



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers – City Hall, 288 Central Avenue
Meeting Date: **Tuesday, October 28, 2014**
Meeting Time: **7:00 pm**

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

Staff Present: Christopher Parker, Planning Director, Jean Glidden (Recording Secretary)

The Chair began the meeting at 7:04 p.m.

1. CITIZENS' FORUM

Citizens Forum Open - Nobody Spoke - Citizens Forum Closed

2. APPROVAL OF THE PRIOR MINUTES

- October 14, 2014 Regular Meeting Minutes.

Motion: K.Schuman made a motion to approve the October 14, 2014 Regular Meeting Minutes. Seconded by W.Garrison. Vote: U/A (G.Green abstained)

Vice Chair announced that item 3C (P14-31) will remain on the table as drainage continues to be worked and will be heard at the next meeting.

3. OLD BUSINESS

- A. Public hearing, discussion and possible vote on the City's proposed Capital Improvements (CIP) FY 2016-2021. The CIP can be found on the City Web Site at www.dover.nh.gov.

Motion: K.Schuman made a motion to remove from the table. Seconded by D.White. Vote: U/A

Public Hearing Open. Nobody Spoke. Public Hearing Closed.

Douglas Steele, Community Services Director gave a brief overview of pavement management. He explained a new technology available where companies in vans with 3D laser equipment can evaluate the pavement in the entire City in less than a week and this would give an immediate snap shot of the road conditions and give them a true budgetary number to be placed in the road infrastructure for each year. Engineering staff has put together a RFP with hopes that it will go through the process. Discussion continued regarding traffic calming.

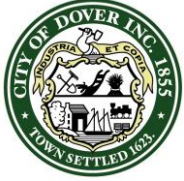
Motion: Lee skinner made a motion to recommend City Council to accept the CIP as proposed. Seconded by K.Schuman. Vote: U/A

- B. Public Hearing and possible vote on proposed amendments to the Zoning Ordinance (Chapter 170), per NH RSA 675:2 & 675:7, to create a Heritage Residential (HR) District, and to rezone properties on Cushing St., Lexington St., Richmond St., West Concord St., Towle Ave., Clifford St., Parker St., Hamilton St., Summer St., Elm St., Spring St., Trakey St., & Trask Dr., and on portions of Locust St., Fisher St., Belknap St., Rutland St., Silver St., & Washington St. to the HR District. The amendments establish permitted uses, uses permitted by CUP, dimensional regulations, sign regulations, and architectural standards. The text of the amendments is available in Planning Dept. & at www.dover.nh.gov located under City Documents & View Current City Reports.

Motion: K.Schuman made a motion to remove from the table. Seconded by G.Green. Vote: U/A

Motion: K.Schuman made a motion to reopen the public hearing. Seconded by W.Garrison. Vote: U/A

Public Hearing Open



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Anthony McManus, 39 Glen Hill Road spoke in favor of the Heritage District and urged the Board to consider and enlarge the district to include both sides of Central Avenue from Tuttle Square to intersection of Stark Avenue. He stated that it is important that you adopt this ordinance and make that extension.

Nancy Lukens, Cote Drive spoke in favor and would welcome the district in order to preserve natural space and in the hopes of not creating more traffic in the Dover Point Road area.

Pam Lessard spoke in favor and stated she has lived here for 40 years and has seen the transition into being a beautiful and wonderful place to live. She encouraged the Board to continue to expand the district on Central Avenue and include Dover Friends Meeting property.

Public Hearing Closed

C.Parker stated that if the Board wants to expand to include Central Avenue, they could rework the ordinance to include that area. We did not consider this area when budgeting and it would have to start over including additional notification. He added that due to public input at the last meeting they have reached out for legal counsel. He stated that they will be doing city wide zoning amendments that are due next year for FEMA and the flood plain maps. This could be included at that time if desired.

K.Schuman stated that he believes a brief overview would be helpful as to what the Gateway District covers and what it allows and protects. He believes that incorporating that neighborhood is in conflict with a residential district. It is a different thoroughfare and the existing zone in place does a good job in protecting that area of Tuttle Square to Stark Avenue.

F.Torr mentioned that he has viewed a couple of carriage houses and they were well done. He asked if there would be any consideration to make an amendment to include those types of uses.

C.Parker stated that currently under the regulations we do allow an accessory dwelling unit. We could consider that element as well to allow additional living space in a detached garage.

