

**CITY OF DOVER**

## DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting  
Meeting Location: Council Chambers – City Hall, 288 Central Avenue  
Meeting Date: **Tuesday, February 10, 2015**  
Meeting Time: **7:00 pm**

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

**Members Not Present:** Lee Skinner, Gina Cruikshank (Alternate)

**Staff Present:** Christopher Parker, Assistant City Manager, Tracy Smith (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

- January 13, 2015 Regular Meeting Minutes & February 3, 2015 Workshop Minutes.

**Motion:** K.Schuman made a motion to approve the January 13, 2015 Regular Meeting Minutes and the February 3, 2015 Workshop Meeting Minutes Seconded by W.Garrison. Vote: U/A

### 3. OLD BUSINESS

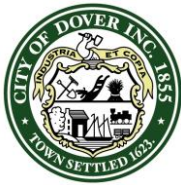
- A. Consideration and possible vote on a Conditional Use Permit for reduced parking per Chapter 170-44-I for STF Development, Assessor's Map K, Lots 37 & 38, zoned R-12, located at 35 Dover Point Road. (P14-66)
- B. Consideration and possible vote of a Site Plan Review for STF Development, Assessor's 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 second & third floor with 18 single family townhouse units with associated parking). (P14-61)

W.Garrison recused himself due to the fact that he has previously contracted with this developer and will likely bid on this project.

**Motion:** F.Torr made a motion to remove items 3.A and 3.B from the table. Seconded by K.Schuman. Vote: U/A

C.Parker gave a brief overview of the project.

Christopher Berry of Berry Surveying and Engineering, represented the applicant and clarified the changes made to the project site since the TRC meeting in November. He stated there was a redesign of the buildings and parking areas, removal of pervious surface, and a rain garden established for the middle of the site. The drainage would be provided through the infiltration system of the rain garden. The engineering and planning comments were considered with the changes. The request for conditional use is the same in the respect of the parking standard and the reduction of parking spaces. He further requested a waiver for the pervious surface for the walkways stating that having porous surface in front of the building would cause under drainage which constituted the establishment of the rain garden.



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C.Plante asked about the location of the recycle bins. C.Berry stated that the waste is being converted from private to public waste and that there would be a section added next to the dumpster if recycling is required. D.Ciotti confirmed with C.Berry that the one dumpster would serve this building and the units on Sheffield Drive, and stated the need to have a weekly pick up schedule of the dumpster added to the maintenance agreement. C.Berry will work with C.Parker on this.

*Public Hearing Open. Nobody Spoke. Public Hearing Closed.*

### **STAFF RECOMMENDATION: (P14-66)**

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 Site Plan (P14-61) for the property must be approved.
2. A formal agreement between the Planning Board and the applicant shall be prepared and recorded at the Strafford County Registry of Deeds.

**Motion:** K.Shuman made the motion to approve subject to staff recommendations. Seconded by F.Torr. Vote: U/A

### **STAFF RECOMMENDATION: (P14-61)**

The Planning Department recommends the Planning Board approve the application 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 set submitted for signature.
2. The applicant shall provide the Planning Department with a digital version of the final plan.
3. The approval includes the granting of the waiver requested for the reasons stated by the applicant. The Board finds that the criteria of Chapter 149-19.A have been met.
4. The applicant shall have the Stormwater Management Maintenance and Inspection Plan approved by the Community Services Department.
5. The lot line adjustment plan (P14-74A) associated with this property shall be signed and recorded.
6. The applicant shall address all the items listed in the memo from the City Engineer dated January 13, 2015, to the satisfaction of the City Engineer.
7. The applicant shall prepare all necessary cross-easement documents to address access, utilities and drainage that cross the two parcels. Said documents shall be reviewed for form by the City Attorney.

#### **Conditions to Be Met Prior to Any Construction Activity:**

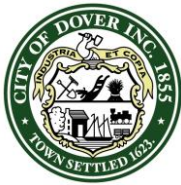
8. Construction hours shall be limited to Monday-Friday 7 AM-6 PM, Saturday 8 AM-5 PM, with no Sunday hours. Hours of construction shall be documented on a site construction sign along with the contact information for the general contractor. Said signage shall be located and approved by the City Engineer or Director of Planning and Community Development.

