



CITY OF DOVER

ZONING BOARD OF ADJUSTMENT - AGENDA

Meeting Type: Regular Meeting
Meeting Location: Council Chambers – City Hall, 288 Central Avenue, Dover, NH 03820
Meeting Date: **Thursday, February 18, 2016**
Meeting Time: **7:00 pm**

1. ATTENDANCE

2. APPROVAL OF MEETING MINUTES OF NOVEMBER 19, 2015

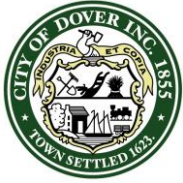
3. ELECTION OF OFFICERS

4. HEARINGS

- A. Z16-01 Owner Michael Nicholas, 6 James Street (Tax Map I, Lot 76-F), located in the Medium Density Residential (R-12) District, requests a variance from **Section 170-18.H** of the Zoning Ordinance to permit a commercial kitchen/bakery as a home occupation, where “caterers or bakeries” are not considered home occupation uses.
- B. Z16-02 Owner Knox Marsh Development, LLC, 23 Knox Marsh Road (Tax Map H, Lot 22), located in the Low Density Residential (R-20) District, requests two variances from **Section 170-12.B** of the Zoning Ordinance: 1) to permit lot frontages of 111 feet, 86 feet, and 74 feet where 125 feet is required and 2) to permit lot sizes of 12,231 sq. ft., 12,136 sq. ft., and 9,122 sq. ft. where a minimum 20,000-square-foot lot size is required.

5. ADJOURN

Persons with questions or interested in reviewing the meeting materials are invited to visit the Planning Department located in City Hall, open Monday-Thursday from 8:30 am to 5:30 pm and Friday from 8:30 am to 4:00 pm. The meeting materials are also available online at www.dover.nh.gov. Follow us on Twitter @DoverNHPlanning and find us on Facebook at <https://www.facebook.com/DoverNHPlanning>.



**CITY OF
DOVER**

ZONING BOARD OF ADJUSTMENT - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers – City Hall
288 Central Avenue, Dover NH 03820
Meeting Date: **Thursday, November 19, 2015**
Meeting Time: **7:00 pm**

1. ATTENDANCE

Members Present: Otis Perry (Vice-Chair), Frank Landford, Chris Prior, Bob Hall, George Reagan (Alternate), Arianna Adams (Alternate)

Members Not Present: Sam Reid (Chair)

Staff Present: Elena Piekut (Assistant City Planner), Tracy Smith (Recording Secretary)

The Vice-Chair called the meeting to order at 6:58 p.m. He opened the meeting and introduced the Board and staff members to the audience.

B.Hall arrived at 6:59 pm.

2. APPROVAL OF MEETING MINUTES OF OCTOBER 15, 2015

Motion: G.Reagan made a motion to approve the October 15, 2015 Regular Meeting Minutes as amended. Seconded by F.Landford. Vote U/A

3. HEARINGS

The Chair appointed the Board member alternates G.Reagan to vote on case 3.A, and A.Adams to vote on case 3.B. The Chair described the process used to hear cases.

- A. Z15-21 Owners First Parish Church, 218 Central Avenue (Tax Map 9, Lot 84), located in the Central Business District (CBD) – General Sub-District, request a variance from **Section 170-32.A** of the Zoning Ordinance and the CBD – General Sub-District Table of Use and Dimensional Regulations to permit the replacement of an existing 20.8-square-foot nonconforming freestanding sign with a 20.8-square-foot freestanding sign where freestanding signs are not permitted in the CBD – General Sub-District.

Richard Gremlitz, Administrator of First Parish Church, represented the applicant and stated a brief history of the church and the sign. He stated the reason for the replacement sign is due to age and is no longer in a condition where it can be repaired. The existing sign has a glass front with moveable letters. Instead of the sign fronting on Central Avenue, it will be perpendicular with exactly the same dimensions. The architectural elements of the sign are consistent with the church and will be properly maintained.

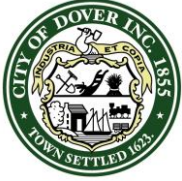
C.Prior confirmed with R.Gremlitz that the sign parts are not scrolling or illuminating. R.Gremlitz stated there are less moving parts than the existing one.

F.Landford confirmed with R.Gremlitz the information that would be listed on the sign.

Public hearing opened.

E.Piekut stated the proposed sign would be more aesthetically pleasing than the existing sign, and the prohibition for freestanding signs in the Central Business District is more intended to complement the other dimensional regulations for new construction. She stated there have been similar variances that have been previously approved.

STAFF RECOMMENDATION:



**CITY OF
DOVER**

ZONING BOARD OF ADJUSTMENT - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers – City Hall
288 Central Avenue, Dover NH 03820
Meeting Date: **Thursday, November 19, 2015**
Meeting Time: **7:00 pm**

The Planning Department supports the variance request.

Public hearing closed.

Motion: C.Prior made a motion to grant the variance to replace the non-conforming freestanding sign with a new freestanding sign of the same dimension as presented in the application. Seconded by B.Hall. Vote U/A

- B. Z15-22 Owners Mark Stafford and Robin Sullivan, 44 Hough Street (Tax Map 30, Lot 40) located in the Urban Density Multi Residential (RM-U) District, request a variance from **Section 170-12.B** of the Zoning Ordinance and RM-U District Table of Use and Dimensional Regulations to permit the replacement of an existing, nonconforming 357-square-foot outbuilding located three (3) ft. from the rear lot line where a minimum setback of ten (10) ft. is required.

Mark Stafford presented his application and stated the information as listed in the application. He also stated the side setback for his neighbor is a parking lot. Robin Sullivan was also present.

G.Reagan confirmed with M.Stafford the proposed building would be used as a workshop and would be only one story.

C.Prior asked if the doors would front on Horne Street. M.Stafford stated there would be one large garage door, and a side door that would face the back of the house.

O.Perry confirmed with M.Stafford that the workshop would not be a commercial operation.

G.Reagan confirmed with M.Stafford information regarding parking locations on his property as shown in the photos provided with the application.

O.Perry confirmed with M.Stafford the garage is not attached.

The Board members confirmed with M. Stafford that there is approximately 5 ft. from the outbuilding to the house. The proposed plan is to maintain that distance but move the outbuilding off the street, straight back, and flush to the house.

Public hearing opened.

E.Piekut stated Staff met on site with the applicants and the builder to determine a solution that would be more conforming than the original proposal.

STAFF RECOMMENDATION:

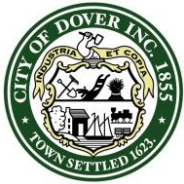
The Planning Department supports the variance request.

Public hearing closed.

Motion: F.Landford made a motion to grant the variance as proposed. Seconded by G.Reagan. Vote U/A

4. ADJOURN

Motion: F.Landford made a motion to adjourn at 7:11 p.m. Seconded by B.Hall. Vote: U/A



CITY OF DOVER

ZONING BOARD OF ADJUSTMENT – STAFF MEMO

Meeting Type:	Regular Meeting
Meeting Location:	Council Chambers – City Hall, 288 Central Avenue, Dover, NH
Meeting Date:	Thursday, February 18, 2016
Meeting Time:	7:00 pm

INTENT: The Applicant requests a variance from Section 170-18.H of the Zoning Ordinance. As a professional chef/baker, he proposes a 200 square foot commercial grade kitchen in his basement to supply individual off-site sales.

UNITS PROPOSED: N/A

AGENDA ITEM #: 4-A

ZONING DISTRICT: R-12

FILE: Z16-01

APPLICANT: Michael Nicholas

OWNERS: Michael & Gretchen Nicholas

LOCATION: 6 James Street (Tax Map I, Lot 76-F)

ACREAGE: 0.29 acre

EXISTING LAND USE: Single-family dwelling

PROPOSED LAND USE: Same

SURROUNDING LAND USE: Single-family dwellings, former gravel pit

PREVIOUS ZBA ACTION: None

PLANNING BOARD APPROVAL REQUIRED: No

ATTACHMENTS: Application

STAFF RECOMMENDATION: The Planning Department supports the variance request.

Summary of Appeal and Background

The property is located in a residential neighborhood at the corner of James Street in the R-12 Zoning District.

While Customary Home Occupations are permitted throughout the City's residential districts, 170-18.H specifically excludes "restaurants" and "caterers or bakeries" and uses of a similar nature from being considered as home occupations due to the "nature of the investment or operation" and their potential to expand and impact adjacent properties.

Mr. Nicholas seeks to reestablish his business as a professional chef/baker, previously established downtown, to a portion of his basement in order to work from home and care for his wife.

Mr. Nicholas proposes creating a space in the basement of 6 James Street that meets commercial kitchen standards in order to produce foods that are not permitted under the state's homestead kitchen license. He proposes a 200-square-foot kitchen (less than 10% of the home's total floor area). Sales do not occur on site.

Reason for Staff Recommendation

The size and scope of Mr. Nicholas' planned improvements do not "include [a] feature of design not customary in buildings for residential use." Where Customary Home Occupations are limited to 25% of the home's floor area, the Applicant proposes dedicating less than 10% to a second kitchen. This proposal is not outweighed by any gain to the public by denying relief. The deviation from the strict requirements of the Ordinance is not contrary to the public interest, and is consistent with the spirit and intent of the Ordinance. Granting the variance would do substantial justice, and the values of surrounding properties are not diminished by an additional kitchen within the home. The home occupation does not constitute a restaurant or catering business. The proposed use is a reasonable one.

