



CITY OF DOVER

CITY COUNCIL – AGENDA

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, February 8, 2017**
Meeting Time: **7:00 pm**

- 1. CALL TO ORDER**
- 2. MOMENT OF SILENCE**
- 3. PLEDGE OF ALLEGIANCE**
- 4. ROLL CALL ATTENDANCE**
- 5. PROCLAMATIONS/AWARDS**
- 6. APPROVAL OF AGENDA**
- 7. PUBLIC HEARINGS**
 - A. APPROPRIATIONS OF GENERAL FUND CAPITAL RESERVE FUNDS AND AWARD OF BID RFP03-17 LED STREET LIGHTING IMPROVEMENTS (REQUIRES A 2/3 MAJORITY VOTE OF THE CITY COUNCIL)**
SPONSORED BY MAYOR WESTON BY REQUEST
- 8. CITIZEN’S FORUM**

Citizens are invited to speak on any issue pertaining to the business of the City of Dover. Statements shall be limited to five minutes.
- 9. CITY MANAGER’S REPORT**
- 10. APPROVAL OF MINUTES**
 - A. January 25, 2017 – Regular Meeting**
- 11. MAYOR’S REPORT**
- 12. UNFINISHED BUSINESS**
 - A. ORDINANCES IN THE 2ND READING**
 - B. ORDINANCES IN THE 3RD READING**
 - C. RESOLUTIONS**
 - 1. APPROPRIATIONS OF GENERAL FUND CAPITAL RESERVE FUNDS AND AWARD OF BID RFP03-17 LED STREET LIGHTING IMPROVEMENTS (REQUIRES A 2/3 MAJORITY VOTE OF THE CITY COUNCIL)**
SPONSORED BY MAYOR WESTON BY REQUEST



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13. NEW BUSINESS

A. CONSENT CALENDAR

1. **RAFFLE – Greater Dover Chamber of Commerce (Henry Law Park)**
2. **RAFFLE – Greater Dover Chamber of Commerce (Wentworth-Douglass Hospital)**
3. **B15066 CONSULTING SERVICES RICHARDSON DRIVE ADDITIONAL SCOPE**
SPONSORED BY MAYOR WESTON BY REQUEST
4. **B17033 PLUMBING CONTRACTOR**
SPONSORED BY MAYOR WESTON BY REQUEST
5. **PAYMENT IN LIEU OF PROPERTY TAX AGREEMENT BETWEEN THE CITY OF DOVER AND TRI-CITY COVENANT CHURCH**
SPONSORED BY MAYOR WESTON BY REQUEST

COMMITTEE REPORTS

- | | |
|--|---|
| 1. School Board | 11. Pool Advisory Committee |
| 2. Planning Board | 12. Recreation Advisory Board |
| 3. Appointments Committee | 13. Solid Waste Advisory Commission |
| 4. Arena Commission | 14. Transportation Advisory Commission |
| 5. Arts Commission | 15. Joint Building Committee – Dover High School and Regional Career Technical Center |
| 6. Legislative Liaison | 16. Joint Building Committee – Garrison Elementary School |
| 7. Library Board of Trustees | 17. Dover Main Street |
| 8. McConnell Center Advisory Committee | |
| 9. Ordinance Committee | |
| 10. Parking Commission | |

B. RESOLUTIONS

1. **B17025 VETERANS MEMORIAL**
SPONSORED BY MAYOR WESTON AND COUNCILOR O'CONNOR
2. **REPROGRAM UNEXPENDED CIP APPROPRIATIONS AND AWARD OF B17021 RICHARDSON DRIVE RECONSTRUCTION PROJECT (REQUIRES A 2/3 MAJORITY VOTE OF THE CITY COUNCIL) (TO BE REFERRED TO A PUBLIC HEARING ON FEBRUARY 22, 2017)**
SPONSORED BY MAYOR WESTON BY REQUEST
3. **ACCEPTANCE OF THE ACTION PLAN AND EXPENDITURES FOR FISCAL YEAR 2018 CDBG ENTITLEMENT FUNDS (TO BE REFERRED TO A PUBLIC HEARING ON FEBRUARY 22, 2017)**
SPONSORED BY MAYOR WESTON BY REQUEST



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C. ORDINANCES IN 1ST READING

1. CHAPTER 170, SECTION 8 – ZONING MAP

(TO BE REFERRED TO A PUBLIC HEARING ON MARCH 8, 2016)

SPONSORED BY COUNCILOR CIOTTI AS PLANNING BOARD REPRESENTATIVE

14. COUNCIL CORRESPONDENCE

A. Letter from xfinity dated January 23, 2017.

B. Letter from Dover Planning Board dated February 2, 2017.

15. COUNCIL MATTERS OF INTEREST

16. ADJOURNMENT

THE CITY MANAGER'S REPORT

February 8, 2017



*Month Reporting on:
January 2017*

*"Put blinders on to those things that conspire to hold you back,
especially the ones in your own head."*

Meryl Streep

J. Michael Joyal, Jr.
City Manager



Legal Department

by Anthony Blenkinsop

The Office of General Legal Counsel provides legal support to the City Council, City Manager, city staff and volunteers on boards, commissions and committees of the City of Dover to assist efforts in providing services to our constituents and/or customers. In addition, legal support is also provided to the Dover School Board and Superintendent of Schools.

Right to Know Requests, pursuant to RSA 91-A

- Rochester, NH – Agenda materials after 12.28.2016 but before 02/02/2017, 5 requests
- Concord, NH – ACLU – 2016 General Election
- Dover, NH – Sale of City property
- Dover, NH – Wyndbrook at Dover Homeowners' Association

Assistance to City Departments and/or Offices

City Council: Drafting/review of resolutions and ordinances;

City Manager: Review of documents for signature, 91-A requests; Resolutions; Development Agreement Assignment

Community Services: Park hours ordinance; Excavation Permit; Willand Pond Hunting Ban bill

Finance: Discharges and Liens; Sale of property; Drainage damage claim; Estate claim; Tolend Road Pump Station; Citizens Bank Certificate of Authority; Audit questions; Bid protest

City Clerk: 91-A request responses retainment; Electronic Code Management

Planning: Homeowners Association easement; Conservation Easement Resolution; Garrison Road Conservation Easement; 201 Tolend Road Conservation Easement

Fire & Rescue: Street name change; Potential claim; COOP Evacuation Agreements

School Department: Driving Permission Form; 91-A requests; Garrison School LWCF issues

Assessing: Timber cutting form request; PILOT agreement

Info Tech: Workable Pro Terms and Conditions

Executive: FY17 Mission Statement

Recreation: Rec program HS Basketball; Ice Arena video agreement

DBIDA: Water Flow and Pressure Challenge; Real estate issue

Police: Parking lot stickers; Towing vehicle signage; Bankruptcy related to parking fines; Law enforcement memo

Litigation

Clay v. City of Dover: Court ordered Supplemental Memoranda of Law filed January 17, 2017; Oral Argument held January 26, 2017

City v. Joel Bernier: Hearing held December 15, 2016 – Court found Defendants in contempt.

Ventas Realty Limited Partnership v. City: (2014 tax year) Bench Trial rescheduled for week of July 18, 2017

Ventas Realty Limited Partnership v. City: (2015 tax year) City filed Answer to Petition for Abatement with Certified Record; City filed Case Structuring and ADR Order

City v. Eric Carlson: filed Complaint with the Dover District Court regarding traffic signal accident; Filed Affidavit of Service with Court on September 12, 2016. Default issued with 30 days requirement for filing Final Default; Filed Motion for Entry of Final Judgment on

December 1, 2016; Filed Motion for Periodic Payments.

Michael Garofano v. City of Dover: ZBA appeal – Motion to Dismiss granted January 18, 2017.

	Current Month	FY17 YTD	FY16	FY15
Legal Matters/ Questions Handled	34	155	244	276
Document Creation/Review	21	143	267	180
Right to Know Requests Processed	8	42	66	103
Resolutions	1	22	53	54
Ordinances	1	8	29	21

The use of outside counsel to handle specialty matters continues and consists of environmental matters and labor negotiations. There are a small number of attorneys hired on a variety of smaller matters.

Economic Development

by Dan Barufaldi

Summary:

Economic activity continues to increase in Dover and the region with some scattered indications of slowing growth rates. Most Dover retailers, staffing firms and manufacturers report increased sales and revenues year over year. Retailers reported a robust holiday selling period enhanced by the Holiday Weekend Program organized by DBIDA, Dover Main Street and the downtown merchants. Dover hotels continued to report very high occupancy rates with a recent decline from 88% occupancy to the low to mid 60% range due to seasonality. Commercial real estate

activity is up significantly. Residential real estate activity continues high but somewhat constrained by lack of inventory. Housing prices continue to rise despite increasing mortgage interest rates. Several local businesses report tight labor supplies, particularly for mid to high end skill sets. Experienced retail clerks and wait staff are also in short supply. Some small Dover restaurants are restricting hours and/or open days due to the unavailability of qualified workers. Availability of entry level employees appears to be further limited by the opioid crisis in the region. There is limited movement on pricing so far, but some upward pricing pressure is being experienced as firms are raising wages and salaries to retain and attract employees with critical skill sets. Existing home and condo prices continue to rise (about 9% in the past year). Local firms are looking for more of the same going forward.

Selected Business Services:

Demand for consulting and advertising is up moderately over last year at this time. Software and IT services providers are experiencing greatly improved results versus the previous year sales. Services to the healthcare sector have recently increased as walk-in convenient care centers are being added. Some consolidation is now being experienced in the institutional healthcare sector. Wentworth Douglas Hospital has recently announced a merger with Mass General that is part of an overall consolidation trend in institutional healthcare. It is expected to expand the range of medical specialties availability to the Dover market. WDH has just announced a new medical practice facility opening up at the Pease Tradeport and is seeking an office and warehouse facility for medical supplies distribution in Dover. UNH is currently seeking 20,000 – 25,000 SF to lease to house programs formerly in the Goth building in Durham. Wages, while up significantly in critical skill areas, remain just above inflation on average, as do prices. To attract highly skilled workers in growing industries these

firms are expanding their social media and technological attraction efforts. Increased health insurance costs remain a concern with the uncertainty of the future of the Affordable Care Act and the challenge of being able to increase pricing to cover the increased cost. Experienced wait staff is at a premium. Overall the sector is optimistic and expecting high single digit growth over the next two quarters and beyond.

Uncertainty regarding the Affordable Care Act, the slowing Chinese economy/ housing bubble, the exit of the UK from the EU, and the economic effects of Middle Eastern wars; the European migrant refugee problem effect on the European economies and the recent US administration change continue to produce a prevailing air of caution in this and several other sectors with real local economic effect. Local walk-in healthcare centers are hiring strongly as these in demand skill sets become available.

Predictions for 2017 revenue growth are in the 5%-10% range.

Commercial Real Estate:

Commercial real estate sales activity continued with strong sustained growth locally, and with moderating strength in the Boston and Portland markets. Demand locally has remained positive with several local commercial developments, mixed use infill, multifamily and assisted living investment projects coming to fruition. Office leasing continued flat this month. Land sales continue to have momentum locally. Investment demand for commercial real estate remains strong, especially for industrial space. Leasing fundamentals maintained a moderate pace of improvement in recent weeks, consistent with slow employment growth. A small amount of speculative office construction as part of mixed use building is now being done. Some recent mixed use developments are experiencing difficulty in filling the commercial component while booking the residential component immediately. The lending environment remains highly

favorable to borrowers, with historically low, but increasing, interest rates and increasingly tighter lending standards. Abundant investment capital continues to flow into commercial lease properties across the Seacoast, sourced from private equity firms, pension funds, foreign investors, REITS and high net worth individuals. "Quantitative Easing" ended in December, with three more 25 basis point hikes anticipated over 2017. Leverage ratios are on the rise among some investors, but remain low in absolute terms. Local multi-family and mixed use construction remains at a very healthy pace with local inventory in this category rising rapidly. The outlook remains cautiously optimistic across the region. Forecasts call for more slow improvement in fundamentals moving forward, pending steady employment growth. Fiscal policy and uncertainty around the business and employment effects of the ACA and Medicaid expansion costs are producing uncertainty at both the state and federal levels and this is mentioned by some as a down side risk to employment growth that produces improvement in leasing and construction activity. Some major capital spending projects are underway and some about to be announced. The two formerly vacant buildings in the park are now occupied. The former CPI building in Enterprise Park has completed a September close. A firm is currently looking at a potential lease-to-buy arrangement at Enterprise Park for a 35,000SF building. The former DKW building on Industrial The Fosters building at 333 central Ave. was recently sold to a local service provider company for \$1.5 million. The Robbins building downtown has sold to Cathartics and will be demolished to make room for a mixed use development on the site.

See Local Major Development Projects Section below.

Residential Real Estate:

Residential real estate markets continue to exhibit strong performance in the Seacoast. Home buyer confidence is up. Completed

sales of single family homes increased year-over-year in Q3 and Q4. Low inventory levels locally are still thought to be limiting sales, but appear to be easing somewhat as rising prices are convincing sellers to put homes on the market before interest rates go up any more (now averaging 4% + on residential mortgages). Median selling prices continue to rise locally and are up 7% year-over-year 2015-2016. Condo sales though somewhat mixed regionally, are up locally as well, as are condo pricing and pending sales. Closed unit sales of both single family homes and condominiums improved very slightly over the past month. Sales and prices are up in the sector. Median sale prices in NH and in Dover increased again in the period. Pending sales suggest the markets for single family houses and condos have finished well in 2016 and will continue to do well throughout 2017.

Manufacturing & Related Services:

Most local manufacturers supplying domestic markets are now reporting sustained strength in sales and improved year over year profits. A few local manufacturers are reporting lower sales than the same period a year ago due to a fall off in export sales brought on by the strong U.S. dollar and the reduction in mining and oil exploration equipment and parts sales caused by the relatively low crude oil prices. Exporters to both Europe and China are concerned with the UK exit from the EU as well as with the macro-economics they're seeing in both markets. Negative results seen so far have been less than anticipated and probably caused more by uncertainty than anything else so far. The Chinese economy has slowed markedly (China's GDP is still growing at a 6-7% rate) and their investment in infrastructure, often purchased here, is also down significantly. Local manufacturers are experiencing growing sales. The recent EU economic problems and refugee influx from Iraq, Libya, Yemen and Syria, coupled with the economic problems

in the Ukraine and Russia and the effects they will cause in world-wide markets and economies are a growing uncertainty and concern. Other uncertainties surrounding the recent federal administration change are evident in local manufacturers, including import taxes and a relaxation of the regulatory constraints on businesses that will reduce costs. Local manufacturers are still uncertain about the tax reform package anticipated from the incoming administration. Pickup truck and SUV sales are in further decline this month with large holdover inventories triggering sell-off sale prices. Ford has just revealed a large Q4 loss. Locally we are seeing confidence in auto sales expressed in two large dealership expansion and upgrade investments on Dover Point Road. Manufacturing firms reporting on inventory levels are split with half citing flat inventory levels and half citing higher levels. Most contacts in the manufacturing sector indicate that both staffing levels and wage growth are now headed up slightly. Capital investment is up locally. Foreign investment in the US is growing rapidly due to the uncertainties rampant in the Chinese, Brazilian, and European economies and the pro-business messages from the incoming administration. Aerospace parts manufacturers are reporting a pause in formerly increasing sales. Some major capital spending projects are underway and some about to be announced. A number of other commercial projects are currently underway or about to be underway during the next building season. We currently anticipate four new buildings going up over the next year in Enterprise Park. Outlook for the balance of the year remains very positive. Very few manufacturing buildings in the 20,000-30,000SF range are available locally. New builds recently include the Rand-Whitney Building (119,000 SF) and the first phase Stonewall Kitchens Building (89,000 SF). Buildings at 44 Venture drive and 111 Venture Drive in Enterprise Park are finishing fit out for new owners that have already moved in. The Silver Square development and roundabout are now well underway with

Phase I nearing completion on this \$50 million dollar development.

Price pressures remain moderate. Regional manufacturers remain optimistic.

Labor demand has been strong in IT and software. Aerospace, nursing, electronics, engineering, quality assurance tech and legal skills demand remain strong. Most firms in the field have begun to hire with wages beginning to move upward. Qualified workers in many tech skills areas are not available locally and a lack of a comprehensive worker training program locally is beginning to be detrimental to acquiring relocation candidate companies, especially when the local cost of electricity and water is folded into the mix. Recent reductions in the NH BPT and EPT are helpful but more is needed in both corporate tax reduction and regulatory relief to reclaim the "NH Advantage". The prospect of NH becoming a "Right-to-Work" state will significantly enhance recruitment success.

Retail & Tourism:

Retailers contacted for this period report mixed results for year-over-year store sales ranging from down 1-2% to up 1-8%. Reasons cited include large sales gains in the previous year and the stronger US dollar buying more product for the money if the product was imported. High holiday sales were experienced by most Dover retailers. Firms are hiring to replace departing employees and most are reporting difficulty in acquiring replacements locally. The recent stock market peaks following the presidential election are spilling confidence into Main Street businesses at present. Restaurants report expected sales increases Of 1-2% heading into Q1, a reversal of previous Q4 trends. Most restaurants did well during the summer season. This was tempered somewhat by people cooking at home in the warm summer and fall weather using their outside grills. Local restaurants are having difficulty hiring wait staff to support desired expansions. The recent

gasoline price plateau, so far, has had no discernible effect on retail, hotel and restaurant sales. Our Dover hotels that were experiencing an unprecedented high occupancy rate are now experiencing a seasonal decline. A federal hiring freeze may have some effect on the number of shipyard and Air Force workers electing to get better value for their Fed per diem allowance by staying in and having dinner in Dover. On-line shopping has reinforced a "just-in-time" shopping mentality that has exacerbated erratic monthly sales results. Sears, Macys and Target are experiencing declining sales and are doing some store closings and layoffs. Walmart has initiated a multi-million dollar made-in-America program designed to provide several thousand jobs over the next two years. Many retailers are making infrastructure investments to participate more fully in on-line sales

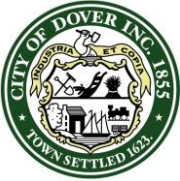
Bus tours to Dover are fully booked for 2017, Pricing that has remained steady up to now, is beginning to affect wage rates for experienced retail clerks and wait staff and will shortly force prices to rise.

* NOTE: Non-local content contains excerpts from the Federal Reserve Beige Book-Boston.

Local Major Development Projects:

- First Street Development
- Third Street Development
- McIntosh properties Development: Underway.
- Yacht Club Development
- Stonewall Kitchens Development
- Rand-Whitney Development: Ribbon cutting held
- Dover Parking Garage: performing as projected.
- Dover Police Station
- 49,000 SF at 27 production drive leased for manufacturing with a buy option
- Robbins Building has been sold to a developer.
- Broadway mixed use development
- Purchase of 44 Venture drive: refit underway.

- Well over \$100,000,000 in Dover development underway.
- Enterprise Park Developments
- Fosters Building sold for \$1.5 million.
- The Old courthouse Building on First and 2nd is being transformed into a mixed use facility.
- Four new- builds being considered at Enterprise Park.



CITY OF DOVER

CITY COUNCIL – MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, January 25, 2017**
Meeting Time: **7:00 pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Councilor Thibodeaux led the Pledge of Allegiance.

4. ROLL CALL ATTENDANCE

Present: Mayor Weston, Deputy Mayor Carrier, Councilor Ciotti, Councilor Gasses, Councilor Greenshields, Councilor O'Connor, Councilor Shanahan, and Councilor Thibodeaux.

Absent: Councilor Gagnon

Also Present: City Manager Joyal, General Legal Counsel Blenkinsop, and City Clerk Lavertu.

5. PROCLAMATIONS/AWARDS

6. APPROVAL OF AGENDA

Deputy Mayor Carrier moved to add the Appointments Committee Report.

Councilor Ciotti moved to add the Planning Board Report.

Councilor Gasses moved to add the McConnell Center Advisory Board Report.

Deputy Mayor Carrier moved to approve the Agenda as amended; seconded by Councilor Thibodeaux.

Vote: 8/0.

7. PUBLIC HEARINGS

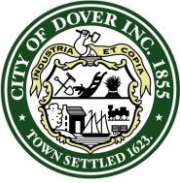
8. CITIZEN'S FORUM

Citizens are invited to speak on any issue pertaining to the business of the City of Dover. Statements shall be limited to five minutes.

Randall Heller, 113 Tolend Road, Barrington, Member of the Dover Chapter Veterans: He said the Chapter is requesting that all Strafford County members be granted a free Dover Library card.

Theodore Anglace, 23 Wallace Drive: He gave an overview of Birchwood Farms' history to the Council. He spoke against the proposed Sports Park.

Gerard Nielsen, 26 Hillcrest Drive: He spoke about the street lights needs in the area of Route 155 by the convenience store and the Scammel Bridge. He suggested solar panels to help pay the costs.



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Richard Hebbard, 97 Spruce Lane: He spoke about the laws regarding Rights of Way.

Mary Hebbard, 97 Spruce Lane: She spoke about the need to explain why an item is being pulled from the agenda. She asked why half the parking lot for City Hall is blocked by the huge trailer. She spoke against Item #13.B.1, and asked why the land was so valuable. She felt the resolution should have to be referred to a public hearing.

Anna Boudreau, 9 Northam Drive, Open Lands Committee Chairperson: She spoke in favor of Item #13.B.1. She said there was a public hearing held on October 11, 2016 regarding this issue and the money is coming from the Land Use Change Tax Fund, which can only be used for this purpose. She said it's protecting habitats and helpful towards storm water management.

Mayor Weston, seeing no one else wishing to speak, closed the Citizen's Forum.

9. CITY MANAGER'S REPORT

City Manager Joyal acknowledged and thanked the Greater Dover Chamber of Commerce for holding the Citizen of the Year and Volunteer of the Year Ceremony. He said Police Chief Anthony Colarusso was honored with the Citizen of the Year award.

He discussed his new format for his written report. He introduced Mr. Christian Smith from MacPage LLC and invited him to speak to the Council regarding their independent audit of the City.

Mr. Smith gave a presentation regarding the Comprehensive Annual Financial Report to the Council.

City Manager Joyal answered the Council's questions regarding looking at changes to the financial policies.

Assistant City Manager Parker answered the Citizen's Forum comment regarding lighting problems on Route 155. He is talking with District 6 and hopes to come to the Council in March or April with a solution.

City Manager Joyal answered questions regarding Route 16 renovations.

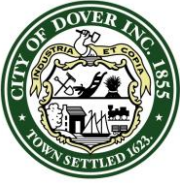
He also spoke about the request to have free Library membership for Strafford County Retired Veterans.

Assistant City Manager Parker gave an overview of how the Planning Board came up with \$15,000/pupil figure.

Deputy Mayor Carrier started a discussion about lighting the General Scammell Bridge.

Deputy Mayor Carrier moved to accept the City Manager's Report; seconded by Councilor Shanahan

Vote: 8/0.



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10. APPROVAL OF MINUTES

- A. January 4, 2017 – Workshop**
- B. January 11, 2017 – Regular Meeting**

Deputy Mayor Carrier moved to approve the minutes; seconded by Councilor Ciotti.
Vote: 8/0.

11. MAYOR'S REPORT

Mayor Weston gave an overview of events she attended the past few weeks.
She recommended to the Dover Housing Authority the following appointments to the Cochecho Waterfront Development Advisory Committee:

New: Dane Drasher and Kyle Pimental

Appointment to another term: Matt Cox, Kimberly Schuman, Sean Fitzgerald, and Carla Goodknight

Deputy Mayor Carrier moved to accept the Mayor's Report; seconded by Councilor O'Connor.
Vote: 8/0.