Motion: W.Garrison made a motion to table for input from legal counsel, defining areas for current zoning and also review the areas that is of interest to Mr. McManus.

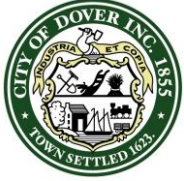
D.Ciotti agreed and stated they need to look at Central Avenue to Tuttle Square and back. We can put this off and look at this in more depth to see what properties will be affected and look at the difference between the Gateway District and Heritage District.

C.Parker reminded the Board and the public that this proposed Heritage District came out of an outgrowth of doing the Gateway District, which was an effort that involved a lot of work including charrettes, inventory and design consultation. Silver Street was originally included as one of the gateways; however the residents voiced concern and did not want it included.

Motion on the table: Seconded by G.Green. Vote: U/A

- C. Consideration and possible vote on a Site Plan Review 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 St. (140,000 sq. ft. of warehouse in 17 structures & 2,400 sq. ft. office & apartment). *(P14-31)

This item will not be heard.



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D.Ciotti asked C.Parker to explain how the process has changed for application presentations that is based on feedback from Board members.

C.Parker stated that he will provide some background information first and explain if it is conforming to the land use regulations. The applicant will then go through the specifics of the project.

4. NEW BUSINESS

- A. Consideration and acceptance of an amended Conditional Use Permit for Aimee & Jeremy Dion, Assessor's Map 40, Lot 12, zoned R-12, located at 3 Earle Street. Proposal is to construct a 564 sq. ft. addition to a house that would be no closer than 50 feet to Willand Pond in the Conservation District. *(P14-41A)

C.Parker explained that on August 12, 2014 the Board approved a Conditional Use Permit for the applicant to extend their home within the conservation district. The applicant suggested a better way to realign the house. They went back to both the Conservation Commission, which was endorsed on 10/14/14 and to the Zoning Board on 10/16/14 for approval to have an addition within the setback.

Aimee Dion stated that this was approved for a proposed 482 sq. ft. addition and today it is a 564 sq. ft. addition to an existing house that will be no closer than 50 ft. to Willand Pond, in the Conservation District. The shape of the addition had to be reconfigured as they had many architectural issues with it being built on a diagonal to match the property line.

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

Public Hearing Open. Nobody Spoke. Public Hearing Closed.

STAFF RECOMMENDATION:

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

Condition to Be Met Prior to the Issuance of the Conditional Use Permit:

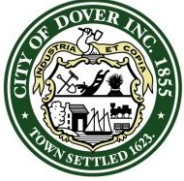
1. The applicant shall insure that erosion control using best management practices is used during construction.

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

The Vice Chair announced that item B & C will be heard together and will be voted on separately.

- B. Consideration and acceptance of a Minor Subdivision of land for Chad Kageleiry/Summit Land Development Assessor's Map K, Lot 19, zoned ETP and RCM, located at Thornwood Lane. *(P14-77)
- C. Consideration and acceptance of a Site Plan Review for Chad Kageleiry/Summit Land Development, Assessor's Map K, Lot 19, zoned ETP and RCM, located on Thornwood Lane. Private road with 33 single family homes and associated drainage and utility improvements. *(P14-56)

C.Parker explained that over the past decade the Planning Board and the Planning Department have worked with the applicant and his team to develop this 100 acre parcel off of Thornwood Lane. The current mixed use concept plan was approved in December of last year and part of that a yield plan was submitted for 185 units, which now allows the developer to place 93 single family homes within the subdivision. This is a preliminary step separating the project into three parcels creating the right of way in order for Thornwood Lane to continue in between Middle Road and Dover Point Road. In addition, there is an application for the remaining 33 single family homes that the Board is aware of where 62 units have



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been previously approved. Staff is recommending the public hearing for both, approve the minor subdivision, recess the public hearing for the Site Plan (P14-56) and table for a site walk.

C.Kageleiry handed out updated plans. He stated that they are proposing a portion of the Master Plan that will take the remaining undeveloped 65 acres and complete the connector road and to get subdivision approval for three lots to permit another 33 single family, age restricted homes. This is the simplest part of the project to get the road established. He added that the first approval for the overall concept showed the rotary on the eastern side of the property however due to some geometry restrictions and the wetlands it has been relocated. 90% of the traffic will probably come from Dover Point Road, so it made more sense to slow down that vast majority of traffic. For the record, he mentioned that Bill Dube Ford is in an agreement that will be made to deed a certain amount of land to them in order to extend to the new roadway. The rotary will line up for access to that property and some other retail development.