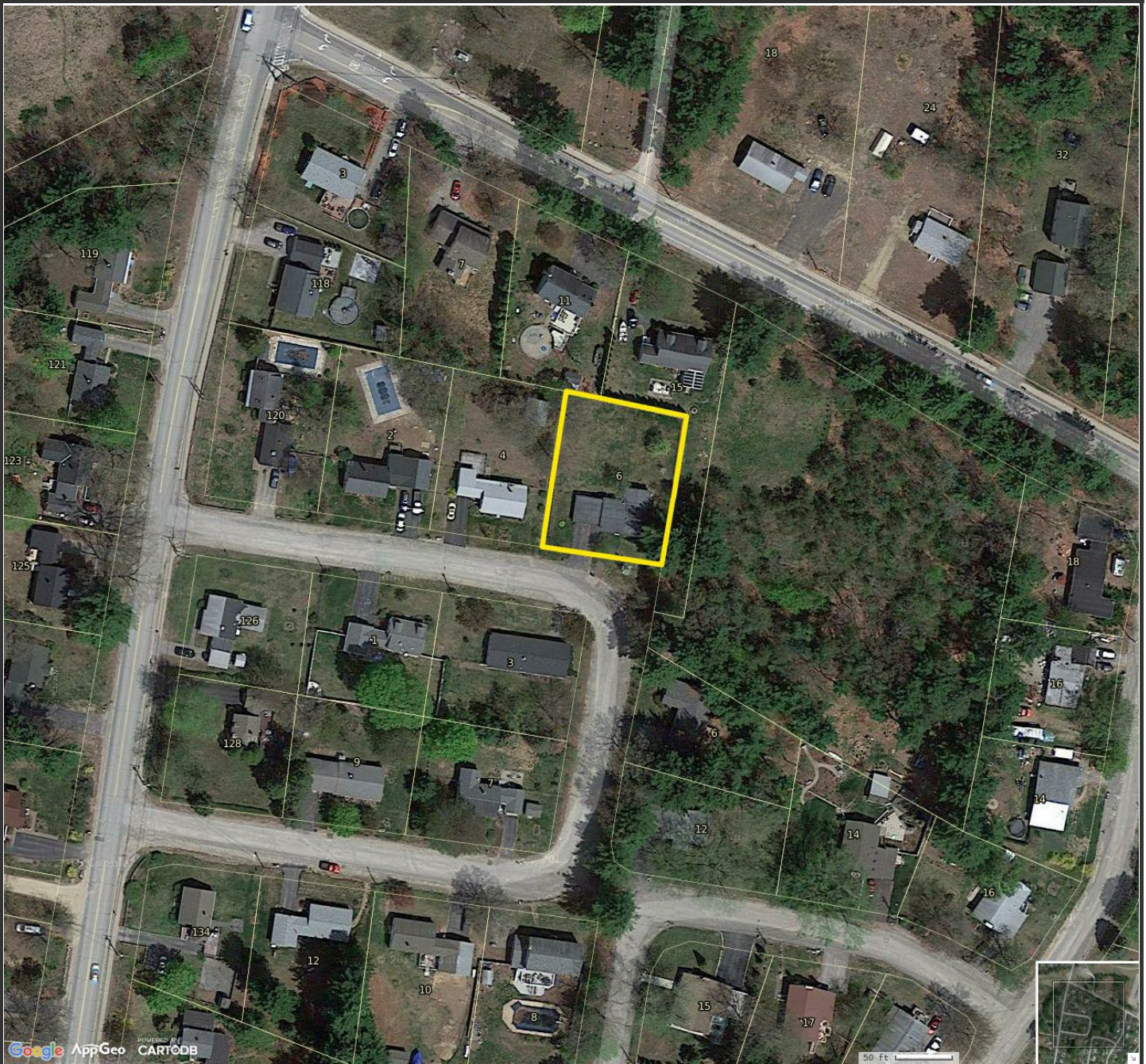
Recommendation

Staff recommends that the Board hold the public hearing and approve the request for variance.

Staff suggests the following condition of approval:

1. The additional kitchen shall be limited to 200 square feet in area, and so long as the Customary Home Occupation use continues, the property owner shall not create an Accessory Dwelling Unit.

6 James

**Property Information**

Property ID 10076-F00000
Location 6 JAMES ST
Owner NICHOLAS MICHAEL C &



**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.

Zoning Board Of Adjustment,

My name is Michael Nicholas; I am a professional chef/baker and owner of Viola Jane Foods LLC. Over approximately three years, my wife and I built a small cafe' from nothing, into a reasonably popular stop for the business owners, employees, and visitors of the Washington Street Mills, here in Dover. After thousands of hours of hard work, planning, and perseverance, our small family company was showing genuine signs of popularity and future prosperity, only to be thwarted by a cancer diagnosis for my wife and business partner, Gretchen Nicholas. We could no longer justify the number of hours we were both required to work in order to maintain what we had built, and subsequently closed our cafe'.

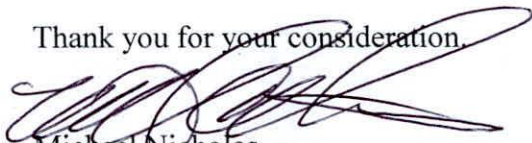
In order to create a much simpler way of life, we plan to operate a home-based baking business, coupled with retailing from a small mobile concession trailer. Being familiar with *He-P 2300, the New Hampshire Rules for the Sanitary Production and Distribution of Food*, I was aware that New Hampshire allowed for such an operation, found in *PART He-P 2311 NON-EXEMPT HOMESTEAD FOOD OPERATIONS*, but in reviewing this section I found some rules that will restrict and interfere with our planned business. To paraphrase some of my findings, with a homestead kitchen:

I can make an apple pie, but not a pumpkin pie.
I cannot make pastries that require refrigeration.
I can make bread, but I cannot make banana bread.

Being a professional, with a proven track record with the health inspector for Dover, I am requesting a variance to Dover's residential zoning rules to be allowed to build and license a small commercial kitchen in part of my basement. I am willing to adhere to the more stringent rules for construction and operation of a commercial kitchen, I am only asking you to allow me to continue to be a professional chef/baker.

As mentioned earlier, my retail operation would not be from my home. There is no reason for any customers to ever visit my home operation, and I have no interest in disrupting my neighborhood. My neighbors would not be able to distinguish whether I have a more restricting homestead license, or a commercial license.

Thank you for your consideration.



Michael Nicholas

RECEIVED
Planning Office

FEB 01 2016

Dover, New Hampshire

He-P 2311.02 Approved Products. Only the following food products shall be produced and sold from a non-exempt homestead food operations:

- (a) Baked items, including, but not limited to, breads, rolls, muffins, cookies, brownies, and cakes;
- (b) Double-crust fruit pies;
- (c) Candy and fudge;
- (d) Packaged dry products, which include, but are not limited to, spices and herbs;
- (e) Acid foods, including, but not limited to, vinegars and mustards; and
- (f) Jams and jellies.

He-P 2311.03 Prohibited Products. Non-exempt homestead food operations shall not produce or sell potentially hazardous foods, including any food which requires refrigeration or processed acidified and low acid canned foods.

New Hampshire Department of Health and Human Services web site includes a .pdf file of Frequently Asked Questions, which includes the following question and answer:

Can I make and sell sweet breads, muffins or other baked goods made with fresh fruits and vegetables like zucchini, pumpkin, and strawberries?

Yes, as long as the fruits or vegetables are incorporated into the batter and properly baked, labeled and packaged. However, moist quick breads like zucchini bread, pumpkin bread and banana bread may be considered potentially hazardous foods and cannot be made in a home kitchen. To determine whether a food is a potentially hazardous food, it can be tested for water activity through the NH Public Health Laboratory by calling 603-271-4661. The baked goods may not be decorated or garnished with fresh fruits or vegetables.

(<http://www.dhhs.nh.gov/dphs/fp/sanitation/documents/homesteadfaq.pdf>)



City of Dover, New Hampshire
ZONING BOARD OF ADJUSTMENT APPLICATION

[Adopted: August 16, 2012]

Office Use Only

Case #:

216-01

Date Received:

Amount Paid:

\$ 354.00

Time Received:

ck # 543



APPLICANT/PROPERTY OWNER INFORMATION

APPLICANT: Michael Nicholas Phone # (603) 516-1195

Address of Applicant: 6 James Street, Dover, NH 03820

E-Mail Address: info@ViolaJane.com

PROPERTY OWNER (if different from applicant): N/A

Address: _____ Phone # _____

E-Mail Address: _____

PROPERTY/PARCEL INFORMATION

Address: 6 James Street

Brief Directions: Off Back River Rd., one block south of Garrison Rd.

Zoning District: R-12 Assessor's Map # I Lot(s) # 76-F

TYPE OF APPEAL: (Please check one)

- | | |
|--|--|
| ☒ Variance | from Section <u>170-18.H</u> of the Zoning Ordinance |
| ☐ Physical Disability Variance (RSA 674:33-V) | from Section _____ of the Zoning Ordinance |
| ☐ Special Exception | per Section _____ of the Zoning Ordinance |
| ☐ Appeal of Administrative Decision | regarding Section _____ of the Zoning Ordinance |
| ☐ Equitable Waiver | per Section _____ of the Zoning Ordinance |

DESCRIBE BRIEFLY YOUR PLANS FOR THE PROPERTY:

Install a commercial grade kitchen in aprx. 25% (200 sq ft) of my basement in order to create food products to
supply my food company's mobile sales unit with inventory.

VARIANCE REQUIREMENTS

THIS SECTION TO BE COMPLETED BY VARIANCE APPLICANTS ONLY

A. Variance Requested

A variance is requested from Section(s) 170-18.H of the Zoning Ordinance to permit:

The existence of a commercial kitchen within the basement of my dwelling, which after proper licensing will give the homeowner/business owner additional latitude of what food products can be created versus a homestead kitchen.

B. The Five Variance Criteria (as set forth in NH RSA 674:33, I(b))

Please demonstrate compliance with the following:

1. Waiving the terms of the Ordinance will not be contrary to the public interest because:

The creation and licensing of a homestead kitchen is already allowed. Considering the applicant's status as a professional chef/baker, an upgrade to the proposed kitchen space to a commercial standard and subsequent license, thus allowing a wider breadth of food, poses no changes that would be discernible to the public.

