - 288 Central Avenue Dover NH
Meeting Date: Monday, February 11, 2013
Meeting Time: 5:30 pm

- C. NHDES Wetlands Permit for Kevin Clifford (Agent: Zachary Taylor – Riverside and Pickering Marine Contractors), Assessor's Map 7, Lot 4, zoned R-20, located at 7 Boston Harbor Road.

Zach Taylor was present to discuss the proposal to conduct work adjacent to Little Bay in a tidal wetland to construct a 4 foot by 40 foot fixed pier, a 3 foot by 30 foot aluminum gangway and a 10 foot by 20 foot float located by two pilings. The pier is in the same location as a pier that previously existed. The total impact will be 160 sq. ft. permanent and 350 sq. ft. seasonal. Deck is yellow pine boards. The dock is similar in size to other docks in the area.

Hunt: Is this about the same size as what was there before?

Taylor: Yes, but there is not much left of the previous dock.

Members reviewed pictures of the previous dock.

Hebert: How many pilings are proposed?

Taylor: There are 6 pilings.

Bird explained that there is no Planning Board permit required. If the commission endorses the application, a letter will be prepared for the Chair to sign to send to DES. The endorsement will speed up the process.

Gasses moved to endorse the NHDES Wetlands Permit, Perron seconded. Vote: Unanimous

- D. NHDES Wetlands Permit for Patrick & Sarah Hourihane, Assessor's Map L, Lot 34, zoned R-20, located at 135 Spur Road.

Sarah Hourihane was present to discuss the proposal to conduct work adjacent to the Bellamy River in a tidal wetland to construct a 4 foot by 50 foot fixed pier with 8 pilings, a 3 foot by 40 foot aluminum ramp and a 10 foot by 14 foot float. The total impact will be 200 sq. ft. permanent and 260 sq. ft. seasonal. We are working with our neighbors to file the applications and construct at the same time to reduce impacts.

Hunt: Will this allow you to access the river at all times?

Hourihane: Not at the low tide.

Quisumbing-King: What is a mat?

Hourihane: It is a mat that is placed over the eelgrass to prevent damage during construction.

Houle: So the work will be done from the land.

Hourihane: Yes the contractor will access the river from one location between our properties to reduce the impacts and will place the mats in one location.

Perron: Who is the contractor?

Hourihane: It is Ambrose out of the Lakes Region.

Gasses moved to endorse the NHDES Wetlands Permit, Hebert seconded. Vote: Unanimous



CITY OF DOVER

DOVER CONSERVATION COMMISSION – MINUTES

Meeting Type: Regular Meeting
Meeting Location: First Floor Conference Room - 288 Central Avenue Dover NH
Meeting Date: Monday, February 11, 2013
Meeting Time: 5:30 pm

- E. NHDES Wetlands Permit for Robert & Lisa Hall, Assessor's Map L, Lot 33, zoned R-20, located at 133 Spur Road.

Robert Hall was present to explain the proposal to conduct work adjacent to the Bellamy River in a tidal wetland to construct a 4 foot by 35 foot fixed pier, a 3 foot by 25 foot seasonal ramp and an 8 foot by 10 foot seasonal float. The total impact will be 140 sq. ft. permanent and 155 sq. ft. seasonal. The dock will give us access to the river for recreational purposes. There is nothing there now. The site is the shortest distance to the water. There are six pilings all together with a wooden dock.

Bird: Why is your ramp 15 feet shorter than the previous application?

Hall: Not sure but it is due to the land topography. Distance to mud flats is less for us.

Quisumbing-King moved to endorse the NHDES Wetlands Permit, Houle seconded. Vote: Unanimous

4. REPORT FROM THE CHAIR

5. OTHER BUSINESS

A. Update on Morrison Lane Conservation Easement Monitoring

Bird: Hunt has asked me to write a letter to the association to inquire about the status of the management plan.

Gasses: Don't forget about the plan reading workshop and another workshop that we received an e-mail about.

Bird: Don't forget that Alison Webb, the City's Human Resource Director will be taking photographs for ID's at the OLC meeting this Thursday at 5:00 or you can also contact her directly to make arrangements.

Quisumbing-King: Is next March when we talked about having a joint meeting with OLC?

Bird: Yes, depending on the load of business.

6. ADJOURNMENT

Quisumbing-King motioned to adjourn at 6:55 PM. Perron seconded. Vote: Unanimous



CITY OF DOVER

DOVER CONSERVATION COMMISSION – MINUTES

Meeting Type: Regular Meeting
Meeting Location: First Floor Conference Room - 288 Central Avenue Dover NH
Meeting Date: Tuesday, January 14, 2013
Meeting Time: 5:30 pm

MEMBERS PRESENT: Bill Hunt (Chair), Marcia Gasses, Lauren Jacoby, Ron Hebert, Cora Quisumbing-King, Kevin Perron, Kris Houle (Alternate)

STAFF PRESENT: Steve Bird (City Planner)

OTHERS PRESENT: Ben Holmes

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

1. ANNUAL NOMINATIONS AND ELECTION OF OFFICERS FOR 2013

Hunt explained that the floor was open for nominations for the three officer positions.

Quisumbing-King nominated Hunt to serve as Chair, Hebert seconded. Vote: Unanimous

Jacoby nominated Gasses to serve as Vice Chair, Quisumbing-King seconded. Vote: Unanimous

Jacoby nominated Calabro to serve as Secretary, Gasses seconded. Vote: Unanimous

2. APPROVAL OF THE PRIOR MINUTES

Quisumbing-King moved to approve the November 13, 2012 minutes, Jacoby seconded. Vote: Unanimous

3. OLD BUSINESS

Quisumbing-King: What happened to the project on Watson Road that we did a site walk on?

Bird: It has not been back to the Planning Board yet. They are looking at some redesign and buffer issues and negotiating with the neighbors. The City is encouraging connections to water and sewer.

4. NEW BUSINESS

- A. City of Dover Conditional Use Permit and NHDES Expedited Review Wetlands Permit for Bennett Holmes of Rye Beach Landscaping (Owner: John Gesek), Assessor's Map L, Lot 30, zoned R-20, located at 127 Spur Road. Proposed work involves the installation of a retaining wall and patio in an existing crushed stone area in the Conservation District along the Bellamy River. Total area of disturbance is 600 sq. ft.

Ben Holmes of Rye Beach Landscaping was present to give the Commission a presentation on the impacts associated with the project. Owner is concerned that floodwaters would enter the patio doors in a flood.

Gasses: Where is the retaining wall going to be located?

Holmes: It will be in the existing crushed stone area, not out by the riverbank.

Gasses: Are you replacing a pervious surface with impervious patio blocks?

Holmes: We can use pervious pavers if that is required.



CITY OF DOVER

DOVER CONSERVATION COMMISSION – MINUTES

Meeting Type: Regular Meeting
Meeting Location: First Floor Conference Room - 288 Central Avenue Dover NH
Meeting Date: Tuesday, January 14, 2013
Meeting Time: 5:30 pm

Hebert: Where are the property lines on the plan?

Holmes: The retaining wall near the river is the property line.

Gasses: The plan doesn't show the entire lot, which would be helpful to understand the project.

Bird: The DES may consider the crushed stone area as impervious, but you should check with DES.

Hunt: How long ago was the crushed stone area put in?

Holmes: Maybe within the last five years.

Hunt: Would the crushed stone require permits?

Bird: Yes it would have required permits.

Gasses: The plan does not even show the entire house.

Hunt: Do we know if a permit was obtained.

Bird: I will look in our records to see if a CUP was issued.

Gasses: I feel like we need more information.

Houle: Can you explain the cross section and the elevations?

Holmes: The idea is to slope away from the house.

Gasses: What kind of footing is required for the retaining wall?

Holmes: The wall does not go below the frost line and is a monolithic pour of concrete with rebar.

Gasses: What is across the river from this?

Holmes: I am not sure.

The maps were unclear on the location relative to the property across the river.

Gasses: We need the impervious calculations.

Holmes: They were part of the DES permit.

Bird: The permit says that the existing impervious is 6,228 sq. ft., with 600 sq. ft. proposed, for a total of 30 percent impervious.

Hunt asked about the height of the retaining wall.

Holmes: From the lawn side the reveal will be 6 to 12 inches, but the wall is taller.

Bird: What is the construction schedule?

Holmes: We need to snow to be gone and the ground needs to be dry, so it may not be until April or May.

Bird: It seems that the members would like more detailed information including a plan of the entire lot and the house with the project area superimposed on it and a cross section of the retaining wall and house with the existing and proposed elevations.

Houle: I would like to see elevation information.

Bird: This project is on the January Planning Board agenda and abutters have been notified. If this board is not ready to make a recommendation the Planning Board will likely table the application until the February meeting. The DES permit has not been filed yet.

Gasses: It would be a good idea to wait until the Planning Board makes a decision prior to filing with the state.

Bird: If the Conservation Commission does not sign the DES application, it cannot be expedited.

Holmes: There is no disadvantage to waiting a month for my clients.

Hunt: Bird will work with the applicant to provide the information requested and look to see if any other applications have been filed for the property.

*Quisumbing-King moved to table the Conditional Use Permit and NHDES Permit until the February 11th meeting.
Perron seconded. Vote: Unanimous*



CITY OF DOVER

DOVER CONSERVATION COMMISSION – MINUTES

Meeting Type: Regular Meeting
Meeting Location: First Floor Conference Room - 288 Central Avenue Dover NH
Meeting Date: Tuesday, January 14, 2013
Meeting Time: 5:30 pm

5. REPORT FROM THE CHAIR

Hunt: We discussed the idea of obtaining photo ID's for members at the meeting last week.

