



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

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**

Members Present: Dennis Ciotti (Chair), Kirt Schuman (Vice Chair), Tom Clark, Frank Torr, Lee Skinner, Gary Green, Gina Cruikshank (Alternate), Christopher Lawrence (Alternate)

Members Not Present: Dave White, Catherine Plante (Alternate), Michael Weeden, Councilor

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. Nobody spoke. Citizens Forum Closed.

2. APPROVAL OF THE PRIOR MINUTES

- November 12, 2013 Regular Meeting Minutes

G.Green would like to add to the minutes at the bottom of page 7: "It was pointed out there were no defined penalties in place. The Chair asked staff to look into any possibility of having a penalty policy brought to the Board for consideration."

Motion: K.Schuman made the motion to approve the November 12, 2013 regular meeting minutes as amended.
Seconded by F.Torr. Vote: U/A

The Chair introduced and welcomed two new Planning Board members, Gina Cruikshank and Christopher Lawrence.

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, Cocheco 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.

K.Schuman recused himself from this matter.

Motion: L.Skinner made the motion to remove from the table. Seconded by F.Torr. Vote: U/A

Public Hearing Opened

Clarke Perkins, 13 Sixth Street, President of the Sixth Street Courtyard Condominium Association, stated his condo is close to where the changes are proposed. Because of the nature of Sixth Street, which is basically residential with a few businesses, he is wondering why two buildings are being re-classified to general business.

D.Ciotti stated that C.Parker would address this when the public hearing is closed.

Public Hearing Closed



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C.Parker stated that he included a memo in the packets for tonight's meeting which outlines the responses that were received from the last public hearing as well as from other calls and inquiries since then, one of which was Mr. Perkin's response. He went through the feedback and made suggestions as to how the Board could address amendments to the proposed amendments.

C.Parker stated the response which was just brought up was not included in his memo. He explained that the area is already in the CBD. It does not need to be rezoned to stay mixed use. He also explained that the regulating plan breaks down the downtown zone into areas focusing on mixed use, residential, central business or commercial. The reason it was suggested to go from mixed use to commercial was to be consistent on both sides of Sixth Street. On a site visit, the way the lot is configured, it was noted that the buildings facing Chestnut Street are truly commercial, and the buildings on Sixth Street in that location should stay mixed use.

Regarding encouraging architectural standards and how to incentivize vs. require, the Gateway district for certain residential, multi-family residential and the TOD districts should comply with architectural regulations. The downtown commercial core would have to comply and then the Planning Department would guarantee fast tracking of their application. For the mixed use residential, architectural adherence is not required but if they do comply they would be eligible for fast tracking of their application.

Regarding masonry walls, the suggestion is to add to Section 170-20.E.2(c) that the design will include the use of materials consistent with the surroundings and will be subject to Planning Board approval.

Regarding rezoning on Pearl Street (one lot in from Broadway) it was decided that single family, as proposed, was the best use.

A Rose Street resident wanted rezoning from single family to multi-family, but on the site visit it was determined that it did not make sense and the recommendation was to make no change to the amendment.

C.Parker passed out a map to the board members regarding the Sliver Street area. It was suggested to strip out Silver Street from the proposed rezoning and leave it as residential. A resident suggested the Planning Department work with the residents who live in the area and create a "Heritage Residential Area" (not a historic area). A \$10K grant was received which would be used to hire a consultant for this. Residents have said they will organize the neighborhood. The suggestion is that properties fronting on Central Avenue and south of but not including Trakey Street on Locust Street become the Gateway District, but the remaining area be removed from the discussion and become a separate entity that it deserves to be.

Regarding temporary sign amendments, C.Parker stated that D.White brought up a concern that was echoed by others as to how many signs are too many on a property. The suggestion is that for each principal building with an excess of 100 feet of street frontage, one temporary sign would be allowed per 100 feet in the B3, B5 and CBD districts.

L.Skinner stated he is reluctant to put any standard on the property owner, as there may be absentee owners who do not see their properties often. He is in favor of the above suggestion of one temporary sign per 100 feet.

G.Green stated he has had many comments from business owners and people in the city who have issues with the sign ordinances. One concern is regarding electronic signs. He wrote to C.Parker in the summer asking to revisit electronic signs. The Mill motif is also a concern. As he was going through the sign ordinances as written he saw some minor changes that he would like to make for clarification.



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Motion: G.Green made the motion to pass the Gateway rezoning amendments but remove the sign amendments completely until a future date. Seconded by L.Skinner. Discussion ensued.

G.Green suggested reviewing the sign ordinances as a whole and possibly forming a subcommittee to study them.