2. Deviation from the strict requirements of the Ordinance is consistent with the spirit of the Ordinance because:

Ordinance 170-18.A allows for many professional occupations within a residential dwelling. I believe that the spirit of this ordinance would allow for a professional chef to have a professional space to work in. Ordinance 170-18.H mentions "Restaurant, Caterers and Bakeries." I will not be running any of these types of retail businesses. I will simply be creating food products to supply my mobile food business. I believe that my request is well within the spirit of both sections of 170-18

3. Granting the variance would do substantial justice because:

Although I understand the meaning and purpose of the more restrictive homestead kitchen licensing, as a professional, I don't believe I should be stifled to such a narrow list of products when the main purpose of the homestead rules is to keep a homeowner from expanding into foods that need more stringent and dedicated oversight and care. If I am willing to work within the commercial standards and licensing that I am already accomplished at, and accustomed to, I should be allowed to practice my profession within my residence just as a doctor, lawyer or engineer is allowed.

4. The value of surrounding property will not be diminished because:

I have no intention of changing the exterior look of my home or the existing flow or character of the neighborhood.

NOTE: please complete EITHER paragraph 5A OR paragraph 5B. Staff recommends that you complete paragraph 5B only if you feel you cannot meet the requirements set forth in paragraph 5A.

5A. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship:

(i) The following special conditions of the property distinguish it from other properties in the area:

Simply the fact that we own this property and no others. The unnecessary hardship is that I need to qualify for a commercial food license to pursue my version of a happy life. Without the variance I am requesting, I will be unfairly restricted in what I can create.

and

(ii) No fair and substantial relationship exists between the general purposes of the ordinance provision and the specific application of that provision to the property because:

As the owner of the property, I am allowed to create and license a homestead kitchen. Without the variance I am requesting, I am being downgraded to an amateur status. I am only asking to be allowed to run a professional business, same as a lawyer or doctor, both of which are specifically permitted.

and

(iii) The proposed use is a reasonable one because:

All I am asking permission to do is to prepare food as a professional chef. I do not want permission to run a retail business from my home, nor create a restaurant. I am not asking to change my neighborhood, nor otherwise burden my neighbors. I simply want permission to apply for a commercial food license, and not be restricted on the specific foods I create.

OR

5B. If the criteria in subparagraph 5A above are not established, explain how, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it:

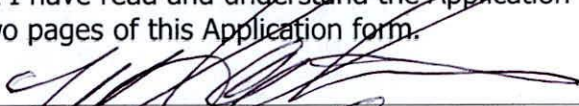
SIGNATURE PAGE

THIS SECTION OF THE APPLICATION MUST BE COMPLETED BY ALL APPLICANTS

I, the undersigned Applicant, hereby certify that the information contained within this Application is complete and accurate, and I acknowledge that I have read and understand the Application Instructions, which are set forth on the first two pages of this Application form.

IMPORTANT

PROPERTY IDENTIFICATION SIGN
MUST BE POSTED ON THE PROPERTY
FOR THE 5 DAYS PRIOR TO HEARING.
FAILURE TO POST MAY RESULT IN
APPLICATION NOT BEING ACCEPTED.


Signature of Applicant*

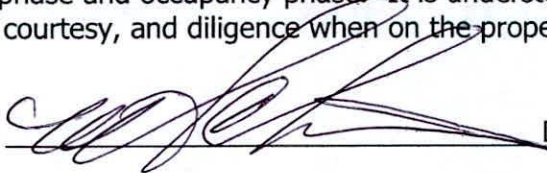

Signature of Owner*

*Both Signatures Required

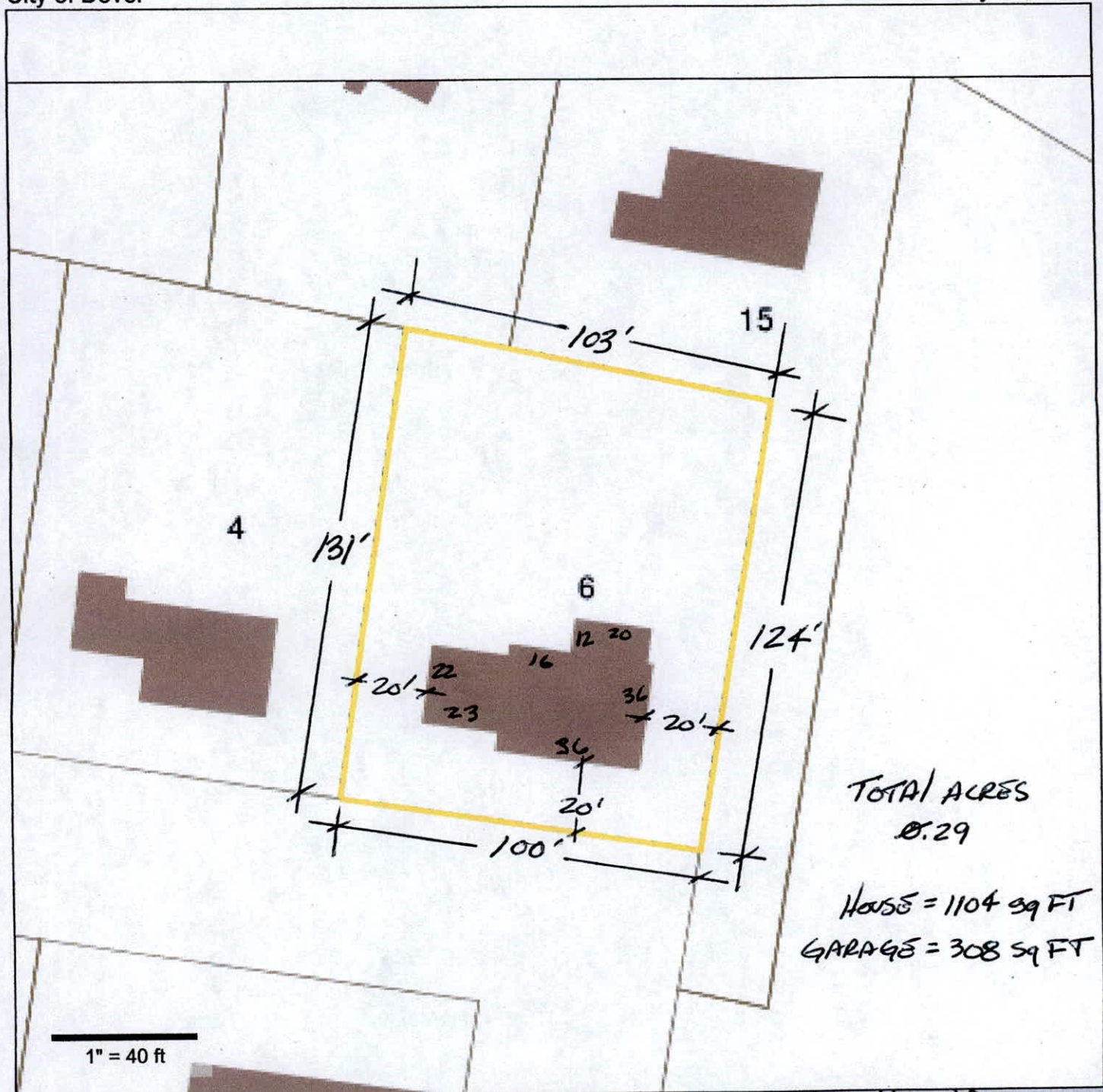
AUTHORIZATION TO ENTER SUBJECT PROPERTY

I, and my successors, hereby authorize members of the Dover Zoning 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:



Date: 01/29/2016



Property Information

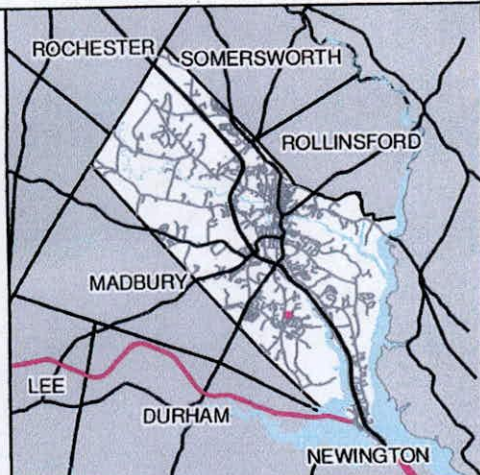
Property ID 10076-F00000
Location 6 JAMES ST
Owner NICHOLAS MICHAEL C &
 NICHOLAS GRETCHEN



