

CITY OF DOVER

DOVER PLANNING BOARD – AGENDA

Meeting Type: Regular Meeting
Meeting Location: Council Chambers – 288 Central Avenue, Dover, NH 03820
Meeting Date: **Tuesday, June 25, 2013**
Meeting Time: **7:00 pm**

1. CITIZENS' FORUM

2. APPROVAL OF THE PRIOR MINUTES

- May 28, 2013 Regular Meeting Minutes
- June 11, 2013 Workshop Meeting Minutes

3. OLD BUSINESS

- A. Consideration and possible vote on an amendment to a previously approved Conditional Use Permit (2/28/12) for Seacoast Kettlebell (Owner: Freetrade, Inc.) Assessor's Map 30, Lot 18, zoned I-1, located at 23 Horne Street.* (P12-01-A)
- B. Consideration and possible vote on a Conditional Use Application for STF Development Corp., Assessor's Map 20, Lot 37, zoned RM-U, located at 3-5 George Street. (proposed 6-unit residential building with wetland buffer and steep slope impacts) *(P13-15)
- C. Consideration and possible vote on a Site Review of land for STF Development Corp., Assessor's Map 20, Lot 37, zoned RM-U, located at 3-5 George Street. (Proposed 6-unit residential building) *(P13-03)

4. NEW BUSINESS

- A. Impact Fee Waiver Request for Cocheco Mills Holdings, LLC, Assessor's Map 2, Lots 37 & 37A and Map 3, Lots 63, 63B & 66 located on 100 Main Street.
- B. Consideration and acceptance of a Conditional Use Permit for reduced parking for STF Development Corp., Assessor's Map 20, Lot 37, zoned RM-U, located at 3-5 George Street. (Proposed 6-unit residential building) *(P13-30)
- C. Consideration and acceptance of a Minor Subdivision for Helen Gagnon, Trustee/Gagnon Family Revocable Trust, Assessor's Map C, Lot 39A, zoned R-40, located at 21 French Cross Road. * (3 lots) (P13-19)
- D. Consideration and acceptance of a Conditional Use Permit for reduced parking for South Dover Investment Group, LLC, Assessor's Map K, Lot 37, zoned R-12, located at 35 Dover Point Road. *(P05-63B)
- E. Consideration and acceptance of a Site Review of land for First-Rate Real Estate Group, LLC (Owners: Margaret G. Guy and City of Dover) Assessor's Map 12, Lots 28 & 29, zoned CBD, located at 206 Central Avenue.* (16 units) (P13-20)
- F. Consideration and acceptance of a Conditional Use Application to Permit Ground Floor to be Used for Parking, for First-Rate Real Estate Group, LLC (Owners: Margaret G. Guy and City of Dover) Assessor's Map 12, Lots 28 & 29, zoned CBD, located at 206 Central Avenue.* (16 units) (P13-33)
- G. Consideration and acceptance of a Citizen's Petition for Zoning Amendments for Varney Brook Holdings, LLC/Changing Places, LLC, c/o Summit Development of 340 Central Avenue, Unit #202, for the Residential-Commercial Mixed Use Overlay District. (P13-31)
- H. Consideration and acceptance of a Citizen's Petition for Zoning Amendments for Bentley Jesse of 10 Grove Street, for Chapter 170-32, Signs and Fences. (P13-32)

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
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Meeting Date: **Tuesday, May 28, 2013**
Meeting Time: **7:00 pm**

Members Present: Dennis Ciotti (Chair), Kirt Schuman (Vice Chair), Tom Clark, Frank Torr, Lee Skinner, Gary Green, Dave White, Dean Trefethen, Mayor; Deborah Thibodeaux (Alternate), Catherine Plante (Alternate).

Members Not Present: Dexter Tarbox (Alternate).

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

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

1. CITIZENS' FORUM

Citizens Forum Open. Nobody spoke. Citizens Forum Closed.

2. APPROVAL OF THE PRIOR MINUTES

- April 9, 2013 Regular Meeting Minutes
- April 30, 2013 and May 14, 2013 Workshop Meeting Minutes

Motion: T.Clark motioned to approve the April 9, 2013, regular meeting minutes and the April 30, and May 14 workshop meeting minutes. Seconded by G.Green. Vote: U/A.

3. OLD BUSINESS - NONE

4. NEW BUSINESS

- A. Consideration and acceptance of a Conditional Use Permit for STF Development Corp., Assessor's Map 20, Lot 37, zoned RM-U, located at 3-5 George Street. (proposed 6-unit residential building with wetland buffer and steep slope impacts) *(P13-15)
- B. Consideration and acceptance of a Site Review for STF Development Corp., Assessor's Map 20, Lot 37, zoned RM-U, located at 3-5 George Street. (Proposed 6-unit residential building) *(P13-03)

The chair announced that both case P13-15 and P13-03 will be heard together.

Kevin McEneaney of McEneaney Survey Associates represented the applicant. He stated that the plan is to remove the existing abandoned building and rebuild a 6-unit residential building. The frontage for the new building will be off of George Street, but placed closer to Hanson Street. The front door will be on Hanson Street and will have a Hanson Street address. Hanson Street will receive city upgrades and the plans are reflective of this including granite curbing and sidewalks. There will be some steep slope and wetland buffer impacts as highlighted on the plan. The proposed building is 35' x 75' and will be 3-stories. Fill will be brought onto the site, and there will be 14 parking spaces off of George Street. The lower level access will be on George Street and the second level will be at grade level with Hanson Street. A site walk was recommended by the Conservation Commission and Planning staff. He discussed the request for the Conditional Use Permit.

L.Skinner confirmed with K.McEneaney that the applicant will have to return to Conservation Commission once the site walk was complete. The next Conservation Commission meeting is scheduled for June 10, 2013.

L.Skinner commented about the recent Conservation Commission discussion which made suggestions to incorporate some of those changes into the plan before the next Planning Board Meeting, and has that been done.



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K.McEneaney stated that they anticipated this proposal would have to go to two Planning Board meetings and two Conservation Commission meetings. After the site walk, the requested changes would be made prior to the Conservation Commission meeting and then incorporated into the meeting packets. He pointed out that a variance was already granted for the 6-units, but additionally, neighbors had concerns about water runoff and water in their basements. TRC has already reviewed the plans, and engineering has agreed that most of the Hanson Street city upgrades should take care of the problem.

K.Schuman confirmed with K.McEneaney that the plan includes curbing and sidewalks and that the City improvement plan will include drainage.

D.Ciotti stated that 6 units would need 18 parking spaces and he only sees 14 spaces. The RM-U zone requires three per unit.

K.McEneaney confirmed they will be filing for a waiver or a conditional use permit for the reduced parking.

K. McEneaney confirmed for D.Ciotti that the building height would be 35-36 ft.

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

Public hearing open. Nobody spoke. Public hearing closed.

STAFF RECOMMENDATION:

The Planning Department recommends the Planning Board table both applications to a date certain so that a site walk can be held. The Conservation Commission would like to attend the site walk with the Planning Board.

Motion: L.Skinner motioned to table both Items 4-A & 4-B and return to the Planning Board at the June 25, 2013 meeting. Seconded by T.Clark. Vote: U/A.

A Site walk is scheduled for Tuesday, June 4, 2013 at 5:30 p.m.

C. Consideration and acceptance of a Conditional Use Permit for reduced parking for South Dover Investment Group, LLC, Assessor's Map K, Lot 37, zoned R-12, located at 35 Dover Point Road. *(P05-63A)

K.McEneaney represented the applicant and gave a brief overview of the request. In June 2005 the property received a variance for a congregate care facility. At the end of 2012 they received an amended variance for (8) 55+ units and (24) non-restricted age units. At the request of the Planning staff, the entrance will now be reconfigured with two-way access. The original approval was for 46 spaces, but Planning staff has asked for additional spaces which brings it to 56 spaces. He discussed the number of parking spaces which includes underground parking. It is expensive, but it minimizes impervious surface. The plan has gone to the TRC which endorsed the changes to the entrances and the reduction in the parking plans. He referred to a memo from Paul Connolly from Civilworks, Inc. which used a national average of just under 2 spaces per unit.

D.Trefethen asked for the number of bedrooms per unit, and about the entrance to Dover Point Road which is being modified and if TRC brought up the issues about no left turns, Do Not Enter signs, and fire lanes. He asked about support columns or drains.

K.McEneaney responded there would be a total of 56 bedrooms and that the TRC did review the traffic turns, fire lanes, and modified entrances and the plans have been modified to include those items. The support columns are on the outside, what is depicted are drains.



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L.Skinner asked K.McEaney about the 31 “secured” spaces under the building and wouldn’t that limit the parking which is not available to guests and service people. It cuts downs the flexibility when the spaces are limited.

K.McEaney confirmed that those spaces will be unit assigned and would have a gated opening with a key card to enter. Visitor and service personnel parking would be outside. There will be no employees. The 31 spaces would be numbered.

G.Green asked if the outside parking spaces are going to be assigned and commented that with 56 bedrooms, and 31 underground, you are calling it close with only 25 outside spaces. He suggested that a formula be used. He wasn’t thinking about employees or service people but for guests.

D.Ciotti commented that the Planning staff should review parking requirements. He feels that 1.73 spaces per unit, doesn’t work. This Board has seen many requests for Conditional Use Permits issued because of parking requirements. It’s time this Board reviews this. The current requirements have been in place for 5 years. The Board should review other projects where parking has been an issued. There is no available parking downtown. There is a whole lot to look at in the future and Board should know what the stipulations for parking are.

D.Trefethen feels that if the Board does not allow Conditional Use Permits or the Board does not approve them, the word would get out, and you would stop seeing the requests for reduced parking. This needs to be looked at.

T.Clark commented that the other way to go would be to build the units to the number of parking spaces that are available instead of building a building and then requiring a Conditional Use Permit to make the parking work.

D.Ciotti asked K.McEaney how to enforce and restrict the 55+ unit rentals on the first floor. How will the City know that it is 55 and older?

Bob Paolini, the developer, responded that they would be open to suggestions from the Planning Board. He commented about the parking and feels that the secured and deeded parking spaces are very important and beneficial.

K.Schuman commented that space is limited. He asked if there would be any lease restrictions about the number of cars permitted per tenant.

B.Paolini is confident that most people will have only one car. It would be a higher-end building. There would be one deeded space underneath and one additional space outside, which is very close to two spaces per unit.

B.Paolini confirmed for L.Skinner that he is involved with other units in Dover that have age restrictions and he doesn’t anticipate any problems with this project.

G.Green asked if the deed would include an age restriction.

B.Paolini stated they are not planning on selling the units, they would be all rentals and they could consider putting something into the lease.

D.Thibodeaux commented on the current plan, and is there a space on the plan that would allow for change in parking if it is needed.

B.Paolini stated there is a substantial green space on the property and he feels that parking would be sufficient.

C.Parker commented to review the staff recommendations and conditions of approval. There would be a couple of catches to safeguard the zoning conditions.

L.Skinner stated that he likes the idea of the designated spots and he is supportive of the Board reviewing parking requirements. He commented on the reduction of the 96 required spaces to 56 and it is a big deal.

C.Parker confirmed for D.Trefethen that the number of parking spaces was discussed at the Zoning Board level. Parker said he reviewed the Zoning Board minutes and didn’t see a mention to the number of spaces.



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D.Trefethen made an observation that a 2 bedroom unit could have 4 adults and 4 cars – it is not uncommon. He feels it is a drastic reduction. He feels it is very tight.

G.Green commented about green space and asked does it infringe on the open space.

C.Parker responded that it is intended for green space and to minimize impervious pavement.

K.McEneaney referred back to the 2005 approval and stated at that time there would have been enough parking with 2 spaces per units.

Atty. James Schulte, who represented the applicant stated that this will be a controlled rental. They could come back to submit a revised site plan if things need correction. There is a safety valve for the plan and it will be addressed as the use develops. He discussed marketability of the units.

K.Schuman feels that the parking requirements should be reviewed. It has limited risks and would be controlled. He agrees with Atty. Schulte, and let the marketability dictate.

D.Trefethen goes along with that but feels it needs a condition for future use if it is converted into sellable condos and no longer as rental units.

Atty. Schulte agrees there would be a history and they would be willing to change if it is necessary.

Motion: K.Schuman motioned to accept the application. Seconded by F.Torr. Vote U/A.

Public hearing open.

Marilyn Follansbee, 25 Dover Point Road, commented that she does not oppose the change but would have liked to see it stay as a congregate care plan. She spoke about the previous plan for secured spaces and feels that 3 cars per unit is too much. She liked the idea of the secured parking and doesn't want it taken away.

Public hearing closed.

L.Skinner asked what the minimum number of spaces would be before approval would have been granted.

C.Parker recognized a big difference in the parking. He is looking at how other communities deal with similar parking issues.

G.Green stated that he is not comfortable with the limited parking and there is no street parking here.

D.Ciotti commented that in discussing this plan, nobody even looked at the number of units. Everyone discussed the parking. It should not be based on market conditions.

Motion: T.Clark motioned to approve with recommendations. Seconded by K.Schuman. Vote: 4-5. Motion denied. (*Opposed: L.Skinner, D.Thibodeaux, G.Green, D.Ciotti, and Mayor Trefethen.*)

D.Ciotti asked for a motion to deny.

Motion: L.Skinner motioned to deny. Seconded by D.Thibodeaux. Vote: 6-3

(*Opposed: K.Schuman, T.Clark, F.Torr opposed the vote.*)

- D. Consideration and acceptance of a Minor Lot Line Adjustment for Changing Places, LLC, (Owner: Preston Family Revocable Trust), Assessor's Map K, Lots 19-1 and 6, zoned ETP and R-40, located at Middle Road and Thornwood Lane. *(P13-12)



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- E. Consideration and acceptance of a Site Review for Changing Places, LLC, Assessor's Map K, Lot 19-1, zoned ETP, R-40, and RCM, located on Thornwood Lane. (14 single family units) *(P13-13)

The Chair announced that both Item 4-D & 4-E will be heard at the same time.

Bob Stowell of Tritech Engineering represented the applicant. John and Scott O'Neil and Atty. James Schulte were also on hand to answer questions.

B.Stowell stated that this plan was originally approved back in 2006 and this plan is for the remaining 14 units. He discussed the site plan. This has been to the TRC and comments are provided in the packets. It went to the Zoning Board on May 16, 2013 for a setback requirement due to a utility easement. A variance was granted to set the setback to 20 feet from 50 feet.

Motion: T.Clark motioned to accept the applications for items D & E. Seconded by: L.Skinner. Vote: U/A.

Open public hearing. Nobody spoke. Public hearing closed.

STAFF RECOMMENDATION:

The Planning Department recommends that the Planning Board approve the lot line adjustment plat with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

1. The owner's signatures shall be added to the final plat submitted for signature.
2. The applicant shall provide the Planning Department with a digital version of the final plat.
3. The applicant shall add the surveyor's stamp and signature to the plat.
4. The approval includes the granting of the waiver requested for the reasons stated by the applicant and as outlined above. The Board finds that the criteria of Chapter 155-51-A have been met.
5. The applicant shall prepare and submit a revised Current Use Plan for the Preston lot in a form acceptable to the City Assessing Office.

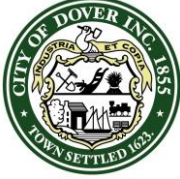
Motion: L.Skinner motioned to approve Item 4-D. Seconded by F.Torr. Vote: U/A.

STAFF RECOMMENDATION:

The Planning Department recommends that the Planning Board approve site plan with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

1. The owner's signature shall be added to the final plan submitted for signature.
2. The applicant shall provide the Planning Department with a digital version of the final plan.
3. The applicant shall revise the plans to add the surveyor and engineer's stamps and signatures to the appropriate sheets.
4. The applicant shall revise the plan by amending note #1 on sheet SP-1 to specify that the homes are limited to Housing for Older Persons per Chapter 170-28.2-D-1-a.
5. The applicant shall amend the Conditional Permit Plan to incorporate this plan.
6. The applicant shall revise the Developer's Agreement to reflect this revised plan and shall have the agreement recorded at the Strafford County Registry of Deeds after the agreement is reviewed by the Planning Department with consultation by the General Legal Counsel on compliance with conditions.



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7. The applicant shall provide the Planning Department with a copy of the NH Department of Environmental Services Alteration of Terrain Permit and add the permit number to the plan.
8. The applicant shall have the Stormwater Management Maintenance and Inspection Plan approved by the Community Services Department.
9. The applicant shall calculate the development's fair share contribution to the off-site improvements associated with the signalization of the Thornwood Lane/Dover Point Road intersection. Said calculation shall be reviewed and approved by the Planning Department.
10. 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.
11. The applicant shall submit proposed Homeowner's Association Documents, addressing maintenance of the road, cul-de-sac, drainage infrastructure, and utilities, and preservation of perimeter landscaping. These documents shall be reviewed by the Planning Department, with consultation by the General Legal Counsel on compliance with conditions.

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

12. All new dwelling units shall be assessed the current water/sewer investment fees in place at the time of building permit application.
13. Construction hours shall be limited to Monday-Friday 7 AM-6 PM, Saturday 8 AM-5 PM, with 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 any Earth Disturbance Activity:

14. Per Chapter 170-27.1-D-1-c, the applicant shall install wetland buffer signs at fifty foot intervals along the 50-foot wetland buffer line behind units #8 and #12-14. This shall be checked and approved by the Building Official and City Engineer.

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

15. The applicant shall bring a revised Conditional Use Permit plan to the Planning Board for approval.
16. All new dwelling units shall pay twenty percent of the current school impact fees in place and one hundred percent of recreation, fire and police impact fees in place.
17. The applicant shall provide a letter of credit or other form of security acceptable to the City for any unfinished work.
18. The owner shall provide a form of security acceptable to the City for their fair share of the off-site improvements associated with the signalization of the Thornwood Lane/Dover Point Road intersection.
19. The applicant shall submit documentation that a Homeowner's Association has been formed.

D.Trefethen asked if the developer is under any restriction based on the RCM district.

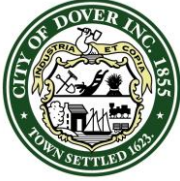
C.Parker stated that yes there are 46 residential units and they cannot exceed 46 until all the criteria have been met.

John O'Neil confirmed that he is not aware of any school age children that occupy the 55+ units.

B.Stowell asked for clarification on condition #5.

C.Parker responded that if he wants to see a revision of the Conditional Use plan he would have to come back to this board.

F.Torr confirmed with C.Parker he is satisfied with conditions #4, #6, #10, and #12.



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Motion: F.Torr motioned to approve item 4-E. Seconded by L.Skinner. Vote: U/A.