L.Skinner stated he wanted to second the motion in order to hear further discussion on it, not because he was in favor of it. After discussion, he believes he supports the motion. He would be happy to work on a subcommittee.

T.Clark stated he could not support the motion. He recommends approving the amendments now and then forming a subcommittee in the future to study the sign ordinances.

D.Ciotti stated he thinks only specific areas of the sign ordinance need attention.

C.Parker: The main concern with the sign ordinance has been complying with the mill motif and the zoning amendments clarify this. He feels this is a separate item to talk about in January. His concern with changing the sign ordinances is that it would require a city-wide posting which would cost \$4,000.00. He would have to go before the Council as part of the next budget.

G.Green stated he wanted to start the conversation about this. He thanked the Board for the discussion.

Motion: G.Green withdrew the motion. Seconded by L.Skinner.

D.Ciotti asked C.Parker when the entire sign ordinance was last reviewed.

C.Parker stated that the entire sign ordinance was reviewed in 2003 when a table was created, and some changes were done in 2007, 2009, 2011, 2012 and 2013.

D.Ciotti stated he feels the sign ordinance should be looked at in the future even though it takes time and money.

Motion: G.Green made the motion to amend the posted amendments to include the changes as suggested by the public and forward to the City Council for ratification. Seconded by T.Clark. Vote: U/A.

C.Parker stated he will keep the Planning Board up to date as this moves forward.

- 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 95 single family, 240 multi-family, and 130,100 sq. ft. of commercial and retail buildings) (P13-53)

Motion: F.Torr made the motion to remove from the table. Seconded by L.Skinner. Vote: U/A

L.Skinner stated he had two fiscal impact analyses and wanted to confirm that the October 7 analysis is precluded by the December 9, 2013 analysis.

C.Parker stated that there were questions about the overall plan and the Planning Department worked with the applicant to revise it and the December 9 analysis is a result of that.



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Chad Kageleiry spoke, stating that this is the sixth public meeting about the Master Plan.

F.Torr and G.Green had questions regarding the TDR option.

C.Parker explained the transfer of development rights, land bank vs. private sale.

F.Torr had questions regarding the Public Service easement, the trigger mechanism on the traffic lights, and the Bill Dube building which C.Kageleiry and C.Parker addressed.

F.Torr had questions on road construction and traffic in the area.

C.Kageleiry and C.Parker explained that commercial traffic and construction vehicles would use Dover Point Road, not Middle Road, until the road is city owned.

G.Green asked for clarification as to what buildings would be mixed use/commercial and residential and percentages of each.

C.Kageleiry used a large map to identify the different buildings in the development and the location of commercial/mixed use and residential units.

C.Parker clarified that 69% would be commercial/mixed use and 30% residential, and clarified the number of residential units, age-restricted and not age-restricted.

L.Skinner had a question about the flow of the process and asked if commercial space would be built whether or not the developer had a tenant for that space.

C.Kageleiry explained that the commercial space has to be built and made available as part of the general construction before the residential units can follow.

T.Clark asked C.Kageleiry for an estimate of when he thought Thornwood Lane would be a public street from Middle Road to Dover Point Road..

C.Kageleiry explained that, as the buildings are constructed, traffic in the area would dictate when the street becomes a public street, and gave detail regarding when he thought construction on certain buildings would begin.

T.Clark explained the fire chief's concern that a substantial amount of single family construction is going on in the area with only one exit which is out to Middle Road, and the question of whether or not occupancy permits would be issued for Preston Place prior to the road being completed out to Dover Point Road.

C.Parker stated the concept is good for five years and, as individual site plans come in, traffic analysis would be considered.

C.Kageleiry stated reasons why the concept should be approved this evening.

Public Hearing Open



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Atty. James Schulte, whose office is located at 660 Central Avenue, spoke. He represents Thornwood Commons and Changing Places, the developers of the westerly end units. He stated that this concept meets all requirements and it would be a significant improvement to the Dover Point area, and asked the Planning Board to approve this.

D.Ciotti referenced an email which the Board received from Meredith DeMambro, 565 Central Avenue, which stated her concern that there has not been good coordination and discussion about the impacts of new homes and apartments being built, impact fees paid by developers, and crowding of schools. She hopes the Board will discuss this and take this into consideration with future developments.

Public Hearing Closed

C.Parker explained that the School Board and the City Council decide where money from impact fees is allocated and clarified that the money is available to all school facilities per the state statute. He explained that if the Conditional Use Permit which is being discussed here tonight is granted, then the developer will submit a site and subdivision plan which will go through a more rigorous process. He explained the three criteria in the zoning ordinance that the applicant must meet. He explained changes were made to the residential/commercial/mixed use ordinance in the past year with members of the community involved in the process as well as the Planning Board.