MAP FOR REFERENCE ONLY NOT A LEGAL DOCUMENT

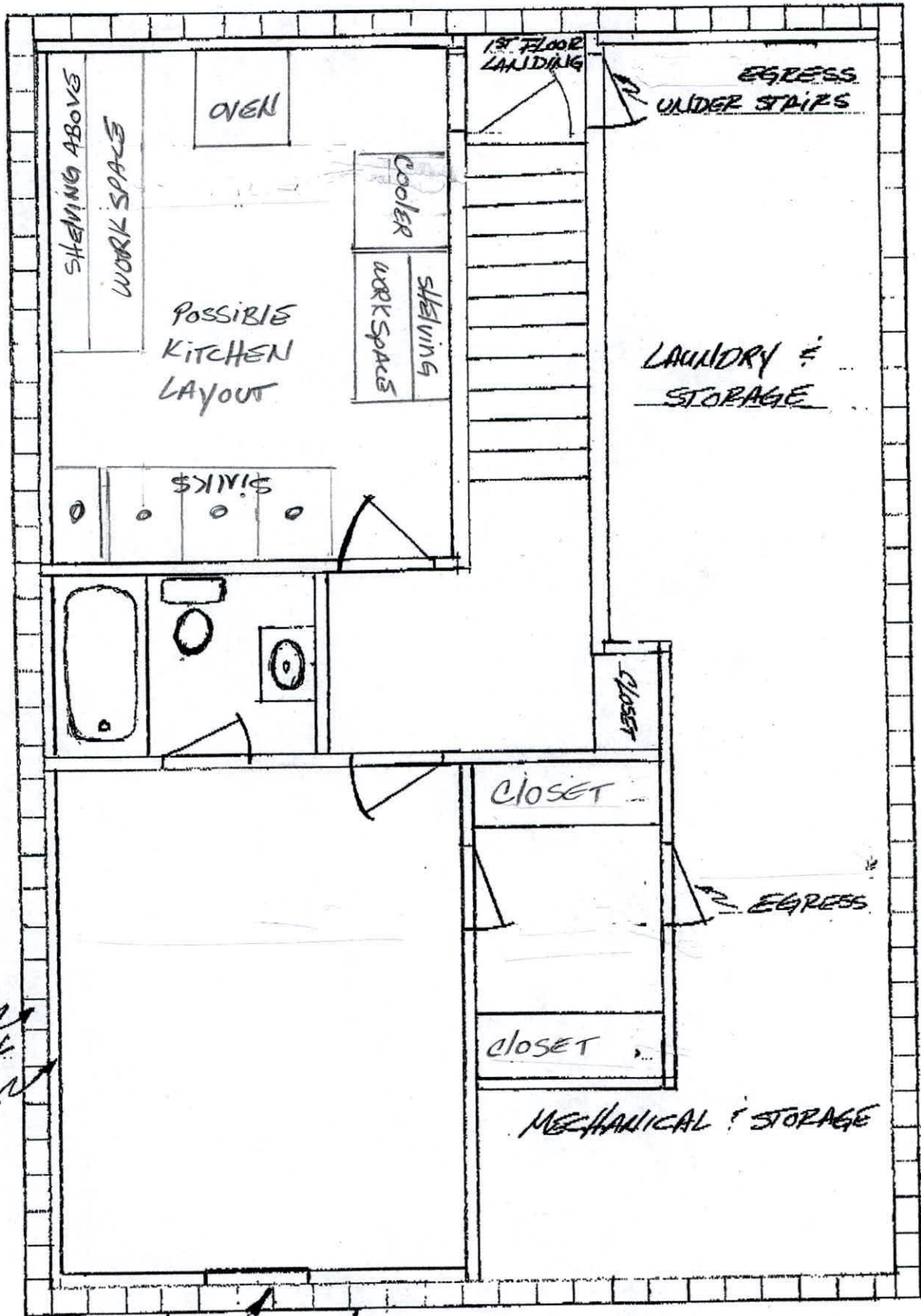
The City makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated January 1, 2015



22' 7"
INSIDE BLOCK WALL DIM.

ELEC. PANEL

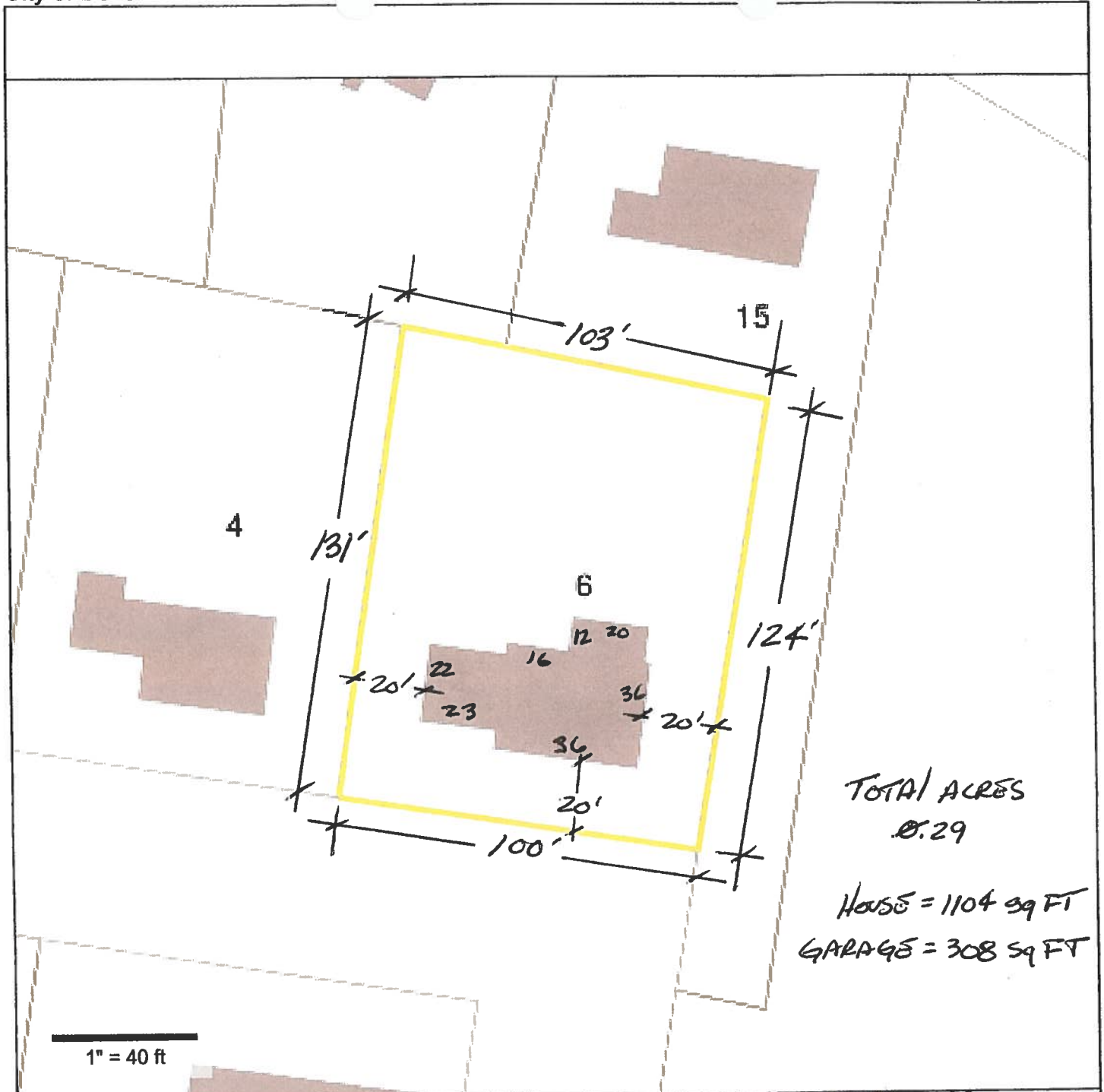


34' 8"
INSIDE BLOCK WALL DIM.

Block wall
STUD WALL

EGRESS WINDOW

SCALE 1/4" = 1'



Property Information

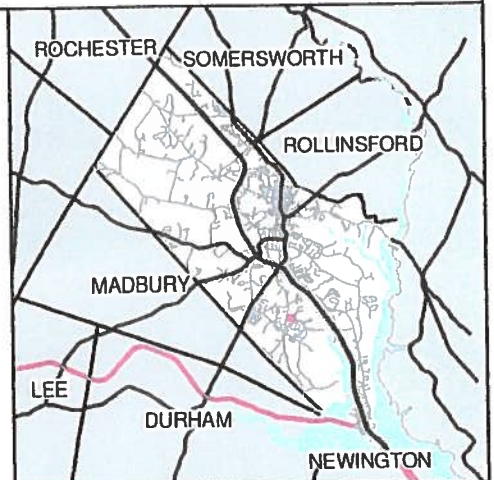
Property ID 10076-F00000
Location 6 JAMES ST
Owner NICHOLAS MICHAEL C & NICHOLAS GRETCHEN



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

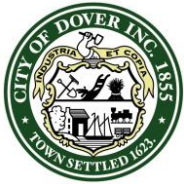
The City makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated January 1, 2015



Property ID	Owner 1	Owner 2	Owner Address 1	City	State	Zip
10074-000000	PRENDERGAST TAYLOR &	MOORE THOMAS	3 GARRISON RD	DOVER	NH	03820
10074-001000	WHEATON ROBERT B &	WHEATON LORI A	118 BACK RIVER ROAD	DOVER	NH	03820
10074-P00000	SCHUETZ KATHRYN A &	SCHUETZ DUSTIN	12 SHADY LN	DOVER	NH	03820
10076-D00000	HALEY ANDREA P &	HALEY KEVIN P	2 JAMES ST	DOVER	NH	03820
10074-002000	NEWTON JONATHAN D		7 GARRISON RD	DOVER	NH	03820
10076-A00000	PORTER PATRICK		120 BACK RIVER ROAD	DOVER	NH	03820
10073-A00000	WOOD RAE ANN		18 GARRISON ROAD	DOVER	NH	03820
10076-G00000	SINKWICH JENA K &	IACOBUCCI JANET S	3 JAMES ST	DOVER	NH	03820
10076-M00000	HADLOCK NANCY E		9 JAMES STREET	DOVER	NH	03820
10077-K00000	ROUX PATRICIA A TRUSTEE	ROUX PATRICIA REVOCABLE	14 SHADY LANE	DOVER	NH	03820
10076-C00000	CLAUSON RITA I TRUSTEE	CLAUSON RITA REV TRUST	126 BACK RIVER RD	DOVER	NH	03820
10073-000000	WOOD RAE ANN		18 GARRISON ROAD	DOVER	NH	03820
10074-A00001	COFFIN BONNIE B &	BERTRAND RANDY L	15 GARRISON ROAD	DOVER	NH	03820
10076-L00000	MCNALLY GARY E &	MCNALLY VALERI J	7 JAMES ST	DOVER	NH	03820
10074-A00000	HOOPER NATHAN C &	FORD CAROLINE E	11 GARRISON RD	DOVER	NH	03820
10075-000000	CITY OF DOVER		288 CENTRAL AVE	DOVER	NH	03820
10074-Q00000	DAUM SANDRA J		6-1/2 JAMES ST	DOVER	NH	03820
10071-000000	CITY OF DOVER		288 CENTRAL AVE	DOVER	NH	03820
10076-E00000	HOUCK DOUGLAS G &	HOUCK INGE C	4 JAMES ST	DOVER	NH	03820-4514
10076-H00000	NERI ALISON &	NERI BLAKE	1 JAMES ST	DOVER	NH	03820

6 James St.
Michael Nicholas
216-01



CITY OF DOVER

ZONING BOARD OF ADJUSTMENT – STAFF MEMO

Meeting Type:	Regular Meeting
Meeting Location:	Council Chambers – City Hall, 288 Central Avenue, Dover, NH
Meeting Date:	Thursday, February 18, 2016
Meeting Time:	7:00 pm

INTENT: The Applicant requests two variances—one from the minimum lot size requirement and one from the minimum frontage requirement—in order to permit the subdivision of one lot at the corner of West Knox Marsh Road and Chandler Way into three lots.