- F. Consideration and acceptance of a Minor Lot Line Adjustment for River Valley Development, Assessor's Map N, Lots 8-A-A, B, C, D, N, O, P, and Q, zoned R-40, located on Gulf Road/Child's Drive. *(P13-16)

Chris Berry of Berry Surveying & Engineering represented the applicant. He stated that they are asking for a minor lot line adjustment for the plan that was approved last fall. He discussed the changes which include shifting the lot lines to make the lots more desirable. The original plan of 21 lots is now down to 20.

G.Green asked for clarification about the lot with the existing building, and is this lot the one in question on a previous lot line adjustment application. He asked if the garage was to be removed.

C.Berry responded it stays, but the barn came down.

Motion: T.Clark motioned to accept the application. Seconded by F.Torr. Vote: U/A.

Public hearing open. Nobody spoke. Public hearing closed.

STAFF RECOMMENDATION:

The Planning Department recommends that the Planning Board approve the lot line adjustment with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

1. The owner's signatures shall be added to the final plat submitted for signature.
2. The applicant shall provide the Planning Department with a digital version of the final plat.
3. The applicant shall revise the plat to add the Planning File number P13-16 to the title block.

Motion: L.Skinner motioned to approve the plan with staff recommendations. Seconded by F.Torr. Vote: U/A.

- G. Consideration and acceptance of a Minor Lot Adjustment for Gary & Carol Allen, Assessor's Map E, Lots 48B, and 49A, zoned R-40, located at 163 Tolend Road. *(P13-17)

Chris Berry of Berry Surveying & Engineering represented the applicants. The purpose and the intent of the proposal are to modify the line between the two lot lines to add space to the house lot that sits up front. The new owners would like to have more acreage and their names would be added to the plat. He explained that both lots were owned by the Allen's, but one lot has recently been sold.

D.Trefethen commented that if the land has been transferred and the applicant is no longer the owner of the land, then the information on the application is incorrect and the owner's signature is invalid.

C.Parker commented that the new owners would have to sign the plat.

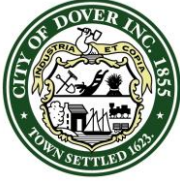
L.Skinner asked if the Allen's are the owners of both lots.

C.Parker suggested that C.Berry reach out to the Allen's to verify lot ownership. He suggested a recess to allow C.Berry to do that.

Recess at 8:58 p.m. Meeting resumed at 9:05 p.m.

C.Berry stated that he could not reach the Allen's.

Board discussion ensued.



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Motion: F.Torr motioned to accept the application. Seconded by L.Skinner. Vote: U/A.

Public hearing open.

Paula Forbes, of 14 Pacific Drive spoke about a variance that was requested by the Allen's back in 1999. She commented that in April, 2009 the City granted a variance. The lot had no road frontage. It was stipulated three times by the City. He has subdivided the land he owns three times. She objects to the lot line adjustment on the non-sub-dividable land.

Public hearing closed.

STAFF RECOMMENDATION:

The Planning Department recommends that the Planning Board approve the lot line adjustment plan with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

1. The owner's signatures shall be added to the final plat submitted for signature.
2. The applicant shall provide the Planning Department with a digital version of the final plat.
3. The applicant shall revise the plat to add the Planning File number P13-17 to the title block.
4. The applicant shall revise the plat to add a line to depict the western terminus of the public access easement along the Cochecho River.
5. The applicant shall revise the plat by updating the survey date in note #11.
6. The applicant shall provide proof of tree cutting zoning violation have been remediated or post a bond for replanting of trees.
7. The applicant shall revised the plat and the application to recognize the new owners of the lot 48-B.

C.Parker addressed Ms. Forbes concerns discussing Pacific Drive and ownership. The Allen's received title to the portion of the lots now listed as 49-A. They approached the City Assessor, who then recognized the lot as a lot of record and gave it a lot number. The lot is allowed to have one single family home on it. Should the Allen's market it differently, nobody would be allowed to subdivide it because the lot is restricted as a single lot. If a variance were requested, it would be denied because it doesn't seem reasonable.

D.Ciotti and C.Parker discussed an easement.

Board discussion ensued.

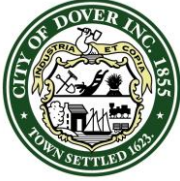
D.Trefethen recommends that a letter be sent from Chris Parker to the new owners about restrictions on lots 48-B and 49-A since both lots have subdivision restrictions.

Mrs. Forbes requested to comment and D.Ciotti allowed Ms. Forbes to ask a question as a direct abutter. She stated that the setbacks would further push the new home behind her house.

C.Berry asked if there was an administrative decision. If so, it should be documented on this plan.

L.Skinner commented there a correct ways to do lot line adjustments and prefers to do it the correct way the first time around.

Motion: L.Skinner motioned to table the application until an appropriate request is received by the homeowners. Seconded by G.Green. Vote: 6-3 (opposed: Clark, Schuman, and Torr.)



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C.Berry asked that it be heard at the workshop meeting on June 11.

D.Ciotti stated that items that need a vote are not usually heard at workshop meetings and advised C.Berry that the item will be tabled until the June 25, 2013 meeting.

H. Public hearing and consideration of a request for an extraction permit by Brox Industries, Inc., Assessor's Map C, Lots 12-A, 13, 14, zoned R-40, located on Rochester Neck Road/Tolend Road. *(P13-07)

Tim Corwin gave an overview of the 4 active gravel pits in Dover. He stated that Tom Clark and he met with the pit owners. All applications were submitted on time and there were no issues. There was a community meeting held on May 8th and nobody from the community attended. Staff is supporting all of the extraction permit applications.

T.Corwin confirmed for D.Ciotti that there were three waivers for Items 4-I, 4-J, and 4-K. He explained the waivers.

D.Trefethen commented that he has no issue with the hours of operation but there is significant travel out of the pits before 7 am. He asked the pit owners to remind their tenants and their operators they can go into the pits before 6:30 a.m. but they cannot leave prior to 7:00 a.m.

Public hearing open. Nobody spoke. Public hearing closed.

The Planning staff met with the pit operator to discuss requirements and performed a site inspection on April 25, 2013. The application materials are complete. The excavation/reclamation plans are complete. The Planning Department recommends the extraction permit be approved with the following condition:

1. The property shall not be used for the storage or introduction of any foreign materials unless the pit operator has sought and received advance written permission from the City's Environmental Projects Manager.

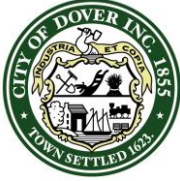
Motion: F.Torr motioned to approve the extraction permit for Item 4-H. Seconded by T.Clark. Vote: U/A.

I. Public hearing and consideration of a request for an extraction permit and waiver request by Mast Road Sand and Gravel, Assessor's Map H, Lots 52, 53, 54 & 57, zoned I-4, located on Mast Road. *(P13-09)

The Planning staff met with the pit operator to discuss requirements and performed a site inspection on April 25, 2013. The excavation and reclamation plans and application are complete. Planning staff held a community meeting with the pit owners and the abutters on May 8, 2013 (no abutters attended). The Applicant also seeks the following waivers from the following plan requirements of the Zoning Ordinance, which staff supports:

Section 170-30.3.A) Excavation Plan

- 5) The location of existing BUILDINGS, STRUCTURES, septic systems and wells within two hundred (200) feet of the boundary; and
- 6) Public streets, driveways, intersections, rights-of-way, and all easements within two hundred (200) feet; road network to be affected; intended transportation routes to be used.



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Tuesday, May 28, 2013**
Meeting Time: **7:00 pm**

Section 170-30.3.B) Reclamation Plan

6) Schedule of final RECLAMATION activities including seeding mixtures, cover vegetation, fertilizer types, and application rates.

Public hearing open. Nobody spoke. Public hearing closed.

The Planning Department recommends the extraction permit be approved with the following conditions:

1. The reclamation and operational plan documents last submitted in 2002 shall be considered as part of the permit and the hours of operation hours are as follows: 7:00 AM – 5:00 PM on weekdays with the gates opening at 6:30 AM, and 7:00 AM - 2:00 PM on Saturday.
2. Limit excavation at the property lines of disapproving abutters to no closer than 50 ft. The letter from a disapproving abutter is on file.
3. The property shall not be used for the storage or introduction of any foreign materials unless the pit operator has sought and received advance written permission from the City's Environmental Projects Manager.
4. Continue regular access roadway water wash-downs, to include updating and submitting the schedule of same to the Planning Office by June 12, 2013.
5. The approval includes the granting of the waivers requested for the reasons stated by the applicant and as outlined above. The Board finds that the criteria of Chapter 170-30.1 have been met.

Motion: T.Clark motioned to approve the extraction permit for Item 4-I. Seconded by D.Thibodeaux. Vote: U/A.

- J. Public hearing and consideration of a request for an extraction permit and waiver request by Severino Trucking Co., Inc., Assessor's Map H, Lot 58, zoned I-4, located on Mast Road. *(P13-10)

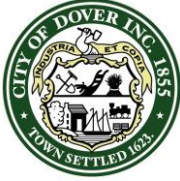
Public hearing open. Nobody spoke. Public hearing closed.

The Planning staff met with the pit operator to discuss requirements and performed a site inspection on April 25, 2013. The excavation and reclamation plans and application are complete. Planning staff held a community meeting with the pit owners and the abutters on May 8, 2013 (no abutters attended). The Applicant also seeks the following waivers from the following plan requirements of the Zoning Ordinance, which staff supports:

Section 170-30.3.A) Excavation Plan

- 5) The location of existing BUILDINGS, STRUCTURES, septic systems and wells within 200 ft. of the boundary; and
- 6) Public streets, driveways, intersections, rights-of-way, and all easements within 200 ft.; road network to be affected; intended transportation routes to be used.

Section 170-30.3.B) Reclamation Plan



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Tuesday, May 28, 2013**
Meeting Time: **7:00 pm**

6) Schedule of final RECLAMATION activities including seeding mixtures, cover vegetation, fertilizer types, and application rates.

The Planning Department recommends the extraction permit be approved with the following conditions:

1. Hours of operation shall be restricted to 7:00 AM to 5:00 PM weekdays and 7:00 AM to 2:00 PM on Saturdays, with gates to the site opening no earlier than 6:30 AM.
2. The property shall not be used for the storage or introduction of any foreign materials unless the pit operator has sought and received advance written permission from the City's Environmental Projects Manager.
3. Continue regular access roadway water wash-downs, to include updating and submitting the schedule of same to the Planning Office by June 12, 2013.
4. The approval includes the granting of the waivers requested for the reasons stated by the applicant and as outlined above. The Board finds that the criteria of Chapter 170-30.1 have been met.

Motion: D.White motioned to approve the extraction permit for Item 4-J. Seconded by K.Schuman. Vote: U/A.

K. Public hearing and consideration of a request for an extraction permit and waiver request by Severino Trucking Co., Inc., Assessor's Map H, Lots 59, 59-1 & 61, zoned I-4, located on Mast Road. *(P13-11)

Public hearing open. Nobody spoke. Public hearing closed.

The Planning staff met with the pit operator to discuss requirements and performed a site inspection on April 25, 2013. The excavation and reclamation plans and application are complete. Planning staff held a community meeting with the pit owners and the abutters on May 8, 2013 (no abutters attended). The Applicant also seeks the following waivers from the following plan requirements of the Zoning Ordinance, which staff supports:

Section 170-30.3.A) Excavation Plan

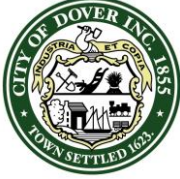
- 5) The location of existing BUILDINGS, STRUCTURES, septic systems and wells within 200 ft. of the boundary; and
- 6) Public streets, driveways, intersections, rights-of-way, and all easements within 200 ft.; road network to be affected; intended transportation routes to be used.

Section 170-30.3.B) Reclamation Plan

- 6) Schedule of final RECLAMATION activities including seeding mixtures, cover vegetation, fertilizer types, and application rates.

The Planning Department recommends the extraction permit be approved with the following conditions:

1. The property shall not be used for the storage or introduction of any foreign materials unless the pit operator has sought and received advance written permission from the City's Environmental Projects Manager.



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Tuesday, May 28, 2013**
Meeting Time: **7:00 pm**

2. Continue regular access roadway water wash-downs, to include updating and submitting the schedule of same to the Planning Office by June 12, 2013.
3. The approval includes the granting of the waivers requested for the reasons stated by the applicant and as outlined above. The Board finds that the criteria of Chapter 170-30.1 have been met.

L.Skinner recommended removal of the City's Environmental Projects Manager name from all the conditions of approvals for all pits.

G.Green concurs with D.Trefethen about trying to enforce the hours of operations.

Motion: D.Trefethen motioned to approve the extraction permit for Item 4-K. Seconded by D.White. Vote: U/A.

5. STAFF COMMENTS

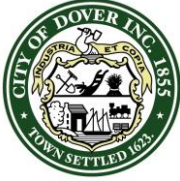
- C.Parker stated that he is still waiting for resignation letter from John Leggett.
- C.Parker thanked Tim Corwin for handling the gravel pit applications and doing a great job.
- Starting with the June 25 meeting an extra packet will available for the audience for all Zoning Board and Planning Board meetings.
- At the June 11 Planning Board Workshop meeting Tim Corwin will speak about the Gateway Zoning project and info about the RCM district will be discussed, along with a discussion about the procedures for Conditional Use Permits and what is allowed now vs. what changes should be made in association with parking requirements.
- G.Green suggested the City provide a laser light to be used for presentations on the large screens in the Council Chambers.
- L.Skinner commented that he thought excavation permits were going to be reviewed every two years. C.Parker explained that if the budget passes it will go on a two year plan.

6. COMMITTEE REPORTS

- G.Green will be meeting with T.Clark about the RCM overlay district. The RCM report will be presented at the June 11, 2013 workshop meeting.

7. ADJOURNMENT

Motion: G.Green motioned to adjourn at 9:47 p.m. Seconded by K.Schuman. Vote: U/A.



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Workshop
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Tuesday, June 11, 2013**
Meeting Time: **7:00 pm**

Members Present: Dennis Ciotti (Chair), Tom Clark, Lee Skinner, Gary Green, Dave White, Catherine Plante (Alternate), Kirt Schuman (Vice Chair), Frank Torr, Dexter Tarbox (Alternate)

Members Not Present: John Leggett, Dean Trefethen (Mayor), Deborah Thibodeaux (Alternate)

Staff Present: Christopher Parker (Planning Director), Tim Corwin (Assistant City Planner)

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

1. RCM PROPOSAL PRESENTATION

G.Green reviewed the report of the RCM Committee. He reviewed the existing conditions and proposed changes.

T.Corwin reviewed specific items to be changed in the ordinance, and the process used to develop the proposals.

Discussion ensued with the Board about the process, and the specifics of considering floor square footage, as opposed to square footage of the total lot, in calculating the percentage of each use. The Board discussed the mechanics of the ordinance, the history of the sites and the need for commercial growth in Dover.

2. GATEWAY REZONING STUDY UPDATE

T.Corwin reviewed the process to date, including the public participation process, the data gathering and the feedback received. The Consultant will be generating the first round of ordinance changes. These will be reviewed by staff and presented to the Board in the fall.

3. CONDITIONAL USE PERMIT PROCESS

C.Parker reviewed the difference between a Conditional Use Permit and a Special Exception, and the various ways Dover uses the CUP.

4. UPDATE ON PLANNING DEPARTMENT PROJECTS/ACTIVITIES

C.Parker reviewed a hand out listing projects and activities undertaken by the Planning Department. These included projects above the daily plan review and enforcement activities undertaken by staff.

5. ADJOURNMENT

Motion: L. Skinner motioned to adjourn at 8:27 p.m. Seconded by K.Schuman Vote: U/A.



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P12-01-A

Application Type:	Conditional Use Permit Amendment
Applicant:	Seacoast Kettlebell, LLC
Owner:	Freetrade Inc.
Location:	23 Horne Street (Assessor's Map 30, Lot 18)

INTENT: To amend a previously approved Conditional Use Permit for a commercial recreation use in the Restricted Industrial (I-1) District. Applicant seeks to relocate within the building and expand to 10,000 square feet.

LOTS/UNITS PROPOSED: 0

AGENDA ITEM #: 3-A

ACREAGE: N/A

ZONING DISTRICT:
Restricted Industrial (I-1) District

EXISTING LAND USE:
Industrial building and office uses

PROPOSED LAND USE:
Personal training studio to occupy 10,000 square feet

SURROUNDING LAND USE:
Industrial and residential uses

ZBA ACTION:
None

ATTACHMENTS:
E-mail from applicant

PERMITS REQUIRED:
Conditional Use Permit

WAIVERS REQUESTED: None

Summary of Request and Background

The applicant is asking to relocate the personal training studio from the north side of the building to the south side to occupy 10,000 square feet of space. The Planning Board granted a Conditional Use Permit for the use on 2/28/12.

Consistency with Land Use Regulations

The Planning Board must determine that the proposed use complies with the statement of purpose of the ordinance and meets all of the provisions of the district. The purpose and intent of the ordinance is as follows:

“The purpose of this section is to allow property owners to redevelop their industrial property in a more flexible and context sensitive method. Additionally, these non-residential nodes are located in areas that could accept commercial uses that are on a neighborhood scale and the property could offer surrounding residents opportunities that do not exist today.”

The district includes options which enable and encourage greater flexibility in the design of residential housing with commercial projects that adaptively reuse the industrial property in a more context sensitive mode. The district encourages mixed residential and commercial uses are intended to be complementary of one another and to create a sense of community between the mixed uses.”

The proposed use is compatible with the other uses in the building and in the neighborhood. The personal training studio could be used by employees from other businesses in the building and by people that live in the neighborhood. There is more than adequate parking available for the use.

STAFF RECOMMENDATION:

The Planning Department recommends approval of the Conditional Use Permit amendment with the condition that no classes or activities are held outside of the building.

Parker, Christopher G.

From: Peter Widmark [bjow@comcast.net]
Sent: Wednesday, June 12, 2013 3:27 PM
To: Parker, Christopher G.
Cc: 'Colin McGarty'; Laurie M. Widmark
Subject: Conditional use amendment for Kettlebells

Chris,

We would like to apply for an amendment to the conditional use permit for Seacoast Kettlebell LLC. (SKB) In an effort to appease some of the neighbors we propose to move SKB from its present location to the larger Butler building now housing NE Office Furniture. The new location would be further away from the abutting residences and therefore have less of an impact noise wise. The new location is 5,100 sq ft. larger than the present space and would allow SKB to do more of its present outside activities on the inside. Please advise what we need to do in order to prepare for the hearing on the 25th.