12. UNFINISHED BUSINESS

A. ORDINANCES IN THE 2nd READING

B. ORDINANCES IN THE 3RD READING

C. RESOLUTIONS

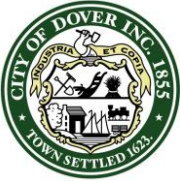
- 1. APPROPRIATION FOR FISCAL YEAR 2018 PUBLIC SAFETY COMMUNICATION UPGRADE AND AUTHORIZATION FOR BONDING
(REQUIRES A 2/3 MAJORITY VOTE OF THE CITY COUNCIL)
SPONSORED BY MAYOR WESTON BY REQUEST**

Deputy Mayor Carrier moved for its adoption; seconded by Councilor O'Connor.
Roll Call Vote: 8/0.

13. NEW BUSINESS

A. CONSENT CALENDAR

- 1. ROAD RACE – Saint Mary Academy**
- 2. B16013B DESIGN BUILD OF CUSTOMER SERVICE CENTER
SPONSORED BY MAYOR WESTON BY REQUEST**
- 3. PURCHASE OF 2017 MODEL YEAR VEHICLES - STATE OF NH BID
SPONSORED BY MAYOR WESTON BY REQUEST**



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COMMITTEE REPORTS

1. School Board
2. **Planning Board**
3. **Appointments Committee**
4. Arena Commission
5. Arts Commission
6. Legislative Liaison
7. Library Board of Trustees
8. **McConnell Center Advisory Committee**
9. Ordinance Committee
10. Parking Commission
11. Pool Advisory Committee
12. Recreation Advisory Board
13. Solid Waste Advisory Commission
14. Transportation Advisory Commission
15. Joint Building Committee – Dover High School and Regional Career Technical Center
16. Joint Building Committee – Garrison Elementary School
17. Dover Main Street

Deputy Mayor Carrier moved for the adoption of the Consent Calendar; seconded by Councilor Ciotti.

Mayor Weston asked the Council if they had any items they would like pulled for further discussion.

Deputy Mayor Carrier pulled the Appointments Committee Report.

Councilor Gasses pulled the McConnell Center Advisory Board Report.

Councilor Ciotti pulled the Planning Board Report.

Mayor Weston asked for a roll call vote on the remaining items on the Consent Calendar.

Roll Call Vote: 8/0.

Councilor Ciotti gave an overview of the Planning Board Report to the Council.

Deputy Mayor Carrier moved to accept the Planning Board Report; seconded by Councilor O'Connor.

Vote: 8/0.

Deputy Mayor Carrier gave an overview of the Appointments Committee Report to the Council and asked for approval of the following appointments:

New Appointments:

William Baber – Energy Commission

Stevens Fellows – Conservation Commission

David Hurlburt – Open Lands Committee

Amy Kramer-Perry change in status from alternate member to regular member on the Conservation Commission.

Appointments for another term:

Mark Cuddy – Arts Commission

Belinda Labourdette – Cemetery Board

Michael Joyce – Conservation Commission

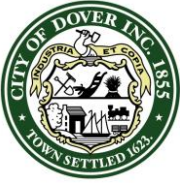
Maurice Olivier - DBIDA

Michael Egan – Library Board of Trustees

Franklin Torr – Planning Board

Deputy Mayor Carrier moved to accept the recommended appointments; seconded by Councilor O'Connor.

Vote: 8/0.



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Deputy Mayor Carrier listed the current openings on the City's Boards and Commissions. Deputy Mayor Carrier moved to accept the Appointments Committee Report; seconded by Councilor Ciotti.
Vote: 8/0.

Councilor Gasses gave an overview of the McConnell Center Advisory Board Report to the Council.
Deputy Mayor Carrier moved to accept the McConnell Center Advisory Board Report; seconded by Councilor Thibodeaux.
Vote: 8/0.

B. RESOLUTIONS

1. AUTHORIZATION FOR THE PURCHASE OF A CONSERVATION EASEMENT BY THE CITY OF DOVER CONSERVATION COMMISSION SPONSORED BY MAYOR WESTON BY REQUEST

Deputy Mayor Carrier moved for its adoption; seconded by Councilor Shanahan.
Ms. Boudreau, Open Lands Committee Chairperson gave an overview of the process to purchase this conservation easement to the Council.
Assistant City Planner Bird answered questions regarding the adjacent development.
Roll Call Vote: 8/0.

2. APPROPRIATIONS OF GENERAL FUND CAPITAL RESERVE FUNDS AND AWARD OF BID RFP03-17 LED STREET LIGHTING IMPROVEMENTS (REQUIRES A 2/3 MAJORITY VOTE OF THE CITY COUNCIL) (TO BE REFERRED TO A PUBLIC HEARING ON FEBRUARY 8, 2017) SPONSORED BY MAYOR WESTON BY REQUEST

Deputy Mayor Carrier moved to refer to a public hearing on February 8, 2017; seconded by Councilor Shanahan.
Vote: 8/0.

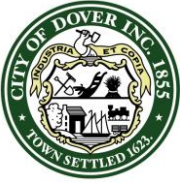
C. ORDINANCES IN 1ST READING

14. COUNCIL CORRESPONDENCE

15. COUNCIL MATTERS OF INTEREST

Councilor Greenshields said she went to the Seymour Community Center to view the Mosaic Project

Councilor Thibodeaux said she will be holding her Coffee with a Councilor this Saturday, 9:00 am to 11:00 am.



CITY OF DOVER

CITY COUNCIL – MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, January 25, 2017**
Meeting Time: **7:00 pm**

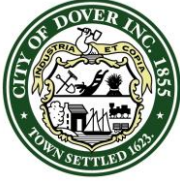
Councilor Shanahan talked about the Planning Board meeting and watching democracy.

Councilor Gasses attended the Greater Dover Chamber of Commerce event regarding changing U.S. policies. She said it was very good.

Mayor Weston said she is scheduling her Coffee with the Mayor soon. She reminded the citizen's that the Joint Fiscal Committee is tomorrow night.

16. ADJOURNMENT

Councilor Greenshields moved to adjourn; seconded by Councilor O'Connor.
Vote: 8/0.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.1.

Resolution Number: **R – 2017.01.25 – 005**

Resolution Re: Appropriations of General Fund Capital Reserve Funds and
Award of Bid RFP03-17 LED Street Lighting Improvements

WHEREAS: The City of Portsmouth along with the City of Dover formed a co-operative purchasing request for proposal for LED Street Lighting Improvements. A prebid meeting was held on 9/13/16 at the Portsmouth Public Works Building with representatives from eleven different firms along with Portsmouth and Dover staff in attendance; and

WHEREAS: Request for Proposals were received on 9/22/16 with six firms responding with varying rates and products. After a thorough evaluation of products and costs by both municipalities, there was a unanimous vote to conduct an interview with Affinity LED Lighting which was held on 11/10/16; and

WHEREAS: On 11/21/16 City of Dover met again with Affinity LED Lighting at its Dover production facility and discussions included Eversource incentives for \$100,000 and smart control pilot programs. It is the recommendation to award to Affinity LED Lighting; and

WHEREAS: The City Council desires to make public improvements for street lighting and to finance these improvements with a transfer from General Fund Reserve Trust Funds and acceptance of \$100,000 grant/rebate/incentives from Eversource.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:
The following capital outlay is appropriated as part of the FY18 Capital Improvements Program for the purposes so designated and the Finance Director is authorized to transfer the funds from the respective Reserve Fund in the amount listed below:

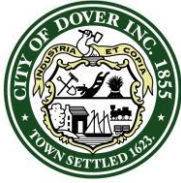
Item	Description	Appropriation
1	LED Street Light Improvements	\$485,000.00
	Source of Funds	
	Transfer from General Fund Reserve	\$385,000.00
	Eversource Grant / Rebate	\$100,000.00

NOTE: In accordance with City Charter C6-6 this resolution requires a duly advertised public hearing and a 2/3 favorable vote of all members for passage.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The Purchasing Agent is hereby authorized to issue a Purchase Order to Affinity Lighting of Dover NH in the amount not to exceed \$560,000 for LED Street Lighting Improvements at rates provided in conjunction with RFP 03-17. The City Manager, or designee, is hereby authorized to contract with the vendor, consistent with the Purchase Order authorized herein.

The amount of this authorization shall be limited so as not to exceed available funding.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.1.

Resolution Number: **R – 2017.01.25 – 005**
Resolution Re: Appropriations of General Fund Capital Reserve Funds and
Award of Bid RFP03-17 LED Street Lighting Improvements

Financing

Account	Description	Appropriation	Balance
4018.1.300.43160.4730.00000.18	CIP Improvments other than Buildi	485,000	485,000
1000.1.300.43160.46xx.00000	CS Street lights	332,720	75,000

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Karen Weston
By Request

Approved as to Legal Anthony Blenkinsop
Form and Compliance: General Legal Counsel

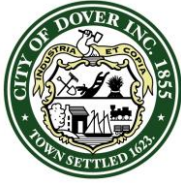
Recorded by: Karen Lavertu
City Clerk

DOCUMENT HISTORY:

First Reading Date:	Public Hearing Date:
Approved Date:	Effective Date:

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor Karen Weston		
Deputy Mayor Robert Carrier, At Large		
Councilor John O'Connor, Ward 1		
Councilor Dennis Ciotti, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Marcia Gasses, Ward 4		
Councilor Dennis Shanahan, Ward 5		
Councilor Jason Gagnon, Ward 6		
Councilor Sarah Greenshields, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.1.

Resolution Number: **R – 2017.01.25 – 005**

Resolution Re: Appropriations of General Fund Capital Reserve Funds and
Award of Bid RFP03-17 LED Street Lighting Improvements

RESOLUTION BACKGROUND MATERIAL:

The City of Portsmouth along with the City of Dover formed a co-operative purchasing request for proposal for LED Street Lighting Services. The City's requested proposals for turnkey services relating to LED streetlights. The firm selected for this project will perform the following project related services. These shall include, but are not limited to; project management, GIS asset confirmation and tracking, utility interface, layout and lighting installation

This resolution appropriates reserve trust funds to finance a FY18 Capital Improvements – LED Street Lighting Improvements. In addition, it authorizes the transfer of Reserve Trust Fund moneys for this purpose.

The following table reflects the amount to be appropriated from the Reserve fund and the estimated balance as of 6/30/2017:

Description	Proposed Appropriation	Balance 6/30/2017
Trust Reserve Funds CIP		
General Fund Capital Reserve	\$385,000	385,000
Total	<u>\$385,000</u>	

Eversource has estimated annual street light savings of \$128,000 per year. Based on this information the estimated payback period on this investment in energy improvements is three years and seven months.

Purchasing Information:

Type:	Purchase Order	Advertised:	yes
Invitations Mailed:	By City of Portsmouth	Number of Responses:	6
Warranty:	Per manufacturer	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	Until Completed	Estimated Delivery:	As needed
Recommended Award to:	Affinity LED Lighting	Fund:	CIP
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase to exceed the \$25,000 amount requiring Council approval subsequent to a bid solicitation

[Portsmouth RFP03-17 Results](#)



**PERMIT APPLICATION
CITY OF DOVER, NEW HAMPSHIRE**

Check(☒) the type of application:

RAFFLE* ☒, TAG* _____, BLOCK PARTY** _____,

Fill In Completely and Return To City Clerk -- PLEASE NO LATER THAN 30 DAYS PRIOR TO EVENT

Organization Name: Greater Dover Chamber of Commerce

Federal Tax ID number for Organization: 02-0127246

Check (☒) Nature of Organization:

Religious _____, Educational _____, Charitable _____, Civic ☒, Sports _____, Veterans _____, Fraternal or Political _____, Other _____
(Describe) _____

Contact Person: Ryan Queenan Day Time Telephone: 603-742-2218

Address: 550 Central Ave Email ryan@dovernh.org

Purpose of Permit: Cocheco Arts Festival Friday night raffle

Date of Event: Fridays 7/7-8/18/17 Specific Time: 8pm

Location of Event: Upper Henry Law Park/Rotary Stage

*****RAFFLE / TAG PERMITS*****

Prize (s) To Be Awarded: Various

Cost of Ticket: \$1/1 or \$5/6 Date of Drawing: Fridays 7/7/17-8/18/17

Place of Drawing: Upper Henry Law Park/Rotary Stage

* NOTICE TO RAFFLE AND TAG PERMIT APPLICANTS: Please be advised the City will verify that your organization is in compliance with the regulations of N.H. Charitable Trusts Unit of the Attorney General's Office prior to the acceptance of your application. The police department may contact you to obtain additional information. Please provide a way for us to contact you during the day so the request can expedited. Information on these requirements may be found at

<http://www.doj.nh.gov/charitable-trusts/faq.htm>

*****BLOCK PARTY PERMITS*****

****NOTICE TO BLOCK PARTY APPLICANTS: STREET CLOSURES, TRAFFIC DETOURS, AND/OR PARKING RESTRICTIONS MUST BE ARRANGED WITH THE POLICE DEPARTMENT**

Block Party Location (attach map if more than one street is affected): _____

Police Department Block Party Approval Signature: _____

Printed Name: _____

I CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE AND CORRECT. I UNDERSTAND THAT THIS PERMIT IS ISSUED BY THE CITY COUNCIL PER the provisions of RSA 287-A , RSA 31:91 and/or RSA 286 and I agree to abide by the same.

SIGNATURE OF APPLICANT: Ryan Queenan DATE: 1/12/17
(duly authorized)

PRINTED NAME: Ryan Queenan

Licensing Board Approval [Signature] Date: 1/13/17



**PERMIT APPLICATION
CITY OF DOVER, NEW HAMPSHIRE**

Check (☒) the type of application:

RAFFLE* ☒, TAG* _____, BLOCK PARTY** _____

Fill In Completely and Return To City Clerk – PLEASE NO LATER THAN 30 DAYS PRIOR TO EVENT

Organization Name: Greater Dover Chamber of Commerce

Federal Tax ID number for Organization: 02-0127246

Check (☒) Nature of Organization:

Religious _____, Educational _____, Charitable _____, Civic ☒, Sports _____, Veterans _____, Fraternal or Political _____, Other _____
(Describe) _____

Contact Person: Ryan Queenan Day Time Telephone: 603-742-2218

Address: 550 Central Ave Email ryan@dovernh.org

Purpose of Permit: 16th Annual Sweepstakes + Auction

Date of Event: 5/5/17 Specific Time: 6pm - 10pm

Location of Event: WDH Garrison Wing 789 Central Avenue, Dover, NH 03820

*****RAFFLE / TAG PERMITS*****

Prize (s) To Be Awarded: \$13,000

Cost of Ticket: \$100 Date of Drawing: 5/5/17

Place of Drawing: WHD Garrison Wing 789 Central Avenue, Dover, NH 03820

* NOTICE TO RAFFLE AND TAG PERMIT APPLICANTS: Please be advised the City will verify that your organization is in compliance with the regulations of N.H. Charitable Trusts Unit of the Attorney General's Office prior to the acceptance of your application. The police department may contact you to obtain additional information. Please provide a way for us to contact you during the day so the request can expedited. Information on these requirements may be found at

<http://www.doi.nh.gov/charitable-trusts/faq.htm>

*****BLOCK PARTY PERMITS*****

**NOTICE TO BLOCK PARTY APPLICANTS: STREET CLOSURES, TRAFFIC DETOURS, AND/OR PARKING RESTRICTIONS MUST BE ARRANGED WITH THE POLICE DEPARTMENT

Block Party Location (attach map if more than one street is affected): _____

Police Department Block Party Approval Signature: _____

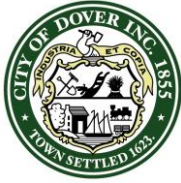
Printed Name: _____

I CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE AND CORRECT. I UNDERSTAND THAT THIS PERMIT IS ISSUED BY THE CITY COUNCIL PER the provisions of RSA 287-A, RSA 31:91 and/or RSA 286 and I agree to abide by the same.

SIGNATURE OF APPLICANT: Ryan Queenan DATE: 1/12/17
(duly authorized)

PRINTED NAME: Ryan Queenan

Licensing Board Approval [Signature] Date: 1/13/17



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.3.

Resolution Number: **R – 2017.02.08 – 006**
Resolution Re: B15066 Consulting Services for Richardson Drive
Reconstruction Additional Scope of Work

WHEREAS: A Sealed Request for Proposal B15066 was issued and received for consulting services for the design of Richardson Drive Reconstruction on May 27, 2015 at 11:30 am. The offer deemed most advantageous to the City was submitted by Tighe & Bond of Portsmouth NH in the amount of \$47,500. Contract was awarded via council approved resolution R-2015.06.24; and

WHEREAS: Change Order 1, included surveying of Old Stage Road in the am amount of \$6,500; Change Order 2, included engineering design and permitting efforts for work requested by residents during neighborhood meetings in the amount not to exceed \$33,000, and construction oversight services in the amount of \$61,550 for a total of c/o 2 in the amount of \$94,550. The total contract amount as approved by City Council via R2016.01.13 was \$148,550; and

WHEREAS: Change Order 3, includes additional construction oversight services to ensure compliance with Clean Water State Revolving Fund in the amount of \$35,366, making new total contract amount of \$183,916.00.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The Purchasing Agent is hereby authorized to issue a Purchase Order revision to Tighe & Bond of Portsmouth NH for additional construction oversight services for Richardson Drive at rates provided in change order #3 in the amount of \$35,366.00. The City Manager, or designee, is hereby authorized to finalize and enter into an agreement with the vendor, consistent with the Purchase Order authorized herein.

The amount of this authorization shall be limited so as not to exceed available funding.

Financing

Account	Description	Appropriation	Balance
4016.1.300.43121.4751.03164.16	Streets Richardson Dr	550,000	463,699

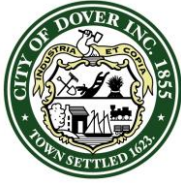
AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Karen Weston
By Request

Approved as to Legal
Form and Compliance: Anthony Blenkinsop
General Legal Counsel

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.3.

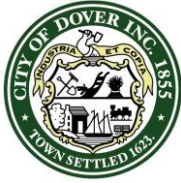
Resolution Number: **R – 2017.02.08 – 006**
Resolution Re: B15066 Consulting Services for Richardson Drive
Reconstruction Additional Scope of Work

DOCUMENT HISTORY:

First Reading Date:	Public Hearing Date:
Approved Date:	Effective Date:

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor Karen Weston		
Deputy Mayor Robert Carrier, At Large		
Councilor John O'Connor, Ward 1		
Councilor Dennis Ciotti, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Joseph Nicolella, Ward 4		
Councilor Dennis Shanahan, Ward 5		
Councilor Jason Gagnon, Ward 6		
Councilor Sarah Greenshields, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.3.

Resolution Number: **R – 2017.02.08 – 006**
Resolution Re: B15066 Consulting Services for Richardson Drive
Reconstruction Additional Scope of Work

RESOLUTION BACKGROUND MATERIAL:

A Sealed Request for Proposal B15066 awarded to Tighe & Bond of Portsmouth NH for consulting services for the design of Richardson Drive Reconstruction in the amount of \$47,500. Contract was approved by City Council via resolution R-2015.06.24.

Change Order 1, included surveying an additional 1,600 feet by 90 feet of Old Stage Road necessary to accomplish the additional water and sewer extension work requested by residents during neighborhood meetings, in the amount not to exceed \$6,500. Purchase Order was revised to new contract amount of \$54,000 on December 16, 2015.

Change Order 2, includes engineering design and permitting efforts necessary to accomplish the additional scope of work requested by residents during neighborhood meetings in the amount not to exceed \$33,000, and construction oversight services in the amount not to exceed \$61,550. The total for all services included in Change Order 2 is for an amount not to exceed \$94,550 for a total contract amount of \$148,550, as approved by City Council via R2016.01.13.

Change Order 3, includes additional construction oversight services to ensure compliance with Clean Water State Revolving Fund in the amount of \$35,366, making new total contract amount of \$183,916.00. The city has executed a State Revolving Loan to fund the construction, which includes 5% debt forgiveness for all sewer related work and 20% debt forgiveness for all stormwater improvements. The loan requires identifying an amount for engineering construction oversight for this project. The additional construction oversight efforts have been included in Change Order 3.

Bid Information:

A Sealed Request for Proposal B15066 was issued and received for consulting services May 27, 2015 at 11:30

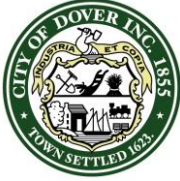
Award Information:

A purchase order revision will be issued to the vendor to authorize expenditure as outlined in this resolution.

Purchasing Information:

Type:	Purchase Order	Advertised:	yes
Invitations Mailed:	250	Number of Responses:	8
Warranty:	Per manufacturer	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	Until Completion	Estimated Delivery:	As needed
Award to:	Tighe & Bond Company	Fund:	CIP
Other Approvals Required:	State of NH	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase to exceed the \$25,000 requiring Council approval

[B15066 Bid Documents and Vendor List](#)



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.4.

Resolution Number: **R – 2017.02.08 – 007**
Resolution Re: B17033 Plumbing Contractor

- WHEREAS: Requests for sealed Bid # B17033 was issued and received for an as needed Plumbing & Heating Services Contractor on January 26, 2017 with rates to hold for (1) one year and with option to renew (2) two additional year terms subject to annual review, funding availability and vendor satisfaction; and
- WHEREAS: Two bid replies were received and evaluated. Rates offered by all vendors were applied to prior history of hours and materials with the lowest pricing being received from current vendor Dennis Munson Plumbing & Heating. The bid response deemed most advantageous to the City and thereby being recommended is Dennis Munson Plumbing & Heating of Dover NH.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The Purchasing Agent is hereby authorized to issue purchase orders to Dennis Munson Plumbing & Heating of Dover NH given the rates provide in conjunction with B17033. The City Manager, or designee, is hereby authorized to contract with the vendor, consistent with the Purchase Order authorized herein.

The amount of this authorization shall be limited so as not to exceed available funding.

Financing

Account	Description	Appropriation	Balance
xxxx.1.xxx.xxxxx.4433	Maintenance of Equipment	198,373.00	46,975.00
xxxx.1.xxx.xxxxx.4431	Maintenance of Building	251,660.00	93,118.00

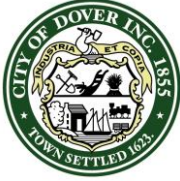
AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Karen Weston
By request

Approved for Legal Compliance: Anthony I. Blenkinsop
General Legal Counsel

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.4.

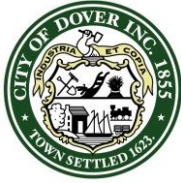
Resolution Number: **R – 2017.02.08 – 007**
Resolution Re: B17033 Plumbing Contractor

DOCUMENT HISTORY:

First Reading Date:	Public Hearing Date:
Approved Date:	Effective Date:

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor Karen Weston		
Deputy Mayor Robert Carrier, At Large		
Councilor John O'Connor, Ward 1		
Councilor Dennis Ciotti, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Marcia Gasses, Ward 4		
Councilor Dennis Shanahan, Ward 5		
Councilor Jason Gagnon, Ward 6		
Councilor Sarah Greenshields, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.4.

