

CITY OF DOVER

DOVER PLANNING BOARD – AGENDA

Meeting Type: Regular Meeting
Meeting Location: Council Chambers – City Hall, 288 Central Avenue
Meeting Date: **Tuesday, February 9, 2016**
Meeting Time: **7:00 pm**

1. CITIZENS' FORUM

2. APPROVAL OF THE PRIOR MINUTES

- January 26, 2016 Regular Meeting Minutes

3. OLD BUSINESS

4. NEW BUSINESS

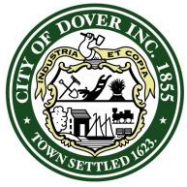
- A. Consideration and acceptance of a Site Plan Review for Vitas Management & Development Co., LLC, (Owner: Profero Management and Holdings, LLC), Assessor's Map 11, Lot 2, zoned B-3, located at 181 Silver Street. (Proposal is to construct a 72,360 sq. ft. Assisted Living Facility with 76 units, a 2,930 sq. ft. Bank, a 66,000 sq.ft. Medical Office Building, a 2,400 Coffee Shop, and an 85 unit hotel with a 13,900 sq. ft. footprint. The mixed use site propose 407 parking spaces). *(P15-56)
- B. Consideration and acceptance of a Conditional Use Permit for Vitas Management and Development Company, LLC (Owner: Profero Management and Holdings, LLC), Assessor's Map 11, Lot 2, zoned B-3, located at 181 Silver Street. (Proposal is for a non-residential development with a wetland impact of 24,454 sq. ft.). *(P15-55)
- C. Overview of Community Development Block Grant program presented by Community Development Planner Dave Carpenter.

5. STAFF COMMENTS

6. MEMBER COMMENTS

7. ADJOURNMENT

*Indicates that if the application is accepted for discussion, the public hearing will be held the same evening, at which time any interested party may offer comment to the Planning Board. Persons with questions or wishing to see the plans are invited to visit the Planning Office, Monday through Thursday from 8:30 am to 5:30 pm and Friday 8:30 am to 4:00 pm. You may also view materials at www.dover.nh.gov, a map showing project locations can be found at [http:// www.dover.nh.gov/government/city-operations/planning/index](http://www.dover.nh.gov/government/city-operations/planning/index). Follow us on Twitter @DoverNHPlanning and find us on Facebook at <https://www.facebook.com/DoverNHPlanning>.



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - City Hall, 288 Central Avenue
Meeting Date: **Tuesday, January 26, 2016**
Meeting Time: **7:00 pm**

Members Present: Frank Torr (Chair), Kirt Schuman (Vice Chair), Dennis Ciotti (Councilor), Tom Clark, Dave White, Catherine Plante, Christopher Lawrence, Gina Cruikshank, Curtis J. Pratt (Alternate)

Members Not Present: Lee Skinner, Maggie Fogarty (Alternate)

Staff Present: Donna Benton (Assistant City Planner), Tracy Smith (Recording Secretary)

The Chair called the meeting to order at 7:00 p.m.

1. CITIZENS' FORUM

Citizens Forum Open. Nobody Spoke. Citizens Forum Closed

2. APPROVAL OF THE PRIOR MINUTES

- January 12, 2016 Regular Meeting Minutes

Motion: K.Schuman made a motion to approve the January 12, 2016 Regular Meeting Minutes. Seconded by T.Clark. Vote U/A

3. OLD BUSINESS

None

4. NEW BUSINESS

K.Schuman stated items 4.A and 4.B would be heard together.

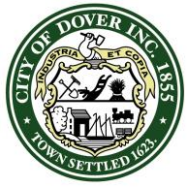
- Consideration and acceptance of a Site Plan Review for Berry Surveying & Engineering, (Owner: Oak Bluff Realty), Assessor's Map 40, Lot 38-A, zoned O, located at 56 New Rochester Road. (To construct a 9,900 sq. ft. office and residential building) *(P15-57)
- Consideration and possible vote of a Conditional Use Permit for Berry Surveying & Engineering (Owner: Oak Bluff Realty), Assessor's Map 40, Lot 38A, zoned O, located at 56 New Rochester Road. (Construction of parking lot, drainage and utilities in Conservation District of Willand Pond with impact of 1,000 sq. ft.) *(P16-01)

D.Benton gave an overview of the application and stated the applicant is requesting two waivers, one for the porous sidewalks and one for lighting.

Chris Berry, Berry Surveying & Engineering, represented the applicants and STF Development and explained the plan as it pertains to Willand Pond, the development plan, and the reasons for the waivers.

Motion: K.Schuman made a motion to accept the applications for items 4.A and 4.B. Seconded by D.Ciotti. Vote U/A

Public Hearing Opened. Nobody Spoke. Public Hearing Closed.



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - City Hall, 288 Central Avenue
Meeting Date: **Tuesday, January 26, 2016**
Meeting Time: **7:00 pm**

STAFF RECOMMENDATION: (P15-57)

The Planning Department recommends that the Planning Board 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.
2. The applicant shall provide a digital version of the final plan to the Planning Department.
3. A streetscape plan pursuant to 149.13.A(17) will need to be provided to the satisfaction of the Assistant City Manager.
4. The Professional Engineer, Licensed Land Surveyor, and Soil Scientist shall stamp and sign the final plan set.
5. The approval includes the granting of the waivers requested for the reasons stated by the applicant. The Board finds that the criteria of Chapter 149-19.A have been met.

Conditions to Be Met Prior to Any Construction Activity:

6. 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:

7. Any new building shall pay the current impact fees in place at the time of building permit application.
8. 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:

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

Answering D.Ciotti's question, D.Benton clarified information regarding the new parking requirements as it pertains to the application.

D.White explained the drainage and the sewer pump station. C.Berry also explained the drainage and storm water management for the project site.

Discussion ensued regarding the reason for the waiver for porous sidewalks. C.Lawrence stated his concern regarding the need for the waiver and requested a site walk for the property.

F.Torr requested a show of hands for those members who were in favor of a site walk. Poll: 8/1 not in favor of a site walk.

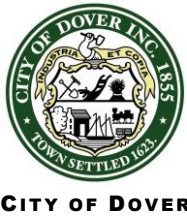
Motion: D.Ciotti made a motion to approve subject to the staff recommended conditions. Seconded by D.White. Vote 8/1 opposed

STAFF RECOMMENDATION: (P16-01)

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. NH DES Shoreland Permit is granted and a copy of the permit submitted to the City.



DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
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Meeting Time: **7:00 pm**

2. The Site Plan (P15-57) shall be approved.

Motion: D.Ciotti made a motion to approve the Conditional Use Permit subject to staff recommended conditions. Seconded by K.Schuman. Vote U/A

- C. Consideration and acceptance of a Site Plan Review for CLD Consulting Engineers, Inc., (Owner: William R. Dube Revocable Trust), Assessor's Map K, Lot 25-B, zoned B-3, located at 40 Dover Point Road. (To construct a 31,200 sq. ft. building with 79 parking spaces and 40,447 sq. ft. of vehicle display area) *(P15-58)

D.Benton gave an overview of the application and stated the applicant has requested four waivers to include the 5 ft. setback, porous pavement and sidewalks, and the traffic impact analysis.

Rick Lundborn, CLD Consulting Engineers, Inc., represented the applicants and explained the project plan and the reasons for the waivers. Charlie Reed and Debbie Dube Reed of Bill Dube, Inc. were also present to answer operating questions, as well as, Craig Jewett of Jewett Construction, and Scott Vlasak of Bruce Ronayne Hamilton Architecture.

R.Lundborn explained the drainage for the project plan as it pertains to the porous pavement waiver. Discussion ensued regarding the drainage and storm water management for the project.

Discussion ensued regarding the waiver for the traffic impact and clarification regarding which entrance will be used primarily and which entrance will be used for deliveries/service, and the impact to existing traffic.

D.Benton clarified that there is a condition listed that cars are not allowed to park in the right of way.

D.Ciotti expressed concern regarding the lit sign. D.Benton clarified the applicant would need to obtain a permit for a new sign.

R.Lundborn confirmed the parking of displayed vehicles would be entirely on property, and the three new light poles would be down shield. He stated the lighting plan would be submitted to the City for review.

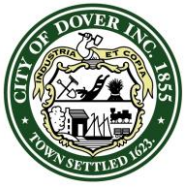
Discussion ensued regarding the sound system and various options available to the applicant to diminish the noise, such as, phone systems with headsets. D.Reed confirmed the current sound system is old and they cannot control the direction or tone of the sound. She stated they will be upgrading the system, and are considering various options available.

Discussion continued regarding landscaping on the property and that shrubbery would be added to the stone banking on the north side, as well as the need for the cross access easement due to the future possibility that the applicant might sell the adjacent property.

D.White requested a snow operation management plan with salt restrictions be added to the plan as a condition due to the concern of pushing snow into wetlands over the ravine.

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

Public Hearing Opened.



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Richard Spence, President of Thornwood Commons, read and submitted a letter (in file) expressing concerns regarding sound and lighting.

F.Torr read a letter (in file) submitted to the Board members by Eric Jackson of Stabile Company regarding concerns with sound and lighting.

C.Reed stated the dealership was there before the residents moved in, and that the business has been established for 40 years with lights and snow removal already in place.

Public Hearing Closed.

Discussion ensued regarding listing the cross access easement as a condition in the plan to protect boundaries. D.Ciotti explained the reason was in case the abutting property was sold in the future.

D.Benton confirmed with the Board members the additional conditions of the snow maintenance plan and the standard waiver note.

STAFF RECOMMENDATION:

The Planning Department recommends that the Planning Board approve the site plan with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

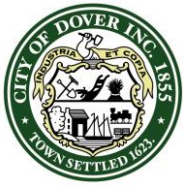
1. The owner's signatures shall be added to the final plan.
2. Applicant shall provide:
 - a. digital version of plan set
 - b. a landscape plan stamped and signed by a L.A. which includes the 5% internal landscaping as required
 - c. a legible print of the lighting plan
 - d. Documentation of NHDOT approval and authorization of a driveway permit.
3. The Professional Engineer and Licensed Land Surveyor will need to sign and date final plans.
4. Storm Water Management Plan and Storm Water Management System Operation and Maintenance Plan to the satisfaction of the City Engineer
5. Revise plan set to:
 - a. Include a snow maintenance plan to the satisfaction of the City Engineer
 - b. Add a note regarding location of off-site vehicle display during construction
 - c. Correct lot number behind site to 19-02 not 19-002 or 19-2000
 - d. Add a note that Vehicle Display Areas shall not encroach into Right-of-way as that would be violation of NH RSA 262:40-c and Dover City Code 166-16F.
6. This approval includes the granting of the waivers requested for the reasons stated by the applicant. The Board finds that the criteria of Chapter 149-19.A have been met.

Conditions to Be Met Prior to Any Construction Activity:

7. Construction hours shall be limited to Monday-Friday 7 AM-6 PM, Saturday and Sunday 8 AM-5 PM. 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:

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



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9. 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:

10. The applicant shall provide a letter of credit or other form of security acceptable to the City for any unfinished work.
11. Cross easements, if not already existing, shall be drafted by the applicant and reviewed by the City's Legal Counsel and recorded at the registry at the applicant's expense.

R.Lundborn clarified the landscaping island would allow for the whiskey barrel option.

Motion: D.Ciotti made a motion to approve subject to the staff recommended conditions. Seconded by K.Schuman. Vote U/A

D. Overview of Community Development Block Grant program presented by Community Development Planner Dave Carpenter.

K.Schuman stated this item would not be heard.

5. STAFF COMMENTS

D.Benton stated item 4.D would be heard on February 9, 2016 regarding the CDBG program.

D.Benton distributed parking passes to the Board members who did not have one.

D.Benton stated the date for the annual conference for the Offices of Energy and Planning is April 23, 2016. Any Board members interested need to contact the Planning Department.

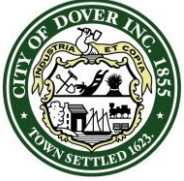
D.Benton gave an update on L.Skinner.

6. MEMBER COMMENTS

D.Ciotti stated the 149.14 waiver requirements of impervious material needs to be addressed. D.Benton confirmed this item is on the list of potential amendments to be reviewed.

7. ADJOURNMENT

Motion: K.Schuman made a motion to adjourn at 8:11 p.m. Seconded by G.Cruikshank. Vote: U/A



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P15-56

Application Type: Site Plan for Mixed Use Project
Applicant(s): Vitas Management & Development Company, LLC
Owner(s): Profero Management and Holdings, LLC
Location: 181 Silver Street (Tax Map 11, Lot 2)
Meeting Date: February 9, 2016

INTENT: Site plan to construct a 72,360 sq. ft. assisted living facility with 76 units, a 2,930 sq. ft. bank, a 66,000 sq. ft. medical office building, a 2,400 coffee shop, and an 85 unit hotel with a 13,900 sq. ft. footprint. The mixed use site proposes 407 parking.

UNITS PROPOSED: 76 Assisted Living Units, 85 Hotel Units

AGENDA ITEM #: 4-A

ACREAGE: 19.46 Acres

ZONING DISTRICT: Thoroughfare Business (B-3)

EXISTING LAND USE: Former McIntosh College and Hotel

PROPOSED LAND USE: Mixed Use

SURROUNDING LAND USE:
Commercial and Residential

ZBA ACTION:

- Z15-10: Variances to allow a building height of 55 ft. where 40 ft. is allowed and to allow an assisted living facility in the B-3 District
- H84-6: Variance from definition of lot to construct an additional building on the existing property
- H79-17: Variance for sign height and area

ATTACHMENT: Site plan and application; TRC minutes

APPLICATION IS COMPLETE: Yes

NOTICES SENT: Abutter notices were sent by certified mail for this meeting

PERMITS REQUIRED:

- Alteration of Terrain Permit
- NHDOT Permit
- Conditional Use Permit
- NHDES Wetlands Permit

WAIVERS REQUESTED:

- 149-14(D)(5)(g): Porous Pavement
- 149-14(C)(1): Porous Walkways

Summary of Request and Background

The applicant proposes to build a mixed use project including assisted living facility, bank, coffee shop, and hotel at the former McIntosh College site.

The applicant appeared before the Technical Review Committee on January 7, 2015 (see TRC Minutes attached).

Consistency with Land Use Regulations

Chapter 149-4 of the Site Review Regulations of the City Code provides for site review by the Planning Board of new construction of various types. The site is located in the Thoroughfare Business (B-3) District, which encourages efficient and attractive automobile oriented commercial development along major highways outside of the downtown. The district provides economic development opportunities for a mix of land uses, including restaurants, hotels, offices, banks, and more.