Thanks,
Peter

Laurie and Peter Widmark

Independent Associates - Managers

Individual, Group, and Small Business Specialists

LegalShield

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(603) 438.7012 or (603)343.5800

<http://www.plwidmark.com>



CITY OF DOVER

PLANNING BOARD - STAFF MEMO

Application Type:	Impact Fee Waiver Request
Applicant:	Cocheco Mills Holdings, LLC
Owner:	Cocheco Mills Holdings, LLC
Location:	100 Main Street (Assessor's Map 2, Lot s 37 & 37A and Map 3, Lots 63, 63B & 66)

INTENT: To obtain a waiver from the impact fees assessed for 74 residential units in an existing building.

LOTS/UNITS PROPOSED: 120

AGENDA ITEM #: 4-A

ACREAGE: N/A

ZONING DISTRICT:
Central Business District (CBD) - General

EXISTING LAND USE:
Office space

PROPOSED LAND USE:
120 dwelling units

SURROUNDING LAND USE:
Offices, commercial, retail and residential uses

ZBA ACTION: N/A

ATTACHMENTS:
Impact Fee Waiver Request Form and letter

PERMITS REQUIRED:
None

WAIVERS REQUESTED: Impact Fee

Summary of Request and Background

The applicant is asking for a waiver to the Impact Fee Ordinance – Chapter 170-28.7. The building is being converted into 120 dwelling units. The waiver request is for the 74 units in the first phase.

The Impact Fee Ordinance was approved by the City Council on 1/22/03 and the Planning Board adopted the School Impact Fee in February of 2003 and the rest of the fees in October of 2008.

The impact fees for 74 apartment units equals \$200,392 (74 x \$2,708). They receive a credit for the office use (74,000 square feet x \$0.26 = \$19,240), so the impact fee amount invoiced would be \$181,152.

The applicant is requesting a waiver under Chapter 170-23-F-1-c, which reads in part:

“The Planning Board may agree to waive all or part of an impact fee assessment and accept in lieu of a cash payment, a proposed contribution of real property or facility improvements of equivalent value and utility to the public.”

The applicant is requesting waivers from the School and Recreation impact fees, not the Police and Fire impact fees. The waiver for the Recreation impact fee is equal to the entire assessment of \$64,380. The waiver for the School impact fee is between \$24,500 and \$41,000 of the total assessment of \$77,996. The letter from the applicant lists various projects that the applicant would complete that are intended to offset the Recreation and School impact fees.

Chapter 170-23-F-1-c, requires that prior to acting on a request for a waiver that involves a contribution of real property or the construction of capital facilities, the Planning Board shall submit the request to the City Council for its review and consent.

Consistency with Land Use Regulations

The ordinance provides for the Planning Board to grant full or partial waivers of impact fees if one of three criteria is met. In this case the applicant is requesting to offset the impact fees with a list of recreation and school projects.

STAFF RECOMMENDATION:

The Planning Department recommends that after duly considering the merits of the waivers, the Planning Board should make recommendations on the waiver request and forward the request onto the City Council for its review and consent.



City of Dover, New Hampshire Impact Fee Waiver Request Form

[Revision Date: October 19, 2011]

Office Use Only Date Received: JUN 12 2013 Date of Planning Board Meeting: 6-25-13
 Waiver Request #: #45 Glare

PROPERTY OWNER AND PARCEL INFORMATION

Name of Property Owner: COCHECO MILLS HOLDINGS, LLC Telephone # 868-5995 c/o CHINBURG PROPERTIES

Address of Property Owner: 3 PENSTOCK WAY, NEWMARKET, NH 03857

Address of Property Being Assessed Impact Fee: 100 MAIN ST.

Assessor's Map # _____ Lot(s) # MAP 2 / LOTS 37, 37A

Type of Building Proposed (check one): MAP 3 / LOTS 63, 63B, 66

RESIDENTIAL

- Single Family Detached
- Single Family Attached (townhouse)
- Duplex or 3-Unit Structure
- Multi-family Structure (4+ Units)
- Manufactured Home

NON-RESIDENTIAL

- Retail, Restaurant, or Club building
- Office or Commercial Services building
- Industrial, Transportation, Warehouse or Communication Building
- Nursing Home or Assisted Living Building
- Other Institutional Use Building

Amount of impact fee invoiced by City: \$ 181,152

Use the space provided to explain why you feel that the impact fee assessed for your property should be waived by the Planning Board, per Chapter 170-28.7, G. (attach additional sheet if necessary):

PLEASE SEE ATTACHED LETTER

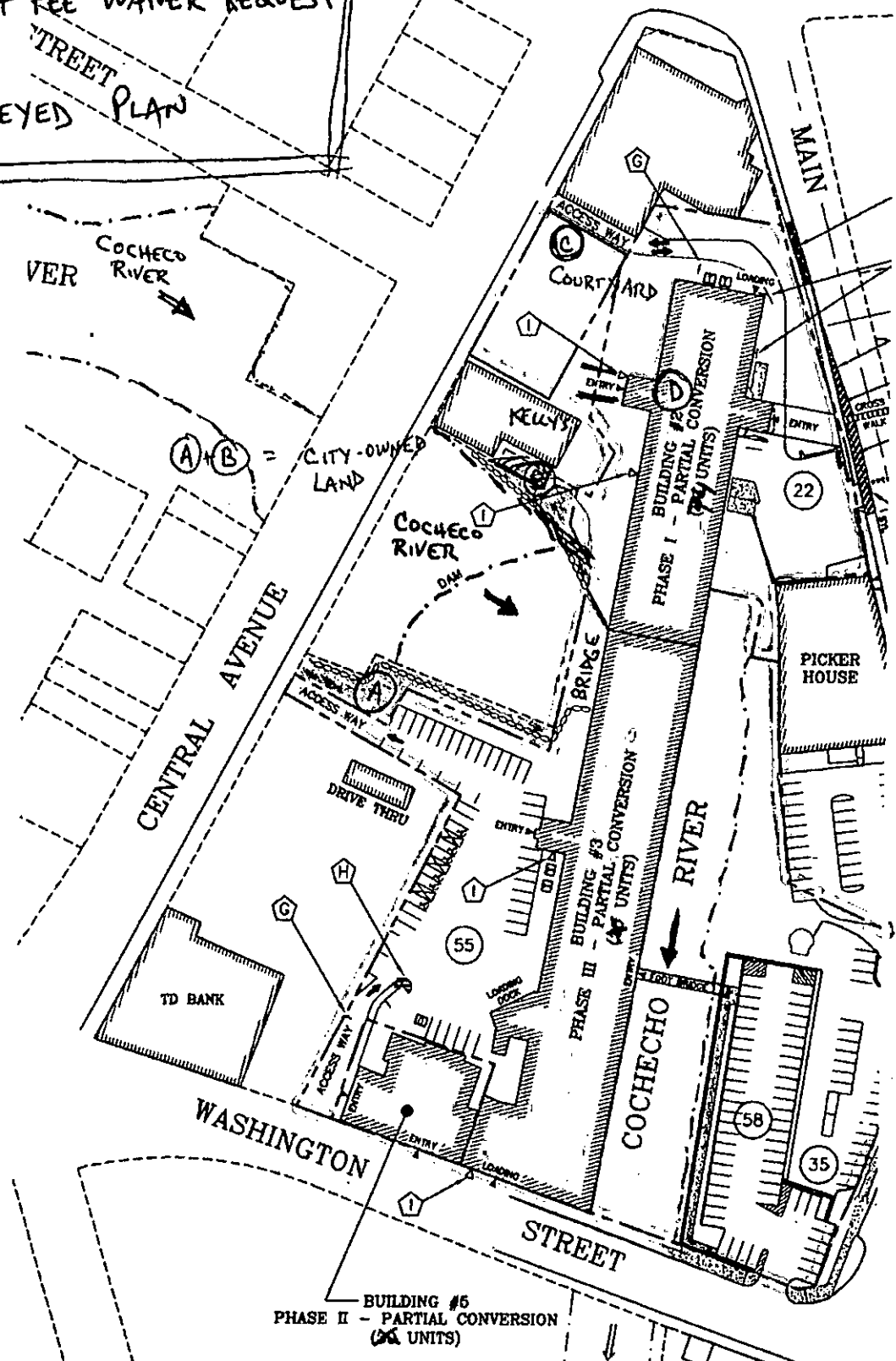
Matt Assia
Owner's Signature

5/17/13
Date

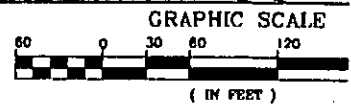
MATT ASSIA, CHINBURG PROPERTIES
ON BEHALF OF COCHECO MILLS HOLDINGS, LLC

COCHECO FALLS MILLWORK IMPACT FEE WAIVER REQUEST

KEYED STREET PLAN



BUILDING #6
PHASE II - PARTIAL CONVERSION
(26 UNITS)





May 20, 2013

Christopher G. Parker
 Director of Planning and Community Development
 City of Dover
 City Hall, 288 Central Avenue
 Dover, NH 03820

**RE: Impact Fee Waiver Request
 Residential Development @ Cocheco Falls Millworks
 Dover Planning File No. P11-60**

Dear Chris:

On behalf of Cocheco Mills Holdings, LLC ("Owner"), I write to respectfully request a waiver of a portion of the impact fees due to the City of Dover as a result of the referenced Planning Board approval. Please find enclosed herein a list of potential projects that the Owners proposes to undertake or fund to re-direct portions of the impact fee. Please consider this list as a working document to be vetted and improved upon with you and other City administrators. We hope to have an open dialog to develop a list that is most beneficial to the City and fulfills the intent of the impact fee statue.

As previously discussed, the 74 apartments in the first phase of the project are scheduled to be completed in June 2013 with occupancy expected on or about July 1, 2013. Chinburg Builders will be requesting final inspections in the coming weeks. We respectfully request that the City extend the due date of the impact fee until after we have the opportunity to present our waiver request to the Planning Board. We understand that this extension will not impact our ability to request final inspections and the City's ability to issue certificates of occupancy. If our understanding is incorrect, please immediately advise.

Calculation of Impact Fee - Phase 1

The total amount due for Phase 1 is \$181,152 per the calculation below.

74 Units			74,000 SF		NET AMOUNT DUE
PROPOSED APARTMENTS			EXISTING OFFICE		
	per unit	total	per SF	total	Total
Rec	\$870	\$64,380	\$0.00	\$0	\$64,380
Police	\$407	\$30,118	\$0.14	\$10,360	\$19,758
Fire	\$377	\$27,898	\$0.12	\$8,880	\$19,018
School	\$1,054	\$77,996	\$0.00	\$0	\$77,996
	\$2,708	\$200,392	\$0.26	\$19,240	\$181,152

Proposed Use of Impact Fees

The Cocheco Falls Millworks is ideally located at the heart of Dover's vibrant central business district. This premier location presents a wonderful opportunity to invest the impact fee in a focused area



that will have broad benefits to the City and provide for the continued vibrancy of the business district. We are pleased to have this opportunity to help identify projects around the Millworks to direct the impact fee.

We understand that the fee must be invested in City-owned property or in privately-owned areas that are publicly accessible. In addition to the City sidewalks around the perimeter of the property, the property abuts City-owned park land adjacent to the Cocheco Falls. The property's privately owned courtyard has been used a public amenity since its creation in the 1980's and we intend to improve and maintain the courtyard in a manner that welcomes the public. Lastly, our repositioning strategy includes the creation of a publicly accessible indoor "Main Street" themed corridor that will have a mix of retail, commercial, and service-oriented tenants. Access to this indoor Main Street will be through the courtyard during normal business hours consistent with the hours of other businesses in the central business district. In summary, we feel strongly that we have a number of areas in which to direct the impact fee.

Therefore, we propose to offset the Recreation and School components of the impact fee with the following projects. This list is intended to present concepts and order of magnitude budgets. More design work will be required to finalize scope and budget. We hope to review this list with you and other City administrators to prioritize projects and better define scopes for final budgeting prior to formal presentation to the Planning Board. Please refer to the attached plan to help identify the location of each project.

I. Projects to Offset Recreation Impact Fee (amount due: \$64,380)

(A) City-Owned Central Avenue / Falls Park		
1.	Replace Broken Park Benches & Install Additional Seating	\$2,500 - \$3,500
2.	Restore & Expand Planting Beds	\$5,000 - \$7,500
3.	Replace Decorative Street Pole Lights - Use Low Energy Fixtures and "Dark Sky" Cut-Offs	\$15,000 - \$20,000
4.	Install Additional Historic Markers	\$3,000 - \$5,000
Sub-Total:		\$22,500 - \$31,000

(B) City-Owned Park - North Side of Falls (near Kelly's)		
5.	Install Decorative Fencing	\$2,500 - \$3,500
6.	Create New Planting Beds	\$5,000 - \$7,500
7.	Create Dam Overlooks along Existing Brick Wall with Pavers	\$15,000 - \$20,000
Sub-Total:		\$25,500 - \$36,000

(C) Cocheco Falls Millworks Courtyard		
8.	Replace Decorative Street Pole Lights - Use Low Energy Fixtures and "Dark Sky" Cut-Offs. Install outlets for use by	\$20,000 - \$30,000



	Dover Main Streets Holiday Lighting Program.	
9.	Install new granite posts at edge of public sidewalk along "Front Door" of courtyard.	\$6,000 - \$7,000
10.	Install new park benches along sidewalk and within courtyard	\$4,000 - \$6,000
11.	Construct new gateway sign at "Front Door" to courtyard to welcome public. Sign design to mimic wrought iron fence section with period style lettering - "Welcome to Cocheco Falls Millworks" or similar. Sign design to be reviewed by City.	\$5,000 - \$10,000
12.	Restore planting beds and install new plants and irrigation	\$12,000 - \$15,000
13.	Restore crushed stone pathway	\$3,000 - \$5,000
14.	Reset granite bollards and steps	\$5,000 - \$6,000
15.	Restore Bridge Over Cocheco Falls and Create New Seating	\$10,000 - \$15,000
16.	Add Public WiFi to Courtyard	\$1,300 - \$1,500
	Sub-Total:	\$66,300 - \$95,500

Potential Grand Total: \$114,300 - \$162,500

II. Projects to Offset School Impact Fee (amount due: \$77,996)

(A)	City-Owned Central Avenue / Falls Park	
17.	Install Additional Educational Markers	\$3,000 - \$5,000
18.	Restore Existing Educational Markers/Pictures in Wood Frames - Replace Picture & Frame	\$3,000 - \$5,000
(B)	City-Owned Park - North Side of Falls (near Kelly's)	
19.	Install Additional Educational Markers at New Overlooks	\$3,000 - \$5,000
(C)	Cocheco Falls Millworks Courtyard	
20.	Restore Existing Educational Markers/Pictures in Wood Frames - Replace Picture & Frame	\$3,000 - \$5,000
21.	Install New Public Art from School Arts Program	\$5,000 - \$6,000



(D)	Cochecho Falls Millworks Indoor Main Street	
22.	Create New, Publicly Accessible Millworks Educational Display	\$7,500 - \$15,000

Potential Grand Total: \$24,500 - \$41,000

Thank you for considering our waiver request. We look forward to meeting and to discussing our proposal in detail.

Sincerely,

Matt Assia
Chinburg Properties on behalf of Cochecho Mills Holdings, LLC

Attachment

cc: Eric Chinburg, Chinburg Properties
Brint Shone, Chinburg Properties
Geoff Spitzer, Chinburg Builders



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P13-30

Application Type: Conditional Use Permit for Reduced Parking
Applicant: STF Development Corp.
Owner: STF Development Corp.
Location: 3-5 George Street (Assessor's Map 20, Lot 37)

INTENT: To obtain a Conditional Use Permit to allow for a reduction in the number of required parking spaces from 18 to 14, based on the proposed six dwelling units.

LOTS/UNITS PROPOSED: Six multi-family units

AGENDA ITEM #: 4-B

ACREAGE: 0.43 acres

ZONING DISTRICT: Urban Density Multi-residential District (RM-U)

EXISTING LAND USE: Duplex

PROPOSED LAND USE: Six multi-family units

SURROUNDING LAND USE: Multi-family residential, duplexes, single-family residential and offices

ZBA ACTION: Received use variance for a 6-unit multi-family building on 2/21/13

ATTACHMENTS: Conditional Use Permit application

APPLICATION IS COMPLETE: Yes

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

PERMITS REQUIRED:

- City of Dover Conditional Use Permit

WAIVERS REQUESTED: None

Summary of Request and Background

The applicant has applied for a Conditional Use Permit per Chapter 170-44-I, to reduce the number of parking spaces from the 18 required to 14 parking spaces.

Consistency with Land Use Regulations

The Off-Street Parking and Loading ordinance provides for a Conditional Use Permit to allow a reduction in the number of required parking spaces provided the applicant submits an analysis justifying the request.

The applicant has submitted a technical memorandum prepared by Paul Connolly of Civilworks, Inc., dated June 13, 2013.

STAFF RECOMMENDATION:

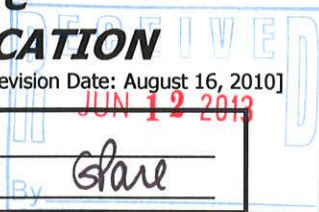
The Planning Department recommends the Planning Board accept the application, open the public hearing, and then table the application to a date certain so that a decision on this application can occur at the same meeting as the associated site plan (P13-03) and Conditional Use Permit (P13-15).



City of Dover, New Hampshire CONDITIONAL USE PERMIT APPLICATION

[Revision Date: August 16, 2010]

Office Use Only	Project #:	<u>13-30</u>	Date Received:	
	Amount Paid:	<u>\$444. CK#1563</u>	Time Received:	By <u>Glare</u>



APPLICANT AND OWNER INFORMATION

Name of Applicant: STF DEVELOPMENT CORP. Telephone # 742-2121

Address of Applicant: 242 CENTRAL AVENUE DOVER, NH 03820

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

Address of Property Owner: _____

PROPERTY INFORMATION

Address of Property: 3-5 GEORGE STREET

Assessor's Map #: 20 Lot(s) #: 37

Zoning District(s): RMU Overlay District(s): _____

Existing Use of Property: RESIDENTIAL DUPLEX

CONDITIONAL USE PERMIT INFORMATION

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

- Conservation District
- Groundwater Protection
- Wetland Protection District
- RCM Use Overlay District
- Off-Street Parking and Loading
- Central Business District
- I-1 District Uses

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

to allow 14 parking spaces for the proposed 6-unit building, where 18 parking spaces are required per current RMU zoning regulations (3 spaces/unit)

List Any Associated State or Federal Permits That Have Been or Will Be Applied For and Indicate Their Status: N/A

Name of Professional That Prepared Plans: MCENEANEY SURVEY ASSOCIATES, INC.

