



CITY OF DOVER

DOVER PLANNING BOARD – AGENDA

Meeting Type: Regular Meeting
Meeting Location: Council Chambers – 288 Central Avenue, Dover, NH 03820
Meeting Date: **Tuesday, December 17, 2013**
Meeting Time: **7:00 pm**

1. CITIZENS' FORUM

2. APPROVAL OF THE PRIOR MINUTES

- November 12, 2013 Regular Meeting Minutes

3. OLD BUSINESS

- A. Public Hearing and possible vote on proposed zoning amendments to the Zoning Ordinance (Chapter 170), per NH RSA 675:2 & 675:7, to expand the Central Business District (CBD) along Broadway and portions of Silver Street, Central Avenue north and south of downtown, Locust Street, and Portland Avenue; to amend the CBD regulations; to create a CBD Downtown Gateway sub-district and a CBD Transit Oriented Development sub-district; and to amend the temporary sign regulations for the CBD, Cochecho Waterfront District, B-3 District, and B-5 District. The full text of the amendments is available in the Planning Department and at www.dover.nh.gov located under City Documents and View Current City Reports.
- B. Consideration and possible vote on a Conditional Use Permit for the Residential-Commercial Mixed Use Overlay District for Summit Land Development (Owners: Varney Brook Lands, LLC, Thornwood Commons, LLC, Changing Places, LLC, and Dover Point Road 252, LLC), Assessor's Map K, Lots 19 & 19-1 and Map M, Lots 4, & 4-29 to 4-37, zoned ETP, located at Thornwood Lane. (Conceptual site layout for 105 single family, 204 multi-family, and 130,100 sq. ft. of commercial and retail buildings) *(P13-53)

4. NEW BUSINESS

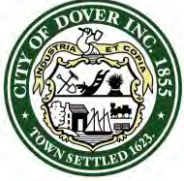
- A. Consideration and acceptance of a Waiver Request to Chapter 155-22F for James Watkins III, Assessor's Map 16, Lot 20-5, zoned R-12, located at 3 Walt Colby Drive. (Building within 8 ft. of property line, where 10 ft. is required) *(P13-61)
- B. Consideration and acceptance of a Conditional Use Permit for DR Lemiux Builders, Inc., (Owner: Calvin Potter), Assessor's Map L, Lot 14-A, zoned R-20, located at Spur Road. (House and driveway in Conservation District, 50 ft. away from Bellamy River) *(P13-62)
- C. Consideration and acceptance of a Minor Lot Line Adjustment for The Patrice D. Foster Revocable Trust of 2003, Assessor's Map L, Lots 89A & 89B, zoned R-20, located at 192 & 194 Dover Point Road. *(P13-48)
- D. Consideration and acceptance of an Open Space Subdivision of land for The Patrice D. Foster Revocable Trust of 2003, The Hayward Family Revocable Trust of 1998 and The Catherine F. Hayward Revocable Trust of 2012), Assessor's Map L, Lots 89I-1, 89I-2 & 89B, zoned R-20, located at 188 & 192 Dover Point Road. (3 existing lots subdivided into 8 lots) *(P13-49)
- E. Consideration and acceptance of a Minor Subdivision for Claire Sheridan, Assessor's Map M, Lot 105, zoned R-40, located at 321 Back Road. (2 new lots) *(P13-63)

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

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Meeting Time: **7:00 pm**

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

Members Not Present: Michael Weeden, Councilor, Deborah Thibodeaux (Alternate), Dexter Tarbox (Alternate)

Staff Present: Christopher Parker (Planning Director), Diane Britt (Recording Secretary)

The Chair called the meeting to order at 7:03 p.m.

1. CITIZENS' FORUM

Citizens Forum Open.

Debra Bodell, 202 Central Avenue, lives next to the Tuttle Square property and has numerous issues with the work being done currently. Her house and property have sustained damage to the shingles and sheathing on the roof, windows, siding and fence. She also has concerns about contractors parking on sidewalk and blocking view when she is backing out of her driveway and sidewalk is being replaced, causing concerns about snow removal. A compactor is right next to her house and when it is operating things fall off shelves in her house, and her alarm was set off once while she was not at home. She would like assistance protecting her property, wants to know who oversees these projects, and what recourse she has.

Mary Hebbard, 97 Spruce Lane, spoke regarding her issues with contractors and projects going on in the City. She feels there is no accountability for what contractors do and she would like to hear discussion about how to help citizens. Encourages more regulations and rules be considered for development.

Citizens Forum Closed.

2. APPROVAL OF THE PRIOR MINUTES

- October 22, 2013 Regular Meeting Minutes

Motion: K.Schuman made the motion to approve the October 22, 2013 regular meeting minutes. Seconded by F.Torr.
Vote: U/A

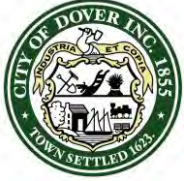
3. OLD BUSINESS

- A. Conditional Use Permit for the Residential-Commercial Mixed Use Overlay District for Summit Land Development (Owners: Varney Brook Lands, LLC, Thornwood Commons, LLC, Changing Places, LLC, and Dover Point Road 252, LLC), Assessor's Map K, Lots 19 & 19-1 and Map M, Lots 4, & 4-29 to 4-37, zoned ETP, located at Thornwood Lane. (conceptual site layout for 105 single family, 204 multi-family, and 130,100 square feet of commercial and retail buildings) (P13-53)

This item will be heard 12/17/2013.

4. NEW BUSINESS

- A. Public Hearing on proposed zoning amendments to the Zoning Ordinance (Chapter 170), per NH RSA 675:2 & 675:7, to expand the Central Business District (CBD) along Broadway and portions of Silver Street, Central Avenue north and south of downtown, Locust Street, and Portland Avenue; to amend the CBD regulations; to create a CBD Downtown Gateway sub-district and a CBD Transit Oriented Development sub-district; and to amend the temporary sign regulations for the CBD, Cochecho Waterfront District, B-3 District, and B-5



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District. The full text of the amendments is available in the Planning Department and at www.dover.nh.gov located under City Documents and View Current City Reports.

C.Parker gave an overview of the zoning amendments.

Discussion ensued.

G.Green asked C.Parker what “encourage and discourage” meant in the context of the regulations and stated enforcement was his concern.

C.Parker stated he did not want to be heavy-handed by using the word “shall” in the amendments but in the interest of protecting property rights of owners, abutters and the community, he chose the language, “this is what you *can* do”, but the Board can change that.

L.Skinner stated he and G.Green were on the same page and if the amendments pass as written he asked what the City could do to encourage compliance.

C.Parker stated he was open to new ways to encourage compliance and wanted feedback, and at the next meeting he will have suggestions.

Public Hearing Open.

Geoffrey DiBello, 6 Pearl Street, wanted clarification regarding Amendment #2 and the 0.2 acre strips of land that were zoned B3, medium density residential area and urban density multi-residential area.

C.Parker explained this zoning amendment was done to allow single vs. multiple family dwellings.

G.DiBello pointed out the elbow on map where Pearl Street is and confirmed with C.Parker that, if amendment goes through as is, that area would allow for a single family.

David Hashem, 7 Pearl Street, has owned two businesses on Broadway since 1969 and was concerned about increasing his business if he wanted to do that with the rezoning in that area.

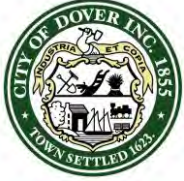
C.Parker stated he would need a variance to expand his business, both today and if amendment passes.

Barbara Visciano, 185 Locust Street, stated she thought if the north end of Locust Street was rezoned for business it would have a negative impact and wants it to be kept residential.

Sara Treacy, 148 Locust St, stated she is disappointed and upset because she feels the City favors business over quality of life of its citizens. She does not think Silver Street should be a “gateway” to the City, and does not think there is room for bus pullouts along Silver Street.

Mary Hebbard, 97 Spruce Lane, expressed her concern that zoning amendments were all about control, the opposite of freedom. She asked who would pay when a four foot high masonry wall was required or for street scapes when they were required due to zoning.

Joseph Pouliot who lives at 1 Rose Street stated he’d like his property included in Gateway rezoning.



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Kathleen Pritchard, 19 Summer Street, asked why CBD is being applied to a residential area (RMU) where mixed use would be allowed on the north side of Central Avenue and Silver Street, and eating establishments would be allowed on one side and not allowed on the other side.

C.Parker stated it is mixed use because there are already offices there, and that he would look into the issue of the eating and drinking establishments.

Adam Trolinate, 14 Monroe Street, asked what was going on between Locust Street and Central Avenue, and at CVS/Care Pharmacy location. He also stated that regarding signs he agrees the Planning Board is trying to keep the town looking nice.

C.Parker stated that a parking lot for the industrial building across the street was going in, and that the owner of the CVS/Care Pharmacy property wants to reuse the property.

The Public Hearing was recessed to 12/17/2013.

C.Parker wanted the Board to know he received an email from Peter Widmark who owns property on Maple Street and would like the Board to look at rezoning his area to CBD/residential, recognizing that there should be more residential uses there. The commercial users have caused him problems as he looks to sell his property and redevelop his property, and he feels maybe this pocket area of town should go to more residential uses.

- B.** Consideration and acceptance of an application for Minor Lot Line Adjustment for Fred Attalla (Owners: Denise Frink Hoyt Revocable Trust & Richard & Eleanor Ford - Ford Family Trust), Assessor's Map 8, Lots 18 & 19, zoned R-20, located at 14 & 16 Leighton Road. (P13-55)

John Chagnon, Ambit Engineering, represented the applicant. He stated this application is a straightforward lot line relocation from the larger lot (14) to the smaller lot in back (16), and the result is 15 feet of frontage on Leighton Road being transferred from 14 to 16 Leighton Road. The intention is not to put in a driveway but to maintain the existing driveway. The lot losing the land conforms to zoning ordinance and the lot receiving the land is just getting larger.

Motion: F.Torr made the motion to accept the application. Seconded by D.White. Vote: U/A

Public hearing open. Nobody spoke. Public hearing closed.

STAFF RECOMMENDATION:

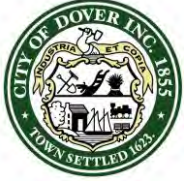
The Planning Department recommends the Planning Board approve the application for the lot line adjustment plat with the following conditions:

Conditions to be met Prior to Signing of the Plans:

1. The owner's signature shall be added to the final plat submitted for signature.
2. The applicant shall provide the Planning Department with a digital version of the final plat.
3. The applicant shall add the surveyor's stamp and signature to the final plat.
4. The applicant shall revise the plat to add the Planning File number P13-55 to the title block.

Motion: K.Schuman made the motion to approve with staff recommendations. Seconded by L.Skinner. Vote: U/A

- C.** Consideration and acceptance of a Minor Lot Line Adjustment for Patrick Murray, Assessor's Map 35, Lots 59 & 59A, zoned R-12, located at 125 Sixth Street. (P13-56)



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Kevin McEneaney, McEneaney Survey Associates, represented the applicant and owner of both parcels. One parcel is an area of approximately 34,000 square feet and has an existing single family house on it at 125 Sixth Street. The adjoining parcel is a vacant lot of approximately 5 acres. The proposal will add approximately 17,000 square feet from the existing single family house lot to the vacant lot, resulting in approximately 16-17 feet of frontage on Sixth Street for the vacant lot. The resulting lot areas meet minimum lot size requirements for frontage. The single family house lot will be approximately 17,000 square feet or about 0.4 acres, and the adjoining vacant lot will be increased to 4.56 acres.

D.White confirmed with C.Parker that there were no setbacks to the garage that would affect this lot becoming smaller, and there were none.

G.Green asked C.Parker if this land meets specifications for building houses.

C.Parker stated the larger lot is nonconforming in frontage; it should have 100 feet, 16 will be added but it will still be nonconforming. There is a provision for reduced side setbacks when frontage is nonconforming, but the lot has plenty of space and this should not be a problem.

G.Green asked if there was a permanent building on the vacant lot now.

K.McEneaney confirmed there was a storage building towards rear of property, but no residential structure on the property.

Motion: F.Torr made the motion to accept the application. Seconded by D.White. Vote: U/A

Public hearing open. Nobody spoke. Public hearing closed.

STAFF RECOMMENDATION:

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

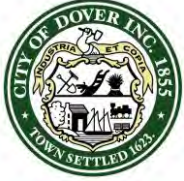
Conditions to be met Prior to Signing of the Plans:

1. The owner's signature shall be added to the final plat submitted for signature.
2. The applicant shall provide the Planning Department with a digital version of the final plat.
3. The applicant shall add the surveyor's stamp and signature to the final plat.
4. The applicant shall revise the plat to add the Planning File number P13-56 to the title block.

Motion: T.Clark made the motion to approve with staff recommendations. Seconded by K.Schuman. Vote: U/A

- D.** Minor Lot Line Adjustment for CJM Durham, LLC & Fastdogs Realty, LLC, Assessor's Map E, Lots 31, 32 & 32-5, zoned ETP, located at Sixth Street, County Farm Road & 432 Sixth Street. (P13-57)

Dana Lynch, Civilworks, represented the applicant, CJM Durham LLC, who owns lot 32-5 consisting of 10 acres and lot 31 consisting of about 14.23 acres. The second owner is Fastdog Realty LLC represented by Nichols, located at the corner of Sixth Street and County Farm Road. The proposal will adjust the lot line of Lot 32 to a location which is basically central to the wetlands that bifurcate Lot 32-5. The result of the lot line adjustment will be that the Fastdogs Realty LLC Lot 32 will contain 17.25 acres, and the CJM Durham LLC lot will consolidate the remainder of Lot 32-5 with Lot 31 to create a lot which will contain just shy of 19 acres. The three lots will become two lots and both lots will conform to the requirements of the zoning ordinance.



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Motion: T.Clark made the motion to accept the application. Seconded by D.White. Vote: U/A

Public hearing open. Nobody spoke. Public hearing closed.

STAFF RECOMMENDATION:

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

Conditions to be met Prior to Signing of the Plans:

1. The owner's signature shall be added to the final plat submitted for signature.
2. The applicant shall provide the Planning Department with a digital version of the final plat.
3. The applicant shall add the surveyor's stamp and signature to the final plat.
4. The applicant shall revise the plat to add the Planning File number P13-57 to the title block.

D.Ciotti mentioned to the Board that he received a phone call regarding the area of the driveway off County Farm Road which the caller felt has become a bottleneck and there have been several accidents there.

Motion: T.Clark made the motion to approve the application with staff recommendations. Seconded by L.Skinner. Vote: U/A

- E.** Consideration and acceptance of a Conditional Use Permit for reduced parking for Field & Foster Corp., Assessor's Map 3, Lot 42, zoned CBD, located at 459 Central Avenue. (18 multi-family units) (P13-59)
- F.** Consideration and acceptance of a Site Plan Review for Field & Foster Corp., Assessor's Map 3, lot 42, zoned CBD, located at 459 Central Avenue (change of use from 19 hotel suites to 18 multi-family units) (P13-60)

Both items will be discussed together and voted on separately.

Peter Foster represented the applicant, Field & Foster Corporation, who presently owns the Days Inn. Half of the building will be sold and converted to eighteen dwelling units, three of which will be 2-bedroom living spaces and the remaining fifteen will be open concept single living areas. Currently there are seventeen parking spaces with an additional six, and they have requested parking space on Chapel St with condition of Third Street use in the winter time during parking bans.

G.Green confirmed with P.Foster that there are 17 parking spaces on site and asked why there were not at least 18 spaces on site, one per unit.

P.Foster answered there are 18 parking spaces on the lot line which will be split in half with the new owner, with whom he has a good ongoing relationship to share parking moving forward.

G.Green confirmed with P.Foster that the sale was not consummated yet.

Motion: F.Torr made the motion to accept the applications. Seconded by L.Skinner. Vote: U/A

Public hearing open.



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Mark Foster spoke regarding the parking space situation. He stated between the two properties there has been shared parking all along with the hotel but with the proposed change, he realized he needed more parking off site. He did state that in 30 years he has never been short of parking spaces there. He stated there would be a pool of 23 parking spaces, 16 in the lot off Chapel Street, 1 in the Days Inn lot, and 6 spaces by permit.

Lengthy discussion ensued with the Board discussing that parking for tenants would be on a first come first serve basis, the locations of on street and off site permit parking for the tenants, parking capacity of the City's parking lots, and citizen input regarding available parking on Chapel Street.

C.Parker stated he has been working with the Police and the Parking Commission in order to develop a parking plan for the future for downtown Dover. He stated the questions being debated are for the Parking Commission, not the Planning Board.

K.Schuman stated he felt the Planning Board was dictating business operations, that the applicant should manage parking for his tenants, and that the applicant should provide proof of six parking permits from the Dover Parking Manager.

More discussion ensued.

Public hearing closed.

STAFF RECOMMENDATION (P13-59):

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

Conditions to be met Prior to Signing of the Plans:

1. The Site Plan for the change of use must be approved.
2. The provisions limiting the number of parking spaces based on the type of unit shall be incorporated into the lease agreements signed by each tenant.
3. The applicant shall submit proof that parking permits for six parking spaces have been obtained from the Dover Parking Manager or a private landlord with a five year term.
4. A formal agreement between the Planning Board and the applicant shall be prepared and recorded at the Strafford County Registry of Deeds.

Motion: F.Torr made the motion to approve the application with staff recommendations.

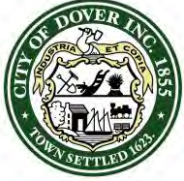
G.Green asked to speak to the motion and stated that he is all for development and is not fighting the waiver for parking, but he wants the Board to think about the citizens going forward. He could not support the motion.