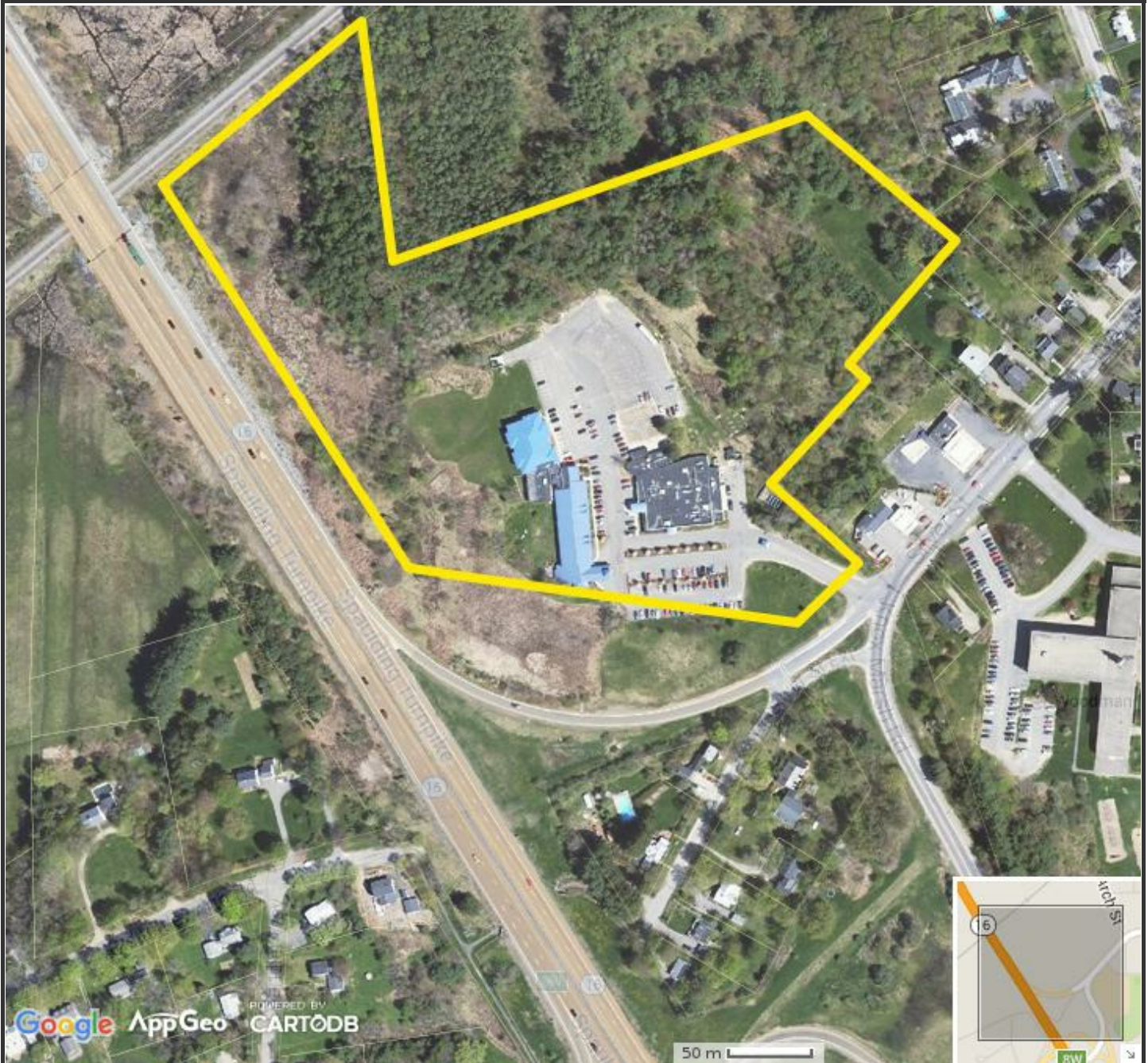
Waiver Requests

The applicant is requesting a waiver to allow for the use of non-pervious pavement and has submitted a letter dated February 3, 2015 that includes the justification for the request. The Planning Department supports the waiver for the reasons stated by the applicant.

STAFF RECOMMENDATION:

The Planning Department recommends that the Planning Board accept the application, hold the public hearing, and then table the discussion to schedule a site walk for this project.

181 Silver Street

**Property Information**

Property ID 11002-000000
Location 181 SILVER ST
Owner PROPERO MANAGEMENT & HOLDINGS LLC



**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

City of Dover, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.



City of Dover, New Hampshire

SITE REVIEW APPLICATION

RECEIVED
Planning Office
[Revision Date: April 23, 2013]

Office Use Only Project #: P15-56 Date Received: JAN 29 2016
Amount Paid: _____ Time Received: _____

Dover, New Hampshire

APPLICANT AND OWNER INFORMATION

Name of Applicant: VMD Equities DVR, LLC Telephone # 603-235-9441

Address of Applicant: 733 Turnpike Street - North Andover, MA 01845

E-Mail Address: jvitas@vmdcompanies.com

Name of Property Owner (if different from applicant): Profero Management and Holdings LLC Telephone # (603) 767-5012

Address of Property Owner: 232 Gulf Road - Dover, NH 03820

PROPERTY INFORMATION

Address of Property: 181 Silver Street

Assessor's Map # 11 Lot(s) # 2

Zoning District(s) Thoroughfare Business (B-3) Overlay District(s) N/A

Size of Parcel: 847,723 sq. ft. 19.46 ac. Property Deed: Book 1762 Page: 0121

Existing Use of Property: Hotel, Banquet Facility, and Culinary Academy

SITE PLAN INFORMATION

Describe Proposed Use: Mixed Used (Assisted Living Facility, Medical Office, Bank & Restaurant)

Area of Parcel to be Developed: 544,500 sq. ft.

If Multi-family Residential, Specify Number of Units & Buildings Proposed: N/A

Number of Parking Spaces: Existing _____ Proposed _____

Highway Access (check where applicable): ☒ City Street _____ State Highway

Number of Employees Total: TBD In Maximum Shift: _____

Disposition of Parcel:

Building Setbacks:

Building Footprint Varies (5 bldgs.) sq. ft.

Front Yard 133.4 ft.

Total Building Area 185,390 sq. ft.

Rear Yard 83.5 ft.

Paved Area 216,097 sq. ft. Side Yard: Right 21.1 ft.
Left 52.4 ft.

City Water? ☒ Yes ☐ No How far is city water from the property? 54' +/-

City Sewer? ☒ Yes ☐ No How far is city sewer from the property? 54' +/-

BUILDING INFORMATION

Type of Building to be Built: Commercial

Assist. Living: 55' (Variance granted Case A 15-10)

Height of Building: <40' for remaining bldgs. Finished Floor Elevation: Varies

Number of Seats (where applicable) 22 (Coffee shop)

WAIVER REQUESTS

Site Review Regulations section(s) to be waived: SRR Section 149-14 D(5)g & 149-14 C(1): Porous pavement

Justification for waiver request(s) (*attach additional sheets as needed*):

Due to the poor permeability of the underlying soil (clay), infiltration is not feasible

SURVEYOR INFORMATION

Name of Surveyor and Company (Licensed in N.H.) Kenneth K. Chang - Allen & Major Associates, Inc.

Address 250 Commercial St - Manchester, NH 03101 Telephone #: 603-627-5500

Professional License #: 653 E-mail address:

ENGINEER INFORMATION

Name of Engineer and Company (Licensed in N.H.) Michael A. Malynowski - Allen & Major Associates, Inc.

Address 250 Commercial St - Manchester, NH 03101 Telephone #: 603-627-5500

Professional License #: 12205 E-mail address: mmalynowski@allenmajor.com

SIGNATURES

I/We hereby submit this application to the City of Dover Planning Board and attest that to the best of my knowledge all of the information on this application form and in the accompanying application materials and documentation is true and accurate. As applicant or as agent, I attest that I am duly authorized to act in this capacity.

Signature of Property Owner: See owner letter of authorization Date:

Signature of Applicant (*if different from owner*): James L. Vitas II Date: 1.28.16

Signature of Agent: James L Vitas ll Date: 1.28.16

AUTHORIZATION TO ENTER SUBJECT PROPERTY

I, and my successors, hereby authorize members of the Dover Planning Board, Planning Department and other pertinent City Departments and boards to enter my property for the purpose of evaluating this application, including performing inspections during the application phase, post-approval phase, construction phase and occupancy phase. It is understood that these individuals must use all reasonable care, courtesy, and diligence when on the property.

Signature of Agent : James L Vitas ll Date: 1.28.16

AUTHORIZATION TO COMPLETE THE PROJECT ON SUBJECT PROPERTY

I, and my successors, hereby the City of Dover or its assigns to enter my property for the purpose of completing the site work as required by the approved plan should the letter or credit or other surety be called. It is understood that these individuals must use all reasonable care, courtesy, and diligence when on the property.

Signature of Property Owner: See owner letter of authorization Date: _____

Signature of Applicant (if different from owner): James L Vitas ll Date: 1.28.16

CERTIFICATION OF FEES

I, and my successors, hereby certify that I understand that the City of Dover collects impact fees, utility investment fees and inspection fees for projects developed in Dover. Said fees must be paid before a Certificate of Occupancy can be obtained for a structure, unless a different payment schedule is agreed to by the applicant and the City prior to approvals being issued by the Dover Planning Board. Additionally, should the property be in "Current Use" it will be subject to the Land Use Change Tax.

Signature of Property Owner: See owner letter of authorization Date: _____

Signature of Applicant (if different from owner): James L Vitas ll Date: 1.28.16

UNIT #	OWNER (S) OF RECORD	MAILING ADDRESS

PLANNING BOARD

APPLICATION CHECKLIST & FEE SCHEDULE

A. If you are submitting an application for Site Review or a Major Subdivision the applicant shall meet with the Technical Review Committee (TRC). Eight (8) copies of the application and preliminary plan must be submitted. _____

B. Prior to the submission deadline for Planning Board, fifteen (15) copies of the application and fifteen (15) sets of plans must be submitted. Four (4) 22" x 34" and eleven (11) 11" x 17" (signed by owner). _____

C. **TOTAL FEE** paid by cash or check made payable to "City of Dover"

1. Application fee for the following:

- SUBDIVISION \$150.00 x # _____ new lots created = \$ _____
- LOT LINE ADJUSTMENT \$200.00 (if more than two lots involved, add \$100.00 per lot) = \$ _____
- SITE REVIEW - RESIDENTIAL \$100.00 x # _____ per dwelling unit = \$ _____
- SITE REVIEW - NON-RESIDENTIAL (not to exceed \$10,000)
 New construction \$.15 sq. ft. x # 185,390 sq. ft. = \$ 10,000.00
 Additions (new floor space) \$.10 per sq. ft. x # _____ sq. ft. = \$ _____
- IMPERVIOUS PAVED AREA (for new development) OR IMPERVIOUS PARKING LOT ADDITIONS (not to exceed \$10,000) \$.07 sq. ft. x # 105,632 = \$ 7,394.24
- MOTEL/HOTEL \$35.00 x # 85 per lodging unit = \$ 2,975.00
- CHANGE OF USE (not to exceed \$5,000)
 Existing floor space \$.10 per sq. ft. x # _____ sq. ft. = \$ _____
- CONDITIONAL USE PERMIT \$150.00 x # 1 per application = \$ 150.00
- GRAVEL PIT/ EXTRACTION PERMIT
 Application fee \$50.00 = \$ _____
 Permit fee \$75.00 = \$ _____
- EXTENSIONS OF/AMENDMENTS TO/WAIVERS FOR AN APPROVED PLAN (\$150.00 minimum) \$50.00 x # _____ per hour of review \$ _____
- REQUEST FOR REZONING \$150.00 = \$ _____
- DRIVEWAY WAIVER - \$100.00 application fee = _____
 Letter of rejection from Engineering Department, diagram & letter from owner \$ _____

D. **Mailing Labels (Avery 5160)** in triplicate including owner, engineer, architect, land surveyor, or soil scientist whose professional seal appears on the plat with names and addresses for notices.

1. Certified letters fee: # of abutters 21 X \$8.00 = \$ 168.00

2. Applicant & Owner, engineer, architect, land surveyor or soil scientist
 Certified letters fee # 3 of x \$8.00 = \$ 24.00

3. First Class Mail fee (for individual owner of units within a condominium or other collective form of ownership): # of abutters 28 X \$1.00 = \$ 28.00

4. Creating/Printing Abutter Labels fee per sheet _____ x \$10.00 = \$ _____

E. **Foster's newspaper public notice fee** (\$80 per notice (PB & Conservation) \$ 160.00

F. **Digital Version of the Plan & Archive Fee** \$1.00 x # 2 per sheet of plan set = \$ 2.00

TOTAL FEE \$ 20,901.24
 (Previously Submitted) \$ - 17,853.66
 Differential \$ 3,047.58

DATE	INVOICE NO.	COMMENT	AMOUNT	NET AMOUNT
01/27/2016	012716	Application Fee		3,047.58
DATE 01/27/16 VENDOR City of Dover			TOTAL	3,047.58

ALLEN & MAJOR ASSOCIATES, INC.

OPERATING ACCOUNT

P. O. BOX 2118
WOBURN, MA 01888-0118

NORTHERN BANK & TRUST COMPANY

53-309
113

45237

Three Thousand Forty Seven and 58/100

DATE	CHECK NO.	AMOUNT
01/27/16	45237	\$3,047.58

PAY
TO THE
ORDER
OF**CITY OF DOVER**ALLEN & MAJOR ASSOCIATES, INC. 

AUTHORIZED SIGNATURE

⑈045237⑈ ⑆011303097⑆ ⑈480 286 1⑈

ABUTTER LIST

THIS SECTION OF THE APPLICATION MUST BE COMPLETED BY ALL APPLICANTS

Pursuant to RSA 676:7, the State Law of New Hampshire, the City of Dover is required to notify the applicant and every abutter of the public hearing by certified mail. The cost of required publication or posting of notice, and the cost of mailing said notices, shall be paid by the applicant.

"Abutter" is defined in Chapter 170, Dover Zoning Ordinance, as:

The owner of record of a parcel of land located in New Hampshire and adjoins or is directly within **two hundred (200) feet** (including land across the street or waterway) of the proposed site under consideration by the Board.

