

CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
 Meeting Location: Council Chambers – City Hall, 288 Central Avenue
 Meeting Date: **Tuesday, April 14, 2015**
 Meeting Time: **7:00 pm**

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

Members Not Present: Gina Cruikshank (Alternate)

Staff Present: Christopher Parker, Assistant City Manager, Steve Bird, City Planner, 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

- March 24, 2015 Regular Meeting Minutes.

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

3. OLD BUSINESS

NONE.

4. NEW BUSINESS

- A. Preliminary public hearing per Chapter 155-22-C-1, for consideration and possible vote on an Open Space Subdivision of land for MCL Builders and Developers, LLC (Owners: Mace Family Revocable Trust) Assessor’s Map I, Lots 6-C, zoned R-12, located at 46 Back River Road (7 lots) *(P15-05)

C.Parker gave an overview of the case stating the criteria does not meet the mandatory Open Space Subdivision requirement which is why it has been brought before the Planning Board for review, adding that the Board has up to 30 days to make decision.

Bob Stowell of Tritech Engineering Corporation, represented the applicant He addressed the options for a Conventional Subdivision or an Open Space Subdivision, adding that the Open Space Subdivision plan is the preferred option. He displayed plans for the Board showing the seven lots, adding lot #7 does not meet the build to requirement. He stated the applicant received a variance from the Zoning Board of Adjustment to develop a Conventional Space Subdivision which would have a private road that would be maintained through a Home Owner Association. He addressed the Open Space Subdivision plan with the option to keep the barn with a narrow right of way, adding that the applicant would like to keep the barn and it has been well maintained. He further stated the environmental aspects consisting of less pavement for a private road and the applicant would stipulate no tree removal along the Bellamy River. He addressed the minimum requirement of five acres needed for the Open Space Subdivision, adding the additional 25,000 sq. ft. open space provided by the Bellamy River and the Conservation District to provide this concept.



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C.Parker confirmed with B.Stowell that the right of way on the Open Space Subdivision plan is 30-35 ft. C.Parker stated the requirement is 50 ft. for six or more lots and the waiver requirement would follow standards for private road, adding the applicant would need to amend this by asking for two waivers instead of one due to the right of way.

Discussion ensued regarding the open space public access locations consisting of Picnic Rock, a river walk along the Bellamy River, and the easement behind lots #5 and #6 and parking to be located behind the barn. Discussion continued with the preservation of the barn and the historic research necessary to maintain it. D.Ciotti stated the Board could stipulate this as a condition.

Motion: K.Schuman 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 hold a preliminary public hearing and then make a determination as to whether the applicant can process the application as an open space subdivision or if a conventional subdivision would be preferred.

Discussion ensued regarding the setbacks, the size of the buffers and the need for a waiver for the buffer. Discussion continued with the layout design and the need for the application to go before the Technical Review Committee.

Motion: F.Torr made a motion to approve the recommendation for open space subdivision. Seconded by T.Clark. Vote: U/A

- B. Consideration and acceptance of a Conditional Use Permit for Bradford Dawn Real Estate, LLC (Owner: Mark Phillips), Assessor's Map D, Lot 16-F, zoned B-4, located at 383 Sixth Street. Proposal is to build a restaurant and office building, parking lots, drainage and site grading that will impact the 50-foot wetlands buffer (1,600 sq. ft. - temporary). *(P15-15)
- C. Consideration and acceptance of a Site Plan Review for Bradford Dawn Real Estate, LLC and Craig Jewett (Owner: Mark Phillips), Assessor's Map D-1, Lot 16-F, zoned B-4, located at 385 Sixth Street. Proposed 7,800 sq. ft. of restaurant and general office space, with 38 parking spaces and utilities. *(P15-12)

C.Parker gave the overview of the case stating the application has been to the Technical Review Committee twice and the applicant has addressed the concerns regarding the application.

Jonathan Ring of Jones and Beach Engineers, Inc., represented the applicant and introduced Mark Phillips, the owner, and Craig Jewett of Bradford Dawn Real Estate, LLC. J.Ring presented the information regarding the development of the site, adding all the Technical Review Committee and Planning Staff comments have been addressed.

T.Clark stated the need for access for the Fire Department turning apparatus and other modifications which needs to be on the plan set. J.Ring stated they would install a sign for the fire lane and the paint will be removed in the back.

Motion: F.Torr made a motion to accept the applications for items 4.B and 4.C. Seconded by L.Skinner. Vote: U/A

Public Hearing Open. Nobody Spoke. Public Hearing Closed.



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STAFF RECOMMENDATION (P15-15):

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 wetlands and wetland buffers shall be marked in the field prior to any earth disturbance activities.
2. The erosion and sediment control features shall be installed prior to any earth disturbance activities.