Address: 24 CHESTNUT STREET DOVER, NH 03820 Telephone #: 742-0911

Professional License #: KEVIN MCENEANEY NH LLS #661 E-mail address: Kevin@surveynh.com

P13-30

ABUTTERS LIST

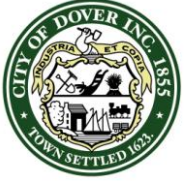
for
Tax Map 20, Lot 37 - George Street
(prepared 6/10/13)

Page 1 of 2

<u>Map / Lot</u>	<u>Owner</u>	<u>Address</u>
20 / 13	Guard House, LLC	670 No. Commercial St., Ste 303 Manchester, NH 03101
20 / 33, 20 / 34	Odile B. Moss	PO Box 1061 Dover, NH 03821
20 / 35	9-11 George Street, LLC	32 Depot Square, Ste 2 Hampton, NH 03842
20 / 35-1	Joseph T. & Jennifer Rhodes	9 George Street Dover, NH 03820
20 / 35-2	Paul & Rebecca Summers	3331 US Route 3 Thornton, NH 03285
20 / 36, 20 / 40	Vincent A. Duffy	PO B ox 301 Dover, NH 03821
20 / 37	STF Development, LLC	242 Central Avenue Dover, NH 03820
20 / 38	Patrick Kelly	44 Summer Street Dover, NH 03820
20 / 39	233 Central Avenue, Inc.	233 Central Avenue Dover, NH 03820
20 / 41	White Dove Properties, LLC	PO Box 2044 Dover, NH 03821
20 / 42	Robert D. & Kelly A. Callan	30B Hanson Street Dover, NH 03820
20 / 43	Gerald W. & Elizabeth W. Small Scott W. & Diedre D. Whall	33 Hanson Street Dover, NH 03820
20 / 43A	Chad E. & Nicole M. Desmarais	35 Hanson Street Dover, NH 03820

ABUTTERS LIST (con't)
for
Tax Map 20, Lot 37 - George Street
(prepared 6/10/13)

<u>Map / Lot</u>	<u>Owner</u>	<u>Address</u>
20 / 44	Nancy B. McAtavey Revocable Trust Nancy B. McAtavey, Trustee	26 Prospect Street Dover, NH 03820
20 / 45	Glenn M. Fernald	27 Hanson Street Dover, NH 03820
20 / 46	Erik A. & Susan R. Cain	PO Box 815 Dover, NH 03821
20 / 47	Brian & Kathryn A. Lapierre Mona C. & Lew A. McCutcheon	2795 York Street W. Linn, OR 97068
20 / 48, 49 20 / 55B	Berr Par, Inc. c/o Garrison City Management	7 Hanson Street Dover, NH 03820
20 / 50	Alliance Energy Corp.	36 East Industrial Road Branford, CT 06405
23 / 24	Dagel Holdings, LLC	PO Box 5600 Portsmouth, NH 03801
23 / 25	A.L. Prime Energy Consultants, Inc.	18 Lark Avenue Saugus, MA 01906
23 / 26	Lorraine Martuscello Revocable Trust Lorraine Martuscello, Trustee	12 West Concord Street Dover, NH 03820
23 / 27 23 / 28	Jason L. & Katelyn A. Baron	14 George Street Dover, NH 03820
Surveyor:	McEneaney Survey Associates, Inc.	24 Chestnut Street Dover, NH 03820
Civil Engineer:	Civilworks, Inc.	P.O. Box 1166 Dover, NH 03821
Wetland Scientist:	Fraggle Rock Environmental Services	38 Garland Road Strafford, NH 03884



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P13-19

Application Type: Minor Subdivision
Applicant: Helen Gagnon, Trustee/Gagnon Family Rev. Trust
Owner: Helen Gagnon, Trustee/Gagnon Family Rev. Trust
Location: 21 French Cross Road (Assessor's Map C, Lots 39A)

INTENT: To subdivide an existing lot into three lots on French Cross Road. All the lots would be served by on-site septic systems and municipal water.

LOTS/UNITS PROPOSED: One lot subdivided into three lots

AGENDA ITEM #: 4-C

ACREAGE: 9.5 Acres

ZONING DISTRICT: Rural Residential District – R-40

EXISTING LAND USE: One house lot

PROPOSED LAND USE: Two vacant single family lots and one lot with existing house after subdivision

SURROUNDING LAND USE: Single family residential and church

ZBA ACTION: None

ATTACHMENTS:
Subdivision application and plan

APPLICATION IS COMPLETE: Yes

NOTICES SENT: Notices were sent by certified mail to abutters

PERMITS REQUIRED:

- NH Department of Environmental Services Subdivision Permit

WAIVERS REQUESTED: None

Summary of Request and Background

The applicant has submitted plans to subdivide an existing lot, resulting in two additional lots. Lot sizes will be 3.07 acres, 3.75 acres and 2.69 acres. The lots would be served by on-site septic systems and municipal water.

Consistency with Land Use Regulations

Chapter 155-15 of the Land Subdivision Regulations of the City Code provides for subdivisions of existing lots. The plan is consistent with the purpose of the R-40 District, which is to provide for single family neighborhoods in rural areas, with larger lot sizes and homes served by on-site septic systems and wells. This plan is consistent with those regulations.

STAFF RECOMMENDATION:

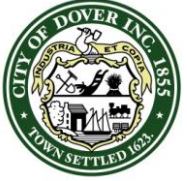
The Planning Department recommends that the Planning Board accept the applications, hold the public hearings, and approve the subdivision application with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

- The owner's signatures shall be added to the final plat submitted for signature.
- The applicant shall provide the Planning Department with a digital version of the final plat.
- The applicant shall revise the plat to add the Planning File number P13-19 to the title block.
- The applicant shall provide the Planning Department with a copy of the NH Department of Environmental Services Subdivision Permit and add the permit number to the plat.
- The applicant shall certify that lot 39A-3 complies with the 40% wetland buffer maximum requirement of footnote #3 of the Table of Use and Dimensional Regulations for the R-40 District.
- The applicant shall revise the plat to show a shared driveway for lots 39A and 39A-3 in order to avoid a wetlands crossing or wetland buffer impact and add a note requiring the shared driveway.
- The applicant shall prepare an access easement deed in favor of lot 39A-3 for the shared driveway. Said deed shall be reviewed by the Planning Department with consultation by General Legal Counsel on compliance with conditions.

Condition to Be Met Prior to Issuance of a Building Permit for lot 39A-3:

- Per Chapter 170-27.1-D-1-c, the applicant shall install wetland buffer signs at one hundred foot intervals along the 50-foot wetland buffer line on lot 39A-3. This shall be checked and approved by the Building Official and City Engineer.



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P13-19

Application Type: Minor Subdivision
Applicant: Helen Gagnon, Trustee/Gagnon Family Rev. Trust
Owner: Helen Gagnon, Trustee/Gagnon Family Rev. Trust
Location: 21 French Cross Road (Assessor's Map C, Lots 39A)

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

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

Other Conditions:

10. All new dwelling units shall be assessed the current water investment fees in place at the time of application for water service.



City of Dover, New Hampshire SUBDIVISION APPLICATION

[Revision Date: February 12, 2013]

Office Use Only	Project #:	<u>P13-19</u>	Date Received:	<u>JUN 10 2013</u>
	Amount Paid:	<u>\$485.00</u>	Time Received:	

CR# 3048

By _____

APPLICANT AND OWNER INFORMATION

Name of Applicant: HELEN GAGNON TRUSTEE Telephone # 742-6918

GAGNON FAMILY REVOCABLE TRUST

Address of Applicant: 21 FRENCH CROSS ROAD DOVER NH 03820

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

Address of Property Owner: _____

PROPERTY INFORMATION

Address of Property: 21 FRENCH CROSS ROAD

Assessor's Map # C Lot(s) # 39A

Zoning District(s) R-40 Overlay District(s) N/A

Size of Parcel: 9.5 AC. Property Deed: Book 3125 Page: 828

Existing Use of Property: SINGLE FAMILY RESIDENCE

SUBDIVISION INFORMATION

Subdivision Type: Major (4 + net new lots): _____ Minor (3 or fewer lots): Open Space: _____

Existing Number of Lots: 1 Proposed Number of Lots: 3 (includes existing)

City Water? Yes No How far is city water from the property? 40'± see attached letter

City Sewer? Yes No How far is city sewer from the property? N/A

Highway Access (check where applicable): City Street State Highway

Estimated Length of Proposed Roads: N/A feet Public or Private Road? N/A

SURVEYOR INFORMATION

Name of Surveyor and Company (Licensed in N.H.) MCENEANEY SURVEY ASSOCIATES, INC.

Address 24 CHESTNUT STREET DOVER, NH 03820 Telephone #: 742-0911

Professional License #: KEVIN MCENEANEY NH LLS# 6661 E-mail address: kevin@surveynh.com

ENGINEER INFORMATION

Name of Engineer and Company (Licensed in N.H.) N/A

Address _____ Telephone #: _____

Professional License #: _____ E-mail address: _____

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: Helen E. Gagnon, Trustee Date: 6-6-13

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

Signature of Agent: _____ Date: _____

AUTHORIZATION TO ENTER SUBJECT PROPERTY

I, and my successors, 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: Helen E. Gagnon, Trustee Date: 6-6-13

AUTHORIZATION TO COMPLETE THE PROJECT ON SUBJECT PROPERTY

I, and my successors, hereby authorize the City of Dover and its assigns to enter my property for the purpose of completing the site work as required by the approved plan should the letter or credit or other surety be called. It is understood that these individuals must use all reasonable care, courtesy, and diligence when on the property.

Signature of Property Owner: _____ Date: _____

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

CERTIFICATION OF FEES

I, and my successors, hereby certify that I understand that the City of Dover collects impact fees, utility investment fees and inspection fees for projects developed in Dover. Said fees must be paid before a Certificate of Occupancy can be obtained for a structure, unless a different payment schedule is agreed to by the applicant and the City prior to approvals being issued by the Dover Planning Board. Additionally, should the property be in "Current Use" it will be subject to the Land Use Change Tax.

Signature of Property Owner: Helen E. Gagnon, Trustee Date: 6-6-13

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

ABUTTERS LIST
 SUBDIVISION APPLICATION for HELEN GAGNON
 TAX MAP C, LOT 39A – FRENCH CROSS ROAD
 (updated June 5, 2013)

MAP/LOT	OWNER	ADDRESS	BOOK/PAGE
C / 33D	Debra Shevelin Laurin & Edgar Hebert, Jr.	480 Tolend Road Dover, NH 03820	3422 / 861
C / 39B	Debra Shevelin	104 Winding Road Milton, NH 03851-4562	3402 / 277
C / 39	Michael A. Enos Theresa A. Enos	491 Fleming Road Round O, SC 29474-4262	1874 / 134
C / 39A	Gagnon Family Revocable Trust Helen E. Gagnon, Trustee	21 French Cross Road Dover, NH 03820	3125 / 828
C / 39A-1	William James Rafeal Andrea M. Rafeal	37 French Cross Road Dover, NH 03820	3291 / 719
C / 39A-2	Jeffrey R. Gellerson Michelle M. Gellerson	49 French Cross Road Dover, NH 03820	2355 / 349
F / 12	Austena S. Dumas Alfred L. Dumas	12 French Cross Road Dover, NH 03820	973 / 290
F / 12A	Karen E. Weston	42 French Cross Road Dover, NH 03820	2511 / 519
F / 12B	Tyler R. Dickson Cari B. Leifheit	36 French Cross Road Dover, NH 03820	3982 / 434
F / 12C	Dolores Bittrich Rev Living Trust Dolores Bittrich ,Trustee	28 French Cross Road Dover, NH 03820	3807 / 855
F / 12D-1	Tri-City Covenant Church	150 West High Street Somersworth, NH 03878	2093 / 608
Surveyor:	McEneaney Survey Associates, Inc.	24 Chestnut Street Dover, NH 03820	
Wetland/ Soil Scientist:	Joe Noel	PO Box 174 South Berwick, ME 03908	

DOUGLAS W. STEELE II
Director

d.steele@dover.nh.gov



288 Central Avenue
Dover, New Hampshire 03820-4169
(603) 516-6450
Fax: (603) 516-6463
www.dover.nh.gov

City of Dover, New Hampshire
COMMUNITY SERVICE DEPARTMENT

May 29, 2013

McEneaney Survey Associates
24 Chestnut Street
Dover, NH 03820

Re: Property located at Map C Lot 39A

To Whom It May Concern:

This letter is to inform you that there is city water at 21 French Cross Road.

If you have any questions, please do not hesitate to contact our office at (603) 516-6450.

Sincerely,

A handwritten signature in black ink, appearing to read "Douglas W. Steele II", written over a horizontal line.

Douglas W. Steele II
Director of Community Services

JOSEPH W. NOEL
P.O. BOX 174
SOUTH BERWICK, MAINE 03908
(207) 384-5587

CERTIFIED SOIL SCIENTIST * WETLAND SCIENTIST * LICENSED SITE EVALUATOR

May 31, 2013

**TEST PIT LOGS
FOR
HELEN E. GAGNON
21 FRENCH CROSS ROAD
DOVER, NEW HAMPSHIRE**

Test Pits Conducted: May 29, 2013
By: Joseph W. Noel
New Hampshire Certified Soil Scientist #017
New Hampshire Septic Designer #1104

Test Pit 1 (in lawn)

Oe	1-0 inches	partially decomposed grasses
Ap	0-10 inches	very dark grayish brown (10YR 3/2) sandy loam, friable, granular
Bw	10-15 inches	dark yellowish brown (10YR 4/6) loamy sand, friable, massive
BC/C	15-60 inches	light olive brown (2.5Y 5/4) sand (some coarse sand strata/pockets), loose, massive, common distinct redox features

Seasonal High Water Table @ 15"
Observed Water Table @ 29" (after rainy week)
Restrictive Horizon none to 60"
Bedrock none to 60"
Estimated Perc Rate: 4 minutes per inch @ 15 inches
Soil Series: Deerfield



Test Pit 2 (in lawn)

Oe	1-0 inches	partially decomposed grasses
Ap	0-12 inches	very dark grayish brown (10YR 3/2) sandy loam, friable, granular
Bw	12-15 inches	dark yellowish brown (10YR 4/6) loamy sand, friable, massive
BC/C	15-60 inches	light olive brown (2.5Y 5/4) sand (some coarse sand strata/pockets), loose, massive, common distinct redox features

Seasonal High Water Table @ 15"

Observed Water Table @ 29" (after rainy week)

Restrictive Horizon none to 60"

Bedrock none to 60"

Estimated Perc Rate: 4 minutes per inch @ 15 inches

Soil Series: Deerfield

Test Pit 3 (in lawn)

Oe	1-0 inches	partially decomposed grasses
Ap	0-9 inches	very dark grayish brown (10YR 3/2) sandy loam, friable, granular
Bw	9-12 inches	dark yellowish brown (10YR 4/6) loamy sand, friable, massive
BC/C	12-60 inches	light olive brown (2.5Y 5/4) sand (some coarse sand strata/pockets), loose, massive, common distinct redox features

Seasonal High Water Table @ 12"

Observed Water Table @ 27" (after rainy week)

Restrictive Horizon none to 60"

Bedrock none to 60"

Estimated Perc Rate: 4 minutes per inch @ 12 inches

Soil Series: Deerfield Variant (somewhat poorly drained)

Test Pit 4 (wooded)

Oe	3-0 inches	partially decomposed organic matter
Ap	0-10 inches	very dark grayish brown (10YR 3/2) sandy loam, friable, granular
Bw1	10-13 inches	dark yellowish brown (10YR 4/6) loamy sand, friable, massive
Bw2	13-24 inches	dark yellowish brown (10YR 4/6) sand, friable, massive, common distinct redox features
BC/C	24-60 inches	light olive brown (2.5Y 5/4) sand, friable with weakly cemented zones, massive, common distinct redox features

Seasonal High Water Table @ 13"

Observed Water Table @ 29" (after rainy week)

Restrictive Horizon @ 24" (weakly cemented)

Bedrock none to 60"

Estimated Perc Rate: 4 minutes per inch @ 13 inches

Soil Series: Deerfield Variant (somewhat poorly drained)

Test Pit 5 (wooded)

Oe	3-0 inches	partially decomposed organic matter
Ap	0-9 inches	very dark grayish brown (10YR 3/2) sandy loam, friable, granular
Bw1	19-13 inches	dark yellowish brown (10YR 4/6) loamy sand, friable, massive
Bw2	13-20 inches	dark yellowish brown (10YR 4/6) sand, friable, massive, common distinct redox features
BC/C	20-60 inches	light olive brown (2.5Y 5/4) sand, friable with weakly cemented zones, massive, common distinct redox features

Seasonal High Water Table @ 13"

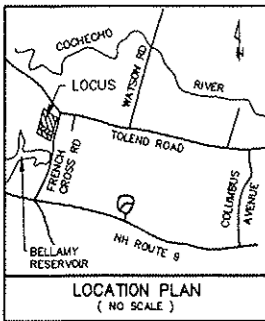
Observed Water Table @ 25" (after rainy week)

Restrictive Horizon @ 20" (weakly cemented)

Bedrock none to 60"

Estimated Perc Rate: 4 minutes per inch @ 13 inches

Soil Series: Deerfield Variant (somewhat poorly drained)



REFERENCE PLANS:

- 1.) PLAN OF LAND FOR ROLAND & HELEN E. GAGNON - FRENCH CROSS ROAD & TOLLAND ROAD, DOVER, NEW HAMPSHIRE. SCALE: 1" = 100'; DATED: DECEMBER 1981; BY: K.E. MOORE & B.G. STAPLES RECORDED S.C.R.D. PLAN 22A-123.
- 2.) PLAN OF SUBDIVISION FOR ROLAND & HELEN E. GAGNON - FRENCH CROSS ROAD & TOLLAND ROAD, DOVER, NEW HAMPSHIRE. SCALE: 1" = 100'; DATED: APRIL 1987; BY: K.E. MOORE & B.G. STAPLES RECORDED S.C.R.D. PLAN 32-44.
- 3.) BOUNDARY LINE ADJUSTMENT FOR ROLAND & HELEN E. GAGNON AND MARC A. MOREAU - FRENCH CROSS ROAD & TOLLAND ROAD, DOVER, NEW HAMPSHIRE. SCALE: 1" = 100'; DATED: OCTOBER 1988; BY: K.E. MOORE & B.G. STAPLES RECORDED S.C.R.D. PLAN 32-76.
- 4.) LOT LINE ADJUSTMENT FOR HARVEY WOODWARD IN DOVER, N.H. SCALE: 1" = 50'; DATED: JUNE 5, 1989; BY: BRUCE L. POHOPEK NOT RECORDED.
- 5.) LIMITED SUBDIVISION ALICE E. FELKER - DOVER, N.H. SCALE: 1" = 100'; DATED: AUGUST 1977; BY: FREDERICK E. DREW ASSOCIATES RECORDED S.C.R.D. PLAN 17D-128.
- 6.) MINOR SUBDIVISION OF LAND FOR ROLAND AND HELEN E. GAGNON TAX MAP C, LOT 39A 21 FRENCH CROSS ROAD COUNTY OF STRAFFORD DOVER, NEW HAMPSHIRE. SCALE: 1" = 50'; DATED: SEPTEMBER 18, 1999, REV. TO 10/19/99; BY: KEM LAND SURVEY, INC. RECORDED S.C.R.D. PLAN 57-44.