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

9. Any new building shall pay the current impact fees in place at the time of building permit application.
10. 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:**

11. The applicant shall provide a letter of credit or other form of security acceptable to the City for any unfinished work.
12. The applicant shall contribute a total of \$8,400 to the City of Dover for recreational facilities, in lieu of providing active open space area on-site.



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13. The applicant shall contribute \$8,000 to the City of Dover for their fair share contribution to the signalization improvements of the Sheffield Drive, Dover Point Road, and Thornwood Lane intersection.

C.Berry commented on the proposed conditions addressing #9 stating the applicants wanted to make the fee payable on the certificate of occupancy for that unit instead of a building permit. C.Parker stated they would issue the invoice at the time of the building permit at the time of the sale.

C.Berry further commented on items #4 and #6 stating that they have addressed these issues with the engineering department and these should be completed, and would like them stricken from the conditions of approval.

**Motion:** F.Torr made the motion to approve subject to staff recommendations and the amendments to the conditions. Seconded by C.Lawrence. Vote: U/A

#### 4. NEW BUSINESS

- A. Public hearing on the Consolidated Plan process for FFY15-FFY19 and for the Action plan for FFY15. All persons wishing to speak on the next five (5) years Housing and Community Development needs of the City and the one year use of funds are urged to attend.

C.Parker gave an overview stating the goal of the hearing is to address the Housing and Community Development needs or concerns as part of the Consolidated Plan process.

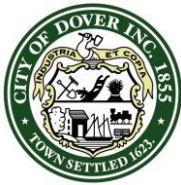
Rick Jones stated the area to be addressed is Economic Development, and that the City has invested in the Economic Loan Program and loans have been distributed resulting in progress made regarding jobs and housing because of this program. He further stated that HUD does not want the City involved in housing rehabilitation, but rather weatherization through Community Action. He added that the data is being analyzed through the American Community Surveys.

R.Jones confirmed with D.Ciotti that the funds are part of the CDBG, and that the Community Action weatherization program has been funded at \$25,000 per year. He added that there are two parts of the program, one being the consolidation plan which is a five year plan and the other is a one year action plan. The one year action plan applications are due in his office by February 18, 2015 for review on February 24, 2015.

C.Plante asked about advertising being done before the deadline. R.Jones confirmed there was an advertisement placed in the newspaper, posted at city hall, and applications were sent to previous applicants, as well as electronic applications that can be sent back electronically.

- B. Consideration and acceptance of a Minor Lot Line Adjustment for H53 Mast Road, LLC & City of Dover, Assessor's Map H, Lots 53 & 58, zoned I-4 & R-40, located on Mast Road. \*(P15-01)

CParker stated this application has been reviewed extensively for the past 18 months with special attention given to protect the public drinking water source while encouraging business development. The plan is to develop the existing site which is a gravel pit and create a manufacturing site, as well as two additional sites for further industrial use at a later date. The consultants for the public drinking water source have put together an extensive technical plan for review. Technology will be used to capture roof water run-off while avoiding the parking and street run off which could have a negative impact on the well. The original agenda listed the project at 269,998 sq. ft., but the actual building is 275,000 sq. ft.



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Kevin McEneaney of McEneaney Survey Associates represented the applicant and addressed the first two items on the agenda. The first is the minor lot line adjustment located between parcels H-53 and the city parcel, H-58 which will accommodate a new right of way.

**Motion:** K.Schuman made a motion to accept the application. Seconded by D.White. Vote: U/A

*Public Hearing Open. Nobody Spoke. Public Hearing Closed.*

### **STAFF RECOMMENDATION:**

The Planning Department recommends that the Planning Board accept the application, hold the public hearing, and approve the lot line adjustment plat with the following conditions:

#### **Conditions to Be Met Prior to Signing of Plans:**

1. The 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 correct the Planning File number P15-01 in the title block.

F.Torr asked if this would preclude development on the city owned property and develop a cul-de-sac, which is currently zoned for industrial development and why this development would affect a city owned parcel. C.Parker stated this project does not affect the city property but the location of the well does, and precludes the cul-de-sac coming being a through road.