C.Plante confirmed that the applicant will be appealing to the City Council to change Thornwood Lane to Pointe Place.

F.Torr noted that on sheet 4 it depicts a berm alongside the Bill Dube property. Will it have plantings?

C.Kageleiry stated that the berm will be pulled back to the edge of the current property line and will not go out to the road, it may extend further back in the parking lot to help buffer the view. He added that the berm is vegetated as of now, however would like taller landscaping to help buffer future development.

Motion: F.Torr made a motion to accept both applications. Seconded by C.Plante. Vote: U/A

Public Hearing Open

Richard Hill, 9 Jacqueline Drive voiced concern that when he purchased his home the materials shown to him included a traffic circle between the residential and retail in order to slow down traffic going to the commercial part. It also showed walking trails, scenic ponds and convenient shopping. He stated that he wants the commercial component of this development and is asking for the shortest reasonable time is considered.

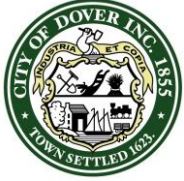
Robert Dinaburg, 54 Augusta Way and President of the Meadow Woods HOA stated that he has concerns regarding the wetlands affecting the overall area from Middle Road to Dover Point Road. He also would like to know more information regarding moving the PSNH power line, groundwater and tree being removed.

Kelly Nevins, 37 Applevale Drive submitted a letter and pictures of her home (in file). She stated that in 2005 her concerns at that time were the noise, lights and possible delivery trucks for commercial and retail. She added that the PSNH easement and the trees would serve to keep the construction at a comfortable distance from her home. In March 2013 the trees on the property abutting her has been removed. She asked that the City require new landscaping and require the relocated electrical lines to be underground.

Marilyn Follansbee, 25 Dover Point Road stated that she has always been for the overlay district. She asked for an explanation of RCM and ETP. She feels that there has been no attempt to start the commercial part of this project and the people were promised that it would take place. She stated that the original concept is better and would like to see the commercial aspect finished before more dwelling units are built.

Harold Ribeiro, 62 Augusta Way questioned the relocation of the roundabout. It doesn't make sense to eliminate the original proposal and create a flow of traffic that will impact all of the residential area. He added that he is an Engineer and it makes more sense to go with the original, not move it closer to Dover Point Road.

Mary Lucas representing her mother, Ann Lucas resides at 35 Applevale Drive stated that when the skid steer and chain saws showed up they took down dozens and dozens of 60 ft. to 80 ft. oak trees without giving any notice to them. The land has been cleared. Does the city have a say in moving the power lines. How many years does the developer have to complete the construction? The developer has to be more defined of where this is going.



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Gary Munson, 12 Julia Drive stated that traffic calming is critical and if the commercial part went in first he believes it would be a discouragement to people that may bomb through Thornwood Lane.

Public Hearing Tabled

C.Parker explained that the RCM district is a residential, commercial, mixed use overlay district. The underlying zoning is ETP, which is the baseline and the applicant can take ETP uses and add the residential component and other components that normally would not be allowed in that zone. PSNH has a lot more jurisdiction than the City. If a property owner works out a deal with them the city is not part of that conversation. We get involved because it is part of the application. Relocating the roundabout is a benefit to moving it closer to Dover Point Road and segregating residential and commercial. This will help with traffic calming and to create an entry way. The original concept was ready to expire in 2012; the applicant came back and asked for a one year extension. In 2013, the applicant asked for a renewed concept and it was approved; therefore five years is in place.

C.Kageliery stated that Mr. Hill's concerns are not part of this project. It is part of the other development, although both halves of the project comprise the Master Plan. He added that he can't be obligated to the promises or something that he is not involved with when the homes were purchased. In regards to Mr. Dinaburgs comments, he stated that he feels if he views the extensive wetland studies that have been completed and in the file he would be satisfied. Ms. Nevins bought her property that abuts the ETP zone, where they could have far more intensive uses. He added that he cannot forecast something that they are not applying for right now. He added that while they were removing trees Ann Lucas asked if they could remove trees from her property. He added that the public road is a requirement of the city.

