

CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: McConnell Center, Room 306, Dover NH 03820
Meeting Date: **Tuesday, June 24, 2014**
Meeting Time: **7:00 pm**

Members Present: Dennis Ciotti (Chair), Kirt Schuman (Vice Chair), Tom Clark, Lee Skinner, Gary Green, Dave White, Catherine Plante, William Garrison (Councilor), Frank Torr, Christopher Lawrence (Alternate), Maggie Fogarty (Alternate), Gina Cruikshank (Alternate)

Members Not Present: N/A

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

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

The Chair announced that item 4C would not be heard tonight.

1. CITIZENS' FORUM

Citizen's Forum Open. Nobody Spoke. Citizen's Forum Closed.

2. APPROVAL OF THE PRIOR MINUTES

- May 27, 2014 Regular Meeting Minutes
- June 10, 2014 Workshop Meeting Minutes

Motion: K.Schuman made a motion to accept the Minutes from the May 27, 2014 Regular Meeting and the June 10, 2014 Workshop Meeting. Seconded by B.Garrison.

C. Plante requested a change to May 27, 2014 minutes. Minutes will be amended. Vote: U/A

3. OLD BUSINESS – NONE

4. NEW BUSINESS

- A. Consideration and acceptance of a Minor Lot Line Adjustment for Mark Phillips & The Storage Barn, LLC, (Owner: Diane & Jeff Weeden & The Storage Barn, LLC), Assessor's Map D, Lots 15 & 16, zoned B-4, located at 385 & 387 Sixth Street. (P14-26)

Mark Phillips, the applicant, spoke. He went over the plan to build a self storage facility on the land. He explained the challenges with this parcel, particularly the sewer easement that bisects the land.

Jonathan Ring, Jones and Beach Engineers, Inc., spoke next and stated that lot 15 encompasses some of the sewer easement and lot 16 surrounds lot 15. The Weeden's house is on lot 15, which has no frontage, and which has a right of way easement to get back and forth. The lot line adjustment is requested so that phases 1 and 2 can be built without encumbering lot 15. The lot line adjustment will be a land swap of equal area between the two lots.

Motion: F.Torr made a motion to accept the application. Seconded by B.Garrison. Vote: U/A

Public Hearing Open. Nobody Spoke. Public Hearing Closed.

STAFF RECOMMENDATION

The Planning Department recommends approval with the following conditions:



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Conditions to Be Met Prior to Signing of Plans:

1. The owners' 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 label the lot lines to be eliminated and the new lot lines.
4. The applicant shall prepare and submit a revised access easement deed granting access to the owners of Map D, Lot 15 over Map D, Lot 16.

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

- B. Consideration and acceptance of a Minor Subdivision and Transfer of Development Rights Sketch Plan for Mark Phillips & The Storage Barn, LLC, (Owners: Diane & Jeff Weeden & The Storage Barn, LLC), Assessor's Map D, Lots 15 & 16, zoned B-4, located at 385 & 387 Sixth Street. (2 lots subdivided into 3 lots) (P14-30)

Jonathan Ring, Jones and Beach Engineers, Inc., explained the subdivision proposal is to reconfigure two lots and subdivide then into three lots in the 500 ft. area at the front of the property which will be used for commercial purposes as allowed in the B-4 zoning district. The sending area is the open space lot and the receiving area is the remaining land on the parcel. He explained the six waivers being requested.

Christopher Albert, certified wetlands scientist, explained the nature of the wetlands on the site.

C.Parker explained TDR and that it is up to the Board whether it is granted or not.

Board expressed concern regarding the wetlands buffer, encroachment into the buffer, stormwater treatment and bioretention areas, pervious and impervious pavement, snow storage, and the goal of industrial Transfer of Development Rights. Discussion ensued regarding tradeoffs and value of granting TDR. Concern regarding low economic return.

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

Public Hearing Open

Dan Barufaldi, Director of Economic Development, stated the original premise was to allow storage on this parcel due to the wetlands problem but now we are materially getting into the wetland buffers, which is a concern. In the near term he does not see more than five jobs being created and this is a good sized piece of commercial property. He thinks it is difficult to look at this without the site plan. He is concerned that there are a lot of parallel buildings close together. Regarding topography, it all goes downhill to a brook, and he thinks sand and salt will get into the brook with the lack of a buffer.

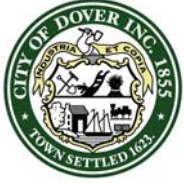
Public Hearing Reversed

Discussion ensued regarding the TDR allowing encroachment into the buffers and how far into the buffers, and the Indian River drains into the Cocheco River but it is not monitored right now for nitrogen.

STAFF RECOMMENDATION

The Planning Department recommends that the Planning Board table the application so a site walk can be scheduled.

C.Parker recommended that the Board give the applicant some direction as to their concerns, what they would like to learn on the site walk and what they would like staked out.



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C.Parker also made note that in the Conservation Commission minutes M.Phillips stated C.Parker supported the wetland buffer impacts if the storage units were moved to the rear, but C.Parker stated he would not have had a discussion about wetland impacts knowing that the TDR was going to be utilized and feels he was not represented correctly here.