Discussion ensued.

Motion: Seconded by L.Skinner. Vote: 7/1

K.Schuman stated that the Board was delving into dictating business operation plans, and if the applicant is comfortable with their parking plan they should let the applicant manage parking.

Motion: K.Schuman made the motion to accept the application. Seconded by L.Skinner. Vote: U/A



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Public hearing open. Nobody spoke. Public hearing closed.

STAFF RECOMMENDATION (P13-60):

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

Conditions to be met Prior to Signing of the Change of Use Being Approved:

1. The Conditional Use Permit for reduced parking shall be granted.

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

2. Any new dwelling unit shall pay the current impact fees in place at the time of building permit application.
3. Any new dwelling unit shall be assessed the water/sewer investment fees in place at the time of application for service

Motion: K.Schuman made the motion to approve the application with staff recommendations. Seconded by L.Skinner.
Vote: 7/1

5. STAFF COMMENTS

C.Parker gave some updates:

The impact fee that was granted to Cocheco Mill Works will be on the City Council Agenda 11/13/2013 and he will update the Board after that.

The pedestrian and vehicular access study focusing on pedestrian and vehicular conflict points within downtown area is in process. Looking at building the Police facility in the downtown area now allows that to be incorporated into pedestrian vehicular study.

A month ago he asked the Board to allow the Chair to sign a letter asking the state for a \$10K community planning grant, which was used to do the Gateway project. The City was awarded the grant, so the plan is to do a similar process for Knox Marsh Road and Sixth Street and B4 districts, looking at ways to deal with descriptive element or lack thereof that we would like to see in the community.

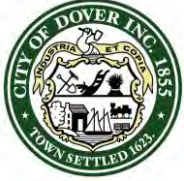
The next MIT climate change project meeting is on 12/2/2013 hosted by Children's Museum and the 7th Settlement Brewery to be held at the Brew Pub with food being provided. The game and simulation is going really well. Forty people attended the last meeting on 11/7/2013. He encouraged the public and board members to attend.

There is a video for Gateway zoning project running on Channel 22 which gives an overview of that project and process. The next meeting is on 12/17/13 when it will be discussed again.

Thursday November 14 he will be speaking at the Urban Land Institute about form-based code and how it has streamlined and facilitated development.

He will meet with D.White and T.Clark to talk about Ms.Bodell and the damage to her property.

Some discussion by the Board followed regarding enforcement of the conditions and ways to make contractors accountable.



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6. COMMITTEE REPORTS - NONE

7. ADJOURNMENT

Motion: L.Skinner made the motion to adjourn at 9:40 p.m. Seconded by T.Clark. Vote: U/A

DRAFT

To: Planning Board
From: Christopher Parker, AICP
Date: December 12, 2013
Re: Proposed Zoning Amendments

ISSUE:
None

INTENT:
This memo will briefly respond to concerns raised by the public relative to the proposed zoning amendments.

GOALS:
As part of Dover's responsive government model, we rely on public feedback when drafting the community's regulations

PROCESS:
On October 8, 2013 the Planning Board posted amendments to the Zoning Chapter. A public hearing was held on November 12 and staff met with residents before and after the hearing. This memo outlines concerns expressed and potential modifications to the amendments.

The amendments focus on updating the downtown Central Business District, revising the gateways to downtown to reflect and reinforce the character and context based zoning, which exists downtown. Further amendments refine and clarify the temporary sign ordinances. Comments were received relative to both sections.

Encouraging Architectural Standards with Incentives, vs Requiring The Board asked questions relative to the existing incentives to architectural standards and incentives. Staff supports the change to include the Commercial sub-district, and to allow the fast tract incentive to be part of the site plan process in that district. A minor change would be made to the Commercial table to remove the provision that "These [Section 170-1(F) architectural] standards are optional and may be utilized by the applicant."

Clarifying Masonry Walls Staff received comments that it was not clear what a masonry wall, allowed in the CBD, consist of, materially. Staff recommends the following amendment be made to clarify Section 170-20(E)(2)(c):

"The design of the screen shall be subject to Planning Board approval and shall use materials that are compatible with the surrounding character of the neighborhood and contribute to an attractive streetscape."

Area Rezoning The Board heard concerns about property on Pearl Street, both pro and con. After a site visit, staff recommends no change to the amendment be made.

The Board heard a request to alter property on Rose Street to be included. After a site visit, staff recommends no change to the amendment be made.

The Board heard a request to remove Silver Street and the corner of Locust and Trakey from the proposed CBD expansion. After meeting with residents, staff concurs with this request. Staff and residents discussed the potential of looking at a revised zoning for this residential area promoting the heritage and historic character of this portion of Dover, and will work with residents to follow up on that zoning.

Staff suggests revising Amendment 4 to remove three of the properties at the corner at Trakey and Locust, and revising Amendment 6 to not include any Silver Street properties.

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

"The official Zoning Map of the City of Dover, New Hampshire, dated December 9, 2009, is amended by changing from Urban Density Multi-Residential (RM-U) District to Central Business District (CBD) an area of approximately 54.3 acres located along Central Avenue, Trakey Street, and Locust Street, consisting of lots 15-81, 15-82, 15-83, 15-84, 15-85, 15-86, 15-87, 15-88, 15-89, 15-90, 15-91, 15-92, 15-93, 15-

94, 15-95, 15-96, 15-97, 15-98, 15-99, 15-100, 15-106, 15-107, ~~15-108, 15-109, 15-110, 15-111, 15-112, and 15-112A~~"

AND

"The official Zoning Map of the City of Dover, New Hampshire, dated December 9, 2009, is amended by changing from Neighborhood Business (B-1) District to Central Business District (CBD) an area of approximately 3.5 acres located along Locust Street and Central Avenue south of Trakey Street, consisting of lots 15-103, 15-105, 15-113, 15-113A, and the portion of 15-102 that is within the B-1 District"

AND

"The official Zoning Map of the City of Dover, New Hampshire, dated December 9, 2009, is amended by changing from the Office (O) District to Central Business District (CBD) an area of approximately 9.179 acres located at Central Avenue and Locust Street, consisting of lots 15-67, 15-68, 15-69, 15-70, 15-72, 15-73, 15-74, 15-75, 15-76, 15-77, 15-78, 15-79, 15-80, 15-101, and the portion of 15-102 that is within the Office District."

"6. AMENDMENT

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

"The official Zoning Map of the City of Dover, New Hampshire, dated December 9, 2009, is amended by changing from Urban Density Multi-Residential (RM-U) District to Central Business District (CBD) an area of approximately ~~28~~ 12.2 acres located along ~~Silver Street and Central Avenue~~ consisting of lots ~~11-4*, 11-5, 11-6, 11-7, 11-8, 10-165, 10-166, 10-167, 10-168, 10-169, 10-115, 10-116, 10-117, 10-88, 10-126A*, 12-125, 12-82, 12-80, 12-79, 12-78, 12-77, 12-76, 12-42, 12-41, 12-40, 12-39, 12-33, 12-32, 12-31, 12-25, 12-21, 12-20, 12-6, 12-5, 12-4, 12-3, 12-2, 12-1, 19-51, 19-50, 19-49, 19-48, 19-32, 19-31, 20-64, 20-63, 20-62, 20-61, 20-60"~~

~~* = only that portion of the lot within the RM-U District will be affected.~~

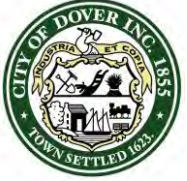
AND

~~"The official Zoning Map of the City of Dover, New Hampshire, dated December 9, 2009, is amended by changing from Medium Density Residential (R-12) District to Central Business District (CBD) an area of approximately 6.9 acres located along Silver Street, consisting of lots 13-3, 12-126A*, 12-127, 12-128, 12-129, 12-148, 12-149, 12-151, 12-152, and 12-153."~~

~~* = only that portion of the lot within the R-12 District will be affected."~~

Temporary Sign Amendments: The Board expressed concerns about the placement of multiple temporary signs on property. Staff received comments from the public as well relative to this. Staff suggests the following revision to amendment 11, 12, 13:

"One (1) temporary sign shall be permitted per each PRINCIPAL BUILDING. BUILDINGS with an excess of one hundred (100) feet of STREET FRONTAGE shall be permitted one (1) additional temporary sign per every one hundred (100) feet of STREET FRONTAGE."



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P13-53

Application Type:	Amendment of Conditional Use Permit Plan
Applicant(s):	Summit Land Development
Owner(s):	Varney Brook Lands, LLC, Thornwood Commons, LLC, Changing Places, LLC and Dover Point Road 252, LLC
Location:	Thornwood Lane (Assessor's Map K, Lots 19 & 19-1 and Map M, Lots 4 and 4-29 to 4-37)

INTENT: To obtain a Conditional Use Permit for a revised master plan for a mixed use development in the Residential-Commercial Mixed Use Overlay District, per Chapter 170-28.2-B.

LOTS/UNITS PROPOSED: 105 single family units, 204 multi-family units, and 130,100 square feet of commercial and retail development

AGENDA ITEM #: 3-B

ACREAGE: 71.2 acres

ZONING DISTRICT:

Executive Technology Park (ETP) and Residential-Commercial Mixed Use (RCM) Overlay District

EXISTING LAND USE: Vacant lot, residential development and car dealership

PROPOSED LAND USE:

Mixed use development

SURROUNDING LAND USE: Single Family Houses and Commercial Development

ZBA ACTION: N/A

ATTACHMENT: Site plan and application

APPLICATION IS COMPLETE: Yes

NOTICES SENT: Abutter notices were sent by certified mail to all abutters and by first class mail to condominium owners for the October 22, 2013 meeting

PERMITS REQUIRED: None

WAIVERS REQUESTED: None

Summary of Request and Background

The applicant has submitted an amended master concept plan for a mixed use commercial and residential development off of Thornwood Lane and Middle Road. The new development plan that is proposed consists of:

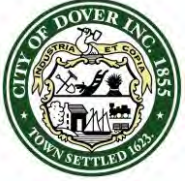
- 95 age restricted single family units
- 80 age restricted multi-family units
- 160 not age restricted multi-family units
- 30,000 square feet of traditional retail in two buildings
- 16,000 square foot Bill Dube Service building and 70,000 square feet of outdoor display area,
- 336,000 square feet of mixed use buildings with first floor commercial in eight buildings

The Planning Board conditionally approved the Site Plan on December 19, 2006. The Planning Board granted one year extensions on December 20, 2011 and November 27, 2012. On October 22, 2013, the Planning Board accepted this application and tabled it after opening the public hearing.

Chapter 170-28.2 lists the following standards that the project must comply with:

- (a) *The applicant demonstrates that the development complies with the design guidelines that are outlined in Chapter 149 14.2. These guidelines encourage a context sensitive development, which encourages components that act as one project and not as two adjacent projects*
- (b) *The applicant demonstrates that the development poses no detrimental effects on surrounding properties. Potential areas of impact that need to be analyzed include, but are not limited to, vehicular traffic, noise, property value, visual blight, natural resources degradation, light pollution, and offensive emissions such as dust, odor, or smoke.*
- (c) *The applicant shall submit a Fiscal Impact Analysis as defined in Chapter 155.22.C (1) (b). The Analysis shall demonstrate that the project is at least a cost neutral project for the City at present and ten years from the occupation.*

Based on the architectural renderings of the commercial buildings, the buildings orientation, vehicular circulation, and pedestrian amenities, the Planning Department believes that the first standard is met. Any impacts on abutting properties have been mitigated by building placement, buffer preservation, landscaping, and traffic control measures. There have been minimal concerns raised by abutters during the multiple public hearings on this project. The Planning Department believes that the second standard is met. Based on the revised fiscal impact analysis that has been prepared that demonstrates a positive fiscal impact for the project the Planning Department believes the third standard is met.



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P13-53

Application Type:	Amendment of Conditional Use Permit Plan
Applicant(s):	Summit Land Development
Owner(s):	Varney Brook Lands, LLC, Thornwood Commons, LLC, Changing Places, LLC and Dover Point Road 252, LLC
Location:	Thornwood Lane (Assessor's Map K, Lots 19 & 19-1 and Map M, Lots 4 and 4-29 to 4-37)

Consistency with Land Use Regulations

This project is located in a Residential-Commercial Mixed Use (RCM) Overlay District, which encourages a mixture of residential and non-residential uses in close proximity to each other. This application meets these standards.

STAFF RECOMMENDATION:

The Planning Department recommends the Planning Board take the application off the table, reopen the public hearing, and approve the Conditional Use Permit with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

1. The owner's signatures 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 prepare a revised development agreement that incorporates the new development plan. Said agreement shall be reviewed and approved by the City Attorney, prior to recording the agreement at the Strafford County Registry of Deeds.
4. The applicant shall agree that all construction traffic shall use Thornwood Lane for access to the site.
5. The applicant shall obtain approval from the Public Service Company of New Hampshire for the relocation of the utility easement as shown on the concept plan.
6. The applicant shall submit a site review application and detailed site plans for each of the buildings shown on the revised master plan.
7. Any new building shall be assessed the current water/sewer investment fees in place at the time of application for water/sewer service.

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

8. Any new building shall pay the current impact fees in place at the time of building permit application.



DEC 13 2013

December 12, 2013

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

RE: Village at Thornwood Phasing

Dear Chris,

As part of the revised Master Plan approval process, I wanted to offer an outline of how I envision the project being built. It is our intent to build 50% of the residential units (93/186) in Phase I. Of this total, approximately 48 are currently built and occupied. The additional units would be the 1) completion of the final 14 units (Theresa Drive) on the east side of the east wetland and 2) the construction of the new single-family cul-de-sac on the west side of the wetland. Pending site approvals, this road construction is planned for summer 2014. This phase would necessitate the extension of Thornwood Lane easterly from the current cul-de-sac, including the major wetland crossing at Varney Brook.

This extension of Thornwood Lane will include the dual lane boulevard with underground utilities and appropriate stubs for the future construction of the mixed use buildings. The road will have curbing, but the village sidewalks will be built at the same time as the buildings. It will terminate at the intersection of the new cul-de-sac. This work, subject to final design approval, is also scheduled for summer of 2014.

The roundabout and easterly wetland crossing will be constructed at a later date when the total site development scale warrants Thornwood connecting through to Middle Road

The second phase of the development, which would be for construction of some/all of the mixed use buildings, would ideally begin soon after the construction of Thornwood Lane Boulevard Road. The developer will be highly motivated to begin this phase to avoid a carrying period of improved land holding significant under-utilized capital.

Noted Phases 1 and 2 are the foreseeable future. The shopping center/retail area will only be done once a tenant is secured; there is no way to predict when that may be. However, as more and more of Phases 1 and 2 are completed, the likelihood of finding the tenant(s) definitely increases.

Likewise for the future development site; it is difficult to predict what type of project or when that may occur. But whatever/whomever it is, we will have to return to the Planning Board for approvals.

Sincerely,



Chad Kageleiry

The development is designed to reflect a village concept with integrated residential and commercial uses, consistent with New Urbanism planning concepts (the final site plan may vary slightly from this rendering).

DEC 13 2013



NOTES

1. THE BASE PLAN HEREON WAS DEVELOPED FROM AVAILABLE REFERENCE PLANS PROVIDED BY THE APPLICANT AND THE DESIGNER HAS NOT BEEN FIELD SURVEYED. THE DESIGNER HAS CONDUCTED NO INDEPENDENT FIELD SURVEY TO VERIFY THE ACCURACY OF THE INFORMATION PROVIDED BY THE APPLICANT OR THE DESIGNER. THE DESIGNER'S RESPONSIBILITY IS LIMITED TO THE INFORMATION PROVIDED BY THE APPLICANT AND THE DESIGNER. THE DESIGNER DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED BY THE APPLICANT OR THE DESIGNER. THE DESIGNER'S LIABILITY IS LIMITED TO THE INFORMATION PROVIDED BY THE APPLICANT AND THE DESIGNER. THE DESIGNER DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED BY THE APPLICANT OR THE DESIGNER. THE DESIGNER'S LIABILITY IS LIMITED TO THE INFORMATION PROVIDED BY THE APPLICANT AND THE DESIGNER.
2. THE INTENT OF THIS PLAN IS TO ILLUSTRATE A CONCEPTUAL SITE LAYOUT FOR MASTER PLANNING PURPOSES.



THIS DRAWING HAS NOT BEEN RELEASED FOR CONSTRUCTION

ISSUED FOR: PLANNING BOARD APPROVAL

ISSUE DATE: DECEMBER 12, 2013

REVISIONS: NO. DESCRIPTION BY DATE

1. INITIAL SUBMISSION: ERS 12/12/13

DRAWN BY: ERS
APPROVED BY: EDM
DRAWING FILE: 1300-0308.dwg

SCALE: 22"x34" 1" = 120'
11"x17" 1" = 240'

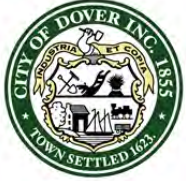
CORREL: CAPITAL BROOK EASMENT, 1300-0308.dwg
DOVER, NH 03801

APPLICANT: VILLAGE AT BROOKWOOD
142 DOVER STREET
PORTSMOUTH, NH 03801

PROJECT: VILLAGE AT BROOKWOOD
DOVER POINT ROAD VILLAGE
142 DOVER STREET
PORTSMOUTH, NH

TITLE: REVISED MASTER PLAN

SHEET NUMBER: 1 OF 1



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P13-61

Application Type: Waiver to Open Space Subdivision Plan Setback
Applicant(s): James Watkins III
Owner(s): James Watkins III
Location: 3 Walt Colby Drive (Assessor's Map 16, Lot 20-5)

INTENT: To request a waiver to the Open Space Subdivision requirement that structures must be setback ten feet from a lot line.