Bird: Alison Webb, the City's Human Resource Director has agreed to prepare ID's for OLC and Conservation Commission members. She is planning to attend the next OLC meeting at 5:00 to take photographs before the meeting. You can also contact her directly to make arrangements.

Hunt: This would good for all members if you like to inspect the properties that are on our agendas.

6. OTHER BUSINESS

A. NHDES WETLANDS BUREAU NOTIFICATIONS

1. Wetland Routine Roadway and Railway Maintenance Activities Notification – Culvert Repair and Replacement in 5 Locations on Spaulding Turnpike by NHDOT
2. Utility Maintenance Notification Form – Routine Vegetation Management in Existing Right-of-Way by Public Service of NH

Bird explained the two notifications received. No action is required by the board.

B. Update on Morrison Lane Conservation Easement Monitoring

Bird explained that the Conservation Commission has received a letter from the Board of Directors informing them that Ron Hebert is no longer on the board. Bird has spoken with Chris Wyskiel, a unit owner, who told him that they are hiring Mark West to prepare a management plan for the open space parcel.

C. Joint Meeting with the OLC

Hunt: We had a good discussion with the OLC last week. We talked about having joint meetings a few times a year. The master plan has specific recommendations with action items for the Conservation Commission to be responsible for. In terms of easement monitoring, several members have volunteered to assist Bird and the OLC members.

Bird: We will develop an e-mail distribution list of volunteers to notify when an easement monitoring visit is planned. As long as 2 or 3 people can go it will happen. Bird will notify the owners and prepare the monitoring forms and maps for the visit.

7. ADJOURNMENT

Quisumbing-King motioned to adjourn at 6:48 PM. Gasses seconded. Vote: Unanimous



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P05-48A

Application Type: Amendment of Condition of Approval
Applicant(s): Robert Thomas
Owner(s): Dover Retirement Residence, LLC
Location: 30 Holiday Drive (Assessor's Map I, Lot 56)

**** Please bring the application materials from the January 22, 2013 meeting ****

INTENT: To request an amendment to a previously approved site plan to add three street lights along the driveway that were not included on the original plan. The lights are meant to address a safety issue along the driveway that leads to the congregate care facility.

LOTS/UNITS PROPOSED: None

AGENDA ITEM #: 4-D

ACREAGE: 14.27 Acres

ZONING DISTRICT: Medium-Density Residential District (R-12)

EXISTING LAND USE: Congregate Care Facility

PROPOSED LAND USE: Congregate Care Facility

SURROUNDING LAND USE: Single family and multi-family residential and day care facility

ZBA ACTION: Two variances were granted in 2004 and 2005 to permit the proposed use

ATTACHMENTS: Revised lighting plan

APPLICATION IS COMPLETE: Yes

NOTICES SENT: Abutter notices were sent by certified mail to all abutters for the January 22, 2013 meeting and the Planning Board voted to refer the item to the February 26, 2013 meeting.

PERMITS REQUIRED: None

WAIVERS REQUESTED: None

Summary of Request and Background

The applicant has submitted an application to amend the site plan that the Planning Board approved on 2/28/06, to approve three street lights that were added along Holiday Drive.

The original site plan did not include any street lights along Holiday Drive. In 2012 the owner applied for and received an electrical permit to install three pole mounted street light along the northerly side of the driveway. At some point after the lights were installed, the Zoning Administrator received a complaint from an abutter about the lights. After being contacted, the owner agreed to apply for an amendment to the approved site plan and produced a lighting plan that depicted the foot-candles that the recently installed lights produce. After reviewing the lighting plan and visiting the site, the Planning Staff asked the owner to prepare a revised lighting plan to reduce the intensity of the light. In response, the applicant produced a revised lighting plan that reduces the pole height from 25 feet to 20 feet and reduces the wattage of the light bulbs from 400 to 250. This is the lighting plan that the Planning Board is being asked to approve.

STAFF RECOMMENDATION:

The Planning Department recommends that the Planning Board approve the amendment to the previously approved site plan with the following condition:

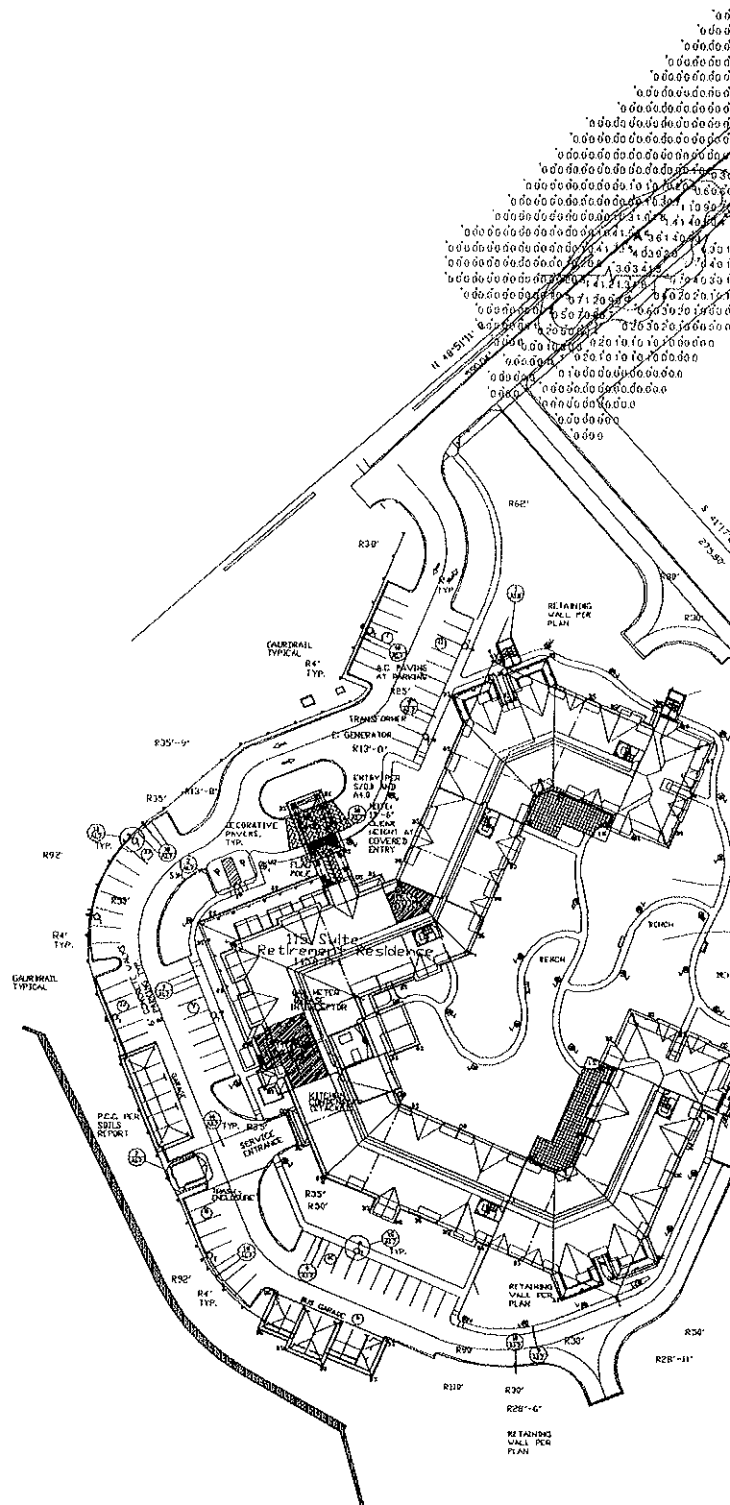
1. The applicant shall change the pole height and bulb wattage of the three lights no later than March 27, 2013.

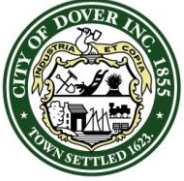
LUMINAIRE SCHEDULE

Symbol	Label	Qty	Catalog Number	Description	Lamp	File	Lumens	LLF	Watts
■	A	3	AS2 250M SR2 HS (PULSE START) on 20' Pole	ARCHITECTURAL ARM-MOUNTED CUTOFF LUMINAIRE WITH SR2 REFLECTOR, BLACK INTERNAL HOUSE SIDE SHIELD, MEETS THE NIGHTTIME FRIENDLY CRITERIA	ONE (1) 250 WATT CLEAR BT28 PULSE START METAL HALIDE LAMP IN HORIZONTAL POSITION	AS2_250M_SR2_HS_(PULSE_START).ies	22500	0.61	288

STATISTICS

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
North of the Roadway	+	0.1 fc	3.5 fc	0.0 fc	N/A	N/A
Roadway	+	1.0 fc	5.0 fc	0.0 fc	N/A	N/A
South of the Roadway	+	0.1 fc	0.7 fc	0.0 fc	N/A	N/A





CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P13-04

Application Type: Scenic Road Tree and Brush Removal and Trimming
Applicant(s): Public Service of New Hampshire
Owner(s): N/A
Location: Old Garrison Road and Rochester Neck Road

INTENT: A request by Public Service of New Hampshire to trim and remove trees and brush along the right-of-way of two scenic roads - Old Garrison Road and Rochester Neck Road.

LOTS/UNITS PROPOSED: None

AGENDA ITEM #: 4-E

ACREAGE: N/A

ZONING DISTRICT: N/A

EXISTING LAND USE: N/A

PROPOSED LAND USE: N/A

SURROUNDING LAND USE: Single-family residential

ZBA ACTION: N/A

ATTACHMENTS: Letter from PSNH and maps

APPLICATION IS COMPLETE: Yes

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

PERMITS REQUIRED: None

WAIVERS REQUESTED: None

Summary of Request and Background

The applicant is requesting to trim and remove trees and brush along Old Garrison Road and Rochester Neck Road.