UNITS PROPOSED: 2

AGENDA ITEM #: 4-B

ZONING DISTRICT: R-20

FILE: Z16-02

APPLICANT: Knox Marsh Development, LLC

OWNERS: Knox Marsh Development, LLC

LOCATION: 23 Knox Marsh Road (Tax Map H, Lot 22)

ACREAGE: 0.77 ac (33,489 sq. ft.)

EXISTING LAND USE: Single-family dwelling

PROPOSED LAND USE: Single-family dwellings

SURROUNDING LAND USE: Single-family dwellings, NH Routes 9/155/16

PREVIOUS ZBA ACTION: None

PLANNING BOARD APPROVAL REQUIRED: Yes

ATTACHMENTS: Application

STAFF RECOMMENDATION: The Planning Department does not oppose the variance request.

Summary of Appeal and Background

The property is located in a residential neighborhood at the corner of Chandler Way and West Knox Marsh Road, adjacent to the intersection of Routes 9 and 155 and Exit 8.

The Applicant seeks to subdivide the 33,489-square-foot (0.77 acre) lot, creating three lots. Where 125 feet of lot frontage is required, the Applicant proposes lots with 74 feet, 86 feet, and 111 feet of frontage. Where 20,000 square feet of lot area is required, the Applicant proposes lots of 9,122 square feet, 12,136 square feet, and 12,231 square feet.

There is one vacant single-family dwelling in poor condition on the property. City water and sewer are available on both streets, but the existing home is not served by either utility.

Reason for Staff Recommendation

The proposed use is a reasonable one. However, the zoning seems appropriate for the neighborhood—all but a handful of lots along Chandler Way, Old Littleworth Road, Beverly Lane, and West Knox Marsh Road meet the minimum size and frontage required by the R-20 district. The lot is unique in its corner frontages and exposure to Knox Marsh Road (Rt. 155).

The Applicant points to the density and lot sizes nearby in the neighborhood to the southeast, zoned R-12. While the proposed lots require variance from two dimensional regulations of the R-20 district, they would *also* require variance from the same two dimensional regulations of the R-12 (12,000-square-foot minimum lot size and 100 feet minimum frontage). In other words, the hardship discussed by the applicant is borne equally throughout the neighborhood and in both the R-20 and R-12 zoning districts.

Recommendation

The Planning Department does not oppose the variance request.

If the Board votes to grant the variance, Staff recommends the following condition:

1. The existing house shall be connected to public water and sewer.
2. The existing house shall not be converted to a duplex.

23 Knox Marsh

**Property Information**

Property ID H0022-000000
Location 23 KNOX MARSH RD
Owner ROWE NORMA I



**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
ZONING BOARD OF ADJUSTMENT APPLICATION

[Adopted: August 16, 2012]

Office Use Only Case #:

216-02

Date Received:

RECEIVED
Planning Office

FEB 03 2016

Amount Paid: \$

Time Received:

Dover, New Hampshire

APPLICANT/PROPERTY OWNER INFORMATION

APPLICANT: Berry Surveying & Engineering Phone # (603) 332-2863

Address of Applicant: 335 Second Crown Point Rd. Barrington NH 03823

E-Mail Address: crberry@metrocast.net

PROPERTY OWNER (if different from applicant): NORMA ROWE / Knox Marsh Development LLC.

Address: 227 Spruce Lane ext. / 242 Central Ave, Dover, NH 03820 Phone # (603) 742-2121

E-Mail Address: _____

PROPERTY/PARCEL INFORMATION

Address: 23 KNOX MARSH ROAD

Brief Directions: Enter NH Route 155 From the East (from Downtown) and turn Left onto Chandler Way.
Immediate Right onto West Knox Marsh Road.

Zoning District: R-20 Assessor's Map # H Lot(s) # 22

TYPE OF APPEAL: (Please check one)

☒ Variance

from Section R-20 of the Zoning Ordinance

☐ Physical Disability Variance (RSA 674:33-V)

from Section _____ of the Zoning Ordinance

☐ Special Exception

per Section _____ of the Zoning Ordinance

☐ Appeal of Administrative Decision

regarding Section _____ of the Zoning Ordinance

☐ Equitable Waiver

per Section _____ of the Zoning Ordinance

DESCRIBE BRIEFLY YOUR PLANS FOR THE PROPERTY:

see attached narrative

APPLICATION CHECKLIST (Please check off)

- A. **Application signed** by Applicant and Property Owner (if different from Applicant) X
Note: In order for the application to be accepted by Planning Department staff and placed on the ZBA agenda YOU MUST COMPLETE (1) ALL SECTIONS ON PAGE 1 as well as (2) ALL QUESTIONS FOR THE SPECIFIC APPEAL YOU ARE SEEKING.

- B. **10 Copies of Completed Zoning Board of Adjustment Application** X
Note: Only include those pages of the application that are relevant to your request. Please do not include the abutters list with the 10 copies (include only as part of original signed application (Part A above)).

- C. **10 copies of a plot plan** drawn in accordance with a boundary line to scale not less than 1" = 40'. They need to include the lot dimensions including area in square feet, and also the size and location of existing and proposed buildings if applicable, including setbacks. X

- D. Submit at least one (1) copy of the plot plan at a size of **8 1/2 x 11** (this is in addition to the 10 copies required in 'C' above). X

- E. **10 copies of photos** (suggested but optional) and any **other materials** applicant would like to submit in support of the application. X

- F. **List of abutters** including addresses and map and lot number of parcels that adjoin or are located within two hundred (200) feet (including land across the street or waterway) of the subject property. 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 by first class mail only. X

- G. **Mailing Labels** in triplicate with abutters names and addresses for notices. (Use Avery 5160 label) X

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

- | | | |
|----|---|----------------------|
| 1. | Application fee of: | |
| | \$100.00 VARIANCE (per Section requested) | \$ <u>100.00</u> |
| | \$100.00 SPECIAL EXCEPTION | \$ <u> </u> |
| | \$100.00 APPEAL FROM ADMINISTRATIVE DECISION | \$ <u> </u> |
| | \$100.00 EQUITABLE WAIVER | \$ <u> </u> |
| 2. | Certified letters fee: # of abutters <u>17</u> X \$8.00 = | \$ <u>136</u> |
| 3. | Applicant & Owner mailing fee: <u>4</u> X \$8.00 = | \$ <u>32.00</u> |
| 4. | First Class Mail fee (for individual owner of units within a condominium or other collective form of ownership): # of abutters <u> </u> X \$1.00 = | \$ <u> </u> |
| 5. | Foster's newspaper public notice <u>80.00</u> | \$ <u>80</u> |

TOTAL FEE \$ 348.00

VARIANCE REQUIREMENTS

THIS SECTION TO BE COMPLETED BY VARIANCE APPLICANTS ONLY

A. Variance Requested

A variance is requested from Section(s) R-20 of the Zoning Ordinance to permit:
The development of three lots within the R-20 Zone with less than the required frontage and land area.

B. The Five Variance Criteria (as set forth in NH RSA 674:33, I(b))

Please demonstrate compliance with the following:

1. Waiving the terms of the Ordinance will not be contrary to the public interest because:

see attached narrative

2. Deviation from the strict requirements of the Ordinance is consistent with the spirit of the Ordinance because:

see attached narrative

3. Granting the variance would do substantial justice because:

see attached narrative

4. The value of surrounding property will not be diminished because:

_____ see attached narrative _____

NOTE: please complete EITHER paragraph 5A OR paragraph 5B. Staff recommends that you complete paragraph 5B only if you feel you cannot meet the requirements set forth in paragraph 5A.

5A. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship:

(i) The following special conditions of the property distinguish it from other properties in the area:

_____ see attached narrative _____

and

(ii) No fair and substantial relationship exists between the general purposes of the ordinance provision and the specific application of that provision to the property because:

and

(iii) The proposed use is a reasonable one because:

OR

5B. If the criteria in subparagraph 5A above are not established, explain how, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be

F.

SIGNATURE PAGE

THIS SECTION OF THE APPLICATION MUST BE COMPLETED BY ALL APPLICANTS

I, the undersigned Applicant, hereby certify that the information contained within this Application is complete and accurate, and I acknowledge that I have read and understand the Application Instructions, which are set forth on the first two pages of this Application form.

IMPORTANT

PROPERTY IDENTIFICATION SIGN
MUST BE POSTED ON THE PROPERTY
FOR THE 5 DAYS PRIOR TO HEARING.
FAILURE TO POST MAY RESULT IN
APPLICATION NOT BEING ACCEPTED.