D.Ciotti clarified with C. Parker that the Griffin well will be decommissioned.

**Motion:** K.Schuman made the motion to approve subject to staff recommendations. Seconded by F.Torr. Vote: U/A

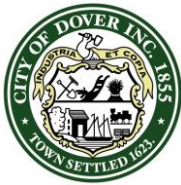
- C. Consideration and acceptance of a Minor Subdivision of land for H53 Mast Road, LLC, Assessor's Map H, Lot 53, zoned I-4 & R-40, located on Mast Road. (1 new lot) \*(P15-02)

K.McEneaney stated that this is a two lot subdivision which will create the lot for Stonewall Kitchen. The lots were configured so there would be the pad sites available for development.

W.Garrison asked where the land on the map was that was under easement and had erosion caused by the digging, and who will take care of it. K.McEneaney explained the location under conservation easement, and that the City has reached an agreement to regrade the section that was disturbed and relandscape the land. D.Ciotti confirmed with C.Parker that it is part of the development agreement.

T.Clark asked for clarification about the waiver request submitted by Eric Weinbach of Altus Engineering, Inc. E.Weinbach responded by explaining the three site pads and the desired roadway access while displaying plans for review. T.Clark questioned if they wanted the city to take over 400 ft. of the parking lot. E.Weinreb stated that by providing that roadway, it provides a safer access into the site for fire trucks and service vehicles. C.Parker confirmed that the Community Services Director liked the length because of the access to the well and pump station. He further added that one of the long term city plans is to create a conservation area in the back for recreation use.

W.Garrison stated that there was a letter received from David and Carolyn Dupont, 24 Lisa Beth Circle, regarding the noise concern, and they requested if some kind of buffer would be established for noise. E.Weinreb asked if he should



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respond as site plan or subdivision response. He further stated that there will be noise generated from the facility. Discussion ensued stating the abutters would be addressed with the subdivision response.

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

*Public Hearing Open.*

Kevin Tully of Toll Springs Road, stated he has a concern with the noise and water pollution and the hours of operation. Also, there is a buffer alongside his property which kept back 50 ft. instead of 20 ft. and wanted to know if they will be removing it.

D.Ciotti stated he wants to address these concerns at the next step of the applications, and that these do not necessarily apply to this part of the application.

*Public Hearing Closed.*

### **STAFF RECOMMENDATION:**

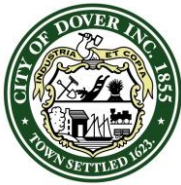
The Planning Department recommends that the Planning Board accept the application, hold the public hearing, and approve the subdivision plan with the following conditions:

#### **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 P15-02 to the title block.
4. The lot line adjustment plan (P15-01) associated with this property shall be signed and recorded.
5. The approval includes the granting of the waiver requested for the reasons stated by the applicant. The Board finds that the criteria of Chapter 155-51.A have been met.

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

- D. Consideration and acceptance of a Site Plan Review for Summit Land Development (Owner: H53 Mast Road, LLC) Assessor's Map H, Lot 53, zoned I-4 & R-40, located on Mast Road. (Proposed roadway and infrastructure). \*(P15-03)
- E. Consideration and acceptance of a Conditional Use Permit for H53 Mast Road, LLC, Assessor's Map H, Lot 53, zoned I-4 & R-40, located on Mast Road. (manufacturing use in secondary groundwater protection zone, impervious coverage greater than 20% and steep slope impacts). \*(P15-08)
- F. Consideration and acceptance of a Conditional Use Permit for reduced parking per Chapter 170-44-I for H53 Mast Road, LLC Assessor's Map H, Lot 53, zoned I-4 & R-40, located on Mast Road. \*(P15-09)
- G. Consideration and acceptance of a Site Plan Review for H53 Mast Road, LLC, Assessor's Map H, Lot 53, zoned I-4 & R-40, located on Mast Road. (Proposed 268,998 sq. ft. industrial warehousing/manufacturing building with 183 parking spaces). \*(P15-04)



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Eric Weinraub addressed Mr. Tully's concern regarding the noise issues stating the elevations on the property, as well as a 50 ft. natural barrier created on the north side of the building with the nearest abutters at 950 ft. He further addressed the pollution regarding site lighting stating it is not only minimal, but downward lighting as well. Regarding the hours of operation, there will be three shifts, and likely not loading in that time frame.