RSA 231:158 and Chapter 143, Scenic Roads, (enclosed) require that the Planning Board hold a public hearing on any request to remove trees within the right-of-way of a scenic road.

The Planning Board approved a similar request for these scenic roads on April 14, 2009.

STAFF RECOMMENDATION:

The Planning Department recommends that the Planning Board approve the request based on a finding that the removal and trimming of the trees and brush by PSNH is necessary for proper maintenance of the electric lines. The applicant shall pay the invoice for the cost of the mailing to abutters prior to beginning any work.



**Public Service
of New Hampshire**

60 W. Pennacook Street, Manchester, NH 03101

Public Service Company of New Hampshire
P.O. Box 330
Manchester, NH 03105-0330
(603) 669-4000

The Northeast Utilities System

P13-04

FEB 04 2013

G. Paul

January 30, 2013

Planning Board
City of Dover
288 Central Avenue
Dover, NH 03820

Dear Planning Board Members:

This letter is to inform the City of Dover that Public Service of New Hampshire is planning to trim and remove trees and brush adjacent to and beneath some of its power lines within the town. This work is necessary to insure the safe distribution of power and to improve the reliability of electric service for our customers

According to PSNH records, Old Garrison Road(17H1) and Rochester Neck Road(32W2) have been designated as scenic roads by the Town. Please consider this letter a request from PSNH for a public hearing for the trimming and removal of trees and brush along this road within the proposed work area pursuant to RSA 231:158. Please inform this office of the time and place of said meeting so that we may have a representative present. A map highlighting the area to be trimmed is enclosed.

PSNH specifications call for the removal of brush and limbs less than 6" in diameter which are located within eight feet to the side, ten feet below or fifteen above conductors. Larger trees or limbs which present a threat to PSNH lines or other equipment because of decay or other defect will be removed on a case by case basis. A list of hazardous trees identified for removal by PSNH has been included. All hazardous trees have been flagged with ribbon.

City Of Dover

2013 List of Hazardous Trees

Identified for possible

Removal by PSNH

P13-04

Circuit 399X16

Old Garrison Rd

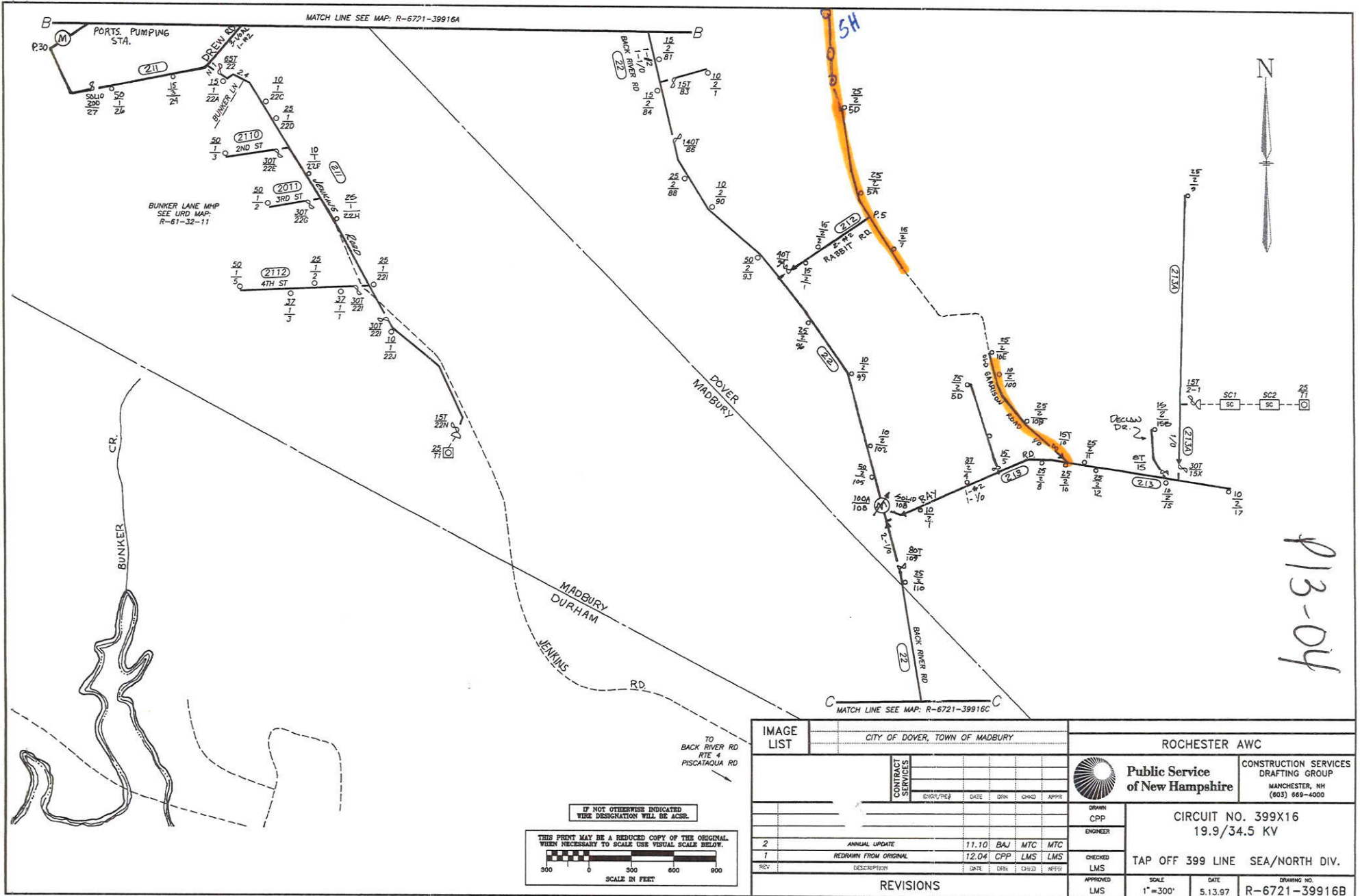
pole 212/5-6

dead elm

pole 212/5C-5D

dead pine

R:\System Projects\Drafting\0240071\ROCHESTER AWC\PRIMARY\399X16\R-6721-39916B.dwg, somanna, Nov 3, 2010 - 10:07AM



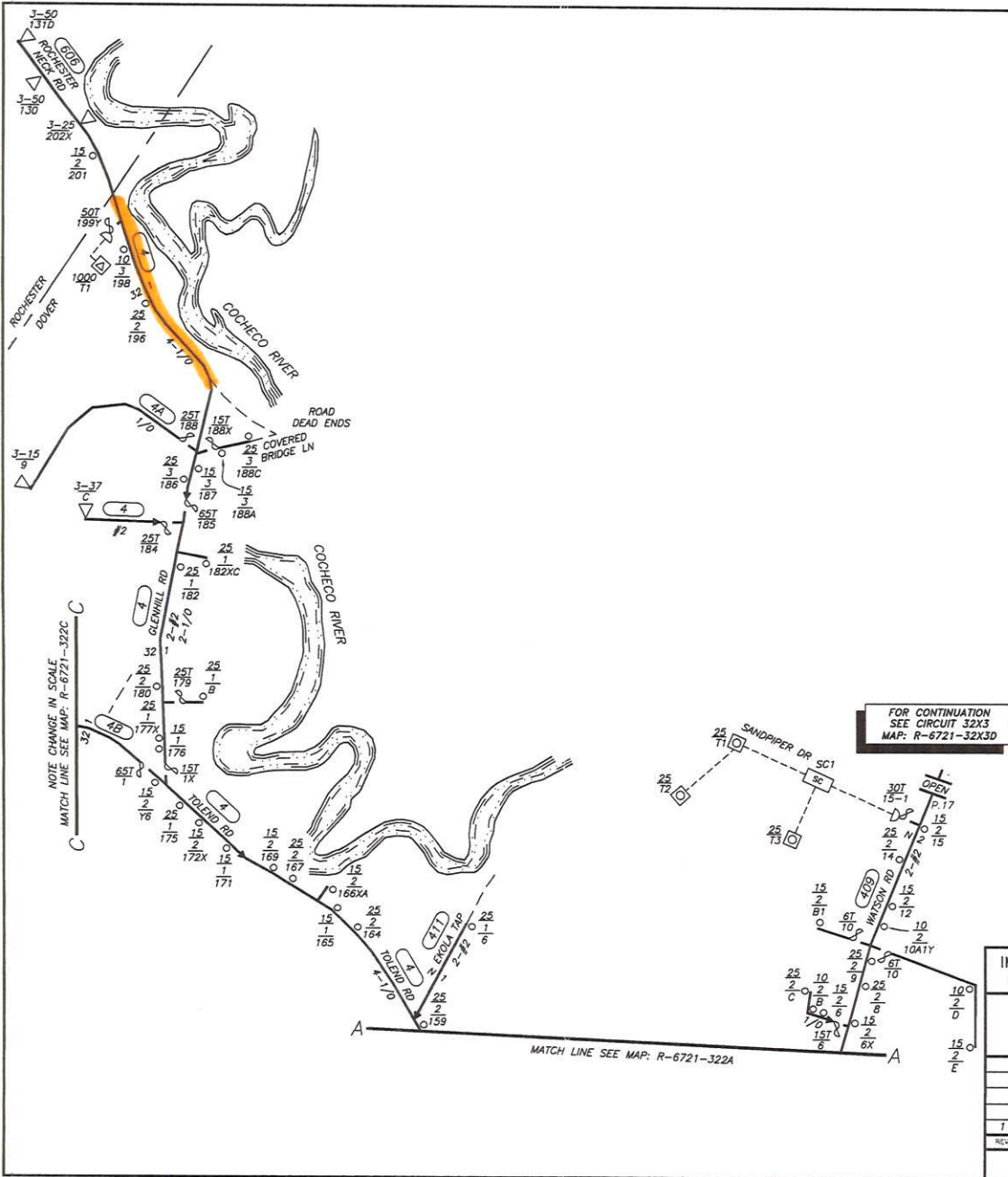
P13-04

IMAGE LIST		CITY OF DOVER, TOWN OF MADBURY				ROCHESTER AWC	
CONTRACT SERVICES		ENG/PE	DATE	DRN	CHKD	APPR	 Public Service of New Hampshire CONSTRUCTION SERVICES DRAFTING GROUP MANCHESTER, NH (603) 669-4000
2	ANNUAL UPDATE	11.10	BAJ	MTC	MTC		
1	REDRAWN FROM ORIGINAL	12.04	CPP	LMS	LMS		CIRCUIT NO. 399X16 19.9/34.5 KV TAP OFF 399 LINE SEA/NORTH DIV.
REV	DESCRIPTION	DATE	DRN	CHKD	APPR		APPROVED LMS SCALE 1"=300' DATE 5.13.97 DRAWING NO. R-6721-39916B
REVISIONS							

IF NOT OTHERWISE INDICATED
WIRE DESIGNATION WILL BE ACSR.