STAFF RECOMMENDATION:

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

Conditions to Be Met Prior to Signing of Plans:

1. The owner's signature shall be added to the final plan submitted for signature.
2. The applicant shall provide the Planning Department with a digital version of the final plan.
3. The applicant shall 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 of the agreement at the Strafford County Registry of Deeds.
4. The applicant shall agree that commercial construction traffic shall use Thornwood Lane for all access to the site, until the road is accepted by the City Council.
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 plan for each of the buildings shown on the revised mater 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 fee in place at the time of building permit application.

G.Green asked if #6 above binds the applicant to that type of "village" construction in the plan.

C.Parker stated approval of the concept plan binds them to that type of construction and the record reflects compliance to the architectural standards. Site plans for each building will be submitted through the process.

Motion: G.Green made the motion to approve with staff recommendations.

Motion on the table.



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C.Parker confirmed for D.Ciotti the details of disbursement of traffic light contributions for intersections.

K.Schuman asked to speak to the motion and he thanked the developer for this plan which has gone through many changes with a lot of feedback.

Seconded by L.Skinner. Vote: U/A

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)

Atty. James Schulte represented the applicant, Mr. Watkins, who was not able to attend the meeting. He explained there is a single family residence with a single car garage on this lot. This area was previously an open space subdivision without lot lines which was changed to have lot lines, and some lots are oddly configured. A small corner of the proposed new garage will be within 1-2 feet of the property line which is too close, but will still be 30 feet away from the abutting home. There is a total of 5-8 square feet that is just over the lot line.

L.Skinner asked who it was that instigated the inclusion of lot lines and if it was the applicant.

Atty. Schulte explained it was whoever was the project developer at the time and it was not the applicant. The original concept was going to be a condominium project but, due to marketing issues, it was changed to a standard subdivision with individual lots.

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

Public hearing open. Nobody spoke. Public hearing closed.

K.Schuman left the meeting at 8:15 p.m.

STAFF RECOMMENDATION:

The Planning Department recommends that the Planning Board approve the waiver based on a finding that the criteria of Chapter 155-51-A have been met.

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

- B.** Consideration and acceptance of a Conditional Use Permit for DR Lemieux 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)

Atty. Bernard Pelech, whose office is located in Portsmouth, along with James Gove, environmental expert, representatives of Beals Associates who prepared the plan, and Mr. Lemieux were present. B.Pelech explained that this lot was created in 1943. There was a residence on this half acre lot in the 1960s or 1970s until it burned down and the lot has been vacant since that time. The entire lot lies within conservation land, within 100 feet of the Bellamy River. He stated they went before the Conservation Commission twice and had an extensive site walk with the Conservation Commission. On December 9, 2013 the Conservation Commission voted unanimously to approve the Conditional Use Permit as well as to recommend that the NHDES shoreland protection and wetlands application be granted. The soil



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erosion and sedimentation control plan is in compliance with all criteria. The necessary federal and state approvals have been applied for.

Joseph Nichols, Beals Associates, spoke next and using a large plan explained water runoff, the fact that the driveway will be made from pervious pavement, and details regarding the rain garden. He explained the tree plan documenting all trees on the property, planting in the temporary disturbance area, and the dock to be constructed by barge. He explained the history of the lot, the existing right of way that is granted in the deed, and the existing foundation which will be used as a reference line. Sewer on site will meet city and state setbacks, as well as building setbacks.

James Gove, environmental scientist, spoke next. He explained the high water mark was flagged. He determined that the water table was deep enough and the soil was sandy enough for the pervious material to work for the driveway.

T.Clark asked what the proposal was for the existing foundation.

J.Gove explained that the existing foundation will not be utilized. As part of the DES permit, there was a request by the Division of Historical Resources to take a look at it by an archeologist, and this has been accomplished. They may possibly ask that the area of the old foundation be filled in to protect it for future excavation.

K.Schuman returned to the meeting at 8:22 p.m.

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

Public hearing open.

Andrew Koellmer, 59 Spur Road, the abutter to the east, Lot 14-L. He reiterated his concerns which he has already expressed in a letter to the Planning Board that this sets a bad precedent within the City for such development of this land falling entirely within the conservation district. He thinks relaxing restrictions to promote development of a use substantially more intensive than a camp that burned down is not similar reconstruction. The proposal is for a three bedroom single family home and there will be digging of a well, deep excavation for sewage, and a completely paved driveway in a conservation district. The natural habitat of the land will be changed dramatically. He bought his lot 11 years ago based upon the fact that this lot was within the conservation district.