Chad Kageleiry of Summit Land Development summarized the complete application and the three phases stating the warehouse building size at completion will be 275,000 sq. ft. He stated the first phase will be warehousing with 25 people employed and 15 – 18 tractor trailer trucks per day over two shifts, and the second and third phase is to be determined with a goal to build out the entire site. He further stated that there have been exhaustive studies with many consultants regarding the water safety measures that will satisfy concerns. He clarified the noise issue stating that regarding the tractor trailer deliveries he doesn't believe that there is a 3<sup>rd</sup> shift, as well as the noise would have to scale the hill of the natural barrier which would buffer most of the traffic noise. He further added that there is an abutter who has been operating the City pit for 15 years with no noise complaints and has not spurred any concern; therefore, it is highly unlikely that the tractor trailer traffic would be a concern.

F.Torr stated a concern with existing water levels with heavy rains and that the water would stay there a number of days, as well as a concern that the removal of the ledge that could damage the wells. C.Kageleiry stated they have a blasting plan that has been approved by the City and the Environmental Consultant and explained the ledge removal process, as well as the water table.

**Motion:** T.Clark made a motion to accept the four remaining applications for Mast Road. Seconded by F.Torr. Vote: U/A

*Public Hearing Open.*

Kevin Tully spoke again pertaining to noise stating he is a trucker and is familiar noises.

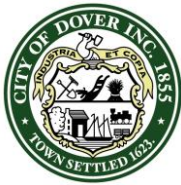
Dave Dupont, 24 Lisa Beth Circle, stated he believes it is a great project for the city; however, he is concerned with the noise and truck traffic, as well as who would maintain the buffer area. He further stated a concern for the wildlife in the conservation area and that it should be maintained in its natural state. He also questioned whether there was a traffic study for Bellamy Rd especially when school is in session.

Discussion ensued regarding the drainage pond. E.Weinraub explained the drainage design and the water run-off process from the building roof and the paved surfaces, and confirmed that standing water would not be an issue. T.Clark would make certain it would meet the requirements. D.Dupont expressed his concern that this pond will be right next to his property and the conservation property. He stated that it was not on the plan that was mailed to him, and that it will impact him, his neighbors, as well as the river and the conservation property.

C.Kageleiry addressed the abutter concerns by reiterating his previous comments on the noise issue and that there was a traffic study in place. He also reiterated previous comments on the lighting issue.

Discussion ensued regarding the traffic studies, the numbers of vehicles and the routes the tractor trailer trucks would be taking. C.Kageleiry confirmed the tractor trailers would be taking Route 108 to Mast Road.

Discussion continued regarding the roof top units which were not depicted on the plans, and whether there are sound panels around the heating and cooling units. C.Kageleiry described the units and stated he is open to building amendments.



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Dean Peschel, an Environmental Consultant, explained the impact on the conservation property and the status of the City wells, as well as the processes developed by the consultants to treat the water and keep it safe. He further explained the potential during construction to adversely impact the water and how there are monitors installed to observe during construction and locate any possible problems. He added that there are also practices and operational maintenance which would require periodical inspection. He confirmed that salt is an issue and that this property would not be using salt.

T.Clark stated a concern that D.Dupont did not see the pond on the plans and asked for clarification on the process to notify abutters. C.Parker stated that the notice that was mailed out to the abutters does not have the pond, but an image of the project without the pond. He clarified that the notice does however provide an invitation for people to come to the office and view the full plan set which is also available online. T.Clark stated that the notice is not a recent edition. C.Parker stated the notice was sent in January with an invitation to come in and see the recent plan set.