Resolution Number: **R – 2017.02.08 – 007**
Resolution Re: B17033 Plumbing Contractor

RESOLUTION BACKGROUND MATERIAL:

The plumbing contractor must be licensed in the state of New Hampshire, and have general knowledge of residential and commercial plumbing systems. The contractor must have their own vehicle, tools & meters. The contractor must be able to respond to emergencies within a 2-hour time frame. The successful bidder must have at least five (5) years experience in the field.

Rates are to be for a one (1) year period of time (2/28/2017-3/1/2018), to be renewed for each of two (2) additional years, subject to funding availability, annual pricing review and negotiations at the end of each annual period.

Bid Information:

Sealed Bid # B17033 was issued and received for an as needed Plumbing Services contractor on 1.26.17

Award Information:

A purchase order will be issued to the vendor selected to authorize expenditures as outlined in this resolution.

Purchasing Information:

Type:	Purchase Order	Advertised:	yes
Invitations Mailed:	71	Number of Responses:	2
Warranty:	Per manufacturer	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	1 yr	Estimated Delivery:	As needed
Recommended Award to:	Dennis Munson Plumbing & Heating	Fund:	Various
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase to exceed the \$25,000 amount requiring Council approval subsequent to a bid solicitation

[B17033 Bid Documents and Vendor List](#)



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.5.

Resolution Number: **R – 2017.02.08 – 008**

Resolution Re: Payment in Lieu of Property Tax Agreement Between the City of Dover and Tri-City Covenant Church

WHEREAS: The City of Dover and Tri-City Covenant Church desire to enter into a Payment in Lieu of Property Tax Agreement; and

WHEREAS: Tri-City Covenant Church is a nonprofit religious institution and is exempt under Section 501(c)(3) of the Internal Revenue Code and its income is not taxable; and

WHEREAS: Tri-City Covenant Church is the owner of property located at 18 French Cross Road in Dover on which it operates a daycare center/pre-school (the “Property”); and

WHEREAS: Tri-City Covenant Church has requested that the Property and the improvements thereon be exempt from taxation by the City; and

WHEREAS: The Tri-City Covenant Church is willing to make a payment in lieu of taxes regarding the Property, and the City of Dover is willing to authorize an exemption from taxation and accept an annual payment in lieu of taxes based on the sum equal to the annual assessed value of the Property times the City portion of the annual tax rate, as more fully set forth in an Agreement between Tri-City Covenant Church and the City.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL:

The City Manager is hereby authorized to sign the Payment in Lieu of Property Tax Agreement Between the City of Dover and Tri-City Covenant Church.

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Karen Weston
By request

Approved for Legal Compliance: Anthony I. Blenkinsop
General Legal Counsel

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.5.

Resolution Number: **R – 2017.02.08 – 008**
Resolution Re: Payment in Lieu of Property Tax Agreement Between the
City of Dover and Tri-City Covenant Church

DOCUMENT HISTORY:

First Reading Date:	Public Hearing Date:
Approved Date:	Effective Date:

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor, Karen Weston		
Deputy Mayor, Robert Carrier, At Large		
Councilor John O'Connor, Ward 1		
Councilor Dennis Ciotti, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Marcia Gasses, Ward 4		
Councilor Dennis Shanahan, Ward 5		
Councilor Jason Gagnon, Ward 6		
Councilor Sarah Greenshields, At Large		
Total Votes:		
Resolution does does not pass.		

RESOLUTION BACKGROUND MATERIAL:

See attached Payment in Lieu of Property Tax Agreement Between the City of Dover and Tri-City Covenant Church.

PAYMENT IN LIEU OF PROPERTY TAX AGREEMENT
BETWEEN THE CITY OF DOVER AND TRI-CITY COVENANT CHURCH

This Agreement is made as of this _____ day of _____, 2017, pursuant to NH RSA 72:23-n by and between Tri-City Covenant Church (TCC), a religious nonprofit organization under the laws of the State of New Hampshire, having a principle place of business at 150 West High Street, Somersworth, New Hampshire 03878, and the CITY OF DOVER, a municipal corporation established under the laws of the State of New Hampshire (the “City”), having a place of business at 288 Central Avenue, Dover, New Hampshire 03820.

RECITALS

- A. TCC is a New Hampshire nonprofit religious institution.
- B. TCC is exempt under Section 501(c) (3) of the Internal Revenue Code and its income is not taxable by the United States of America.
- C. TCC is the owner of a parcel of property being located at 18 French Cross Road in Dover, County of Strafford, New Hampshire, (Dover Parcel ID: F0012-D00001) (the “Property”) on which it operates a religiously-based daycare center/pre-school (the “Current Usage of the Property”).
- D. TCC has requested the City to determine that the Property and the improvements be exempt from taxation by the City.
- E. Subject to the terms of this Agreement, TCC is willing to make a payment in lieu of taxes.
- F. The City is willing to authorize an exemption to TCC from taxation and accept a payment in lieu of taxes by TCC as set forth in, and conditioned upon, this Agreement.

WHEREFORE, based upon the mutual covenants and promises contained herein, and for other good and valuable consideration which the parties acknowledge, TCC and the City agree as follows:

1. *Tax Exempt Status.* The City agrees and grants to TCC that the Property and all improvements located thereon, are currently exempt from taxation under the provisions of RSA chapter 72, based upon its Current Usage of the Property.
2. *Payment in Lieu of Taxes.*
 - (a) While exempt from taxation under the provisions of RSA chapter 72, the City shall assess the Property as developed real estate and TCC shall pay, in lieu of taxes, the sum equal to the annual assessed value of the property times the City portion of the annual tax rate.
 - (b) Subject to the terms of this Agreement, commencing April 1, 2016, the City shall assess the Property and the improvements thereon, in accordance with assessments of other properties within the City. TCC shall annually pay, in lieu of taxes, the sum equal to the annual assessed value of the property times the City portion of the annual tax rate.
 - (c) Nothing in this Agreement shall prevent TCC from challenging the assessment of the real estate or the improvements in accordance with applicable law.
 - (d) If the method of calculating the City's tax under RSA chapter 72 is changed, the parties agree to enter into good faith negotiations to amend this Agreement.
 - (e) TCC agrees to a deed restriction binding any nonprofit tax-exempt purchaser of the Property to this Agreement.

3. *Lease of Property by TCC to Nonexempt Person or Entity.* In the event that all or a portion of the Property is leased by TCC to a person or entity which is not exempt from taxation, such person or entity shall pay taxes on such portion determined by multiplying the tax derived from application of the full tax rate to the assessed value of the Property by a fraction, the numerator of which shall be total square footage of the building on the property (including the tenant's portion of common areas, if any) leased to such person or entity, and the denominator of which shall be to the total square footage of the building on the Property. In any tax year in which this paragraph is applicable due to the leasing of all or a portion of the Property, TCC's payment to the City under this Agreement shall be reduced by the City portion of taxes paid by the tenant to the City pursuant to this paragraph.
4. *Termination.* In the event the Property is sold or disposed of by TCC, then the terms and conditions of this Agreement shall terminate on the date of execution of such sale or disposition. In the event the Current Usage of the Property is altered and/or ceases, the City may terminate this Agreement at its discretion.
5. *Binding Effect.* This Agreement constitutes the binding agreement of the City and TCC, their respective successors and assigns. This Agreement cannot be modified except by an instrument in writing agreed to by the parties.
6. *Representation of Authority.*
 - (a) TCC represents and warrants that this Agreement is binding upon execution of this Agreement by its director after vote of the Board of Directors of TCC.
 - (b) The City represents and warrants that this Agreement is binding upon execution by the City Manager of the City.

7. *Applicable Law.* This Agreement shall be construed and interpreted in accordance with the laws of the State of New Hampshire. The parties consent to the jurisdiction of the Strafford County Superior Court to resolve any dispute hereunder.

8. *Entire Agreement.* This Agreement constitutes the entire agreement of the City and TCC with regard to the tax-exempt status of TCC and payment in lieu of taxes.

Authorization for the City Manager to enter into this Agreement was given by the City Council on _____.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and date first above written.

CITY OF DOVER

Witness

By: _____
J. Michael Joyal, Jr.
City Manager
Duly Authorized

STATE OF NEW HAMPSHIRE
Strafford, ss.

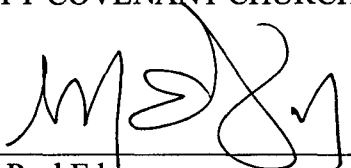
The foregoing instrument was acknowledged before me this _____ day of _____, 2017 by J. Michael Joyal, Jr., City Manager for the City of Dover, New Hampshire, on behalf of the City.

Notary Public
My Commission Expires:

TRI-CITY COVENANT CHURCH

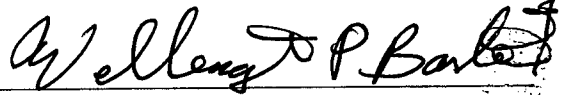
Claudette Lewis

Witness

By: 
Paul Edgar
Title Administrator
Duly Authorized

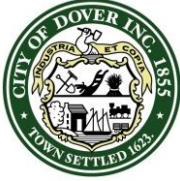
STATE OF NEW HAMPSHIRE
Merrimack, ss.

The foregoing instrument was acknowledged before me this 25th day of January, 2017 by Paul Edgar, Administrator (Title) of Tri-City Covenant Church, a New Hampshire corporation, on behalf of the corporation.



Notary Public
My Commission Expires:

Wellington P. Bartels III
Justice of the Peace
State of New Hampshire
My Commission Expires May 18, 2021



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R – 2017.02.08 – 009**
Resolution Re: B17025 Veterans Memorial

WHEREAS: Requests for Qualifications # B17025 was issued and received seeking a firm to assist in the design and build a Veterans Memorial to be located off Locust Street in front of the McConnell Center on December 20, 2016 @ 11:00am; and

WHEREAS: Two replies were received, which included one that was received hours late. The conforming qualification packet received and being recommended was submitted by Ironwood Design Group. A fee and scope of work has been negotiated in the amount not to exceed \$80,000.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The Purchasing Agent is hereby authorized to issue a purchase order to Ironwood Design Group of Newmarket NH given the rates provide in conjunction with B17025. The City Manager, or designee, is hereby authorized to contract with the vendor, consistent with the Purchase Order authorized herein.

The amount of this authorization shall be limited so as not to exceed available funding.

Financing

Account	Description	Appropriation	Balance
1000.1.190.41991.4840.00000	Misc.General Government Contingency	354,761.00	227,277.00

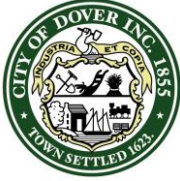
AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Karen Weston
John O'Connor, City Councilor
Ward 1

Approved for Legal Compliance: Anthony I. Blenkinsop
General Legal Counsel

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

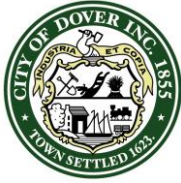
Resolution Number: **R – 2017.02.08 – 009**
Resolution Re: B17025 Veterans Memorial

DOCUMENT HISTORY:

First Reading Date:	Public Hearing Date:
Approved Date:	Effective Date:

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor Karen Weston		
Deputy Mayor Robert Carrier, At Large		
Councilor John O'Connor, Ward 1		
Councilor Dennis Ciotti, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Marcia Gasses, Ward 4		
Councilor Dennis Shanahan, Ward 5		
Councilor Jason Gagnon, Ward 6		
Councilor Sarah Greenshields, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R – 2017.02.08 – 009**
Resolution Re: B17025 Veterans Memorial

RESOLUTION BACKGROUND MATERIAL:

The City of Dover is seeking to hire a firm to assist in the Design and Build of a Veterans Memorial to be located off Locust Street at the McConnell Center lawn. The scope of this work will involve working with the City to develop final plans and specifications and construction for the memorial.

Bid Information:

Sealed Request for Qualification # B17025 was issued and received for a design build firm on 12/20/16 @ 11:00am

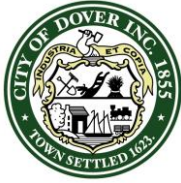
Award Information:

A purchase order will be issued to the vendor selected to authorize expenditures as outlined in this resolution.

Purchasing Information:

Type:	Purchase Order	Advertised:	yes
Invitations Mailed:	598	Number of Responses:	2
Warranty:	N/A	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	1 yr	Estimated Delivery:	As needed
Recommended Award to:	Ironwood Design Group	Fund:	
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase to exceed the \$25,000 amount requiring Council approval subsequent to a bid solicitation

[B17025 Bid Documents and Vendor Lists](#)



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

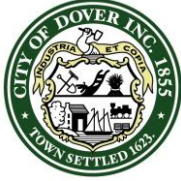
Resolution Number: **R – 2017.02.08 - 010**
 Resolution Re: Reprogram Unexpended CIP Appropriations and Award of
 B17021 Richardson Drive Reconstruction Project

WHEREAS: A Sealed Request for Bid B17021 was issued and received for the Richardson Drive Reconstruction Project on January 17, 2017 at 2:00pm. A mandatory pre-bid meeting was conducted on December 19, 2016 at 10:00am with fifteen firms attending, along with representatives from the New Hampshire Department of Environmental Services (NHDES); and

WHEREAS: Eight replies were received and evaluated by city personnel and city hired Engineering Consultant. The low bid and offer deemed most advantageous to the City was submitted by John H. Lyman of Gilford NH for a base bid amount of \$2,205,811.00 and Alt bid amounts totaling \$265,550 for total of \$2,471,361.00.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:
 The following available CIP unexpended appropriations are hereby reprogrammed from completed Sewer, Water, and Public Works projects to the Richardson Drive Reconstruction project for corresponding components of the project as follows:

Project Number	Project Description	Available Balance	Reprogram Adjustment	Adjusted Balance
SEWER PORTION:				
5320.1.300.43250.4757.04549.09	Sewer - Oak Hill/Redden	993.94	(993.94)	0.00
5320.1.300.43250.4757.04549.10	Sewer - Oak Hill/Redden	276,609.58	(276,609.58)	0.00
	City Wide Sewer Main			
5320.1.300.43250.4757.04554.15	Replacement	47,799.50	(47,799.50)	0.00
	City Wide Sewer Main			
5320.1.300.43250.4757.04554.16	Replacement	150,000.00	(150,000.00)	0.00
	City Wide Sewer Main			
5320.1.300.43250.4757.04530.17	Replacement	91,000.00	(42,012.95)	48,987.05
5320.1.300.43250.4757.04558.09	Sewer Main - Richardson Drive	0.00	993.94	993.94
5320.1.300.43250.4757.04558.10	Sewer Main - Richardson Drive	0.00	276,609.58	276,609.58
5320.1.300.43250.4757.04558.15	Sewer Main - Richardson Drive	0.00	47,799.50	47,799.50
5320.1.300.43250.4757.04558.16	Sewer Main - Richardson Drive	0.00	150,000.00	150,000.00
5320.1.300.43250.4757.04558.17	Sewer Main - Richardson Drive	0.00	42,012.95	42,012.95
	Total Available Funding	566,403.02	0.00	566,403.02
WATER PORTION:				
5300.1.300.43320.4757.03536.13	Water Main - Sixth Street	89,649.72	(89,649.72)	0.00
5300.1.300.43320.4757.03589.17	Water Main - Piscataqua/Drew Rd	2,200,000.00	(228,049.21)	1,971,950.79
5300.1.300.43320.4757.03590.13	Water Main - Richardson Drive	0.00	89,649.72	89,649.72
5300.1.300.43320.4757.03590.17	Water Main - Richardson Drive	0.00	228,049.21	228,049.21
	Total Available Funding	2,289,649.72	0.00	2,289,649.72



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R – 2017.02.08 - 010**

Resolution Re: Reprogram Unexpended CIP Appropriations and Award of
B17021 Richardson Drive Reconstruction Project

STREET/DRAINAGE PORTION:

4009.1.300.43112.4715.03105.09	Retaining Wall - Henry Law Park	150,000.00	(150,000.00)	0.00
4014.1.300.43121.4751.03142.14	Tolend Road Reconstruction	611,757.42	(118,328.73)	493,428.69
4010.1.300.43121.4751.03175.10	Silver Street Reconstruction	135,683.80	(135,683.80)	0.00
4015.1.300.43121.4751.03175.15	Silver Street Reconstruction	61,673.99	(61,673.99)	0.00
4009.1.300.43121.4751.03164.09	Richardson Drive Reconstruction	0.00	150,000.00	150,000.00
4014.1.300.43121.4751.03164.14	Richardson Drive Reconstruction	0.00	118,328.73	118,328.73
4010.1.300.43121.4751.03164.10	Richardson Drive Reconstruction	0.00	135,683.80	135,683.80
4015.1.300.43121.4751.03164.15	Richardson Drive Reconstruction	0.00	61,673.99	61,673.99
Total Available Funding		959,115.21	0.00	959,115.21

AND, FURTHER BE IT RESOLVED:

The Purchasing Agent is hereby authorized to issue a Purchase Order to John H. Lyman of Gilford NH for the reconstruction of Richardson Drive at rates provided in B17021. The City Manager, or designee, is hereby authorized to finalize and enter into an agreement with the vendor, consistent with the Purchase Order authorized herein.

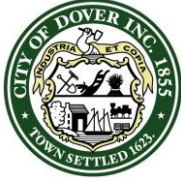
The amount of this authorization shall be limited so as not to exceed available funding.

Financing

Account	Description	Appropriation	Balance
4016.1.300.43121.4751.03164.16	Streets Richardson Dr	550,000.00	428,332.88
4009.1.300.43121.4751.03164.09	Streets Richardson Dr	150,000.00	150,000.00
4010.1.300.43121.4751.03164.10	Streets Richardson Dr	135,683.80	135,683.80
4014.1.300.43121.4751.03164.14	Streets Richardson Dr	118,328.73	118,328.73
4015.1.300.43121.4751.03164.15	Streets Richardson Dr	61,673.99	61,673.99
5320.1.300.43250.4757.04558.09	Sewer Richardson Dr	993.94	993.94
5320.1.300.43250.4757.04558.10	Sewer Richardson Dr	276,609.58	276,609.58
5320.1.300.43250.4757.04558.15	Sewer Richardson Dr	47,799.50	47,799.50
5320.1.300.43250.4757.04558.16	Sewer Richardson Dr	700,000.00	636,750.00
5320.1.300.43250.4757.04558.17	Sewer Richardson Dr	42,012.95	42,012.95
5300.1.300.43320.4757.03590.13	Water Richardson Dr	89,649.72	89,649.72
5300.1.300.43320.4757.03590.17	Water Richardson Dr	268,049.21	268,049.21

AND, FURTHER BE IT RESOLVED:

The Purchasing Agent is hereby authorized to issue a Purchase Order to John H. Lyman of Gilford NH in the amount of \$265,550 for alt 1 and alt 2 of the bid response for the connection of residents of Richardson Drive to the newly installed water and sewer infrastructure at rates provided in B17021. The City Manager, or designee, is hereby authorized to finalize and enter into an agreement with the vendor, consistent with the Purchase Order authorized herein.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R – 2017.02.08 - 010**

Resolution Re: Reprogram Unexpended CIP Appropriations and Award of
B17021 Richardson Drive Reconstruction Project

The amount of this authorization shall be limited so as not to exceed the alt bid amounts.
Said amounts to be reimbursed to City of Dover by Richardson Drive property owners.

NOTE: This resolution reprograms unexpended CIP appropriations financed through bond proceeds and Sewer Fund capital reserve and therefore in accordance with City Charter C6-6 requires a duly advertised public hearing and a 2/3 favorable vote of all members for passage.

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Karen Weston
By Request

Approved as to Legal Anthony Blenkinsop
Form and Compliance: General Legal Counsel

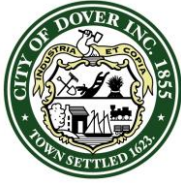
Recorded by: Karen Lavertu
City Clerk

DOCUMENT HISTORY:

First Reading Date:	Public Hearing Date:
Approved Date:	Effective Date:

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor Karen Weston		
Deputy Mayor Robert Carrier, At Large		
Councilor John O'Connor, Ward 1		
Councilor Dennis Ciotti, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor, Marcia Gasses, Ward 4		
Councilor Dennis Shanahan, Ward 5		
Councilor Jason Gagnon, Ward 6		
Councilor Sarah Greenshields, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R – 2017.02.08 - 010**

Resolution Re: Reprogram Unexpended CIP Appropriations and Award of
B17021 Richardson Drive Reconstruction Project

RESOLUTION BACKGROUND MATERIAL:

The Dover City Council approved appropriations for these various CIP projects in the CIPs for Fiscal Years 2009 through 2017.

The Oak Hill/Redden Sewer project (FY09 and FY10 CIP) is completed, leaving unexpended bond proceeds available to be reprogrammed to the Sewer portion of the Richardson Drive project. The amounts in City Wide General Sewer Main Replacement (FY15, FY16, and FY17 CIP) are available Sewer capital reserve CIP appropriations and are being reprogrammed to the Sewer portion of the Richardson Drive project.

The Sixth Street Water Main project (FY13 CIP) is completed, leaving unexpended bond proceeds available to be reprogrammed to the Water portion of the Richardson Drive project. The amount in Piscataqua/Drew Roads Water Main project (FY17 CIP) is available Water Fund bonding authorization and is being reprogrammed to the Water portion of the Richardson Drive project.

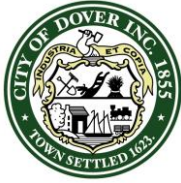
The Tolend Road reconstruction project (FY14 CIP) is completed, leaving unexpended bond proceeds available to be reprogrammed to the Street/Drainage portion of the Richardson Drive project. The amounts in Silver Street reconstruction project (FY10 and FY15 CIP) are available unexpended bond proceeds and are being reprogrammed to the Street/Drainage portion of the Richardson Drive project. The Retaining Wall Henry Law Park project (FY09 CIP) has not been undertaken by the City at this time, however, the City has unexpended bond proceeds for this project. For debt issuance compliance reasons (IRS arbitrage and rebate restrictions) it is in the City's best interest to reprogram these bond proceeds to the Richardson Drive project.

This resolution does not authorize any additional appropriation. The City Council previously authorized the appropriations for these various Sewer, Water, and Street/Drainage projects in earlier CIPs. This resolution does not authorize an increase in the indebtedness of the City. The Richardson Drive reconstruction project is an approved CIP project.

Sealed Bids were requested for the construction of: Richardson Drive and Old Stage Road including the installation of 2,950 linear feet of 8-inch sewer main, forty-eight (48) 4-inch sewer services, nineteen (19) sewer manholes, forty-seven (47) ¾-inch copper water services, 520 linear feet of 8-inch ductile iron water mains, five (5) new hydrants, 1,750 linear feet of 12-inch storm drain pipe, fifteen (15) catch basins, and eight (8) drain manholes. The project also includes the reconstruction of the paved surfaces within the public right of way to remove 14,000 square yards of pavement.

Final award of contract is pending approval by NH DES as they are providing \$1.1MM from the Clean Water State Revolving Fund Program, which includes 5% debt forgiveness for all sewer related work and 20% debt forgiveness for all stormwater improvements.

As part of the request for bid, the City requested costs for the abandonment of individual subsurface disposal system (ALT 1) and installation of individual sewer service line from city ROW up to single residence buildings (ALT 2). Costs came in totaling \$265,550. The City will pay John H Lyman for these services and will set up agreements with individual residents for reimbursement to the City.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R – 2017.02.08 - 010**

Resolution Re: Reprogram Unexpended CIP Appropriations and Award of
B17021 Richardson Drive Reconstruction Project

Bid Information:

A Sealed Request for Bid B17021 was issued and received for the redevelopment of Richardson Dr on January 17, 2017 @ 2:00pm

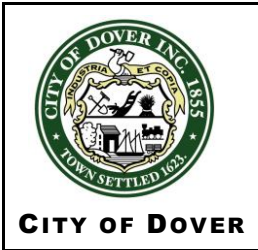
Award Information:

A purchase order revision will be issued to the vendor to authorize future expenditure as outlined in this resolution.