LOTS/UNITS PROPOSED: Existing single family home

AGENDA ITEM #: 4-A

ACREAGE: 0.56 acres

ZONING DISTRICT: Medium-Density Residential District – R-12

EXISTING LAND USE: Single family house

PROPOSED LAND USE: Single family house

SURROUNDING LAND USE: Single family residential

ZBA ACTION: None

ATTACHMENTS: Sketch of lot showing addition to garage

APPLICATION IS COMPLETE: Yes

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

PERMITS REQUIRED: None

WAIVERS REQUESTED:

Waiver to Chapter 155-22-F, which requires structures be setback ten feet from a lot line in an Open Space Subdivision.

Summary of Request and Background

The applicant has submitted a waiver request to allow an addition to a garage that would be 8 feet from a side lot line, where 10 feet is required.

The original subdivision plan was approved by the Planning Board on June 23, 2009.

Consistency with Land Use Regulations

This project is located in the Medium-Density Residential District (R-12) which allows open space developments with reduced lot sizes in return for the permanent preservation of open space.

STAFF RECOMMENDATION:

The Planning Department supports the request for a waiver to allow a garage to be built within 8 feet of a side property line. Even with this addition, the building is still 30 feet from the abutting building. If this Open Space Subdivision did not have lot lines, the buildings would be allowed to be 20 feet apart. The Planning Department believes that the criteria of Chapter 155-51-A have been met.

The Planning Department recommends that the Planning Board accept the application, hold the public hearing, and approve the waiver based on a finding that the criteria of Chapter 155-51-A have been met.



City of Dover, New Hampshire
APPLICATION FOR EXTENSIONS OF/ AMENDMENTS
TO/ WAIVERS FOR AN APPROVED PLAN

P13-61

[Creation Date: April 23, 2013]

Office Use Only	Amount Paid: <u>\$302.00</u> <u>CK# 1353</u>	Date/Time Received: _____	<u>NOV 20 2013</u>
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APPLICANT INFORMATION

Name of Applicant: James F. Watkins, III Telephone # 603-231-7066
 Address of Applicant: 3 Walt Colby Drive, Dover, NH E-Mail Jamey@jamcoexcavators.com
 Project Name: Picnick Rock Farm Project Location: 3 Walt Colby Drive
 Planning File Number: P07-32A Date of Original Approval July 8, 2009
 File Type: Conditional Use _____ Site Plan Review _____ Subdivision XX

EXTENSION INFORMATION (Note: notification of abutters required for first time extensions only)

Current deadline date: _____ Number of Extensions Previously granted by Board _____
 Reason(s) for extension/comments (attach additional sheets as needed): _____

AMENDMENT INFORMATION

Condition(s) or portion of plan to be amended: _____
 Reason(s) for amendment/comments (attach additional sheets as needed): _____

WAIVER INFORMATION

Site Review/Subdivision Regulations section(s) to be waived: 155-22.F Dimensional requirements
 Justification for waiver request(s) (attach additional sheets as needed): See attached

SIGNATURES

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

Signature of Property Owner: [Signature] Date: 11/20/13
 Signature of Applicant (if different from owner): _____ Date: _____
 Signature of Agent: _____ Date: _____

**CITY OF DOVER EXTENSIONS OF/AMENDMENTS TO/WAIVERS FOR AN APPROVED PLAN
LIST OF ABUTTERS**

Pursuant to RSA 676:4, the State Law of New Hampshire, the City of Dover is required to notify the applicant, abutters (including holders of conservation easements), and any professional whose seal is on the plan, of the public hearing by certified mail, return receipt requested. The applicant must obtain the abutter information from the records of the Tax Assessor's Office (not more than five days prior to filing) in order to process the site review application.

ABUTTER is defined as the owner of record of a parcel of land located in New Hampshire and that adjoins or is directly within two hundred (200) feet (including land across the street or waterway) of the proposed site under consideration by the Planning Board. For a condominium or other collective form of ownership, abutter means the officers of the collective or association. *(See additional requirement below)*

Owner:

TAX MAP	LOT #	PROPERTY OWNER	MAILING ADDRESS
16	20-005	James F. Watkins, III	3 Walt Colby Dr., Dover, NH 03820

Applicant (if different from owner):

APPLICANT NAME	APPLICANT COMPANY	MAILING ADDRESS

Surveyor and/or Engineer:

NAME	COMPANY	MAILING ADDRESS

Conservation Easement Holder:

TAX MAP	LOT #	NAME OF EASEMENT HOLDER	MAILING ADDRESS

Abutters:

TAX MAP	LOT #	OWNER (S) OF RECORD	MAILING ADDRESS
16	20	Christy Holmes	PO Box 1775, Dover, NH 03820
16	20-OPN	Picnic River Partners	84 Exeter Rd., So. Hampton, NH 03827
16	20-001	Brian L. Strother	14 Picnic Rock Drive, Dover NH 03820
16	20-002	Justin Wright	4 Walt Colby Dr., Dover, NH 03820
16	20-003	Slainte Development LLC	28 Birchdale Rd., Bow, NH 03304
16	20-004	Timothy English	5 Walt Colby Dr., Dover, NH 03820
16	20-006	Heather S. Knight	2 Norton Rd., S. Attleboro, MA 02760
16	20-007	Slainte Development LLC	28 Birchdale Rd., Bow, NH 03304
16	20-008	Slainte Development, LLC	
16	20-009	Picnic River Partners	84 Exeter Rd., S. Hampton, NH 03827
16	20-010	Slainte Development LLC	
16	20-011	Thomas J. Coleman	30 Picnic Rock Dr., Dover, NH 03820

For projects which meet 149-4A, if a condominium association is an abutter, add all owners of individual units that are located within two hundred (200) feet of the common property line for notification by first class mail.

UNIT #	OWNER (S) OF RECORD	MAILING ADDRESS

This home was built with a one car garage. Potential buyers have all stated that they would not purchase the property unless it has a two car garage. As shown on the attached plan, the applicant proposes to add 8 feet to the existing garage so that one corner of the expanded garage would extend into the side setback by 1 to 2 feet for a total impact of 5 to 8 square feet.

The lot frontage is configured so that it tapers near the street, and this narrowing causes the need for the encroachment into the setback.

Since the setback encroachment is very limited and since the buildings on the two affected lots will still be more than 20 feet apart, the actual encroachment into the setback will not be apparent and will not adversely affect the adjacent property.

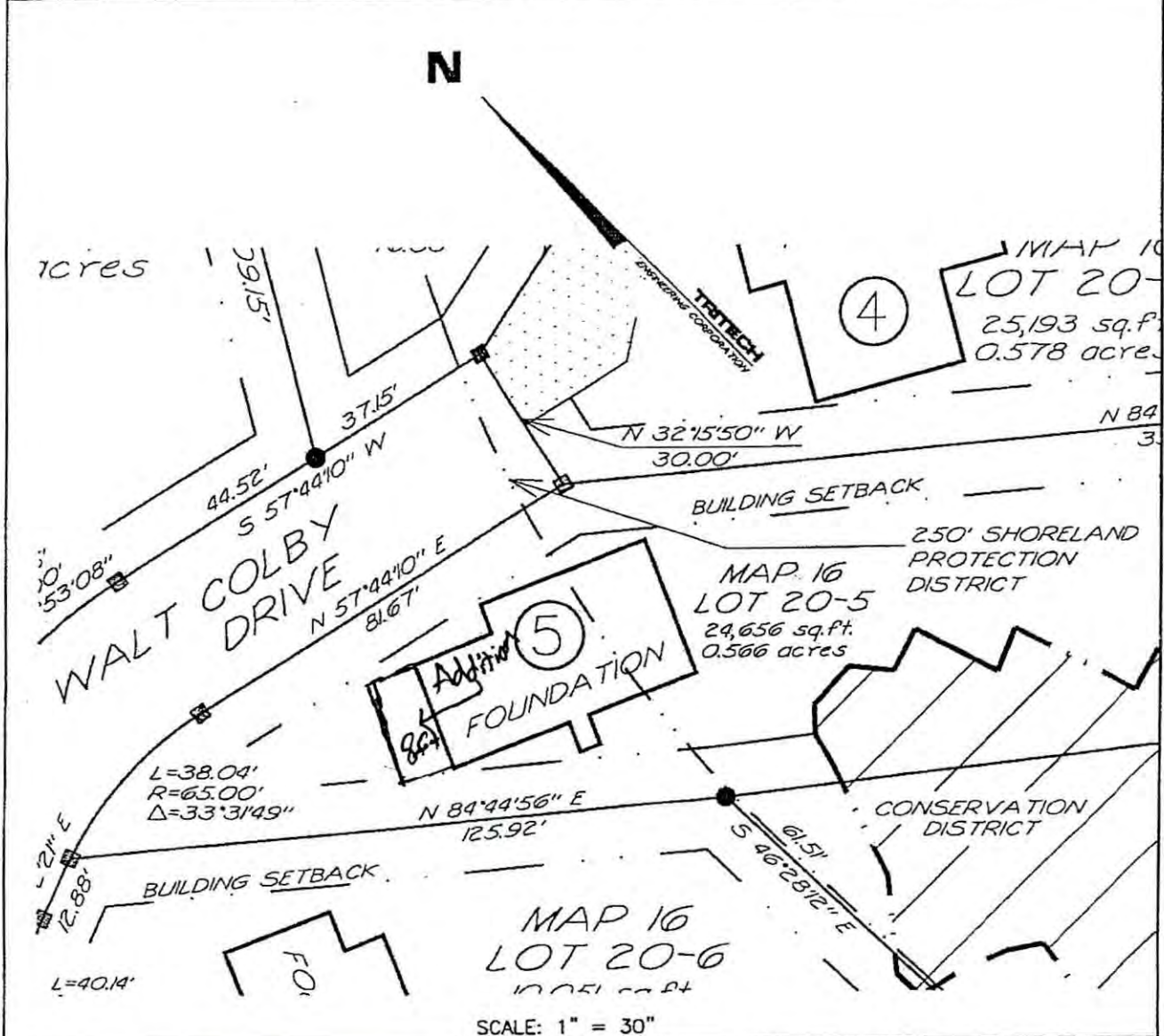
While it might be possible to obtain a boundary line adjustment, that would require approval of the mortgage lender for both this property and the adjacent property. The process of obtaining such approval is lengthy and expensive and would require new surveys and appraisals of both properties.

B 10-116

3

FOUNDATION CERTIFICATION

(PICNIC ROCK FARM, MAP 16 LOT 20-5,) WALT COLBY DRIVE
DOVER, NEW HAMPSHIRE



NOTES

- 1.) THE INTENT OF THIS SKETCH IS TO SHOW THE IMPROVEMENTS TO MAP 16 LOT 20-5 AS THEY RELATE TO THE RECORD PLAN AND IT'S INTENDED USE IS TO SHOW THAT THESE IMPROVEMENTS DO MEET THE SETBACK REQUIREMENTS.
- 2.) PLAN OF RECORD: OPEN SPACE SUBDIVISION PLAN
PICNIC ROCK FARM
BACK RIVER ROAD
DOVER, NEW HAMPSHIRE
TRITECH ENGINEERING CORPORATION
MAY 31, 2007 SCRD 92-43
- 3.) RESEARCH: DEED RESEARCH WAS LIMITED TO THE REVIEW OF THE CURRENT DEED AND RECORD PLAN. THIS SKETCH DOES NOT ADDRESS THE ACCURACY AND OR COMPLETENESS OF EITHER.

THIS IS NOT A SURVEY

CURRENT OWNER:
PICNIC RIVERS PARTNERS OF DOVER, LLC
180 DRAKESIDE ROAD
HAMPTON, N.H.
DEED REFERENCE SCRD 3679-499
ZONING: R-12 BUILDING SETBACKS
BACK RIVER ROAD: 100 FT
EXTERIOR BOUNDARY: 30 FT
EXISTING STRUCTURES: 50 FT
WETLANDS: 50 FT
FRONT: 10 FT
SIDE: 10 FT
REAR: 10 FT

JOB NO. 08119 DATE: JAN. 19, 2010

STATE OF NEW HAMPSHIRE
LAND SURVEYOR
No. 884
ROBERT J. STOWELL
SIGNATURE

TRITECH
ENGINEERING CORPORATION
755 CENTRAL AVENUE
TELEPHONE 603-742-8107

DOVER, NEW HAMPSHIRE 03820
FAX 603-742-3830



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P13-62

Application Type: Conditional Use Permit
Applicant: DR Lemieux Builders, Inc.
Owner: Calvin Potter
Location: Spur Road (Assessor's Map L, Lot 14-A)

INTENT: To obtain a Conditional Use Permit for the construction of a house and driveway on a vacant lot abutting the Bellamy River. The permanent impact would be 1,114 sq. ft. and the temporary impact would be 4,036 sq. ft. The house and driveway would be at least 50 feet from the river.

LOTS/UNITS PROPOSED: A single family house

AGENDA ITEM #: 4-B

ACREAGE: 0.49 acres

ZONING DISTRICT: Low Density Residential District - R-20

EXISTING LAND USE: Vacant lot

PROPOSED LAND USE: Single-family house

SURROUNDING LAND USE: Single-family residential

ZBA ACTION: None

ATTACHMENTS: Conditional Use plan and application

APPLICATION IS COMPLETE: Yes

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

PERMITS REQUIRED:

- NHDES Wetlands Permit
- City of Dover Conditional Use Permit

WAIVERS REQUESTED: None

Summary of Request and Background

The applicant has submitted a set of plans to impact the Conservation District by constructing a single family house and driveway.

The applicant met with the Conservation Commission on November 14, 2013 and December 9, 2013 (see enclosed minutes). The Commission voted to endorse the application with the following conditions:

1. Provide erosion and sedimentation control plan
2. Add dimensions of the house on plan
3. More detail on the rain garden and driveway storm water management
4. Tree clearing to be limited to house and driveway
5. Temporary disturbance area to be planted with a New England grass and shade forb mix
6. Dock to be constructed by barge

The applicant revised the plan after the Conservation Commission meeting to address the items and that is the plan that is before the Planning Board.

Consistency with Land Use Regulations

The Conservation District ordinance provides for Conditional Use Permits to allow impacts to areas within 100 feet of a tidal water body if standards related to demonstration of need, avoidance, minimization, and mitigation are met. This plan is consistent with those requirements. The location of the house and driveway proposed is the only feasible location given the lot line setback requirements and the desire to keep outside of the 50-foot setback to the river.

STAFF RECOMMENDATION:

The Planning Department recommends that the Planning Board accept the application, hold the public hearing, and approve the Conditional Use application with the following conditions:

1. The applicant shall obtain a NHDES Wetlands Permit and provide a copy of the permit to the Planning Department.
2. The applicant shall install the erosion and sedimentation control measures prior to any land disturbance.
3. The applicant shall limit the tree clearing to the house and driveway area and all other trees identified on the Tree Inventory Plan shall be preserved unless they are verified as dead or diseased by an arborist.
4. The applicant shall replant the temporary disturbance area with a New England semi-shade grass and forb mix.
5. The applicant shall construct the proposed dock by using a barge.



City of Dover, New Hampshire CONDITIONAL USE PERMIT APPLICATION

[Revision Date: May 16, 2013]

Office Use Only	Project #:	<u>P 13-62</u>	Date Received:	<u>DEC - 2 2013</u>
	Amount Paid:	<u>\$ 327.- ch# 4812</u>	Time Received:	_____

APPLICANT AND OWNER INFORMATION

Name of Applicant: DR Lemieux Builders, Inc. Telephone # 603-292-3555

Address of Applicant: 76 Exeter Road, Newmarket, NH 03857

E-Mail Address: _____

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

Address of Property Owner: 393 Main Street, Eliot, ME 03903

PROPERTY INFORMATION

Assessor's Map # L Lot(s) # 14-A

Zoning District(s) R-20 Overlay District(s) Riverfront Residential

Existing Use of Property: Vacant Land

CONDITIONAL USE PERMIT INFORMATION

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

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

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

The proposed intent is to develop the existing lot of record which is located within the 250' Riverfront Residential Overlay District.

List Any Associated State or Federal Permits That Have Been or Will Be Applied For and Indicate Their Status: Proposed development will require NHDES TBZ & Shorelands permits.

A NHDES TBZ, & Shorelands Permits have not been applied for at this time.

Name of Professional That Prepared Plans: Christian O. Smith, PE

Address 70 Portsmouth Ave, Stratham, NH 03885 Telephone #: 603-583-4860

Professional License #: PE:9900 E-mail address: csmith@bealsassociatesnh.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: Calvin J Potter Date: 11/1/13

Signature of Applicant (if different from owner): [Signature] Date: 10/31/13

Signature of Agent: [Signature] Date: 10/31/13

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: Calvin J Potter Date: 11/1/13

November 27, 2013

City of Dover Conservation Commission
288 Central Avenue
Dover, NH 03820

DEC - 2 2013

Via: Delivery

Re: **Conservation Commission Agenda,
Proposed Lot development (Tax Map L, Lot 14A), Spur Road**

Mr. Chairman and Members of the Commission:

This is written in support of our request to be placed on the agenda for the 12-9-13 public hearing. The applicant (D.R. Lemieux Builders, Inc.) proposed to develop a 3-bedroom single-family residence on an existing lot of record consisting of 21,385 square feet. The entire parcel is encompassed by the 100' Conservation District (from the reference line of the tidal Bellamy River). The proposal consists of improving a deeded access/driveway off Spur Road, addition of lift station to connect to the existing sewer main in Spur Road, and drilling of a potable water well to replace the existing shallow dug well. The proposal also includes construction of a new boat dock as the former dock has been removed. The area of disturbance is as follows:

House 1,114 S.F. (includes stairs)

Driveway 1,157 S.F. (Porous Pavement Proposed within the 100' Tidal Buffer)

Total Dock = 378 S.F.