Discussion ensued regarding the drainage ponds and the locations of where each would be. C.Kageleiry and E.Weinraub clarified the purpose for each drainage pond, one being clean water for the roof water run-off and the other farther away from the clean pond to pick up impurities that will not compromise the well system. C.Kageleiry stated that he would be willing to buffer the property between the building and D.Dupont's property with vegetative screening. D.Dupont stated that the property is on wetlands with a stream going through it. He further stated that the drainage pond is impacting on his property and the neighbors and that they should be properly informed with correct information. He added that he believes that what was sent out to the abutters was misleading and the people should be given more time.

D.Ciotti confirmed with D.Dupont that there is a running brook on the property that was not showing on the plans. He added that it did show on one set of the plans but not all.

E.Weinraub confirmed that there is a stream which is beyond the project limits.

W.Garrison confirmed with E.Weinraub that the generator pad near the rain garden would run on natural gas.

C.Plante confirmed with E.Weinraub the location of the rain garden to be on City Land. C.Parker stated that the City will take over the maintenance operation, but they do not know the cost. D.White clarified to C.Plante the function of the rain garden.

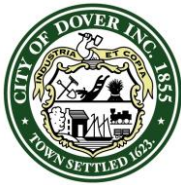
Discussion ensued regarding the totality of the project and the impact on the community. C.Kageleiry stressed the importance to of the schedule on the project, and his willingness to move the retention pond further to create more of a buffer to D.Dupont's property.

D.Ciotti suggested tabling item 4.D to address the other items on the agenda.

**Motion:** D.White motioned to table item 4.D. Seconded by K.Schuman. Vote U/A

H. Consideration and acceptance of a Minor Subdivision of land for Cleo Huggins (Owner: Elisha & Anne Huggins) Assessor's Map J, Lot 22, located at 99 & 111 Bay View Road. \*(P15-10)

Jason Pohopek of Design & Construction, LLC, represented the applicant stating that this is a 70 acre parcel associated with 64 acres of conservation easement. There are two non-easement areas that are developed, and the owner wanted to subdivide the property to create a two lot subdivision with developing opportunities.



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D.White asked for clarification on the boundary line between parcel one and two, and who had the right of way to the 50 ft. wide driveway. J.Pohopek clarified the lines and stated the right of way is in favor of the Audubon Society and the Draper Property.

C.Plante asked if the driveway issues were resolved. J.Pohopek stated that Southeast Land Trust is holding the conservation easement. The Huggins family wanted to separate the driveway which goes through the non-easement portion of parcel one to the non-easement portion of parcel two. That part of the subdivision was not approved at this point by Southeast Land Trust, so it was removed from the application at this time pending their decision. The current plan is showing the driveway relocated on property under conservation easement. C.Plante asked the plan if they don't receive the approval. J.Pohopek stated the driveway would have an access easement with the owner of parcel two having access to the existing driveway through parcel one.

F.Torr asked if the existing road would show easement access to the second property stating that there would be legal problems if they proceed with the driveway on easement property without authorization. J.Pohopek confirmed this.

**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:**

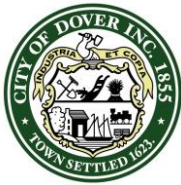
The Planning Department recommends that the Planning Board accept the application, hold the public hearing, and approve the subdivision plan with the following conditions:

#### **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 P15-10 to the title block.
4. The approval includes the granting of the waiver requested for the reasons stated by the applicant. The Board finds that the criteria of Chapter 155-51.A have been met.
5. The applicant shall revise the plat to add the map and lot numbers as required by the Assessing Department.
6. The applicant shall revise the plat to add the location of the existing wells and septic systems.
7. The applicant shall revise the plat to correct the spelling errors in the title block, two in note #1, parcel 2 label, and plan reference #5.
8. The applicant shall revise the plat to delete the proposed 10' gravel driveway and delete the note that the existing gravel driveway is to be relocated.
9. The applicant shall revise the plat to add common subdivision plan notes #4 and #8.
10. The applicant shall revise the plat to add the house location to parcel 2.
11. The applicant shall revise the plat to change the parcel label for both lots to read "Subject to Conservation Easement".
12. The applicant shall revise the plat to add "Building Area 1" and "Building Area 2" to the respective lots.