THIS PRINT MAY BE A REDUCED COPY OF THE ORIGINAL.
WHEN NECESSARY TO SCALE USE VISUAL SCALE BELOW.

SCALE IN FEET



913-04

IF NOT OTHERWISE INDICATED
WIRE DESIGNATION WILL BE ACSS.

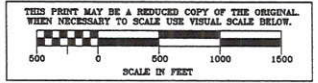


IMAGE LIST		CITIES OF DOVER, ROCHESTER				ROCHESTER AWC													
CONTRACT SERVICES		<table border="1"> <tr> <th>EXPIR./PES</th> <th>DATE</th> <th>DIRN</th> <th>CHKD</th> <th>APPR</th> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table>				EXPIR./PES	DATE	DIRN	CHKD	APPR									
EXPIR./PES	DATE	DIRN	CHKD	APPR															
DRAWN BAJ		ENGINEERING AND DESIGN				MANCHESTER, NH (603) 669-4000													
ENGINEER		CIRCUIT NO. 32W2 7.2/12.47 KV				LITTLEWORTH S/S SEA/NORTH DIV.													
1 ANNUAL UPDATE - MAP REDRAWN WAS MANUAL/TIF IMAGE		11.10	BAJ	MTC	MTC	CHECKED MTC		SCALE 1"=500'											
REV		DATE	DIRN	CHKD	APPR	APPROVED MTC		DATE 10.15.09											
REVISIONS						DRAWING NO. R-6721-322D													

DOVER CODE

SCENIC ROADS

Chapter 143

143-1. Designation

143-2. Effect of Designation

143-3. Protection of Stonewalls [Added
04-18-01 by Ord. No. 02-2001]

143-4. Violations and Penalties

[Amended 04-18-01 by Ord. No. 02-
2001; amended 12-18-02 by Ord. No.
36-2002]

[HISTORY: Adopted by the City Council of the City of Dover 12-14-77. Section 143-3 added at time of adoption of Code; see Ch. 1, General Provisions, Art. I. Other amendments noted where applicable.] Editor's Notes: Provisions of this chapter are derived from Ch. 26 of the former Code, adopted 12-14-77. Added at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

143-1. Designation

Upon the recommendation or request of the Planning Board, Conservation Commission or Historical Commission, the City Council may designate any road in the city, with the exception of Class I or Class II highways, as a "scenic road" as provided by RSA 253:17.

143-2. Effect of Designation

Upon a road being designated as a scenic road as previously provided, any repair, maintenance, reconstruction or paving work done with respect thereto shall not involve or include the cutting or removal of trees or the tearing down or destruction of stone walls or portions thereof, except with the prior written consent of the Planning Board, after a public hearing duly advertised as to time, date, place and purpose, two (2) times in a newspaper of general circulation in the area, the last publication to occur at least seven (7) days prior to such hearing as provided and set forth in RSA 252:18.

143-3. Protection of Stonewalls Added 04-18-01 by Ord. No. 02-2001]

Stonewalls that are located along the front property line of lots abutting a scenic road shall be protected and preserved to the maximum extent possible. If the Planning Board, after holding a public hearing as required by Chapter 143-2, approves the removal of a portion of a stonewall, the stones taken from the original wall shall be reused on the property to rebuild deteriorated portions of the stonewall or to construct a stonewall at the driveway entrance.

TITLE XX

TRANSPORTATION

CHAPTER 231

CITIES, TOWNS AND VILLAGE DISTRICT HIGHWAYS

Scenic Roads

Section 231:158

231:158 Effect of Designation as Scenic Roads. –

I. As used in this subdivision, "tree" means any woody plant which has a circumference of 15 inches or more at a point 4 feet from the ground.

II. Upon a road being designated as a scenic road as provided in RSA 231:157, any repair, maintenance, reconstruction, or paving work done with respect thereto by the state or municipality, or any action taken by any utility or other person acting to erect, install or maintain poles, conduits, cables, wires, pipes or other structures pursuant to RSA 231:159-189 shall not involve the cutting, damage or removal of trees, or the tearing down or destruction of stone walls, or portions thereof, except with the prior written consent of the planning board, or any other official municipal body designated by the meeting to implement the provisions of this subdivision, after a public hearing duly advertised as to time, date, place and purpose, 2 times in a newspaper of general circulation in the area, the last publication to occur at least 7 days prior to such hearing, provided, however, that a road agent or his designee may, without such hearing, but only with the written permission of the selectmen, remove trees or portions of trees which have been declared a public nuisance pursuant to RSA 231:145 and 231:146, when such trees or portions of such trees pose an imminent threat to safety or property, and provided, further, that a public utility when involved in the emergency restoration of service, may without such hearing or permission of the selectmen, perform such work as is necessary for the prompt restoration of utility service which has been interrupted by facility damage and when requested, shall thereafter inform the selectmen of the nature of the emergency and the work performed, in such manner as the selectmen may require.

III. Designation of a road as scenic shall not affect the eligibility of the town to receive construction, maintenance or reconstruction aid pursuant to the provisions of RSA 235 for such road.

IV. Designation of a road as a scenic road shall not affect the rights of any landowner with respect to work on his own property, except to the extent that trees have been acquired by the municipality as shade or ornamental trees pursuant to RSA 231:139-156, and except that RSA 472:6 limits the removal or alteration of boundary markers including stone walls.

V. A town may, as part of a scenic road designation under RSA 231:157 or as an amendment to such designation adopted in the same manner, impose provisions with respect to such road which are different from or in addition to those set forth in this section. Such provisions may include, but are not limited to, decisional criteria for the granting of consent by the planning board or other designated municipal body under paragraph II, or protections for trees smaller than those described in paragraph I, designated for the purpose of establishing regenerative growth along the scenic road.

VI. Any person who violates this section or any local provision adopted under this section shall be guilty of a violation and shall be liable for all damages resulting therefrom.

Source. RSA 253:18. 1971, 455:1. 1973, 586:2. 1981, 87:1. 1983, 122:2. 1991, 134:3, 4. 1992, 160:2, eff. July 5, 1992.

Abutters List

P13-04

Peter & Lisa Amarosa ✓
427 Old Garrison Road
Dover, NH 03820

Beverly Calivas ✓
Beverly Philbrick
430 Old Garrison Road
Dover, NH 03820

Elizabeth Gray ✓
66B Piscataqua Road
Dover, NH 03820

Matthew & Kristi Hartley ✓
22 Rabbit Road
Dover, NH 03820

Michael & Kiva Leatherman ✓
442 Old Garrison Road
Dover, NH 03820

Lydia Jeffcoat ✓
Garth Morin
310 Old Garrison Road
Dover, NH 03820

Jason & Kathy Rozzo ✓
66A Piscataqua Road
Dover, NH 03820

K & R Towle Rev. Trust ✓
67 Back River Road
Dover, NH 03820

Jamie Lesniak ✓
409 Old Garrison Road
Dover, NH 03820

Brox Industries ✓
1471 Methuen Street
Dracut, MA 01826

Peter & Kimberly Clairmont ✓
303 Old Garrison Road
Dover, NH 03820

Paul & Karen Haas ✓
401 Old Garrison Road
Dover, NH 03820

Wendy Burnham ✓
Jean Hills Irrevocable Trust
PO Box 131
Dover, NH 03821

William & Patricia Leavitt ✓
34 Bayview Road
Dover, NH 03820

Jason & Nicole Perkins ✓
350 Old Garrison Road
Dover, NH 03820

Jay Schadler ✓
Jordon Cook
359 Old Garrison Road
Dover, NH 03820

Laura Towle ✓
289 Old Garrison Road
Dover, NH 03820

Nancy Bruce ✓
Jodie Hanscom
293 Old Garrison Road
Dover, NH 03820

Tyler & Patricia Foss ✓
24 Rochester Neck Road
Dover, NH 03820

David & Debra Hanna ✓
419 Old Garrison Road
Dover, NH 03820

Karl Krecklow ✓
337 Old Garrison Road
Dover, NH 03820

Alan & Gladys Lirette ✓
3 Rabbit Road
Dover, NH 03820

Joseph & Denise Pesko ✓
320 Old Garrison Road
Dover, NH 03820

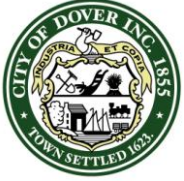
Robert & Margaret Schneider ✓
314 Old Garrison Road
Dover, NH 03820

Joshua & Julia Henry ✓
283 Old Garrison Road
Dover, NH 03820

Ben & Margaret Bristow ✓
341 Old Garrison Road
Dover, NH 03820

Jonathan & Cheri Wilson ✓
435 Old Garrison Road
Dover, NH 03820

P13-04 for 2-26-13



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P13-05

Application Type:	Citizen Petition for Rezoning
Applicant(s):	South Dover Storage Solutions, LLC
Owner(s):	South Dover Storage Solutions, LLC
Location:	68 Rutland Street (Map 15, Lot 62)

INTENT: A request by the owner to rezone approximately 2/3 of an acre at 68 Rutland Street from Medium-Density Residential District (R-12) to Restricted Industrial District (I-1).