G.Green asked if the 33 units proposed is additional to what was approved.

D.Ciotti said no, there are no additional units. This plan shows how the road and homes will be slightly modified.

F.Torr asked about the status of the power lines. Is a final agreement in place?

C.Kageliery stated that they are currently working out the details.

D.Ciotti asked what the reason is for not placing the lines underground.

C.Kageleiry said it was due to economic reasons and would cost eight times more.

STAFF RECOMMENDATION: (P14-77)

The Planning Department recommends approval of the subdivision plan with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

1. The owner's signatures shall be added to the final plat submitted for signature.
2. The applicant shall provide the Planning Department with a digital version of the final plat.
3. The applicant shall revise the plat to add the Planning File number P14-77 to the title block.
4. The applicant shall provide proof that the proposed easement relocation has been approved by the Public Service Company of New Hampshire.

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

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

K.Schuman asked for clarification in regards to the phases of the project.



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C.Parker stated that this request would allow the roadway construction as part of the phasing plan and the additional 33 units would cap the amount of residential that could be constructed. If the applicant proposes something similar to the concept of mixed use buildings, that residential could be considered as part of the commercial. The goal is to get the road complete to ensure public safety equipment can get on that road. The overall project is tied by a Conditional Use Permit, which was approved in December 2013. As part of that, Mr. Kageleiry, Mr. O'Neill and the City of Dover entered into a Development Agreement recorded at the registry.

D.Ciotti stated that the new houses can go in without anything else happening, but the commercial up front would have to be next. The next step will be worked out.

Motion: F.Torr made the motion to table both applications for a site walk. Seconded by L.Skinner. Vote: 7/2 - PASSES.

Discussion continued regarding consequences related to not approving the subdivision request.

W.Garrison stated dividing the land is very separate from the second application. He recommends reconsidering the motion.

F.Torr confirmed with C.Kageleiry that by not approving the subdivision tonight, this will be a negative impact as the construction of the road will be delayed an additional month.

C.Plante asked what this subdivision has to do with the road going through.

C.Parker explained that the layout of the right of way is identified by the 3 lot subdivision, today they do not have a right-of-way and in order for a road to be created, you have to designate it and have the plan recorded.

G.Green stated that due to the consequences of delaying the road being constructed, he would make a motion to reconsider.

Motion: G.Green made the motion to reconsider 4B and 4C based on the consequences of delaying the road being constructed. Seconded by F.Torr. Vote: U/A

Motion: L.Skinner made the motion to approve item 4B subject to staff recommendations. Seconded by G.Green. Vote: U/A

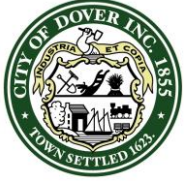
Motion: F.Torr made the motion to table item 4C for a site walk to be held on November 15th @ 9:00 am. Seconded by L.Skinner. Vote: U/A

The Vice Chair announced that the Chair has altered the order of the agenda in order to bear items 4H to 4M and back to 4D, E, F and G.

H. Consideration and acceptance of a Conditional Use Permit for Nathan Riggs, Assessor's Map G, Lot 29A, zoned R-20, located at 53 Littleworth Road. (septic system in 75' wetland buffer) *(P14-69)

C.Parker stated that the applicant is asking for relief from a 75 foot setback to 51 foot setback. The applicant appeared before the Conservation Commission on 10/14/14 and they voted to endorse the application with the condition that that the distance to the municipal sewer is more than 100 feet from the lot.

Rick Lundborn, Civil Engineer with Norway Plains represented the applicant and stated that the applicants purchased this home and are in the process of making improvements. He stated that one of the things discovered when trying to make modifications to the garage for additional living space, the question arose about the plumbing and it turns out that what they had for a septic system was an old fashioned dry well that was receiving seepage and discharging into the groundwater.



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

Public Hearing Open. Nobody Spoke. Public Hearing Closed.

STAFF RECOMMENDATION:

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

Conditions to Be Met Prior to the Issuance of the Conditional Use Permit:

1. The applicant shall insure that erosion control using best management practices is used during construction.
2. The applicant shall provide the Planning Department with a copy of the NHDES Septic System Design Permit.