Reah Ben OF KROX MARSH DEL-LLC
Signature of Applicant*

SEE P.S. APPLICATION

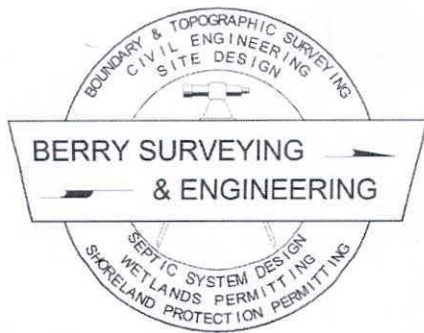
Signature of Owner*

*Both Signatures Required

AUTHORIZATION TO ENTER SUBJECT PROPERTY

I, and my successors, hereby authorize members of the Dover Zoning 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, postapproval 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: Reah Ben Date: 2-3-16



216-02

BERRY SURVEYING & ENGINEERING

335 Second Crown Point Road

Barrington, NH 03825

Phone: (603) 332-2863

Fax: (603) 335-4623

www.BerrySurveying.Com

February 3, 2016

Abutters List

Owner:

Tax Map H, Lot 22

Norma I Rowe
227 Spruce Lane Ext
Dover, NH 03820-5200
Book 3828, Page 619

Applicant:

Knox Marsh Development LLC
242 Central Ave.
Dover, NH 03820

Direct Abutters:

Tax Map 13, Lot 21

Tax Map 13, Lot 21 A

Hazel M. & Charles R. Chandler
14 Chandler Way
Dover, NH 03820
Book 1173, Page 399
Book 873, Page 228

Tax Map H, Lot 22-A1

Robert D. & Sandra L. Dubois
11 Chandler Way
Dover, NH 03820
Book 2902, Page 75

RECEIVED
Planning Office
FFR 03 2016
Dover, New Hampshire

Tax Map H, Lot 22-A

Douglas Macdonald
79 Calef Island Rd
Barrington, NH 03825-5371
Book 2229, Page 150

Tax Map H, Lot 21

Jeffery H. & Laura L. Rowe
228 Spruce Lane Ext
Dover, NH 03820
Book 2544, Page 324

Tax Map H, Lot 19

Cheri B. Nixon
15 Bellamy Rd
Dover, NH 03820-4357
Book 2957, Page 119

Tax Map 14, Lot 003

Kathryn Weegar
16 Bellamy Rd
Dover, NH 03820-4322
Book 4318, Page 464

Tax Map 14, Lot 001

Aaron B Wensley
2 Hartswood Rd
Dover, NH 03820
Book 3884, Page 172

Abutters 200'**Tax Map 13, Lot 20 B**

Ryan T. Dorval & Paige E. Queenan
12 Chandler Way
Dover, NH 03820
Book 4278, Page 819

**BERRY SURVEYING & ENGINEERING**

335 Second Crown Pt. Rd., Barrington, NH 03825
(603) 332-2863 / (603) 335-4623 FAX
www.BerrySurveying.Com

Tax Map 13, Lot 20

Parker C. & Sunya L. Cook
11 West Knox Marsh Rd
Dover, NH 03820
Book 4146, Page 222

Tax Map 13, Lot 20 A

Matthew R. Boyer
10 Chandler Way
Dover, NH 03820
Book 4239, Page 627

Tax Map 13, Lot 19

Daniel C & Beverly F Peduzzi
9 West Knox Marsh Rd
Dover, NH 03820
Book 2125, Page 566

Tax Map H, Lot 23

Claire & Karen Lord
Robert and Claire Lord Revocable Trust
9 Chandler Way
Dover, NH 03820
Book 3688, Page 1001

Tax Map H, Lot 24-A

George E Nicol & Carol E Gifford
7 Chandler Way
Dover, NH 03820
Book 4236, Page 134

Tax Map H, Lot 29-01

Tianhang Hou & Heping Yuan
322 Portsmouth Ave
Greenland, NH 03840-2220
Book 3933, Page 874



BERRY SURVEYING & ENGINEERING

335 Second Crown Pt. Rd., Barrington, NH 03825
(603) 332-2863 / (603) 335-4623 FAX
www.BerrySurveying.Com

Tax Map H, Lot 29-02

Anthony J & Leslie E Alex
4 Beverly Lane
Dover, NH 03820
Book 2024, Page 047

Tax Map H, Lot 23-1

Lakpa Sherpa
9A Chandler Way
Dover, NH 03820
Book 3282, Page 561

Tax Map H, Lot 32

Gloria Michaud
45 Knox Marsh Rd
Dover, NH 03820
Book 1471, Page 597

Professionals:

Berry Surveying & Engineering
335 Second Crown Point Rd
Barrington, NH 03820

Cindy Balcius, CWW, CSS
Stoney Ridge Environmental LLC
229 Prospect Mountain Rd
Alton, NH 03809



BERRY SURVEYING & ENGINEERING

335 Second Crown Pt. Rd., Barrington, NH 03825
(603) 332-2863 / (603) 335-4623 FAX
www.BerrySurveying.Com



BERRY SURVEYING & ENGINEERING

335 Second Crown Point Road

Barrington, NH 03825

Phone: (603) 332-2863

Fax: (603) 335-4623

www.BerrySurveying.Com

crberry@metrocast.net

February 3, 2016

City of Dover
Zoning Board of Adjustments
288 Central Ave
Dover, NH 03820

Re: Norma Rowe / Knox Marsh Development LLC
Proposed Subdivision
23 Knox Marsh Road
Dover, NH
Tax Map H, Lot 22

Mr. Chair and Members of the Dover Zoning Board of Adjustments,

On behalf of Norma Rowe and Knox Marsh Development LLC, Berry Surveying & Engineering (BS&E) is requesting a variance to the Table of Requirements in the Low Density Residential (R-20) District to allow less than the required amount of frontage and to allow less than the required amount of land area to create a three lot single family residential subdivision.

Background and General Narrative:

Norma Rowe is the current owner of Tax Map H, Lot 22 found at 23 Knox Marsh Road in Dover, NH, and is under contract to sell the same to Knox Marsh Development LLC. The closing is scheduled between the application submission and the public hearing for the proposal and as such, Ms. Rowe is listed as the owner. The subject parcel is 0.77 Acres in size, all upland area, and is found generally on the corner of two major access points into the City of Dover, NH Route 9 & NH Route 155 on the corner of Chandler Way. The parcel includes a structure that was built in 1880, and has fallen into such dis-repair that it has not been lived in for many years. The parcel is located in an older neighborhood that contains multiple lots which were created prior to the R-20 zoning requirement and are smaller than 20,000 SF and have less than the required 125 feet of frontage. This is one of two remnant parcels of land remaining from the Korn Estate, from which many of the existing housing stock within the older portions of the neighborhood were derived. This area of the city is serviced by municipal water and sewer.

The Proposal:

The proposal is to simply subdivide the parcel into three total lots. The existing structure would be renovated and maintained on one of the lots, with the creation of two new building lots. One lot would be found to the North of existing structure, and one to the West. The structure is eligible for conversion to a duplex, which is not preferred whereas the existing neighborhood is comprised of only single families. All three proposed lots would have less than the required 125 feet of frontage at the front setback line, the smallest being approximately 74 feet. All of the lots would have less than the required 20,000 SF of land area, with the smallest being approximately 9,000 SF.

A review of the existing lots within the neighborhood and the abutting neighborhood found that there is a range of lot areas between 6,000 SF per unit and 20,000 SF per unit. A review of the frontages found

within the area revealed that frontages varied based on the constructed housing stock, but in many cases they were less than 125 feet.

Specific Variance Request & Criteria for Approval:

As noted on page 1, the request is a Variance to the frontage along the setback line as required in the Table of Uses for the R-20 Zone. The applicant is requesting the frontage be less than the required 125 feet, and is proposing three lots with frontages of 86.43', 111.56', & 74.19'. A request for a variance to the minimum lot area to the same, to allow three lots to be developed with two of the land areas being approximately 12,000 SF and the third being approximately 9,000 SF.

1.) *"Granting the variance would not be contrary to the public interest."*

- a. The public interest in having frontage requirements is to ensure that each parcel and lot is spaced according to the zone in which it falls. The intent is to create as close to a uniform look as possible, giving each land owner space on both sides of the parcel for land use. In this case, the public interest is preserved. The applicant is proposing lots which are very regular in shape, and create space on each side which are comparable in size to their immediate abutters and conform to the sideline setbacks. This is witnessed by the fact that lots within the same neighborhood have smaller frontages, but similar space as the proposed subdivision, and residential structures are developed to fit the lot. The general interest in lot sizes, again pertains to space issues, and in this particular case the special concern is pacified by the layout and usable land area provided on each lot, as well as the ability to maintain the required setback.

2.) *"Deviation from the strict requirements of the Ordinance is consistent with the spirit of the Ordinance"*

- a. In typical New England fashion, the Ordinance attempts to rationalize in a uniform fashion an area of the City which was developed far before the time of Ordinance. The intent of the ordinance is to create new neighborhoods and allow further development in older neighborhoods which are consistent within certain areas and zones of the City. This is witnessed by the newer subdivision to the North (Beverly Lane). In that instance each lot contains the minimum required frontage and lot size, and is highly uniformed. In this case, the lack of uniformity is the character of the neighborhood, and this proposal fits within this value, and thus preserves the spirit of the Ordinance. The inconsistency, allowed by right, would be to construct a duplex onto a single unit in a neighborhood which is comprised of single family homes. The frontage provided and land area provided, coupled with the ability to develop the lots within the required setbacks, is consistent with the neighborhood and surrounding development.

3.) *"Granting the variance would do substantial justice."*

- a. The substantial justice would be to allow this land owner to develop the second and third lot instead of creating the second unit within the existing structure. Additional value is recognized by the City of Dover and the neighborhood as a whole through the construction of an additional single family home over a duplex unit, on land that is well suited and sized for this use. The subdivision creates harmonious land uses with appropriate areas for usage and enjoyment on each lot, without marooning area away from building zones, and creating ambiguous space.

4.) *"Granting the variance will not result in diminution of surrounding property values"*

- a. The surrounding property values are consistent with a single family neighborhood, which is what the applicant trying to preserve. The value and street scape of the remaining



BERRY SURVEYING & ENGINEERING
335 Second Crown Pt. Rd., Barrington, NH 03825
(603) 332-2863 / (603) 335-4623 FAX
www.BerrySurveying.Com

owners will only be affected by the view of a newer home along the existing road frontage. There is to be very little additional traffic on the street, and the quality of life equitably enjoyed along the street will not be changed by the addition of two new homes.