NOTES:

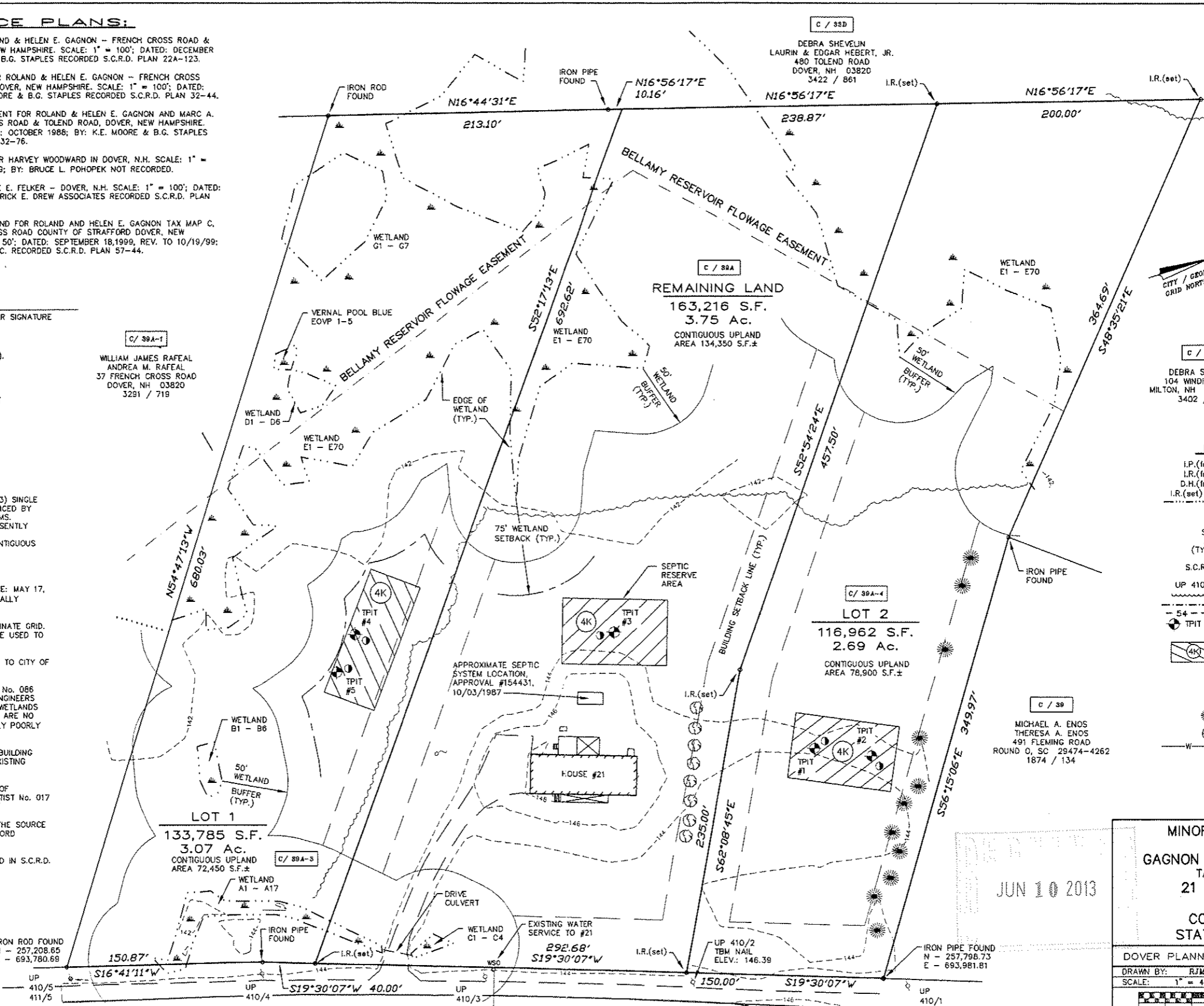
- 1.) OWNER OF RECORD:
GAGNON FAMILY REVOCABLE TRUST
HELEN E. GAGNON, TRUSTEE
21 FRENCH CROSS ROAD
DOVER, NEW HAMPSHIRE 03820
S.C.R.D. VOL. 3125, PAGE 828
OWNER SIGNATURE
- 2.) C / 38A - DENOTES TAX MAP AND PARCEL NUMBER.
- 3.) ZONING DISTRICT IS R-40 (RURAL DENSITY RESIDENTIAL DISTRICT).
- 4.) ZONING DIMENSIONAL AND DENSITY REQUIREMENTS:
MINIMUM LOT SIZE = 40,000 S.F.
MINIMUM FRONTAGE = 150 FEET
MAXIMUM LOT COVERAGE = 10 PERCENT
MINIMUM BUILDING SETBACKS, PRINCIPAL:
FRONT / ABUT A STREET = 40 FEET
SIDE = 25 FEET
REAR = 30 FEET
MINIMUM BUILDING SETBACKS, ACCESSORY:
FRONT / ABUT A STREET = 40 FEET
SIDE = 10 FEET
REAR = 10 FEET
MAXIMUM BUILDING HEIGHT = 35 FEET
- 5.) PLAN INTENT: TO SUBDIVIDE THE SUBJECT PARCEL INTO THREE (3) SINGLE FAMILY RESIDENTIAL LOTS AS SHOWN. PARCELS ARE TO BE SERVICED BY MUNICIPAL WATER AND INDIVIDUAL SUBSURFACE DISPOSAL SYSTEMS. REMAINING LAND HAS AN EXISTING DWELLING WITH SERVICES PRESENTLY CONSTRUCTED. ALL PROPOSED LOTS CONTAIN A MINIMUM OF 40,000 S.F. OF CONTIGUOUS UPLANDS.
- 6.) TOTAL PARCEL AREA = 413,964 S.F. / 9.50 ACRES.
- 7.) PER FLOOD INSURANCE RATE MAP 33017003050, EFFECTIVE DATE: MAY 17, 2005; ZONE "X": AREAS DETERMINED TO BE OUTSIDE THE FEDERALLY DESIGNATED 0.2 PERCENT ANNUAL CHANCE FLOODPLAIN.
- 8.) BASIS OF BEARING IS THE CITY OF DOVER / GEOD CORP. COORDINATE GRID. BASED ON DOVER GIS STATIONS TR 202 AND TR 371 WHICH WERE USED TO DETERMINE LOCATION, ORIENTATION AND VERTICAL DATUM.
- 9.) A DIGITAL DXF COPY OF THE APPROVED PLAN WILL BE PROVIDED TO CITY OF DOVER PLANNING DEPARTMENT UPON FINAL APPROVAL.
- 10.) WETLANDS SHOWN WERE DELINEATED BY JOSEPH W. NOEL, C.W.S. No. 086 DURING MAY 2013 IN ACCORDANCE WITH THE 1987 CORPS. OF ENGINEERS WETLANDS DELINEATION MANUAL AND LOCATED BY THIS OFFICE. WETLANDS BOUNDARIES ARE JURISDICTIONAL POORLY DRAINED SOILS. THERE ARE NO VERY POORLY DRAINED SOILS WITHIN 100' OF THE SOUTHEASTERLY POORLY DRAINED BOUNDARY.
- 11.) STREET ADDRESSES FOR EACH LOT SHALL BE ASSIGNED BY THE BUILDING INSPECTOR AT THE TIME OF ISSUANCE OF A BUILDING PERMIT. EXISTING HOUSE ADDRESS IS 21 FRENCH CROSS ROAD.
- 12.) TEST PITS WERE EVALUATED BY JOSEPH W. NOEL, NH DESIGNER OF SUBSURFACE DISPOSAL SYSTEMS No. 1104, CERTIFIED SOIL SCIENTIST No. 017 ON MAY 29, 2013 AND LOCATED BY THIS OFFICE.
- 13.) THE SOIL TYPE ON THE SITE IS Sb (SAUGATUCK LOAMY SAND). THE SOURCE FOR THE SOIL TYPE DATA IS USDA SCS SOIL SURVEY OF STRAFFORD COUNTY DATED MARCH 1973.
- 14.) THE PARCEL IS SUBJECT TO A FLOWAGE EASEMENT AS DESCRIBED IN S.C.R.D. VOL. 862, PAGE 209.
- 15.) NH DES SUBDIVISION APPROVAL NUMBER: (PENDING)
SA 2013, DATED
- 16.) ALL ON-SITE UTILITIES SHALL BE INSTALLED UNDERGROUND.
- 17.) PRIOR TO ANY EARTH DISTURBING ACTIVITY CONTACT DIGSAFE AT 1-888-344-7233.

WILLIAM JAMES RAFAEL
ANDREA M. RAFAEL
37 FRENCH CROSS ROAD
DOVER, NH 03820
3291 / 719

DEBRA SHEVELIN
LAURIN & EDGAR HEBERT, JR.
480 TOLLAND ROAD
DOVER, NH 03820
3422 / 861

DEBRA SHEVELIN
104 WINDING ROAD
MILTON, NH 03851-4562
3402 / 277

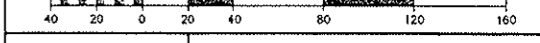
MICHAEL A. ENOS
THERESA A. ENOS
491 FLEMING ROAD
ROUND O, SC 29474-4262
1874 / 134



- LEGEND**
- I.P.(Ind) - IRON PIPE (FOUND)
 - I.R.(Ind) - IRON ROD (FOUND)
 - D.H.(Ind) - DRILL HOLE (FOUND)
 - I.R.(set) - IRON ROD W/ I.D. CAP (SET)
 - EDGE OF WETLAND
 - WETLAND
 - AI - WETLAND I.D. FLAG
 - S.F. - SQUARE FEET
 - Ac - ACRE
 - (TYP.) - TYPICAL
 - ± - MORE OR LESS
 - S.C.R.D. - STRAFFORD COUNTY REGISTRY OF DEEDS
 - UP 410/5 - UTILITY POLE W/ I.D. Nos.
 - TREE LINE
 - FLOWAGE EASEMENT LINE (SEE NOTE 14)
 - EXISTING CONTOUR
 - TPIT #2 - TEST PIT (SEE NOTE 12)
 - - PERCOLATION TEST
 - 4K - 4,000 S.F. AREA SUITABLE FOR SUBSURFACE DISPOSAL
 - WV - WATER GATE VALVE
 - FD - FIRE HYDRANT
 - WSO - WATER SHUT-OFF (CURB STOP)
 - ☼ - SPRUCE TREE
 - - SHRUB
 - W - WATER MAIN

MINOR SUBDIVISION OF LAND
PREPARED FOR THE
GAGNON FAMILY REVOCABLE TRUST
TAX MAP C, LOT No. 39A
21 FRENCH CROSS ROAD
CITY OF DOVER
COUNTY OF STREFFORD
STATE OF NEW HAMPSHIRE

DOVER PLANNING FILE No. P 13-
DRAWN BY: RJM FILE: VR CP_2023_13-2023
SCALE: 1" = 40' DATE: JUNE 5, 2013



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

SURVEYING PLANNING - CONSULTING

NO.	DATE	DESCRIPTION	BY	CHK
13-2013		SUBDIVISION	13-03	36-42
PROJECT NO		TYPE	FIELDBOOK & PAGES	

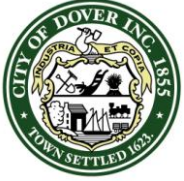
TYLER R. DICKSON
CARI B. LEIFHEIT
36 FRENCH CROSS ROAD
DOVER, NH 03820
3982 / 434

DOLORES BITTRICH, TRUSTEE
DOLORES BITTRICH REV LIVING TRUST
28 FRENCH CROSS ROAD
DOVER, NH 03820
3807 / 855

TRI-CITY COVENANT CHURCH
150 WEST HIGH STREET
SOMERSWORTH, NH 03878
2093 / 608

AUSTENA S. DUMAS
ALFRED L. DUMAS
12 FRENCH CROSS ROAD
DOVER, NH 0382
973 / 290

"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."



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P05-63B

Application Type: Conditional Use Permit for Reduced Parking
Applicant: South Dover Investment Group, LLC
Owner: South Dover Investment Group, LLC
Location: 35 Dover Point Road (Assessor's Map K, Lot 37)

INTENT: Conditional Use Permit to allow for a reduction in the number of required parking spaces from 96 to 68, based on the proposed 32 dwelling units.

LOTS/UNITS PROPOSED: 32 multi-family units (10 units age restricted)

AGENDA ITEM #: 4-D

ACREAGE: 2.04 acres

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

EXISTING LAND USE: Vacant

PROPOSED LAND USE: 32 multi-family units (10 units age restricted)

SURROUNDING LAND USE: Multi-family residential, single-family residential, commercial and a cemetery

ZBA ACTION: Received variance for a 28-unit congregate care use on 6/24/05 and received variance for amendment to allow 32 units, with the 2nd and 3rd floors units not age restricted and the 1st floor units for 55+, and no food service required

ATTACHMENTS:
Conditional Use Permit Application

APPLICATION IS COMPLETE: Yes

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

PERMITS REQUIRED:

- Conditional Use Permit for reduced parking spaces

WAIVERS REQUESTED: None

Summary of Request and Background

The applicant has applied for a Conditional Use Permit per Chapter 170-44-I, to reduce the number of parking spaces from the 96 required to 68 parking spaces.

Consistency with Land Use Regulations

The Off-Street Parking and Loading ordinance provides for a Conditional Use Permit to allow a reduction in the number of required parking spaces provided the applicant submits an analysis justifying the request.

On May 28, 2013, the Planning Board voted to deny a Conditional Use Permit to reduce the parking spaces to 56. The applicant has revised the plan to add 12 additional parking spaces.

STAFF RECOMMENDATION:

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

1. A formal agreement between the Planning Board and the applicant shall be prepared and recorded at the Strafford County Registry of Deeds.
2. The owner shall contribute \$8,000 as their fair share of the off-site improvements associated with the signalization of the Thornwood Lane/Dover Point Road/Sheffield Drive intersection, prior to the issuance of a Certificate of Occupancy.
3. The applicant shall provide a sample lease for the 55-plus units documenting that the lessee shall be 55 or older in age, that only one parking space shall be reserved for the unit, and that parking space shall be designated under the building.
4. On an annual basis, the property owner shall submit a report documenting the adequacy of parking to the Planning Department.
5. If the ownership of the building proposes to change to the condominium form of ownership, the applicant shall resubmit a parking plan to the Planning Board.



City of Dover, New Hampshire CONDITIONAL USE PERMIT APPLICATION

[Revision Date: August 16, 2010]

Office Use Only	Project #:	<u>P 05-63 B</u>	Date Received:	RECEIVED JUN 10 2011 By: <u>Shane</u>
	Amount Paid:	<u>* 344.00</u>	Time Received:	

APPLICANT AND OWNER INFORMATION

CR# 16993

Name of Applicant: SOUTH DOVER INVESTMENT GROUP, LLC Telephone # 603-742-0911

Address of Applicant: 40 GODFREY CREEK ROAD, YORK, ME 03909

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

Address of Property Owner: _____

PROPERTY INFORMATION

Address of Property: 35 DOVER POINT ROAD

Assessor's Map #: K Lot(s) #: 37

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

Existing Use of Property: VACANT

CONDITIONAL USE PERMIT INFORMATION

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

- Conservation District
- Groundwater Protection
- Wetland Protection District
- RCM Use Overlay District
- Off-Street Parking and Loading
- Central Business District
- I-1 District Uses

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

REDUCTION IN NUMBER OF PARKING SPACES REQUIRED: TO ALLOW 1 SPACE/UNIT FOR 1ST FLOOR (AGE RESTRICTED) UNITS & 2 SPACES/UNIT FOR REMAINING UNITS, WHERE 3 SPACES/UNIT ARE REQUIRED

List Any Associated State or Federal Permits That Have Been or Will Be Applied For and Indicate Their Status: N/A

Name of Professional That Prepared Plans: MCENEANEY SURVEY ASSOCIATES INC.

Address: 24 CHESTNUT STREET DOVER NH 03820 Telephone #: 742-0911

Professional License #: NH L.S. # 6661 E-mail address: kain@surveynh.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: Ken McKey Date: 6/10/13

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

Signature of Agent: Ken McKey Date: 6/10/13

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: Ken McKey Date: 6/10/13

DOVER PLANNING FILE NO. P 05-63A - ABUTTERS LIST

Tax Map K, Lot 37 - 35 Dover Point Road (prepared 6/7/13)

<u>Map / Lot</u>	<u>Owner</u>	<u>Address</u>
K / 35	Herbert & Marylyn Follansbee	25 Dover Point Road Dover, NH 03820
K / 36-31	JNM Realty Trust	242 Central Avenue Dover, NH 03820
K / 36-33	Stephen T. Wilkinson	33 Dover Point Road Dover, NH 03820
K / 37	South Dover Investment Group, LLC	40 Godfrey Cove Road York, ME 03909
K / 38	STF Development Corp.	242 Central Avenue Dover, NH 03820
K / 26-1	Lynn Devlin	26 Dover Point Road Dover, NH 03820
K / 39	Roman Catholic Bishop of Manchester	577 Central Avenue Dover, NH 03820
K / 27	John & Melissa Morin	16 Hall Road Barrington, NH 03825
K / 26, K / 19A	Sebring Holdings, LLC	340 Central Avenue, Suite 202 Dover, NH 03820
K / 19C	Macs Convenience Stores, LLC	955 East Tallmedge Avenue Akron, OH 44310
K / 19B	JBack Realty, LLC	34 Dover Point Road Dover, NH 03820
K / 25A	Public Service of NH	P.O. Box 330 Manchester, NH 03105-0330
Surveyor:	McEaney Survey Associates, Inc.	24 Chestnut Street Dover, NH 03820
Civil Engineer:	Civilworks, Inc.	P.O. Box 1166 Dover, NH 03821

Parker, Christopher G.

POS-63B

From: hmf2@comcast.net
Sent: Sunday, June 16, 2013 4:29 PM
To: Parker, Christopher G.
Subject: To all Planning Board Members, June 25th meeting



Dear Mr. Parker and Planning Board members.

I assume, Chris, that you can get these out to the members? My plans were to send the secretary 9 letters and let her place them in the packets, but the type was too small and I could not find 9 magnifying glasses to send along with them, so I hope this will do.