LOTS/UNITS PROPOSED: None

AGENDA ITEM #: 4-F

ACREAGE: 4.13 acres

ZONING DISTRICT: Medium-Density Residential District (R-12) and Restricted Industrial District (I-2)

EXISTING LAND USE: Vacant building previously used for concrete manufacturing

PROPOSED LAND USE: Self storage units

SURROUNDING LAND USE: Single-family residential, multi-family residential, and former college buildings

ZBA ACTION: None

ATTACHMENTS: Rezoning application and supporting materials and maps

APPLICATION IS COMPLETE: Yes

NOTICES SENT: No abutter notices were sent for this meeting

PERMITS REQUIRED: N/A

WAIVERS REQUESTED: N/A

Summary of Request and Background

The applicant is requesting to rezone a portion of the former Austin Concrete property on Rutland Street to make the entire property the I-1 District. The applicant proposes to refurbish the building for storage units. Storage units are classified as a Personal Service Establishment and are a permitted use in the I-1 District.

The process for handling the petitioned amendment is outlined in Chapter 170-53-C-3.

STAFF RECOMMENDATION:

The Planning Board should allow the applicant to discuss the merits of the application, discuss the rezoning proposal and determine if more information is needed. If no further information is required, the Planning Board should discuss posting the amendment and scheduling a public hearing.



City of Dover, New Hampshire REZONING APPLICATION

[Revision Date: December 21, 2010]

Office Use Only	File #:	<u>P13-05</u>	Date Received:	<u>FEB 05 2013</u>
	Amount Paid:	_____	Time Received:	_____

GP

APPLICANT and OWNER INFORMATION

Name of Applicant: South Dover Storage Solutions, LLC Telephone # 603-742-2261

Address of Applicant: 11 Moses Carr Road, Rollinsford, NH 03869

Name of Property Owner (if different from applicant): Same Telephone # _____

Address of Property Owner: _____

GENERAL INFORMATION

General Description of Area for Rezoning:

Approximately 2/3 acre of land along Rutland Street; the remaining 3.5 acres is already zoned I-1.

Assessor's Map # 15 Lot(s) # 62

Current Zoning District(s) R-12 Overlay District(s) _____

Size of Area: Approx 2/3 acre Existing Use of Property: Concrete manufacturing

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

Proposed Use of Property: Storage and self-storage units.

REZONING INFORMATION

Please indicate, in a separate narrative, how your proposed amendment addresses the following requirements of RSA 674:17. If the requirement is not applicable, please write N/A.

Does the amendment:

- Lessen congestion in the streets;
- Secure safety from fires, panic and other dangers;
- Promote health and the general welfare;
- Provide adequate light and air;
- Prevent the overcrowding of land;
- Avoid undue concentration of population;
- Facilitate the adequate provision of transportation, solid waste facilities, water, sewerage, schools, parks, child day care;
- Assure proper use of natural resources and other public requirements;
- Encourage the preservation of agricultural lands and buildings; and
- Encourage the installation and use of solar, wind, or other renewable energy systems and protect access to energy (see RSA 674:17 I (j) for full text).

Also, please describe how the amendment has been made with reasonable consideration to the character of the area involved.

REQUIRED ATTACHMENTS

- Fifteen (15) hard copies and one digital copy of the following:
 - A properly drafted ordinance containing the amendment in a form meeting the requirements of the City Clerk;
 - A statement of the purposes and intent of the proposed amendment
 - A statement of the impact of the proposed amendment on the City's economy, environment, municipal services, municipal facilities and neighborhoods;
 - A statement describing how the proposal meets the elements outlined above in the Rezoning Information section.
 - A map showing the existing zoning districts and the amendments to these districts as proposed in the amendment, if applicable;
- The names, addresses, and telephone numbers of those submitting the petition and of any agents or representatives of the same;
- A list and address labels including the name, address, and tax map number of each property owner of the area proposed for rezoning and each property owner within one hundred (100) feet of the subject area. The list shall be current within ten (10) days of submittal; and
- A non-refundable fee in the sixty dollars (\$60.00) to cover the cost of the newspaper notice, and a non-refundable fee of one dollar (\$1.00) per landowner and Abutter required to be notified.

SIGNATURES

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

Signature of Property Owner: Robert F. Frost Date: 2/1/2013

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

AUTHORIZATION TO ENTER SUBJECT PROPERTY

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

Signature of Property Owner: Robert F. Frost Date: 2/1/2013

Purpose and Intent

The purpose of this proposed amendment is to re-zone approximately 2/3 acre of land from R-12 to I-1. The land to be re-zoned is part of a larger parcel, most of which is already zoned I-1.

Impact

Given the size of the land which would be re-zoned, the economic impact on the City will be minimal, but will be positive. This re-zoning will allow for the commercial development of the small portion of this parcel which has frontage on Rutland Street, and will facilitate the commercial development of the larger rear portion of the land which is currently zoned I-1. The development of this land for non-residential purposes will have a net benefit to the City.

The existing building which is located on the portion of the property which will be re-zoned has been used for industrial purposes for many years. The building will be extensively refurbished on the exterior to make it attractive. That will be a substantial improvement for the neighborhood. The proposed storage use will require very little demand on city water and sewer utilities or other municipal services.

Rezoning Criteria

This application for re-zoning is filed by South Dover Storage Solutions, LLC , which owns property on Rutland Street which is the former site of Austin Concrete. The property is Tax Map 15, Lot 62. The property contains 4.13 acres, of which approximately 2/3 acre is located along Rutland Street in the R-12 zone, and the remaining land at the rear of the property is located in the I-1 zone. All of the road frontage is along Rutland Street, in the R-12 zone.

The property located in the R-12 zone presently contains a large building which measures approximately 180 feet by 30 feet. This building is in fairly poor condition, and was used for the manufacture of concrete products. The rear portion of the property in the industrial zone contains many remnants of concrete structures such as tanks and vaults. The applicant is in the process of removing concrete debris.

Any access to the industrial land at the rear of the property must come through the residentially zoned frontage. The rear portion of the land is not well suited for residential purposes since it abuts other industrial land on Locust Street and includes concrete debris, some of which cannot be easily removed. The frontage along Rutland Street and the existing building are not well suited for residential use for several reasons. Current zoning rules discourage having access to industrial land extend through residential land. The large building was built for industrial purposes and could not be converted easily into residential use. It would be difficult to provide sufficient parking on site for residential use in the portion of the land zone for such use.

The applicant proposes to refurbish the exterior of the building and to make interior renovations to use the building for storage. The appearance of the building will be very substantially improved. Some self storage units will be added along the northerly side of the building. These

changes will result in a relatively low volume of vehicular traffic. Since the driveway along the northerly side of the property is the only access to the industrial land in the rear, this property will have some level of commercial traffic regardless of whether a storage business is operated at the front of the property. The overall impact on the neighborhood should be less if the proposed storage use is accommodated by re-zoning the front portion of the property. This use will certainly be less intrusive than the historic use of the property.

The proposed amendment will reduce congestion in the streets since the storage use will generate less traffic than would occur if the existing building were converted into the number of residential units that would be commensurate with its size.

The proposed use of the re-zoned land will comply with zoning requirements for lot coverage, building height, and setbacks and will provide adequate light and air. Less parking will be required than if the building were converted to residential use.

Most of this property is already zoned for industrial use. The re-zoning of the front portion is a natural extension of the industrial zone which extends westward from Locust Street. This re-zoning will avoid undue concentration of population by allowing a commercial use of the land instead of residential use.