Purchasing Information:

Type:	Purchase Order	Advertised:	Yes
Invitations Mailed:	441	Number of Responses:	8
Warranty:	Per manufacturer	Terms:	Net 30, FOB Dover
Work Bonded:	Yes	Contract:	Yes
Prices will hold for:	Until Completion	Estimated Delivery:	As needed
Award to:	John H. Lyman	Fund:	CIP/NH Loan Fund
Other Approvals Required:	State of NH DES	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase to exceed the \$25,000 requiring Council approval

[B17021 Bid Documents and Vendor Lists](#)



CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.3.

Resolution Number: **R – 2017.02.08 – 011**
 Resolution Re: Acceptance of the Action Plan and Expenditures for Fiscal Year 2018 CDBG Entitlement Funds

WHEREAS: The City of Dover will have available funds for appropriation from the FY 2018 CDBG Entitlement year, including program income; and

WHEREAS: The Planning Department is required by HUD to prepare, and the Governing Body adopt the "Action Plan" which is a needs assessment and detailed expenditure plan for the use of Community Development funds in meeting the needs of low and moderate income residents of Dover; and

WHEREAS: The Planning Board has reviewed proposed projects for said funds and has held a public hearing for the purpose of obtaining citizens' viewpoints, on the recommended expenditures; and

WHEREAS: Administration and the Planning Board have reviewed the proposals and derived a recommended expenditure plan; and

WHEREAS: The recommended disbursements of funds have been reviewed for compliance with HUD statutory requirements and for meeting national objectives;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The Action Plan is adopted and the City Manager is authorized to enter into sub-recipient contracts as part of this Annual Plan for expenditure of FY18 Community Development Block Grant funds.

FURTHER, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

Should Congress adopt a budget that results in a grant amount that is different than anticipated in the Action Plan, the City Manager is authorized to adjust the amounts of the Action Plan allotments per HUD guidance and as described in the Action Plan.

Note: To be referred to public hearing and vote on February 22, 2017.

Financing		
Estimated Revenue		
Account	Description	Appropriation
2100.1.180.46311.3311.06311.17.000.000.R30	Federal Grant	\$268,665.00
2100.1.180.46311.3421.06311.17.000.000.R40	School Street Parking Income	\$4,260.00
2120.1.180.46323.3933.00000.00.000.000.R90	Housing Partnership Loan Income	\$15,000.00
2125.1.180.46525.3933.00000.00.000.000.R90	DELP Revolving Loan Income	\$15,864.17
	Unexpended FY16 Action Plan Allocations	\$7,299.28
TOTAL		\$311,088.45



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.3.

Resolution Number: **R – 2017.02.08 – 011**

Resolution Re: Acceptance of the Action Plan and Expenditures for Fiscal Year 2018 CDBG Entitlement Funds

Financing Appropriations

Account	Description	Appropriation
2100.1.180.46348.4835.06367.18.000.000.800	AIDS Response	\$6,800.00
2100.1.180.46348.4835.06333.18.000.000.800	Community Partners	\$5,800.00
2100.1.180.46348.4835.06377.18.000.000.800	Cross Roads House	\$8,317.00
2100.1.180.46348.4835.06360.18.000.000.800	Dover Welfare	\$6,600.00
2100.1.180.46348.4835.06361.18.000.000.800	HAVEN (A Safe Place)	\$3,000.00
2100.1.180.46348.4835.06380.18.000.000.800	Homeless Center for Strafford County	\$6,500.00
2100.1.180.46348.4835.06342.18.000.000.800	My Friend's Place	\$10,400.00
2100.1.180.46323.4835.06335.18.000.000.800	CAP (Weatherization)	\$25,000.00
2100.1.180.46341.4835.063xx.18.000.000.800	Annie E Woodman Institute	\$47,425.00
xxxx.x.xxx.xxxxx.xxxx.xxxxx.xx.xxx.xxx.xxx	City Hall ADA	\$68,236.28
2125.1.180.00000.1715.xxxxx.18.000.000.800	DELP Income returned to loan pool	\$15,864.17
2100.1.180.46311.6311.xxxxx.18.000.000.800	CDBG Administration	\$62,217.00
2100.1.180.46525.6621.xxxxx.18.000.000.800	DELP Administration	\$30,063.00
2100.1.180.46348.4110.06314.18.000.000.100	Public Service ADC	\$5,303.00
2100.1.180.46341.4110.06314.18.000.000.100	Public Facilities ADC	\$2,366.00
2100.1.180.46323.4110.06314.18.000.000.100	Weatherization ADC	\$7,197.00
TOTAL		\$311,088.45

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Karen Weston
By Request

Approved as to Legal: Anthony Blenkinsop
Form and Compliance: General Legal Counsel

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.3.

Resolution Number: **R – 2017.02.08 – 011**

Resolution Re: Acceptance of the Action Plan and Expenditures for Fiscal
Year 2018 CDBG Entitlement Funds

DOCUMENT HISTORY:

First Reading Date:	Public Hearing Date:
Approved Date:	Effective Date:

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor Karen Weston		
Deputy Mayor Robert Carrier, At Large		
Councilor John O'Connor, Ward 1		
Councilor Dennis Ciotti, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Marcia Gasses, Ward 4		
Councilor Dennis Shanahan, Ward 5		
Councilor Jason Gagnon, Ward 6		
Councilor Sarah Greenshields, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.3.

Resolution Number: **R – 2017.02.08 – 011**

Resolution Re: Acceptance of the Action Plan and Expenditures for Fiscal Year 2018 CDBG Entitlement Funds

RESOLUTION BACKGROUND MATERIAL:

Following is a brief synopsis of Dover's Community Development Block Grant Program, the Goal and Objectives of the Community Development Program, the available funds for this year's Action Plan and description of the agencies, organizations and Planning Department's use of requested funds.

The City of Dover is an Entitlement Community. As such, the City receives CDBG funds directly from HUD rather than applying through the State. To help determine how the funds should be allocated, the City developed a 5-year Consolidated Plan. The Plan was built with guidance from the community and serves as a road map for CDBG funding allocations. The Plan includes a ranking (low, medium, high) of the objectives listed in the Plan. Dover is entering year 3 of the Plan.

To be eligible for CDBG funding, proposed activities must comply with the Goal, and at least one of the Objectives, found in Dover's Consolidated Plan. Additionally, the activities must achieve one of HUD's 3 National Objectives: 1) Low income benefit, 2) Elimination of slums or blight, 3) Urgent need. The Planning Board acts in a citizens' advisory capacity in reviewing proposals to be included in the Action Plan (one year use of funds) and how the funds should be allocated. Their review process includes a public hearing and a recommendation to the City Council.

The City Council's review of the Action Plan includes a public hearing which provides applicants, and others, an opportunity to comment on the proposed expenditures before the Council votes on the Final Action Plan. Once approved by the Council, there is a 30-day comment period during which time anyone can submit comments on the Action Plan. At the end of that time frame, all comments received are included with the Action Plan and forwarded to HUD for their review and approval. HUD has 45 days to perform their review.

Dover's anticipated FFY17 CDBG grant amount is \$268,665.00. There is also \$35,124.17 in anticipated program income. Lastly, due to changes in HUD accounting policies, recipient's unexpended funds from the most recently completed fiscal year can no longer be automatically rolled over to the next year but rather must be added to the total funding pool for the next Action Plan. This year that amount equals \$7,299.28. Combined, these sources create a funding pool of \$311,088.45 for this Action Plan.

Under the Public Services category, Dover received seven applications for a total of \$76,618.20. Pursuant to a HUD required funding formula, this year's maximum funding amount allowed for this category is \$47,417.00. The Planning Board has recommended providing the maximum amount allowable and that the funds be disbursed among the seven applications.

Under the Public Facilities category, Dover received two applications for a total of \$72,425.00. After accounting for the Public Services, Administrative and Economic Development categories, the Planning Board has recommended providing the remaining \$140,661.28 to the two applications received and a City Hall ADA project.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.3.

Resolution Number: **R – 2017.02.08 – 011**

Resolution Re: Acceptance of the Action Plan and Expenditures for Fiscal
Year 2018 CDBG Entitlement Funds

CDBG PROGRAM DESCRIPTION

Applicant/Requested Funding Amount/Planning Board Recommended Funding Amount

Public Services

Aids Response Seacoast

Requested Funding: \$15,000

Planning Board Recommended Funding: \$6,800

Partially Support the salaries and benefits of Case Management Department staff consisting of a Program Manager, Medical Case Managers and a Financial Administrator.

Community Partners

Requested Funding: \$9,000

Planning Board Recommended Funding: \$5,800

Funding to provide security deposits and/or first month's rent to homeless individuals and families in Dover with mental illness or a developmental disability.

Cross Roads House

Requested Funding: \$12,000

Planning Board Recommended Funding: \$8,317

Funding to provide emergency shelter and supportive services to homeless families and individuals.

Dover Welfare

Requested Funding: \$8,500

Planning Board Recommended Funding: \$6,600

Funding to help people move into apartments that they can afford or to place them into motels until shelter space is available.

HAVEN (A Safe Place)

Requested Funding: \$5,000

Planning Board Recommended Funding: \$3,000

Funding to help domestic violence victims fleeing abuse with temporary shelter and services until they are ready to transition into safe, permanent housing.

Homeless Center for Strafford County

Requested Funding: \$11,118.20

Planning Board Recommended Funding: \$6,500

Funding to help support the overall operations of an emergency shelter for homeless women and families.

My Friend's Place

Requested Funding: \$16,000

Planning Board Recommended Funding: \$10,400

Funds will be used for overall operations of the year round emergency homeless shelter.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.3.

Resolution Number: **R – 2017.02.08 – 011**

Resolution Re: Acceptance of the Action Plan and Expenditures for Fiscal Year 2018 CDBG Entitlement Funds

Public Facilities

Community Action Partnership of Strafford County

Requested Funding: \$25,000

Planning Board Recommended Funding: \$25,000

Funding to support the Weatherization Program that provides weatherization measures intended to conserve energy for low-income residents.

Annie E Woodman Institute

Requested Funding: \$47,425

Planning Board Recommended Funding: \$47,425

Funding to provide ADA compliant external access to the main floor of three buildings and to upgrade an existing bathroom to ADA standards.

City Hall ADA

Requested Funding: \$68,236.28

Planning Board Recommended Funding: \$68,236.28

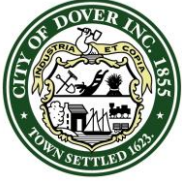
Funding for ADA compliance projects including improvements to signage, sidewalks and main floor bathrooms.

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM CONSOLIDATED PLAN GOAL STATEMENT

The City of Dover has articulated a goal of creating a viable urban environment through the improvement of housing and employment opportunities for low and very low income people and through improving and/or expanding public facilities and services.

Specific Objectives:

1. To provide increased opportunities to residents of the City who require education, health, recreation, housing and related human services.
2. To weatherize and improve the older housing stock of the City, especially for persons of low and very low income.
3. To plan and construct public improvements in areas populated by or used predominately by low and very low income persons.
4. To provide increased employment opportunities for low and very low income persons, with a focus on access to transportation.
5. Removal of architectural barriers to allow increased handicapped accessibility.



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: **O – 2017.02.08 – 002**
Ordinance Title: **ZONING**
Chapter: **170**
Section: **8 Zoning Map**

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to amend Chapter 170 of the Code of the City of Dover, entitled Zoning, by rezoning three (3) parcels of land from residential to industrial, one (1) parcel of land from one form of industrial to another form of industrial, and portions of two (2) parcels of land, which are zoned both residential and industrial, to industrial.

2. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

“The official Zoning Map of the City of Dover, New Hampshire, dated December 9, 2009, is amended by changing from Low-Density Residential (R-20) District to Rural restricted Industrial (I-2) District an area of approximately 68.2 acres located along Littleworth Road and the Spaulding Turnpike, consisting of Map G lots 29-A, 29-C, 30B, as well as portions of Map G lots 29 and 29B located 1,500 feet and further from the Spaulding Turnpike.

AND

“The official Zoning Map of the City of Dover, New Hampshire, dated December 9, 2009, is amended by changing from Office and Assembly (I-4) District to Rural restricted Industrial (I-2) District an area of approximately 38.3 acres located along Littleworth Road and the Spaulding Turnpike, consisting of Map G lot 19-B as well as portions of Map G lots 29, 29-B located closer than 1,500 feet from the Spaulding Turnpike.

TAKES EFFECT

This ordinance shall take effect upon passage and publication of notice as required by RSA 47:18.

REQUIRES A PUBLIC HEARING

AUTHORIZATION

Approved as to Funding:

Daniel R. Lynch
Finance Director

Sponsored by:

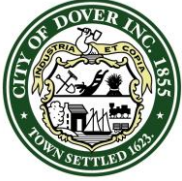
Councilor Dennis Ciotti
City Council Planning Board
Representative

Approved as to Legal
Form and Compliance:

Anthony Blenkinsop
General Legal Counsel

Recorded by:

Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: **O – 2017.02.08 – 002**
Ordinance Title: **ZONING**
Chapter: **170**
Section: **8 Zoning Map**

DOCUMENT HISTORY:

First Reading Date:	Public Hearing Date:
Approved Date:	Effective Date:

DOCUMENT ACTIONS:

VOTING RECORD

Date of Vote:	YES	NO
Mayor, Karen Weston		
Deputy Mayor, Robert Carrier, At Large		
Councilor John O'Connor, Ward 1		
Councilor Dennis Ciotti, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Marcia Gasses, Ward 4		
Councilor Dennis Shanahan, Ward 5		
Councilor Jason Gagnon, Ward 6		
Councilor Sarah Greenshields, At Large		
Total Votes:		
Resolution does does not pass.		

ORDINANCE BACKGROUND MATERIAL:

Attached is the application provided by the Property Owners and Applicant regarding this zoning change.

To: Dover City Council
From: Christopher Parker, AICP
CC: J. Michael Joyal, City Manager
Dover Planning Board
Date: February 1, 2017
Re: Zoning Amendments

ISSUE:

On January 24, 2017, the Planning Board unanimously approved a citizen petition to amend to the City's Zoning Map.

INTENT:

This memo will briefly describe the findings of the Planning Board and ensure compliance with Chapter 170-53(F) of the Code.

GOALS:

The proposed zoning amendments must meet certain criteria for the Planning Board to support their adoption. This memo reviews the report criteria laid out in Chapter 170 to explain the findings of the Planning Board.

PROCESS:

Chapter 170 provides that citizens may request rezoning of their property. On December 13, 2016, the Planning Board reviewed a request by a property owner to rezone their parcels from Medium Density Residential (R-20) and Office and Assembly (I-4) to Rural Restricted Industrial (I-2).

The Planning Board posted the amendments after consideration on December 13, 2016. It received testimony at Citizen's Forum on December 13, 2016. It held a public hearing on January 24, 2017. The Board unanimously approved the requested amendment at the conclusion of the January 24th hearing and forwarded it to the City Council for ratification.

ATTACHMENTS:

- Citizen Petition for Rezoning
- Map of area
- Letter to PB in January covering the changes to the plan
- Concept Map
- Staff memo to the Planning Board
- Rezoning Analysis

As per section 170-53(F), the Planning Board shall provide to the City Council a report on each proposed amendment that has been

proposed and endorsed by it. This report shall include the Board's findings and recommendations on the following:

The consistency of the proposed amendments with the Master Plan;

The 2015 update to the City's Land Use Chapter of its Master Plan is entitled "It's All About Tomorrow." This chapter includes references to increasing the City's commercial tax base through economic development. The Chapter also documents the lack of available industrial land for development, 144 acres out of 15,557 in the City. The rezoning is consistent with the other uses along Littleworth Road, and the zoning on the westerly side of Columbus Ave, and Littleworth Road.

The consistency of the proposed amendment with other plans, studies, or technical reports prepared by or for the Board and the City;

The proposed amendments do not conflict with any other plans, studies or technical reports. It is consistent with the Council goal to diversify the taxable valuation.

The effect of the proposed amendment on the City's municipal services and capital facilities as described in the Capital Improvements Program;

The proposed amendments do not conflict with the Capital Improvements Program. Non-residential development typically demand less services than residential uses.

The effect of the proposed amendment on the natural, environment, and historical resources of the City;

The Planning Board found that any development is going to effect the natural, environmental and historical resources, however the impact would be less for non-residential. This is in part because the City's site regulations require higher standards of containment and management of stormwater, as well as stricter landscape management requirements for non-residential uses.

A further benefit is that the Applicant has agreed to donate a conservation easement to the City for all undeveloped portions of the project area.

The effect of the proposed amendment on neighborhood including the extent to which nonconformities will be created or eliminated;

The area to be rezoned is adjacent to Industrial uses on Littleworth Road (Cambridge Tool, Crosby Road, Industrial Park Drive), as well as residential uses on Columbus Ave. The zoning in the area is predominantly industrial. The rezoning is an extension of the existing I-2 Zoning District. Through thoughtful layout of the buildings, responsible landscaping, preservation of existing trees where possible, and the establishment of fencing and vegetative buffers, the area in question can be developed in a manner which is complementary to the residential uses in the area.

No dimensional non-conformities would be created, two residential homes would be legally non-conforming if they remain, and one non-residential use would become conforming.

The effect of the proposed amendment on the City's economy and fiscal resources;

The amendment will have a positive impact on the economy of the City, while not creating any material burden on municipal services, capital facilities or any natural or historic resources in Dover. The rezoning will positively impact the fiscal resources of the City by rezoning the properties to accommodate the highest and best uses of those properties, given the affected area.

The recommendation of the Planning Board relative to whether the proposed amendment should be adopted or rejected, and any recommendations for modifications to the proposed amendment.

The Planning Board approved the amendments by a unanimous vote and hereby submits them to the City Council for ratification.



City of Dover, New Hampshire ZONING AMENDMENT APPLICATION

[Revision Date: February 13, 2013]

Office Use Only	File #: <u>P16-36</u>	Date Received: <u>NOV 22 2016</u>
	Amount Paid: _____	Time Received: _____

Dover, New Hampshire

APPLICANT INFORMATION

Name of Applicant: USA TRAINING CENTERS/RICHARD & ANNA KAY

Address of Applicant: 117 GOSLING ROAD NEWINGTON NH 03801

Telephone # (603) 431-6700

Email Address DAVE@USAMANS.COM

DESCRIPTION OF PROPOSED AMENDMENT

PROPOSE TO CHANGE EXISTING LOTS OF LAND FROM THEIR CURRENT ZONING DESIGNATION TO NEW DESIGNATION. CHANGE WOULD BE FROM I-4 & R-20 USE TO I-2 USE. THE PURPOSE IS FOR COMMERCIAL RECREATIONAL USES.

AREA REZONING INFORMATION

Assessor's Map and Lot #s of all properties within the area proposed to be rezoned:

Map	Lot(s)
<u>MAP G</u>	<u>Lot 19-B 14.2 ACRES CITY OF DOVER</u>
<u>MAP G</u>	<u>Lot 29 61.0 ACRES RICHARD & ANNA KAY</u>
<u>MAP G</u>	<u>Lot 29-A 1.07 ACRES NATHAN & CHELSEA PIGGS</u>
<u>MAP G</u>	<u>Lot 29-B 19.0 ACRES RICHARD & ANNA KAY</u>
<u>MAP G</u>	<u>Lot 29-C 1.35 ACRES REVOCABLE TRUST, ANNE TUCKER</u>
<u>MAP G</u>	<u>Lot 30-B 6.83 ACRES NICK & BECKY MOURGENS</u>

Current Zoning District(s) I-4 & R-20 Size of Area: 106.45 ACRES

Existing Use(s) Within Area: RESIDENTIAL, AGRICULTURE

Proposed Zoning District(s) I-2 Proposed Use of Area: COMMERCIAL RECREATION

ORDINANCE AMENDMENT INFORMATION

Article# _____ Section(s) # _____ Section Title(s) _____

Current Provision(s) Language _____

Proposed Provision(s) Language _____

In a separate narrative, please describe how your proposed amendment(s) addresses the following elements:

- • The purpose and intent of the amendment;
- • Consistency with RSA 674:17;
- • Consistency with Dover's Master Plan;
- Consistency with other plans, studies, or technical reports prepared by, or for, the Planning Board and the City;
- Effect on the City's municipal services and capital facilities as described in the Capital Improvements Program;
- • Effect on the natural, environment, and historical resources of the City;
- • Effect on neighborhood including the extent to which nonconformities will be created or eliminated; and
- • Effect on the City's economy and fiscal resources.

REQUIRED ATTACHMENTS

Fifteen (15) hard copies and one digital copy of the following:

- • This application;
- A properly drafted ordinance containing the amendment in a form meeting the requirements of the City Clerk (please see attached for example);
- • A statement of the purposes and intent of the proposed amendment
- For zoning map amendments:
 - • A map showing the existing zoning districts of the area to be rezoned and the proposed changes to these districts;
 - • The names, addresses, and telephone numbers of those submitting the petition and of any agents or representatives of the same;
 - • A list and address labels including the name, address, and tax map number of each property owner of the area proposed for rezoning and each property owner within one hundred (100) feet of the subject area. The list shall be current within ten (10) days of submittal;
 - A non-refundable fee of eight dollars (\$8.00) per property owners and abutter required to be notified included on the lists of properties;
- A non-refundable fee of one hundred fifty dollars (\$150.00) to cover the cost of staff review and processing of the amendment;
- A non-refundable fee of eighty dollars (\$80.00) to cover the cost of the newspaper notice; and
- For district or citywide zoning map amendments, or for zoning ordinance text amendments, please contact the Planning Department for cost of mailing and abutter notice requirements.

SIGNATURE OF APPLICANT(S)

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 Applicant: Richard W. By Lane S. Key Date: 11/22/14

Signature of Applicant: A. P. H. Date: 11/22/14



USA TRAINING CENTERS

Zoning Amendment Application Narrative

Proposed Areas for Zoning Amendment:

- ❖ Map G, Lot 19-B, 14.2 Acres, City of Dover
- ❖ Map G, Lot 29 and 29-B, 83.0 Acres, Richard & Anna Kay
- ❖ Map G, Lot 29-A, 1.07 Acres, Nathan & Chelsea Riggs
- ❖ Map G, Lot 29C, 1.35 Acres, Revocable Trust, Anne Tucker
- ❖ Map G, Lot 30-B, 6.83 Acres, Nick & Becky Mourgenos

PURPOSE for AMENDMENT:

Statement for Purposes & Intent of Proposed Amendment:

The purpose for this Amendment is to request the above listed parcels of land to be re-zoned to I-2.

This request seeks a Zoning Amendment from the current R-20 and I-4 Zone to I-2 Zone for the above mentioned properties is to allow for the Development of a new Baseball & Sports Complex.

Also included in this area would be the development of Commercial PAD Sites that would allow for development of Hotels, Restaurants, Vehicle Refueling and Recharging.

Understanding current zoning of the area, the Proposed Development would not be a conforming use in the current zone and would require the board to grant either a Zoning Board of Adjustment or have the area re-Zoned to the I-2 Zone.