In the case of an abutting property being under a condominium or other collective form of ownership, the term "abutter" means the officers of the collective or association, as defined in RSA 356-B: 3, XXIII. Additionally, the individual owners of units within the association, which are located within two hundred (200) feet of the common property line shall be notified only by first class mail.

PLEASE NOTE: abutter ownership information for lots located in Dover, shall be obtained through the City's Tax Assessment Office.

Tax Map	Lot No.	Owner(s) of Record	Mailing Address
11	1	Ann & Franklin Torr Rev Trust Ann & Franklin Torr Trustees	1 Old Littleworth Rd. Dover, NH 03820
11 Owner	2	Profero Management & Holdings, LLC	Bob DeColfacker 232 Gulf Road Dover, NH 03820
11	2A	Ann & Franklin Torr Rev Trust Ann & Franklin Torr Trustees	1 Old Littleworth Rd. Dover, NH 03820
11	3A	North Haverhill Management Corp.	444 East Main Street Newport, VT 05855
11	4	GTY MA/NH Leasing Inc.	125 Jericho Turnpike Suite 103 Jericho, NY 11753-1681
11	5	Eleanor K. & Bernard J. Duffy	161 Silver Street Dover, NH 03820
11	6	Brock Barbara Call Trustee Brock Barbara Call 2006 Rev. Trust	157 Silver Street Dover, NH
11	7	155 Silver Street Condominiums	C/O Richard N. Spagnolia 73 Pine Knoll Village Lee, NH 03861-6652

G	7-1-0	Washington Highlands Homeowner's Association	PO Box 2253 Dover NH 03821
Applicant		Vitas Management & Development Company, LLC	733 Turnpike Street North Andover, MA 01845
Engineer/ Land Survey		Allen & Major Associates, Inc.	250 Commercial Street Suite 1001 Manchester, NH 03101
Wetlands		Gove Environmental Services, Inc.	8 Continental Dr. Bldg 2, Unit H Exeter, NH 03833-7526

Verified via MapGeo in 12/15/2015

CONDO MEMBERS: FIRST CLASS MAIL NOTIFICATIONS

Tax Map	Lot No.	Owner(s) of Record	Mailing Address
11	7-1	Alexander K. Walker & Whitney E. Swaffield	155 Silver Street Unit 1 Dover, NH 03820
11	7-2	Kathleen & William Dibella	5 Hillsboro Circle Milford, NH 03055
11	7-3	Phoenix Asset Group, Inc.	1465 Hooksett Rd Unit 50 Hooksett, NH 03106-1827
11	7-4	Phoenix Asset Group, Inc.	1465 Hooksett Rd Unit 50 Hooksett, NH 03106-1827
G	7-1-1	Mario & Adriana Eade Trustees Mario & Adriana Eade Rev Liv Trust	10 Morrison Lane Dover, NH 03820
G	7-1-2	Mary A. David Trustee Mary A. David 2003 Revocable Trust	12 Morrison Lane Dover, NH 03820
G	7-1-3	Karen A. Batson	14 Morrison Lane Dover, NH 03820
G	7-1-4	Christopher & Cynthia Wyskiel Trustees Christopher & Cynthia Wyskiel Rev Liv Trust	15 Lexington Street Dover, NH 03820-3603
G	7-1-5	Daniel McGary	38 Overlook Drive Dover, NH 03820-4958
G	7-1-6	Ronald A. Hebert Trustee Ronald A. Hebert Rev Trust	20 Morrison Lane Dover, NH 03820
G	7-1-7	John P. Warren	24 Morrison Lane Dover, NH 03820
G	7-1-8	Matthew G. Keene	26 Morrison Lane Dover, NH 03820
G	7-1-9	John F. and Jane N. Romps	38 Morrison Lane Dover, NH 03820
G	7-1-10	Suzanne Strange	40 Morrison Lane Dover, NH 03820
G	7-1-11	Paul N and Helen Goransson	255 Depot Road Eliot, ME 03903
G	7-1-12	Norman A. & Therese Tremblay Tremblay Rev Trust	44 Morrison Lane Dover, NH 03820
G	7-1-13	Charles H. Alty	46 Morrison Lane Dover, NH 03820
G	7-1-14	Peter R & Margaret Beauregard	48 Morrison Lane Dover, NH 03820
G	7-1-15	Gerard Goubert	8 Dolloff Farm Dr. Exeter, NH 03833-7510
G	7-1-16	Virginia Skinger & Karen Parry Co-Trustees Skinger Living Trust	10 Crescent Ave. Dover, NH 03820
G	7-1-17	Helen S. Panasis & Charles & Linstrum KT Helen S. Panasis Rev Living Trust	49 Morrison Lane Dover, NH 03820-3654

CONDO MEMBERS: FIRST CLASS MAIL NOTIFICATIONS

G	7-1-18	Thomas E & Margaret A Murphy	47 Morrison Lane Dover, NH 03820
G	7-1-19	Janet Gross	45 Morrison Lane Dover NH 03820
G	7-1-20	Nigel S. Jordan	1622 E Irving Pl Apt. 42 Milwaukee, WI 53202-1481
G	7-1-21	Pauline L. Calderwood Pauline L. Calderwood Rev. Trust	23 Morrison Lane Dover, NH 03820
G	7-1-22	Robert & Jean Cannon	21 Morrison Lane Dover, NH 03820
G	7-1-23	Phillips Marilyn Life Estate & Comeau Cynthia & Phillips Berkowitz NA	40 E Watson St Dover, NH 03820-4254
G	7-1-24	Shirley S Wilson Trustee Shirley S. Wilson Rev Trust	17 Morrison Lane Dover, NH 03820-3654



ALLEN & MAJOR
ASSOCIATES, INC.

January 28, 2016

Chris Parker
City of Dover Planning
288 Central Street
Dover, NH 03820

RE: Technical Review Committee Meeting
Silver Square
181 Silver Street (Tax Map 11, Lot 2)
Dover, NH

Dear Mr. Parker,

Allen & Major Associates, Inc. (A&M), on behalf of our client, Vitas Management & Development Company, LLC would like to offer the following responses to the January 7, 2016 technical review comments. A&M responses are below in bold.

Planning Comments:

- Impact fees and water and sewer investment fees will be assessed

A&M's Response: Impact fee (Police & Fire) has been calculated to be \$49,384.92 as reviewed by the City. In an email dated 01-22-16, it was indicated that per the Public Works Department, water and sewer investment fees would be waived.

- Correct application regarding building area and building height

A&M's Response: The application has been updated to include the total gross square footage of each tenant space.

- Correct abutters list

A&M's Response: The abutter list has been updated.

- Please revise the plan set to:
 - confirm the building layout on each sheet is the accurate proposal
 - make plan set less grainy
 - include interior parking landscaping (10% minimum)

A&M's Response: The above mentioned items have been updated/addressed with the plan set as requested.

- indicate porous pavement

A&M's Response: As discussed at a meeting with the City Engineer on 1/22, that due to impermeability of the underlying soils, infiltration of this magnitude is unfeasible and impractical. A waiver is requested.

- update resource note 3 on sheet C-1
- add property owner name and address
- confirm building height on sheet C-1A
- remove parking from setback
- provide a key on the lighting plan on sheet L-1
- only include the existing conditions on the necessary sheets
- include the roundabout
- refer to the “City” of Dover not “Town”
- indicate correct building area to be accurate and include all stories
- correct note regarding variances granted
- connect the internal pedestrian walkways
- accurately calculate the maximum number of parking spaces— the assisted living should use the medical office equation. In general, reduce the number of parking spaces include “no stacking beyond this point” at the drive-thru’s

A&M’s Response: The above mentioned items have been updated/addressed with the plan set as requested.

- add a bypass lane or completely block off lane beyond bank drive-thru

A&M’s Response: The position of the bank has been adjusted to increase the by-pass lane width. Additional, directional signage has been added to the plans.

- include the plan number (P15-56) on all sheets
- indicate zoning district boundaries
- add fire lane locations

A&M’s Response: The above mentioned items have been updated/addressed with the plan set as requested.

- add any existing or proposed easements

A&M’s Response: Currently there are no existing easement which the development team has been made aware of. The applicant respectfully requests that any proposed easements be made as a condition of approval.

- indicate the internal walkways are porous or a waiver be granted

A&M’s Response: As discussed at a meeting with the City Engineer on 1/22, that due to impermeability of the underlying soils, infiltration of this magnitude is unfeasible and impractical. A waiver is requested.

- add a bike rack

A&M's Response: Plans have been updated as requested.

Please provide:

- hotel fees

A&M's Response: Update fees have been paid

- colored architectural renderings

A&M's Response: At this time, full architectural plans have not been completed for each of the individual tenant spaces. Upon finalization, full architectural plans will be submitted and it is understood that another TRC meeting may be required depending on the specific uses.

- a lighting plan that meets Chapter 149-14.E.1(b)

A&M's Response: Refer to sheet L-1 for an update lighting plan.

- a streetscape plan

A&M's Response: Please refer to sheets C-4, C-4A – C4C for landscaping information.

- digital version of the plan set

A&M's Response: a PDF set of plans has been submitted.

- a neighborhood plan to include required details per Chapter 149-13.A(16)

A&M's Response: Refer to sheet N-1.

Traffic Assessment and Analysis:

- The Professional Engineer and Licensed Land Surveyor will need to sign and date final plans

A&M's Response: Agreed.

- Consider moving medical building and assisted living facility into the parking area to lessen the amount of parking area

A&M's Response: Due to specific requirements of the anticipated tenants, moving the assisted living facility and medical office building closer to the center of the project is unfeasible. However, additional green space has been added and a reduction of parking has been made.

- A development agreement will need to be recorded before final plan set is signed

A&M's Response: Agreed.

- A peer review traffic study for the internal traffic flow will be required at the applicant's expense

A&M's Response: TEC, the traffic engineer for the project, has reviewed the previously submitted plans and have made recommendations regarding internal circulations. The updated plans reflect these recommendations and have had a cursory review by planning staff.

- Storm Water Management Plan depicting the existing and proposed storm drainage system and engineered drainage analysis needed to the satisfaction of the City Engineer

A&M's Response: The submission of an updated stormwater management will be coordinated with the City Engineer and NHDES.

- Storm Water Management System Operation and Maintenance Plan to the satisfaction of the City Engineer

A&M's Response: Agreed.

Police Department Comments:

- Looking for Traffic Impact Assessment

A&M's Response: A comprehensive traffic assessment is ongoing and will be submitted to the City and NHDOT for review.

Engineering Comments:

- Include the roundabout design in the plan package for review

A&M's Response: A conceptual roundabout has been illustrated on the update plans and a full design package is forthcoming.

- All water main sizes and type need to be depicted

A&M's Response: The updated plans illustrate water main sizes.

- Maintain at least 6 feet of separation between the water main and other utilities

A&M's Response: The updated plans illustrate the required separation

- The city does not require water main crossings to be encased in concrete. Only crossing existing AC piping is required to be supported by flowable concrete fill

A&M's Response: The plans have been updated to remove the concrete encasement as suggested.

- Show all water gates on mains

A&M's Response: The plans have been updated to show the appropriate gate valves.

•

- Sand bedding is required for water mains

A&M's Response: The plans have been updated to show sand bedding.

- All ductile iron mains should receive polywrap

A&M's Response: The plans have been updated to call attention to the inclusion of poly wrap

- Tapping sleeves should be stainless steel

A&M's Response: The plans have been updated.

- Drain manhole and sewer manhole covers should be hinged. Either Neenah liftmate or pamrex are acceptable

A&M's Response: The plans have been updated to include hinged covers.

- How is off site drainage handled behind the assisted living facility?

A&M's Response: Several additional catch basins have been added to the rear of the assisted living facility to intercept the offsite drainage and the downstream conveyances have been sized accordingly.

- How is roof runoff handled?

A&M's Response: At this time, full architectural & mechanical plans have not been compiled for the specific tenant spaces. It is anticipated that roof runoff will be directed to the closest drainage system adjacent to each specific building. A note has been added to the plan call attention to this.

- Recommend crowning the drive entrance and placing two catchbasins on the radii at the intersection to better capture the stormwater

A&M's Response: The plans have been updated as recommended.

- Specify the types of grates to be used if they are different than the standard type B

A&M's Response: The plans have been updated to specify the type of grates to be used.

- Per 149-14 A. (1) (i) – the purpose of the stormwater management is to promote a balance between pre-development and post-development flow and volume. The applicant has reduced the peak rate, however the volume is increased consistently during all storm events. The drainage analysis shows a volume increase of approximate 30,000 cf. in the 50 year storm event

A&M's Response: Due the poor permeability of the underlying soil, infiltration of the magnitude required to mitigate a zero net increase is unfeasible. The proposed treated discharge from the stormwater management system is directed to a large existing wetland along the perimeter of the site exceeding 245,787 square feet. Although the volume has increased, the rate has been significantly reduced such that vast area of existing wetland can aid in attenuating the added volume with a minimal rise in the overall water level.

- No porous pavement has been proposed, as is required in Section D(5)(g) of the City of Dover site plan regulations. Staff would support a waiver from this regulation, if the intent of the requirement is met through other equivalent means of stormwater mitigation. It does appear that the strategic use of porous pavement could be implemented to provide infiltration and meet the zero net stormwater volume increase.

A&M's Response: As discussed at a meeting with the City Engineer on 1/22, that due to impermeability of the underlying soils, infiltration of this magnitude is unfeasible and impractical. A minimal amount of infiltration is provided in strategically placed "rain gardens".

- Investigate where the stormwater flows exit your site (railroad crossing?) and does there need to be any maintenance done at these locations?

A&M's Response: During a site walk on 1/14, a defined outlets from the large wetland was unable to be field located. As discussed with the City Engineer on 1/22, an additional walk could be conducted in the spring to verify if any outlets under the railroad exist and to notify the railroad of any maintenance which might need to be conducted on their part.

- Provide a larger routing diagram map for the post development.

A&M's Response: A large routing diagram will be forwarded to the City Engineer for review.

- The City Engineer would like to meet to discuss various design features, like water main sizing and gate and hydrant locations

A&M's Response: A meeting was held on 1/22 between A&M and the City Engineer to discuss these and other outstanding concerns that were presented at the TRC. All of these items have been incorporated into the updated plans.

- Be mindful of 15' setback and move the wall currently in setback

A&M's Response: The plans have been updated to shift the wall outside of the setback.