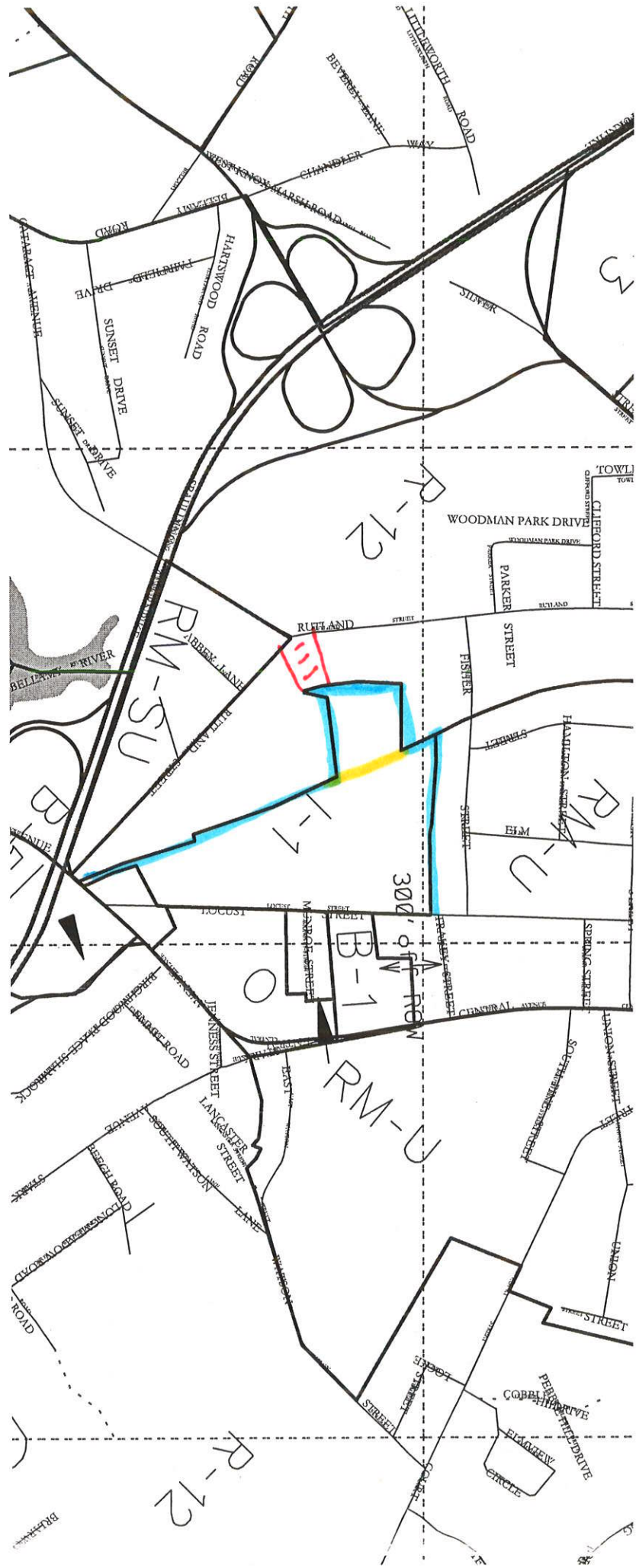
The use of the property for commercial and self storage will require very minimal use of city water and sewer facilities, and will be much less than would occur with residential use.

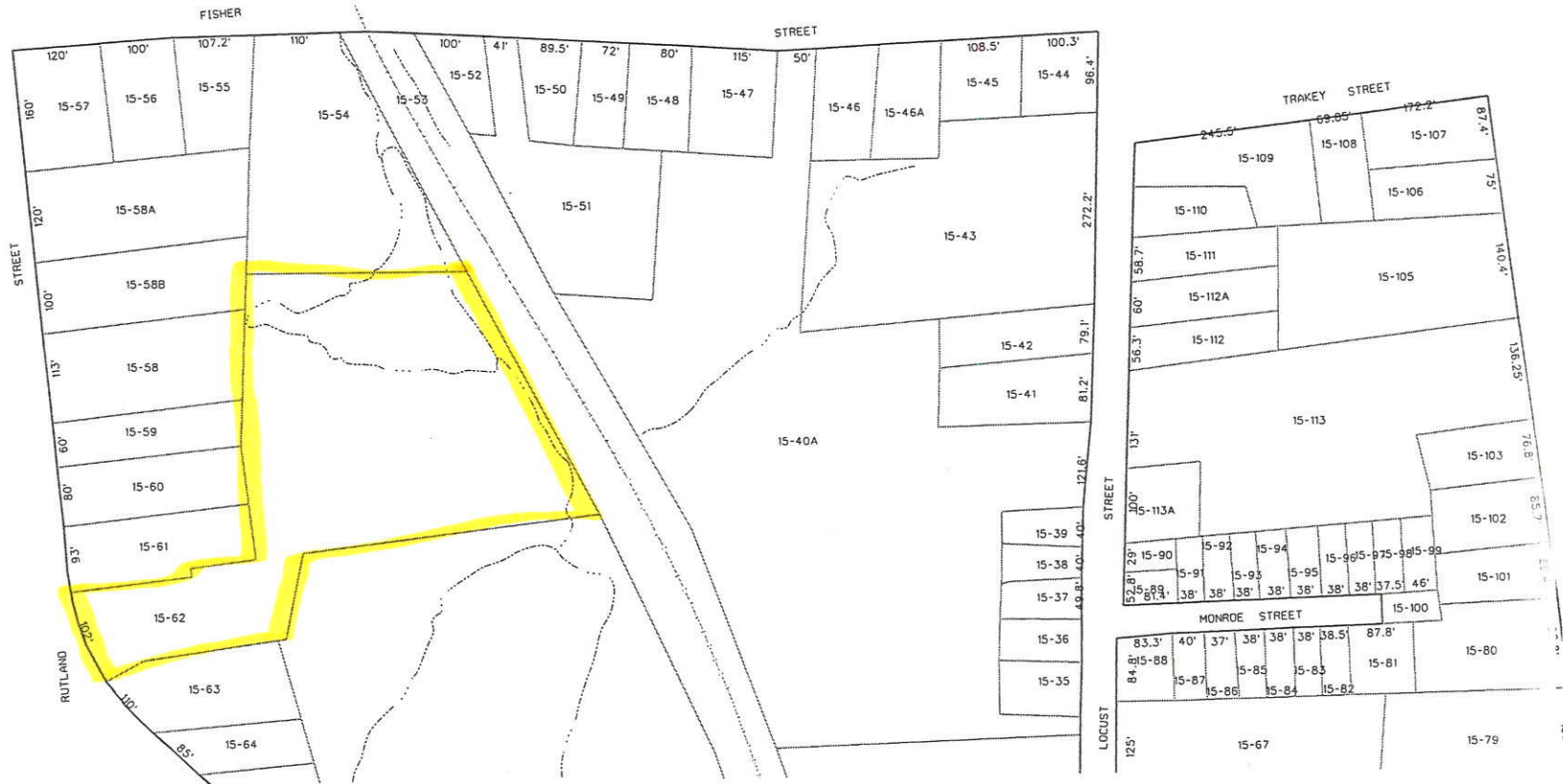
The commercial traffic which will eventually traverse this land to obtain access to the industrial land at the rear makes it unlikely that the front portion of the property could be developed into residential use. If the front were used for residential purposes, the commercial traffic would present noise and safety issues for the residents. This re-zoning will avoid such safety issues.

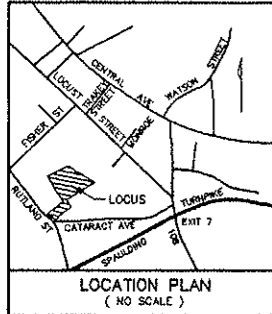
By changing the zoning from residential to industrial, this re-zoning reduces the impact that this property would have on schools, parks, or child day care facilities.

The effect of this re-zoning request is to recognize that this property has been used for commercial or industrial purposes for many years. Extending the industrial zone to Rutland Street allows the entire property to be developed in a consistent manner which will have less impact on the neighborhood than the prior use.









No.	Central Angle	Radius	Arc Length	Chord Length	Chord Bearing
C1	39°46'10"	191.00	132.57	129.93	N25°37'00"W
C2	05°46'51"	3212.17	324.09	323.95	S29°11'28"E

No.	Bearing	Distance
L1	N06°05'39"W	8.40'
L2	N10°19'50"W	11.90'
L3	N01°35'44"E	49.20'
L4	S29°40'50"E	34.65'
L5	S12°13'23"E	50.00'
L6	S83°28'42"W	12.00'

REFERENCE PLANS:

- LOT LINE ADJUSTMENT FOR TAX MAP 15 LOTS 54, 62 & 66 ON FISHER AND RUTLAND STREETS IN DOVER, N.H. SCALE: 1" = 60'; DATED: JUNE 24, 1996, REVISED THROUGH 10/7/96; PREPARED BY: BRUCE POHOPEK, LAND SURVEYOR. RECORDED S.C.R.D. PLAN 48-73.

NOTES:

- OWNERS OF RECORD:
SOUTH DOVER STORAGE SOLUTIONS, LLC
11 MOSES CARR ROAD
ROLLINSFORD, NH 03869
S.C.R.D. VOL. 4055, PAGE 0077
- 15 / 62 - DENOTES TAX MAP AND PARCEL NUMBER.
- ZONING DISTRICTS:
R-1
MINIMUM LOT SIZE = 40,000 S.F.
MINIMUM FRONTAGE = 150 FEET
BUILDING SETBACK REQUIREMENTS:
FRONT = 50 FEET
SIDE = 15 FEET
REAR = 25 FEET
MAXIMUM LOT COVERAGE = 50 PERCENT
R-12
MINIMUM LOT SIZE = 12,000 S.F.
MINIMUM FRONTAGE = 100 FEET
BUILDING SETBACK REQUIREMENTS:
FRONT = NEIGHBORHOOD AVG.
SIDE = 15 FEET
REAR = 30 FEET
MAXIMUM LOT COVERAGE = 30 PERCENT
- THE SUBJECT PARCEL IS LOCATED WITHIN AREAS DETERMINED TO BE OUTSIDE THE 0.2 PERCENT ANNUAL CHANCE FLOODPLAIN AS SHOWN ON FLOOD INSURANCE RATE MAP COMMUNITY NUMBER 330145; PANEL 0320, SUFFIX D; MAP NUMBER 33017C0320D, EFFECTIVE DATE MAY 17, 2005.
- BASIS OF BEARINGS IS NH STATE PLANE GRID FROM GPS OBSERVATION TAKEN ON OCTOBER 5, 2012.
- VERTICAL DATUM IS NAVD88 FROM GPS OBSERVATION TAKEN ON OCTOBER 5, 2012.
- WETLAND DELINEATION PERFORMED BY MARK WEST, C.W.S. 10 OF WEST ENVIRONMENTAL, INC. ON NOVEMBER 1, 2012.
- THE PARCEL IS SUBJECT TO:
SEWER EASEMENT AND RIGHTS GRANTED TO THE CITY OF DOVER AS MORE FULLY SET FORTH IN INSTRUMENT RECORDED JUNE 8, 1942 IN S.C.R.D. BOOK 510, PAGE 448;
EASEMENT TO THE CITY OF DOVER RELATIVE TO SEWERS RECORDED APRIL 15, 1994 IN S.C.R.D. BOOK 1739, PAGE 244.