Edward Hoginski, 230 Dover Point Road, states he owns the land that the right of way crosses. He bought the land in 1988 because it was protected in the conservation district. He is concerned about his property value being diminished. He referred to a letter from Gallagher, Callahan & Gartrell to the Planning Board which D.Ciotti acknowledged receipt of. He requests that the Board not grant the Condition Use Permit.

Public hearing closed.

C.Parker stated the application appeared before the Conservation Commission on 11/14/2013 and 12/9/2013. They endorsed the application with six conditions, the plan was revised to address those items, and that is the plan before the Planning Board tonight.

STAFF RECOMMENDATION (13-62):

The Planning Department recommends that the Planning Board 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.



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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.

L.Skinner asked about the language in the letter from Erik Newman and read the third paragraph, last two sentences, regarding never developing a residence closer than 75 feet of the mean high water mark, and asked if this is policy rather than requirement.

T.Clark stated it was not an inaccurate statement but felt it was being misquoted, and clarified that the building inspector is allowed to authorize construction “up to 75 feet but never closer” in certain conditions on property within the conservation district. He explained the Planning Board has the authority to review special exceptions and allow construction closer than 75 feet.

C.Parker read the statute: Upon the discretion of the building inspector a structure may be erected within the conservation district as described in Section B1 up to but never closer than 75 feet of the mean high water mark...”. He stated he agrees that “never” refers to the building inspector’s role.

L.Skinner asked C.Parker what would be the worst that could happen if final wetlands approval is a not stipulated and is not obtained.

C.Parker stated the CUP will not be fully complete until state and federal approvals are obtained. There is no need for a stipulation that the state and federal permits be obtained first.

G.Green acknowledged abutters who came to the meeting tonight with their concerns. He would like to add as a condition of approval that porous pavement be used for the driveway as indicated on the plan.

J.Nichols, Beals Associates, explained the existing right of way appeared to be gravel-based, which is considered impervious. He stated the proposed pavement within the 100 foot area takes in surface water and alleviates any storm events washing out the driveway, and this was also a recommendation of the Conservation Commission.

C.Parker will add as a condition of approval #6, stating, “The applicant shall utilize porous pavement within 100 feet of the shoreland”.

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

Meeting recess at 8:50 p.m. and resumed at 8:55 p.m.

The Chair announced that cases P13-48 and P13-49 will be heard together and voted on separately. Gina Cruikshank recused herself.

- 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



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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)

Atty. Francis X. Bruton III represented the applicants. Robert Stowell of TriTech and Doug LaRosa were also present. Atty. Bruton stated the Foster's Way Subdivision on Dover Point Road encompasses over 25 acres of land. There are basically three existing lots, one owned by the Patrice D. Foster Revocable Trust, Lot 89B, and the Hayward Family Revocable Trust and the Catherine F. Hayward Revocable Trust own Lots 89I- 1&2. There is one house on lot 89B and one house on 89I-1. This minor lot line adjustment will add a little bit of land to 89A from 89B, approximately 8,000 square feet. Then the three adjusted lots would be subdivided into 18 lots. He further explained that Plan S1 shows lines drawn where view and maintenance easements would be placed. He stated there are restrictions to development and this will promote good values and preserve the existing views, and there will be a Home Owners Association.

C.Parker asked Atty. Bruton if the existing driveway between Lot 89A and Lot 89B is going away.

Atty. Bruton explained it would be cut off and Lot 89B would only have access through the proposed Fosters Drive.

D.Ciotti confirmed with Atty. Bruton that the existing driveway will be removed and seeded.

R.Stowell of TriTech explained the goals they worked towards regarding development standards, the driveway is being upgraded to meet improved road standards, there is defined house placement so that development will be done in a manner which the applicant is happy with, and they worked to have this development fit the landscape.

D.Ciotti asked about the existing driveway, and confirmed with R.Stowell that there is now a driveway permit for 8 residences with a deceleration lane in the turnoff area.

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

Public hearing open. Nobody spoke. Public hearing closed.

STAFF RECOMMENDATION (P13-48):

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

Conditions to Be Met Prior to Signing of Plans:

1. The owner's signatures shall be added to the final plat submitted for signature.
2. The applicant shall provide the Planning Department with a digital version of the final plat.
3. The applicant shall add the surveyor's stamp and signature to the final plat.

Motion: T.Clark made the motion to approve the application with staff recommendations. Seconded by F.Torr. Vote: UA

C.Parker stated there are two waiver requests, one regarding 155-33(a) to allow a 20-foot wide roadway where a 24-foot roadway is required, and the second regarding 155-33(g) to allow a grade of 10% where a grade of 8% is allowed. He stated the Planning Department is in favor of granting both waivers.