5.) *"Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship:*

a. *"The following special conditions of the property distinguish it from the other properties in the area."*

- i. This is a remnant lot in an area of the City which already has similar frontages and area requirements found within the neighborhood. This neighborhood is zoned R20, however has been historically developed in a fashion closer to an R12, to which this development is closer. R20 zoning is a medium density zone, which is typically to bridge the gap between higher density zones and rural R40 Zones. In this case the special condition of this property is that it is placed in an area of the City that is congested by highway development and surrounding commercial development and activity. Though those are the surrounding activities and land uses, because of the access to this site, commercial development would be difficult, and would be more intrusive on the abutting land owners. The hardship is the location of the property, surrounding land activities, and existing density within a district that is zoned with a medium density applied to it.
- ii. This is a corner lot, with the existing structure that faces Knox Marsh Road. This creates two spaces on the lot for single family development. This type of development will create a buffer between the NH Route 155 thorough fair and the abutting land owners and uses.

b. *"No fair and substantial relationship exists between the general purposes of the ordinance provision and the specific application of that provision to the property because."*

- i. The relationship between frontage along a street and lot size and area for unit density is directly related to the usability and feel of the neighborhood in which it lies or is trying to create. The ordinance recognizes that in other areas of the City, which are developed at a similar time period, that smaller lot areas and frontages are appropriate to that which is being proposed. In this case, as is the surrounding cases, and others within the City, these lots can be created while allowing for appropriate sideline, front and rear setbacks, while providing for usable space for residents to enjoy, without overcrowding. The general topography is flat, with no jurisdictional wetlands, and therefore these lots can reasonably be developed without a hindrance to drainage, creating problems to abutting land owners, or without substantially changing the grade of the site.

c. *"The proposed use is a reasonable one because."*

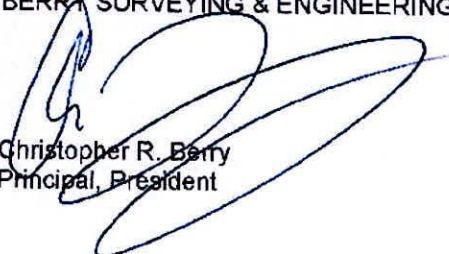
- i. It allows for a single family homes to be constructed on land which is well suited for it, in a neighborhood which has like construction, off a frontage value similar to those found on abutting parcels.



February 3, 2016

Thank you for your time and attention to this matter. We hope you look favorably upon these two requests.

BERRY SURVEYING & ENGINEERING



Christopher R. Berry
Principal, President



BERRY SURVEYING & ENGINEERING
335 Second Crown Pt. Rd., Barrington, NH 03825
(603) 332-2863 / (603) 335-4623 FAX
www.BerrySurveying.Com



BERRY SURVEYING & ENGINEERING

335 Second Crown Point Road

Barrington, NH 03825

Phone: (603) 332-2863

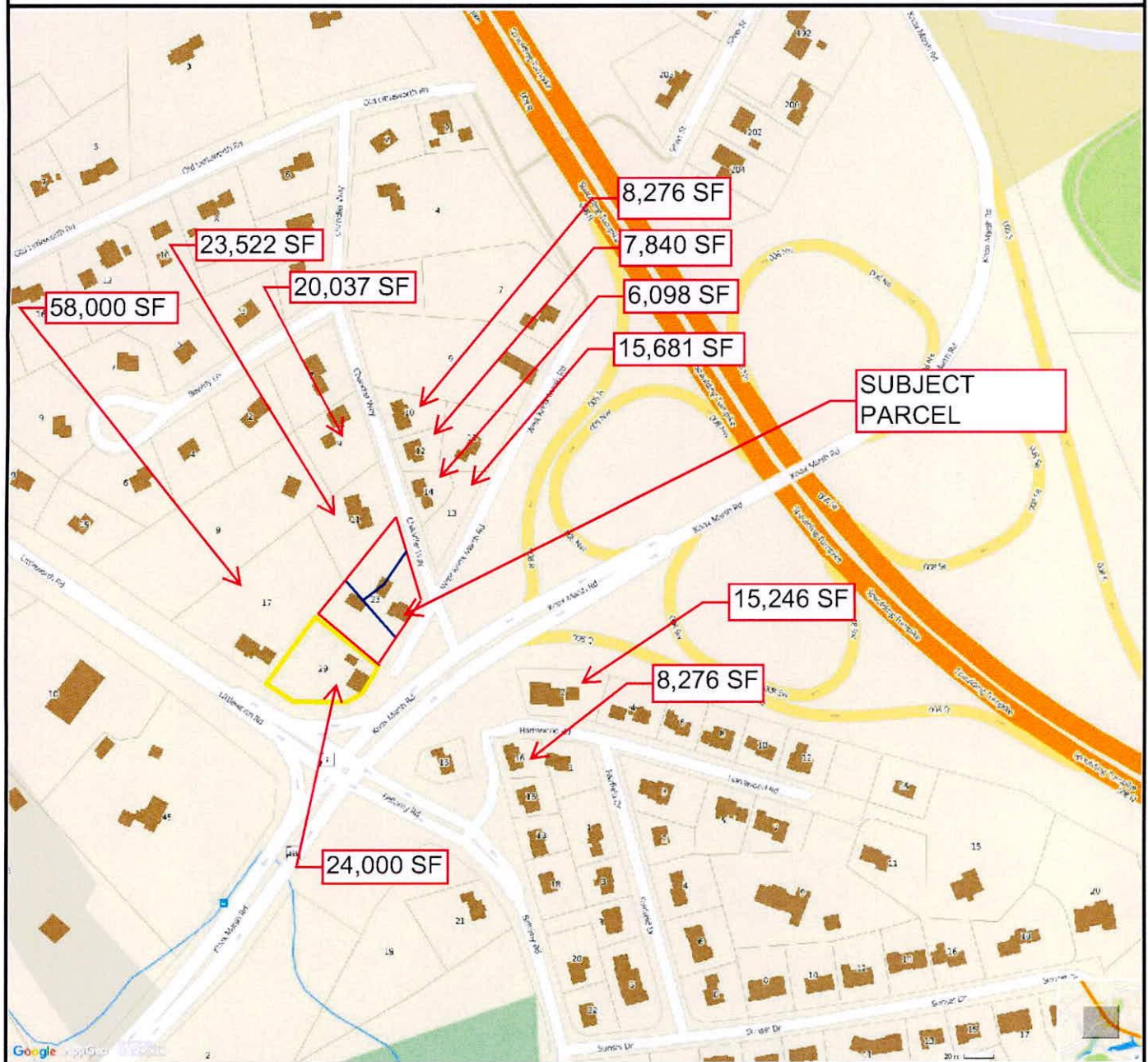
Fax: (603) 335-4623

www.BerrySurveying.Com

crberry@metrocast.net

Aerial Photo



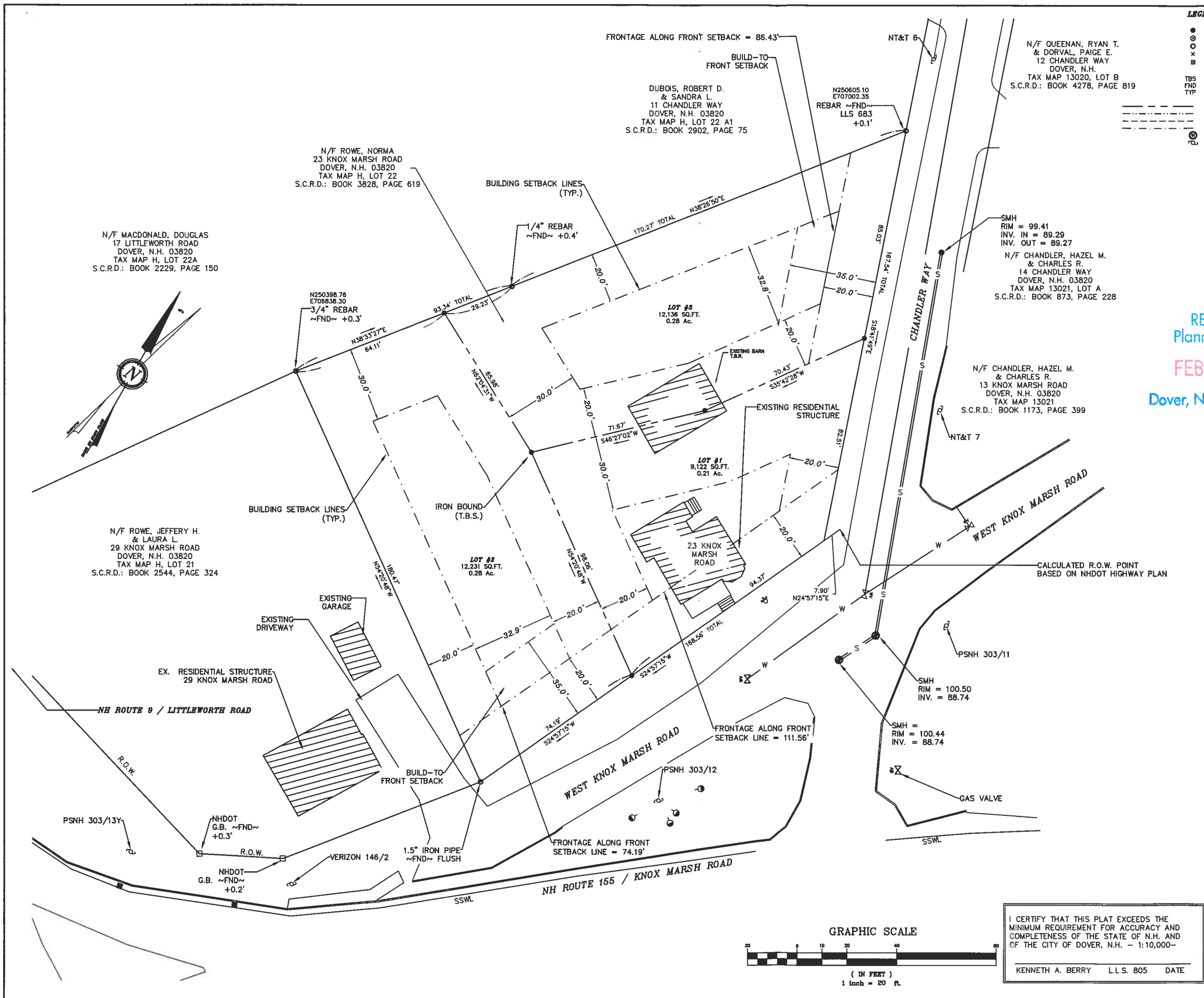
**Property Information**

Property ID H0021-000000
Location 29 KNOX MARSH RD
Owner ROWE JEFFREY H &

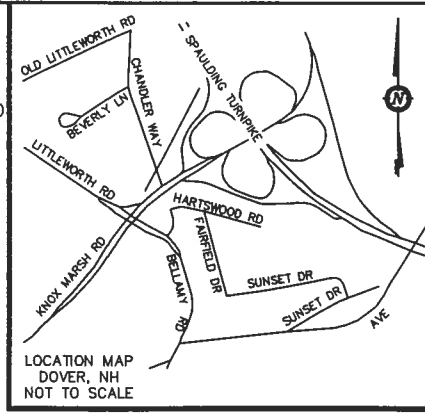


**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

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.