My name is Marilyn Follansbee and I reside at 25 Dover Point Road. I am writing in response to your notice for June 25th. I may not be able to attend and I did speak at a former meeting about this issue, 4B, the reduced parking at 35 Dover Point Road. I will reiterate my reasons. I am in favor of the reduction to 68 parking places. There are 32 units. There will be 31 parking places underground. One should be able to have in the lease that if one is in residence that their car, or if two, one of them, will be parked in the allotted underground garage. Not every unit will have two cars. It is my understanding that there will be storage units in the garage for each unit. Is it possible to put a bike holder on each so those who want to have a bike instead of another car would be able to store the bikes there? Easier than carrying a bike upstairs. OK..that would leave 37 places outside for the possible second car. If 2/3 of the remainder did have a second car, that would still leave 15 places for visitors. If 1/3, there would be 21 places vacant. (My math may be questionable and imaginative, but I think this is right!) There is not going to be any really large gatherings as the apartments are not that large, and many of the older residents will, hopefully, be invited to relatives for holidays. Which may not clear up any spaces, but will not fill up any, either. And, according to Judge Judy, I am sure the lease can state only two vehicles per unit, excluding bicycles.

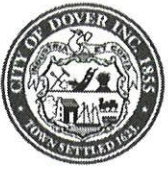
In an age where we hope to do away with more pollution, I see no reason to make having several cars per family desirable by furnishing a lot of parking spaces. There is a bus stop very close by, and we certainly want to see public transportation do well. I do think a reduction of parking spaces could be allowed for this location. And it is a possibility that all units will not be rented at the same time, which would leave more spaces empty for visitors and tradespeople.

On another note, I see that ZBA is having a hearing about two residential units at Thornwood. I do hope that those who are interested in renting or buying said units, along with the condos and apartments on this side of the road, are made aware that there might be a huge gas station at the side, front or back yards. I know there is a "buyer beware" attitude, but I believe in honesty, and if needed, I am willing to put a sign on my yard telling those who plan to rent or buy to go to the Planning Board and find out what might happen in this area.

I would hope they would be told of any plans....and it might not make a difference, but they should know about the gas station approval.

I am pleased that this area remains as residential as it is. Guess that is something after 37 years of living here. ...and we have no plans to move at the present. I like Dover, and on the whole, I appreciate those who help run it.

I do thank all of you for doing the job you are doing.



City of Dover, New Hampshire Planning Board Expedited Review Request Form

[Revision Date: September 7, 2010]

Office Use Only Project #: P13-20, P13-33 Date Received: _____

Is request approved? (Y/N) _____

RECEIVED
 JUN 19 2013
 By Glare

APPLICANT AND OWNER INFORMATION

Name of Applicant: First-Rate Real Estate Group, LLC Telephone # (603)430-7701

Address of Applicant: 3510 Lafayette Road, Suite 4, Portsmouth, NH 03801

A: City of Dover

Name of Property Owner (if different from applicant): B: Margaret Guy Telephone # _____

A: 288 Central Avenue, Dover, NH 03820

Address of Property Owner: B: 303 Thaxter Road, Portsmouth, NH 03801

PROPERTY INFORMATION

Address: 206 Centreal Ave. Assessor's Map #: 12 Lot(s) #: 28 & 29

In accordance with 170-10.1 G, a plan demonstrating reasonable use of at least six (6) of the optional architectural standards, may apply for fast track review. A more descriptive listing of each item is contained within 170-10.1 F:

General Principles and Intent

- 1) Brick, stone or masonry building materials is used for exterior walls.
- 2) Roofs and parapets utilize appropriate pitch, drainage, and materials.
- 3) Buildings without visible roof surfaces have a cornice as outlined in 170-10.1 F 3) b)
- 4) Skylights and roof vents are on the roof plane opposite the primary street or shielded from the street view by the building's parapet wall.
- 5) Ornamentation contributes to the character of building and reinforces the fabric and richness of the community.
- 6) Green roof technologies are utilized.
- 7) Street walls establish a clear edge to the street in locations where the buildings do not.
- 8) Windows are divided by multiple panes of glass
- 9) Materials and equipment chosen for lighting fixtures are durable, energy efficient and weather well.
- 10) Street lights are directed downward to the immediate area being lighted and away from any living quarters.
- 11) No flashing, traveling, animated, or intermittent lighting is visible from the street on the exterior of any building.
- 12) Mechanical equipment, garbage cans, storage tanks, and the like are not stored or located within any area considered a front yard under the Code.
- 13) Roof mounted equipment is screened from view from the street.
- 14) LEED Certification will be met by the building.

Submitted	Approved
X	
X	
X	
X	
X	
—	
X	
X	
X	
N/A	
N/A	
X	
X	
—	

Signature of Property Owner: Margaret Guy Date: 6/18/13

Signature of Applicant (if different from owner): _____ Date: 6/18/13

June 19, 2013

City of Dover
288 Central Avenue
Dover, NH 03820



Attn: Christopher Parker, Director
Planning Department

Re: Tuttle Square Apartments
File # P13-20

Please find attached 15 sets of revised site plans for the above referenced application. Also attached are the following items:

- Planning Board Expedited Review Request Form, one original.
- Colored Streetscape and Building Renderings, 12 sets.
- Building Floor Plans, 12 sets.
- Letter regarding ROW Use, 12 copies.
- Strafford County Superior Court Docket No. 94-E-093, 1 copy.
- Construction/Demolition and Parking Narrative, 12 copies.
- Quitclaim Deed for Parcel 12/28, 1 copy.
- Stormwater Management Plan, 3 copies.

Sincerely,

Kevin McEneaney

Below are our responses to the Technical Review Committee notes dated June 13, 2013.

Planning Comments:

General

- 1) *Submit documentation confirming reservation of parking spaces at library.*
Parking and traffic committee has agreed to lease 21 spaces at the library lot. See attached narrative.
- 2) *Need Stormwater Management System Operation and Maintenance Plan.*
See attached.
- 3) *Impact fees and water and sewer investment fees will be assessed.*
No impact fees or water and sewer investment fees will be assessed since the number of units proposed is the same as existing.
- 4) *Add Engineer's stamp and signature to appropriate sheets.*
These will be added to final plans.
- 5) *Need landscaping plan.*
This has been added to the plan set as sheet 4.
- 6) *Need streetscape plan.*
See attached color rendering.
- 7) *Need color architectural rendering.*
See attached color rendering.

- 8) *Need floor plan.*
See attached floor plans.
- 9) *Provide narrative describing demolition plans.*
See attached narrative.

Sheet 1

- 1) *Add local file #P13-020.*
This file # has been added to the revised plans.
- 2) *Revise Neighborhood Plan to add proposed development.*
Sheet 2 has been revised to show proposed development.

Sheet 2

- 1) *Provide copy of Strafford Superior Court Docket No. 94-E-093.*
See attached.
- 2) *Clarify who has the right to use the ROW and describe the scope of the right(s).*
See attached letter to the City.
- 3) *Show existing parking and loading zone on Central Avenue.*
Sheet 2 has been revised to show the parking and loading zone on Central Avenue.
- 4) *Add number of existing units.*
See note 14 on sheet 2.
- 5) *Add surveyor signature.*
Will add to final plans.
- 6) *Amend City parcel to be Tuttle Square Park.*
Sheet 2 has been amended to label Tuttle Square Park.

Sheet 3

- 1) *Silver Street address?*
See note 14 on sheet 3.
- 2) *Provide a narrative explaining how parking spaces will be assigned.*
See attached parking narrative.
- 3) *Are these condominiums or rental units?*
Rental units.
- 4) *Amend note #16 to add required parking spaces.*
Note 16 on sheet 3 has been amended to show required parking spaces.
- 5) *Add bike rack.*
Sheet 3 has been revised to add a bike rack.
- 6) *Replace parking proposed on Central Avenue with sidewalk and landscaping.*
See sheets 3 and 4.
- 7) *Amend note #32 to provide that snow shall be removed to an off-site location.*
See note 32 has been revised to address this.
- 8) *Show outdoor building lighting.*
Plan to be submitted.
- 9) *Specify number of bedrooms per unit.*
See note 14 on sheet 3.
- 10) *Add erosion and sedimentation control features to the plan.*
Sheet 3 has been revised to show this at the driveway entrance.
- 11) *Drainage analysis required.*
To be submitted.

Police Department Comments:

Sheet 2

- 1) *Add note that removal of any roadway or sidewalk signage shall be coordinated with the Police Department.*
See note 33 on sheet 3.
- 2) *Consider alternatives to the dumpster for garbage removal.*
The dumpster will remain.

Fire/Inspection Comments:

Sheet 3

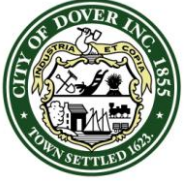
- 1) *Label Silver Street and Central Avenue.*
The street names have been added to sheet 3.
- 2) *Note #30, specify that sprinkler lines need to be capped and flushed.*
See note 34 on sheet 3.
- 3) *ROW fire lane only and no parking – provide signage and striping.*
Added to sheet 3.
- 4) *Consider providing a generator (locate in dumpster pad location if garbage removal alternative is used.*
No generator to be provided. (Dumpster to remain.)
- 5) *Provide Fire Dept's connection on Silver Street side.*
See note 34 on sheet.

Planning Board Comments:

- 1) *Consider naming the project something other than "Tuttle Square".*
The project name will remain "Tuttle Square".
- 2) *Consider providing right turn only lane onto Silver Street.*
Left and right turn exiting the site are necessary for the viability of the project.
- 3) *Consider extending the brick treatment on the façade to the second floor.*
The client prefers the brick treatment as shown.
- 4) *Describe how parking will be provided during construction.*
See attached construction and demolition narrative.

Engineering Comments:

- 1) *Provide drainage analysis showing pre- and post- runoff.*
To be submitted.
- 2) *Show proposed no (new?) curb radius on the southwestern corner of Central and Silver.*
Not shown. Silver St plans provided were a rendering only. Unable to determine the exact location or radius of the proposed curb.
- 3) *Clarify drainage for the building.*
Roof drains will be handled internally and discharged to the stormwater system.
- 4) *Relocate trees from Tuttle Square Park to new green space along Central Avenue.*
Given the size of the existing trees, it is not feasible to relocate them within the proposed new green space along Central Avenue. The applicant is willing, at their expense, to relocate those trees to another park within the City, as agreeable to the Planning Department. We will incorporate the granite benches currently in Tuttle Square Park in the proposed landscaping for the proposed project.



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P13-20

Application Type: Site Plan Review
Applicant: First-Rate Real Estate Group, LLC
Owner: Margaret G. Guy and City of Dover
Location: 206 Central Avenue (Assessor's Map 12, Lots 28 & 29)

INTENT: Site review for the construction of a 16-unit residential building and 11 space parking lot with a driveway off Silver Street. Applicant proposes to purchase the City-owned Tuttle Square Park.

LOTS/UNITS PROPOSED: 16 multi-family units

AGENDA ITEM #: 4-E

ACREAGE: 0.14 acres

ZONING DISTRICT: Central Business District (CBD) - General

EXISTING LAND USE: 16-unit apartment building and Tuttle Square Park

PROPOSED LAND USE: 16 multi-family units

SURROUNDING LAND USE: Multi-family residential, duplexes, single-family residential and commercial

ZBA ACTION: None

ATTACHMENTS: Site Review plan and application

APPLICATION IS COMPLETE: Yes

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

PERMITS REQUIRED:

- City of Dover Conditional Use Permit to allow ground floor to be used for parking for a residential use

WAIVERS REQUESTED: None

Summary of Request and Background

The applicant has submitted a site plan to construct a 16-unit residential building with 11 parking spaces on the ground floor. Building would be served by municipal water and sewer. The applicant has arranged to lease 21 parking spaces from the City in the library parking lot.

The applicant appeared before the Technical Review Committee on June 13, 2013 (see TRC notes).

Consistency with Land Use Regulations

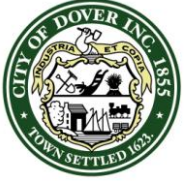
Chapter 149-4 of the Site Review Regulations of the City Code provides for site review approval. This project is located in the Central Business District (CBD) - General, which encourages a wide array of retail and commercial activity. Residential activity is encouraged on the upper floors of buildings. New construction should follow the pattern of existing development in terms of building placement, building height, and use of durable construction materials. Public spaces are encouraged.

STAFF RECOMMENDATION:

The Planning Department recommends the Planning Board accept the application, open the public hearing, and approve the application with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

1. The owner's signature shall be added to the final plan set submitted for signature.
2. The applicant shall provide the Planning Department with a digital version of the final plan.
3. The applicant shall add the surveyor's and engineer's stamp and signatures to the appropriate sheets.
4. The applicant shall have the Stormwater Management Maintenance and Inspection Plan approved by the Community Services Department.
5. The applicant shall submit proof that twenty-one parking spaces have been secured with a long term permit from the City by the applicant for use by the tenants.
6. The applicant shall obtain permission from the City Council for the purchase of the City parcel (map 12, lot 29).
7. The applicant shall amend the plan to show the outdoor lighting fixture locations and design details.
8. The applicant shall prepare a drainage analysis that shall be reviewed and approved by the City Engineer.
9. The applicant shall revise the plan to add fire land/no parking signs along the driveway.



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P13-20

Application Type: Site Plan Review
Applicant: First-Rate Real Estate Group, LLC
Owner: Margaret G. Guy and City of Dover
Location: 206 Central Avenue (Assessor's Map 12, Lots 28 & 29)

10. The applicant shall revise the landscape plan to specify that the trees shall be a minimum of 4 ½ inches in diameter, measured four feet above grade.
11. The applicant shall revise the landscape plan to add two dogwood trees on the Central Avenue side and one dogwood tree on the Silver Street side.
12. The applicant shall revise the landscape plan to add a long term maintenance plan for all the plants and trees being installed.
13. The applicant shall revise the plan to show the installation of one bench on both the Silver Street and Central Avenue sides of the building and one waste bin at the block corner. The design of the elements shall be approved by the Planning Director.

Conditions to Be Met Prior to Any Construction Activity:

14. 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:

15. The applicant shall execute the purchase of the City parcel (map 12, lot 29).

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

16. The applicant shall remove the existing trees in Tuttle Square Park and replant them in another park in the City.
17. The applicant shall provide a letter of credit or other form of security acceptable to the City for any unfinished work.



City of Dover, New Hampshire SITE REVIEW APPLICATION

(Revisión Date: February 12, 2013)

Office Use Only	Project #:	<u>P13-20</u>	Date Received:	<div style="border: 1px solid black; padding: 5px; text-align: center;"> JUN 10 2013 <i>Glave</i> </div>
	Amount Paid:	<u>\$1885.00</u>	Time Received:	

APPLICANT AND OWNER INFORMATION CL# 11372

Name of Applicant: FIRST-DATE REAL ESTATE GROUP, LLC Telephone # 430-4701

Address of Applicant: 3510 LAFAYETTE ROAD, SUITE 4 PORTSMOUTH NH 03801

Name of Property Owner (if different from applicant): MARGARET G. GUN Telephone # _____

Address of Property Owner: 303 THAXTER ROAD, PORTSMOUTH NH 03801

PROPERTY INFORMATION OTHER OWNER: CITY OF DOVER NH
288 CENTRAL AVE
DOVER NH 03820

Address of Property: 206 CENTRAL AVENUE

Assessor's Map # 12 Lot(s) # 28 + 29

Zoning District(s) CBD Overlay District(s) —

Size of Parcel: 6,147 sq. ft. 0.14 ac. Property Deed: Book 1786 Page: 671
2750 967

Existing Use of Property: MULTI-UNIT RESIDENTIAL

SITE PLAN INFORMATION

Describe Proposed Use: 16 UNIT RESIDENTIAL BUILDING WITH FIRST FLOOR
(INTERIOR) PARKING

Area of Parcel to be Developed: 6,147 sq. ft.

If Multi-family Residential, Specify Number of Units & Buildings Proposed: ONE BUILDING / 16 UNITS

Number of Parking Spaces: Existing 0 Proposed 11

Highway Access (check where applicable): City Street State Highway

Number of Employees Total: N/A In Maximum Shift: N/A

Disposition of Parcel:	Building Setbacks:
Building Footprint <u>5723</u> sq. ft.	Front Yard <u>0</u> ft.
Total Building Area <u>28,105</u> sq. ft.	Rear Yard <u>2</u> ft.
Paved Area <u>1,050</u> sq. ft.	Side Yard: Right <u>9</u> ft.
	Left <u>0</u> ft.

City Water? Yes No How far is city water from the property? AT LOT

City Sewer? Yes No How far is city sewer from the property? AT LOT

BUILDING INFORMATION

Type of Building to be Built: 5 STORY - WOOD FRAME

Height of Building: 50' ± Finished Floor Elevation: 89.0'

Number of Seats (where applicable) N/A

SURVEYOR INFORMATION

Name of Surveyor and Company (Licensed in N.H.) MCENEANEY SURVEY ASSOCIATES, INC.

Address 24 CHESTNUT STREET DOVER NH 03820 Telephone #: 603-742-0911

Professional License #: KEVIN MCENEANEY E-mail address: kevin@surveynh.com
NH L.S. #6661

ENGINEER INFORMATION

Name of Engineer and Company (Licensed in N.H.) CIVILWORKS, INC.

Address PO Box 1166 DOVER NH 03821 Telephone #: 603-749-0443

Professional License #: PAUL COUNOLLY E-mail address: civilworksdover@comcast.net
NH PE # 5176

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: Margaret Guy Date: 6.7.13

Signature of Applicant (if different from owner): Michael P R Date: 6-7-13

Signature of Agent: [Signature] Date: 6/12/13

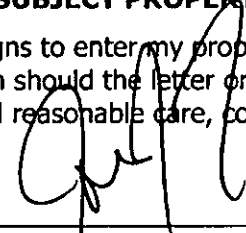
AUTHORIZATION TO ENTER SUBJECT PROPERTY


I, and my successors, 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: Margaret Guy Date: 6.7.13

AUTHORIZATION TO COMPLETE THE PROJECT ON SUBJECT PROPERTY

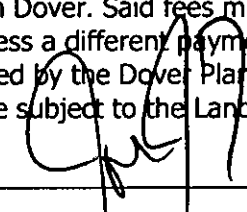
I, and my successors, hereby the City of Dover or its assigns to enter my property for the purpose of completing the site work as required by the approved plan should the letter or credit or other surety be called. It is understood that these individuals must use all reasonable care, courtesy, and diligence when on the property.