Float 20 x 12 = 240 S.F.

Gangway 30 x 3 = 90 S.F.

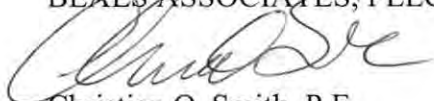
Pier 12 X 4 = 48 S.F.

Total on site impervious area = 2,649 S.F.

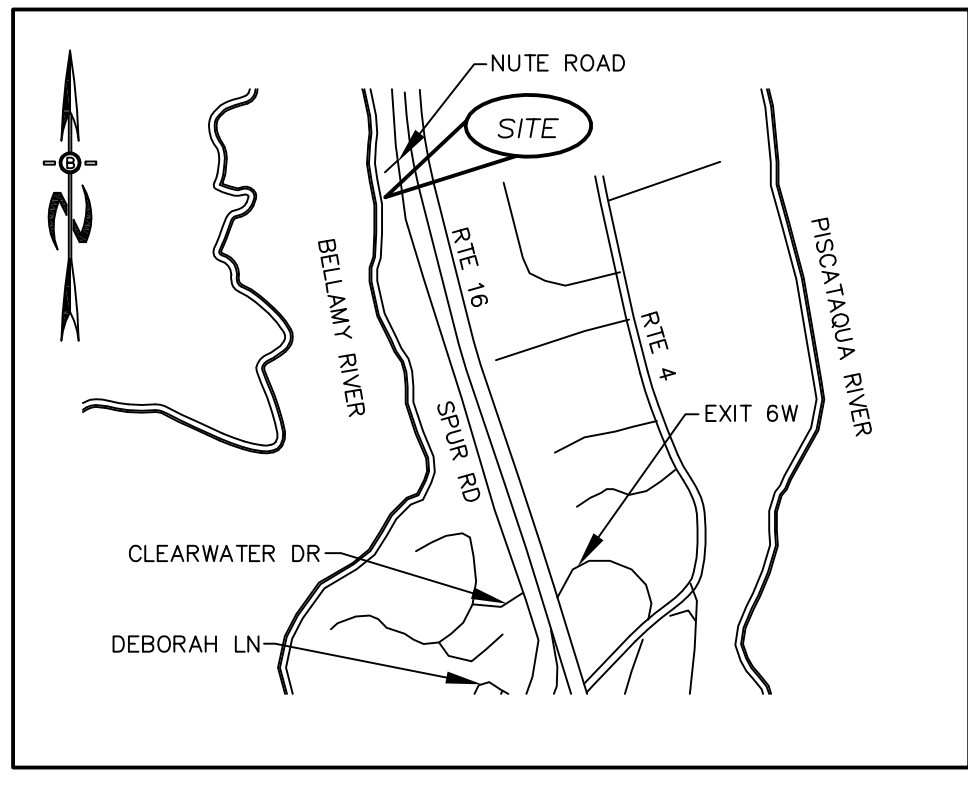
Maximum 15' temporary disturbance area = 2,922 s.f.

The dwelling structure and driveway are proposed to maintain a 50' setback to the reference line of the river and the septic pump station will hold a 75' setback from the reference line. We are filing with the Planning Board for the required conditional use permit to be heard at their 12-17-13 regular public hearing.

Very Truly Yours,
BEALS ASSOCIATES, PLLC



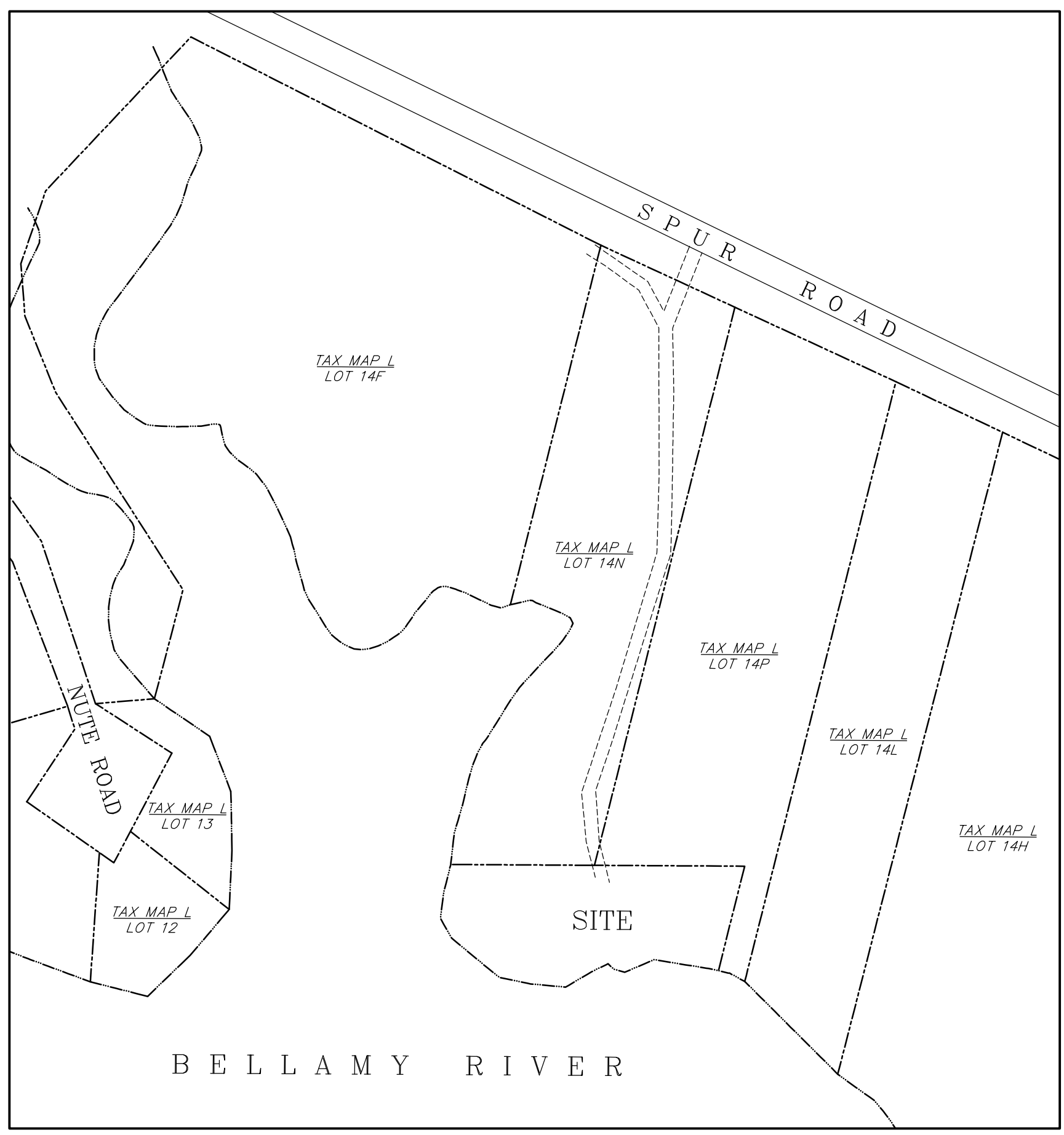
Christian O. Smith, P.E.,
Principal



LOCATION MAP

LEGEND

- WELL W/ 75' PROTECTIVE RAD.
- BUILDING SETBACK LINE
- EXISTING CONTOUR - 10'
- EXISTING CONTOUR - 2'
- WETLAND BOUNDARY
- SEPTIC SETBACK LINE
- ABUTTING PROPERTY LINE
- EXISTING PROPERTY LINE

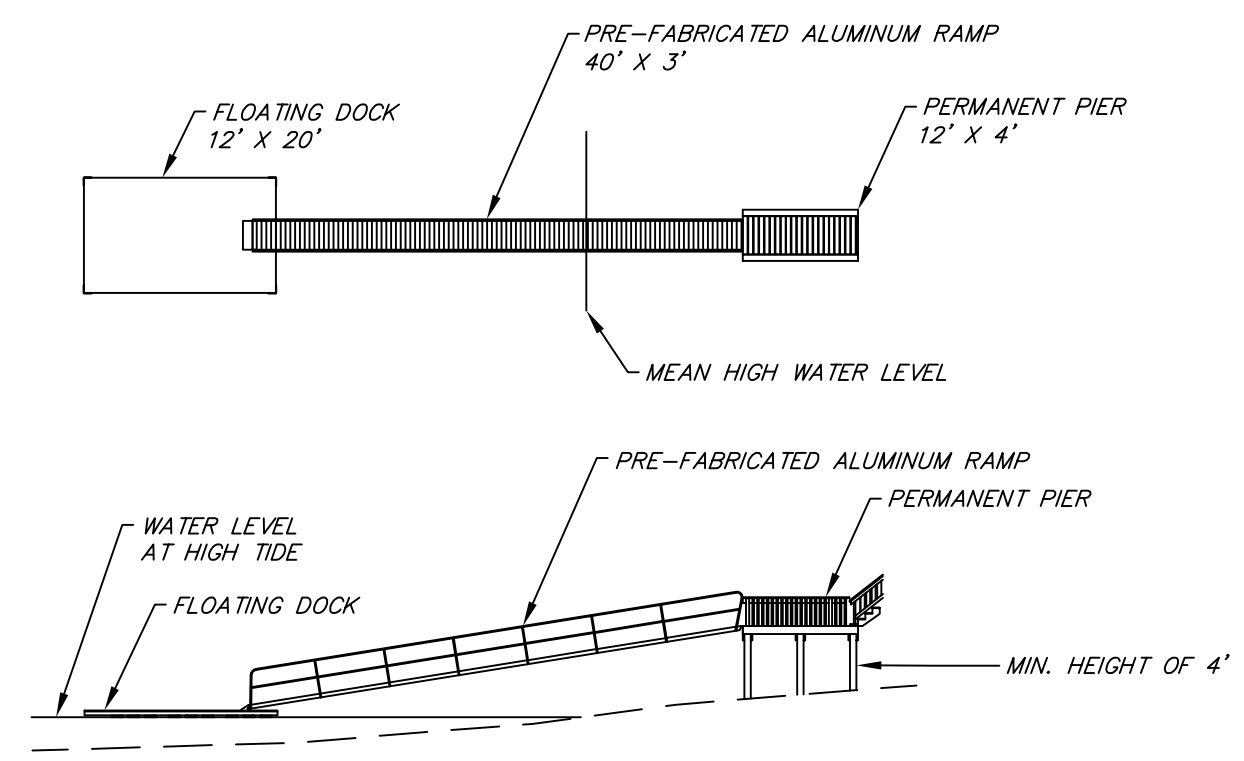


INSERT
1" = 100'

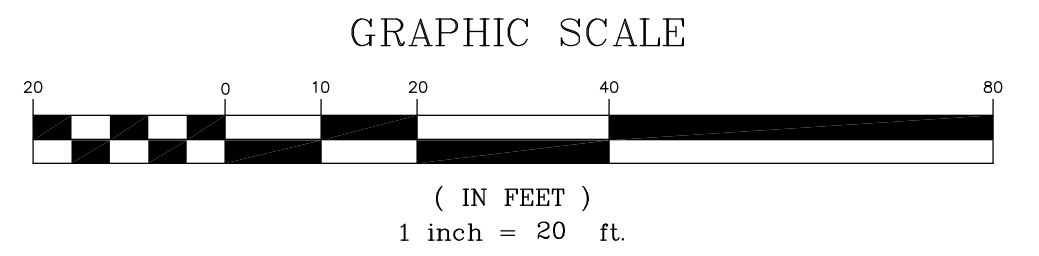
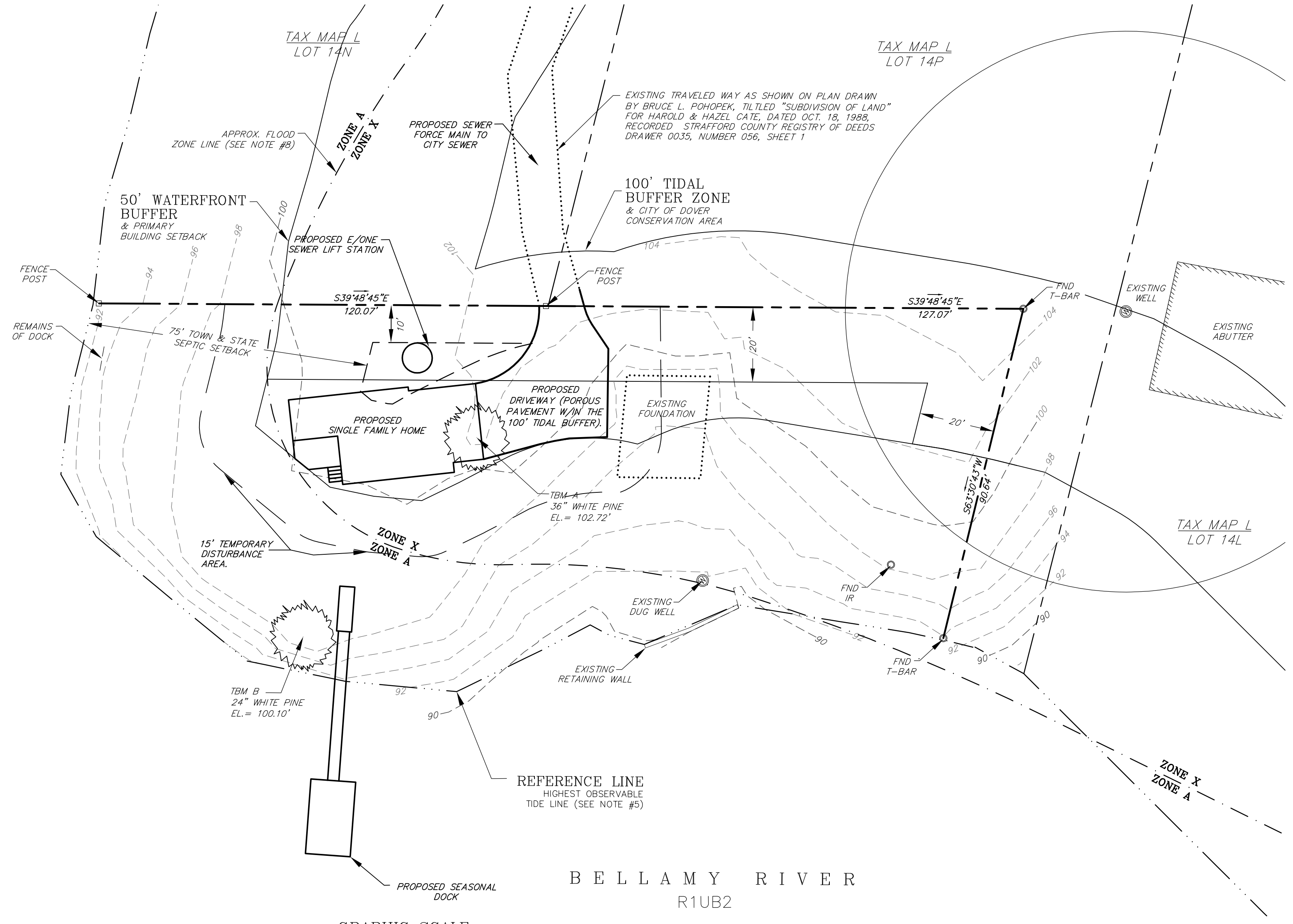
APPROVAL BLOCK

APPROVED TOWN OF DOVER PLANNING BOARD	
CHAIRPERSON _____	DATE _____

OWNERS SIGNATURE: _____



PROPOSED DOCK DETAIL



BELLAIR RIVER
R1UB2

PREPARED FOR:
DR LEMIUEX BUILDERS, INC.
76 EXETER ROAD
NEWMARKET, NH 03857

BEALS ASSOCIATES PLLC
70 PORTSMOUTH AVE, STRATHAM, N.H. 03885
PHONE: 603-583-4860, FAX: 603-583-4863

- NOTES:
- REFERENCE: TAX MAP L (SHEET 2), LOT 14A
 - OWNER: CALVIN POTTER
393 MAIN STREET
ELIOT, ME 03903
BK 2152, PG 0432
 - TOTAL PARCEL AREA: 21,385 SQ. FT. OR 0.49 AC. (CALCULATED TO APPROXIMATE MEAN HIGH WATER)
 - ZONE: R20 (LOW DENSITY) & CONSERVATION DISTRICT (100' FROM MEAN HIGH WATER)
 - DIMENSIONAL REQUIREMENTS R-20:

