



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 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 Unital 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, and 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.