Signature of Property Owner: Margaret Guy  Date: 6.7.13

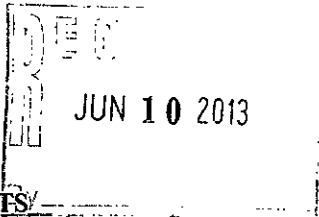
Signature of Applicant (if different from owner):  Date: 6-7-13

CERTIFICATION OF FEES

I, and my successors, hereby certify that I understand that the City of Dover collects impact fees, utility investment fees and inspection fees for projects developed in Dover. Said fees must be paid before a Certificate of Occupancy can be obtained for a structure, unless a different payment schedule is agreed to by the applicant and the City prior to approvals being issued by the Dover Planning Board. Additionally, should the property be in "Current Use" it will be subject to the Land Use Change Tax.

Signature of Property Owner: Margaret Guy  Date: 6.7.13

Signature of Applicant (if different from owner):  Date: 6-7-13



ABUTTERS LIST

SITE REVIEW APPLICATION for TUTTLE SQUARE APARTMENTS
TAX MAP 12, LOTS 28 & 29 – 206 CENTRAL AVENUE
(updated June 5, 2013) Page 1 of 2

<u>MAP/LOT</u>	<u>OWNER</u>	<u>ADDRESS</u>	<u>BOOK/PAGE</u>
9 / 77	Kathleen D. Wotton	25 Silver Street Dover, NH 03820	2471 / 80
9 / 78, 9 / 80	James Fox	1211 Dolphin Road Riviera Beach, FL 33404	852 / 124 968 / 282
9 / 81	Mark L. Hale Terrie L. Hale	9 Silver Street Dover, NH 03820	1781 / 688
9 / 82, 9 / 82-1 9 / 83	First Parish Church	218 Central Avenue Dover, NH 03820	1595 / 359
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9 / 88	Sandra Millette	118 Locust Street Dover, NH 03820	1378 / 299
12 / 36 12 / 25	Woodman Institute A. McManus & D. Landry, Trustees	P.O. Box 1916 Dover, NH 03821-1916	3100 / 920
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SITE REVIEW APPLICATION for TUTTLE SQUARE APARTMENTS
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(updated June 5, 2013) Page 2 of 2

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12 / 32, 12 / 33	Berrien Moore, III Gail T. Moore	132 W. Main Street, Apt. 2 Norman, OK 73069-1320	1983 / 363 880 / 016
20 / 56	Robert A. Karkos	211 Central Avenue Dover, NH 03820	1061 / 307
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9 / 79	Hot-Kos LLC	263 Central Avenue Dover, NH 03820	3888 / 123
Surveyor:	McEneaney Survey Associates, Inc.	24 Chestnut Street Dover, NH 03820	
Civil Eng:	Civilworks, Inc.	P.O. Box 1166 Dover, NH 03821	
Applicant:	First-Rate Real Estate Group, LLC	3510 Lafayette Road, Suite 4 Portsmouth, NH 03801	

ADD'L OWNER CITY OF DOVER NH

258 CENTRAL AVE
DOVER NH
03820

No.	Bearing	Distance
L1	S06°19'22"E	9.98'
L2	S32°10'27"W	12.81'

9 / 80
 JAMES FOX
 1211 DOLPHIN ROAD
 FIVIERA BEACH, FL 33404
 968 / 282

9 / 81
 MARK L. HALE
 TERRIE L. HALE
 9 SILVER STREET
 DOVER, NH 03820
 1781 / 688

9 / 83
 FIRST PARISH CHURCH
 218 CENTRAL AVENUE
 DOVER, NH 03820

NOTES CONTINUED:

- ALL EXISTING UTILITY LOCATIONS ARE APPROXIMATE AS SHOWN. THE CONTRACTOR SHALL VERIFY THEIR EXACT LOCATIONS WITH THE RESPECTIVE UTILITY OWNERS PRIOR TO WORK BEING PERFORMED. CALL DIGSAFE AT 1-888-344-7233.
- THE PLANS AND SPECIFICATIONS ARE INTENDED TO BE EXPLANATORY OF THE WORK TO BE DONE AND OF EACH OTHER, BUT SHOULD ANY OMISSION, ERRORS OR DISCREPANCIES APPEAR, THEY SHALL BE SUBJECT TO CORRECTION AND INTERPRETATION BY THE "DESIGN ENGINEER" THEREBY DEFINING AND FULFILLING THE INTENT OF THE PLANS.
- THE SUBJECT PARCEL IS LOCATED WITHIN AREAS DETERMINED TO BE OUTSIDE THE FEDERALLY DESIGNATED 0.2% ANNUAL CHANCE FLOODPLAIN AS SHOWN ON FLOOD INSURANCE RATE MAP 33017C03300, EFFECTIVE DATE: MAY 17, 2005.
- THE SUBJECT PARCELS ARE SUBJECT TO PERMANENT STIPULATIONS AS SET FORTH IN STRAFFORD SUPERIOR COURT DOCKET No. 94-E-093.
- THE PROPOSED USE IS 16 RESIDENTIAL UNITS, EIGHT (8) ONE BEDROOM AND EIGHT (8) TWO BEDROOM IN ONE (1) BUILDING WITH FIRST LEVEL INTERIOR PARKING. BUILDING ADDRESSES SHALL BE ASSIGNED BY THE BUILDING INSPECTOR AT THE TIME OF ISSUANCE OF A BUILDING PERMIT.
- TOTAL AREA OF BUILDING FOOTPRINT = 5,723 S.F.
- PARKING SPACES REQUIRED FOR THE PROPOSED USE = 32 SPACES. PARKING SPACES PROVIDED = 11 SPACES (INSIDE BUILDING) = 21 SPACES TO BE LEASED FROM THE CITY OF DOVER IN THE MCCONNELL BUILDING LOT TOTAL = 32 SPACES
- PARKING SPACE SIZE = 9' WIDE x 18' LONG.

- ALL DISTURBED AREAS NOT OTHERWISE CALLED FOR SURFACE TREATMENT SHALL RECEIVE 4" OF HIGH QUALITY LOAM AND SHALL BE SEEDED WITH GRASS. SEE PERMANENT SEEDING NOTES. ALL TREATMENT SWALES SHALL HAVE SOD BOTTOMS.
- PAVEMENT / PARKING STRIPING TO BE 4" WIDE / WHITE.
- CONTACT INDIVIDUAL UTILITY COMPANIES TO DETERMINE CONDUIT SIZES AND SCHEDULES.
- AS-BUILT DRAWINGS OF THE SITE SHALL BE SUBMITTED ON A REPRODUCIBLE MYLAR MEDIUM AND IN A DIGITAL FORMAT TO THE CITY OF DOVER ENGINEER'S OFFICE UPON COMPLETION OF PROJECT. AS-BUILTS SHALL BE PREPARED AND CERTIFIED CORRECT BY A L.L.S. OR P.E.
- THE PROPOSED STRUCTURE SHALL BE SERVED BY A SPRINKLER SYSTEM AS REQUIRED UNDER CHAPTER 109, ARTICLE IV, SECTION 109-29 (AS REQUIRED BY I.B.C. AND NFPA 101 LIFE SAFETY CODE, LATEST EDITIONS) OF THE CODE OF THE CITY OF DOVER.
- ALL ON-SITE UTILITIES SHALL BE INSTALLED UNDERGROUND. ALSO, SEE NOTE 20.
- ALL MATERIALS AND CONSTRUCTION SHALL CONFORM WITH APPLICABLE CITY AND STATE CODES.
- BACKFLOW PREVENTORS SHALL BE PROVIDED FOR DOMESTIC WATER LINES.
- EXTERIOR LIGHTING SHALL BE METAL HALIDE TYPE LUMINAIRE AND POLE OR MOUNTED ON THE BUILDING, AND SHALL PROVIDE LIGHTING DIRECTED ON-SITE ONLY.
- ALL TEMPORARY LOAM STOCKPILES SHALL RECEIVE TEMPORARY EROSION CONTROL MEASURES.
- A LETTER OF CREDIT FOR THE COST OF REVEGETATING ALL DISTURBED AREAS ON THE SITE SHALL BE SUBMITTED PRIOR TO ANY EARTH DISTURBING ACTIVITY OCCURS.
- A PRE-CONSTRUCTION CONFERENCE WITH THE DEVELOPER, THE DESIGN ENGINEER, THE EARTHWORK CONTRACTOR AND THE CITY OF DOVER ENGINEER SHALL OCCUR PRIOR TO ANY EARTH DISTURBING ACTIVITY.
- PROPOSED WATER SERVICE PIPING SHALL BE 6" DUCTILE IRON, CL. 52, CEMENT LINED AND POLYWRAPPED PER AWWA STANDARDS, FIRE PROTECTION SERVICE/DOMESTIC SERVICE WILL BE TAPPED FROM SAID 6" PIPE WITHIN THE PROPOSED BUILDING.
- PROPOSED SANITARY SEWER PIPING SHALL BE 6" P.V.C., SDR 35, AS SHOWN, INDIVIDUAL SERVICES SHALL BE 4" P.V.C., SDR 35 AND LOCATED WITHIN THE PROPOSED BUILDING.
- SNOW STORAGE SHALL BE MANAGED THROUGH PROPER OFF SITE DISPOSAL.
- REMOVAL OF ANY ROADWAY OR SIDEWALK SIGNAGE SHALL BE COORDINATED WITH THE CITY OF DOVER POLICE DEPARTMENT
- SPRINKLER CONNECTIONS MUST BE FLUSHED IN ACCORDANCE WITH NFPA 24 AND A CONTRACTOR'S MATERIAL AND TEST CERTIFICATE FOR UNDERGROUND PIPING FORM MUST BE COMPLETED. FIRE DEPARTMENT CONNECTIONS SHALL BE LOCATED ON THE SILVER STREET SIDE OF THE BUILDING.

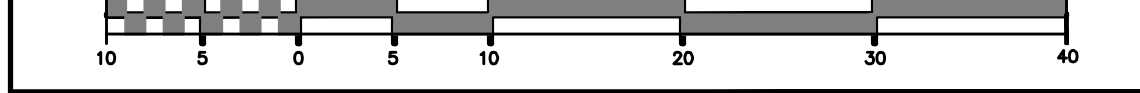
20 / 58
 ROBERT A. KARKOS
 211 CENTRAL AVENUE
 DOVER, NH 03820
 1061 / 307

20 / 57
 JANICE L. KARKOS
 118 CLEMENT ROAD
 ROLLINSFORD, NH 03869
 1461 / 751

SHEET 3

PROPOSED SITE PLAN
 OF
 TUTTLE SQUARE APARTMENTS
 PREPARED FOR
 FIRST-RATE REAL ESTATE GROUP, LLC
 TAX MAP 12, LOT Nos. 28 & 29
 206 CENTRAL AVENUE
 CITY OF DOVER
 COUNTY OF STRAFFORD
 STATE OF NEW HAMPSHIRE

DOVER PLANNING FILE No. P 13-20
 DRAWN BY: RJM FILE: VR CP\2019\13-2019-1
 SCALE: 1" = 10' DATE: MAY 24, 2013



McEneaney
 Survey
 Associates
 P.O. Box 681 - 24 Chestnut Street
 Dover, NH 03820 (603) 742-0911

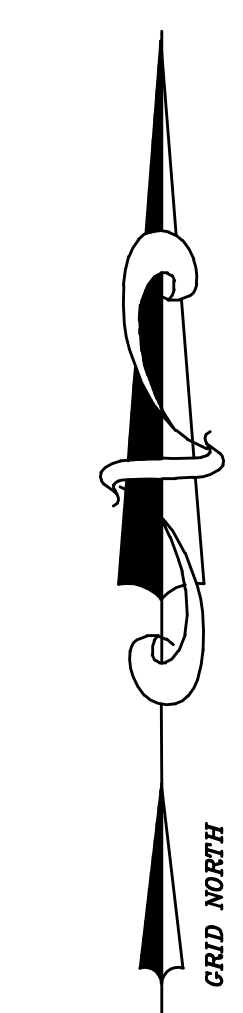
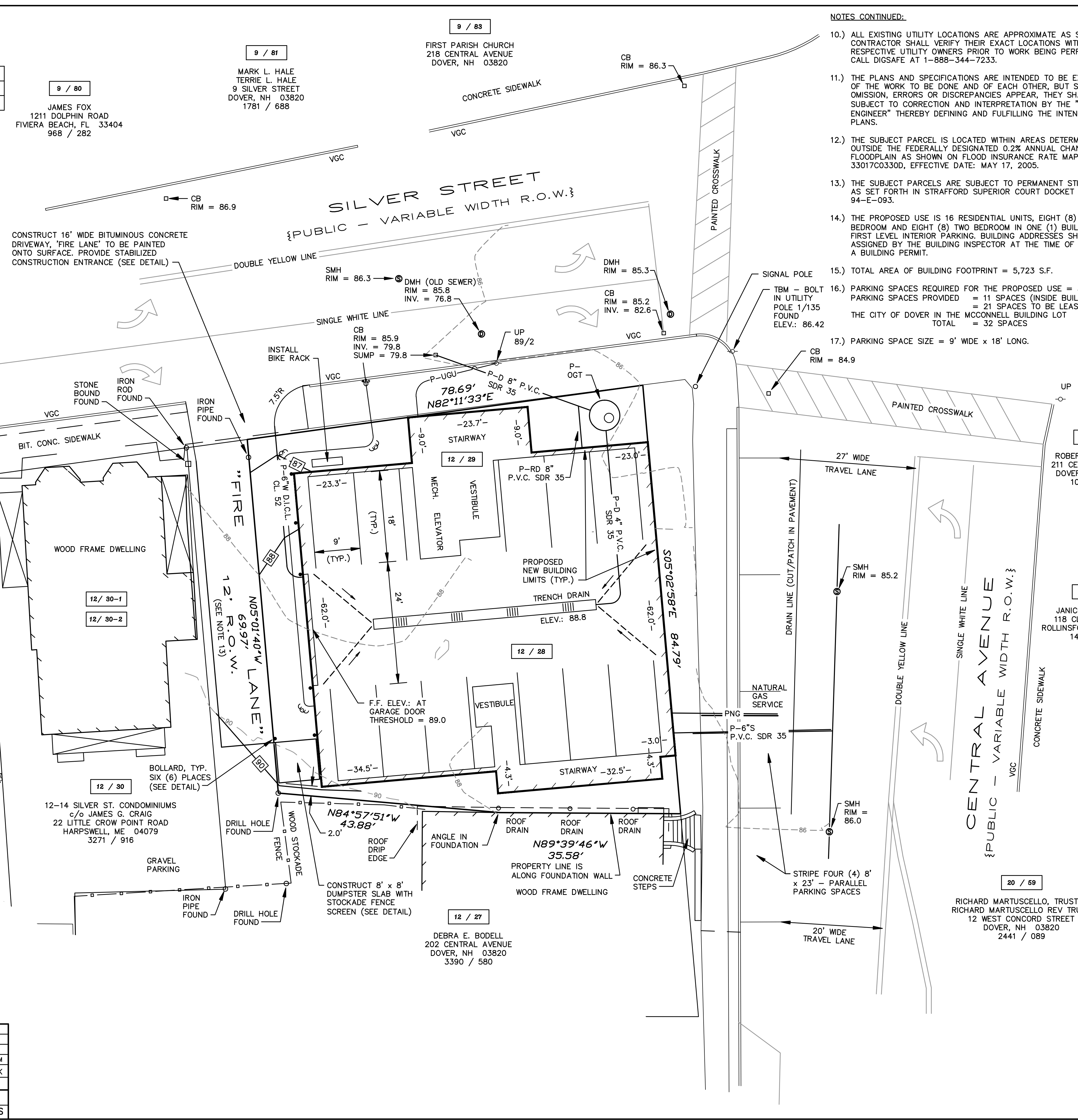
SURVEYING - PLANNING - CONSULTING

civilworks
 engineers • surveyors
 P.O. Box 1166
 Dover, NH 603-749-0443

NOTES:

- OWNERS OF RECORD:
 12 / 28 MARGARET G. GUY
 303 THAXTER
 PORTSMOUTH, NH 03801
 S.C.R.D. VOL. 1786, PAGE 671
 12 / 29 CITY OF DOVER
 288 CENTRAL AVENUE
 DOVER, NH 03820
 S.C.R.D. VOL. 2750, PAGE 967
- 12 / 28 - DENOTES TAX MAP AND PARCEL NUMBER.
- TOTAL AREA OF SUBJECT PROJECT = 6,147 S.F. / 0.14 Ac.
- ZONING DISTRICT IS CBD (CENTRAL BUSINESS DISTRICT) (SEE CURRENT ZONING REGULATIONS)
- THE INTENT OF THIS PLAN IS TO DEPICT THE SUBJECT PARCEL BOUNDARIES AND TO DEPICT A PROPOSED BUILDING WITH ASSOCIATED INTERIOR PARKING AND SITE RENOVATIONS.
- VERTICAL DATUM - NAVD88
- BASIS OF BEARING AND COORDINATES SHOWN ARE BASED ON CITY OF DOVER G.I.S.
- SURVEY OF EXISTING CONDITIONS PERFORMED DURING MARCH 2013 BY McENEANEY SURVEY ASSOCIATES, INC.
- EXISTING UTILITY LOCATION DATA OBTAINED FROM FIELD OBSERVATIONS.

NO.	DATE	DESCRIPTION	BY	CHK
1	6/17/13	REVISE PER TRC COMMENTS	RJM	KMM
REVISIONS				
13-2019	SITE DEVELOP	12-06	63-70	
PROJECT NO	TYPE	FIELDBOOK & PAGES		





Corner of Central Avenue and Silver Street

**Michael J.
Keane**
Architects
PLLC

Architecture
Preservation
Planning
Design

101 Kent Place
Newmarket, NH
03857

603-292-1400
mjkarchitects.com

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Tuttle Square Apartments
206 Central Avenue
Dover, New Hampshire

Conceptual
Drawing

A-1



Central Avenue Elevation

**Michael J.
Keane**
Architects
PLLC

Architecture
Preservation
Planning
Design

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03857

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Tuttle Square Apartments
206 Central Avenue
Dover, New Hampshire

Conceptual
Drawing

A-2



Silver Street Elevation

**Michael J.
Keane**
Architects
PLLC

Architecture
Preservation
Planning
Design

101 Kent Place
Newmarket, NH
03857

603-292-1400
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Tuttle Square Apartments
206 Central Avenue
Dover, New Hampshire

Conceptual
Drawing

A-3

Michael J.
Keane
Architects
PLLC

Architecture
Preservation
Planning
Design

101 Kent Place
Newmarket, NH
03857

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Tuttle Square Apartments
206 Central Avenue
Dover, New Hampshire

Conceptual
Drawing

A-4



Parking Entry Elevation



Alley Elevation

**Michael J.
Keane**
Architects
PLLC

Architecture
Preservation
Planning
Design

101 Kent Place
Newmarket, NH
03857

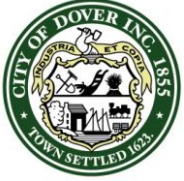
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Tuttle Square Apartments
206 Central Avenue
Dover, New Hampshire

Conceptual
Drawing

A-5



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P13-33

Application Type: Conditional Use Permit
Applicant: First-Rate Real Estate Group, LLC
Owner: Margaret G. Guy and City of Dover
Location: 206 Central Avenue (Assessor's Map 12, Lots 28 & 29)

INTENT: To obtain a Conditional Use Permit to allow ground floor to be used for residential parking spaces for the construction of a 16-unit residential building. Chapter 170-20-B provides for conditional use approval for relief from the CBD standards.