Fire/Inspections Comments:

- Submitted plans shall indicate design compliance for accessibility in accordance with IBC 2009, ICC/ANSI A117.1-2003, as amended and the Architectural Barrier- Free Design Code for the State of NH (ABFD 300 - AB Code)

A&M's Response: A note has been added to the plans.

- The proposed coffee shop shall have a minimum of one van accessible parking space

A&M's Response: The plans have been updated to include a van accessible space at the coffee shop.

- Indicate the dimensions of all accessible parking spaces (Reference/ discuss C-1, C-1A, C1B)

A&M's Response: All of the accessible parking spaces have been dimensioned on the updated plans.

- Clarify the quantity of accessible parking spaces for each structure

A&M's Response: The parking summary table has been updated to include a breakdown of the required accessible parking spaces for each intended use.

- Indicate accessible signage at required locations

A&M's Response: The updated plans have indicated accessible signage at the appropriate locations.

- Indicate how accessible isles are maintained (Reference/ discuss C-1, C-1A, C1B)

A&M's Response: The updated plans more clearly illustrated the accessible isles.

- Indicate underground electric line to coffee shop

A&M's Response: An electric service has been added for the coffee shop.

- Indicate location of all pad mounted transformers and sector cabinets about the site

A&M's Response: Electrical transformers have been indicated on the updated plans for each building.

- Clarify the grouping of utilities at the medical and hotel structures

A&M's Response: The utility runs for the hotel and medical office building have been updated.

- Indicate electric power supply, controller and alarm location for sewer pumping station in parking lot

A&M's Response: A utility shed has been added adjacent to the bank. This structure is intended to house a small emergency generator to service the pumpstation and to house the control panel and pump alarms. Additionally, the routing of electrical service for the pumpstations has been clarified.

- Indicate turning radius of Truck 1 thru site

A&M's Response: A truck turning plan (TR-1) has been provided illustrating the routing of "Truck 1" through the site.

- Provide a note on plan to indicate all- weather access shall be maintained during construction for first responders

A&M's Response: A note has been added to Sheet C-1.

- Indicate the location of all FDCs at all structures

A&M's Response: The FDCs have noted on all structures.

- Provide an additional hydrant on the West/ North West side of the Assisted Living structure

A&M's Response: An additional hydrant has been added to the plans.

- Indicate all fire lanes throughout the site

A&M's Response: A&M has spoken with Rebecca Jalbert, Fire & Life Safety Inspector and is coordinating, if required the illustration of fire lanes throughout the project.

- Work with the Building Inspector to rename the road as Silver Street Extension no longer exists

A&M's Response: The traffic consultant will work with the building inspector to verify the feasibility of this.

- Another TRC may be required depending on the specific medical uses

A&M's Response: Agreed.

Economic Development Comments:

- Concern with connectivity flow of the site. Vast expanse of parking

A&M's Response: Additional pedestrian connectivity has been added to the updated plans.

- Will there be an ATM at the bank?

A&M's Response: At this time, the development team is unable to verify if an ATM will be present at the bank as a defined tenant has yet to be determined.

- Connect components better

A&M's Response: Additional pedestrian connectivity has been added to the updated plans.

Planning Board Comments:

- Consider innovative parking, i.e. in-building parking

A&M's Response: Under building parking is not feasible as it would raise the overall building height to accommodate both the parking and required building usage above the current height restrictions within the zoning district.

Very Truly Yours,

ALLEN & MAJOR ASSOCIATES, INC.



Michael A. Malynowski, PE
Project Manager

Enclosures

February 3, 2016



Chris Parker
City of Dover Planning
288 Central Street
Dover, NH 03820

RE: Waiver Request
Silver Square
181 Silver Street (Tax Map 11, Lot 2)
Dover, NH

Dear Mr. Parker,

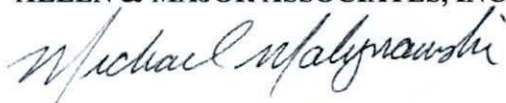
Allen & Major Associates, Inc. (A&M), on behalf of our client, VMD Equities DVR, LLC would like to request the following waiver for the City of Dover, NH Site Review Regulations regarding the Site Plan Application for the above reference project.

SRR Section 149-14 C(1) – To not provide internal walkways constructed of a pervious material, such as pervious asphalt or concrete, open or pervious paving blocks or similar technologies. A waiver is requested due to the impermeability of the underlying soils, which makes infiltration of this magnitude unfeasible and impractical. As discussed at a meeting with the City Engineer on 1/22, a minimal amount of infiltration is provided in strategically placed “rain gardens” throughout the site.

SRR Section 149-14 D(5)g – To not construct the proposed parking area which exceeds one and a half (1.5) acres with a pervious material. A waiver is requested due to impermeability of the underlying soils, which makes infiltration of this magnitude unfeasible and impractical. As discussed at a meeting with the City Engineer on 1/22, a minimal amount of infiltration is provided in strategically placed “rain gardens” throughout the site. Stormwater from the proposed parking area will be collected via a closed drainage system and directed to one of three extended detention basins which will provide treatment prior to discharge.

Should you have any questions about what is contained herein, please do not hesitate to contact me.

Very Truly Yours,
ALLEN & MAJOR ASSOCIATES, INC.



Michael A. Malynowski, PE
Project Manager

Enclosures

RECEIVED
Planning Office

FEB 04 2016

Dover, New Hampshire



City of Dover, New Hampshire
APPLICATION FOR EXTENSIONS OF/ AMENDMENTS
TO/ WAIVERS FOR AN APPROVED PLAN

[Creation Date: April 23, 2013]

RECEIVED
Planning Office

Office Use Only

Amount Paid: _____

Date/Time Received: _____

P15-56

FEB 04 2016

Dover, New Hampshire

APPLICANT INFORMATION

Name of Applicant: VMD Equities DVR, LLC Telephone # 603-235-9441

Address of Applicant: 733 Turnpike Street - North Andover, MA 01845 E-Mail jvitas@vmdcompanies.com

Project Name: Silver Square Project Location: 181 Silver Street

Planning File Number: P15-56 Date of Original Approval _____

File Type: Conditional Use ☒ Site Plan Review ☒ Subdivision _____

EXTENSION INFORMATION (Note: notification of abutters required for first time extensions only)

Current deadline date: _____ Number of Extensions Previously granted by Board _____

Reason(s) for extension/comments (attach additional sheets as needed): _____

AMENDMENT INFORMATION

Condition(s) or portion of plan to be amended: _____

Reason(s) for amendment/comments (attach additional sheets as needed): _____

WAIVER INFORMATION

Site Review/Subdivision Regulations section(s) to be waived: SRR Section 149-14 D(5)g & 149-14 C(1): Porous pvmt.

Justification for waiver request(s) (attach additional sheets as needed): _____

Due to the poor permeability of the underlying soil (clay), infiltration is not feasible

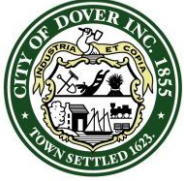
SIGNATURES

I/We hereby submit this application to the City of Dover Planning Board and attest that to the best of my knowledge all of the information on this application form and in the accompanying application materials and documentation is true and accurate. As applicant or as agent, I attest that I am duly authorized to act in this capacity.

Signature of Property Owner: See owner letter of authorization Date: _____

Signature of Applicant (if different from owner): James L Vitas ll Date: 2.3.16

Signature of Agent: James L Vitas ll Date: 2.3.16



CITY OF DOVER

TECHNICAL REVIEW COMMITTEE MINUTES - P15-56

Application Type: Site Plan Review
Applicant(s): Vitas Management & Development Company, LLC
Owner(s): Profero Management and Holdings LLC
Location: 181 Silver Street (Tax Map 11, Lot 2)
Date: January 7, 2016

INTENT: Site plan to construct a 72,360 sq. ft Assisted Living Facility with 76 units, a 2,930 sq. ft. bank, a 66,000 sq. ft. Medical Office Building, a 2,400 sq. ft. coffee shop, and an 85 unit hotel with 13,900 sq. ft. footprint. The mixed use site contains 415 parking spaces.

LOTS/UNITS PROPOSED: 85 hotel rooms, 76 unit assisted living and unknown amount of Medical Office units

AGENDA ITEM #: 2

ACREAGE: 19.46 acres

ZONING DISTRICT: Thoroughfare Business (B-3)

EXISTING LAND USE: Vacant McIntosh College

SURROUNDING LAND USE: Commercial and Residential

ZBA ACTION:

- Variance granted May 21, 2015 to permit a building height of 55' and an assisted living facility in the B-3
- Variance granted February 16, 1984 for relief from definition of lot in order to construct an additional building on the lot (H84-6)
- Sign approved July 24, 1979 to allow existing Ramada sign to be raised from 30' to 40' (H79-17)

PERMITS REQUIRED:

- NHDES Wetlands
- Conditional Use Permit

WAIVERS REQUESTED: None submitted

ATTENDANCE:

Members:

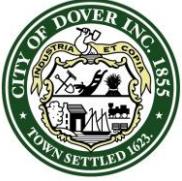
Christopher Parker, Planning
Elena Piekut, Planning/Zoning
Thomas Clark, Building/Fire
Marn Speidel, Police
Dave White, Engineering
Dan Barufaldi, Economic Development
Frank Torr, Planning Board

Others:

Donna Benton, Planning
Jim Maxfield, Building/Fire
Bob Clark, Applicant/Engineer
Mike Malynowski, Engineer
Kevin Dandrade, TEC, Inc.
Alex Vailas, Developer
Bob DeColfmacker, Profero Management and Holdings, LLC

Planning Comments:

- Impact fees and water and sewer investment fees will be assessed
- Correct application regarding building area and building height
- Correct abutters list
- Please revise the plan set to:
 - confirm the building layout on each sheet is the accurate proposal
 - make plan set less grainy
 - include interior parking landscaping (10% minimum)
 - indicate porous pavement
 - update resource note 3 on sheet C-1
 - add property owner name and address
 - confirm building height on sheet C-1A
 - remove parking from setback
 - provide a key on the lighting plan on sheet L-1
 - only include the existing conditions on the necessary sheets
 - include the roundabout
 - refer to the "City" of Dover not "Town"
 - indicate correct building area to be accurate and include all stories
 - correct note regarding variances granted
 - connect the internal pedestrian walkways
 - accurately calculate the maximum number of parking spaces—the assisted living should use the medical office equation. In general, reduce the number of parking spaces
 - include "no stacking beyond this point" at the drive-thru's



CITY OF DOVER

TECHNICAL REVIEW COMMITTEE MINUTES - P15-56

Application Type: Site Plan Review
Applicant(s): Vitas Management & Development Company, LLC
Owner(s): Profero Management and Holdings LLC
Location: 181 Silver Street (Tax Map 11, Lot 2)
Date: January 7, 2016

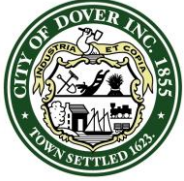
- add a bypass lane or completely block off lane beyond bank drive-thru
- include the plan number (P15-56) on all sheets
- indicate zoning district boundaries
- add fire lane locations
- add any existing or proposed easements
- indicate the internal walkways are porous or a waiver be granted
- add a bike rack
- Please provide:
 - hotel fees
 - colored architectural renderings
 - a lighting plan that meets Chapter 149-14.E.1(b)
 - a streetscape plan
 - digital version of the plan set
 - a neighborhood plan to include required details per Chapter 149-13.A(16)
 - Traffic Assessment and Analysis
- The Professional Engineer and Licensed Land Surveyor will need to sign and date final plans
- Consider moving medical building and assisted living facility into the parking area to lessen the amount of parking area
- A development agreement will need to be recorded before final plan set is signed
- A peer review traffic study for the internal traffic flow will be required at the applicant's expense
- Storm Water Management Plan depicting the existing and proposed storm drainage system and engineered drainage analysis needed to the satisfaction of the City Engineer
- Storm Water Management System Operation and Maintenance Plan to the satisfaction of the City Engineer

Police Department Comments:

- Looking for Traffic Impact Assessment

Engineering Comments:

- Include the roundabout design in the plan package for review
- All water main sizes and type need to be depicted
- Maintain at least 6 feet of separation between the water main and other utilities
- The city does not require water main crossings to be encased in concrete. Only crossing existing AC piping is required to be supported by flowable concrete fill
- Show all water gates on mains
- Sand bedding is required for water mains
- All ductile iron mains should receive polywrap
- Tapping sleeves should be stainless steel
- Drain manhole and sewer manhole covers should be hinged. Either Neenah liftmate or pamrex are acceptable
- How is off site drainage handled behind the assisted living facility?
- How is roof runoff handled?
- Recommend crowning the drive entrance and placing two catchbasins on the radii at the intersection to better capture the stormwater
- Specify the types of grates to be used if they are different than the standard type B
- Per 149-14 A. (1) (i) – the purpose of the stormwater management is to promote a balance between pre-development and post-development flow and volume. The applicant has reduced the peak rate, however the volume is increased consistently during all storm events. The drainage analysis shows a volume increase of approximate 30,000 cf. in the 50 year storm event
- No porous pavement has been proposed, as is required in Section D(5)(g) of the City of Dover site plan regulations. Staff would support a waiver from this regulation, if the intent of the requirement is met though other equivalent means of stormwater mitigation. It does appear that the strategic use of porous pavement could be implemented to provide infiltration and meet the zero net stormwater volume increase.
- Investigate where the stormwater flows exit your site (railroad crossing?) and does there need to be any maintenance done at these locations?
- Provide a larger routing diagram map for the post development.
- The City Engineer would like to meet to discuss various design features, like water main sizing and gate and hydrant locations



CITY OF DOVER

TECHNICAL REVIEW COMMITTEE MINUTES - P15-56

Application Type: Site Plan Review
Applicant(s): Vitas Management & Development Company, LLC
Owner(s): Profero Management and Holdings LLC
Location: 181 Silver Street (Tax Map 11, Lot 2)
Date: January 7, 2016

- Be mindful of 15' setback and move the wall currently in setback

Fire/Inspections Comments:

- Submitted plans shall indicate design compliance for accessibility in accordance with IBC 2009, ICC/ANSI A117.1-2003, as amended and the Architectural Barrier-Free Design Code for the State of NH (ABFD 300 - AB Code)
- The proposed coffee shop shall have a minimum of one van accessible parking space
- Indicate the dimensions of all accessible parking spaces (Reference/ discuss C-1, C-1A, C1B)
- Clarify the quantity of accessible parking spaces for each structure
- Indicate accessible signage at required locations
- Indicate how accessible isles are maintained (Reference/ discuss C-1, C-1A, C1B)
- Indicate underground electric line to coffee shop
- Indicate location of all pad mounted transformers and sector cabinets about the site
- Clarify the grouping of utilities at the medial and hotel structures
- Indicate electric power supply, controller and alarm location for sewer pumping station in parking lot
- Indicate turning radius of Truck 1 thru site
- Provide a note on plan to indicate all-weather access shall be maintained during construction for first responders
- Indicate the location of all FDCs at all structures

- Provide an additional hydrant on the West/ North West side of the Assisted Living structure
- Indicate all fire lanes throughout the site
- Work with the Building Inspector to rename the road as Silver Street Extension no longer exists
- Another TRC may be required depending on the specific medical uses

Economic Development Comments:

- Concern with connectivity flow of the site. Vast expanse of parking
- Will there be an ATM at the bank?
- Connect components better

Planning Board Comments:

- Consider innovative parking, i.e. in-building parking

Motion to adjourn by Marn Speidel and seconded by Dave White.