MIN. LOT AREA	20,000 sq.ft.
MIN. FRONTAGE	125 ft.
MIN. FRONT SETBACK	20-35 ft.
MIN. SIDE	20 ft.
MIN. REAR SETBACK	30 ft.
MAX. BUILDING HEIGHT	35 ft.
MAX. BUILDING COVERAGE	30%
 - *ENTIRE PARCEL IS LOCATED WITHIN THE CONSERVATION DISTRICT PER DOVER ZONING REGULATION 170-27 B(1)-B(4).
 - FIELD SURVEY PERFORMED BY T.D. BROUILLETTE LAND SURVEYING.
 - HIGHEST OBSERVABLE TIDE DELINEATED BY GOVE ENVIRONMENTAL SERVICES INC.
 - VERTICAL DATUM IS BASED ON ASSUMED ELEVATION.
 - WATER BOUNDARIES ARE DYNAMIC IN NATURE AND ARE SUBJECT TO CHANGE DUE TO NATURAL CAUSES SUCH AS EROSION OR ACCRETION.
 - FLOOD HAZARD ZONE: ZONE X (OUTSIDE THE 100 YEAR FLOOD PLANE) & ZONE A (WITHIN THE 100 YEAR FLOOD PLANE) PER COMMUNITY PANEL #33017003400 DATED MAY 17, 2005.
 - PROPOSED HOUSE TO BE CONNECTED TO MUNICIPAL SEWERAGE.
 - WETLANDS CLASSIFIED IN ACCORDANCE WITH "CLASSIFICATION OF WETLANDS AND DEEPWATER HABITATS OF THE UNITED STATES" (USFWS DEC, 1979).
 - UNDERGROUND FACILITIES, UTILITIES AND STRUCTURES HAVE BEEN LOCATED FROM FIELD OBSERVATIONS AND THEIR LOCATIONS MUST BE CONSIDERED APPROXIMATE ONLY. BEALS ASSOCIATES OR ANY OF THEIR EMPLOYEES TAKE NO RESPONSIBILITY FOR THE LOCATION OF ANY UNDERGROUND STRUCTURES OR UTILITIES NOT SHOWN, THAT MAY EXIST. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO HAVE ALL UNDERGROUND UTILITIES OR STRUCTURES LOCATED PRIOR TO EXCAVATION WORK BY CALLING 1-888-DIG-SAFE.
 - THIS PLAN HAS BEEN PREPARED FOR MUNICIPAL AND STATE APPROVALS AND FOR CONSTRUCTION BASED ON DATA OBTAINED FROM ON-SITE FIELD SURVEY AND EXISTING MUNICIPAL RECORDS. THROUGHOUT THE CONSTRUCTION PROCESS, THE CONTRACTOR SHALL INFORM THE ENGINEER IMMEDIATELY OF ANY FIELD DISCREPANCY FROM DATA AS SHOWN ON THE DESIGN PLANS. THIS INCLUDES ANY UNFORESEEN CONDITIONS, SUBSURFACE OR OTHERWISE, FOR EVALUATION AND RECOMMENDATIONS. ANY CONTRADICTION BETWEEN ITEMS OF THIS PLAN/PLAN SET, OR BETWEEN THE PLANS AND ON-SITE CONDITIONS MUST BE RESOLVED BEFORE RELATED CONSTRUCTION HAS BEEN INITIATED.
 - ALL BENCHMARKS AND TOPOGRAPHY SHOULD BE FIELD VERIFIED BY THE CONTRACTOR.
 - THE LANDOWNER IS RESPONSIBLE FOR COMPLYING WITH ALL APPLICABLE LOCAL, STATE AND FEDERAL WETLAND REGULATIONS, INCLUDING ANY PERMITTING AND SETBACK REQUIREMENTS REQUIRED UNDER THESE REGULATIONS.

U.S. FISH AND WILDLIFE CLASSIFICATION

R	RIVERINE
1	TIDAL SYSTEM
UB	UNCONSOLIDATED BOTTOM SAND
2	

REVISIONS:	DATE:
CONDITIONAL USE PERMIT	
PLAN FOR: RESIDENTIAL DEVELOPMENT SPUR ROAD DOVER, NH	
DATE: NOVEMBER 2013	SCALE: 1"=20'
PROJ. NO: NH-763	SHEET NO. 1 OF 1



CITY OF DOVER

DOVER CONSERVATION COMMISSION – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Second Floor Conference Room - 288 Central Avenue Dover NH
Meeting Date: Tuesday, November 12, 2013
Meeting Time: 6:30 pm

Hunt: Is this just a replacement with no increase?

Taylor: Yes, it is the same size.

Joyce: Will you use wood to replace what is there?

Taylor: Yes it will be southern yellow pine.

Houle: Will the construction be done by barge?

Taylor: Yes.

Hunt: Will the dock be seasonal or permanent?

Taylor: Only the first 46 feet will be fixed, the rest will be seasonal.

Houle: Will you be increasing the spacing of the boards?

Taylor: Yes we will use $\frac{3}{4}$ inch spacing.

Joyce confirmed that abutter with 20 feet approval was not required due it being a replacement.

Joyce made a motion to endorse the NHDES Wetlands Permit by Notification application, Houle seconded. Vote: Unanimous

The Chair signed the copies of the application and returned them to the applicant.

- E. Preliminary Discussion with Beals Associates regarding a proposal by D.R. Lemieux Builders, Inc. to build a house on a landlocked vacant lot on Spur Road owned by Calvin Potter, Assessor's Map L, Lot 14A. Entire property is in the Conservation District along the Bellamy River.

Joseph Nichols of Beals Associates was present to explain the proposal which is to build a house on a landlocked parcel adjacent to the Bellamy River. The wetlands scientist, Jim Gove, the builder Dave Lemieux, and Attorney Bernie Pelech are also here. Great care has been taken to limit the impacts. We will need permits from the DES. We will be back once the permit has been prepared. We are looking for any input.

Gove: I walked the driveway into the parcel and did not see any wetlands that would be impacted. It will be a standard wetland application to DES. The proposed house location is on the highest elevation, quite a bit higher than the river. It is not in the floodplain. There is evidence of an old foundation and dock. The new dock will be closer to the channel.

Houle confirmed with Gove that there would be no wetland impact to upgrade the driveway.

Hunt: How wide is the ROW?

Pelech: The deed from 1943 does not specify a width. The camp that was on the property burned down in the 1970's.

Lemieux: According the owner, the driveway was drivable when the camp was used.

Hunt: You will have to deal with the property owner that the driveway passes over. Will it stay within the ROW?

Nichols: There is a subdivision plan from 1988 that shows the ROW as being about 12 feet wide.

Houle: What driveway material will you be proposing?

Lemieux: A paved driveway is planned.

Houle: You should consider how to manage the runoff from the driveway.

Pelech: We are willing to consider pervious driveway.



CITY OF DOVER

DOVER CONSERVATION COMMISSION – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Second Floor Conference Room - 288 Central Avenue Dover NH
Meeting Date: Tuesday, November 12, 2013
Meeting Time: 6:30 pm

Bird reported that this is the property that abutters at 59 Spur Road sent a letter to the Building Inspector regarding their concerns. Copies were provided at the last meeting.

Gove: Looks like we have a deep water table and well drained soils.

Hunt: Parking area looks larger than it needs to be.

Nichols: It is oversized and it will not be that large, depending on if there is a drive under garage.

Pelech: We would welcome a site visit.

Attorney Ari Pollack: I represent Andy and Natalie Koellmer, abutting owners at 59 Spur Road. They are concerned about the impacts to their property. Will there be another opportunity to present their concerns and ask questions before the Conservation Commission makes a final report?

Hunt: Yes this will likely come back to use on December 9th after we determine if we are going to do a site walk.

Bird explained the normal procedure for a conditional use permit.

Hunt: We will discuss a possible date for a site walk at the end of the meeting and let all parties know.

4. REPORT FROM THE CHAIR

A. Review of Correspondence Received

i. Letter of Resignation from Ronald Hebert

Hunt reported that Hebert has submitted his letter of resignation dated October 28, 2013. We are sorry to see him resign. We are now short two regular members and need to work on getting some new members appointed.

ii. Letter from New Hampshire Association of Conservation Commissions regarding membership

Hunt: We received a letter from Nicholas Coates of the NH Association of Conservation Commissions dated October 18, 2013 inviting us to the 11/2/13 annual meeting and asking us to consider becoming members of the association. The annual dues would be \$870. Members could attend the conference if there is money in the Planning Department budget.

iii. Wetlands Permit #2013-00686 issued to Gary and Elizabeth Boukus – 139 Spur Road

Bird reported that a NH Wetlands Permit has been issued to the Boukus property for a new dock that would have to be installed by a barge.

iv. Letter dated 10/28/13 from Ronald Hebert to City Manager regarding Washington Highlands Conservation Easement

Bird distributed a letter that Ron Hebert sent to the City Manager dated 10/28/13 stating his concerns about the lack of enforcement on compliance with the terms of the conservation easement deed. Bird also distributed a letter dated 11/7/13 that he received from Attorney Chris Wyskiel on behalf of the Washington Highlands Homeowners Association.

Hunt and Bird provided a review of the history of the issues related to the conservation easement.

Hunt: According to the Wyskiel letter it appears that the management plan will be presented to the HOA at their annual meeting in November and hopefully to us after that. Let's wait until then.



CITY OF DOVER

DOVER CONSERVATION COMMISSION – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Second Floor Conference Room - 288 Central Avenue Dover NH
Meeting Date: Tuesday, December 9, 2013
Meeting Time: 5:30 pm

MEMBERS PRESENT: Bill Hunt (Chair), Marcia Gasses, Kris Houle, Michael Joyce (Alternate)

STAFF PRESENT: Steve Bird (City Planner)

OTHERS PRESENT: David Lemieux, Christian Smith, Bill Gove, Bernie Pelech, Ron Hebert, Ed Hoginski, Andrew Koellmer, Natalie Koellmer, others

The meeting was convened by Hunt at 5:40 PM.

1. APPROVAL OF THE PRIOR MEETING MINUTES

Joyce moved to approve the November 12, 2013 minutes, Houle seconded. Vote: Unanimous

2. OLD BUSINESS

3. NEW BUSINESS

- A. NHDES Wetlands Permit and City of Dover Conditional Use Permit for D.R. Lemieux Builders, Inc. (Agent: Beals Associates), Owner: Calvin Potter, Assessor's Map L, Lot 14A, zoned R-20, located on Spur Road.

Proposal is to build a single family house, driveway and seasonal dock on a landlocked vacant lot. The proposed work would have 1,162 sq. ft. of permanent impact and 4,984 sq. ft. of temporary impact with the Conservation District along the tidal Bellamy River and is fifty feet from the river.

Christian Smith of Beals Associates presented the revised plan. The wetlands scientist, Jim Gove, the builder Dave Lemieux, and Attorney Bernie Pelech are present. The house footprint is shown and porous pavement is proposed for the portions of the driveway that within 100 feet of the river. A rain garden is proposed to handle roof runoff.

Houle: Where would the rain garden be located?

Smith: The exact location has not been determined but it will be outside the 50 foot buffer.

Gove: The NH Wetlands Permit application number is 2013-03242. We had to refile the application because we did not include the NH Natural Heritage Bureau notice. We had to apply to the NH Division of Historic Resources and have hired an archeologist to investigate the site. We don't need a separate Shoreland Permit. We did a tree inventory to identify the trees to be saved and removed.

Houle: What are the plans for the driveway that is not porous?

Smith: It would be regular pavement.

Joyce: Is the house and driveway location locked in?

Smith: Yes, there is really no other location that works.

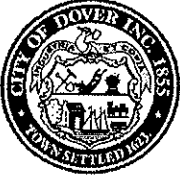
Hunt: Could you explain the tree removal plan to us?

Smith pointed out the tree symbols on the plan.

Gasses: I would like to see the plan include the dimensions of the house.

Lemieux: The footprint is about 1,728 square feet and it is two stories.

Houle: Will the dock be built by barge?



CITY OF DOVER

DOVER CONSERVATION COMMISSION – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Second Floor Conference Room - 288 Central Avenue Dover NH
Meeting Date: Tuesday, December 9, 2013
Meeting Time: 5:30 pm

Smith: Yes by barge.

Bird: Does the tree plan show which trees will be removed?

Smith: Yes, there are only three trees to be removed.

Joyce: Will there be a lawn around the house?

Gove: The temporary disturbance area will have to be replanted.

Smith: We will use a special mix.

Gasses: Confirmed that some form of erosion control will be placed at the edge of the temporary disturbed area.

Hunt: Are there any members of the audience that have questions or comments?

Ed Hoginski: I own the front lot that the driveway goes over. I bought this lot and thought the rules would protect my interests. This house will lower the value of my property. You should not issue any approvals until the state acts on the permits.

Gasses: No building permit will be issued until all the DES permits are granted.

Drew Koellmer: Does state have to approve their permits before the CUP is granted?

Gasses: No, we cannot delay action on an application to wait for the state permits to be issued.

Koellmer: I am concerned about the buffer impacts from my property. The proposed impacts of a house and driveway are a lot more than the small seasonal camp that was there. Can the tree buffer along my property line be preserved?

Gasses: I don't think we want to go beyond the scope of our jurisdiction in terms of limiting cutting trees that are not regulated.

Bird: Please show us on the plan the three trees to be removed.

Smith pointed out the trees which were in the area of the house and driveway.

Hoginski: Who enforces the tree removal requirements? I have seen lots on Dover Point Road clear a bunch of trees.

Gasses: The state does and the city does through zoning enforcement. Most are the result of complaints.

Hoginski: How long does the state permit process take?

Gove: 75 days for the state permit.

Bird: Let's try to list the issues that the members have raised so far.

After discussion, the following conditions were developed:

1. Provide erosion and sedimentation control plan
2. Add dimensions of the house on plan
3. More detail on the rain garden and driveway storm water management
4. Tree clearing to be limited to house and driveway
5. Temporary disturbance area to be planted with a New England grass and shade forb mix
6. Dock to be constructed by barge

Gasses made a motion to endorse the NHDES Wetlands Permit application and the City of Dover Conditional Use Permit with six conditions, Joyce seconded. Vote: Unanimous

4. REPORT FROM THE CHAIR



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P13-48

Application Type: Minor Lot Line Adjustment
Applicant(s): The Patrice D. Fosters Revocable Trust of 2003
Owner(s): The Patrice D. Fosters Revocable Trust of 2003
Location: 192 & 194 Dover Point Rd (Assessor's Map L, Lots 89A & 89B)

INTENT: To adjust the lot lines between two existing lots, with no increase in the number of lots.

LOTS/UNITS PROPOSED: None

AGENDA ITEM #: 4-C

ACREAGE: 21.938 Acres

ZONING DISTRICT: Low-Density Residential District – R-20

EXISTING LAND USE: Two single family houses

PROPOSED LAND USE: Same

SURROUNDING LAND USE: Single family residential and church

ZBA ACTION: N/A

ATTACHMENT: Lot Line Adjustment plan and application

APPLICATION IS COMPLETE: Yes

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

PERMITS REQUIRED: None

WAIVERS REQUESTED: None

Summary of Request and Background

The applicant has submitted plans to reconfigure the lot lines between two existing lots. 0.283 acres (12,308 square feet) will be transferred from Lot L-89B to Lot L-89A. There is no change in the number of lots.

Consistency with Land Use Regulations

Chapter 155-18 of the Land Subdivision Regulations of the City Code provides for the adjustment of existing lot lines between two or more lots. This plan is consistent with those regulations.

STAFF RECOMMENDATION:

The Planning Department recommends that the Planning Board accept the application, hold the public hearing, and 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 surveyors stamp and signature to the final plat.



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P13-49

Application Type:	Open Space Subdivision
Applicant(s):	The Patrice D. Fosters Revocable Trust of 2003, The Hayward Family Revocable Trust of 1998 & The Catherine F. Hayward Revocable Trust of 2012
Owner(s):	The Patrice D. Fosters Revocable Trust of 2003, The Hayward Family Revocable Trust of 1998 & The Catherine F. Hayward Revocable Trust of 2012
Location:	188 & 192 Dover Point Rd (Assessor's Map L, Lots 89I-1, 89I-2 & 89B)

INTENT: To subdivide three existing lots on Dover Point Road into eight lots. This is proposed as an Open Space Subdivision, with 2.483 acres being preserved as open space. All the lots would be served by on-site septic systems and private wells.

LOTS/UNITS PROPOSED: Five additional lots.

AGENDA ITEM #: 4-D

ACREAGE: 25.725 Acres

ZONING DISTRICT: Low-Density Residential District – R-20

EXISTING LAND USE: Three single family houses, and vacant lot

PROPOSED LAND USE: Eight single family house lots and one open space lot

SURROUNDING LAND USE: Single family houses and church

ZBA ACTION: N/A

ATTACHMENT: Subdivision plan and application

APPLICATION IS COMPLETE: Yes

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

PERMITS REQUIRED:

- NH Department of Environmental Services Subdivision Permit
- NH Department of Transportation Driveway Permit

WAIVERS REQUESTED:

- Waiver to Chapter 155-33-A to allow 20-foot wide road where 24-feet is required
- Waiver to Chapter 155-33-G to allow a grade of 10% on roadway where 8% is allowed

Summary of Request and Background

The applicant has submitted a plan for an Open Space Subdivision that combines three existing lots and creates eight lots accessed by a private road. The unbuildable open space would be 2.483 acres.

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-20 District, which allows for single family neighborhoods in an Open Space subdivisions and homes served by on-site septic systems and wells.

Waiver Requests

The applicant is requesting a waiver to 155-33-A to allow a 20-foot wide road where 24-feet is required. The justification given is that the road will be private and serve only 8 lots. Safety will be maintained while reducing impervious cover. The Planning Department supports the granting of the requested waiver for these reasons.

The second waiver is to Chapter 155-33-G to allow a grade of 10% on the roadway where 8% is allowed. The justification given is that the road is 10% for only a short distance and only where there are no driveways. The Planning Department supports the granting of the requested waiver for these reasons.