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

STAFF RECOMMENDATION (P15-12):

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 applicant shall revise the plan to add a note that the sewer service connections between the schedule 40 PVC pipe and the SDR 35 PVC pipe shall be made using a solid sleeve gasket connection, no glued joint are permitted outside of the building.
4. The applicant shall revise the plan to add a note that the water thrust blocks shall be a minimum of 2' x 2' x 3' precast concrete blocks.
5. The applicant shall revise the drainage plan and utility plan to show the two "exiting" outlets from off-site areas in a lighter pen weight or remove them all together.
6. 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.
7. The applicant shall have the Stormwater Management Maintenance and Inspection Plan approved by the Community Services Department.
8. 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:

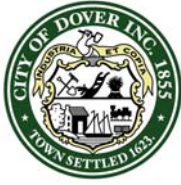
9. Construction hours shall be limited to Monday-Friday 7 AM-6 PM, Saturday 8 AM-5 PM, with no Sunday hours. Hours of construction shall be documented on a site construction sign along with the contact information for the general contractor. Said signage shall be located and approved by the City Engineer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

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

10. Any new building shall pay the current impact fees in place at the time of building permit application.
11. 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:

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



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

D. Discussion and possible posting of Zoning Amendments.

C.Parker gave an overview and review from the last meeting. He stated that a clean copy will be distributed to the Board members once the amendments are posted.

S.Bird addressed the changes for the Zoning amendments as listed on the document distributed to the Board members, as well as the new table for the Heritage District and the Groundwater Protection Zone map.

Discussion ensued regarding the Groundwater Protection Zone map designed by Dean Peschel and the need to contact him to determine if the map consists of the new well on Mast Road and if the secondary groundwater is expanding.

C.Plante asked about the build to and setbacks for the St. Charles development pertaining to the changes. C.Parker stated for new subdivisions the average setback shall be the build to line, and the existing structures shall have a 25 ft. setback in the R-12 District.

C.Parker confirmed the tables will indicate language that will be stricken for the review of the Ordinance Committee and the City Council.

Discussion ensued regarding changing the building maximum story level to five in the Central Business District where the standard is typically two to four stories and currently there is no height restriction. Discussion continued with how the buildings are measured and the building code restrictions mandated by the building department.

D.Ciotti asked if item E under the Alternative Treatment Center was changed from reviewed to approved. S.Bird stated he will verify this with T.Corwin.

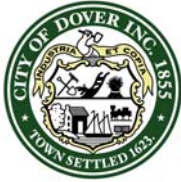
Discussion ensued regarding possibly changing the excavation review from one to two years. C.Parker stated a concern with changing to more than two years, especially if there is a change in pit operators. Discussion continued regarding the possibility of an operator change and stipulating a change requiring review for change of operator.

S.Bird stated the plan is to do a City wide mailing for all the amendments in May, and having the hearings in June. These will be mailed out to all the property owners.

Motion: D.White made a motion to post as amended by the Planning Staff. Exceptions noted by the Planning Staff are 5, 14, and 20, and the ones already posted. Seconded by F.Torr. Vote: U/A

C.Parker stated the Board could still make changes to the amendment after posting. He added once these are posted they are in effect, and those who bring in applications will be notified of the changes posted. He stated the mailing is established with an overview of each amendment for every property owner to let them know of the hearing. He clarified the process for public consideration for the amendments. He further stated the Planning Staff will come back with the corrections to 5, 14, and 20 to post all at once. He asked the Board members to consider a Workshop meeting for May 12, 2015.

E. Discussion and possible posting of Site Review Amendments.



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C.Parker stated this public notice is different than the City wide mailing. The public is notified on the City's website and the bulletin boards in City Hall and the library, and an advertisement in Foster's newspaper.

Motion: K.Schuman made a motion to post the Site Review amendment. Seconded by B.Garrison. Vote U/A

5. STAFF COMMENTS

C.Parker gave information regarding the three lot merger forms for 7 South, LLC, adding these do not require a public hearing but a public notice. D.Ciotti read the lot merger information to the Board members. C.Parker stated the property owner is taking the four lots and merging them to one lot to make them conforming. L.Skinner addressed the traffic access in that area as problematic.

Motion: C.Plante made a motion to accept and approve the lot merger. Seconded by K.Schuman. The lot merger was approved by the Board with a show of hands. Vote U/A

C.Parker stated the City Council approved in the budget an additional position in the Planning Department for a full-time Assistant City Planner. He added the Planning Department will be hiring two people because T.Corwin, Assistant City Planner, has submitted his resignation.

There was an obituary notice in the paper for Jeff Taylor who will be missed by the Planning community.

The Transportation Chapter Master Plan has received five bids. The Planning Staff will work with a purchasing agent to set up interviews and go to City Council with the project costs. Also, there have been inquiries from people to be on the sub-committee.

6. MEMBER COMMENTS

F.Torr stated he noticed the excess material of one project in one area is used to help another project in another area. Crushed ledge was brought it from Stonewall Kitchen to assist another site project used on Dover Point Road.

D.Ciotti stated the Silver Street construction is progressing ahead of schedule.

7. ADJOURNMENT

Motion: K.Schuman made a motion to adjourn at 9:11 p.m. Seconded by C.Plante. Vote: U/A