15 / 68B
STEPHEN FLYNN
LORRAINE FLYNN
54A RUTLAND STREET
DOVER, NH 03820
2183 / 584

15 / 58
JOHN M. METTEE REV. TRUST
58 RUTLAND STREET
DOVER, NH 03820
2209 / 447

15 / 69
CHERYL DAILEY
58 RUTLAND STREET
DOVER, NH 03820
1799 / 377

15 / 60
PANAGIOTIS XYDIAS
VASILIOS XYDIAS
60 RUTLAND STREET
DOVER, NH 03820
1972 / 454

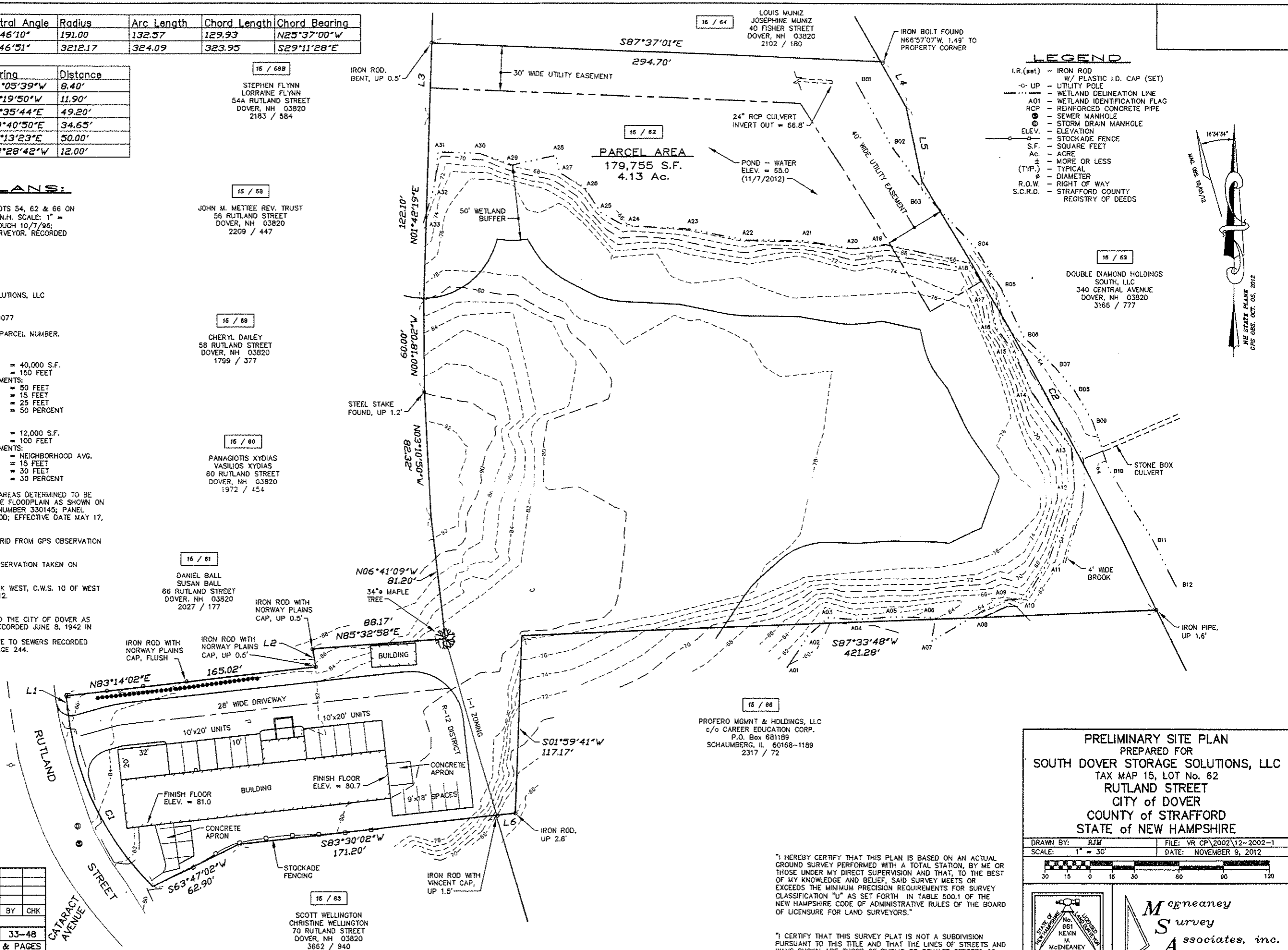
15 / 61
DANIEL BALL
SUSAN BALL
68 RUTLAND STREET
DOVER, NH 03820
2027 / 177

15 / 66
PROFERO MGMT & HOLDINGS, LLC
c/o CAREER EDUCATION CORP.
P.O. Box 681189
SCHAUMBURG, IL 60168-1189
2317 / 72

15 / 65
SCOTT WELLINGTON
CHRISTINE WELLINGTON
70 RUTLAND STREET
DOVER, NH 03820
3662 / 940

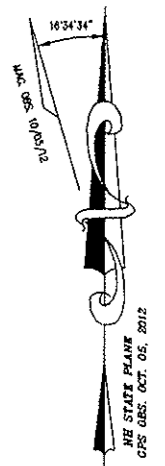
15 / 23
15 / 24
PROFERO MGMT & HOLDINGS, LLC
c/o CAREER EDUCATION CORP.
P.O. Box 681189
SCHAUMBURG, IL 60168-1189
2126 / 361

NO.	DATE	DESCRIPTION	BY	CHK
12-2002	TOPOGRAPHIC	12-06	33-48	
PROJECT NO	TYPE	FIELDBOOK & PAGES		



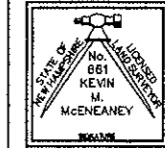
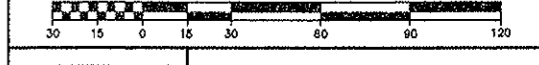
LEGEND

- I.R. (set) - IRON ROD
- W/ PLASTIC I.D. CAP (SET)
- UP - UTILITY POLE
- WETLAND DELINEATION LINE
- A01 - WETLAND IDENTIFICATION FLAG
- RCP - REINFORCED CONCRETE PIPE
- SM - SEWER MANHOLE
- SDM - STORM DRAIN MANHOLE
- ELEV. - ELEVATION
- S.F. - STOCKADE FENCE
- S.F. - SQUARE FEET
- Ac. - ACRE
- ± - MORE OR LESS
- (TYP.) - TYPICAL
- Ø - DIAMETER
- R.O.W. - RIGHT OF WAY
- S.C.R.D. - STRAFFORD COUNTY REGISTRY OF DEEDS



PRELIMINARY SITE PLAN
PREPARED FOR
SOUTH DOVER STORAGE SOLUTIONS, LLC
TAX MAP 15, LOT No. 62
RUTLAND STREET
CITY OF DOVER
COUNTY OF STRAFFORD
STATE OF NEW HAMPSHIRE

DRAWN BY: RJM FILE: VR CP\2002\12-2002-1
SCALE: 1" = 30' DATE: NOVEMBER 9, 2012

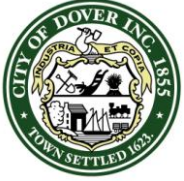


McEaney
Survey
Associates, inc.

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

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

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



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P13-06

Application Type: Citizen Petition for Rezoning
Applicant(s): Grammas Investment, LLC
Owner(s): George Mitropoulos, Trustee of the George Mitropoulos Revocable Living Trust
Location: Littleworth Road (Map H, Lot 29-A)

INTENT: A request by the applicant to rezone 6.4 acres on Littleworth Road from Low-Density Residential District (R-20) to Hotel/Retail District (B-4).

LOTS/UNITS PROPOSED: None

AGENDA ITEM #: 4-G

ACREAGE: 6.4 acres

ZONING DISTRICT: Low-Density Residential District (R-20)

EXISTING LAND USE: Vacant parcel

PROPOSED LAND USE: Retail

SURROUNDING LAND USE: Single-family residential, retail tractor dealer, and landscaping business

ZBA ACTION: None

ATTACHMENTS: Rezoning application and supporting materials and maps

APPLICATION IS COMPLETE: Yes

NOTICES SENT: No abutter notices were sent for this meeting

PERMITS REQUIRED: N/A

WAIVERS REQUESTED: N/A

Summary of Request and Background

The applicant is requesting to rezone a vacant property on Littleworth Road from Low-Density Residential District (R-20) to Hotel/Retail District (B-4). The only proposed use specified by the applicant is retail.

The process for handling the petitioned amendment is outlined in Chapter 170-53-C-3.

STAFF RECOMMENDATION:

The Planning Board should allow the applicant to discuss the merits of the application, discuss the rezoning proposal and determine if more information is needed. If no further information is required, the Planning Board should discuss posting the amendment and scheduling a public hearing.

p13-06

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

FEB - 7 2013

Re: Grammas Investments LLC
Re-zoning Map H Lot 29-A

Dear Mr. Parker,

I am submitting the attached application for the re-zoning of the Mitropoulos land on Littleworth Rd. Map H Lot 29-A.

My goal is to have this parcel re-zoned from the R-20 zone to the B-4 zone.

Please let me know if there is any other info I need to provide.