STAFF RECOMMENDATION:

The Planning Department recommends that the Planning Board accept the application, hold the public hearing, and approve the application for the open space subdivision 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 engineers and surveyors stamps and signatures to the final plat.
4. The applicant shall revise the plat to add a note prohibiting any further subdivision of the lots.
5. The applicant shall revise the plat to show the location of the existing and proposed underground utilities.
6. The applicant shall add the revised NH Department of Transportation Driveway Permit number to the plat.
7. The approval includes the granting of the two waivers requested for the reasons stated by the applicant and by staff. The Board finds that the criteria of Chapter 155-51-A have been met.
8. The applicant shall submit proposed Homeowner's Association Documents, addressing maintenance of the road, drainage



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P13-49

Application Type:	Open Space Subdivision
Applicant(s):	The Patrice D. Fosters Revocable Trust of 2003, The Hayward Family Revocable Trust of 1998 & The Catherine F. Hayward Revocable Trust of 2012
Owner(s):	The Patrice D. Fosters Revocable Trust of 2003, The Hayward Family Revocable Trust of 1998 & The Catherine F. Hayward Revocable Trust of 2012
Location:	188 & 192 Dover Point Rd (Assessor's Map L, Lots 89I-1, 89I-2 & 89B)

infrastructure, and utilities, common dock access, and preservation of open space. These documents shall be reviewed by the Planning Department, with consultation by the City Attorney on compliance with conditions.

Conditions to Be Met Prior to Any Construction Activity:

9. 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.

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

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

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

11. The applicant shall provide a letter of credit or other form of security acceptable to the City for any unfinished work.
12. The applicant shall submit documentation that a Homeowner's Association has been formed.



City of Dover, New Hampshire MINOR LOT LINE ADJUSTMENT APPLICATION

[Revision Date: February 12, 2013]

Office Use Only	Project #:	<u>P13-48</u>	Date Received:	<u>DEC 2 2013</u>
	Amount Paid:	<u>See P13-49</u>	Time Received:	

APPLICANT INFORMATION

The Patrice D. Foster Revocable Trust
 Name of Applicant: of 2003 Telephone # (603) 740-3442
 Address of Applicant: 192 Dover Point Road, Dover NH 03820

FIRST PROPERTY OWNER AND PARCEL INFORMATION

Name of 1st Property Owner (if different from applicant): Same Telephone # _____
 Address of 1st Property Owner: 192 Dover Point Road, Dover NH 03820
 Address of Property: 194 Dover Point Road, Dover NH 03820
 Assessor's Map # L Lot(s) # 89A
 Property Deed: Book 4172 Page: 239
 Zoning District(s) R-20 Overlay District(s) None
 Size of Existing Parcel (sq. ft.): 33,419 Size of Proposed Parcel (sq. ft.): 41,237

SECOND PROPERTY OWNER AND PARCEL INFORMATION

Name of 2nd Property Owner (if different from applicant): SAME Telephone # _____
 Address of 2nd Property Owner: _____
 Address of Property: 192 Dover Point Road, Dover NH 03820
 Assessor's Map # L Lot(s) # 89B
 Property Deed: Book _____ Page: _____
 Zoning District(s) R-20 Overlay District(s) Conservation District, Wetlands Protection District, Riverfront Residential Overlay Dist.
 Size of Existing Parcel (sq. ft.): 922,213 Size of Proposed Parcel (sq. ft.): 914,395

[Use additional application form if more than two lots are being adjusted]

SURVEYOR INFORMATION

Robert J. Stowell
 Name of Surveyor and Company (Licensed in N.H.) Tritech Engineering Corporation
 Address 755 Central Avenue, Dover, NH 03820 Telephone #: (603) 742-8107
 Professional License #: 884 E-mail address: rjs@tritecheng.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 First Property Owner: Patricia A. Forte Date: 9/24/13

Signature of Second Property Owner: _____ Date: _____

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

Signature of Agent: [Signature], PRESIDENT Date: 09/24/2013

AUTHORIZATION TO ENTER SUBJECT PROPERTY

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

Signature of Property Owner: Patricia A. Forte Date: 9/24/13



Amended
City of Dover, New Hampshire
SUBDIVISION APPLICATION

[Revision Date: April 23, 2013]

<i>Office Use Only</i>	Project #: <u>D13-49</u>	Date Received: _____
	Amount Paid: <u>\$ 438.- Q# 442</u>	Time Received: <u>DEC - 2 2013</u>

APPLICANT AND OWNER INFORMATION

Name of Applicant: The Patrice D. Foster Revocable Trust of 2003 (89B)
192 Dover Point Road, Dover NH Telephone # _____

Address of Applicant: The Hayward Family Revocable Trust of 1998 (89I-1)
The Catherine F. Hayward Revocable Trust of 2012 (89I-2)
188 Dover Point Road, Dover NH

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

Address of Property Owner: SAME

E-Mail Address: _____

PROPERTY INFORMATION

Address of Property: 188 Dover Point Road & 192 Dover Point Road

Assessor's Map # L Lot(s) # 89I-1, 89I-2, & 89B

Zoning District(s) R-20 Overlay District(s) Conservation District, Wetlands Protection District, Riverfront Residential Overlay Dist.

Size of Parcel: 2.047 acres 2.507 acres 21.171 acres Property Deed: Book 3262 4172 4172 Page: 296 (89I-1) 241 (89I-2) 246 (89B)

Existing Use of Property: Residential

SUBDIVISION INFORMATION

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

Existing Number of Lots: 3 Proposed Number of Lots: 5

City Water? Yes No How far is city water from the property? greater than 600'

City Sewer? Yes No How far is city sewer from the property? greater than 600'

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

Estimated Length of Proposed Roads: 832' feet Public or Private Road? Private

WAIVER REQUESTS

Subdivision Regulations section(s) to be waived: Section 155-33A - Road Grade (See attached)
Section 155-33A - Road Width (See attached)

Justification for waiver request(s) (attach additional sheets as needed): _____

SURVEYOR INFORMATION

Robert J. Stowell
Name of Surveyor and Company (Licensed in N.H.) Tritech Engineering Corporation
Address 755 Central Avenue, Dover NH 03820 Telephone #: (603)742-8107
Professional License #: 884 E-mail address: rjs@tritecheng.com

ENGINEER INFORMATION

Robert J. Stowell
Name of Engineer and Company (Licensed in N.H.) Tritech Engineering Corporation
Address 755 Central Avenue, Dover NH 03820 Telephone #: (603)742-8107
Professional License #: 9903 E-mail address: rjs@tritecheng.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: Catherine J. Hayward Patner Cl. Forte Date: 11/29/13

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

Signature of Agent: [Signature] PRESIDENT Date: 12/02/13

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: Catherine J. Hayward Patner Cl. Forte Date: 11/29/13

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: Catherine J. Hayward Patner Cl. Forte Date: 11/29/13

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: Catherine Hayward Carter A. Fort Date: 11/29/13

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



Abutters List

Minor Lot Line Adjustment & Subdivision of Land

**The Patrice D. Foster Revocable Trust of 2003,
The Hayward Family Revocable Trust of 1998,
and The Catherine F. Hayward Revocable Trust of 2012**

Tax Map L, Lots 89A, 89B, 89I-1, & 89I-2

188, 192, & 194 Dover Point Road
Dover, New Hampshire

Job No. 12137

Page 1 of 3

Abutters:

- Map L, Lot 15 Roman Catholic Bishop
c/o St. Thomas Aquinas High School
197 Dover Point Road
Dover, NH 03820

- Map L, Lot 15A NH Catholic Charities, Inc.
c/o John Quinn
PO Box 686
Manchester, NH 03101

- Map L, Lot 82 Patrick M. Murray
17 Hillcrest Drive
Dover, NH 03820

- Map L, Lot 83A Martha H. Cox Revocable Trust
Martha H. Cox, Trustee
189 Dover Point Road
Dover, NH 03820

- Map L, Lot 83B Aaron & Kylie Goodwin
177 Mast Road
Dover, NH 03820

- Map L, Lot 83C Peter T. Pappas
187 Dover Point Road
Dover, NH 03820

- Map L, Lot 84 Mark W. & Madeline N. Cymbala
185 Dover Point Road
Dover, NH 03820

- Map L, Lot 88 Caroll and Lorna Rae Smith Family Trust of 1993
Caroll L. Smith & Lorna Rae M Smith, Co-Trustees
715 49th Avenue Drive E.
Bradenton, FL 34203

- Map L, Lot 89 Unit A Patrick T. Gobbi &
Judith M. H. Gobbi
200 Dover Point Road, Unit A
Dover, NH 03820

- Map L, Lot 89 Unit B Barbara Ballentyne
200 Dover Point Road, Unit B
Dover, NH 03820

Abutters List

Minor Lot Line Adjustment & Subdivision of Land

**The Patrice D. Foster Revocable Trust of 2003,
The Hayward Family Revocable Trust of 1998,
and The Catherine F. Hayward Revocable Trust of 2012**

Tax Map L, Lots 89A, 89B, 89I-1, & 89I-2

188, 192, & 194 Dover Point Road
Dover, New Hampshire

Job No. 12137

Page 2 of 3

Abutters Cont'd:

Map L, Lot 89C	Jonathan A. Lummus & Diedre Anne Shea 198 Dover Point Road Dover, NH 03820
Map L, Lot 89E	Thomas H. & Kelly A. Duval 196 1/2 Dover Point Road Dover, NH 03820
Map L, Lot 89G-2	James and Amber Montecalvo 16 Shore Lane Dover, NH 03820
Map L, Lot 89G-4 Map L, Lot 89G-8 Map L, Lot 89G-10 Map L, Lot 89G-12	Dover Point Properties Development LLC c/o Portsmouth Chevrolet 549 Route 1 ByPass Portsmouth, NH 03801
Map L, Lot 89G-6	Peter W. & Nancy L. Gowell 26 Shore Lane Dover, NH 03820
Map L, Lot 89H	Janet E. Butler 196 Dover Point Road Dover, NH 03820
Map L, Lot 89-3	Patricia A. & Daryl R. Pettis 198A Dover Point Road Dover, NH 03820
Map M, Lot 55	Karen C. Fisher 546 Middle Road Dover, NH 03820
Map M, Lot 55A	Middle Road Dover Condominium Association c/o Nicholas M. & Anne M. Costantino 265 Church Street Safety Harbor, FL 34695-3134
Map M, Lot 56	James P. & Karen B. Duffy 27 Isaac Lucas Circle Dover, NH 03820
Map M, Lot 56A	Heritage Baptist Church 186 Dover Point Road Dover, NH 03820

Abutters List

Minor Lot Line Adjustment & Subdivision of Land

**The Patrice D. Foster Revocable Trust of 2003,
The Hayward Family Revocable Trust of 1998,
and The Catherine F. Hayward Revocable Trust of 2012**

Tax Map L, Lots 89A, 89B, 89I-1, & 89I-2

188, 192, & 194 Dover Point Road
Dover, New Hampshire

Job No. 12137

Page 3 of 3

Owner/Applicant (Minor Lot Line Adjustment)

Map L, Lot 89A	The Patrice D. Foster Revocable Trust of 2003
Map L, Lot 89B	Patrice D. Foster, Trustee 192 Dover Point Road Dover, NH 03820

Applicant (Subdivision of Land):

The Patrice D. Foster Revocable Trust of 2003
Patrice D. Foster, Trustee
192 Dover Point Road
Dover, NH 03820

Owners (Subdivision of Land)

Map L, Lot 89B	The Patrice D. Foster Revocable Trust of 2003 Patrice D. Foster, Trustee 192 Dover Point Road Dover, NH 03820
Map L, Lot 89I-1	The Hayward Family Revocable Trust of 1998 Richard G. & Catherine F. Hayward, Co-Trustees 188 Dover Point Road Dover, NH 03820
Map L, Lot 89I-2	The Catherine F. Hayward Revocable Trust of 2012 Catherine F. Hayward, Trustee 188 Dover Point Road Dover, NH 03820

Agent:

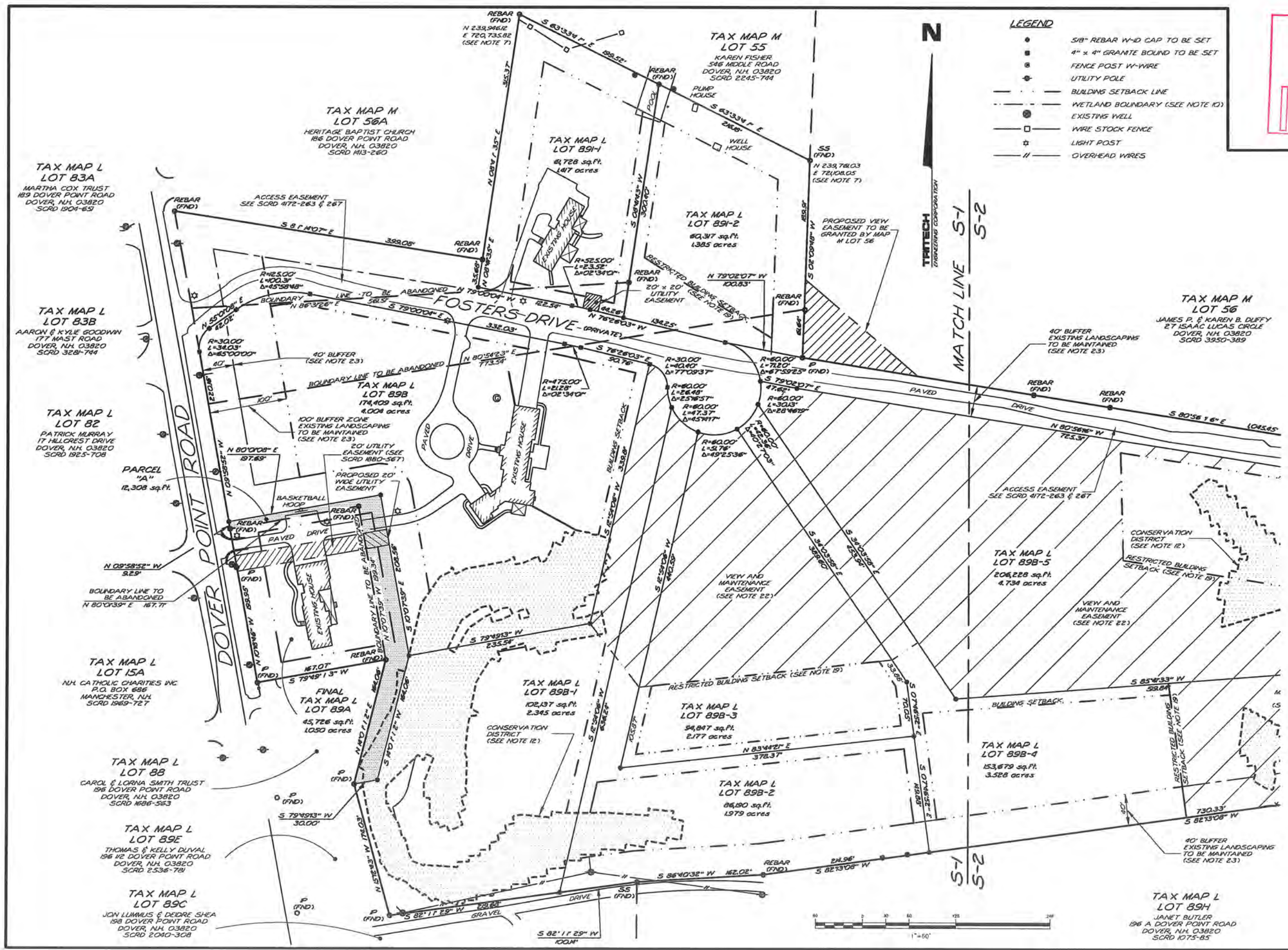
Tritech Engineering Corp
755 Central Avenue
Dover, NH 03820

Attorney:

Attorney FX Bruton
798 Central Avenue
PO Box 756
Dover, NH 03821-0756



- LEGEND**
- 5/8" REBAR W-ND CAP TO BE SET
 - 4" x 4" GRANITE BOUND TO BE SET
 - FENCE POST W-WIRE
 - UTILITY POLE
 - - - BUILDING SETBACK LINE
 - - - WETLAND BOUNDARY (SEE NOTE 10)
 - EXISTING WELL
 - WIRE STOCK FENCE
 - ☆ LIGHT POST
 - OVERHEAD WIRES



TRITECH
ENGINEERING CORPORATION

REVISIONS	DATE	DESCRIPTION
1	10-15-2011	REVISED PER ISC COMMENTS
2	12-02-2011	REVISED LOT CONFIGURATION

BOUNDARY LINE ADJUSTMENT AND SUBDIVISION PLAN
THE PATRICE D. FOSTER REVOCABLE TRUST OF 2003, THE HA YWARD FAMILY REVOCABLE TRUST OF 1998, THE CATHERINE F. HA YWARD REVOCABLE TRUST OF 2012
188, 192 & 194 DOVER POINT ROAD DOVER, NEW HAMPSHIRE
OCTOBER 25, 2013
JOB No. 12137
SCALE: 1" = 60'

SHEET NO. S-1

NOTES

- INTENT: TO ADJUST THE PROPERTY BOUNDARY LINES BETWEEN TAX MAP L LOT 89A AND LOT 89B BY ADDING PARCEL "A" (12,309 SQ.FT.) TO LOT 89A, THEN TO COMBINE DOVER TAX MAP L LOTS 89B, 89-1 & 89-2, THEN TO SUBDIVIDE THIS NEW LOT INTO 8 SINGLE FAMILY RESIDENTIAL LOTS AND 1 OPEN SPACE LOT.
- CURRENT OWNER: TAX MAP L LOT 89A & LOT 89B
THE PATRICE D. FOSTER REVOCABLE TRUST OF 2003
192 DOVER POINT ROAD
DOVER, N.H.