Motion: L.Skinner made a motion to table. Seconded by K.Schuman. Vote: U/A

Discussion followed regarding a date for the site walk and it will be on 7/15/2014 at 5:30 p.m.

D.Ciotti asked that the main road be staked out, the beginning of the wetlands and where the buffer is, where the conservation easement would be, the property line for the 16F lot, and where the stable building corners would be.

C.Parker stated the process would be the Board would vote on 7/22/2014 whether or not to grant the TDR, the site plan will go through technical review and the Board could see the site plan in August and could request a site walk, then the site plan could be voted on in September.

- C. Consideration and possible vote on an amendment to a previously approved Open Space Subdivision (6/23/09) for Picnic Rivers Partners of Dover, LLC, Assessor's Map 16, Lot 20, zoned R-12, located on Back River Road and Picnic Rock Drive. (P07-32B) (Sidewalk relocation)

This case was withdrawn.

- D. Consideration and acceptance of a Minor Subdivision for Constance M. Passas Revocable Trust, Assessor's Map M, Lot 69C, zoned R-20, located at 41 Tuttle Lane. (P14-42)

Kevin McEneaney, McEneaney Survey Associates, Inc., represented the applicant. He stated the proposal is to subdivide the existing lot, which is 1.3 acres in size, to create two lots. Lot 1 would be the new vacant lot and would contain 0.46 acres. Lot 2 would contain the existing single family house and would be 0.92 acres in size. This is in the R-20 zone and all frontage and lot size requirements would be met. Both lots will be serviced by municipal water and sewer.

There was discussion regarding the setback for the existing inground pool and that it would be measured from the water's edge. The rear setback was determined to be 35 ft.

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

Public Hearing Open

Pamela Amari, 51 Tuttle Lane, stated she has lived there for 39 years and this stretch of wooded acreage at 41 Tuttle Lane connects to the southern and eastern bounds of her wooded lot and creates a corridor. The manmade improvements slated for this 0.46 acreage will impact old growth trees and migrating wildlife. She and her family have enjoyed the privacy of her property and the natural components between the two properties have been maintained for 25 years. She asked the Planning Board to consider the impact on the natural land and not allow the subdivision.

Public Hearing Closed

STAFF RECOMMENDATION

The Planning Department recommends the Planning Board approve the application with the following conditions:



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2. The applicant shall provide the Planning Department with a digital version of the final plat.
3. The applicant shall revise the plat to add the Planning File number P14-42 to the title block.

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

4. All new dwelling units shall be assessed the current impact fees in place at the time of building permit application.
5. All new dwelling units shall be assessed the current water and sewer investment fees in place at the time of application for water and sewer service.

Motion: C.Plante made a motion to approve with conditions. Seconded by K.Schuman. Vote: U/A

5. STAFF COMMENTS

C.Parker stated he has a Notice of Merger from Robert A. Idie. He explained this does not need a public hearing but does require the public to be informed. The Chair read the notice.

T.Clark explained that the parcel Mr. Idie is purchasing is 27 Durrell Street which is only accessed off a side street and contains a very old building that has substantial fire damage. The owner of that parcel, Mr. Snow, sold this to Mr. Idie, and the house will be demolished and he will add the space to his backyard.

L.Skinner requested to look at the map for this lot merger.

Motion: T.Clark made a motion that the Chairman sign the Lot Merger request. Seconded by K.Schuman. Vote: U/A

C.Parker announced that there will be a regular meeting of the Planning Board on July 8, 2014 in Room 306 at the McConnell Center, and that meetings will be in that room until September.

C.Parker stated that, due to discussion at the previous meeting to have a "Member Comments" section on the agenda, starting on the July Agenda, Number 6, "Committee Reports" will become "Member Comments". Committee Reports can be given under this section as well as anything else members wish to comment on.

6. COMMITTEE REPORTS

K.Schuman gave an update on the Parking Sub-Committee and stated there have been some scheduling challenges but they will be done some time this summer.

D.Ciotti stated there have been scheduling challenges for the Sign Sub-Committee also and people issues, but there is no time limit and he would rather have it done right than done quickly.

G.Green stated there was not a quorum so there was no meeting the last time they were supposed to meet. The next meeting is scheduled for July 10, 2014. He is trying to determine if there are too many vacation conflicts through the summer so that they can make a decision about whether to meet in September instead.

F.Torr stated he serves on the Pease Development Authority Board of Directors. They did a new parking lot for the golf course and impervious was used where the main traffic goes through and pervious was used for the parking.



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G.Green stated at the parking lot at Lowe's and Target in Stratham you can see the difference between the pervious and impervious pavement.

Discussion ensued regarding how long pervious and impervious pavement has been put in right next to each other, and if frost heaves are a problem. The pervious pavement lets the water go through quickly. The UNH Stormwater Center has a demo lot and has done extensive research on this.

7. ADJOURNMENT

Motion: K.Schuman made a motion to adjourn at 8:52 p.m. Seconded by C.Plante. Vote: U/A