We are seeking to have the area re-Zoned to allow for our Proposed Development to be a conforming use.

Consistency with RSA 674:17:

❖ To lessen congestion on streets:

- Subject land parcels have access from State Highway, Route 9 to the south. 3 of the 4 land parcels for Re-Zoning have frontage along Route 9
- City of Dover Property has access along State Highway, Route 16, but would share access from Route 9 as part of the proposed development.
- The area is currently a mix of Commercial, Industrial and Residential development. Current Traffic Counts indicate over 40,000 cars per day between Exit 8 & 9 on Rte. 16 and over 9,000 cars per day on Littleworth Road (Rte. 9) west of the B&M Railroad bridge.
- Our Proposed Development invites a "stay & play" destination design with the Hotel and Restaurant layout, lessening daily travel to and from the park.

❖ To secure Safety from fires, panic and other dangers:

- With 2 means of access/egress along Littleworth Road (Rte. 9) and a loop road on site, we have developed multiple means of egress/access for Emergency Vehicles and public alike.

❖ To Promote Health and Welfare:

- The general premise of this development is to create a park like environment, with complimentary commercial development.
- This park and the recreational aspect it will provide by definition promotes health and wellbeing
- This park will also provide other avenues of entertainment appealing to a large cross section of our community, whether it be sports, concerts, plays, or other forms of community gatherings.

❖ To Provide adequate light and air:

- Will provide plenty of outdoor space in the form of walking trails, playground and picnic areas, not to mention the outdoor athletic fields.
- Conceptual Plan currently shows a Hotel at either end of the development with the open space in between, attempting to define the development while making it welcoming and a place that is attractive to stay.

❖ To Prevent Overcrowding of the Land:

- As mentioned previously, the Conceptual Plan currently shows a Hotel at either end of the development with the open space in between, attempting to define the development while making it welcoming and a place that is attractive to stay.

- The concept here is to spread out the vertical building construction, inviting the patrons to walk to the restaurants, and other entertainment and recreation that is taking place within the park.
- ❖ **To avoid undue concentration of population:**
 - By rezoning a tract of land from an R-20 zone, into an I-2 zone. The effect of this change will eliminate the potential for more than 100 new homes being built on this property, affectively saving the City increased annual educational expense.
 - By keeping the complimentary commercial development spread out on the site, there will be less concentration of vehicle and foot traffic at each location.
 - This Development is by design transient in use, and designed to be a "destination". This use will not place constant demand on utilities, water and sewer systems.
- ❖ **To facilitate adequate provision of Transportation, solid waste facilities, water, sewerage, schools, parks, child day care:**
 - To be made part of the current public transit system by making bus stop access with in the park.
 - Includes extending current city sewer, water along with extending electrical service and natural gas service.
 - There would not be a need for child care or schools as this Proposed Development is transient in its use.
 - Intends to create an atmosphere of a park like setting.
- ❖ **To assure proper use of Natural Resources and other public requirements:**
 - Intends to make use of an existing pond on the property and incorporate it into part of it park and playground area.
 - Intends to work around existing wetland areas to the greatest extent possible and minimize the need for mitigation, thereby preserving the natural elements of the property.
 - Intends to work with the existing contours of the property to best fit and site the elements of the Development to the greatest extent possible to mitigate large cuts and fills and to take advantage of the natural contours and natural landscape of the earth.
- ❖ **To encourage the use of Soar, Wind or other renewable Energy Systems:**
 - Conceptual designs are considering the use of solar energy opportunities, not fully developed at this stage of application.
 - Concept designs plan to take in to account all the required buffers, setbacks, etc. to maximize sunlight, wind and other renewable resources in the area.

Consistency with the City of Dover's Master Plan:

- ❖ Will encourage mixed use on this property in the form of Recreational and Commercial Development along Rte. 9 & Rte. 16
- ❖ Will have access to public transportation stops making the park easily accessible to Downtown and surrounding areas served by public transportation
- ❖ Will encourage new Business in the form of Hotels, Restaurants and other complimentary business ventures.
- ❖ Will help to continue to keep Dover an affordable place to live by broadening the tax base with new businesses, and lessening the burden of Educational Costs brought by potential residential development in this area.
- ❖ Will encourage high quality low impact growth, in that this Development is a "Destination" attraction, is a transient development in nature, designed in part to increase tourism, and other benefits to local business, but decrease long term impact on City infrastructure.
- ❖ Will be in keeping with the City Council's desire to rezone existing residential areas to commercial areas to increase business tax base and bring new jobs to this area.

Effect on Municipal Services & Capital Facilities

- ❖ Non-residential development proposed will create less demand on the City's Services than the existing Residential would, if that Residential Development be fully built out.
- ❖ Current Use penalty would be placed into the Conservation Fund, to help preserve open space in the community
- ❖ The Sewer Service has capacity and there is Water service that can be brought onto the site
 - Any increases in infrastructure would be made during the site construction phase to more than adequately address capital facilities

Effect on the Natural Environment and Historical resources of the City:

- ❖ The intent is to take advantage of the existing natural landscape and land shape as part of the design process.
 - Situate the Baseball Stadium in such a way as to take advantage of the natural slope of the site to create natural earth berms to allow for grass area seating.
 - Enhance the existing pond on the property to take advantage of natural wildlife habitats. Our intent is to create plaques that may describe wildlife that may be indigenous to the area. A survey and report has been completed to describe the wildlife and plant life in the area.

- ❖ The intent is to take advantage of some of the Historical interests of these properties.
 - Name one of the complex's streets after the original Landowner, who was granted ownership of this parcel of land by the Monarch in England at the time, believed to be King James I, but will need to be researched further.
 - A review of other Historical Sites has been performed and while there were a couple of sites nearby, there is nothing on the Registry that abuts the parcels of land to be developed.

Effect on the Neighborhood:

- ❖ Will not create any adverse effects to the current neighborhood, in that while surrounded by some residential development, the area is also home to industrial and commercial development, and our proposed commercial development could be convenient service to those surrounding business in the form of dining, gas and even a place to stay for traveling employees.
- ❖ The design of the Development intends to take advantage of the naturally occurring wooded areas along the sides of the development to create a visual buffer between the residences and the new development.

Effect on the City's Economy:

- ❖ In similar fashion to how the City acts as a Hub for surrounding towns, will act as a Hub, first for the Baseball Community, not only for the local and NH Seacoast communities but also for New England because of its designation of a Regional Tournament Site, drawing in a steady stream of tourism into the area for extended stays in the area.
- ❖ Will provide other sources of Entertainment in its park besides athletics, including but not limited to concerts, community events, special speakers, conventions and conferences, to name a few. These events will directly affect the community by drawing out the locals for an evening that may include dining out in the community before attending one of the events at the park.
- ❖ Will help to continue to keep Dover an affordable place to live by broadening the tax base with new businesses, and lessening the burden of Educational Costs brought by potential residential development in this area.
 - Current Dover Hotel example, approx. tax revenue of \$115,000.00 per year
 - Current Dover Restaurant example, approx. tax revenue of \$35,000.00 per year
 - Current Dover Gas/C-Store example, approx. tax revenue of \$18,000.00 per year.

- ❖ Will encourage high quality low impact growth, in that this Development is a "Destination". The use & population will be transient in nature. The benefit will be an increase in tourism, increasing benefits to local business in the form of more traffic through local shops, businesses and restaurants to name a few.
- ❖ The additional development planned for this parcel of land include construction of a hotel with conference/convention center & restaurant.
 - Current research suggests that Dover Hotels are currently running at over 90% occupancy every day of the week.
 - The hotels will provide much needed hotel rooms for the area.
- ❖ The proposed development has the opportunity to create new jobs in the following manner:
 - 120 room Hotel, 75 new jobs per hotel
 - 100 seat Restaurant, 50 new jobs per restaurant
 - Sports Complex, 25 new jobs

Additional advantages to the Community for this Development:

- ❖ Will attract a significant influx of tourism to the City of Dover and surrounding area because the Sports Complex itself will be designated as a Regional Site, by Nationally known organizations such as **Perfect Game**, **Blue Chips** and **Evoshield**, to name a few. With the backing of these organizations, our Complex will have the opportunity to attract the top Amateur Baseball and Softball Programs on the Eastern Seaboard throughout the season, which will in turn attract top college recruiters and pro scouts to this area.
- ❖ Will afford local student athletes exposure and opportunity for a college education that they may not otherwise have.
- ❖ The Hotel/Restaurant development will provide close and local service to the multiple businesses currently located in the area.

Our Development Proposes to include the following:

- ❖ **Roads, Parking, Infrastructure:**
 - Extend existing Sewer & Water Utilities
 - Extend existing electrical and communication
 - Extend natural gas lines onto the site from across Littleworth Road
 - Build access roads and parking to standards
 - Build ON & OFF ramps from the south bound lane of Route 16
- ❖ **2,000 Fixed Seat Baseball Stadium**
 - Field Turf Baseball Field Playing Surface
 - Full Concessions
 - 2 Team Clubhouses & Locker Rooms
 - Executive Office Suites
 - Full Service Sit Down Restaurant
 - Berm Style Field Seating
- ❖ **5 Full Size Baseball Fields/Athletic Playing Surfaces**
 - Up to 8 Baseball Fields (concept plan currently calls for 5)
 - 3 field "clover leaf" style layout of baseball fields
 - 2 additional baseball fields
 - Synthetic Field Turf Playing Surfaces
 - Fields will accommodate High School Baseball Diamond
 - 2 Softball size diamonds
 - Soccer, Field Hockey & Lacrosse size playing surfaces
- ❖ **24'x24' (approx. dim.) Observation Building**
 - Men's & Women's Toilet Facilities
 - Concessions
 - Field Storage/Field Office
 - 2nd & 3rd floor observation/scouting decks
- ❖ **1- 90,000 SF Training Field with Seasonal Domed Canopy**
 - Synthetic Field Turf Playing Surface
- ❖ **1-15,000 SF Baseball Training Facility Building**
 - Concrete & Steel constructed structure
 - Metal Siding & Roofing
 - Synthetic Field Turf Interior Training Surfaces
 - Batting and Pitching Lanes
 - Men's & Women's Toilet Facilities
 - Retail Desk/Executive Offices
 - 100 Parking Spaces
- ❖ **Commercial PAD Site Construction**
 - Restaurant Activity
 - Hotel Activity
 - Convenience Store Activity
 - Associated Parking Areas
- ❖ **Walking Path and Park Development**
 - Walking/Hiking Paths
 - Park & Picnic Areas and associated Landscaping
 - Water Fountain Feature
- Playground



USA TRAINING CENTERS

Statement for Purposes & Intent of Proposed Amendment:

Proposed Areas for Zoning Amendment:

- ❖ Map G, Lot 19-B, 14.2 Acres, City of Dover
- ❖ Map G, Lot 29 and 29-B, 83.0 Acres, Richard & Anna Kay
- ❖ Map G, Lot 29-A, 1.07 Acres, Nathan & Chelsea Riggs
- ❖ Map G, Lot 29C, 1.35 Acres, Revocable Trust, Anne Tucker
- ❖ Map G, Lot 30-B, 6.83 Acres, Nick & Becky Mourgenos

BASEBALL FACILITY PROJECT DESCRIPTION

PROJECT NARRATIVE:

The project mission is to create a Sports Complex set in a park like atmosphere that specializes in Baseball & Softball Training that will afford the New Hampshire Seacoast area athletes a top flight facility to both train and showcase their abilities to College and Professional Scouts.

The Facility will house a top coaching and training staff which provides individual and team training and evaluation to the athlete, baseball and softball player alike.

The facility however, will not be limited to Baseball and Softball, as the state of the art synthetic playing surfaces are designed to accommodate Soccer, Field Hockey, Lacrosse and Football.

The indoor training facilities and the Stadium are designed to cater to the baseball & softball community, however the intent is to also have an indoor facility that can host a variety of events including entertainment, trade shows, and simple things such as birthday parties and the like.

The “anchor” to the proposed development, the Mavericks Stadium will be home to the Seacoast Mavericks, charter member of the Futures Collegiate Baseball League (FCBL), which plays a competitive 53 game schedule each summer, 26 of which will be home contests. Also planned would be several opportunities for entertainment acts ranging in scope from music and comedy to conferences, conventions and special events.

The project will also provide additional commercial development space in the form of PAD Sites, intending to attract Hotels, Restaurants, and other complimentary businesses. Outlined below are the benefits that this piece of the development offers.

Outlined below are Key Elements for why the City's 14-acre parcel is crucial to this development, along with other Key Elements that show how the overall development provides benefit to the City of Dover and surrounding communities.

The City's Property is a Key component for this Proposed Development:

- ❖ The Property is an integral part of the Development Plan, because the 14 acres complete the required land area necessary to support the project as presented.
- ❖ The Property provides high visibility along the Spaulding Turnpike to the proposed Sports Complex and attached commercial development. Visibility is a crucial aspect for a "destination" Complex such as the one proposed.
- ❖ The Property provides the ideal location for the Stadium portion of the proposed development. The Stadium is the "**anchor**" for the whole development.
- ❖ The Property provides an opportunity to obtain access right off the Spaulding Turnpike.
 - Should access be granted, the City's property would be a "gateway" of sorts from the Spaulding Turnpike for the remaining portion of the development planned for the adjoining properties.
 - Should access not be granted, the City's property is still crucial because of the afore mentioned "**visibility**", but even more is the "**anchor**" completing the destination.

Key Long Term Advantages to the City of Dover for this Development:

- ❖ Will encourage mixed use on this property in the form of Recreational and Commercial Development along Rte. 9 & Rte. 16.
- ❖ Will have access to public transportation stops making the park easily accessible to Downtown and surrounding areas served by public transportation.
- ❖ Will encourage new Business in the form of Hotels, Restaurants and other complimentary business ventures.

- ❖ Will help to continue to keep Dover an affordable place to live by broadening the tax base with new businesses, and lessening the burden of Educational Costs brought by potential residential development in this area.
 - Current Dover Hotel example, approx. tax revenue of \$115,000.00 per year
 - Current Dover Restaurant example, approx. tax revenue of \$35,000.00 per year
 - Current Dover Gas/C-Store example, approx. tax revenue of \$18,000.00 per year.
- ❖ Will encourage high quality low impact growth, in that this Development is a "Destination". The use & population will be transient in nature. The benefit will be an increase in tourism, increasing benefits to local business in the form of more traffic through local shops, businesses and restaurants to name a few.
- ❖ The additional development planned for this parcel of land include construction of a hotel with conference/convention center & restaurant.
 - Current research suggests that Dover Hotels are currently running at over 90% occupancy every day of the week.
 - The hotels will provide much needed hotel rooms for the area.
- ❖ The proposed development has the opportunity to create new jobs in the following manner:
 - 120 room Hotel, 75 new jobs per hotel
 - 100 seat Restaurant, 50 new jobs per restaurant
 - Sports Complex, 25 new jobs

For these reasons it is believed that the proposed development aligns well with the City of Dover's Master Plan.

Additional advantages to the Community for this Development:

- ❖ Will attract a significant influx of tourism to the City of Dover and surrounding area because the Sports Complex itself will be designated as a Regional Site, by Nationally known organizations such as **Perfect Game**, **Blue Chips** and **Evoshield**, to name a few. With the backing of these organizations, our Complex will have the opportunity to attract the top Baseball and Softball Amateur Programs on the Eastern Seaboard throughout the season, which will in turn attract top college recruiters and pro scouts to this area.
- ❖ Will afford local student athletes exposure and opportunity for a college education that they may not otherwise have.
- ❖ The Hotel/Restaurant development will provide close and local service to the multiple businesses currently located in the area.

Site Development Benefits:

- ❖ The development intends to carry the costs associated with extending the existing Sewer Service along the Spaulding Turnpike to service these new business opportunities, as well as the Sports Complex.
- ❖ The development intends to carry the costs associated with extending Water, Power and other Utilities and Services from the Littleworth Road end of the development to serve both the Sports Complex as well as the new Business/Commercial development ventures.
- ❖ The development intends to carry the costs of road improvements within the site throughout the development.

Summary Statement:

The City's 14-acre parcel located along the Spaulding Turnpike for the reasons mentioned is a desirable piece of this development. The City's land along with the adjoining parcels, combine to allow a development plan that provides an exciting opportunity for a mixed use development combining Recreation and Business opportunities.

We recognize that the City's parcel of land currently falls in an Industrial Zone, while other portions of our proposed development fall within the R-20 Residential Zone. Another advantage to our Development Proposal would effectively remove up to 60 plus acres of land out of the R-Zone and set it for an Industrial Zone.

As new business/industrial development is attracted the opportunity for tax revenue is realized **without any increase in cost burden on the City in the way of education or educational infrastructure**, as our proposed development and use will take a large tract of potential housing development land out of the mix where it is currently zoned for residential development.

SPORTS COMPLEX FACILITY PROPOSED DEVELOPMENT

❖ Roads, Parking, Infrastructure:

- Extend existing Sewer & Water Utilities onto the site to service the proposed development
- Extend existing electrical and communication onto the site to service the proposed development
- Extend natural gas lines onto the site from across Littleworth Road to service the proposed development
- Build access roads and parking to standards to support the proposed development
- Build ON & OFF ramps from the south bound lane of Route 16 to service and support the proposed development

❖ 2,000 Fixed Seat Baseball Stadium

- Field Turf Baseball Field Playing Surface
- Full Concessions
- 2 Team Clubhouses & Locker Rooms
- Executive Office Suites
- Full Service Sit Down Restaurant
- Berm Style Field Seating

❖ 5 Full Size Baseball Fields/Athletic Playing Surfaces

- Up to 8 Baseball Fields (our concept plan currently calls for 5)
 - 3 field "clover leaf" style layout of baseball fields
 - 2 additional baseball fields
 - Synthetic Field Turf Playing Surfaces
 - Fields will accommodate High School Baseball Diamond
 - 2 Softball size diamonds
 - Soccer, Field Hockey & Lacrosse size playing surface

❖ 24'x24' (approx. dim.) Observation Building

- Men's & Women's Toilet Facilities
- Concessions
- Field Storage/Field Office
- 2nd & 3rd floor observation/scouting decks

❖ 1- 90,000 SF Training Field with Seasonal Domed Canopy

- Synthetic Field Turf Playing Surface

❖ 1-15,000 SF Baseball Training Facility Building

- Concrete & Steel constructed structure
- Metal Siding & Roofing
- Synthetic Field Turf Interior Training Surfaces
- Batting and Pitching Lanes
- Men's & Women's Toilet Facilities
- Retail Desk/Executive Offices

❖ Commercial PAD Site Construction

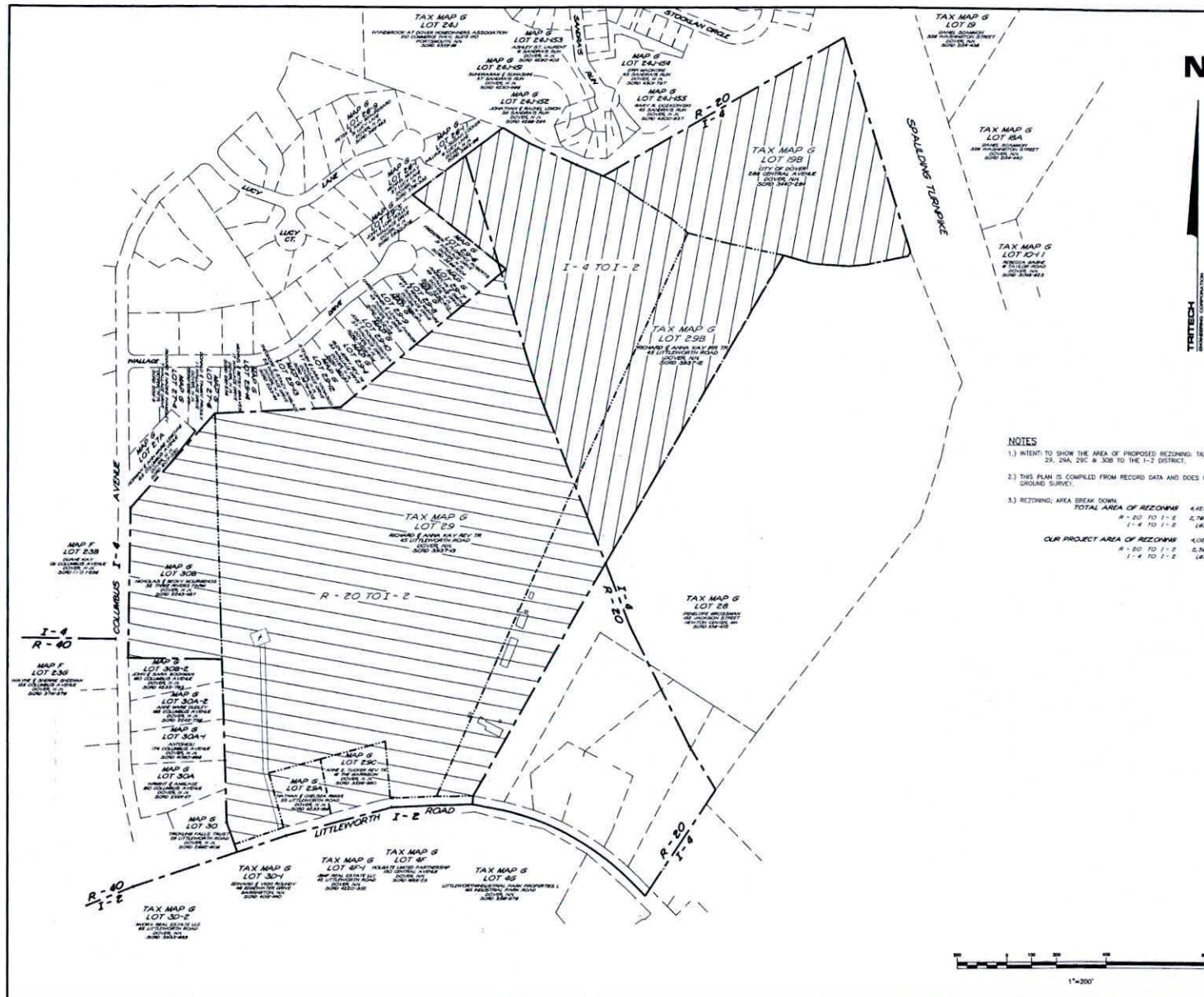
- Restaurant Activity
- Hotel Activity
- Convenience Store Activity
- Associated Parking Areas

❖ Walking Path and Park Development

- Walking/Hiking Paths
- Park & Picnic Areas and associated Landscaping

55 Calef Highway, Suite 2 Barrington, NH 03825

603-610-1784 Tel 603-766-0726 Fax



NOTES

1. INTENT TO SHOW THE AREA OF PROPOSED REZONING, TAX MAP G LOTS 19B, 29, 29A, 29C & 30B TO THE I-2 DISTRICT.
2. THIS PLAN IS COMPILED FROM RECORD DATA AND DOES NOT REPRESENT AN ON THE GROUND SURVEY.
3. REZONING: AREA BECOMES DOWN:
 TOTAL AREA OF REZONING: 4,165,027 SQFT - 94.8 ACRES
 R-20 TO I-2: 2,748,000 SQFT - 62.5 ACRES
 I-4 TO I-2: 1,417,027 SQFT - 32.3 ACRES
 OUR PROJECT AREA OF REZONING: 4,165,027 SQFT - 94.8 ACRES
 R-20 TO I-2: 2,748,000 SQFT - 62.5 ACRES
 I-4 TO I-2: 1,417,027 SQFT - 32.3 ACRES

SHEET NO.

