

**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, April 21, 2016**
Meeting Time: **7:00 pm**

1. ATTENDANCE

Members Present: Sam Reid (Chair), Otis Perry (Vice Chair), Frank Landford, Chris Prior, Bob Hall, Nicholas Couturier (Alternate), Arianna Adams (Alternate)

Members Not Present: George Reagan (Alternate)

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

The Chair called the meeting to order at 7:01 p.m.

The Chair stated item 3.B would not be heard because it was withdrawn by the applicant.

2. APPROVAL OF MEETING MINUTES OF FEBRUARY 18, 2016

Motion: O.Perry made a motion to approve the February 18, 2016 Regular Meeting Minutes as amended. Seconded by R.Hall. Vote U/A

C.Prior stated a correction was needed to the attendance of the February 18, 2016 Regular Meeting Minutes because he was absent at the previous meeting.

3. HEARINGS

- A. Z16-03 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 that would permit a two-lot subdivision with 1) a lot frontage of 86.43 feet where a minimum lot frontage of 125 feet is required and 2) lot sizes of 15,625 square feet and 17,863 square feet where a minimum 20,000-square-foot lot size is required.

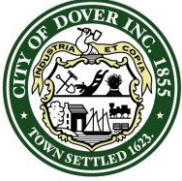
Christopher Berry, Berry Surveying & Engineering, displayed the plans for viewing, and presented the proposed plan. Robert Baldwin, Knox Marsh Development, LLC was also present.

C.Berry answered questions from B.Hall and C.Prior regarding the intent of the existing building to remove the right to convert to a duplex in exchange for the variance approval. He explained the lot sizes, frontage, and the zoning changes regarding the build to lines. He further explained the reason for the single family home to conform to the surrounding community and the property values. He confirmed both lots would have City water and sewer.

Public hearing opened.

Robert Dubois, 11 Chandler Way, stated his concerns regarding the proximity of the new lot to his property, and requested an arborvitae barrier placed between his property and the new property for privacy. He explained the hardship for him to put up the barrier due to the water/sewer City easement on his property. He further stated he does not want a fence. C.Prior confirmed R.Dubois did not speak to the applicant about his request.

C.Berry stated his willingness to work with R.Dubois regarding the privacy barrier. Discussion ensued regarding the distance of the placement of the plantings, and the setbacks and regulations for the homeowners. The Board members agreed to have screening as a condition.



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STAFF RECOMMENDATION:

The Planning Department does not oppose the variance request.

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

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

O.Perry suggested the Planning Board determine screening as part of the condition.

Public hearing closed.

Motion: O.Perry made a motion to grant the variance with the following conditions:

1. The existing house shall be served by public water and sewer.
2. The existing house shall never be converted to a duplex.
3. Vegetative screening shall be erected on the subject property between the neighboring property at 11 Chandler Way, subject to Site Review approval.

Seconded by F.Landford. Vote U/A

- B. Z16-04 Owner BSG Property, LLC, 800 Central Avenue (Tax Map 37, Lot 29), located in the Office (O) Zoning District, requests a variance from **Section 170-32.H(1)** of the Zoning Ordinance to permit an internally illuminated sign where only indirect, shielded lighting is permitted.

This item was withdrawn by the applicant.

Discussion ensued regarding the time frame of notice to abutters. E.Piekut stated the Rules of Procedure were changed in 2015 to require notice 10 days prior to the public hearing and that this is now the Planning Department practice.

4. ADJOURN

Motion: O.Perry made a motion to adjourn at 7:31 p.m. Seconded by B.Hall. Vote: U/A