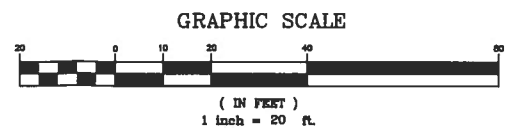


- LEGEND:**
- IRON BOUND TBS.
 - PK NAIL
 - IRON PIPE (FND)
 - × IRON BOUND (FND)
 - STEEL STAKE OR ANGLE IRON (FND)
 - DRILL HOLE (FND OR SET)
 - TO BE SET
 - FOUND
 - TYPICAL
 - STONE WALL
 - PROPOSED BOUNDARY LINE
 - BUILDING SETBACK LINE
 - EASEMENT LINE
 - JURISDICTIONAL WETLAND LINE
 - WELL
 - UTILITY POLE



- NOTES:**
- 1.) OWNER: NORMA I. ROWE
227 SPRUCE LANE EXT.
DOVER, NH 03820
 - 2.) TAX MAP H, LOT 22
 - 3.) LOT AREA: 33,489 Sq. Ft., 0.77 Ac.
 - 4.) S.C.R.D. BOOK 3828, PAGE 619
 - 5.) ZONING: LOW DENSITY RESIDENTIAL (R-20) DISTRICT
SETBACKS:
FRONT - BUILD TO LINE 20'-35'
SIDE - 20.0'
REAR - 30.0'
WETLANDS SETBACK ~ 50.0'
MIN. LOT SIZE 20,000 Sq. Ft.
MIN. LOT FRONTAGE 125'
MAX. BLDG. HEIGHT 35'
MAX. LOT COVERAGE 30%
 - 6.) I HEREBY CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE & BELIEF, THIS PARCEL DOES NOT FALL WITHIN THE FLOOD PLAIN FLOOD HAZARD REF.: FEMA COMMUNITY# -330150, MAP# - 33017001950, DATED: MAY 17, 2005.
 - 7.) THE PROJECT SITE IS SERVICED BY MUNICIPAL WATER AND SEWER.
- PLAN REFERENCES:**
- 1.) "PLAN OF SUBDIVISION OF LAND OF BEVERLY LOPINTE ROUTE 9 AND BELLAMY ROAD DOVER, NEW HAMPSHIRE PREPARED BY CIVIL CONSULTANTS ENGINEERING PLANNING SOUTH BERMICK, ME" BY: CIVIL CONSULTANTS ENGINEERING SURVEYING PLANNING DATED: JUNE 11, 1986 S.C.R.D.: PLAN # 29-72
 - 2.) "PLAN OF LOTS BEVERLY LOPINTE DOVER NEW HAMPSHIRE" BY: G.L. DAVIS & ASSOCIATES SURVEYING - ENGINEERING DATED: JUNE 1978 S.C.R.D.: PLAN # 170-111
 - 3.) "STANDARD BOUNDARY SURVEY AND MINOR SUBDIVISION PLAN OF LAND LOT 22A. TAX ASSESSOR'S MAP "H" BELLAMY ROAD EXTENSION & LITTLEWORTH ROAD (A.K.A. N.H. ROUTE 9) DOVER, NEW HAMPSHIRE COUNTY OF STRAFFORD" BY: CIVIL WORKS ENGINEERS - SURVEYORS DATED: MAY 2, 1997 S.C.R.D.: PLAN # 59-23
 - 4.) "SUBDIVISION PLAN MARK C. & JODI STONE BELLAMY ROAD & LITTLEWORTH ROAD DOVER, NEW HAMPSHIRE" BY: TRITECH ENGINEERING CORPORATION DATED: FEBRUARY 10, 2004 S.C.R.D.: PLAN # 74-87
 - 5.) "RIGHT-OF-WAY PLANS STATE OF NH NHDOT ROW PLANS CITY OF DOVER COUNTY OF STRAFFORD" DATED: JANUARY 11, 1993 S.C.R.D.: PLAN # 60-93

RECEIVED
Planning Office
FEB 03 2016
Dover, New Hampshire



I CERTIFY THAT THIS PLAT EXCEEDS THE MINIMUM REQUIREMENT FOR ACCURACY AND COMPLETENESS OF THE STATE OF N.H. AND OF THE CITY OF DOVER, N.H. - 1:10,000-

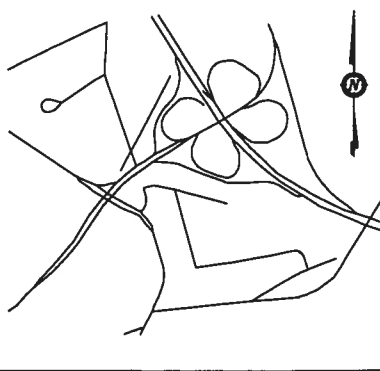
KENNETH A. BERRY L.L.S. 805 DATE

REVISION	DATE	DESCRIPTION
PROPOSED SUBDIVISION PLAN FOR KNOX MARSH DEVELOPMENT LLC LAND OF NORMA ROWE 23 KNOX MARSH ROAD DOVER, NH 03820 TAX MAP H, LOT 22		
BERRY & ENGINEERING 335 SECOND CROWN POINT RD. BARRINGTON, N.H. 332-2863		
SCALE : 1 IN. EQUALS 20 FT.		
DATE : FEBRUARY 2, 2016		
FILE NO. : DB 2015 - 134		



RECEIVED
Planning Office
FEB 03 2016
Dover, New Hampshire

- LEGEND:**
- 3" IRON BOUND TBS.
 - PK NAIL
 - IRON PIPE (FND)
 - × IRON BOUND (FND)
 - STEEL STAKE OR ANGLE IRON (FND)
 - DRILL HOLE (FND OR SET)
 - TO BE SET
 - FOUND
 - TYPICAL
 - STONE WALL
 - PROPOSED BOUNDARY LINE
 - BUILDING SETBACK LINE
 - EASEMENT LINE
 - JURISDICTIONAL WETLAND LINE
 - WELL
 - UTILITY POLE



- NOTES:**
- 1.) OWNER: NORMA L. ROWE
227 SPRUCE LANE EXT.
DOVER, NH 03820
 - 2.) TAX MAP H, LOT 22
 - 3.) LOT AREA: 33,489 Sq. Ft. 0.77 Ac.
 - 4.) S.C.R.D. BOOK 3828, PAGE 618
 - 5.) ZONING: LOW DENSITY RESIDENTIAL (R-20) DISTRICT
SETBACKS:
FRONT - BUILD TO LINE 20'-35'
SIDE - 20.0'
REAR - 30.0'
WETLANDS SETBACK - 50.0'
MIN. LOT SIZE
20,000 Sq. Ft.
MIN. LOT FRONTAGE
125'
MAX. BLDG. HEIGHT
35'
MAX. LOT COVERAGE
30%
 - 6.) I HEREBY CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE
& BELIEF, THIS PARCEL DOES NOT FALL WITHIN THE FLOOD
PLAIN FLOOD HAZARD REF.: FEMA COMMUNITY# - 330150,
MAP# - 33017001950, DATED: MAY 17, 2005.
 - 7.) THE PROJECT SITE IS SERVICED BY MUNICIPAL WATER AND
SEWER.

PLAN REFERENCES:

- 1.) "PLAN OF SUBDIVISION OF LAND OF BEVERLY LOPONTE
ROUTE 9 AND BELLAMY ROAD DOVER, NEW HAMPSHIRE
PREPARED BY CIVIL CONSULTANTS ENGINEERING
PLANNING SOUTH BERWICK, ME"
BY: CIVIL CONSULTANTS ENGINEERING SURVEYING PLANNING
DATED: JUNE 11, 1986
S.C.R.D.: PLAN # 29-72
- 2.) "PLAN OF LOTS BEVERLY LOPONTE DOVER NEW HAMPSHIRE"
BY: G.L. DAVIS & ASSOCIATES SURVEYING - ENGINEERING
DATED: JUNE 1978
S.C.R.D.: PLAN # 170-111
- 3.) "STANDARD BOUNDARY SURVEY AND MINOR SUBDIVISION
PLAN OF LAND LOT 22A, TAX ASSESSOR'S MAP "H"
BELLAMY ROAD EXTENSION & LITTLEWORTH ROAD
(AKA: N.H. ROUTE 9) DOVER, NEW HAMPSHIRE
COUNTY OF STRAFFORD
BY: CIVIL WORKS ENGINEERS - SURVEYORS
DATED: MAY 2, 1997
S.C.R.D.: PLAN # 59-23
- 4.) "SUBDIVISION PLAN MARK C. & JODI STONE BELLAMY ROAD
& LITTLEWORTH ROAD DOVER, NEW HAMPSHIRE"
BY: TRITECH ENGINEERING CORPORATION
DATED: FEBRUARY 10, 2004
S.C.R.D.: PLAN # 74-87
- 5.) "RIGHT-OF-WAY PLANS STATE OF NH NHDOT ROW PLANS
CITY OF DOVER COUNTY OF STRAFFORD"
DATED: JANUARY 11, 1993
S.C.R.D.: PLAN # 80-93

REVISION	DATE	DESCRIPTION
PROPOSED SUBDIVISION PLAN FOR KNOX MARSH DEVELOPMENT LLC LAND OF NORMA ROWE 23 KNOX MARSH ROAD DOVER, NH 03820 TAX MAP H, LOT 22		
BERRY SURVEYING & ENGINEERING 335 SECOND CROWN POINT RD. BARRINGTON, N.H. 332-2863		
SCALE : 1 IN. EQUALS 50 FT.		
DATE : FEBRUARY 2, 2016		
FILE NO. : DB 2015 - 134		