

**CITY OF DOVER**

## DOVER PLANNING BOARD – MINUTES

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

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

**Members Not Present:** Tom Clark, William Garrison (Councilor)

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

The Chair called the meeting to order at 7:07 p.m.

### 1. CITIZENS' FORUM

*Citizens Forum Open. Nobody Spoke. Citizens Forum Closed*

### 2. APPROVAL OF THE PRIOR MINUTES

- February 24, 2015 Regular Meeting Minutes.

**Motion:** K.Schuman made a motion to approve the February 24, 2015 Regular Meeting Minutes. Seconded by F.Torr.  
Vote: U/A

### 3. OLD BUSINESS

- A. Amendment to the conditions for a previously approved Site Plan (02/10/2015) for H53 Mast Road, LLC, Assessor's Map H, Lot 53, zoned I-4 & R-40, located on Mast Road. (Proposed 275,000 sq. ft. industrial warehousing/manufacturing building with 183 parking spaces). (P15-04A)

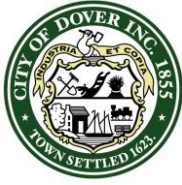
L.Skinner recused himself from this item. The Chair noted M.Fogarty to sit in on his behalf.

C.Parker stated the reasons for the amendment to the conditions of the previous approved application are due to a meeting the applicant had with an abutter, Dave Dupont, regarding arrangements made pertaining to tree planting, placement of the rain garden and placing the land into conservation easement. He further stated that the amendment is to remove the condition of "no further development" from the lot, and to change the existing blasting permit which requires the notification of abutters because this situation pertains to blasting in the middle of a 50 acre parcel.

D.Ciotti confirmed with C.Parker that there is no legal liability to the residents to post the waiver request of the blasting permit.

C.Kageleiry of Summit Land Development, stated he would like an amendment to change the condition from "no further development" to the R-40 lot to allowing it under conservation easement a year from now. He stated that the "no further development" condition prevents work that could be done to the property.

D.Ciotti stated a letter, dated February 23, 2015, was received from one of the abutters, Mr. Dupont and provided it for the record as part of the approved plans. C.Kageleiry stated the letter states that he understood the land to be put in conservation easement.



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C.Kageleiry stated that he is requesting a waiver to the ordinance which requires notifying neighbors who are 500 ft. of the perimeter of the property. He further stated that the blasting would not be near neighbors, but would be a half a mile from the property line.

Discussion ensued regarding notifying the abutters of the date and time of the blasting. C.Parker stated that C.Kageleiry could send a letter to abutters on Lisa Beth and Mast Road without invitation of their comment notifying them of the blasting and the date. C.Kageleiry confirmed with C.Parker that the notification is to be sent only to the direct abutters by certified mail.

D.Ciotti confirmed with D.White that the monitor wells will not be affected by the blasting, and that they will be checked during the blasting process.

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

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

### **STAFF RECOMMENDATION:**

The Planning Department recommends that the Planning Board approve the amendment to the conditions as follows:

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

1. The applicant shall negotiate a conservation easement on remaining R-40 land. If no easement is granted, the Planning Board shall consider reinstating the original condition to limit development in the R-40.
2. 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.
3. The applicant shall vegetate with like kind trees the area impacted by the construction trench for the installation of the 18” diameter outlet pipe from rain garden #2.
4. The applicant shall plant additional trees near the 18” pipe outfall to screen the Dupont parcel.
5. The applicant shall restore the excavation cut for the installation of the inflow pipe for rain garden #2 to the existing and natural grade elevation and form.

#### **Conditions to be Met Prior to Issuance of a Blasting Permit:**

6. The applicant shall send direct abutters a letter notifying them of blasting. List and letter to be approved by Planning Department.

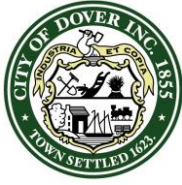
**Motion:** F.Torr made the motion to approve subject to staff recommendations. Seconded by G.Cruikshank.  
Vote: U/A

L.Skinner returned to his seat.

- B. Discussion and possible vote on Community Development Grant (CDBG) funding requests for Fiscal Year 2015/2016.

C.Parker gave an overview of the amounts to be distributed to the various applicants and allocations.

C.Lawrence confirmed with C.Parker changes that could be made regarding the distributed amounts.



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C.Plante asked why the Triangle Club, My Friend's Place, and Community Partners are not receiving money. C.Parker explained how the Planning Department determined the distribution regarding those who have received funding in the past, as well as the allocation between facilities and operations. He stated that the funding for the Children's Center is for those who cannot afford childcare and that the Children's Center has not received funds in a while. Rick Jones, Community Development Coordinator, clarified that the Children's Center has a cinder block outside wall and that it's difficult to maintain the heat in this facility and that was considered when determining their allocation.

Discussion ensued regarding the reasons for the amount the Children's Center requested, the reason for the renovation project, and that the McConnell Center is owned and rented out by the City and the City's responsibility. D.Ciotti stated that the grant money is federal money available to do the work needed. R.Jones stated to expect an additional request next year for further renovation.

Discussion ensued regarding evaluation of the Triangle Club, Southeastern Services, AIDS Response, and Dover Welfare's Security Deposit Assistance Program, how they serve the community and the amounts each requested. Discussion continued with the clarification of high to medium priority items and the allocation of funds for particular needs and projects. C.Parker stated the Planning Department can readjust the allocations and add the Triangle Club to the distribution.

C.Lawrence stated that every one of the groups are doing spectacular work and that they are all exceptional programs. He thanked R.Jones for his work with these programs.

