

CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers – City Hall, 288 Central Avenue
Meeting Date: **Tuesday, December 9, 2014**
Meeting Time: **7:00 pm**

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

Members Not Present: Gina Cruikshank (Alternate)

Staff Present: Christopher Parker, Planning Director, Tracy Smith (Recording Secretary), Jean Glidden (Office Manager)

The Chair called the meeting to order at 7:01 p.m.

1. CITIZENS' FORUM

Citizens Forum Open. Nobody Spoke. Citizens Forum Closed

2. APPROVAL OF THE PRIOR MINUTES

- November 18, 2014 Regular Meeting Minutes.

Motion: K.Schuman made a motion to approve the November 18, 2014 Regular Meeting Minutes. Seconded by W.Garrison. Vote: U/A

3. OLD BUSINESS - NONE

4. NEW BUSINESS

- A. Consideration and acceptance of a Conditional Use Permit for Margaret & William Green, Assessor's Map M, Lot 95B, zoned R-40, located at 124 Dover Neck Road. *(P14-67)

C.Parker stated the applicant has proposed to impact the Conservation District by removing an existing house and septic tank and rebuilding wood stairs. The applicant appeared before the Conservation Commission on November 10, 2014. The Conservation Commission voted to endorse the application (see Conservation Commission minutes). The applicant appeared before the Zoning Board of Adjustment on November 20, 2014. The ZBA approved the variance (see ZBA Letter of Decision).

The applicant was represented by Attorney F.X. Bruton. Eric Weinrieb, project engineer from Altus Engineering was also present. Mr. Bruton proceeded to explain the applicants' entire proposal.

Discussion ensued regarding the possibility for expansion on the right of way, which is shared with three other parcels. It was determined due to the sloping location of the parcel in the overlay district that it would be difficult to expand; therefore, highly unlikely.

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

Public Hearing Open. Nobody Spoke. Public Hearing Closed.



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STAFF RECOMMENDATION:

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

Condition to Be Met Prior to the Issuance of any Earth Disturbing Activities:

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

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

- B. Consideration and acceptance of a Conditional Use Permit for reduced parking per Chapter 170-44-I for Jessica Barnes/Honey Tree Learning Center LLC, (Owner: Temple Israel of Dover, Inc) Assessor's Map A, Lot 45A-2, zoned R-40, located at 36 Olive Meadow Lane. *(P14-81)

C.Parker explained that the applicant has applied for a Conditional Use Permit per Chapter 170-44-I, to reduce the number of parking spaces from 90 to 70. The applicant has submitted a letter with the application that includes justification for the request. The applicant appeared before the Technical Review Committee on 8/14/14 and 8/21/14 and received approval for the change of use for the day care center (see TRC Notes).

The applicant was represented by Attorney Jim Noucas. The President of the Temple Israel of Dover, Steven Brody, was also present. Mr. Noucas proceeded to explain the applicants' entire proposal.

W.Garrison wanted to know what the typical staff level for the Temple is during the week. The Attorney responded that under the regulations, there is no requirement for staff parking. W.Garrison also wanted to know what is planned to accommodate weekday special events at the childcare facility for parking. Mr. Noucas responded that if the childcare facility was at maximum capacity, the ordinance allows for parking on side of the street. K.Schuman asked what the plan to accommodate for the Temple activities is. Mr. Brody explained that for special services, such as, Yom Kippur and Rosh Hashanah, the daycare would have "Teacher Education Days" to call off daycare, so that the Temple could have their necessary service. They will have a master calendar between the two businesses to avert that situation.

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

Public Hearing Open. Nobody Spoke. Public Hearing Closed.

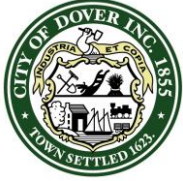
STAFF RECOMMENDATION:

The Planning Department recommends that 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. A formal agreement between the Planning Board and the applicant shall be prepared and recorded at the Stafford County Registry of Deeds.

L.Skinner addressed traffic concerns and the effect it could have on the community. C.Parker stated that this could be addressed by having the formal agreement note the need to review and check on the traffic and parking on an annual basis. The applicant shall work with the city to address and resolve any upcoming issues.



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Discussion ensued regarding the agreement between the Learning Center and the Temple for special events. There was a concern addressed regarding the possibility of a future conflict between the two parties. C.Parker stated that the formal agreement shall note that the Board will periodically check on the status of the two parties. Should a conflict arise, the Board could make necessary adjustments and corrections as needed with the applicant. The following two conditions were added to address the concerns:

2. The agreement shall note the need to review and check on traffic and parking on an annual basis. If there are issues the applicant shall work with the City to address.
3. The agreement shall note that if there are parking traffic concerns for special events they shall be corrected.

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

- C. Consideration and acceptance of a Minor Subdivision of land for Daniel Howard, Assessor's Map F, Lot 27A, zoned R-40, located at 177 Columbus Avenue. (1 new lot) *(P14-84)

C.Parker stated that the applicant proposes to subdivide an existing lot on Columbus Avenue to create one additional lot.

A representative from Red Post Realty represented the applicant. The representative proceeded to explain the applicant's entire proposal.

Motion: W.Garrison made a motion to accept the application. 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 Minor Subdivision with the following conditions:

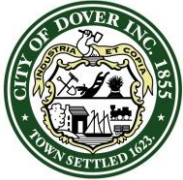
Conditions to Be Met Prior to Signing of Plans:

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 add the Planning File number P14-84 to the title block.
4. The applicant shall revise the plat to add the 50-foot wetlands buffer.
5. The applicant shall revise the plat to require a shared driveway and show the access easement on lot 1 in favor of lot 2. An access easement deed shall be provided to the Planning Department for review.
6. The applicant shall revise the plat to show iron rods to be set at the new lots corners.
7. The applicant shall revise the plat to show the existing water line and add the proposed water service to the new lot.
8. The applicant shall revise the plat by removing the test pit logs and Planning Board signature block.
9. The applicant shall revise the plat to add common subdivision notes # 1, 3, 9, 11-13, 16, 19, and 23-25.
10. The applicant shall revise the plat to tie the survey into the Dover GIS system.
11. 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.
12. The applicant shall revise the plat to add the requirement to install three wetland buffer signs equally spaced along the wetland buffer line on lot #2 per Chapter 170-27.1-D(1)(c).

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

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13. The new house shall be assessed the current impact fees in place at the time of building permit application.
14. The new house shall be assessed the current water investment fees in place at the time of application for water service.

D.Ciotti questioned why there was a shared driveway. C.Parker stated that due to sight distance, it made sense to share a driveway. All parties are in agreement with the shared driveways.

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

5. STAFF COMMENTS

C.Parker welcomed Tracy Smith. C.Parker introduced a memo with proposed regulations for Alternative Treatment Centers for medical marijuana. The state is allowing four facilities. He is asking the Board to consider where this use could be located in Dover.

6. MEMBER COMMENTS

G.Green from the Sign Committee stated they may have had their last meeting because they did not schedule for the next meeting. They did approve the last document including the changes prepared by the staff to be brought to the Planning Board.

T.Clark from the Strafford Regional Planning Commission stated the commission has released draft regional master plan, and is currently in a 35 day public hearing and SRPC will share the results on their website to anyone interested. Public hearing will be held on January 7, 2015. Comments can be made by email, regular mail or fax. Copies are in the Planning Department.

K.Schuman stated the Parking Subcommittee next meeting is December 16, 2014 at 4:30 p.m. in Planning Department.

7. ADJOURNMENT

Motion: G.Green made a motion to adjourn at 7:38 p.m. Seconded by C.Plante. Vote: U/A