PR21

PROPOSED REZONING PLAN
 DOVER TAX MAP G LOTS
 19B, 29, 29A, 29B, 29C & 30B
 LITTLEWORTH ROAD, COLUMBUS AVENUE
 AND THE SPALDING TURNPIKE
 DOVER, NEW HAMPSHIRE
 STRAFFORD COUNTY
 JANUARY 12, 2017 JOB NO. 16150
 SCALE: 1" = 200'

TRITECH

ENGINEERING CORPORATION

700 CAPITAL AVENUE
 DOVER, NEW HAMPSHIRE 03801
 TELEPHONE 603-748-8127
 FAX 603-748-3800



USA Training Centers
117 Gosling Rd
Newington, NH 03801
Phone: 603-431-6700
Fax: 603-431-3351
www.usatrainingcenters.com



www.usamavs.com
www.seacoastmavericks.com

January 12, 2016

VIA HAND DELIVERY

Kirt Schuman, Chairman
Dover Planning Board
City of Dover
288 Central Avenue
Dover, NH 03820

RE: Littleworth Road Zoning Amendment

RECEIVED
Planning Office

JAN 12 2017

Dear Chairman Schuman:

Dover, New Hampshire

We are pleased to present the enclosed Conceptual Master Plan in support of the zoning amendment application submitted by Richard and Anna Kay for properties located on or around Littleworth Road. The enclosed plan has been prepared on behalf of USA Training Centers, and is a conceptual rendering of the proposed use USA Training Centers envisions for a portion of the properties subject to the zoning amendment.

As you may recall, the zoning amendment application was considered by the Dover Planning Board at its December 13, 2016 meeting. At that meeting, USA Training Centers presented a "bubble" plan, which depicts areas of development proposed by USA Training Centers. As stated at the meeting, and within the rezoning amendment application, USA Training Centers intends to develop a safe, state of the art, baseball/softball and sports facility comprised of outdoor multi-purpose playing fields, and an indoor training facility, along with complimentary commercial uses such as hotels, a restaurant and other commercial uses. The bubble plan was presented as a preliminary vision of the development. At the last meeting we were requested, and agreed, to refine the proposal as to the USA Training Centers development. The plan provided herein represents those efforts.

As you may recall, we indicated to the Planning Board and the residents in attendance, that USA Training Centers wants to develop an overall facility that is feasible in terms of the objectives of USA Training Centers, but also respectful of the existing and surrounding residential uses. With that concept in mind, USA Training Centers has refined its preliminary conceptual design in a manner that results in a significant woodland buffer to the existing residential uses. USA Training Centers is willing to work with the City in order that these woodland buffers are placed in a perpetual conservation easement. In addition, in refining the conceptual design, one proposed outdoor playing field has been eliminated, and the indoor training facility has been moved away from the existing residential uses, and now abuts other industrial land. Further, the outdoor Mavericks Ballfield that will support fixed seating and concessions has been designed to be as close to the Spaulding Turnpike as possible, with a proposed hotel adjacent to this field to further serve as a buffer between the Mavericks Ballfield and the existing residential uses.

We believe the enclosed plan better defines the context the actual size of the proposed Mavericks Ballfield, which has otherwise been referred to as the "stadium." The Mavericks Ballfield will be utilized for sporting events and other family and civic oriented events that require fixed seating. The amount of seating is intended to be approximately 1,500 fixed and bleacher style seats. This amount of seating is understood to be far less than that provided for at Dunaway Field at the Dover High School.

As the Conceptual Master Plan depicts, the proposed development will offer an access point to land that is already zoned industrial. We expect, by providing the access point, that when the adjacent industrial parcels are developed, those uses can utilize the access point provided, thus reducing the need for additional industrial access points along Littleworth Road. The use of this access point for other industrial uses would not be possible through the existing residential zone. As a non-residential use, the Planning Board will, through its site plan review process, be in a position to control the traffic flow, as opposed to an unrestricted flow of traffic, should a residential use be developed.

As the development has evolved, USA Training Centers has reached out to Dover High School in order to extend the free use of the Mavericks Ballfield for all home games for both the Dover High School Varsity and Junior Varsity teams. In addition, other sports organizations have expressed an interest in utilizing the playing fields for a fee for sports such as softball, soccer and lacrosse.

The above described local civic and sporting uses are consistent with the overall vision USA Training Centers has for this development. These uses of the proposed facilities will enhance the reputation of Dover as a regional destination location. The facilities will provide increased tax revenue, provide new jobs without being a burden to the City's existing infrastructure or school budget, and will fuel youth and family tourist growth within a safe and fun environment, all located close to the interchange of the Spaulding Turnpike.

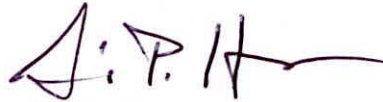
To the extent that the property is re-zoned, USA Training Centers is committed to proceeding with a site plan that will be thoroughly vetted by the City's Technical Review Committee and the Dover Planning Board. As you know, these reviews will study issues that

include civil design, dark star compliant lighting, wetland consideration, buffering to residential uses, noise and traffic. Throughout the process, USA Training Centers will continue to meet with and consider the concerns of the surrounding residential abutters.

We look forward to answering any questions that may arise regarding the plan of development intended by USA Training Centers at the January 24, 2017 public hearing regarding the zoning amendment application.

Sincerely,

USA Training Centers

A handwritten signature in dark ink, appearing to read 'D. P. Hoyt', with a long horizontal flourish extending to the right.

David Hoyt, Owner

Enclosure

cc: Christopher G. Parker, AICP, Assistant City Manager,
Director of Planning and Strategic Initiatives

Richard and Anna Kay
Bruton & Berube, PLLC
Tri-Tech Engineering Corporation



CONCEPTUAL MASTER PLAN

TRITECH
ENGINEERING CORPORATION

REVISIONS DATE:	DESCRIPTION:	

USA TRAINING CENTERS
LITTLEWORTH ROAD
DOVER, NEW HAMPSHIRE
JANUARY 12, 2016
JOB No. 16150
SCALE: 1" = 200'

C-1

SHEET NO.

755 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820
TELEPHONE 603 742 8107
FAX 603 742 9830



- ▶ PROPOSED CHANGE .. 1
- ▶ AT A GLANCE..... 1
- ▶ PURPOSE STATEMENT 2
- ▶ STORM WATER 2
- ▶ CONCEPTS..... 3
- ▶ DIMENSIONAL REGS.... 4
- ▶ ALLOWED USES 5
- ▶ ENVIRONMENTAL 7
- ▶ INFRASTRUCURE..... 7
- ▶ BIG PICTURE..... 8

City of Dover Department of Planning and Community Development

Rezoning Analysis

PROPOSED REZONING OF ASSESSORS MAP G
LOTS 19-B, 29, 29-A, 29-B, 29-C, 30-B.

Proposed

Background

In November of 2016, Planning staff received a citizen petition from USA Training and Richard and Anna Kay requesting that the City rezone 63.5 Acres from R-20 (low density residential) to I-2 (Rural Restricted Industrial), and 38.1 Acres from I-4 (Office and Assembly to I-2 (Rural Restricted Industrial).

Area Description

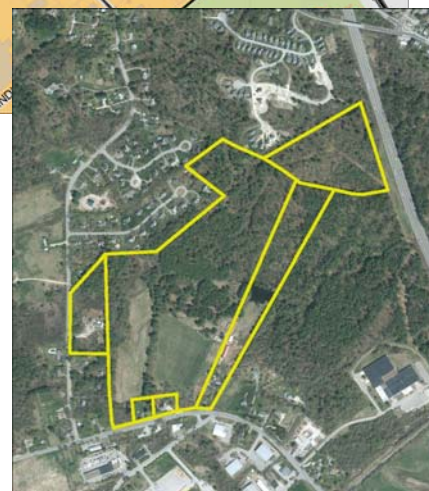
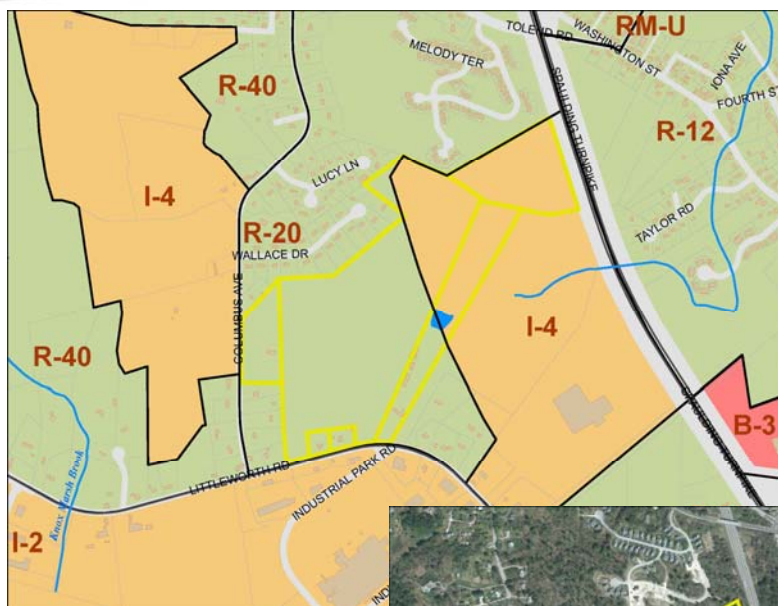
Map G, Lots 19-B, 29, 29-A, 29-B, 29-C, 30-B, contain 101.6 acres of land located between Tolend Road and the Spaulding Turnpike. The area abuts residential neighborhoods off Columbus Avenue and Tolend Road. The surrounding area is a mixture of zoning, with Industrial (I-2 and I-4) along Littleworth Road, and the westerly side of Columbus Avenue. The easterly side of Columbus Avenue is zoned R-20. The area is adjacent to the Crosby Road, Industrial Park Drive industrial land as well as Cambridge Tool and other land within the Office and Assembly (I-4) zone. The area is a mixture of fields and woods. There are topographic changes as one goes northeast towards the Spaulding Turnpike. The property has wetlands along the northerly

portion abutting Wallace Drive and the Wynbrook subdivision.

Amendment

Currently, the boundary between the R-20 and I-2 districts runs along the centerline of Littleworth Road. Furthermore, the boundary between the R-20 and I-4 runs 1,500 feet off the Spaulding Turnpike, shown above.

The proposed change relocates this boundary to include the 101 acres within the I-2 district. This new boundary would be at the northerly property boundaries. It would exchange 63.5 acres between residential and non-residentially zoned land.



AT A GLANCE:

Total Acreage (Land Use):	^{1,2}
Citywide:	15,557
Residential:	8,000
Non-Residential:	3,636
Rezoning Area:	101
Current Unit in area #:	2

Potential Unit # (No zone change):	102
Commercial Development potential	400,000 sf
Public Road Potential? (Y/N):	Y
Open Space Subdivision? (Y/N):	Y
Water (Y/N):	Y
Sewer (Y/N):	Y

Purpose Statements

Purpose statements for each zoning district assist planners and property owners in understanding the spirit and intent of the specific zone. This ensures more efficient and clear use of property.

Low Density Residential (R-20):

The purpose of this residential district is to provide for conventional single-family neighborhoods on lots not less than twenty thousand (20,000) square feet. The homes in this district are likely served by municipal sewer and water, but there are some areas that still have on-site septic systems and wells. These districts are located near major roadways. The development of parcels with at least fifteen (15) acres can be done as open space subdivisions. Agriculture and farming are promoted in this district. Some non-residential uses that are compatible with single-family homes are permitted, including churches, elementary schools, high schools and Child Care Facilities.

Assembly and Office (I-4):

The purpose of this industrial district is to provide appropriate locations for manufacturing, assembly, fabrication, packaging, distribution, laboratory, testing facility, warehousing, wholesaling, publishing and shipping activities that expand the economic base of the city and provide employment opportunities. These areas are located along major collector roads away from the downtown area. The newest industrial park developed by the city is located in this district. The minimum lot size in this district is five acres, which encourages larger industrial users.

Rural Restricted Industrial (I-2):

The purpose of this industrial district is to provide appropriate locations for manufacturing, assembly, fabrication, packaging, distribution, storage, warehousing, wholesaling and shipping activities that expand the economic base of the city and provide employment opportunities. This area is the location of one of the first industrial parks in the city, located off Littleworth Road and Knox Marsh Road in a more rural area. The smaller minimum LOT size of twenty thousand (20,000) square feet also encourages business uses such as publishing, hotels, vehicle refueling/recharging stations, restaurants, car sales, offices, and personal services.

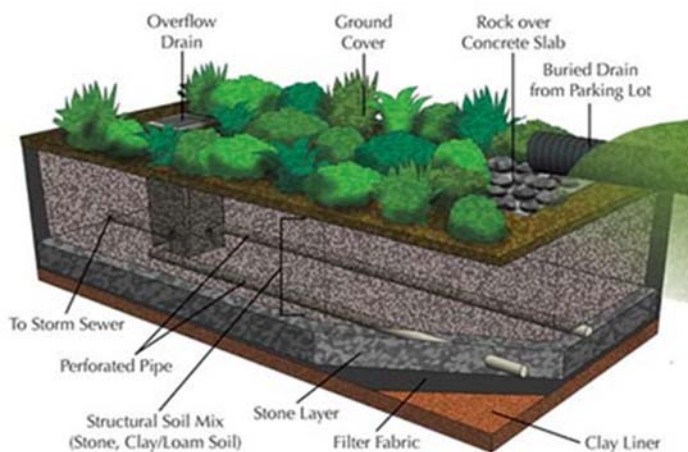
Mitigating Abutter Impact

Dover's zoning and site regulations are sensitive to impacts on residential abutters from commercial development. Examples of protections include, retention of existing trees as a landscape buffer between projects, extensive landscaping and lighting requirements, and requirements that loading facilities, parking and accessory elements be screened and away from abutters. These protections are only regulated for non-residentially zoned property, and not residential, per site plan approval.

During development review, the context of all projects is reviewed, to ensure that impacts are analyzed and mitigated on a site by site basis, understanding that each project and parcel is unique.



Stormwater Management



Dover leads the state with recently amended regulations related to Stormwater Management, within our Site Plan Regulations. The effects of development whether residential, parking lots, or commercial all impact stormwater management. The regulations manage stormwater runoff, protect water quality and quantity, minimize the contribution of a pollutant for which a water body is impaired to the maximum extent practicable, cause no discharge of runoff to an adjacent property in excess of runoff discharge in the existing developed or undeveloped condition, and encourage the use of low impact development strategies.

For new development, runoff of impervious surfaces, total suspended solids, pollutants, infiltration, water table, and plantings are all considered and regulated. The minimum protections and management standards require that all development comply with EPA Phase II stormwater rules and the City's MS4 permit. Existing waters are to be protected by buffers, with best management practices in place, such as low impact development strategies, reduced use of salt and other winter maintenance items, so that no discharge of pollutants to receiving waters is possible. To prevent issues such as pollutants entering the water system, flooding, and more, new developments must go through the City's stormwater regulations.

Development Concept Scenarios^{1,2,4}

Existing Residential/Industrial:

Description



A residential development, similar in style, and layout to that of the Wynbrook subdivision, would be realistic (both are within the R-20 district). Wynbrook encompasses 57 acres, the R-20 land is 63.72 new homes is realistic. A residential developer would seek a variance to allow the 24 remaining Kay acres to be used for residential development. This could bring the unit count to 100 new single family homes, with public roads, off Littleworth Road and Columbus Ave. Similar to Wynbrook homes, the average assessed value of the homes is estimated at \$310,825**.

The remaining I-4 land would be developed similar to Stonewall Kitchen, an 80,000 square foot facility. An approximate assessed value would be \$4,000,000.

Tax Impact

Dover's estimated tax rate is \$26.29. This provides tax revenue of approximately \$8,171 per house. This revenue is applied to the City, School, State School and County taxes. A typical single family home in Dover provides 0.5 students into the public school system. The cost to educate a child is approximately \$15,000.

4 new 1,000 foot public roads would be constructed. There would be cost for maintaining and plowing this roadway and providing other

services.

The manufacturing use would provide tax revenue of approximately \$105,160. In addition the buildings provide approximately 16 jobs to the local economy.

Traffic Impact

The Institute of Transportation Engineers identifies that 1 PM Peak hour vehicle trip per unit is generated for a single family home, resulting in 100 new trips, in the evening.

The manufacturing facility would generate 0.73 PM Peak hour vehicle trips per 1,000 sf of space. This results in 58 vehicle trips per building, in the evening. Trip generation would be more isolated due to shifts and variables such as flextime.

Abutter Impact

As this would be a major subdivision, it would be required to set aside open space, and have a 50 foot no cut buffer along the perimeter. Street trees would be required.

There is no restriction on lighting or placement of sheds/garages, other than 10 feet off a property line.

The manufacturing facility would provide 33% of the parcel as landscaped and open. A 75' setback is required from property lines.

** Lucy Ln/Ct avg is \$343,952 |Wallace is \$347,330

Proposed Rezoning:

Description

A commercial recreation complex is proposed. This would consist of four practice facilities, a 1,500 seat ball park, two hotels, a 60,000 sf indoor facility, a restaurant, and an additional commercial pad. Researching similar complexes and uses, within the City of Dover (Hotels and Restaurants) and similar sized communities, at full build out, the site could have an assessed value of \$20,000,000.

Tax Impact

Dover's estimated tax rate is \$26.29. This provides tax revenue of approximately \$525,800. The complex would provide 100 jobs to the local economy. In addition, the tourism draw this project would have could replicate the tourism draw of the Dover Arena and Outdoor pool, which bring in \$300,000 in tourism dollars each event.

Traffic Impact

The Institute of Transportation Engineers identifies that the hotels generate 0.6 PM Peak hour vehicle trips per unit. The multi-purpose facility generates 5.77 per acre. A sit

down restaurant generates 11.15 trips per 1,000 sf. The concept shows 200 hotel rooms, 4,500 sf of restaurant and there is approximately 11 acres of recreational area. This results in 120 vehicle trips for the hotel, at full occupancy, 50 trips for the restaurant and 63 vehicle trips for the recreational uses, in the evening. Trip generation would be more isolated for the tournaments and other activities where an attendee stayed at a hotel, ate at the restaurant and attended a baseball event.

Abutter Impact

Through the site plan review process, the facility would be required to contain light to the project area, conduct a sound analysis, and mitigate noise through hours of operation or methods. Regulations require that non-residential uses protect against negative impact on residential abutters.



The businesses would have typical hours of operation. Loading facilities, parking and accessory elements would be screened and located away from abutters.

Dimensional Review³

	Rural Residential (R-20)	Open Space Subdivision	Rural Restricted Industrial (I-2)	Notes
LOT				
Minimum LOT Size	20,000 sf	12,000 sf	20,000 sf	R-20 excludes wetlands
Maximum Lot Coverage	30%	10%	50%	R-20 excludes driveway
Minimum Frontage	125 ft	30 ft	100 ft	
PRINCIPAL BUILDING				
Front Setback	20 –35 ft	15 ft	50 ft	R-20 is Build to Line
Abut a Street Setback	20 –35 ft	15 ft	35 ft	R-20 is Build to Line
Side Setback	20 ft	15 ft	10 ft	
Rear Setback	30 ft	15 ft	10 ft	
Distance to existing structures	N/A	75 ft	N/A	
OUTBUILDING/ACCESSORY USE				
Front Setback	35 ft max	35 ft max	35 ft	
Abut a Street Setback	35 ft max	35 ft max	35 ft	
Side Setback	10 ft	10 ft	10 ft	
Rear Setback	10 ft	10 ft	10 ft	
HEIGHT OF BUILDING				
Principal Building	35 ft max	35 ft max	50 ft max	
Outbuilding	35 ft max	35 ft max	40 ft max	

	Office/Assembly (1-4)		Rural Restricted Industrial (I-2)	Notes
LOT				
Minimum LOT Size	5 Acres		20,000 sf	
Maximum Lot Coverage	33%		50%	
Minimum Frontage	400 ft		100 ft	
PRINCIPAL BUILDING				
Front Setback	75 ft		50 ft	
Abut a Street Setback	75 ft		35 ft	
Side Setback	75 ft		10 ft	
Rear Setback	75 ft		10 ft	
Distance to existing structures	N/A		N/A	I-4 buffer does not apply here.
OUTBUILDING/ACCESSORY USE				
Front Setback	75 ft		35 ft	In I-4, parking setback is 25 ft
Abut a Street Setback	75 ft		35 ft	
Side Setback	10 ft		10 ft	
Rear Setback	10 ft		10 ft	
HEIGHT OF BUILDING				
Principal Building	40 ft max		50 ft max	
Outbuilding	55 ft max		40 ft max	

Allowed Uses³

Rural Residential (R-20)

- ACCESSORY DWELLING UNIT
- ADULT DAY CARE ^
- ASSEMBLY HALL
- Bank ^
- Beauty and Barber Shop ^
- BED and BREAKFAST
- CHILD CARE HOME
- CONSERVATION LOT
- Dwelling, 2 Family ^
- Dwelling, 3 To 4 family ^
- DWELLING, SINGLE FAMILY
- EDUCATIONAL INSTITUTION, K-12
- FARM ANIMALS FOR FAMILY USE, for non-commercial purposes, on lots containing a one or two family dwelling*
- PUBLIC RECREATION
- ROADSIDE FARM STAND*
- Theater ^
- Veterinary Office, Animal Hospital or KENNEL*

- CHILD CARE FACILITY
- FARM *
- OFFICE ^
- PERSONAL SVC ESTAB ^
- Public Utility*
- Retail Sale of Agricultural or Farm Products Raised on Site

- Clinic
- COMMERCIAL PARKING FACILITY
- COMMERCIAL RECREATION
- Eating and Drinking Establishment*
- EDUCATIONAL INSTITUTION, POST-SECONDARY
- Establishments for the manufacture assembly*
- Fuel, Oil, or Gas Storage
- Helicopter Take Offs & Landings*
- HOTEL/MOTEL
- Industry
- LIGHT INDUSTRY
- Liquor Store
- New Car Sales
- Open Storage*
- PUBLISHING FACILITY
- Trucking Terminal
- WAREHOUSING
- WHOLESALING

Rural Restricted Industrial (I-2)

Common

Rural Residential (R-20)

Uses Permitted by Special Exception*

- ASSISTED LIVING FACILITY
- CONGREGATE CARE FACILITY
- CONTINUING CARE COMMUNITY FACILITY
- EDUCATIONAL INSTITUTION, POST SECONDARY
- ELDERLY ASSISTED CARE HOME
- Helicopter Take Offs & Landings
- NURSING HOME

Rural Restricted Industrial (I-2)

Uses Permitted by Special Exception

- AUTO SERVICE
- VEHICLE REFUELING AND RECHARGING STATION

Rural Restricted Industrial (I-2)

Uses Permitted by Conditional Use

- Alternative Treatment Center
- SELF-SERVICE STORAGE FACILITY*

^ Allowed if Subdivision is greater than 50 acres

* see zoning tables for footnotes.