Motion: K.Schuman made the motion to approve the application subject to staff recommendations. Seconded by C.Plante. Vote: U/A

- I. Consideration and acceptance of a Minor Subdivision of land for Christopher & Melissa Snow, Assessor's Map I, Lot 4, zoned R-12, located at Back River Road & 10 Leathers Lane. (3 lots) *(P14-70)

C.Parker stated that this applicant appeared before the Zoning Board on October 16, 2014 and received a variance for a front setback relief. Two of the lots will be on Back River Road and one on Leathers Lane.

K.McEneaney, McEneaney Survey Associates representing the applicants stated that this property is 2.1 acres in size. All of them will be serviced by city water and individual septic systems. An existing home is located on Leathers Lane, as shown on the plan.

C.Plante clarified with K.McEneaney the access driveways to the lots.

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

Public Hearing Open

Margart Giguere, 18 Leathers Lane stated that she has lived here for four years. The right-of-way shown on the plan will be located at the side of their house where there is mature landscaping and natural scenery. She added that she has put a considerable amount of time and money into the backyard and now the privacy will be gone. If she knew that this could happen they would have not bought their property.

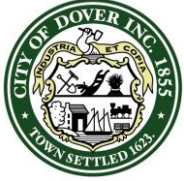
Public Hearing Closed

G.Green stated that he is assuming that the slope of making it come out along Back River Road is the prohibiting factor to why it has to be on Leathers Lane. He asked for clarification.

C.Parker stated that the driveway ordinance stipulates the slope of a driveway and that it cannot exceed a certain grade. This would have exceeded that grad in order to come out to Back River Road.

T.Clark asked if there is a reason why a common drive couldn't come between lot 1, the proposed lot 3 and 18 Leathers Lane.

K.McEneaney stated that the applicants did not plan on common driveways. This would become fairly close to the existing house at that point. The applicants were more desirous of having it with the right-of-way.



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T.Clark added that the applicants are impacting the abutter more so than themselves. He doesn't see the prohibiting factor.

G.Green asked if a waiver may be in order.

C.Parker stated that he was going to suggest an additional condition which would have to be met prior to disturbance of any land that an 8 foot tall privacy fence will be constructed on the property, lot 1 and 18 Leathers Lane. The driveway would remain, but protect the abutter.

Discussion ensued regarding screening.

K.Schuman suggested adding a condition of approval that would be to work with the abutter to come up with a landscaping plan that provides the appropriate level of screening.

C.Parker added that they could also make it prior to CO, that screening be installed.

STAFF RECOMMENDATION:

The Planning Department recommends approval of the subdivision plan with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

1. The owner's signatures shall be added to the final plat submitted for signature.
2. The applicant shall provide the Planning Department with a digital version of the final plat.
3. The applicant shall revise the plat to add the Planning File number P14-70 to the title block.
4. The applicant shall revise the plat to add the information about the variance granted on 10/16/14.
5. 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.
6. The applicant shall revise the plat to add a note that the house constructed on lot #2 will comply with NFPA-(NH Fire Code) or provide a sprinkler system for the house.
7. The applicant shall prepare an easement deed to address cross access and utility lines benefitting lot #2. Said easement shall be reviewed as to form by the City Attorney.
8. The applicant shall revise the plat to add a note requiring the driveway for lot #1 to be located on Leathers Lane, as far from Back River Road as possible.
9. The applicant shall submit a landscape plan reviewed by the abutter and approved by the Planning Director.

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

10. All new houses shall be assessed the current impact fees in place at the time of building permit application.
11. All new structures shall be assessed the current water investment fees in place at the time of application for water service.

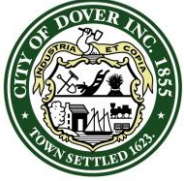
Condition to Be Met Prior to Issuance of a Certificate of Occupancy:

12. Landscaping plan is in place.

Motion: W.Garrison made the motion to approve the application subject to staff recommendations. Seconded by K.Schumann. Vote: U/A

- J. Consideration and acceptance of a Minor Lot Line Adjustment for Patrick Murray & Nancy Murray 1995 Trust, Assessor's Map 35, Lots 56N & 56Q at 19 & 21 Hillcrest Drive. *(P14-71)

C.Parker stated that the application went before the Zoning Board on 10/16/14 to get relief from the frontage requirements.



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K.McEneaney stated that the line that exists between the lots is partially in the driveway of 21 Hillcrest Drive. By moving it 10 feet it would eliminate the encroachment. Both of these lots are nonconforming as far as frontage, but conforming to all other aspects.