Vote: U/A

S:\Department\Planning\Planning_Share\Planning Board\TRC\2016TRC\MINUTES\2016.01.07_PlanningTechnicalReviewCommittee.SilverSquare.Minutes.docx

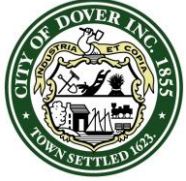
3. FACILITY THAT HAS A LARGE GROUPING OF CUSTOMERS FOR A LONGER DURATION ACTIVITY
4. FACILITY THAT HAS EMPLOYEES BUT NOT A HIGH VOLUME OF CUSTOMERS OR CLIENTS
5. FACILITY WITH VOLUMINOUS CRIME RECORD FOR SHORT TERM OCCUPANCY
6. FACILITY THAT HAS EMPLOYEES AND A HIGH VOLUME OF CUSTOMERS OR CLIENTS

1. THE OWNER OF THE SITE INTENDS TO OBTAIN A 15 DAY EROSION CONTROL PLAN APPROVAL FOR THE PROPOSED MIXED USE DEVELOPMENT.
2. AS-BUILT PLANS OF THE SITE SHALL BE SUBMITTED ON A REPRODUCIBLE MEDIA MEDIUM AND IN A DIGITAL FILE FORMAT IN PDF TO THE CITY OF BOSTON ENGINEER'S OFFICE UPON COMPLETION OF WORK. AS-BUILT PLANS SHALL BE PROVIDED AND CERTIFIED CORRECT BY A L.S. OR P.E.
3. BUILDING ADDRESSES SHALL BE ASSIGNED BY THE BUILDING INSPECTOR AT THE END OF ISSUANCE OF A BUILDING PERMIT.
4. THIS PROJECT WILL BE SERVED BY PUBLIC SEWER, WATER, GAS, TELEPHONE, CABLE AND ELECTRIC ALL UTILITY LINES WILL BE INSTALLED UNDERGROUND.
5. ANY DAMAGE TO PRIVATE OR PUBLIC PROPERTIES DUE TO THE CONTRACTOR'S ACTIVITIES SHALL BE REPAIRED AND RESTORED BY THE CONTRACTOR AT THEIR OWN EXPENSE.
6. ALL PROPERTY MARKERS AND STREET LINE MONUMENTS SHALL BE PROPERLY PROTECTED. EXISTING CONSTRUCTION AND DAMAGE TO THESE ITEMS SHALL BE REPAIRED AND RESTORED BY A SURVEYOR REGISTERED IN THE STATE OF NEW HAMPSHIRE AT THE CONTRACTOR'S EXPENSE.
7. ALL APPLICABLE PERMITS AND AN APPROVED SET OF PLANS SHALL BE AVAILABLE AT THE PERMITTING OFFICE.
8. THE CONTRACTOR IS RESPONSIBLE FOR SCHEDULING A PRECONSTRUCTION MEETING WITH THE CITY, THE APPROPRIATE LOCAL AGENCIES, THE OWNER AND OWNER'S REPRESENTATIVE. THE MEETING SHALL TAKE PLACE PRIOR TO THE START OF CONSTRUCTION AND THE MEETING MUST PROVIDE 48 HOURS NOTICE TO ALL ATTENDEES PRIOR TO THE START OF THE MEETING.
9. APPROPRIATE WARNING SIGNS, BARRIERS, BARRICADES AND/OR FLASHERS SHALL BE PROVIDED TO REGULATE TRAFFIC. CONSTRUCTION TRAFFIC CONTROL SHALL BE IMPLEMENTED TO THE MAXIMUM ON INFRASTRUCTURE TRAFFIC CONTROL DEVICES (WUITS) AND THE LOCAL AUTHORITY.
10. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ADDITIONAL PERMITS/REPERMITS IF REQUIRED. THE CONTRACTOR IS RESPONSIBLE FOR LOCATING AND PROTECTING ALL EXISTING BENCHMARKS. IF IT IS NECESSARY TO RELOCATE A BENCHMARK, IT SHALL BE RELOCATED BY A NEW HAMPSHIRE PROFESSIONAL LAND SURVEYOR AND DONE SO AT THE CONTRACTOR'S EXPENSE.
11. ALL PERMITS AND APPROVALS NECESSARY FROM AGENCIES GOVERNING THE WORK SHALL BE OBTAINED BY THE CONTRACTOR PRIOR TO THE COMMENCEMENT OF WORK.
12. IT IS THE CONTRACTOR'S RESPONSIBILITY TO ENSURE THAT EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE IN PLACE PRIOR TO THE COMMENCEMENT OF ANY SITE WORK OR EXISTING OPERATIONS SHALL BE MAINTAINED DURING CONSTRUCTION AND SHALL REMAIN IN PLACE UNTIL ALL SITE WORK IS COMPLETE AND UPLAND COVER IS ESTABLISHED. ADDITIONAL EROSION CONTROL MEASURES SHALL BE INSTALLED IF DETERMINED NECESSARY BY ON-SITE INSPECTIONS BY THE OWNER, THEIR REPRESENTATIVE OR REGULATORY AGENCIES HAVING JURISDICTION. AT NO ADDITIONAL COST TO THE OWNER.
13. CONSTRUCTION DURING HOT WEATHER OR WINTER CONDITIONS IS TO BE ANTICIPATED AND PROVISIONS TO APPROPRIATELY ADDRESS THESE CONDITIONS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
14. SNOW STORAGE SHALL BE COMPLETED PRIOR TO ANY SNOW STORAGE. SNOW SHALL BE TAKEN OFF-SITE. SNOW STORAGE AREAS ON SITE BECOME INADEQUATE AND BEGINS TO BLOCK ACCESS TO AND FROM THE SITE FOR 90 DAYS THE USE OF ON-SITE STORAGE AND/OR TRUCKS SHALL BE REQUIRED. ON-SITE STORAGE OF SNOW IN ACCORDANCE WITH CITY OF BOSTON AND TRAILS GUIDELINES.
15. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REVIEW ALL DRAWINGS AND SPECIFICATIONS ASSOCIATED WITH THE PROJECT WORK SCOPE PRIOR TO THE START OF CONSTRUCTION. SHOULD THE CONTRACTOR FIND A CLASH WITH THE DRAWINGS, SPECIFICATIONS OR RELATIVE CODES, IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO NOTIFY THE ENGINEER AND/OR ARCHITECT PRIOR TO START OF CONSTRUCTION. FAILURE BY THE CONTRACTOR TO NOTIFY THE ENGINEER AND/OR ARCHITECT SHALL CONSTITUTE ACCEPTANCE OF FULL RESPONSIBILITY BY THE CONTRACTOR TO COMPLETE THE SCOPE OF WORK AND/OR OTHER INTENT OF THE DRAWINGS AND IN FULL COMPLIANCE WITH LOCAL REGULATIONS AND CODES.
16. THE DESIGN ENGINEER WAIVES ANY AND ALL RESPONSIBILITY AND LIABILITY FOR PROBLEMS WHICH ARISE FROM FAILURE TO FOLLOW THESE BASIC SPECIFICATIONS AND/OR FOR THE DESIGN. NEITHER THE CITY OF BOSTON NOR THE DESIGN ENGINEER SHALL BE RESPONSIBLE FOR ANY AND ALL PROBLEMS AND/OR FOLLOW THE GUIDANCE OF THE DESIGN ENGINEER WITH RESPECT TO ANY PROBLEMS. MISSIONS INCONSISTENT, AMBIGUOUS OR CONFLICTS WHICH ARE DISCOVERED OR ALLEGED.
17. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR THE MEANS AND METHODS OF CONSTRUCTION AND FOR CONFINING ALL SITE EROSION PLAYS, THEREBY BY ALL MEANS AND ANY ALSO DO NOT EXTEND TO OR INCLUDE PROBLEMS WHICH ARISE FROM OTHERS FAILURE TO OBTAIN PERMITS OR THEIR SUPPLIES, AGENTS OR REPRESENTATIVE. THE RESPONSIBILITY OF THE WORK, OR THE OWNER'S EMPLOYEES, CUSTOMERS OR THE GENERAL PUBLIC, THE OWNER. IF THE ENGINEER AS INCLUDED IN THE PLAN SET DOES NOT EXTEND TO ANY SUCH SAFETY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR INCORPORATING INTO THESE PLANS ALL CONSTRUCTION CONSTRUCTION SHALL PROVIDE THE APPROPRIATE SAFETY SYSTEMS WITHIN ANY REQUIRED BY THE CITY, REGULATORY AGENCY AND SAFETY ADVISORY RATHER THAN ANY LOCAL REGULATIONS.
18. REFER TO SPECIFICATIONS FOR ZONING, SUBMITTAL AND VARIANCE REQUEST INFORMATION.
19. ACCESSIBLE AND PARKING SHALL COMPLY WITH 2009 ADA/ANSI A117-2003, AS AMENDED AND THE ARCHITECTURAL BARRIER PRELIM DESIGN GUIDE FOR THE STATE OF NEW HAMPSHIRE.

1. AERIALS SHOWING RELATION WITH FIELD DELINEATED IN GENERAL ACCORDANCE WITH 1987 COMPS OF ENGINEERS BETWEEN DELLEGAARD MARIAL AND THE 2010 NORTH-THIRD AND NORTH-EAST REGIONAL SUPPLEMENT (SECTION 2) AND BASED ON A FIELD SURVEY CONDUCTED BY DANIEL HUNTER, 2010. SURVEYING WAS CONDUCTED IN MAY 2015. DISCREPANCY WITH LOCALITY BY AERIAL AND MARIAL APPROPRIATE.
2. PHOTOGRAPHY TEST THIS SAME COORDINATE AND LOGICAL BY AERIAL AND MARIAL APPROPRIATE IN SEPTEMBER 2015.
3. SUBJECT PARCEL IS NOT LOCATED WITHIN A FERRARIN DISCREPANCY FLOOD HAZARD AREA (COMMON BY DANIEL HUNTER 2010) NOR EFFECTIVE TEST MAY 27, 2005).

LAYOUT PLAN

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CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P15-55

Application Type: Conditional Use Permit
Applicant(s): Vitas Management & Development Company, LLC
Owner(s): Profero Management and Holdings, LLC
Location: 181 Silver Street (Assessor's Map 11, Lot 2)
Meeting Date: February 9, 2016

INTENT: To obtain a Conditional Use Permit for a wetland impact of 24,454 sq. ft.

LOTS/UNITS PROPOSED: 76 Assisted Living Units, 85 Hotel Units

AGENDA ITEM #: 4-B

ACREAGE: 19.46 Acres

ZONING DISTRICT: Thoroughfare Business (B-3)

EXISTING LAND USE: Former McIntosh College and Hotel

PROPOSED LAND USE: Mixed Use

SURROUNDING LAND USE: Commercial and Residential

ZBA ACTION:

- Z15-10: Variances to allow a building height of 55 ft. where 40 ft. is allowed and to allow an assisted living facility in the B-3 District
- H84-6: Variance from definition of lot to construct an additional building on the existing property
- H79-17: Variance for sign height and area

ATTACHMENT: Conditional Use Application, Conservation Commission minutes from January 11, 2016

APPLICATION IS COMPLETE: Yes

NOTICES SENT: Abutter notices were sent by certified mail for this meeting

PERMITS REQUIRED:

- Alteration of Terrain Permit
- NHDOT Permit
- NHDES Wetlands Permit

WAIVERS REQUESTED:

- 149-14(D)(5)(g): Porous Pavement
- 149-14(C)(1): Porous Walkways

Summary of Request and Background

The applicant is requesting a Conditional Use Permit for work impacting 24,454 sq. ft. of wetlands. These impacts would allow more building to be on the site.

The applicant appeared before the Conservation Commission on January 11, 2016. At the meeting, the Conservation Commission requested a joint site walk with the Planning Board and stated the application would be placed on a future agenda.