Sincerely,



John Grammas
603.264.1344



City of Dover, New Hampshire REZONING APPLICATION

[Revision Date: December 21, 2010]

Office Use Only	File #:	<u>P13-06</u>	Date Received:	_____
	Amount Paid:	_____	Time Received:	_____

APPLICANT and OWNER INFORMATION

Name of Applicant: GRAMMAS INVESTMENT LLC. Telephone # 603-264-1344

Address of Applicant: 39 FREETOWN RD. RAYMOND, NH 03077

Name of Property Owner (if different from applicant): George Mitropoulos + REVOCABLE LIVING TRUST Telephone # 603-332-1080

Address of Property Owner: 315 ROCHESTER HILL RD. ROCHESTER, NH 03867

GENERAL INFORMATION

General Description of Area for Rezoning:

Assessor's Map # H (H-2) Lot(s) # 29A

Current Zoning District(s) R-2B Overlay District(s) _____

Size of Area: 6.40 ACRES Existing Use of Property: VACANT LAND

Proposed Zoning District(s) B-4 Overlay District(s) _____

Proposed Use of Property: RETAIL

REZONING INFORMATION

Please indicate, in a separate narrative, how your proposed amendment addresses the following requirements of RSA 674:17. If the requirement is not applicable, please write N/A.

Does the amendment:

- Lessen congestion in the streets;
- Secure safety from fires, panic and other dangers;
- Promote health and the general welfare;
- Provide adequate light and air;
- Prevent the overcrowding of land;
- Avoid undue concentration of population;
- Facilitate the adequate provision of transportation, solid waste facilities, water, sewerage, schools, parks, child day care;
- Assure proper use of natural resources and other public requirements;
- Encourage the preservation of agricultural lands and buildings; and
- Encourage the installation and use of solar, wind, or other renewable energy systems and protect access to energy (see RSA 674:17 I (j) for full text).

Also, please describe how the amendment has been made with reasonable consideration to the character of the area involved.

REQUIRED ATTACHMENTS

- Fifteen (15) hard copies and one digital copy of the following:
 - A properly drafted ordinance containing the amendment in a form meeting the requirements of the City Clerk;
 - A statement of the purposes and intent of the proposed amendment
 - A statement of the impact of the proposed amendment on the City's economy, environment, municipal services, municipal facilities and neighborhoods;
 - A statement describing how the proposal meets the elements outlined above in the Rezoning Information section.
 - A map showing the existing zoning districts and the amendments to these districts as proposed in the amendment, if applicable;
- The names, addresses, and telephone numbers of those submitting the petition and of any agents or representatives of the same;
- A list and address labels including the name, address, and tax map number of each property owner of the area proposed for rezoning and each property owner within one hundred (100) feet of the subject area. The list shall be current within ten (10) days of submittal; and
- A non-refundable fee in the sixty dollars (\$60.00) to cover the cost of the newspaper notice, and a non-refundable fee of one dollar (\$1.00) per landowner and Abutter required to be notified.

SIGNATURES

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

Signature of Property Owner: [Signature] Date: 1-22-13

Signature of Applicant (if different from owner): [Signature] Date: 2-6-13

AUTHORIZATION TO ENTER SUBJECT PROPERTY

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

Signature of Property Owner: [Signature] Date: 2-6-13

RE/MAX REALTY CENTRE BROKER JOHN DIAMOND
603-969-4071

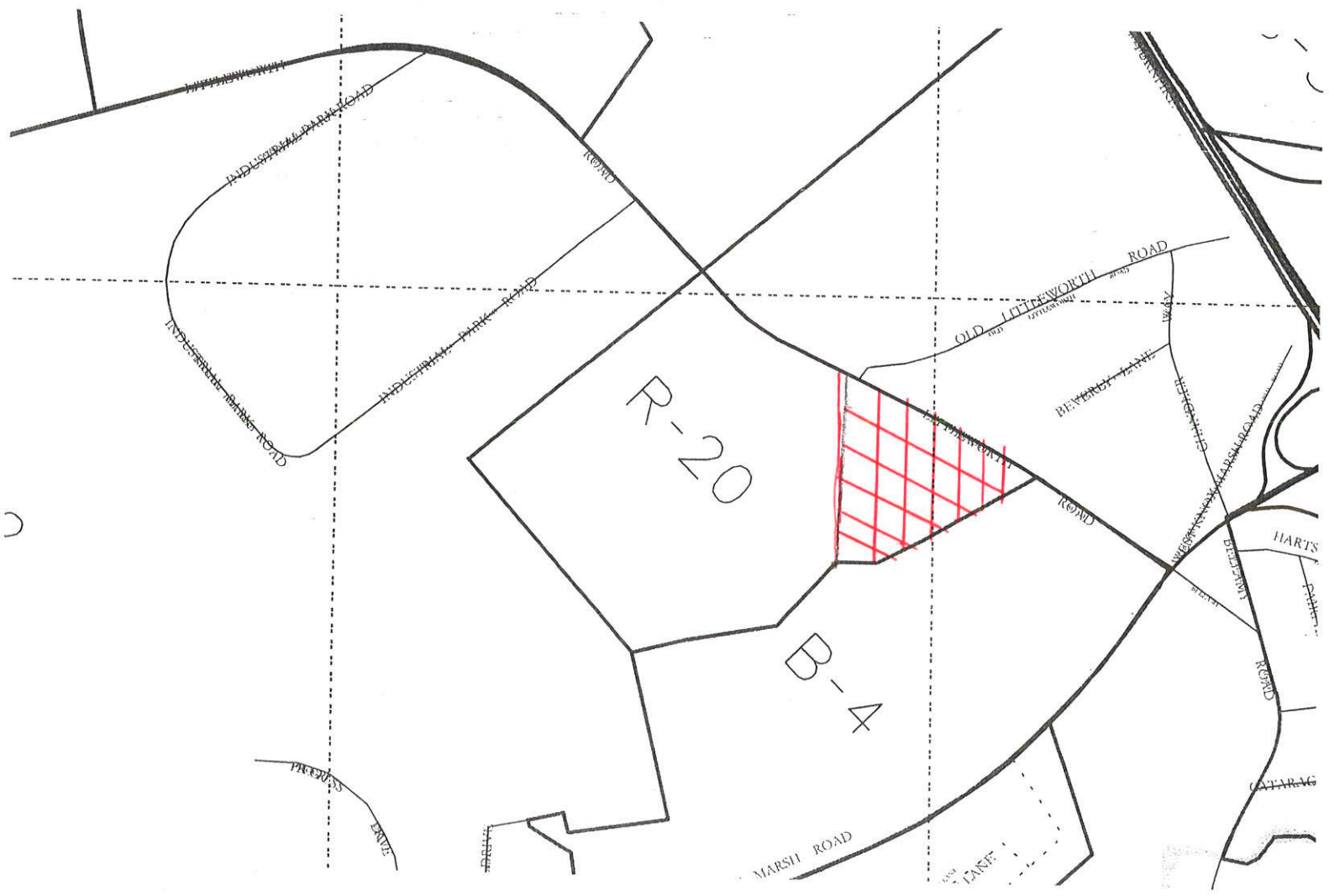
Amendment: Chapter 170 of the Code of Dover, New Hampshire, dated December 9, 2009, is amended by changing the zoning for Tax Map H, Lot 29A from R-20 to B-4. Map H, Lot 29A contains approximately 6.4 acres.

Purpose: The purpose of this ordinance is to amend Chapter 170 of the Code of the City of Dover, entitled Zoning, adjusting the existing boundaries of the R-20 district to promote the existing character of the land located on Littleworth Rd.

The impact of this amendment would be minimal. If the property is re-zoned to B-4, any development would be in character with many of the surrounding properties. With this amendment there would be less curb cuts onto the very heavily traveled State Highway known as Littleworth Rd. There would be no impact on the schools, septic systems would not be needed.

The properties to the south and west are currently zoned B-4 and the industrial park is within 800 feet of this property. A traffic engineer will provide a plan for safe entry and egress.

AREA TO BE REZONED FROM
R-20 TO B-4



**William J. Garnett
Jacqueline S. Garnett**
26 Littleworth Rd.
Map H Lot 30
Dover, NH 03820

Deborah Sousane
24 Littleworth Rd.
Map H Lot 31A
Dover, NH 03820

Ruth K. Sousane
Nancy K. Quinlan
30 Littleworth Rd.
Map H Lot 31
Dover, NH 03820

Robert M & Yun L Gonyou
PO Box 432
Map H Lot 32 A-2
Sanford, ME 04073

Robert Sherwood
55 Knox Marsh Rd.
Map H Lot 32A-1
Dover, NH 03820

Kevin & Lydia A. Cooper
85 Knox Marsh Rd.
Map H Lot 33
Dover, NH 03820

Lydia & Kevin Cooper
85 Knox Marsh Rd.
Map H Lot 33 A
Dover, NH 03820

Lakpa Sherpa
9A Chandler Way
Map H Lot 23-1
Dover, NH 03820

Joshua A & Rachel L Roberge
19 Littleworth Rd.
Map H Lot 29-4
Dover, NH 03820

Charles E Carmichael Jr.
Cheryl A. Carmichael
19A Littleworth Rd.
Map H Lot 29-5
Dover, NH 03820

Bernard R Stillwagon Estate
Ramona L Stone Stillwagon
20 Old Littleworth Rd.
Map H Lot 29
Dover, NH 03820

Richard W Kay Trustee
Richard W Kay 1997 Trust
45 Littleworth Rd.
Map H Lot 28
Dover, NH 03820

George Mitropoulos Trustee
George F Mitropoulos Rev Liv Tr
315 Rochester Hill Rd.
Map H Lot 29A
Rochester, NH 03867

Dennis & Nancy Quinlan
89 Knox Marsh Rd.
Map H Lot 33-E
Dover, NH 03820

Grammas Investments LLC
39 Freetown Rd.
Raymond, NH 03077