



**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**

**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 8<sup>th</sup> 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.



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### 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



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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.