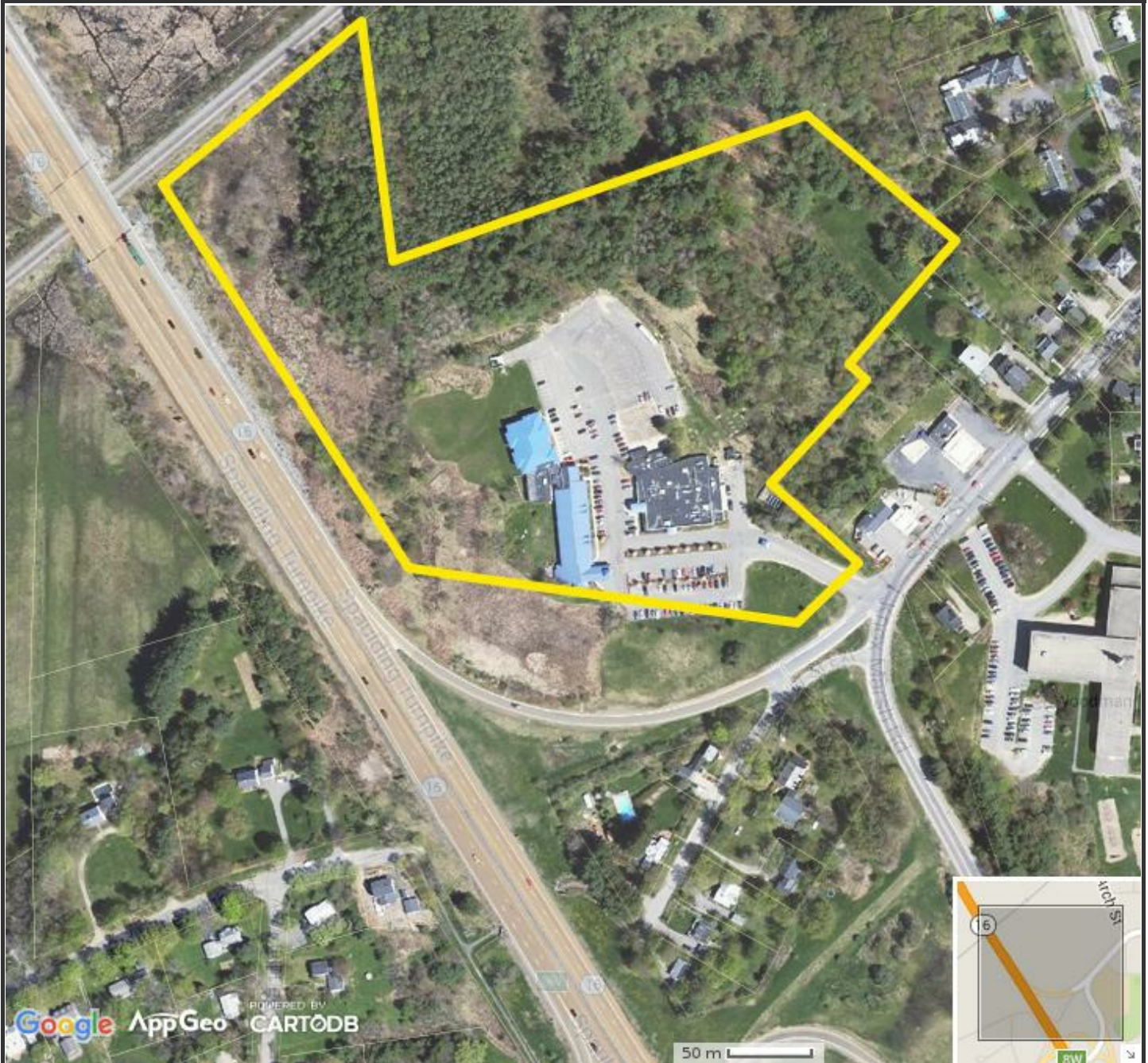
Consistency with Land Use Regulations

The Wetlands Protection District ordinance provides for Conditional Use Permits to allow impacts to wetlands if standards related to demonstration of need, avoidance, minimization, and mitigation are met.

STAFF RECOMMENDATION:

The Planning Department recommends the Planning Board accept the application, hold the public hearing, and then table the discussion to schedule a site walk for this project.

181 Silver Street

**Property Information**

Property ID 11002-000000
Location 181 SILVER ST
Owner PROPERO MANAGEMENT & HOLDINGS LLC



**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

City of Dover, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

JAN 04 2016

Dover, New Hampshire



**ALLEN & MAJOR
ASSOCIATES, INC.**

250 Commercial Street
Suite 1001
Manchester, NH 03101
Tel: (603) 627-5500
Fax: (603) 627-5501

December 31, 2015

Mr. Steve Bird - City Planner
City of Dover
288 Central Avenue
Dover, NH 03820

RE: A&M Project # 1689-08
Conditional Use Application
Silver Square Re-Development
181 Silver Street
Dover, NH

Dear Mr. Bird:

This Conditional Use Permit Application is being submitted by Allen & Major Associate, Inc. on behalf of Vitas Management & Development Company, LLC, for 24,454 square feet of wetland impact associated with the redevelopment of the property located at 181 Silver Street Dover, NH. The subject property is identified on assessor Map 11 as Lot 2. Approximately 6 acres of the 19.5 acre site is currently developed including 4 acres of impervious surface. The project proposes to re-develop the site into a mixed use development, including an assisted living facility, medical offices, hotel, bank, small retail space and a small restaurant.

The site is located on the northern side of Silver Street just south of the on-ramp to NH Route 16. The majority of the site has been previously developed to support the former academic facility, including several large commercial buildings and a large scale parking area, all of which will be razed. There is anticipated to be new disturbances along the eastern portion of the site to accommodate the expanded uses. A Dredge and Fill application was prepared by the project wetland consultant, Gove Environmental Services, Inc. and has been submitted to NHDES Wetlands Bureau for review.

The project has additionally been reviewed by both the City Council and the Zoning Board of Appeals in 2015 both of which expressed interest in the proposed development. The City Council approved a Development Agreement on August 12, 2015 for this project to document the City's interest in expanding commercial development throughout the City and specifically in this currently thoroughfare business zoned area off Silver Street. The Zoning Board of Appeals also assisted in the efforts to advance the proposed project by granting two variance, one to allow for the additional height of the proposed hotel and also to allow an assisted living facility as part of the total mixed used development.

The following sections and appendices provide details on the proposed project, the proposed wetland impacts, and the requirements outlined in the current City regulations.

1. Wetland Resource Areas

Wetlands were delineated by Gove Environmental Services, Inc. (GES) in May of 2015 in accordance with current New Hampshire Wetland Delineation standards. Wetlands were classified by GES utilizing the criteria of Classification of Wetlands and Deepwater Habitats of the United States.

The main wetland associated with the site is a large emergent marsh and scrub shrub wetland situated along the western edge of the site and extending off site along the highway. The majority of this larger wetland lies offsite, and the portion that does extend onto the site is unaffected by the proposed redevelopment. Three other smaller areas of isolated wetland lie completely within the boundary of the



site and constitute the proposed impact areas. Two of these wetlands are marginally wet forested wetlands (PFO1A) in apparent old agricultural field and orchard. They are dominated by Red Maple, Gray Birch, and an understory of mostly Silky Dogwood and Glossy Buckthorn. Both areas are located in very shallow depressions which are unable to pond water and the areas are not associated with any other waterbodies or streams. A third area of wetland consists of a small emergent marsh (PEM1F) directly adjacent to the existing paved parking area. This wetland is dominated by cattail and Purple Loosestrife and appears to be influence or possibly the result of drainage from the existing development though no direct connection to the drainage system is evident. A fourth area of emergent wetland vegetation exists within a constructed detention basin (PEM1Fh). This area is dominated by cattails and Purple Loosestrife.

2. Wetland Functions and Values

The functions and values of the impacted wetlands were assessed by GES using the Army Corps of Engineers' Highway Methodology Workbook Supplement (ACOE, 1999). The assessment forms are enclosed in the appendices. Through this evaluation, the two forested wetland areas (Impact Areas 1 and 2) were determined to have very minimal function or value due to their isolation, lack of standing water, and habitat that is largely similar to the surrounding upland area. These two areas may serve a very minimal habitat function though it cannot be considered principle.

Impact area 3, a small drainage affected area at the edge of the existing parking area, may serve some water quality function by way of its dense emergent vegetation and standing water. This function is, however, limited by its small size and lack of clear connection to downstream areas. It cannot therefore be considered principle.

Impact Area 4 is a constructed detention basin containing emergent vegetation. This area clearly serves a water quality function having been created for this purpose but is not a natural feature and its function will be replicated in the upgraded stormwater management system proposed by the redevelopment project.

3. Proposed Project

The proposed project involves the re-development of the property to include an assisted living facility, medical offices, hotel, bank, small retail space and a small restaurant. The project includes comprehensive stormwater management consisting of both traditional closed drainage and detention ponds as well as shallow "rain garden" infiltration areas. The AoT permit is currently under review by NHDES. The development will be serviced by both city water and sewer.

The project also involves extensive reconfiguration of the intersection at the entrance of the site. Upgrading this intersection is critical for redevelopment of this site as the current configuration is substandard and dangerous.

4. Statement of Purpose

The general purpose of the proposed project is redevelopment of a previously improved site, which is now vacant into a mixed use commercial development consisting of assisted living, medical, and retail space. The City Council approved a Development Agreement on August 12, 2015 for this project to document the City's interest in expanding commercial development throughout the City and specifically in this currently thoroughfare business zoned area off Silver Street.

5. Avoidance & Minimization

a. Avoidance

The proposed project completely avoids direct impacts to the larger, higher value wetlands along the western edge of the property. Given the needs of the project and the location of the small isolated wetlands on the interior of the site additional avoidance is not possible.

b. Minimization

Given the location of the impact areas on the interior of the site, minimization of proposed impacts is not possible without a significant loss of developable area. This not economically feasible given the high value location of the site and the costs of the intersection improvements necessary for redevelopment. Attempting to minimize impacts and maintain a similar project would force the development to encroach into the more valuable wetland areas. The proposed impacts have been minimized to the greatest extent practicable.

6. Mitigation

As required by the NHDES Wetland Rules, a proposed compensatory mitigation plan is required. For this project, an In-Lieu-Fee payment into the Aquatic Resource Management Fund (ARM Fund) was deemed appropriate as the City did not have any shovel-ready mitigation project currently in the works which would have directly benefited from this type of this type of compensatory mitigation.

We trust that this explanation will assist if further documenting our request for a Conditional Use permit. Please feel free to contact our office should you require additional documentation.

Very truly yours,

ALLEN & MAJOR ASSOCIATES, INC.



Michael A. Malynowski, PE
Project Manager



City of Dover, New Hampshire

CONDITIONAL USE PERMIT APPLICATION

[Revision Date: September 29, 2015]

Office Use Only

Project #:

P15-55

Date Received:

JAN 04 2016

Amount Paid:

Time Received:

Dover, New Hampshire

APPLICANT AND OWNER INFORMATION

Name of Applicant: Vitas Management & Development Company, LLC Telephone # 603-235-9441

Address of Applicant: 733 Turnpike Street - North Andover, MA 01845

E-Mail Address: jvitas@vmdcompanies.com

Name of Property Owner (if different from applicant): Profero Management and Holdings LLC Telephone # (603) 767-5012

Address of Property Owner: 232 Gulf Road - Dover, NH 03820

PROPERTY INFORMATION

Assessor's Map # 11 Lot(s) # 2

Address of Property: 181 Silver Street

Zoning District(s) Thoroughfare Business (B-3) Overlay District(s) N/A

Existing Use of Property: Hotel, Banquet Facility, and Culinary Academy

CONDITIONAL USE PERMIT INFORMATION

Type of Conditional Use Permit (Check All That Apply):

- | | | |
|---|---|---|
| ☐ Conservation District | ☐ RCM Use Overlay District | ☐ I-1 District Uses |
| ☐ Groundwater Protection | ☐ Off-Street Parking and Loading | ☐ Alternative Treatment Center |
| ☒ Wetland Protection District | ☐ Central Business District | |

Describe Proposed Use or Activity That Requires Conditional Use Permit and Describe Any Impacts:

The proposed project will encounter approximately 24,454 square feet of wetland impact associated with the redevelopment of the property located at 181 Silver Street Dover, NH. The project proposes to re-develop the site into a mixed use development, including an assisted living facility, medical offices, hotel, bank, small retail space and a small restaurant. Compensatory mitigation is being proposed through in-lieu-fee payment into the Aquatic Resources Management fund.

List Any Associated State or Federal Permits That Have Been or Will Be Applied For and Indicate Their Status:

NHDES AoT - Pending; NHDES Dredge & Fill - Pending

Name of Professional That Prepared Plans: Michael A. Malynowski - Allen & Major Associates, Inc.
Address 250 Commercial St - Manchester, NH 03101 Telephone #: 603-627-5500
Professional License #: 12205 E-mail address: mmalynowski@allenmajor.com

SIGNATURES

I/We hereby submit this application to the City of Dover Planning Board and attest that to the best of my knowledge all of the information on this application form and in the accompanying application materials and documentation is true and accurate. As applicant or as agent, I attest that I am duly authorized to act in this capacity.

Signature of Property Owner: See authorization letter Date: _____
Signature of Applicant (if different from owner): See authorization letter Date: _____
Signature of Agent: Michael Malynowski Date: 12-31-15

AUTHORIZATION TO ENTER SUBJECT PROPERTY

I, and my successors, hereby authorize members of the Dover Planning Board, Planning Department and other pertinent City Departments and boards to enter my property for the purpose of evaluating this application, including performing inspections during the application phase, post-approval phase, construction phase and occupancy phase. It is understood that these individuals must use all reasonable care, courtesy, and diligence when on the property.

Signature of Property Owner: See authorization letter Date: _____

[illegible]

November 10, 2015

City of Dover NH
288 Central Ave.
Dover, NH 03820

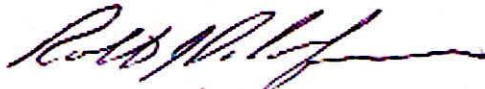
NH Department of Environmental Services
29 Hazen Drive
Concord, NH 03301

NH Department of Transportation
7 Hazen Drive
Concord, NH 03302-0483

Dear City and State Officials,

Please be advised that I am authorizing Vitas Management and Development Company, LLC ("VMD"), and its agents, Allen & Major Associates, Inc. ("A&M") and necessary sub-consultants to contact and otherwise make an application to the City of Dover and the State of New Hampshire Department of Environmental Services (NHDES) and Department of Transportation (NHDOT) relative to the proposed property located at 181 Silver Street in Dover, NH. The subject property is further identified as Dover Tax Map 11, Lot 2. For questions regarding this authorization, feel free to contact me at (603) 767-5012 or by e-mail at RDeColfinacker@aol.com. If you have any questions regarding any of the applications, please contact Mr. James Vitas at (603) 325-9441 or jvitas@vmdecompanies.com.

Sincerely,



Robert DeColfinacker, Member/Manager
Profero Management and Holdings, LLC
232 Gulf Road
Dover, NH 03820
(603) 767-5012

WETLANDS PERMIT APPLICATION – ATTACHMENT A MINOR AND MAJOR - 20 QUESTIONS

Water Division/ Wetlands Bureau/ Land Resources Management

Check the Status of your application: <http://des.nh.gov/onestop>



RSA/ Rule: RSA 482-A, Env-Wt 100-900

Env-Wt 302.04 Requirements for Application Evaluation - For any major or minor project, the applicant shall demonstrate by plan and example that the following factors have been considered in the project's design in assessing the impact of the proposed project to areas and environments under the department's jurisdiction. Respond with statements demonstrating:

1. The need for the proposed impact.

The proposed project will provide valuable assisted living and medical services to the area. The project is consistent and appropriate for the location which is situated directly adjacent to Route 16 at Exit 8. The project offers redevelopment of previously improved site, which is now vacant

2. That the alternative proposed by the applicant is the one with the least impact to wetlands or surface waters on site.