**Motion:** C.Plante made a motion to table the item. Seconded by D.White. Vote U/A

C. Discussion of previously posted amendments regarding:

- Heritage Zoning Project

T.Corwin addressed the following documents that were distributed to the Board members in the packet:

- Ordinance: No changes were proposed to this text at this time.
- Heritage Residential District Table of Use: Updated and Revised
- Heritage Residential District Map: Unchanged.
- Planning Board Memo regarding the Heritage District Zoning Amendments dated December 9, 2014 addressed suggestions by people who wanted to add Central Avenue properties south of Tuttle Square to the Heritage District.
- Letter from Tony McManus dated February 24, 2015 suggesting adding Central Avenue to the Heritage District.
- Petition from the community suggesting the inclusion of Central Avenue properties to the Heritage District.

T.Corwin addressed the changes to the Revised Table of Use stating that the primary change is the removal of the required architectural standards. He stated that the Planning Department changed the architectural standards to architectural considerations, and in asterisk changed provided to accept. He further stated on Page two, footnote three of the Table of Use regarding the calculation of the front setback, the amendment is revised to state, "Expansions to existing structures shall be subject to a minimum setback equal to the calculated average setback minus five feet." In regards to footnote five, he stated the change was to better utilize detached accessory structures and that the Planning Department is proposing these structures to be used as residential units. He further stated that the Planning Department currently permits detached accessory dwelling units in detached structures located on the second floor, and this would change that to be located on first floor. C.Parker stated that the attached secondary structure could be a carriage house or a barn. T.Corwin stated that these are architectural considerations to highlight the architectural heritage in



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neighborhood and would like these considerations when developing or redeveloping. He further stated that the Planning Department has provided resources available for people to consider what is unique with this, adding that it is not required.

C.Parker recognized Sarah Treacy who assisted with her input and suggestions with the revisions for the historic district.

C.Plante confirmed with C.Parker that there would be no impact to these revisions if the City Council decided to pursue historic district.

The Board agreed to post the changes with a show of hands and to have a new public hearing.

- Alternative Treatment Center Ordinance

T.Corwin gave the update on the development with the law taking shape regarding how to regulate Alternate Treatment Centers. He stated that the location of these centers, according to statutes, are not to be located in the residential districts, or within 1000 ft. near a school or a designated drug free zone. He further stated the Planning Staff is considering various districts, as well as mix use districts for the location of the center. He added that drug free zones, as defined, has to be used for school purposes, and that the NH Department of Education has distinguished between temporary and permanent drug free zones and the Planning Staff will evaluate the impact with this.

T.Corwin stated that the Planning Department is recommending the I2 and B4 zones for the Alternative Treatment Centers because there are no schools in these zones. He further stated that the Planning Staff has reduced the boundary from 2000 ft. to 1000 ft. in the school zone, and has added the McConnell Center as a drug free zone. He added that there are properties in the B4 zone that are not impacted by drug free zones.

D.Ciotti referred to item D in the distributed document, regarding the proper disposal of cannabis, and asked if it is regulated by the State. T.Corwin stated he would have to research that information and get back to him.

D.Ciotti referred to item E which states, “the security plans shall be reviewed by the City of Dover Police Department”, he stated he would like it to read, “reviewed and approved”.

### D. Discussion and possible posting of the Sign Ordinance Amendments.

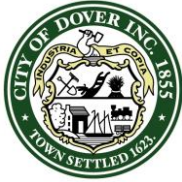
**Motion:** K.Schuman made a motion to remove the item from table. Seconded by C.Plante. Vote U/A

C.Parker stated that documents regarding the amendment were distributed for the Board to review and discussion.

Discussion ensued with concerns regarding electronic message boards located in section Q, and how it would change the aspect of Dover. C.Parker stated that the section will be reworded and presented at the next meeting.

K.Schuman asked the timing of the posting. C.Parker stated there are other documents to be distributed; therefore, all the documents will be held to send them all out in one City wide posting.

C.Plante referred to 1D in the packet requesting clarification in the document to what a temporary sign exactly means so there is no misunderstanding.



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**Motion:** K.Schuman made a motion to table so that Staff could revise to remove references to Electronic Message Centers. Seconded by C.Plante. Vote U/A

#### 4. NEW BUSINESS

None.

#### 5. STAFF COMMENTS

C.Parker addressed the following:

The updated copy of the Master Plan distributed to the Board members and stated he gave the annual update to the City Council regarding the progress.

The Office of Energy Planning is having their spring conference and that if there are any Planning Board members interested to let them know.

The lot line adjustment plan that was approved on Glenn Hill Road had an easement that was not brought forward to the Planning Department at the time of approval. He stated that the easement was in favor of the City for both lots and when the information was brought to the attention of the Planning Department, it was not felt that the lot line adjustment should not be signed. He further stated that the applicant's Attorney pointed out that the Planning Department does not require lot line adjustments to have easement documentation added to them, and that there will be negotiations for an agreement with the property owner regarding the easement. He added that changes will be made to the subdivision and site regulations.

C.Parker stated R.Jones is huge asset with the work he does with the CDBG program and that he is appreciated.

#### 6. MEMBER COMMENTS

Parking regulations review will be on next agenda.

D.Ciotti announced to the Board that F.Torr is stepping down from his position on the Cocheco Waterfront Committee (CWDAC), and thanked him for working on the Committee for 10 years.

F.Torr mentioned the Economic breakfast with the Chamber of Commerce

#### 7. ADJOURNMENT

**Motion:** K.Schuman made a motion to adjourn at 8:41 p.m. Seconded by D.White. Vote: U/A