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

Public Hearing Open. Nobody Spoke. Public Hearing Closed.

STAFF RECOMMENDATION:

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

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 add the Planning File number P14-71 to the title block.
4. The applicant shall revise the plat to add the information about the variance granted on 10/16/14.

G.Green added that as a member of the Zoning Board it was acknowledged that if they were to build on the new parcel this may return in order to ask for a waiver to the front build-to line.

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

- K. Consideration and acceptance of a Minor Lot Line Adjustment for Michael Garrepy & Estate of James Fox, Assessor's Map C, Lots 21A & 21H, zoned R-40, located at Glen Hill Road. *(P14-72)

C.Parker stated that the plan is for two existing lots, one is conforming and one is nonconforming. This request is to adjust the lot lines and have two conforming lots.

K.McEneaney explained that one of the lots is nonconforming by size conforming by frontage, but has a very small buildable area and a very small area that is outside of the 100 foot Conservation District. Both of these lots have significant amount of frontage on the Cochecho River. The adjustment would increase lot 21A by 0.33 acres and increase the frontage for lot 21A by 47.4 feet.

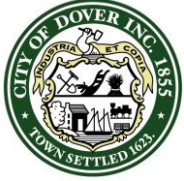
Motion: F.Torr made the motion to accept the application. Seconded by L.Skinner. Vote: U/A

Public Hearing Open

Joe White stated that he is a direct abutter, but currently lives on Boxwood Lane. He informed the Board that he is impressed with the fact that every application considered had a serious and thorough discussion and as a citizen respects that process. He stated that he was not sent notification regarding the application and was only informed this evening from a neighbor. He purchased his land in June and due to the permitting process has not yet begun construction. The lot originally designated in Cochecho Pines by today standards wouldn't be buildable at all and all of a sudden two lots appear. He expressed concern with clearance of the wooded area, landscaping, placement of the houses and septic plans. Did the applicant look at the covenants and the Cochecho Pines Development in the 70's? He stated that he needs more time to analyze the plans more thoroughly.

D.Ciotti stated he is concerned that the owner was not notified.

C.Parker suggested a recess after the public hearing in order to view the abutter list.



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Melinda Walsh, 81 Glen Hill Road spoke about Cochecho Pines and conversing with the Dubois family in which they built the first home in that development 23 years ago. It was there recollection as well, that this property was two lots, but one parcel of land with one of the lots unbuildable. She expressed concern with not knowing what will be done and how this will affect their privacy and encroachment.

Public Hearing Tabled

Recess @ 10:05 pm, resumed @ 10:13 pm.

D.Ciotti stated that Mr. White was notified, but at the incorrect mailing address. New abutter notification will need to be completed in order to be heard at the next meeting.

K.McEneaney mentioned that he will also ask Mr. Garrepy to reach out to the abutters.

Motion: F.Torr made the motion to withdraw acceptance of the application. Seconded by L.Skinner. Vote: U/A

The Vice Chair stated that both items will be heard together and voted on separately.

- L. Consideration and acceptance of a Minor Lot Line Adjustment for STF Development, Assessor's Map E, Lots 45-2 & 45-3, zoned R-40, located at Lika Drive. *(P14-75)
- M. Consideration and acceptance of a Minor Lot Line Adjustment for STF Development & Lika Drive Owners, Assessor's Map E, Lots 45-3 & 45-4, located at Lika Drive. *(P14-76)

C.Parker stated that the three lots involved were part of an approved subdivision in 2005 and one of the lots is the open space. In the regulations it says that you cannot negatively impact the open space in which they did, therefore they are asking for lot line adjustments.

Christopher Berry, Berry Surveying & Engineering represented the applicants. He stated that a house was constructed on one of the lots and the prospective buyers wished to have a small addition constructed which requires a lot line to be modified. The applicant thought that in an open space subdivision the side line setback was 15 feet, but the regulation is 20 feet. In that instance the application is to swap some land with the open space.

C.Parker added that a letter was received from Brian Stern regarding placement of a split rail fence.

C.Berry stated that the applicants have agreed they will make it a requirement to have that installed.

L.Skinner confirmed with C.Berry that the open space will not be affected; the size will remain the same.