C.Plante asked if there should there be another condition listed regarding the driveway. C.Parker stated that another condition is not needed because they could use existing driveway.

D.White stated that condition #8 should be rewritten. C.Parker stated it would be rewritten by adding a clause stating "unless approved by the Southeast Land Trust".



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Discussion ensued with concern of approving an application without the approval from Southeast Land Trust and the problems that could arise with the involvement of the conservation easement. C.Parker stated that it could be approved based on the use of the driveway with the existing land. K.McEneaney, a current member of Southeast Land Trust, stated that the approval would probably would not happen.

**Motion:** F.Torr made the motion to approve subject to staff recommendations and the amendment to the conditions. Seconded by K.Schuman. Vote: U/A

- I. Consideration and acceptance of a Minor Lot Line Adjustment for Tolend Road Properties, LLC, Assessor’s Map G, Lots 24J-111 & 24J-113. \*(P15-11)

K.McEneaney represented the applicant stating they wants to do a lot line adjustment from two previously lot line adjustments, and one lot has an existing house on it. The potential buyer wants to have the house further from the lot line.

**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 accept the application, hold the public hearing, and approve the lot line adjustment plat with the following conditions:

**Conditions to Be Met Prior to Signing of Plans:**

1. The 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 P15-11 to the title block.

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

C.Parker suggested a five minute recess so D.Dupont and C.Kageleiry could discuss the plan.

**Motion:** K.Schuman made a motion to remove item 4.D from the table. Seconded by W.Garrison. Vote: U/A

C.Kageleiry addressed D.Dupont’s concerns with the rain garden, and stated that it will be moved 150 ft. away from his property for more buffer with a vegetative screening that will blend with the forest to provide better visibility. D.Dupont agreed with the plan. C.Kageleiry added that they will consult with D.Dupont before they take down the trees.

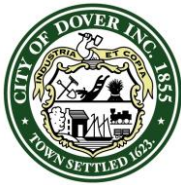
*Public Hearing Closed.*

**STAFF RECOMMENDATION: (P15-03)**

The Planning Department recommends that the Planning Board accept the application, hold the public hearing, and approve the site 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 plan submitted for signature.
2. The applicant shall provide the Planning Department with a digital version of the final plan.



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3. The subdivision plan (P15-02) associated with this property shall be signed and recorded.
4. The applicant shall provide the Planning Department with a copy of the NH Department of Environmental Services Alteration of Terrain Permit and add the permit number to the plan.

**Conditions to Be Met Prior to Any Construction Activity:**

5. 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.

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

6. The applicant shall provide a letter of credit or other form of security acceptable to the City for any unfinished work.

D.Ciotti stated there was a letter received today from John and Mary Gembinski who live in Michigan, but own property at 22 Lisa Beth Circle and they stated in the email their concern regarding noise, public funds and the conservation land. The letter was added to the documents.

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

**STAFF RECOMMENDATION: (P15-08)**

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

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

1. The erosion and sediment control features shall be installed prior to any earth disturbance.

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

2. The applicant shall prepare the Development Review Model required by Chapter 170-28.3-G and submit it to the City Engineer for review and approval.

**Motion:** F.Torr made the motion to approve subject to staff recommendations. Seconded by K.Schuman. Vote: U/A

**STAFF RECOMMENDATION: (P15-09)**

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

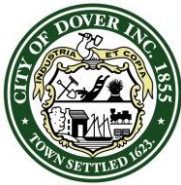
**Conditions to Be Met Prior to the Issuance of the Conditional Use Permit:**

1. The Site Plan (P15-04) for the property must be approved.
2. A formal agreement between the Planning Board and the applicant shall be prepared and recorded at the Strafford County Registry of Deeds.

D.Ciotti asked about the parking on both sides of Stonewall Road. C.Parker stated that there is typically no parking on industrial roads and that he would approach the applicant if it becomes an issue. C.Kageiry stated he would tell the applicant that they need additional parking.