LOTS/UNITS PROPOSED: 16 multi-family units

AGENDA ITEM #: 4-F

ACREAGE: 0.14 acres

ZONING DISTRICT: Central Business District (CBD) - General

EXISTING LAND USE: 16-unit apartment building and Tuttle Square Park

PROPOSED LAND USE: 16 multi-family units

SURROUNDING LAND USE: Multi-family residential, duplexes, single-family residential and commercial

ZBA ACTION: None

ATTACHMENTS: Conditional Use Permit application

APPLICATION IS COMPLETE: Yes

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

PERMITS REQUIRED:

- City of Dover Conditional Use Permit to allow ground floor to be used for parking for a residential use

WAIVERS REQUESTED: None

Summary of Request and Background

The applicant has applied for a Conditional Use Permit to allow the ground floor to be used for parking for a 16-unit residential building.

Consistency with Land Use Regulations

Chapter 170-20-B provides for conditional use approval for relief from the CBD standards. In the General CBD, the ground floor for new construction can only be used for non-residential uses. The parking proposed for the ground floor is for the residential units so it is considered a residential use.

This project is located in the Central Business District (CBD) - General, which encourages a wide array of retail and commercial activity. Residential activity is encouraged on the upper floors of buildings. New construction should follow the pattern of existing development in terms of building placement, building height, and use of durable construction materials. Public spaces are encouraged.

STAFF RECOMMENDATION:

The Planning Department supports this request because the building design for the first floor does not have the appearance of a parking garage. There is limited on-street parking in the area that would be desirable for commercial on the first floor.

The Planning Department recommends the Planning Board accept the application, open the public hearing, and approve the Conditional Use Permit application with the following condition:

1. A formal agreement between the Planning Board and the applicant shall be prepared and recorded at the Strafford County Registry of Deeds.



poster ✓

City of Dover, New Hampshire CONDITIONAL USE PERMIT APPLICATION

[Revision Date: August 16, 2010]

Office Use Only	Project #:	<u>P13-33</u>	Date Received:	<u>JUN 12 2013</u>
	Amount Paid:	<u>230.00</u> <u>OK #2447</u>	Time Received:	<u>1:55 pm</u>

BY GP

APPLICANT AND OWNER INFORMATION

Name of Applicant: First-Rate Real Estate Group, LLC Telephone # (603) 430-7701

Address of Applicant: 3510 Lafayette Rd., Suite 4, Portsmouth, NH 03801

Name of Property Owner (if different from applicant): Margaret G. Guy Telephone # _____

Address of Property Owner: 303 Thaxter Rd., Portsmouth, NH 03801

PROPERTY INFORMATION

Address of Property: 206 Central Ave., Dover, NH 03820

Assessor's Map #: 12 Lot(s) #: 28 & 29

Zoning District(s): CBD Overlay District(s): N/A

Existing Use of Property: Multi- Unit Residential

CONDITIONAL USE PERMIT INFORMATION

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

- Conservation District
- Groundwater Protection
- Wetland Protection District
- RCM Use Overlay District
- Off-Street Parking and Loading
- Central Business District
- I-1 District Uses

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

See attached.

List Any Associated State or Federal Permits That Have Been or Will Be Applied For and Indicate Their Status:

Not Applicable.

Name of Professional That Prepared Plans: Kevin McEneaney, NH LLS #661

McEneaney Survey Associates, Inc.

Address: 24 Chestnut Street, Dover, NH 03820 Telephone #: (603) 742-0911

Professional License #: 661 E-mail address: kevin@surveynh.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: _____ Date: _____
Signature of Applicant (if different from owner): *[Signature]* *Attorney for Applicant* Date: *10/12/13*
Signature of Agent: _____ Date: _____

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: _____ Date: _____

ABUTTERS LIST

SITE REVIEW APPLICATION for TUTTLE SQUARE APARTMENTS

TAX MAP 12, LOTS 28 & 29 – 206 CENTRAL AVENUE

(updated June 5, 2013)

Page 1 of 2

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(updated June 5, 2013) Page 2 of 2

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Applicant:	First-Rate Real Estate Group, LLC	3510 Lafayette Road, Suite 4 Portsmouth, NH 03801	

First-Rate Real Estate Group, LLC

206 Central Avenue
Dover, New Hampshire

CONDITIONAL USE PERMIT APPLICATION

The Applicant, First-Rate Real Estate Group, LLC (hereinafter “First Rate”) has submitted its application for Site Plan Review related to a proposal to raze and rebuild the existing “Tuttle Square” Apartments, located at 206 Central Avenue, and depicted on the City’s Tax Maps as Map 12, Lots 28 and 29. The property to be constructed will consist of an apartment building with four floors of residential use, with the first floor containing new parking added to the area, and enclosed within the building structure. The parking located on the property will equal eleven (11) spaces. The building itself will contain ten (10) one (1) unit apartments and six (6) two bedroom apartments.

The Applicant has been advised by the City of Dover Planning Department that the Applicant may need a CUP, pursuant to Article 170-20.B, to location the parking on the first floor of the building. The zoning ordinance provides that, within the CBD District, “For new construction only non-residential uses shall be on the ground floor level.”

The Applicant submits that if meets the requirements for a conditional use permit for the following reasons:

- (a) That both public and private BUILDINGS and landscaping shall contribute to the physical definition of RIGHTS OF WAY as CIVIC SPACES.

The Applicant will be making certain improvements, as part of its plans, to the rights of way, creating more parking in the area, both on the first floor of the building, and adjacent to the building.

- (b) That development shall adequately accommodate automobiles, while respecting the pedestrian and the spatial form of public areas.

The Applicant will meet its parking criteria by creating 11 parking spaces on site and by obtaining residential permits from the City of Dover for parking within 1,000 feet.

- (c) That the design of streets and BUILDINGS shall reinforce safe environments, but not at the expense of accessibility.

The Applicant will be participating with the City to improvements already planned by the City.

- (d) That architecture and landscape design shall grow from local climate, topography, history, and BUILDING practice.

The architectural design represents design elements of existing buildings and and historical aspects of buildings from the surrounding area.

- (e) That BUILDINGS shall provide their inhabitants with a clear sense of geography and climate through energy efficient methods.

The building shall be deigned in an efficient manner, utilizing a footprint that is based upon the area needed for the parking on the first floor.

- (f) That CIVIC BUILDINGS and public gathering places shall be provided as locations that reinforce community identity and activity.

The building will retain the historic name of Tuttle Square, and the Applicant will be working with the City as to the aesthetic and safety improvements planned along Silver Street.

- (g) That CIVIC BUILDINGS shall be distinctive and appropriate to a role more important than the other BUILDINGS that constitute the fabric of the city.

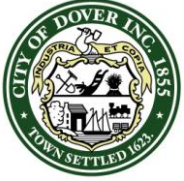
The design of the building will be historically appropriate, resulting in a far superior aesthetic presentation than exists currently.

- (h) That the preservation and renewal of historic BUILDINGS shall be facilitated.

The existing building is in significant disrepair. However, by use of brick, and the design itself, the building that will be constructed is respectful of the historic designs through the area and the City.

- (i) That the harmonious and orderly evolution of urban areas shall be secured through the adoption of these regulations.

The Applicant submits that the historic design will promote the harmonious evolution of the area. Without the location of the parking on the ground floor, the building will not be feasible.



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P13-31

Application Type: Citizen Petition for Rezoning
Applicant(s): Varney Brook Holdings, LLC and Changing Places, LLC
Owner(s): Summit Development
Location: Residential-Commercial Mixed Use Overlay District

INTENT: A request by the applicant to amend Chapter 170-28.2-E - Residential-Commercial Mixed Use Overlay District (RCM).

LOTS/UNITS PROPOSED: N/A

AGENDA ITEM #: 4-G

ACREAGE: N/A

ZONING DISTRICT: Residential-Commercial Mixed Use Overlay District (RCM)

EXISTING LAND USE: N/A

PROPOSED LAND USE: N/A

SURROUNDING LAND USE: N/A

ZBA ACTION: N/A

ATTACHMENTS: Rezoning application and letter; draft ordinance

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 amend Chapter 170-28.2-E - Residential-Commercial Mixed Use Overlay District (RCM) to adjust the minimum percentage of non-residential development and the maximum percentage residential development, and to base those percentages on the total floor area proposed for the project instead of the area of the tract.

The proposed language is set forth on the attached draft ordinance, and is summarized as follows:

- Residential use shall be limited to no more than 45% of the total floor area proposed for the project (residential is currently limited to no more than 35% of the “original tract”).
- A minimum of 55% of the total floor area must consist of non-residential and or/mixed use (currently, a minimum of 40% of the “original tract” must be non-residential and/or mixed use).
- “Outdoor display areas” can be used to meet the minimum non-residential/mixed use percentage requirement.
- “Mixed use” means any building that has at least 50% of the floor area of the first floor reserved as commercial space, provided that:
 - such commercial space is located in the front half of the building; and
 - the commercial space extends the length of the building façade.

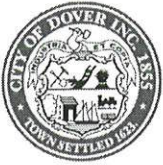
The remainder upper floors of the building may be used for residential. Residential accessory uses (e.g. mechanical, storage, laundry, etc.) are permitted to be located within the back half of the first floor.

Note that while the applicant is primarily concerned about his property off Thornwood Lane, it is important to note that the amendments would apply to other RCM Districts.

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 zoning amendment 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 ZONING AMENDMENT APPLICATION

[Revision Date: February 13, 2013]

Office Use Only	File #:	<u>P13-31</u>	Date Received:	 By <u>G Pare</u>
	Amount Paid:	_____	Time Received:	

APPLICANT INFORMATION

Name of Applicant: Varney Brook Holdings LLC/Changing Places LLC

Address of Applicant: c/o SUMMIT DEVELOPMENT 340 Central Ave # 202 Dover NH

Telephone # (603) 749-2800

Email Address chad@summitlanddev.com

DESCRIPTION OF PROPOSED AMENDMENT

Revise the method used to calculate the distribution of uses in the RCM district.

AREA REZONING INFORMATION

Assessor's Map and Lot #s of all properties within the area proposed to be rezoned:

Map	Lot(s)
<u>M</u>	<u>4</u>
<u>K</u>	<u>19-1</u>
<u>K</u>	<u>19</u>
<u>K</u>	<u>19-2</u>

Current Zoning District(s) ETP/RCM OVERLAY Size of Area: _____

Existing Use(s) Within Area: RESIDENTIAL AND COMMERCIAL

Proposed Zoning District(s) ETP/RCM OVERLAY Proposed Use of Area: RESIDENTIAL / COMMERCIAL / MIXED USE

ORDINANCE AMENDMENT INFORMATION

Article# VII_ Section(s) # 28.2_ Section Title(s) Residential-Commercial Mixed Use Overlay District

Current Provision(s) Language:

The developer shall prepare a Development Plan, which locates the proposed types of non-residential and residential development, utilities, access roads, and public ways. The parcels comprising the development may be under separate ownership, but shall be treated as one development and shall be bound by the approval granted for the entire Development Plan. If approval is granted, individual LOTS must be developed as part of the larger Development Plan and phasing outlined

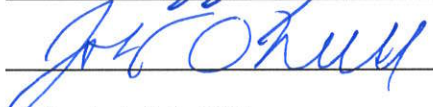
hundred (100) feet of the subject area. The list shall be current within ten (10) days of submittal;

- A non-refundable fee of eight dollars (\$8.00) per property owners and abutter required to be notified included on the lists of properties;
- A non-refundable fee of one hundred fifty dollars (\$150.00) to cover the cost of staff review and processing of the amendment;
- A non-refundable fee of eighty dollars (\$80.00) to cover the cost of the newspaper notice; and
- For district or citywide zoning map amendments, or for zoning ordinance text amendments, please contact the Planning Department for cost of mailing and abutter notice requirements.

SIGNATURE OF APPLICANT(S)

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 Applicant:  Date: 6/12/13

Signature of Applicant:  Date: 6-12-13

below, and not separately. The Development Plan must identify the percentage of the nonresidential uses, residential uses and OPEN SPACE. Non-residential and/or mixed use uses must exceed forty percent (40%) of the original tract, residential uses must not exceed thirty-five percent (35%) of the original tract, and a minimum of twenty percent (20%) of the original tract shall be OPEN SPACE. Fifty percent (50%) of the required OPEN SPACE (as defined in Chapter 155-60) must be usable uplands and reasonably accessible to all property owners in the project. Any OPEN SPACE provided above twenty percent (20%) may be mixed wetlands and upland.

Proposed Provision(s) Language:

The developer shall prepare a Development Plan, which locates the proposed types of non-residential and residential development, utilities, access roads, and public ways. The parcels comprising the development may be under separate ownership, but shall be treated as one development and shall be bound by the approval granted for the entire Development Plan. If approval is granted, individual LOTS must be developed as part of the larger Development Plan and phasing outlined below, and not separately. The Development Plan must identify the percentage of the nonresidential uses, residential uses and OPEN SPACE. Non-residential and/or mixed use uses must comprise at least fifty-five percent (55%) of the total proposed FLOOR AREA for the development (outdoor display areas designated as such on the Development Plan may be counted towards the minimum required non-residential FLOOR AREA); residential uses must not exceed forty-five percent (45%) of the total proposed FLOOR AREA for the development. A building shall be considered “mixed use” provided that at least 50% of the FLOOR AREA of the first floor is reserved as commercial space, and provided that such commercial space is located roughly in the front half of the building and extends the length of the building façade. Residential accessory uses (e.g. mechanical, storage, laundry, etc.) are permitted to be located within the back half of the first floor of any mixed use building.

A minimum of twenty percent (20%) of the area of the original tract shall be reserved as OPEN SPACE and identified as such on the Development Plan. Fifty percent (50%) of the required OPEN SPACE (as defined in Chapter 155-60) must be usable uplands and reasonably accessible to all property owners in the project. Any OPEN SPACE provided above twenty percent (20%) may be mixed wetlands and upland.

In a separate narrative, please describe how your proposed amendment(s) addresses the following elements:

- The purpose and intent of the amendment;
- Consistency with RSA 674:17;
- Consistency with Dover’s Master Plan;
- Consistency with other plans, studies, or technical reports prepared by, or for, the Planning Board and the City;
- Effect on the City’s municipal services and capital facilities as described in the Capital Improvements Program;
- Effect on the natural, environment, and historical resources of the City;
- Effect on neighborhood including the extent to which nonconformities will be created or eliminated; and
- Effect on the City’s economy and fiscal resources.

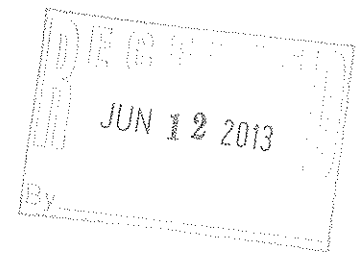
REQUIRED ATTACHMENTS

Fifteen (15) hard copies and one digital copy of the following:

- This application;
- A properly drafted ordinance containing the amendment in a form meeting the requirements of the City Clerk (please see attached for example);
- A statement of the purposes and intent of the proposed amendment
- For zoning map amendments:
 - A map showing the existing zoning districts of the area to be rezoned and the proposed changes to these districts;
 - ○ 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



P/3-31



June 12, 2013

Mr. Christopher Parker, AICP
Director of Planning and Community Development
City of Dover
288 Central Avenue
Dover, NH 03820

RE: RCM Overlay District Zoning Amendments

Dear Chris,

As part of the attached Zoning Amendment Application I am hereby providing answers to questions on Page 2 of the application.

- The purpose and intent of the amendment;
 1. The purpose of this ordinance is to amend Chapter 170 of the Code of the City of Dover, entitled Zoning, adjusting the provisions of the RCM Overlay District to revise the calculations of uses. Consistency with RSA 674:17;
- Consistency with Dover's Master Plan:
 1. Dover's Master Plan supports a context sensitive mixture of uses and encourages flexibility in land uses and layouts. The RCM Overlay District brings these ideas to fruition.
- Consistency with other plans, studies, or technical reports prepared by, or for, the Planning Board and the City;
 1. This proposal does not conflict with other plans or reports prepared for, or by the City.
- Effect on the City's municipal services and capital facilities as described in the Capital Improvements Program;
 1. The utilities that would be installed per this project would handle any increased loads, and the trunk lines which would be tied into for sewer have capacity to accommodate any changes in intensity.
- Effect on the natural environment and historical resources of the City;
 1. This proposal requires that 20% of the parent parcel remain in a natural state. Additionally, a conservation easement was previously placed over a portion of the parcel.

- Effect on neighborhood including the extent to which non-conformities will be created or eliminated; and
 1. There would be no non-conformities created by this change.
- Effect on the City's economy and fiscal resources.
 1. This would allow for continued improvements to be made to this area of Dover Point, bringing in a diverse scope of businesses. The Economic Development Director has served on the committee which drafted this amendment and supports the ideas.
 2. Our forthcoming Economic Impact Study will confirm the proposed project has a positive financial effect on the City.

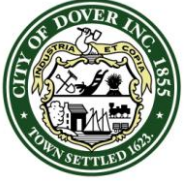
Thank you for your cooperation throughout this process.

Sincerely,



Chad Kageleiry

c: John O'Neill, Changing Places



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P13-32

Application Type: Citizen Petition for Rezoning
Applicant(s): Bentley Jesse
Owner(s): N/A
Location: All Zoning Districts in City

INTENT: A request by the applicant to amend Chapter 170-32 – Sign review and Regulations.

LOTS/UNITS PROPOSED: N/A

AGENDA ITEM #: 4-H

ACREAGE: N/A

ZONING DISTRICT: All Districts

EXISTING LAND USE: N/A

PROPOSED LAND USE: N/A

SURROUNDING LAND USE: N/A

ZBA ACTION: N/A

ATTACHMENTS: Rezoning application and letter; tracked changes version of Chapter 170-32

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 amend Chapter 170-32 – Sign review and Regulations, mostly through the deletion of entire sections and paragraphs.

To assist the Planning Board with understanding the extent of the amendments, staff has prepared a tracked changes version of the sign ordinance incorporating the proposed amendments.

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 zoning amendment 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.