Motion: K.Schuman made the motion to accept 4L & 4M. Seconded by D.White. Vote: U/A

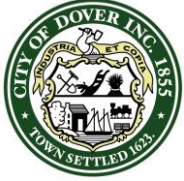
Public Hearing Open. Nobody Spoke. Public Hearing Closed.

STAFF RECOMMENDATION: (P14-75)

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 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.



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3. The applicant shall revise the plat to add the Planning File number P14-75 to the title block.
4. The applicant shall revise the plat to add the abutter names for all abutting lots.
5. The applicant shall revise the plat to add the building setbacks for lot 45-3.

Motion: F.Torr made the motion to approve subject to staff recommendations. Seconded by D.White. Vote: U/A

STAFF RECOMMENDATION: (P14-76)

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

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 add the Planning File number P14-76 to the title block.
4. The applicant shall revise the plat by changing the line style for the proposed boundary lines to both be one long dash followed by two short dashes and label the proposed boundary line that runs east/west.
5. The applicant shall revise the plat to add the abutter names for all abutting lots.
6. The applicant shall revise the plat to add the building setbacks for lot 45-3.
7. The applicant shall revise the plat to locate a split rail fence along the boundary lines of lot 45-4 & 45-3 a distance of 75' from the boundary of 45-1.

Condition to be met Prior to Certificate of Occupancy:

8. Split rail fence installed.

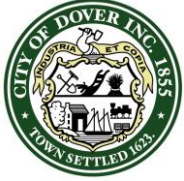
Motion: K.Schuman made the motion to approve subject to staff recommendations. Seconded by C.Plante. Vote: U/A

The Vice Chair stated that the next three items will be heard together and voted on separately.

- D. Consideration and acceptance of a Minor Lot Line Adjustment for STF Development, Assessor's Map K, Lots 37 & 38, zoned R-12, located at Sheffield Drive and 35 Dover Point Road. *(P14-74)
- E. Consideration and acceptance of a Conditional Use Permit for reduced parking per Chapter 170-44-I for STF Development, Assessor's Map K, Lots 37 & 38, zoned R-12, located at 35 Dover Point Road. *(P14-66)
- F. Consideration and acceptance of a Site Plan Review for STF Development, Assessor's Map K, Lots 37 & 38, zoned R-12, located at Sheffield Drive & 35 Dover Point Rd. (Proposed 6,000 sq. ft. mixed use building with 10 residential units on the second & third floor with 18 single family townhouse style units with associated parking) *(P14-61)

C.Parker stated that over the past 10 years the applicants have worked with their Engineer to come up with a project. This Board approved a congregate care facility for 28 units and then was increased to 32 units. The office building received variance approval by the ZBA.

Christopher Berry, Berry Surveying & Engineering represented the applicants. He referenced the plan submitted in the packets. He stated some of the infrastructure has been installed however due to the economics of the project they have stopped. They are asking that the project be reconsidered and understanding that the project being proposed is better esthetically for the abutters and Dover Point Road. He added that an updated traffic analysis, environmental studies, wetland analysis and soils that have been provided for review. The developers are proposing garages to be at the back of the building with an entry door. He referenced the plan submitted showing a vegetated court yard and proposed rain gardens. The second portion of this proposal is a 6000 sq. ft. of commercial space on the first floor building and ten residential units



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on the top floors. This proposal will break up and disconnect impervious surfaces and sidewalks will be placed around $\frac{3}{4}$ of the structure. He presented a video of the property. He noted that they will have additional renderings at the next meeting. We will factor into the equation the peaking factors when Christmas Eve and New Year's Eve and what parking they will have on this site. Space and drainage is not a problem, it is merely an esthetic item.

Motion: F.Torr made the motion to accept 4D, 4E and 4F. Seconded by T.Clark. Vote: U/A

Public Hearing Open

Marilyn Follansbee, 25 Dover Point Road is opposed to the commercial building. A variance was requested for the congregate care facility, but it exceeded the 35 ft. height limit and it was denied. The height was not discussed tonight however Mr. Paolini stated that it would be over that limit. When the apartment building became the ultimate plan it was denied due to not enough parking. She added that this end of the city does not support business. She referenced businesses in the area and how they move in, leases expire and they move out. Dover Point Road is a destination road to avoid the tolls. She asked the Board to please deny the building in regards to the commercial aspect.

Public Hearing Closed

C.Parker stated that the office use required a variance to be there and this Board's jurisdiction is relative to the Site Plan. He suggested that the lot line adjustment be approved and the Conditional Use and Site Plan be tabled.