**Motion:** F.Torr made the motion to approve subject to staff recommendations. Seconded by C.Plante. Vote: U/A

**STAFF RECOMMENDATION: (P15-04)**



**CITY OF DOVER**

## DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting  
Meeting Location: Council Chambers – City Hall, 288 Central Avenue  
Meeting Date: **Tuesday, February 10, 2015**  
Meeting Time: **7:00 pm**

The Planning Department recommends that the Planning Board accept the application, hold the public hearing, and approve the site 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 plan submitted for signature.
2. The applicant shall provide the Planning Department with a digital version of the final plan.
3. The subdivision plan (P15-02) associated with this property shall be signed and recorded.
4. The applicant shall provide the Planning Department with a copy of the NH Department of Environmental Services Alteration of Terrain Permit and add the permit number to the plan.
5. The applicant shall have the Stormwater Management Maintenance and Inspection Plan approved by the Community Services Department.
6. The approval includes the granting of the waiver requested for the reasons stated by the applicant. The Board finds that the criteria of Chapter 149-19.A have been met.
7. The applicant shall add a note to the plan that states that the reclamation plan of record is being superseded by the approval of this site plan. The existing bond will remain in force until replaced by the security listed in condition #15 below.
8. The applicant shall revise note #6 on sheet C-1 to correct the parking requirements to match the numbers used in the Conditional Use Permit (P15-09).
9. The applicant shall provide a Traffic Impact Analysis and agree to implement any recommendations for off-site transportation improvements. Improvements will be tied to the phases of development. Engineered plans for the proposed transportation improvements will be prepared for review and approval by the City Engineer and added to the plan set.
10. The applicant shall prepare a developer's agreement that addresses, at a minimum, the prohibition of the use of salt for roadway and pavement maintenance, the requirement for a blasting plan, groundwater monitoring plan, gravel pit reclamation requirements, the remediation of damage to Map H, Lot 56, and off-site transportation improvements.

### **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.

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

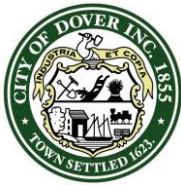
12. Any new building shall pay the current impact fees in place at the time of building permit application.
13. Any new building shall be assessed the current water/sewer investment fees in place at the time of application for water/sewer service.
14. The applicant shall prepare a sewer pump station design and submit it to the City Engineer for review and approval.

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

15. The applicant shall provide a letter of credit or other form of security acceptable to the City for any unfinished work.

F.Torr stated the site sets in an area that can have excessive winds and to be mindful of recyclables which would need to be cleaned up because of the winds.

C.Plante stated this is a great project and understands the work involved with the project, but is concerned with the new information received regarding the notices that were mailed to the abutters, and would like more time to process the information, as well as giving the abutters more time to review the project. She proposes tabling the application to the



**CITY OF DOVER**

## DOVER PLANNING BOARD – MINUTES

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next meeting. D.Ciotti stated that the notices mailed to the abutters is the same procedure provided for years. He further stated that he sees need to change the wording in the letters that go out to abutters to better inform the people. He agreed with C.Plante about the new information, but believes the abutters were notified properly according to State standards.

**Motion:** F.Torr made the motion to approve subject to staff recommendations and the amendments to the conditions. Seconded by K.Schuman. Vote: 8/0 - 1 Abstain (C.Plante).

Discussion ensued regarding the ability to abstain. The Board recounted the vote, and upon further review, the original vote stands.

### 5. STAFF COMMENTS

C.Parker gave updated information regarding the Alternative Treatment Centers according to state statute that any site the school department uses for designation is considered a drug free school zone, and they will need to revise the maps to include the drug free school zone areas. The daycares are also included.

C.Parker confirmed with the Board members that they all prefer the smaller plan sizes. The larger sizes will be for office use.

C.Parker stated that the abutter notices were revised five years ago and that according to the state statute, the Planning Department needs to provide information stating when and where the meeting is held. He further stated the plans were provided for convenience and that we cannot provide the whole plan but will incorporate applicable language for future reference.

### 6. MEMBER COMMENTS

K.Schuman suggested incorporating the packet online and have that online information available on the abutter notices.

### 7. ADJOURNMENT

**Motion:** T.Clark made a motion to adjourn at 10:02 p.m. Seconded by K.Schuman. Vote: U/A