The proposed project completely avoids direct impacts to the larger, higher value wetlands along the western edge of the property. Given the location of the impact areas on the interior of the site, minimization of proposed impacts is not possible without a significant loss of developable area. This not economically feasible given the high value location of the site and the costs of the intersection improvements necessary for redevelopment. Attempting to minimize impacts and maintain a similar project would force the development to encroach into the more valuable wetland areas. The proposed impacts have been minimized to the greatest extent practicable.

shoreland@des.nh.gov or (603) 271-2147

NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095

www.des.nh.gov

3. The type and classification of the wetlands involved.

The proposed impact to wetlands include a drainage influenced area of emergent marsh (PEM1F) at the edge of an existing parking lot, a constructed detention basin (PEM1Fh), and two areas of marginally wet forested wetland (PFO1A) located in the adjacent mid-successional forested area.

4. The relationship of the proposed wetlands to be impacted relative to nearby wetlands and surface waters.

The impact areas are not directly associated with any other wetlands or waterways. Other wetlands adjacent to the proposed project, and in the vicinity of the Route 16 Exit 8, are loosely associated with wet agricultural land that is tributary to the Cocheco River.

5. The rarity of the wetland, surface water, sand dunes, or tidal buffer zone area.

The wetlands on this site are common in New Hampshire.

6. The surface area of the wetlands that will be impacted.

The project involves a surface area impact of 24,454 square feet

7. The impact on plants, fish and wildlife including, but not limited to:
- a. Rare, special concern species;
 - b. State and federally listed threatened and endangered species;
 - c. Species at the extremities of their ranges;
 - d. Migratory fish and wildlife;
 - e. Exemplary natural communities identified by the DRED-NHB; and
 - f. Vernal pools.

The New Hampshire Natural Heritage Bureau has identified several species of concern in the vicinity of the site. None of these are indicated as existing on the site and all are located a 1/2 mile or more from the site. A survey was consulted for the rare plant listed in the report and none was identified. Resulting correspondence from NHB indicating NO IMPACT to rare plants is attached to this application. Additional information has been forwarded to NHF&G, a response is pending at the time of this application.

8. The impact of the proposed project on public commerce, navigation and recreation.

The project has been recognized by the City of Dover as having a net positive impact on public commerce, employment, and the local tax base. The property is entirely private and presently offers no public recreation benefits, nor has any connectivity for waterway navigation.

9. The extent to which a project interferes with the aesthetic interests of the general public. For example, where an applicant proposes the construction of a retaining wall on the bank of a lake, the applicant shall be required to indicate the type of material to be used and the effect of the construction of the wall on the view of other users of the lake.

The project proposes to redevelop an improved but vacant site presently having little in the way of landscaping or screening. The municipal site plan review process prioritizes such considerations and is designed to ensure thoughtful buffering and aesthetics. The proposed use is also consistent with other uses in the Route 16 corridor.

10. The extent to which a project interferes with or obstructs public rights of passage or access. For example, where the applicant proposes to construct a dock in a narrow channel, the applicant shall be required to document the extent to which the dock would block or interfere with the passage through this area.

This site is private property with no current right of public passage.

11. The impact upon abutting owners pursuant to RSA 482-A:11, II. For example, if an applicant is proposing to rip-rap a stream, the applicant shall be required to document the effect of such work on upstream and downstream abutting properties.

The proposed wetland impacts are isolated from the adjacent larger wetland system and will not affect abutters in any way. Drainage from the proposed redevelopment will be handled on-site in accordance with AOT requirements, therefore ensuring there will be no impact to abutting properties upstream or downstream from the site.

12. The benefit of a project to the health, safety, and well being of the general public.

The proposed addition of assisted living housing and related services in a single accessible location will benefit the health, safety, and general well being of the public.

13. The impact of a proposed project on quantity or quality of surface and ground water. For example, where an applicant proposes to fill wetlands the applicant shall be required to document the impact of the proposed fill on the amount of drainage entering the site versus the amount of drainage exiting the site and the difference in the quality of water entering and exiting the site.

The comprehensive stormwater management proposed for the development will fully comply with AOT requirements, therefore ensuring no changes to the quantity or quality of stormwater post development.

14. The potential of a proposed project to cause or increase flooding, erosion, or sedimentation.

These interests will be protected during the construction term through best management practices as specified in the plans and the AOT permit. Post development the stormwater management system will ensure that flooding, erosion, and sedimentation do not occur.

15. The extent to which a project that is located in surface waters reflects or redirects current or wave energy which might cause damage or hazards.

The project is not associated with a waterbody or waterway and does not involve elements of wave action or current

16. The cumulative impact that would result if all parties owning or abutting a portion of the affected wetland or wetland complex were also permitted alterations to the wetland proportional to the extent of their property rights. For example, an applicant who owns only a portion of a wetland shall document the applicant's percentage of ownership of that wetland and the percentage of that ownership that would be impacted.

The proposed impacts are to wetlands that are physically isolated from the the larger nearby wetland complex and located entirely on site. The larger wetlands complex along the western edge of the property is preserved and not impacted by the proposed project.

17. The impact of the proposed project on the values and functions of the total wetland or wetland complex.

Proposed impacts are to three small areas of wetland isolated from the larger adjacent wetland complex which extends off-site. The two forested areas are very marginal shallow depressions within a young successional forest. The areas do not pond water and do not offer any wetland specific habitat.

18. The impact upon the value of the sites included in the latest published edition of the National Register of Natural Landmarks, or sites eligible for such publication.

No such areas have been identified

19. The impact upon the value of areas named in acts of congress or presidential proclamations as national rivers, national wilderness areas, national lakeshores, and such areas as may be established under federal, state, or municipal laws for similar and related purposes such as estuarine and marine sanctuaries.

No such areas have been identified

20. The degree to which a project redirects water from one watershed to another.

No such areas have been identified

Additional comments

PLEASE SEE THE ATTACHED TEXT AND ATTACHMENTS FOR ADDITON INFORMATION

Appendix C
New Hampshire Natural Heritage Inquiry



Memo



NH NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

To: Michael Malynowski, Allen Major Associates
250 Commercial Street
Manchester, NH 03101

From: Amy Lamb, NH Natural Heritage Bureau

Date: 10/15/2015 (valid for one year from this date)

Re: Review by NH Natural Heritage Bureau

NHB File ID: NHB15-2873

Town: Dover

Location: Tax Maps: 11-2

Description: Re-development of old Macintosh College site into a new mixed use development, including a medical office building, assisted living facility, bank and several restaurants

cc: Kim Tuttle

As requested, I have searched our database for records of rare species and exemplary natural communities, with the following results.

Comments: Please provide more detail about the extent of the redevelopment including limits of ground disturbance and any new construction. There is a record nearby for the state threatened plant greater fringed gentian, and sending site photos would help determine if the plant could occur onsite. Send information to me at Amy.Lamb@dred.nh.gov. Please contact NH Fish & Game regarding wildlife concerns.

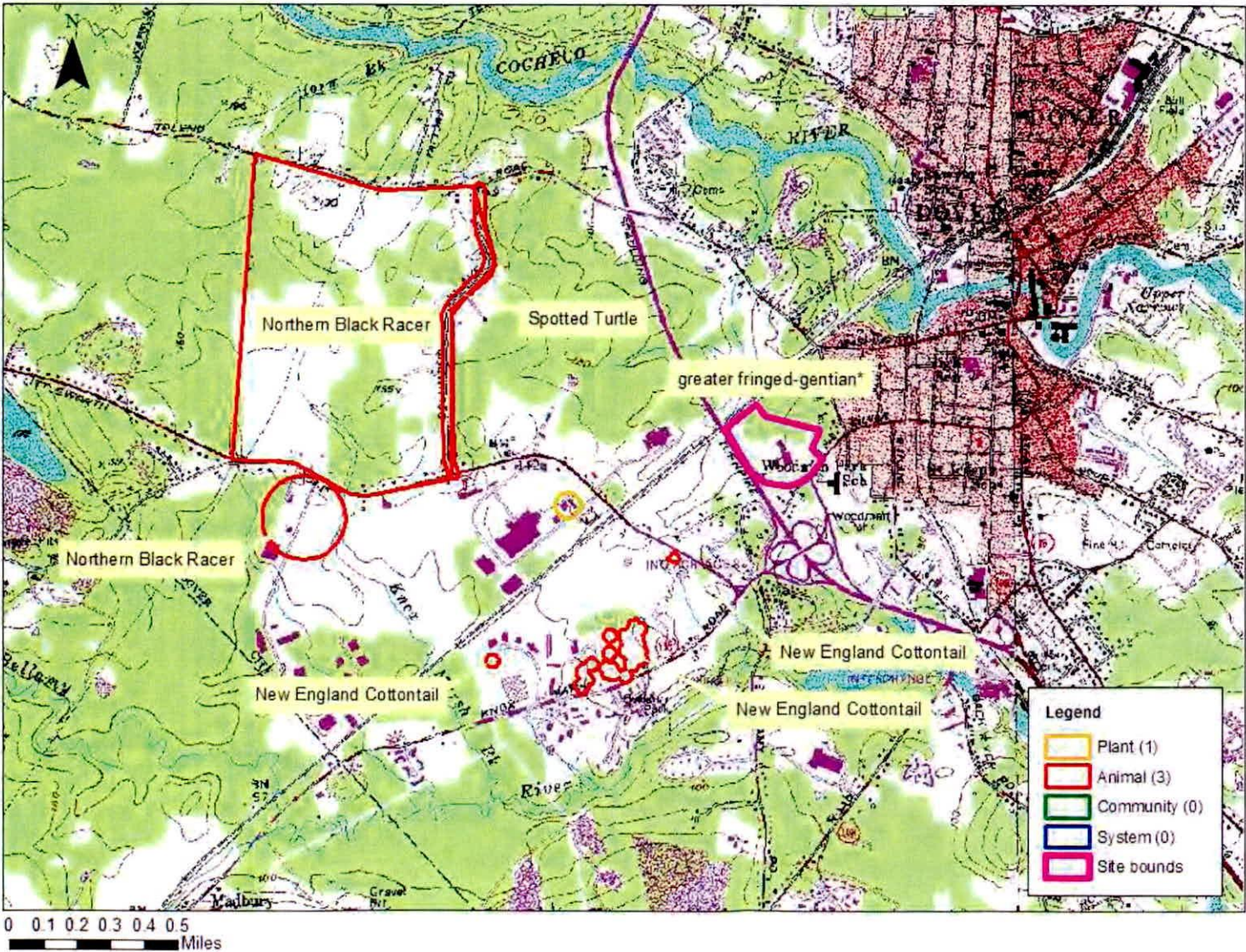
Plant species	State ¹	Federal	Notes
greater fringed-gentian (<i>Gentianopsis crinita</i>)*	T	--	Vulnerable to shading by invading trees and to disturbances that destroy plants or impede their ability to reproduce (such as mowing in the mid-summer while the plants are in bloom).
Vertebrate species	State ¹	Federal	Notes
New England Cottontail (<i>Sylvilagus transitionalis</i>)	E	--	Contact the NH Fish & Game Dept (see below).
Northern Black Racer (<i>Coluber constrictor constrictor</i>)	T	--	Contact the NH Fish & Game Dept (see below).
Spotted Turtle (<i>Clemmys guttata</i>)	T	--	Contact the NH Fish & Game Dept (see below).

¹Codes: "E" = Endangered, "T" = Threatened, "SC" = Special Concern, "--" = an exemplary natural community, or a rare species tracked by NH Natural Heritage that has not yet been added to the official state list. An asterisk (*) indicates that the most recent report for that occurrence was more than 20 years ago.

Contact for all animal reviews: Kim Tuttle, NH F&G, (603) 271-6544.

A negative result (no record in our database) does not mean that a sensitive species is not present. Our data can only tell you of known occurrences, based on information gathered by qualified biologists and reported to our office. However, many areas have never been surveyed, or have only been surveyed for certain species. An on-site survey would provide better information on what species and communities are indeed present.

NHB15-2873



Brendan Quigley

From: Lamb, Amy <Amy.Lamb@dred.nh.gov>
Sent: Thursday, October 29, 2015 8:48 AM
To: Brendan Quigley
Subject: RE: NHB review: NHB15-2873

Brendan,

Thank you for completing the survey and describing the selection of the search areas. Based on your findings and the extent of the redevelopment, NHB does not expect impacts to rare plants as a result of this project. Please let me know if the proposed impact areas change at all, for example if they expand into the PEM/PSS wetland. Thank you for coordinating with us.

-Amy

Amy Lamb
Ecological Information Specialist
(603) 271-2215 ext. 323

NH Natural Heritage Bureau
DRED - Forests & Lands
172 Pembroke Rd
Concord, NH 03301

From: Brendan Quigley [mailto:bquigley@gesinc.biz]
Sent: Wednesday, October 28, 2015 10:55 AM
To: Lamb, Amy
Subject: RE: NHB review: NHB15-2873

Hi Amy, How did I do with this one? Any comments?

Brendan Quigley
Wetland Scientist/GIS Specialist

GOVE ENVIRONMENTAL SERVICES, INC.
8 Continental Dr, Bldg 2, Unit H,
Exeter, NH 03833-7507
Ph (603) 778-0644 / Cell (603) 686-0086 / Fax (603) 778-0654
bquigley@gesinc.biz

Appendix A

Impact Area Photos

From: Brendan Quigley
Sent: Friday, October 23, 2015 9:13 AM
To: 'Lamb, Amy' <Amy.Lamb@dred.nh.gov>
Cc: Michael Malynowski <mmalynowski@allenmajor.com>
Subject: RE: NHB review: NHB15-2873

Amy,

Appendix A
Impact Area Photos



R:\Projects\1689-08\Civil\Drawings\Current\1689-08_Tripwire.dwg

PREPARED BY:



ALLEN & MAJOR ASSOCIATES, INC.
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PROJECT:
**PROPOSED MIXED USE
 RE-DEVELOPEMENT**
 181 SILVER STREET
 DOVER, NH

AERIAL IMAGE			
PROJECT NO.	1689-08	DATE:	08-27-15
SCALE:	1" = 200'	SHEET REF:	-
DESIGNED BY:	MAM	CHECKED BY:	MAM

APPLICANT/OWNER: VMD COMPANIES

THIS DRAWING HAS BEEN PREPARED IN ELECTRONIC FORMAT. CLIENT/CUSTOMER'S REPRESENTATIVE OR CONSULTANT MAY BE PROVIDED COPIES OF DRAWINGS AND SPECIFICATIONS ON MAGNETIC MEDIA FOR HIS/HER INFORMATION AND USE FOR SPECIFIC APPLICATION TO THIS PROJECT. DUE TO THE POTENTIAL THAT THE MAGNETIC INFORMATION MAY BE MODIFIED UNINTENTIONALLY OR OTHERWISE, ALLEN & MAJOR ASSOCIATES, INC. MAY REMOVE ALL INDICATION OF THE DOCUMENT'S AUTHORSHIP ON THE MAGNETIC MEDIA. PRINTED REPRESENTATIONS OF THE DRAWINGS AND SPECIFICATIONS ISSUED SHALL BE THE ONLY RECORD COPIES OF ALLEN & MAJOR ASSOCIATES, INC.'S WORK PRODUCT.