STAFF RECOMMENDATION (13-49):

The Planning Department recommends that the Planning Board approve the application for the open space subdivision with the following conditions:



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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 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.
9. A note shall be added to sheet B-1 noting loaming and seeding of the driveway to be discontinued.
10. City Engineer to review and sign off on the drainage plan.

Conditions to Be Met Prior to Any Construction Activity:

11. 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:

12. 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:

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

K.Schuman confirmed with C.Parker that because Fosters Way is a private way there is no concern about Lot 89B being serviced by two driveways, and regarding the wetland buffer on the river, it is allowable for this area to be mowed and maintained.

G.Green asked R.Stowell to elaborate where the 8% grade is on the driveway and how close it is to the street.

R.Stowell explained there is a section after the second driveway into the Fosters residence to the start of the cul-de-sac, a section a little less than 100 feet, with a steep grade.

Motion: F.Torr made the motion to approve the application with staff recommendations. Seconded by T.Clark.

Discussion ensued.

L.Skinner asked for clarification regarding the first waiver request to allow a 20-foot wide road where a 24-foot wide road is required to serve more than six lots, stating this will serve eight lots.

C.Parker explained it is a private road and there is more control through the homeowners association regarding such things as parking on the street, and there are only five new houses.

Vote: U/A



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G.Cruikshank joined the Board.

- 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)

John Chagnon, Ambit Engineering, represented the applicant and explained the subdivision. There is one existing lot that would be subdivided into three lots, one on the left and one on the right of the existing house. The dimensional requirements are all met. The wetlands have been delineated and the buffers are shown with suitable leaching areas identified. A new well will be put in and the existing well will be abandoned. He stated that the plan has one technical error. The width of the easement shown running through the property is 125 feet but on the plan it is shown as 100 feet. This will be corrected on the final plat. It does not impact the layout of the lots. He stated that he read the staff memo and will comply with all the recommendations. He has applied to the New Hampshire Department of Environmental Services for the subdivision approval.

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

Public hearing open. Nobody spoke. Public hearing closed.

STAFF RECOMMENDATION:

The Planning Department recommends that the Planning Board 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.
10. The applicant shall revise the plat to correct the width of the PSNH easement.

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

11. Any new dwelling unit shall be assessed the current impact fees in place at the time of building permit application.
12. 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.

D.Ciotti wants to add #13 to above conditions stating that the well for lot 2 will be moved before a building permit for lot 1 is issued.

J.Chagnon verified with C.Parker that buffer markers should be placed on the southerly side of the lot on the left. C.Parker stated that Steve Bird could help J.Chagnon with placement of these.

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



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

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**

5. STAFF COMMENTS

C.Parker gave some updates:

The January workshop is for goal setting and if you have any suggestions other than review of the sign ordinance, please submit them. The workshop schedule for the year will be put together and if you have any educational items to include please give them to D.Ciotti to include.

He stated this was the final time that he would be reminding the board members about the Dover Climate Adaptation Workshop which will be at the McConnell Center on December 19, 2013 from 6-8:30 p.m.. An information sheet was given out to board members tonight.

C.Parker stated he recently attended an international planning conference in Cuba and he would be happy to talk with Board members about this.

G.Green asked C.Parker what he thought of the idea of a subcommittee to study the sign ordinance.

C.Parker stated he thought it was a good idea to have any ordinances looked at from time to time. He explained it had been 10 years since the sign ordinance was reviewed and they are the trickiest of all the zoning ordinances. He suggested inviting the city attorney because of separation between freedom of speech and commercial speech. In the past they did come up with acceptable terms for flashing signs but the legal department stopped it. People react most to the sign ordinance.

L.Skinner suggested riding through cities and towns that you think have a good sign ordinance.

C.Parker stated he does not want to push his position on the Board. He stated the Board needs to look at the community goals and reflect it in the sign code regarding density, street layouts, etc. Community character is important. He stated the Planning Department picked up 4 illegal signs recently, not hundreds like in past.

He stated that staff (he was not present), the fire chief, the community services director and the city manager met with the owner of the property and there was follow up with the contractor working on the Tuttle Square project. Corrective action was taken from a procedural standpoint.

6. COMMITTEE REPORTS - NONE

D.Ciotti asked if any Board members have a list of things to look at, please send an email to C.Parker.

7. ADJOURNMENT

Motion: K.Skinner made the motion to adjourn at 9:39 p.m. Seconded by G.Cruikshank. Vote: U/A