PATRICE D. FOSTER, TRUSTEE
TAX MAP L LOT 89-1
THE HAYWARD FAMILY REVOCABLE TRUST OF 1998
188 DOVER POINT ROAD
DOVER, N.H.

CATHERINE F. & RICHARD D. HAYWARD, TRUSTEES
TAX MAP L LOT 89-2
THE CATHERINE F. HAYWARD REVOCABLE TRUST OF 2012
188 DOVER POINT ROAD
DOVER, N.H.

CATHERINE F. HAYWARD, TRUSTEE
- TOTAL LOT AREA: TAX MAP L LOT 89A
33,419 SQ.FT. - 0.787 ACRES
TAX MAP L LOT 89B
82,213 SQ.FT. - 21.171 ACRES
TAX MAP L LOT 89-1
88,165 SQ.FT. - 2.047 ACRES
TAX MAP L LOT 89-2
109,217 SQ.FT. - 2.507 ACRES
- TAX MAP L LOT 89A, 89B, 89-1 & 89-2
- PROJECT DEED REFERENCE: MAP L LOT 89A & MAP L LOT 89B
SCRD BOOK 4172 PAGE 239 & 245
MAP L LOT 89-1
SCRD BOOK 3282 PAGE 298
MAP L LOT 89-2
SCRD BOOK 4172 PAGE 241
- ZONING: R-20
MIN. LOT SIZE: 20,000 SQ.FT.
MIN. FRONTAGE: 125 FEET
MIN. BUILDING SETBACKS:
FRONT: 35 FEET
SIDE: 20 FEET
REAR: 15 FEET

OPEN SPACE
MIN. LOT SIZE: 12,000 SQ.FT.
MIN. FRONTAGE: 30 FEET
MIN. BUILDING SETBACKS:
FRONT: 15 FEET
SIDE: 15 FEET
REAR: 15 FEET
BUILDINGS OUTSIDE PROJECT: 75 FEET
EXTERIOR PROPERTY LINES: 60 FEET
DOVER POINT ROAD: 100 FEET
- IN ADDITION TO R-20, THIS PROPERTY FALLS WITHIN SEVERAL ZONING OVERLAY DISTRICTS:
- CONSERVATION DISTRICT
- WETLANDS PROTECTION DISTRICT
- RIVERFRONT RESIDENTIAL OVERLAY DISTRICT
- BASIS OF BEARING: DOVER GIS SYSTEM POINTS #108 & #109 WERE OCCUPIED TO DETERMINE DIRECTION, POSITION & ELEVATION.
- THE RAW UNADJUSTED CLOSURE OF OUR RANDOM POINT TRAVERSE WAS 1 PART IN 50,000 AND WAS ACCOMPLISHED USING A LEICA TC 703 TOTAL STATION, DURING THE MONTH OF OCTOBER.
- PROJECT PLAN REFERENCE:
MINOR SUBDIVISION OF LAND OF ROBERT H. & THERESA D. FOSTER
DOVER, NEW HAMPSHIRE
DOVER, NEW HAMPSHIRE
CIVIL CONSULTANTS
OCT. 4, 1991 SCRD 39-85

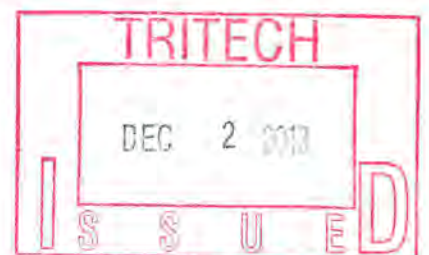
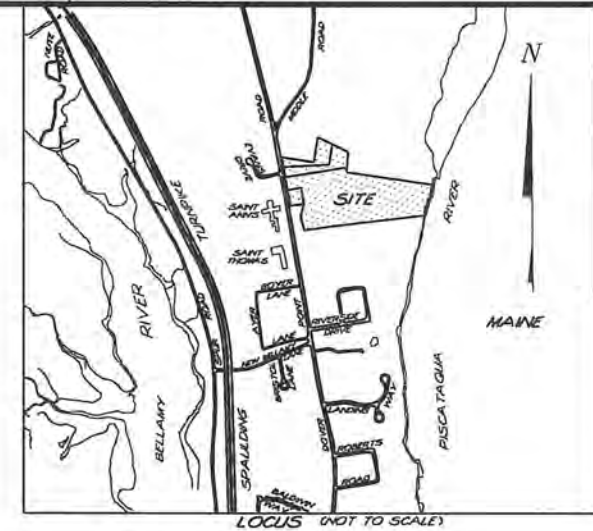
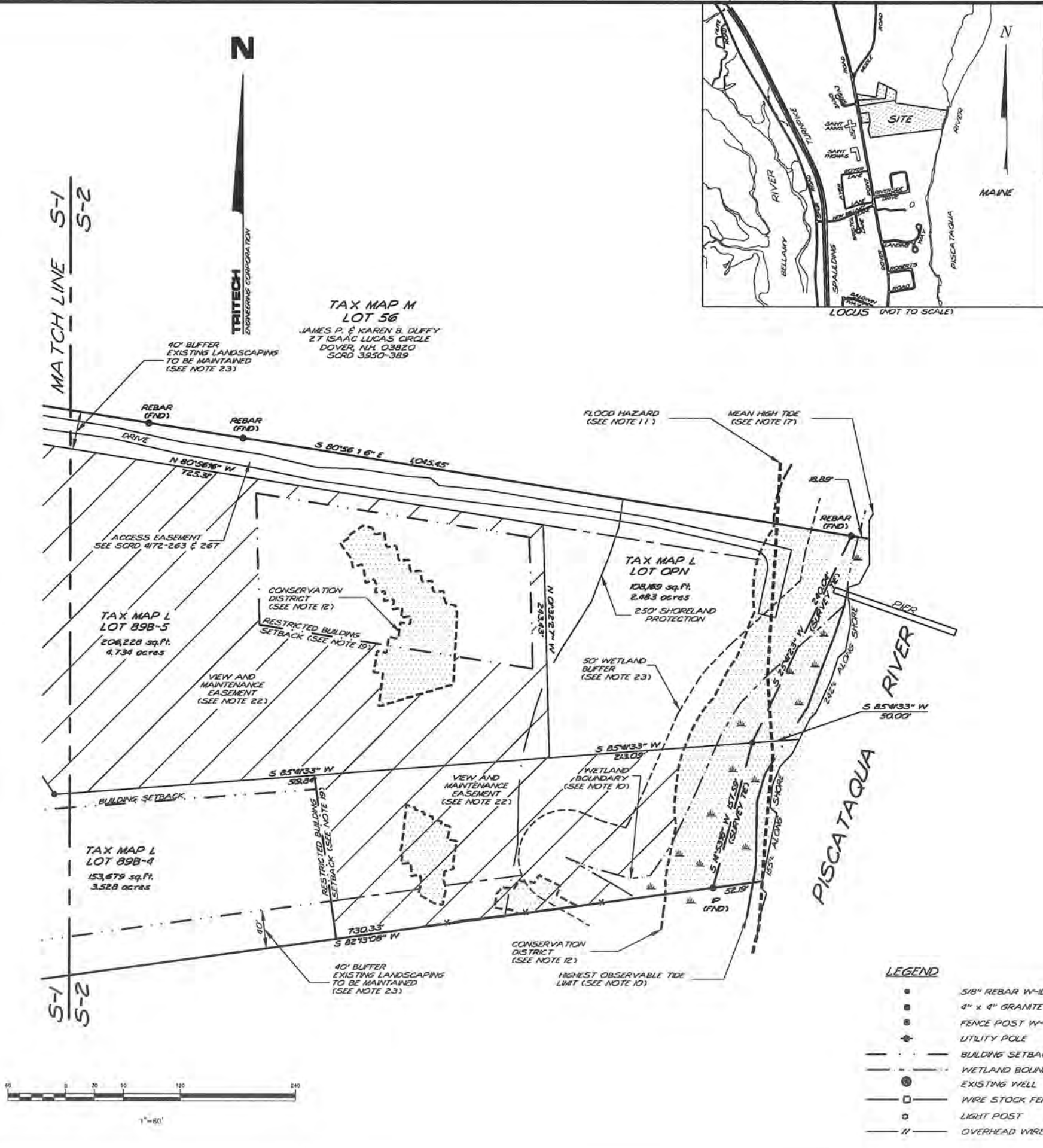
PLAN OF LAND
MARJORIE D. KEEFE
DOVER POINT
DOVER, N.H.
C.L. DAVIS & ASSOCIATES
APRIL 1986 SCRD PD 4 PD 4 PL #39

SUBDIVISION PLAN
PAULINE L. CALDERWOOD
DOVER, N.H.
FREDERICK E. DREW ASSOCIATES
SEPT. 1981 SCRD #22A-128

LOT LINE ADJUSTMENT FOR HERITAGE BAPTIST CHURCH & ROBERT FOSTER
DOVER, NEW HAMPSHIRE
DOVER, NEW HAMPSHIRE
MCNEANEY SURVEY ASSOCIATES
NOV. 28, 1988 SCRD 35-132

REVISD BOUNDARY PLAN
ROBERT H. FOSTER
JANET E. BUTLER
DOVER, NEW HAMPSHIRE
DOVER, NEW HAMPSHIRE
FREDERICK E. DREW ASSOCIATES
DEC. 1985 SCRD 28-78

BOUNDARY PLAN
PATRICE D. FOSTER, THE
THERESA FOSTER REVOCABLE TRUST
OF 1992 AND THE HAYWARD FAMILY
REVOCABLE TRUST OF 1998
DOVER POINT ROAD
DOVER, NEW HAMPSHIRE
TRITECH ENGINEERING CORPORATION
MAY 9, 2013 REVISED 9-19-2013
SCRD 106 - 11 & 12
- WETLAND DELINEATION SERVICES WERE PERFORMED BY JOSEPH W. NOEL, NEW HAMPSHIRE CERTIFIED WETLAND SCIENTIST #81, IN ACCORDANCE WITH THE "REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL: NORTHCENTRAL AND NORTHEAST REGION (VERSION 2.0). WETLAND FLAGGING ON OCTOBER 26, 2012, INCLUDED THE FRESHWATER WETLAND LINE AND THE HIGHEST OBSERVABLE TIDE LINE (HOTL).
- PART OF THE SUBJECT PARCEL IS LOCATED WITHIN A FEDERALLY DESIGNATED FLOOD HAZARD BOUNDARY, (ZONE A). MAP 3301703400, MAY 17, 2005.
- THIS PROPERTY FALLS WITHIN THE CONSERVATION DISTRICT, ZONING ORDINANCE 170-27. AREAS SUCH AS THOSE WITHIN 50 FEET OF STREAMS, BROOKS OR OTHER FRESHWATER BODIES, 100' FROM TIDAL WATER AND SLOPES IN EXCESS OF 20% ARE PART OF THE CONSERVATION DISTRICT AND THE REGULATIONS OF 170-27 APPLY. PORTIONS OF THIS PROPERTY ALSO ARE WITHIN THE RIVERFRONT RESIDENTIAL OVERLAY DISTRICT AND THE WETLANDS PROTECTION DISTRICT AND ARE SUBJECT TO THOSE REGULATIONS.
- STREET ADDRESSES FOR EACH LOT SHALL BE ASSIGNED BY THE BUILDING INSPECTOR AT THE TIME OF ISSUANCE OF A BUILDING PERMIT.
- CONSTRUCTION PLANS C-1 THROUGH C-3 ARE ALSO PART OF THIS APPROVAL.
- ALL ON-SITE UTILITIES SHALL BE INSTALLED UNDERGROUND.
- THE FINAL SUBDIVISION PLAN SHALL BE SUBMITTED IN A DIGITAL DXF FORMAT ON A TRANSFERABLE DISK TO THE CITY OF DOVER ENGINEER'S OFFICE.
- PROPERTY LINE DETERMINED TO BE THE MEAN HIGH TIDE LIMIT OF THE PISCATAQUA RIVER AS OBSERVED IN NOVEMBER OF 2012.
- NHDDT DRIVEWAY PERMIT No. 08-125-377.
- TAX MAP L LOT 89B-3 AND 89B-4 HAVE A SELF IMPOSED BUILDING SETBACK RESTRICTION. SEE HOMEOWNERS ASSOCIATION DOCUMENTS.
- NHDES SUBDIVISION APPROVAL NUMBER: SA2013010315.
- LOTS TO SERVED BY INDIVIDUAL SEWAGE DISPOSAL SYSTEMS AND PRIVATE WELLS.
- THIS AREA SHALL BE MAINTAINED IN ACCORDANCE WITH THE HOMEOWNERS ASSOCIATION.
- BUFFER ZONES SHALL COMPLY WITH CITY OF DOVER CODE 155-22.F. AND 170-27.1.1 AS APPLICABLE. THESE BUFFERS ARE CURRENTLY MAINTAINED AS LANDSCAPED AREAS, LAWNS AND FIELDS. THESE BUFFERS WILL CONTINUE TO BE MAINTAINED IN THIS MANNER.
- * OPEN SPACE REQUIRED: 7 LOTS x 8,000 SQ.FT. = 56,000 SQ.FT.
* TOTAL OPEN SPACE PROVIDED: 314,397 SQ.FT.
* UPLAND OPEN SPACE REQUIRED: 28,000 SQ.FT.
* UPLAND OPEN SPACE PROVIDED: 307,497 SQ.FT.



TRITECH
ENGINEERING CORPORATION

705 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03860
TELEPHONE 603 748 8107
FAX 603 748 3650

REVISIONS	DESCRIPTION
DATE: 10-15-2013	REVISED PER JRC COMMENTS
12-02-2013	REVISED LOT CONFIGURATION

BOUNDARY LINE ADJUSTMENT AND SUBDIVISION PLAN
THE PATRICE D. FOSTER REVOCABLE TRUST OF 2003, THE HAYWARD FAMILY REVOCABLE TRUST OF 1998, THE CATHERINE F. HAYWARD REVOCABLE TRUST OF 2012
188, 192 & 194 DOVER POINT ROAD
DOVER, NEW HAMPSHIRE
OCTOBER 25, 2013
JOB No. 12137
SCALE: 1" = 60'

SHEET NO. 0-2



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P13-63

Application Type: Minor Subdivision
Applicant(s): Claire Sheridan
Owner(s): Claire Sheridan
Location: 321 Back Road (Assessor's Map M, Lot 105)

INTENT: To subdivide an existing parcel on Back Road into three lots. Each lot would be serviced by on-site septic systems and wells.

LOTS/UNITS PROPOSED: Two new house lots.

AGENDA ITEM #: 4-E

ACREAGE: 5.478 Acres

ZONING DISTRICT: Rural Residential District – R-40

EXISTING LAND USE: Single family house

PROPOSED LAND USE: Existing single family house and two new single family house lots

SURROUNDING LAND USE: Single family houses

ZBA ACTION: N/A

ATTACHMENT: Subdivision plan and application

APPLICATION IS COMPLETE: Yes

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

PERMITS REQUIRED:

- NH Department of Environmental Services Subdivision Permit

WAIVERS REQUESTED: None

Summary of Request and Background

The applicant has submitted a plan for a minor subdivision, with all three lots having frontage on Back Road. The existing house would remain on a 1.24 acre lot. The new lots would be 1.32 acres and 2.93 acres.

Consistency with Land Use Regulations

Chapter 155-15 of the Land Subdivision Regulations of the City Code provides for minor subdivisions of existing lots. The plan is consistent with the purpose of the R-40 District, which allows for single family neighborhoods in rural areas served by on-site septic systems and wells.

STAFF RECOMMENDATION:

The Planning Department recommends that the Planning Board accept the application, hold the public hearing, and approve the application for the minor subdivision 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 correct two words in note #9.
4. The applicant shall revise the plat to add the Planning File number P13-63 to the title block.
5. The applicant shall revise the plat by adding the 50-foot wetlands buffer line on all lots on sheet #1.
6. The applicant shall revise sheet #1 of the plat by adding the lot area of each lot.
7. The applicant shall revise the plat to correct the proposed map and lot numbers as assigned by the Tax Assessor.
8. The applicant shall revise sheet C1 of the plat by correcting the sheet title.
9. 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.

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

10. Any new dwelling unit shall be assessed the current impact fees in place at the time of building permit application.
11. Per Chapter 170-27.1-D-1-c, the applicant shall install wetland buffer signs at eighty to one hundred foot intervals along the 50-foot wetland buffer line near the buildable areas on the two vacant lots. This shall be checked and approved by the Building Official and City Engineer.