FIGURE No.
FIG - 1

Impact Area Photos
181 Silver Street
Dover, NH
October 30, 2015



Impact Area #1

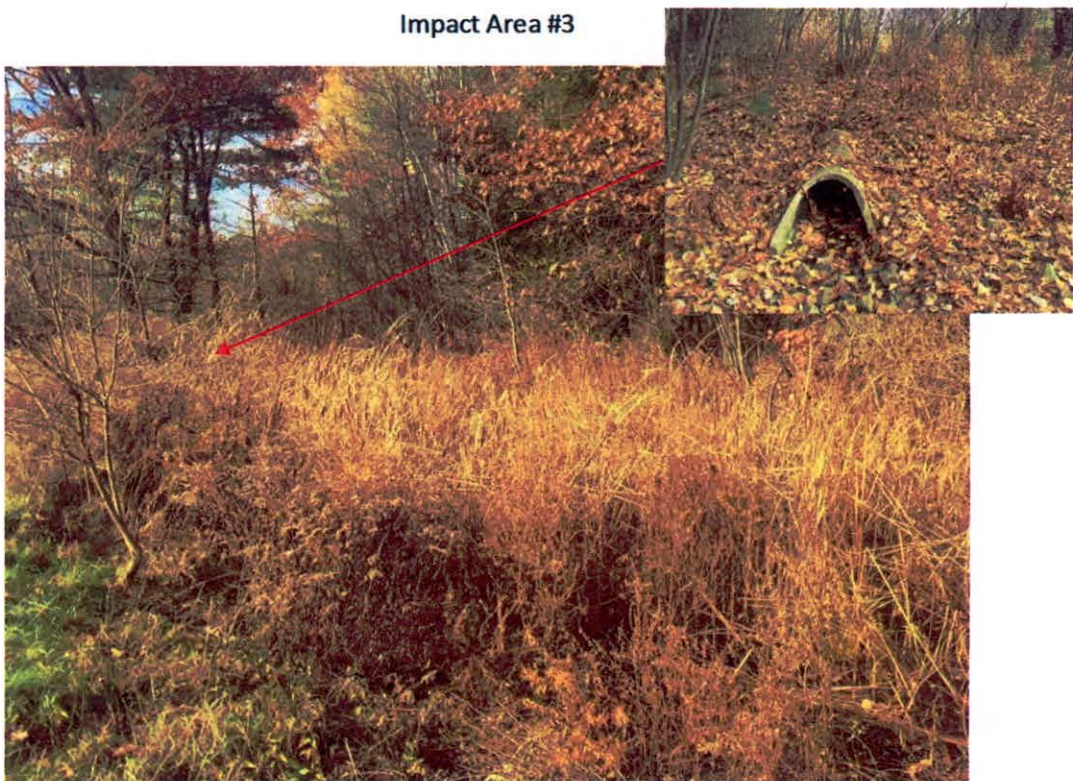


Impact Area #2

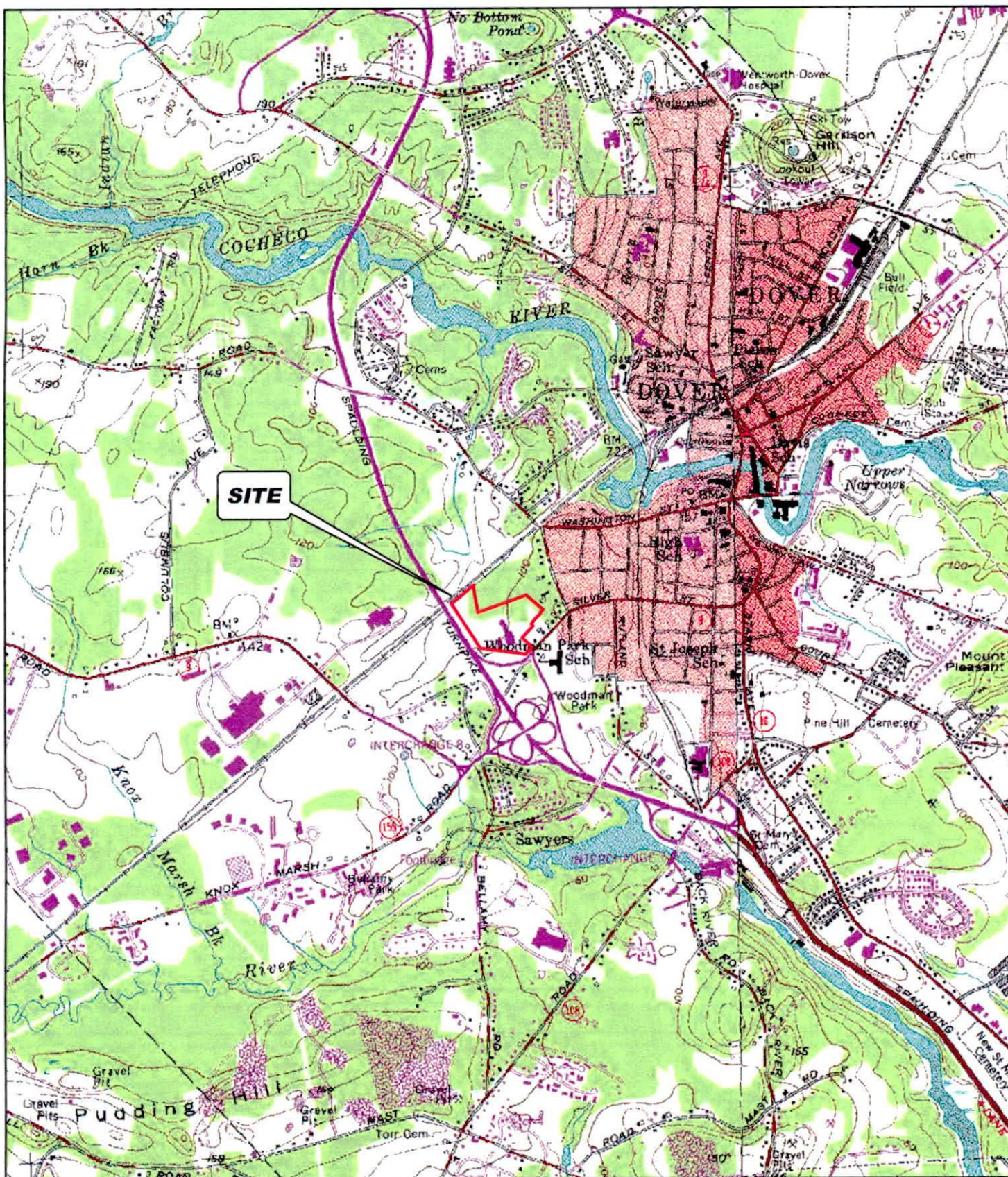
**Impact Area Photos
181 Silver Street
Dover, NH
October 30, 2015**



Impact Area #3



Impact Area #4



1 inch = 2,000 feet



Gove Environmental Services, Inc.
8 Continental Drive, Bldg. 2, Dover, NH 03820

Locus Map

181 Silver Street
Dover, NH



CITY OF DOVER

DOVER CONSERVATION COMMISSION – MINUTES

Meeting Type: Regular Meeting
Meeting Location: 2nd Floor Conference Room, City Hall, 288 Central Avenue
Meeting Date: Monday, January 11, 2016
Meeting Time: 5:30 pm

Leichthammer was present to explain that he is proposing to repair an existing dock and install four new piles in the tidal Piscataqua River, with a temporary impact of 8 square feet. Riverside and Pickering Marine Contractors will do the work from a barge.

Donovan confirmed that the dock size and location will remain the same.

Bird confirmed that the four piles to be replaced are the ones shown in the picture.

Gasses made a motion to endorse the NHDES Wetlands Permit by Notification application, Joyce seconded. Vote: Unanimous

The Chair signed three copies of the application and returned two copies to the applicant.

- B. NHDES Wetlands Permit and City of Dover Conditional Use Permit for Vitas Management and Development Company, LLC (Owner: Profero Management and Holdings, LLC), (Agent: Gove Environmental Services, Inc.), Assessor's Map 11, Lot 2, located at 181 Silver Street.

Bob Clark and Jim Gove were present to explain the proposal for a non-residential development with a wetland impact of 24,454 square feet. The proposed compensatory mitigation is an In-Lieu-Fee payment into the Aquatic Resource Management Fund (ARM Fund).

Clark: We received two variances from the ZBA. We have been to the TRC last week and are working to revise the plan to address some of the comments received. We have to raise the site elevation to get the drainage to work. There is a lot of clay on the site.

Gove distributed an aerial photograph of the site and talked about the types of wetlands on the site. We stayed out of the larger wetlands that are more valuable in terms of form and function. Impacts are to some wetlands that were created by runoff from parking lots. He reviewed the functions and values of the impacted wetlands. No rare or endangered species were present. No eastern cottontail rabbits were found by Mark West.

Hunt: How much wetlands is being impacted?

Gove: About 24,000 square feet of wetlands will be filled. Some areas were disturbed many years ago.

Bird: Have you calculated the amount of wetland buffer impact? The state doesn't have buffers but Dover does. If the wetland is being filled in, you do not have to include that buffer area.

Clark: We can get you that figure. We have 12 acres of impervious cover on the site.

Bird: The applicants are looking for initial comments and feedback. You could go with the Planning Board on a site walk in February after the first public hearing.

Joyce: I want to see a plan showing the wetland buffer impacts and more information on the plans for handling storm water. Phasing plans would be helpful.

Gasses: Are you going to bury the building demolition or remove it off site?

Clark: It will all be removed off site.

Hunt: Are the wetlands impacted natural or created?

Gove: I think they are mostly not natural. The area looks like it was manipulated at some point. The area is too flat to be natural.

Hunt: What are your plans for changing the topography?

Clark: We are going to raise the site about three feet.

Clark reviewed the elevations proposed on the site plan.

Donovan: What is the elevation of the bottom of the rain garden?

Clark: It is about 87 feet.

Donovan: I am concerned about drawing down the water table of the adjacent wetlands.

Clark: These are perched wetlands. There will be no issues with the water table. We are filing a full AOT report and the City will be doing a peer review.

Hunt: Have you given any consideration for porous pavement?



CITY OF DOVER

DOVER CONSERVATION COMMISSION – MINUTES

Meeting Type: Regular Meeting
Meeting Location: 2nd Floor Conference Room, City Hall, 288 Central Avenue
Meeting Date: Monday, January 11, 2016
Meeting Time: 5:30 pm

Clark: We are working on that issue with the city engineer.

Donovan: You could shrink the size of the detention basins and rain garden if you include some porous pavement as part of the plan.

Hunt: Could you explain the compensatory mitigation?

Gove: We had a preliminary meeting with DES, EPA and the Army Corps about this project. We first have to try to minimize the impacts and avoid to the greatest extent possible. The ARM fund payment is an option if you can't avoid all the impacts. The money goes to DES to be spent on wetland protection projects in the watershed. It is usually a timing issue for funding to be provided to the municipality instead of going into the ARM fund. The project has to be ready to go by the time the project starts.

Bird: What is the ratio of protected wetlands to impacted wetlands?

Gove: The DES rules require a minimum of 10 to 1, but the EPA is involved and they require 15 to 1.

Bird: I would like to explore the option of keeping the money in Dover to protect some conservation property that is under consideration, as long as it doesn't cause any delay.

Pollack: We are willing to work with you but we do not want to have any delay in the project. We had asked Dover for any shovel ready projects but we were told that there were none.

Gasses: While Dover comes first, I will let you know that there is a conservation project in Barrington where the Southeast NH Land Trust is working to preserve a large property. It is within the watersheds that would benefit Dover in the long run. It is ready to go and they are looking for additional funding.

Hunt: We will ask Bird to let us know when the site walk is scheduled and then put this item on a future agenda.

C. City of Dover Conditional Use Permit for Oak Bluff Realty (Agent: Berry Surveying & Engineering), Assessor's Map 40, Lot 38A, located at 56 New Rochester Road.

Ben Clark was present to explain the proposal to construct a parking lot, drainage and utilities within the Conservation District of Willand Pond, which is across the street from the subject parcel. Proposal will impact 1,000 sq. ft. within the Conservation District. The storm water will go to the rain garden in the rear of the lot. There will be no impacts to Willand Pond.

Joyce: How much of the existing area is impervious now?

Clark: The existing driveway is gravel. About 500 square feet is proposed, which will be the paved driveway.

Joyce: Is there any subsurface drainage proposed?

Clark pointed out the drainage shown on sheet #4, including catch basins in the driveway and the rain garden. The erosion and sediment control plan was reviewed.

Gasses made a motion to endorse the Conditional Use Permit application, Joyce seconded. Vote: Unanimous

5. REPORT FROM THE CHAIR

A. Review of Correspondence Received From NH Department of Environmental Services

Bird reviewed the following letters from the DES Wetlands Bureau:

1. Restoration plan monitoring report approval from NHDES for Tam and Nancy Doan at 16 Dover Point Road.
2. Response from Louis Berger Group to NHDES for Whittier Street Bridge for City of Dover.

6. OTHER BUSINESS:

7. ADJOURNMENT

Gasses moved to adjourn the meeting at 7:00 pm, Donovan seconded. Vote: Unanimous

From: David S. Spalding [<mailto:davesski@hotmail.com>]

Sent: Wednesday, February 03, 2016 9:41 AM

To: Parker, Christopher G.

Subject: Silver Square Development

Dear Sir/Madam,

My name is David Spalding and I live at 2 Chandler Way in Dover. I just wanted to voice my opposition to the addition of a Dunkin Donuts to the Silver Square development at the former McIntosh College site.

Thank you,
David Spalding
cell: 603 661-1894