WORDS IN ALL CAPS are defined in ordinance

Allowed Uses³

Office and Assembly (I-4)

- Computer and data processing
- EXCAVATION
- Laboratories and testing facilities
- Veterinary Office, Animal Hospital or Kennel*

- CHILD CARE FACILITY
- Establishments for the manufacture assembly*
- FARM *
- Helicopter Take Offs/Landing *
- OFFICE
- Public Utility*
- PUBLISHING FACILITY
- Retail Sale of Agricultural or Farm Products Raised on Site
- WAREHOUSING
- WHOLESALING

- Clinic
- COMMERCIAL PARKING FACILITY
- COMMERCIAL RECREATION
- Eating and Drinking Establishment*
- EDUCATIONAL INSTITUTION, POST-SECONDARY
- Fuel, Oil, or Gas Storage
- HOTEL/MOTEL
- Industry
- LIGHT INDUSTRY
- Liquor Store
- New Car Sales
- Open Storage*
- Trucking Terminal

Rural Restricted Industrial (I-2)

Common

Office and Assembly (I-4) Uses Permitted by Conditional Use

- SELF-SERVICE STORAGE FACILITY*

Rural Restricted Industrial (I-2) Uses Permitted by Special Exception

- AUTO SERVICE
- VEHICLE REFUELING AND RECHARGING STATION

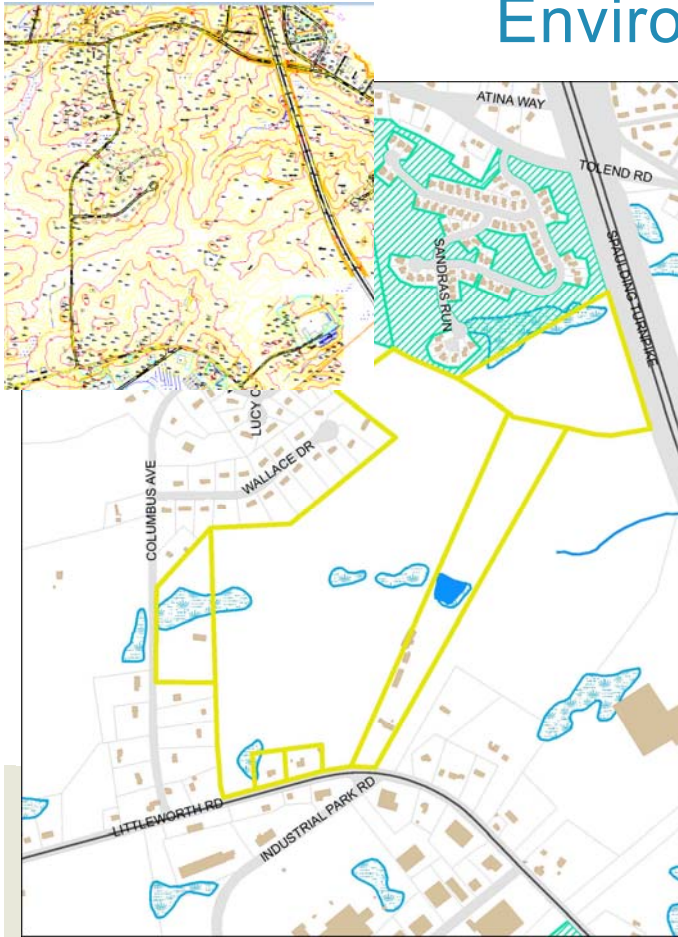
Rural Restricted Industrial (I-2) Uses Permitted by Conditional Use

- Alternative Treatment Center
- SELF-SERVICE STORAGE FACILITY*

* see zoning tables for footnotes.

WORDS IN ALL CAPS are defined in ordinance

Environmental Review²



Introduction

Prior to any development of a site, the developer would be required to review and document environmental and topographic constraints that exist on the parcel. This concept review was completed using the City's Geographic Information System Data.

Property Description

The main portion of the 101 acre area is roughly arranged in a rectangular shape. As the crow flies from Littleworth Rd to the City parcel, it is 3,600'. From Columbus Ave to the farm pond is 1,200'. The area is wooded with fields, used by cows today with two homes along Littleworth Road. It has access from both Littleworth Road and Columbus Avenue.

Wetlands/Soils

The area appears to have a few

swaths of wetlands contained within it. The primary area is south of the Wallace Drive subdivision, with another area south of the Wynbrook subdivision. This is consistent with soils found on adjacent parcels. Staff believes that the area of wetlands is under represented on the adjacent image.

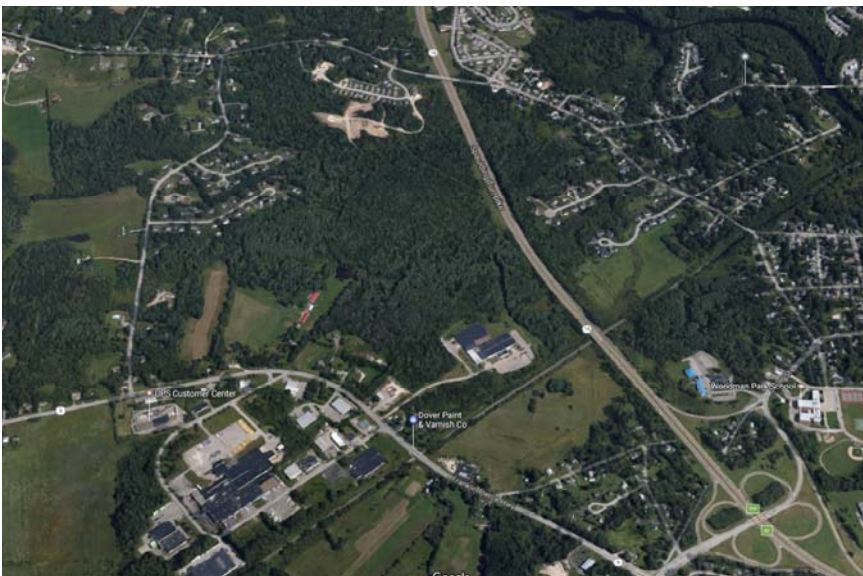
Floodplain Development

There appear to be no major flooding concerns for the area. A review of the FEMA mapping for the area, indicates that the property is 3,000' from the Cochecho River.

Topography

The area is 140' above sea level at Littleworth Road. Wallace Drive is at elevation of 150'. There are hills and valleys within the area. Along the Spaulding Turnpike the elevation is 100', level with the turnpike.

Transportation and Infrastructure²



parcel lies along NH Route 9, and is within approximately a mile of NH Route 16, accessible by Exit 8. The State of NH replaced the bridge over the rail line. It and other infrastructure along Littleworth Road can accommodate multiple modes of transit, including truck traffic and mass transit.

Access is also possible from Columbus Avenue and would be reviewed for proper traffic impacts and mitigation.

any improvements necessary to the road network, especially any intersections with Littleworth Road.

Utilities—Public

A 8" municipal water line, in need of upgrade, is located in Littleworth Road with an additional 12" line in Columbus Avenue. Sanitary sewer is located within the subject parcel in the City's property and runs along the Spaulding Turnpike. The land is vacant, so no tie ins are present.

Utilities—Private

Eversource provides electric power to the parcel via service off Littleworth Road and Columbus Avenue. Natural Gas and Telecommunications lines are located within the ROW of Littleworth Road.

Introduction

When reviewing the appropriateness of developing a parcel, transportation and utility infrastructure are reviewed to under-

stand development costs.

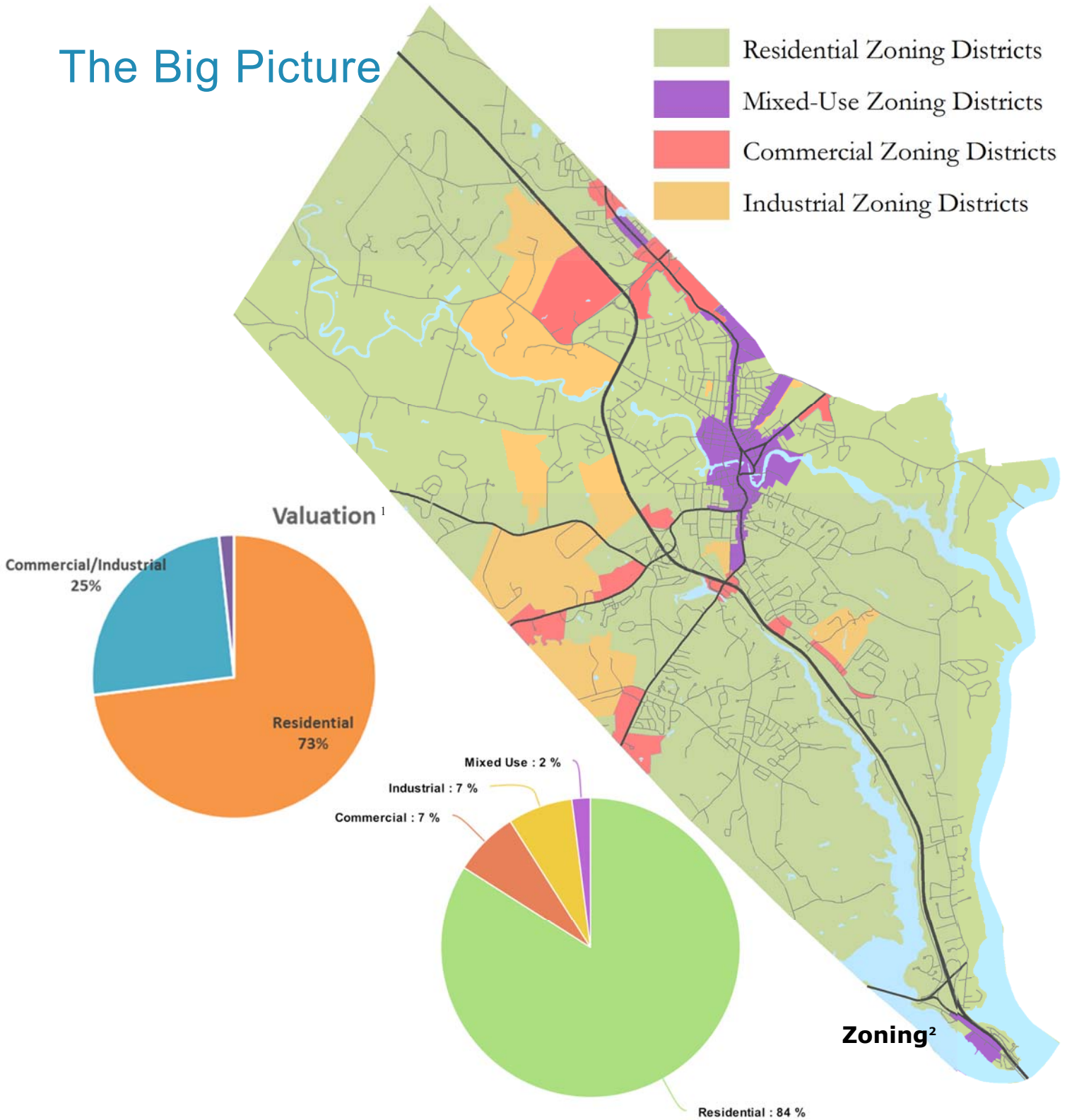
Transportation Network

As seen above, the subject

tion.

Any development of the proposed area would include a traffic analysis, which would look, amongst other things, at

The Big Picture



City Council Goal and Objective:

In Dover, a new City Council will meet and create goals for its term.

The 2016—2017 Council goals include the following:

“Goal: Implement Long-Term Economic Development

Strategic Objective 3: Identify and rezone appropriate property parcels to spur/enhance commercial development to further balance the commercial-to-residential ratio by five percent in 10 years (measured annually)”

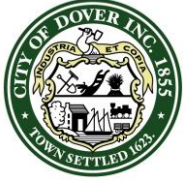
Sources

1 = Tax Assessment Data

2 = Planning Department Land Use Data/Analysis

3 = Chapter 170, Zoning, of the City Code

4 = School District Enrollment Data and FY17 Budget



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P16-36

Application Type:	Citizen Petition for Rezoning
Applicant(s):	USA Training Centers and Richard & Anna Kay
Owner(s):	Multiple (See attached application)
Location:	Littleworth Road, Tolend Road & Columbus Ave (Assessor's Map G, Lots 19-B, 29, 29-A, 29-B, 29-C, 30-B)
Meeting Date:	January 24, 2017

INTENT: A request by a citizen proposes to rezone six (6) parcels that total approximately 106.45 acres from Assembly and Office (I-4) and Low-Density Residential (R-20) to Rural Restricted Industrial (I-2).

LOTS/UNITS PROPOSED: None at this time

AGENDA ITEM #: 4-B

ACREAGE: 106.45 acres

ZONING DISTRICT: Assembly and Office (I-4) and Low-Density Residential (R-20)

EXISTING LAND USE: Residential and Agriculture

PROPOSED LAND USE: Commercial Recreation

SURROUNDING LAND USE: Residential, Industrial, and vacant

ZBA ACTION: None granted

ATTACHMENTS: Application, plan, narrative, rezoning analysis and abutter emails from December 14 to January 18.

APPLICATION IS COMPLETE: Yes

NOTICES SENT: Abutter notices sent via first class mail for this meeting

PERMITS REQUIRED: N/A

WAIVERS REQUESTED: N/A

Summary of Request and Background

The applicant appeared before the Board on December 13. The Board voted to post the amendment and hold a public hearing. While abutters took the opportunity to speak at the Citizen's Forum as part of the December 13th meeting, this is the first public hearing for this application.

The applicant is requesting to rezone six parcels on Littleworth Road, Tolend Road and Columbus Ave Assembly and Office (I-4) and Low-Density Residential (R-20) to Rural Restricted Industrial (I-2).

The process for handling the petitioned amendment is outlined in Chapter 170-53-C-3.

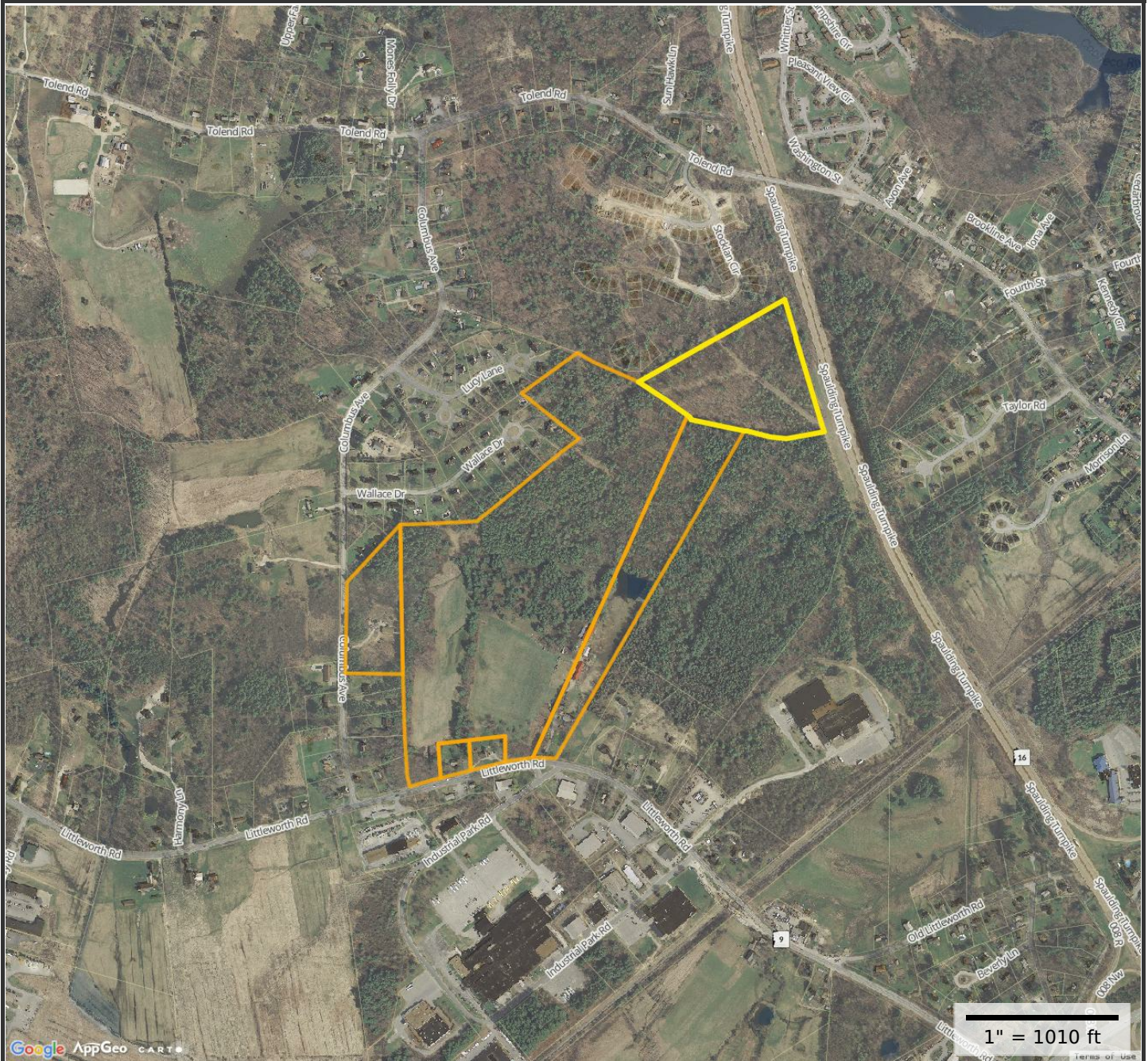
Staff has put together a rezoning report for the Board to help present the information. This report is also available online in the meeting materials.

After tonight's public hearing the Board may schedule a second public hearing or go ahead and vote whether they recommend this zoning change to the City Council or not.

STAFF RECOMMENDATION:

The Planning Board should remove the item from the table, re-open the public hearing, allow the applicant to present any new material rezoning request, receive input from abutters, and make a recommendation to the City Council.

Littleworth Road, Tolend Road, Columbus Avenue

**Property Information**

Property ID G0019-B00000
Location TOLEND RD
Owner CITY OF DOVER



**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.

Parcels updated 11/15/2016
Properties updated 12/07/2016



January 23, 2017

Dover City Council
City of Dover
288 Central Avenue
Dover, NH 03820

Re: Annual Customer Notice

Dear Members of the Council:

Each year Comcast provides its customers with annual notices, including such information as Comcast's customer privacy policy, payment procedures, equipment compatibility and billing dispute and complaint procedures.

In accordance with RSA 53-C:3-d, enclosed please find a copy of the inserts received by customers in their bills during **2016**. In addition, please find a copy of the Affidavit submitted to the Attorney General's Office certifying the inclusion of such documents into customer bills during the **2016** calendar year.

Should you have any questions, please do not hesitate to contact me at 603-224-1871, ext. 202.

Very truly yours,

Bryan Christiansen

Bryan Christiansen, Sr. Manager
Government & Regulatory Affairs

AFFIDAVIT

Customer Annual Notice

I, Ronni Summerton, certify that Comcast of Connecticut/Georgia/Massachusetts/New Hampshire/New York/North Carolina/Virginia/Vermont, LLC, Comcast of Maine/New Hampshire, Inc., Comcast of Massachusetts/New Hampshire, LLC and Comcast of New Hampshire, Inc. complied with New Hampshire RSA 53-C:3-d (Notices to Subscribers Regarding Quality of Service) by providing each customer located in the communities attached hereto an insert regarding 1) ***Customer Privacy Notice***, 2) ***Notice to Customers Regarding Equipment Compatibility & Important Information***. Each notice was submitted with subscriber bills in February and September of 2016 respectively.



Signature

Ronni Summerton

Print Name

January 23, 2017

Date

Attachments



X64199

Comcast Customer Privacy Notice For Cable Video, High-Speed Internet, Phone, and Home Security Services

Why is Comcast providing this notice to me?

As a subscriber to cable service or other services provided by Comcast, you are entitled under Section 631 of the federal Cable Communications Policy Act of 1984, as amended, (the "Cable Act") to know the following:

- the limitations imposed by the Cable Act upon cable operators in the collection and disclosure of personally identifiable information about subscribers;
- the nature of personally identifiable information we collect;
- the nature of the use of personally identifiable information;
- under what conditions and circumstances we may disclose personally identifiable information and to whom;
- the period during which we maintain personally identifiable information;
- the times and places at which you may have access to your personally identifiable information; and
- your rights under the Cable Act concerning personally identifiable information and its collection and disclosure.

Personally identifiable information is information that identifies a particular person; it does not include de-identified, anonymous, or aggregate data that does not identify a particular person or persons. This notice is also provided to you in accordance with applicable California law, which only applies to our customers located in California who are served by a cable television corporation.

In addition, Section 222 of the Communications Act of 1934, as amended, (the "Communications Act") provides additional privacy protections for certain information related to our phone and Internet services:

- information about the quantity, technical configuration, type, destination, location, and amount of your use of the phone and Internet services; and
- information contained on your bill concerning the type of phone and Internet services and features you receive.

That information is known as customer proprietary network information or CPNI for short. This notice, which includes our CPNI Policy, describes what CPNI information we obtain, how we protect it, and how it may be used. If you are a customer of our phone and Internet services, you have the right, and Comcast has a duty, under the Communications Act and applicable state law, to protect the confidentiality of CPNI. In addition, the FCC's rules provide additional privacy protections specific to our phone services that we describe in this notice.

We explain below under "HOW DO I GIVE OR WITHHOLD MY APPROVAL FOR COMCAST TO USE CPNI TO MARKET ADDITIONAL PRODUCTS AND SERVICES TO ME?" how you can approve our use of CPNI or withdraw your approval in the event Comcast decides to use CPNI for marketing purposes.

Special Note: Our CPNI Policy applies to the voice and Internet communications-related services provided by the applicable Comcast operating company that delivers those services to our customers.

In this notice, the terms "Comcast," "we," "us," or "our" refer to the operating company subsidiary or subsidiaries of Comcast Corporation that (i) owns and/or operates the cable television system in your area pursuant to a cable television franchise with the local franchising authority, or (ii) is the operating company that delivers voice services in your area. The term "you" refers to you as a subscriber to one or more of our cable service and other services.

I. Collection

What kind of information does this notice apply to?

The Cable Act applies to personally identifiable information that you have furnished to Comcast, or that Comcast has collected using the cable system, in connection with the provision of cable service or other services. The Communications Act applies to CPNI related to our regulated phone and Internet services, and certain orders of the Federal Communications Commission apply the CPNI rules to our interconnected voice over Internet protocol communications services.

Special Note: This notice only applies to our cable video service, our high-speed Internet service, our phone and communications services, and our home security service. It applies to you as a subscriber to one or more of these services as provided for by applicable law and except as otherwise noted. It does not cover information that may be collected through any other products, services, or websites, even if you access them through our cable services and even if they are co-branded with Comcast brands or the brands or logos of our affiliated companies. You should read the privacy policies for these other products, services, and

websites to learn how they handle your personal information. You can read the privacy policy for Comcast's web services at <http://xfinity.comcast.net/privacy/>.

For what purposes may Comcast collect personally identifiable information and CPNI?

The Cable Act authorizes Comcast as a cable operator to use the cable system to collect personally identifiable information concerning any subscriber for the following purposes:

- to obtain information necessary to render our cable service or other services to our subscribers; and
- to detect unauthorized reception of cable communications.

The Cable Act prohibits us from using the cable system to collect personally identifiable information concerning any subscriber for any purposes other than those listed above without the subscriber's prior written or electronic consent.

The Communications Act authorizes us to use, disclose, or permit access to individually identifiable CPNI in our provision of:

- the telecommunications services from which this information is derived; or
- services necessary to, or used in, the provision of these services, including the publishing of directories.

The Communications Act prohibits us from using CPNI for any purposes other than those listed above except as permitted or required by law or with your approval.