STAFF RECOMMENDATION: (P14-74)

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

Conditions to Be Met Prior to Signing of Plans:

1. The 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 add the Planning File number P14-74 to the title block.
4. The applicant shall revise the plat to correct note #11 to indicate that lot 38 is larger.
5. The applicant shall revise the plat to correct the spelling of "Robert" in the abutter label for map K, lot 36.
6. The applicant shall revise the plat to add the book and page numbers to the abutter label for map K, lot 19C and map K, lot 19A.
7. The applicant shall revise the plat to add the abutter label for map K, lot 39.

Motion: D.White made the motion to approve subject to staff recommendations. Seconded by K.Schuman. Vote: U/A

Motion: L.Skinner made the motion to table 4E and 4F for a site walk that will be held on 11/15/14 @ 11:00 am.

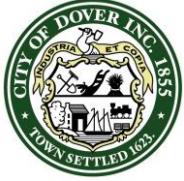
D.Ciotti confirmed with C.Berry that they did not seek a variance for building height, therefore it has to conform.

F.Torr asked if the combination of two projects trigger a need for lights to be put in.

C.Parker stated they will be contributing towards the lights, but actually reducing the intensity from the previous approval.

Motion on the table: Seconded by D.White. Vote: U/A

- G. Consideration and acceptance of a Conditional Use Permit for STF Development (Owner: Debra Shevelin), Assessor's Map C, Lot 39B, zoned R-40, located at Tolend Road. *(P14-68)



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C.Parker stated that the applicant is requesting to impact the wetlands buffer for the construction of a house and septic system on a vacant lot. The Conservation Commission endorsed the application on 10/14/14.

C.Berry stated that this lot predates the buffering requirement and therefore can be placed within reason anywhere in an upland area, as long as it meets certain criteria, therefore it doesn't require approval by this Board or the Conservation Commission; however the ordinance fails to allow them to gain access to the lot without a Conditional Use permit. He referenced the plan submitted. Overall it has less impact on the lot. The second request is the need for a sewer disposal system to be placed on the lot. We are meeting the best intent possible of getting the system in and utilizing a new technology that will offer some nitrogen assurance.

D.Ciotti confirmed with C.Berry that they will hook up to city water.

C.Berry stated that it will be city water and they also have to modify a hydrant.

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

Public Hearing Open. Nobody Spoke. Public Hearing Closed.

STAFF RECOMMENDATION:

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

Conditions to Be Met Prior to the Issuance of the Conditional Use Permit:

1. The applicant shall insure that erosion control using best management practices is used during construction.
2. The applicant shall provide the Planning Department with a copy of the NHDES Septic System Design Permit.

Motion: L.Skinner made the motion to approve with staff recommendations.

D.White requested a condition that the wetlands be marked in order to warn contractors to keep construction out of the wetland area.

D.Ciotti requested a condition that the location of the fire hydrant be approved by the City Engineer.

C.Parker added two additional conditions.

3. Location of hydrant shall be approved by City Engineer.
4. Wetlands shall be marked and certified by City Engineer prior to issuance of a Building Permit.

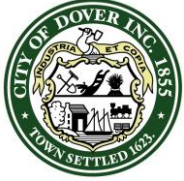
Motion on the table: Seconded by D.White. Vote: U/A

5. STAFF COMMENTS

C.Parker announced that upcoming meetings will be held on 11/18/14 and 12/9/14.

6. MEMBER COMMENTS

G.Green announced that the Sign Committee meeting was cancelled due to lack of a quorum, however wanted to thank all of the members of the committee for all of the work that they have completed. He added that he is has been informed by some of the members that they are just wasting their time, because the changes will not be considered. They have recognized all of the concerns, documented them and at some point will make a recommendation that will work given all of the negative input regarding signage. He noted that they have spent a lot of time on the mill motif and temporary signs and where they can be placed. We should have a report ready before the end of the year.



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D.Ciotti noted that they should continue the work and let the Board talk about it amongst themselves in a workshop session. There may have been some rebuttal to the committee on and off, but don't let it stop what you have been doing.

K.Schuman stated that the Parking Committee hopes to have a report before the end of the year.

7. ADJOURNMENT

Motion: C.Plante made a motion to adjourn at 11:18 p.m. Seconded by G.Green. Vote: U/A