1212

City of Dover, New Hampshire SUBDIVISION APPLICATION

[Revision Date: April 23, 2013]

Office Use Only	Project #:	<u>P13-63</u>	Date Received:	
	Amount Paid:		Time Received:	<u>DEC - 2 2013</u>

4:10 PM

APPLICANT AND OWNER INFORMATION

Name of Applicant: Claire Sheridan Telephone # 767-2613

Address of Applicant: 321 Back Road

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

Address of Property Owner: _____

E-Mail Address: finnandme@comcast.net

PROPERTY INFORMATION

Address of Property: 321 Back Road

Assessor's Map # M Lot(s) # 105

Zoning District(s) R - 40 Overlay District(s) _____

Size of Parcel: 5.5 Acres Property Deed: Book 907 Page: 259
1060 377

Existing Use of Property: Residential

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

City Water? Yes No How far is city water from the property? 200 feet +/- to building site

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

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

Estimated Length of Proposed Roads: None feet Public or Private Road? _____

Existing Frontage

WAIVER REQUESTS

Subdivision Regulations section(s) to be waived: _____

Justification for waiver request(s) (attach additional sheets as needed): _____

SURVEYOR INFORMATION

Name of Surveyor and Company (Licensed in N.H.) John Chagnon / Ambit Engineering, Inc.
Address 200 Griffin Road, Unit 3, Portsmouth, NH 03801 Telephone #: 603-430-9282
Professional License #: 738 E-mail address: jrc@ambitengineering.com

ENGINEER INFORMATION

Name of Engineer and Company (Licensed in N.H.) _____
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: _____ Date: _____
Signature of Applicant (if different from owner): Clare Stender Date: 12/3/13
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: Clare Stender Date: 12/3/13

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: Clare Stender Date: 12/3/13
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: Clare Steude Date: 12/3/13

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

John P. Hayes III CSS, CWS,
33 Third Street Apt.2
Dover, NH 03820
603-205-4396
johnphayes@comcast.net

DEC - 2 2013

11/8/13
To: John Chagnon
Ambit Engineering
200 Griffin Road
Portsmouth NH 03801

Job # 13-048

Re: Wetland Delineation: 11/5/13
321 Back Road Dover, NH

Dear John:

This letter reports the completion of a wetland delineation conducted on the referenced property by John P. Hayes III on November 5, 2013. The site is located on the northwest side of Back Road, Dover, NH. The purpose of the delineation is for a possible subdivision of the property.

The area delineated is in an open field.. Soil textures are predominantly very fine sand, and silt loam. No very poorly soils were found within 25 feet of the lines delineated.

The wetland delineation was conducted in accordance with the 1987 Army Corps of Engineers Wetlands Delineation Manual using the Routine Determinations Method, as required by the New Hampshire Department of Environmental Services Wetlands Bureau and the US Army Corps of Engineers.

The following standards were used to determine jurisdiction under the manual and to classify the wetland systems on the site

- 1) *Field Indicators for Identifying Hydric Soils in the United States* Version 7.0. 2010.
- 2) *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: North central and Northeast Region* Version 2.0 2012
- 3) *Field Indicators for Identifying Hydric Soils in New England* New England Hydric Soils Technical Committee. April 2004. 3rd Edition. NEIWPC Lowel, MA. .
- 4) *National List of Plant Species That Occur in Wetlands: 2012 New Hampshire*. United States Department of the Interior. Fish and Wildlife Service. NERC-88/18.29.
- 5) *Corps of Engineers Wetlands Delineation Manual*, January 1987. Wetlands Research Program Technical Report Y-87-1.

6) *Classification of Wetlands and Deep water Habitats of the United States*. December 1979.
US Department of the Interior. Fish and Wildlife Service. FWS/OBS-79/31.

The wetland delineation complies with the poorly drained soil criteria defined in SSSNNE Special Publication No.1 "High Intensity Soil Map of New Hampshire Standards" dated April 2008, and definitions by the town of Dover. Wetland soils in the area meet hydric soil criterion X.B.

Wetland boundaries identified on the property are witnessed in the field with pink tape, hung periodically on vegetation, and red wire flags, using an alpha-numeric system as follows:

A1 to A32 (stop)

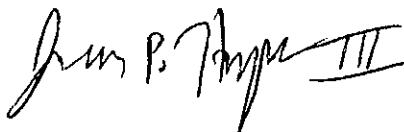
The flagged line was survey located by Ambit Engineering.

According to the "Classification of Wetlands and Deep water Habitats of the United States" (USFWS December 1979) the wetland areas delineated would be classified as a Palustrine, Emergent Persistent system that is seasonally flooded and or saturated. (PEMIE).

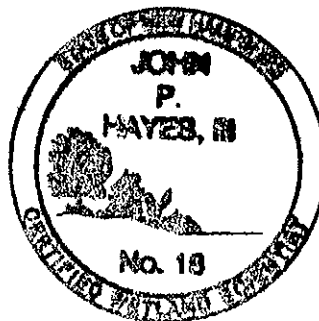
The plant species located in or near the wetlands include, but are not limited to:
Red maple (*Acer rubrum*), White ash (*Fraxinus americana*), Glossy Buckthorn (*Rhamnus frangula*),
Meadow Sweet (*Spiraea latifolia*), Multiflora Rose (*Rosa multiflora*), Umbrella sedge (*Cyperus involucratus*), Cinnamon fern (*Osmunda cinnamomea*) and Sensitive fern, (*Onoclea sensibilis*).

Please contact me if you have any questions or if I can be of further assistance.

Sincerely,



John P. Hayes III CWS, CSS,



ABUTTER'S LIST

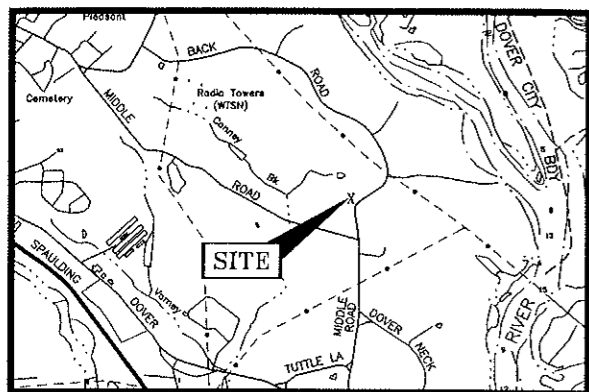
JN 2256

Claire Sheridan

321 Back Road, Dover

DEC - 2 2013

MAP	LOT	NAME(S)	PO BOX	STREET ADDRESS	CITY/STATE/ZIP
M	100A	Nancy E. & William C. Hunt		245 Back Road	Dover, NH 03820
M	100B	Gregory W. Hunt		295 Back Road	Dover, NH 03820
M	102-6A	Rene R. & Elizabeth H. Dubois		389 Back Road	Dover, NH 03820
M	92D	David F. & Julianne M. Smith		380 Back Road	Dover, NH 03820
M	92I	Catherine Benet		370 Back Road	Dover, NH 03820
M	92B	Cullen Bay Homeowners Assc. C/o Lori Lander-Treasurer		1 Cullen Bay Road	Dover, NH 03820
M	93B	Nancy & Charles Maglaras		362 Back Road	Dover, NH 03820
M	94	Carolyn Spencer		356 Back Road	Dover, NH 03820
M	94A	Christina Hollinger		346 Back Road	Dover, NH 03820
M	96A	Six High Street LLC, & Tuey Trust of 2003		56 Westville Road, #4	Plaistow, NH 03865
	Engineer	Ambit Engineering, Inc. Civil Engineers & Land Surveyors		200 Griffin Road, Unit 3	Portsmouth, NH 03801
	Soil Scientist	John P. Hayes III		33 Third Street, Apt 2	Dover, NH 03820
	Easement Holder	PSNH	PO Box 330		Manchester, NH 03105-0330
	Applicant/Owner				
M	105	Claire Sheridan		321 Back Road	Dover, NH 03820



LEGEND:

N/F NOW OR FORMERLY
 RP RECORD OF PROBATE
 SCRD STRAFFORD COUNTY
 REGISTRY OF DEEDS

MAP 11/LOT 21

IR FND IRON ROD FOUND
 IP FND IRON PIPE FOUND
 IR TBS IRON ROD TO BE SET
 TO BE ABANDONED
 WETLAND

LENGTH TABLE

LINE	BEARING	DISTANCE
L1	S26°20'21"W	30.36'
L2	S03°37'04"E	50.74'
L3	S07°15'52"E	44.73'
L4	S12°14'04"E	47.08'
L5	S16°45'53"E	31.76'

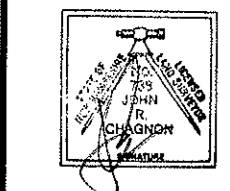
LOCATION MAP 1" = 2000'

ABUTTERS TO MAP M LOT 105

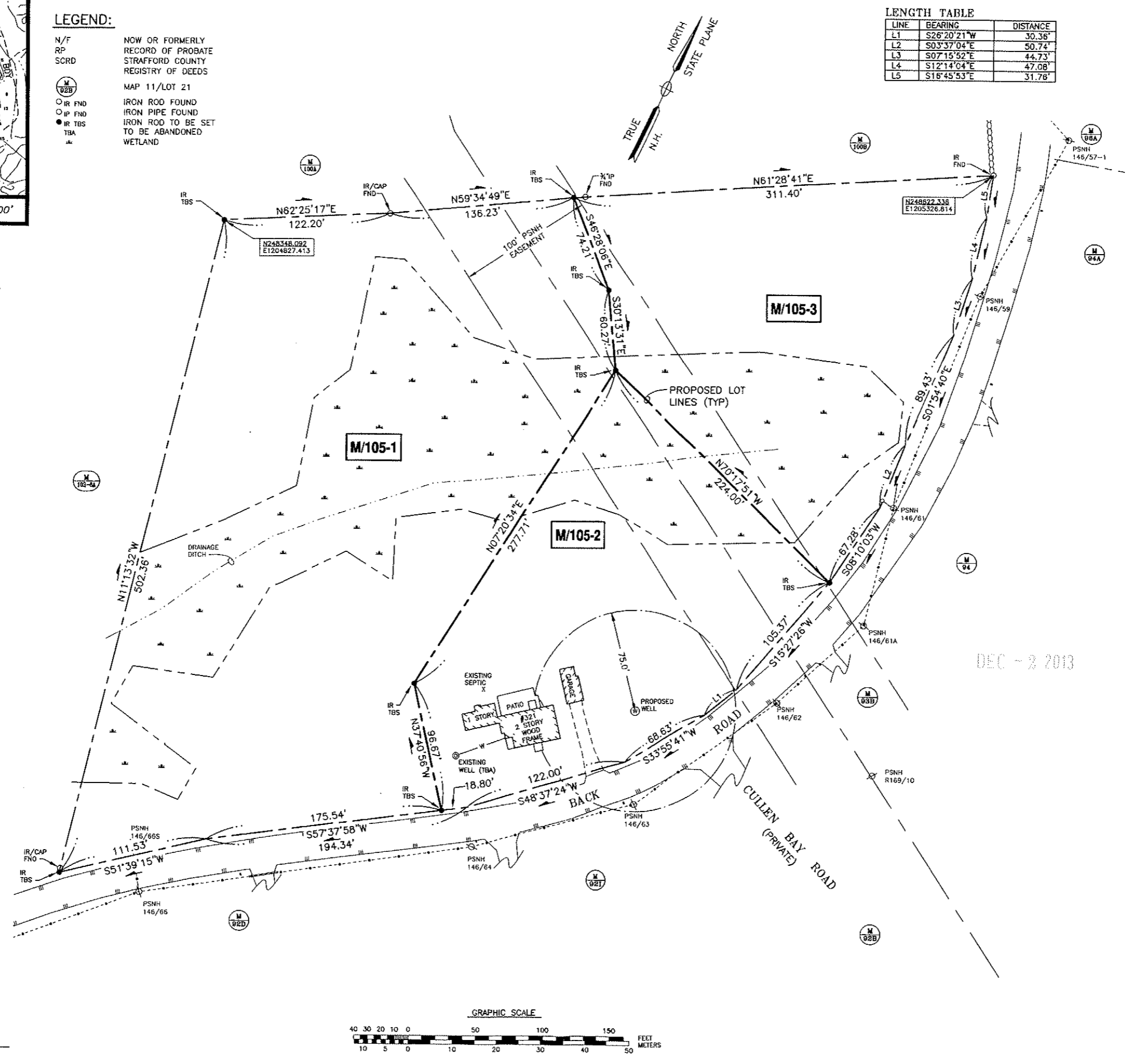
- | | |
|--|--|
| <p>M 100A
N/F NANCY E. & WILLIAM C. HUNT
245 BACK ROAD
DOVER, N.H. 03820
967/62</p> | <p>M 92B
N/F CULLEN BAY HOMEOWNERS ASSOC.
C/O/ LORI LANDER, TREASURER
1 CULLEN BAY ROAD
DOVER, N.H. 03820
1579/399</p> |
| <p>M 100B
N/F GREGORY W. HUNT
295 BACK ROAD
DOVER, N.H. 03820
3803/139</p> | <p>M 93B
N/F NANCY & CHARLES MAGLARAS
362 BACK ROAD
DOVER, N.H. 03820
1270/216</p> |
| <p>M 102-0A
N/F RENE R. & ELIZABETH H. DUBOIS
389 BACK ROAD
DOVER, N.H. 03820
2085/486</p> | <p>M 94
N/F CAROLYN SPENCER
356 BACK ROAD
DOVER, N.H. 03820
3855/358</p> |
| <p>M 92D
N/F DAVID F. & JULIANNE M. SMITH
380 BACK ROAD
DOVER, N.H. 03820
3672/536</p> | <p>M 94A
N/F CHRISTINA B. HOLLINGER
346 BACK ROAD
DOVER, N.H. 03820
3342/567</p> |
| <p>M 92I
N/F CATHERINE BENET
370 BACK ROAD
DOVER, N.H. 03820
3691/865</p> | <p>M 96A
N/F SIX HIGH STREET, LLC
& TUEY TRUST OF 2003
55 WESTVILLE ROAD #4
PLAISTOW, N.H. 03855
3555/410</p> |

PLAN REFERENCES

- 1) PLAN OF LAND OF CHRISTOPHER F. & CLAIRE J. SHERIDAN, BACK ROAD, DOVER, N.H. SCALE: 1" = 50' DATED SEPTEMBER 1976 BY RICHARD P. TOWLE. SCRD PLAN 31A-137.
- 2) BOUNDARY LINE ADJUSTMENT AND SUBDIVISION PLAN, RENE R. & ELIZABETH H. DUBOIS AND CLAIRE SHERIDAN, EMERY LANE & BACK ROAD, DOVER, N.H. SCALE: 1" = 60', DATED MAY 9, 2005, REVISED THROUGH 6/23/05, BY TRITECH ENGINEERING CORP. SCRD PLAN 80-55.
- 3) LOT LINE ADJUSTMENT PLAN PREPARED FOR WILLIAM C. & NANCY E. HUNT, TAX MAP M, LOTS 100 & 100A, 245 & 281 BACK ROAD, CITY OF DOVER, COUNTY OF STRAFFORD, STATE OF NEW HAMPSHIRE, SCALE: 1" = 100', DATED APRIL 10, 2012, REVISED THROUGH 7/10/12 BY McENEANEY SURVEY ASSOCIATES, SCRD PLANS 104-15 & 104-16.



OWNER'S SIGNATURE _____ DATE _____



AMBIT ENGINEERING, INC.
 Civil Engineers & Land Surveyors
 200 Griffin Road - Unit 3
 Portsmouth, N.H. 03801-7114
 Tel (603) 430-8202
 Fax (603) 436-2316

- NOTES:**
- 1) PARCEL IS SHOWN ON THE CITY OF DOVER ASSESSOR'S MAP M AS LOT 105.
 - 2) OWNER OF RECORD:
CLAIRE SHERIDAN
321 BACK ROAD
DOVER, N.H. 03820
907/259 & 1060/377
 - 3) PARCEL IS NOT IN A FLOOD HAZARD ZONE AS SHOWN ON FIRM PANEL 33017C0340D, EFFECTIVE MAY 17, 2005.
 - 4) EXISTING LOT AREA:
238,623 S.F.
5,4780 AC.
PROPOSED LOT AREAS:
LOT 1 127,492 S.F. 2.9268 AC.
LOT 2 53,832 S.F. 1.2358 AC.
LOT 3 57,300 S.F. 1.3154 AC.
 - 5) PARCEL IS LOCATED IN THE R4D (RURAL RESIDENTIAL DISTRICT).
 - 6) DIMENSIONAL REQUIREMENTS:
MIN. LOT AREA: 40,000 S.F.
FRONTAGE: 150 FT.
SETBACKS: FRONT: 40 FT.
SIDE: 25 FT.
REAR: 30 FT.
MAXIMUM STRUCTURE HEIGHT: 35 FT.
LOT COVERAGE: 10%
 - 7) PARCEL BOUNDARY FROM SURVEY AND PLAN BY McENEANEY SURVEY ASSOCIATES, INC. DATED OCTOBER 23, 2013. USED WITH PERMISSION.
 - 8) WETLANDS DELINEATED BY JOHN P. HAYES III, CWS NO.15 ON 11/6/13 AND FIELD LOCATED BY AMBIT ENGINEERING ON 11/7/13.
 - 9) STREET ADDRESSES FOR EACH LOT SHALL BE ASSIGNED BY THE BUILDING INSPECTOR AT THE TIME OF ISSUANCE OF A BUILDING PERMIT.
 - 10) THE PARCEL IS SUBJECT TO AN EASEMENT TO PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE RECORDED AT STRAFFORD COUNTY REGISTRY OF DEEDS 442/417.
 - 11) ALL ON SITE UTILITIES SHALL BE INSTALLED UNDERGROUND.
 - 12) THE PURPOSE OF THIS PLAN IS TO SUBDIVIDE TAX MAP M LOT 105 INTO 3 SINGLE FAMILY LOTS.

Half Size

NO.	DESCRIPTION	DATE
0	ISSUED FOR APPROVAL	11/27/13
REVISIONS		

MINOR SUBDIVISION
TAX MAP M - LOT 105
 FOR
CLAIRE SHERIDAN
 321 BACK ROAD
 CITY OF DOVER
 COUNTY OF STRAFFORD
 STATE OF NEW HAMPSHIRE