What kind of personally identifiable information and CPNI does Comcast collect?

Comcast collects information from you at several different points when you request, turn on, and use our services under an account we create for you. Some of this information is personally identifiable information, but much of it is not. We collect certain personally identifiable information that our subscribers furnish to us in connection with the provision of cable service or other services. In order to provide reliable, high quality service to you, we keep regular business records containing information about you that may constitute personally identifiable information. These account records include some, but typically not all, of the following information:

- your name;
- service address;
- billing address;
- e-mail address;
- telephone number;
- driver's license number;
- social security number;
- bank account number; and
- credit card number.

With respect to phone services, examples of CPNI include information typically available from telephone-related details on your monthly bill:

- location of service;
- technical configuration of service;
- type of service;
- quantity of service;
- amount of use of service; and
- calling patterns

CPNI does not include your name, address, and telephone number because the Communications Act classifies that information as "subscriber list information" which is not subject to the CPNI protections. However, that information is also subject to certain protections as described below under "To whom may Comcast disclose personally identifiable information?" The FCC has not yet adopted specific rules or definitions regarding CPNI as it relates to Internet access.

We also collect and maintain certain other information about your account. For example, this information may include:

- your account number;
- billing, payment, and deposit history;
- additional service information;
- customer correspondence and communications records;
- maintenance and complaint information;
- the device identifiers and network addresses of equipment used with your account;
- records indicating the number of television sets, set-top boxes, modems, telephones, home security and automation devices, or other devices connected to our cable system; and
- additional information about the service options you have chosen.

Some of our services permit you to establish secondary accounts, and if you do so we collect similar information in order to establish and service the secondary accounts. During the initial provisioning of our services, and during any subsequent changes or updates to our services, Comcast may collect technical information about your televisions, any set-top boxes, computer hardware and software, cable modems, telephones, other cable or other service-related devices, home security and automation devices, and customization settings and preferences. Additionally, if you rent your residence, we may have a record of whether landlord permission was required prior to installing our cable services as well as your landlord's name and address.

What kind of information does Comcast collect if I use cable video services?

When you use cable video services, our cable system automatically

generates information about your use of the services and their features, and we collect much of this information as part of providing services to you. For example, we receive information about the use of set-top boxes, remote controls, electronic program guides, video players, applications, and other devices and software connected to our cable system. This information includes which channels, programs, and advertisements are viewed and for how long, for example. It may also include information about navigation through program guides and applications, and use of devices like remote controls and tablets. Except as described below, we collect this *activity data* without names and addresses or other personally identifiable information and we consider it *de-identified* data.

Our system may collect activity data with personally identifiable information for particular requests or transactions like when you order a pay-per-view program or purchase a product. This information typically consists of account and billing-related information such as the programs or other products, services, or features ordered so that you may be properly billed for them. Follow your program guide commands or any special instructions on your screen when you make these transactional requests. These commands and instructions will explain your choices so that you can complete or cancel your requests as you wish.

What kind of information do you collect and use to improve your cable services and deliver relevant advertising?

Comcast's cable system, set-top boxes, and other equipment generate activity data that we collect and store. We use this information for a number of purposes including to determine which programs are most popular, how many people watch a program to its conclusion, and whether people are watching commercials. As described below under "How does Comcast use personally identifiable information and CPNI?", we may also provide information like subscriber lists or certain de-identified, anonymous, and/or aggregate information (such as activity data) to third parties working on our behalf -- such as audience measurement or market research firms. We, or these firms, working as our service providers, may combine this information with aggregated or non-aggregated demographic information (such as census records) and other audience attributes, such as purchasing data, demonstrated interests (for example, in sports programs or movies), loyalty programs, organizational affiliations, advertiser customer lists, and the like to provide us with audience analysis data. We require third parties working on our behalf to treat all information we provide as confidential and to use it only for Comcast's business purposes. We may also work with academic or research interest groups to analyze de-identified, anonymous, and/or aggregate information we provide to them for specific purposes or projects.

We use this information and analysis to improve our cable video service and other services and make programming and advertising more relevant to our subscribers. We may also use this information to distribute and deliver relevant programming and advertising to you without disclosing personally identifiable information about you to programmers or advertisers. In addition to this privacy notice, we may provide additional notices to you regarding specific advertising or other initiatives. These notices will describe the initiatives in greater detail and may, as appropriate, contain information you can use to choose to participate, or not participate, in these initiatives.

II. Use

How does Comcast use personally identifiable information and CPNI?

We collect, maintain, and use personally identifiable information and CPNI as permitted by the Cable Act and the Communications Act and other applicable laws. We use this information primarily to conduct business activities related to providing you with our cable service and other services, and to help us detect theft of service. Generally speaking, we use personally identifiable information in connection with:

- billing and invoicing;
- administration;
- surveys;
- collection of fees and charges;
- marketing;
- service delivery and customization;
- maintenance and operations;
- technical support;
- hardware and software upgrades; and
- fraud prevention.

More specifically, we also use personally identifiable information to:

- install, configure, operate, provide, support, and maintain our cable service and other services;
- confirm you are receiving the level(s) of service requested and are properly billed;
- identify you when changes are made to your account or services;
- make you aware of new products or services that may be of interest to you;
- understand the use of, and identify improvements to, our services;
- detect unauthorized reception, use, or abuse of our services;
- determine whether there are violations of any applicable policies and terms of service;
- manage the network supporting our services;

- configure cable service and other service-related devices; and
- comply with law.

The Communications Act further permits Comcast to use, disclose, and permit access to CPNI obtained from our customers, either directly or indirectly, to:

- initiate, render, bill, and collect for telecommunications services;
- protect our rights and property, and protect our users of these services and other carriers from fraudulent, abusive, or unlawful use of, or subscription to, these services;
- provide any inbound telemarketing, referral, or administrative services to you for the duration of the call, if you initiated the call and you approve of the use of this information to provide these services; and
- to provide call location information concerning the user of a commercial mobile phone service.

Comcast may not use CPNI to market products and services to you other than enhancements to services you already have without your approval in accordance with our policies described below.

Comcast transmits, and may collect and store for a period of time, personally identifiable and non-personally identifiable information about you when you use our high-speed Internet and phone services to:

- send and receive e-mail, video mail, and instant messages;
- transfer and share files;
- make files accessible;
- visit websites;
- place or receive calls;
- leave and receive voice mail messages;
- use the applicable communications center or voice center;
- establish custom settings or preferences;
- communicate with us for support; or
- otherwise use the services and their features.

Comcast transmits, collects, and stores comparable information when you use our home security service. Our transmission, collection, and storage of this information is necessary to render the services. In certain situations, third-party service providers may transmit, collect, and store this information on our behalf to provide features of our services. These third parties are not permitted to use your personally identifiable information except for the purpose of providing these features.

How does Comcast use activity data and other data in connection with cable video service?

We associate activity data with particular devices such as set-

top boxes, portable devices, and other supported devices so that we know where to deliver the services and how to troubleshoot them. In general, Comcast uses de-identified and aggregate activity information to understand better how our customers use our products and services so that we can improve them, including by delivering more relevant content and advertising. We may try to determine how well our products and services deliver value to our customers, for example, by determining which programs are most popular, how many people watch a program to its conclusion, and whether and how often people are watching commercials. As discussed below, we may also combine activity data with other non-personally identifying demographic and similar information from our business records.

When we collect activity data, we may also use it to determine how many people view commercials (impressions) and to provide de-identified or aggregate reports to third-party advertisers. When we do this reporting on advertising impressions we do not provide any personally identifiable information about our subscribers to third-party advertisers. We, or our service providers, may combine de-identified activity data with other data to determine and report how an advertiser's messages are viewed, including on other platforms and services.

We may also use activity data to help us learn how popular certain programs are and how our customers as a whole generally prefer to view certain kinds of programming using cable video service (such as whether they like to watch certain programs live, or they prefer to view them when we offer them on demand, on mobile devices, or online). As described below, this may require us to compare or combine activity data on our cable system with online activity data. We may also use activity data to determine whether promoting content and services in certain ways helps attract a larger audience and more customers. While we may provide aggregate reports on these observations to programmers or others, we do not provide any personally identifiable information about our subscribers, or the activities of individual subscribers, to those programmers and others.

We may also use, or combine information about, your use of our cable services with other information we obtain from our business records (such as your Comcast account number or device identifiers), or from third parties, to deliver better and more relevant products, services and advertising. However, we do not store or share your activity data in association with your name or address, except as necessary to render or bill for our services. We may try to determine, using aggregated data, which groups of our customers use which of our products and services and how they use them. To do this we, or third parties working on our behalf, may combine demographic and other generally available information, or advertiser information, including purchasing data and membership in loyalty programs, with our subscriber lists.

From this information, we or our third party providers prepare de-identified and aggregated reports about how groups of customers with common characteristics – such as age and gender, or a demonstrated interest in a particular third party product – use our services and respond to the programming and advertising that we distribute. We may use this information to improve and communicate with you about our own products and services, and also to help us deliver relevant information and advertising on behalf of other companies and advertisers to certain subscriber groups – known as *ad groups* – who may be most interested in this information and advertising. When we do this, we do not share your personally identifiable information with these advertisers, unless you provide your express consent.

We may also combine personally identifiable information, which we collect as described in this notice as part of our regular business records, with personally identifiable information obtained from third parties for the purpose of creating an enhanced database or business records. We may use this database and these business records for marketing, advertising, and other activities related to our cable service and other services. We also maintain records of research concerning subscriber satisfaction and viewing habits, which are obtained from subscriber interviews, questionnaires, and surveys or panels.

How does Comcast use information about use of cable video services on other platforms like websites or mobile applications?

We may compare or combine information such as *activity data* we receive when you use cable video services to view content or advertising with information about your use of content and advertising that we deliver on other platforms, such as on our Xfinity websites and mobile applications. We may also compare or combine this information or data with that generated by your viewing of advertising placed or sold by Comcast on other websites and mobile applications. We do this to better understand, among other things, how our customers access and use our products and services in all of the places that we offer them.

III. Disclosure

Under what circumstances may Comcast disclose personally identifiable information to others?

Comcast considers the personally identifiable information contained in our business records to be confidential. The Cable Act authorizes Comcast as a cable operator to disclose personally identifiable information concerning any subscriber if the disclosure is:

- necessary to render, or conduct a legitimate business activity related to, the cable service or other services provided to the subscriber;

- required by law or legal process (described below under “When is Comcast required by law to disclose personally identifiable information and CPNI by law?”); or
- of the names and addresses of subscribers for “mailing list” or other purposes (subject to each subscriber’s right to prohibit or limit this disclosure and the CPNI Policy described below under “How do I place myself on Comcast’s ‘do not call’ and ‘do not mail’ lists?”).

The Cable Act prohibits us as a cable operator from disclosing personally identifiable information concerning any subscriber for any purposes other than those listed above without the subscriber’s prior written or electronic consent.

To whom may Comcast disclose personally identifiable information?

We may disclose personally identifiable information as provided for in the Cable Act when it is necessary to render, or conduct a legitimate business activity related to, the cable service or other services we provide to you. These kinds of disclosures typically involve billing and collections, administration, surveys, marketing, service delivery and customization, maintenance and operations, incident verification and response, service notifications, fraud prevention, and services to improve our programming and advertising offerings, for example. We may also collect, use, and disclose information about you in de-identified, anonymous, or aggregate formats, such as ratings surveys and service usage and other statistical reports, which do not personally identify you, your particular viewing habits, or the nature of any transaction you have made over the cable system. The frequency of any disclosure of personally identifiable information varies in accordance with our business needs and activities.

The Cable Act authorizes Comcast as a cable operator to disclose limited personally identifiable information to others, such as charities, marketing organizations, or other businesses, for cable or non-cable “mailing list” or other purposes. From time to time we may disclose your name and address for these purposes. However, you have the right to prohibit or limit this kind of disclosure by contacting us by telephone at 1-800-XFINITY or by sending us a written request as described below under “How do I contact Comcast?” Any “mailing list” and related disclosures that we may make are limited by the Cable Act to disclosures of subscriber names and addresses where the disclosures do not reveal, directly or indirectly, (i) the extent of any viewing or other use by the subscriber of a cable service or other service provided by us; or (ii) the nature of any transaction made by the subscriber over our cable system.

We may sometimes disclose personally identifiable information about you to our affiliates or to others who work for us. We

may also disclose personally identifiable information about you to outside auditors, professional advisors, service providers and vendors, potential business merger, acquisition, or sale partners, and regulators. We make these disclosures as provided for in the Cable Act. Typically, we make these disclosures when the disclosure is necessary to render, or conduct a legitimate business activity related to, the cable service or other services we provide to you. We may be required by law or legal process to disclose certain personally identifiable information about you to lawyers and parties in connection with litigation and to law enforcement personnel.

If we (or our parent company) enter into a merger, acquisition, or sale of all or a portion of our assets, subscribers' personally identifiable information will, in most instances, be one of the items transferred as part of the transaction. If this notice will be changed as a result of a transaction like that, you should refer below under "Will Comcast notify me if it changes this notice?"

We may also use or disclose personally identifiable information about you without your consent to protect our customers, employees, or property, in emergency situations, to enforce our rights under our terms of service and policies, in court or elsewhere, and as otherwise permitted by law.

When may Comcast disclose personal information to others in connection with phone service?

Comcast may disclose to others personally identifiable information in connection with features and services such as Caller ID, 911/E911, and directory services as follows:

- We may transmit your name and/or telephone number to be displayed on a Caller ID device unless you have elected to block such information. Please note that Caller ID blocking may not prevent the display of your name and/or telephone number when you dial certain business or emergency numbers, 911, 900 numbers, or toll-free 800, 888, 877, 866 or 855 numbers.
- We may provide your name, address, and telephone number to public safety authorities and their vendors for inclusion in E911 databases and records, inclusion in "reverse 911" systems, or to troubleshoot 911/E911 record errors.
- We may publish and distribute, or cause to be published and distributed, telephone directories in print, on the Internet, and on disks. Those telephone directories may include subscriber names, addresses, and telephone numbers, without restriction to their use.
- We may also make subscriber names, addresses, and telephone numbers available, or cause such subscriber information to be made available, through directory assistance operators.

- We may provide subscribers' names, addresses, and telephone numbers to unaffiliated directory publishers and directory assistance providers for their use in creating directories and offering directory assistance services.
- Once our subscribers' names, addresses, and telephone numbers appear in telephone directories or directory assistance, they may be sorted, packaged, repackaged and made available again in different formats by anyone.

We take reasonable precautions to ensure that non-published and unlisted numbers are not included in our telephone directories or directory assistance services, but we cannot guarantee that errors will never occur.

When is Comcast required to disclose personally identifiable information and CPNI by law?

We make every reasonable effort to protect subscriber privacy as described in this notice. Nevertheless, we may be required by law to disclose personally identifiable information or individually identifiable CPNI about a subscriber. These disclosures may be made with or without the subscriber's consent, and with or without notice, in compliance with the terms of valid legal process such as a subpoena, court order, or search warrant.

For subscribers to our cable video service, Comcast may be required as a cable operator to disclose personally identifiable information to a third-party or governmental entity in response to a court order. If the court order is sought by a non-governmental entity, we are required under the Cable Act to notify the subscriber of the court order. If the court order is sought by a governmental entity, the Cable Act requires that the cable subscriber be afforded the opportunity to appear and contest in a court proceeding relevant to the court order any claims made in support of the court order. At the proceeding, the Cable Act requires the governmental entity to offer clear and convincing evidence that the subject of the information is reasonably suspected of engaging in criminal activity and that the information sought would be material evidence in the case.

For subscribers to our high-speed Internet, phone, and home security services, Comcast may be required to disclose personally identifiable information and individually identifiable CPNI to a private third party in response to a court order, and, if so, we are required to notify the subscriber of the court order. Comcast may also be required to disclose personally identifiable information and individually identifiable CPNI about subscribers to high-speed Internet, phone, and home security services to a government entity in response to a subpoena, court order, or search warrant, for example. We are usually prohibited from notifying the subscriber of any disclosure of personally identifiable information to a government entity by the terms of the subpoena, court order, or search warrant.

How does Comcast protect personally identifiable information?

We follow industry-standard practices to take such actions as are necessary to prevent unauthorized access to personally identifiable information by a person other than the subscriber or us. However, we cannot guarantee that these practices will prevent every unauthorized attempt to access, use, or disclose personally identifiable information.

How long does Comcast maintain personally identifiable information?

Comcast maintains personally identifiable information about you in our regular business records while you are a subscriber to our cable service or other services. We also maintain this information for a period of time after you are no longer a subscriber if the information is necessary for the purposes for which it was collected or to satisfy legal requirements. These purposes typically include business, legal, or tax purposes. If these purposes no longer apply, we will destroy, de-identify, or anonymize the information according to our internal policies and procedures.

IV. Customer Access and Choice

How can I see my personally identifiable information or CPNI and correct it, if necessary?

You may examine and correct, if necessary, the personally identifiable information regarding you that is collected and maintained by Comcast in our regular business records. In most cases, the personally identifiable information contained in these records consists solely of billing and account information. We will correct our records if you make a reasonable showing that any of the personally identifiable information we have collected about you is inaccurate.

If you have Internet access, you can view and change certain information yourself by going to www.comcast.com/myaccount and signing in with your Comcast username and password to access the My Account feature. If you are a home security customer, you can go to the subscriber portal at www.xfinity.com/xhportal.

You may also examine the records containing your personally identifiable information at your local Comcast office upon reasonable prior notice to us and during our regular business hours. If you wish to examine these records, please contact us by mail or telephone at 1-800-XFINITY, giving us a reasonable period of time to locate and, if necessary, prepare the information for review, and to arrange an appointment. You will only be permitted to examine records that contain personally identifiable information about your account and no other account.

If you make an affirmative, written request for a copy of your CPNI, we will disclose the relevant information we have to you at your

account address of record, or to any person authorized by you, if we reasonably believe the request is valid. However, subscribers to our phone services should be aware that we generally do not provide them with records of any inbound or outbound calls or other records that we don't furnish in the ordinary course of business (for example, as part of a bill) or which are available only from our archives, without valid legal process such as a court order. In addition, we cannot correct any errors in customer names, addresses, or telephone numbers appearing in, or omitted from, our or our vendors' directory lists until the next available publication of those directory lists. Further, we may have no control over information appearing in the directory lists or directory assistance services of directory publishers or directory assistance providers that are not owned by our subsidiaries or us.

Comcast reserves the right to charge you for the reasonable cost of retrieving and photocopying any documents that you request.

How do I manage or opt out of uses of information about my Comcast account?

You may opt out of receiving more relevant advanced advertising delivered with programs made available through our cable video service by going to <http://www.comcast.com/adservices>. Even if you opt out, you will still receive advertising and we will continue to send you Comcast marketing messages based on the way you use our products and services and the information we have collected about you.

How do I give or withhold my approval for Comcast to use CPNI to market additional products and services to me?

Various direct and indirect subsidiaries of Comcast Corporation offer many communications-related and non-communications related services, such as high-speed Internet and home security services. From time to time we may like to use the CPNI information we have on file to provide you with information about our communications-related products and services or special promotions. Our use of CPNI may also enhance our ability to offer products and services tailored to your specific needs. In addition, Comcast also offers various other services that are not related to the services to which you subscribe. Under the CPNI rules, some of those services, such as Comcast cable video services, are considered to be non-communications related products and services. Therefore, you may be asked during a telephone call with one of our representatives for your oral consent to Comcast's use of your CPNI for the purpose of providing you with an offer for communications related or non-communications related products and services. If you provide your oral consent for Comcast to do so, Comcast may use your CPNI only for the duration of that telephone call in order to offer you additional services.

If you deny or restrict your approval for us to use your CPNI, you

will suffer no effect, now or in the future, on how we provide any services to which you subscribe.

How do I place myself on Comcast's "do not call" and "do not mail" lists?

You may contact Comcast at 1-800-XFINITY to ask us to put your name on our internal company "do not call" and "do not mail" lists so that you do not receive marketing or promotional telephone calls or postal mail from us or made at our request. You also have the right to prohibit or limit disclosure of your personally identifiable information for "mailing list" or other purposes as described above in this notice by contacting us at 1-800-XFINITY.

If you prefer to contact Comcast in writing instead of by telephone, you may send a written request to the address listed below under "How do I contact Comcast?" Be sure to include your name and address, your Comcast account number, and a daytime telephone number where you can be reached in the event we have any questions about your request. The person who is identified in our billing records as the subscriber should sign the written request. If you have a joint account, a request by one party will apply to the entire account. If you have multiple accounts, your notice must separately identify each account covered by the request.

What email communications will Comcast send to me and how do I manage them?

We may send a welcome email and sometimes other information to new subscribers to our cable service and other services (including each new secondary account holder, where applicable). We may also send service-related announcements to our subscribers from time to time. For example, we may send you an email announcement about a pricing change, a change in operating policies, a service appointment, or new features of one or more of the cable service or other services you receive from us. You may not opt-out of these service-related communications. If you fail to check your primary email address for service-related announcements, you may miss important information about our services, including legal notices, for example.

We reserve the right to send you promotional or commercial email as permitted by applicable law. You can manage the promotional or commercial emails Comcast may send to you by following the instructions contained in the emails or by going to the Web page located at www.comcast.com/preferences and following the directions there. We may ask for additional information on this preferences page such as your zip code, for example. By providing this additional information to us we will be able to better inform you of the availability of special offers and promotions in your area. If you no longer wish to receive these emails you may opt-out of receiving them by going to the same page and changing your contact preferences.

What can I do if I think my privacy rights have been violated?

If you believe that you have been aggrieved by any act of ours in violation of the Cable Act or other applicable laws, we encourage you to contact us directly as described below in "How do I contact Comcast?" in order to resolve your question or concern. You may also enforce the limitations imposed on us by the Cable Act as applicable with respect to your personally identifiable information through a civil lawsuit seeking damages, attorneys' fees, and litigation costs. Other rights and remedies may be available to you under federal or other applicable laws as well. This customer privacy notice neither supersedes nor modifies any arbitration agreement to which you may be bound relating to the provision of our cable video service, our high-speed Internet service, our phone and communications services, or our home security service to you as a subscriber to one or more of these services.

Will Comcast notify me if it changes this notice?

As required by the Cable Act, we will provide you with a copy of this customer privacy notice at the time we enter into an agreement to provide any cable service or other service to you, and annually afterwards, or as otherwise permitted by law. You can view the most current version of this notice by going to www.comcast.com/Corporate/Customers/Policies/CustomerPrivacy.html

We may modify this notice at any time. We will notify you of any material changes through written, electronic, or other means and as otherwise permitted by law. If you find the changes to this notice unacceptable, you have the right to cancel your service. If you continue to use the service following notice of the changes, we will deem that to be your acceptance of and consent to the changes in the revised privacy notice. This includes your consent for any personally identifiable information that we may collect and use starting on the effective date of the revised notice, as well as for any personally identifiable information that we have collected prior to the effective date of the revised notice. However, we will only deem your continued use of the service to be your acceptance of and consent to changes in the revised privacy notice for changes made after December 31, 2006.

How do I contact Comcast?

If you have any questions or suggestions regarding this privacy notice, or wish to contact us about your personal information, please reach us as follows:

Phone: 1-800-XFINITY
Website: <http://customer.comcast.com/contact-us>
Mail: Comcast Cable Communications, LLC
Attn: Law Department - Customer Privacy Notice
One Comcast Center
Philadelphia, PA 19103-2838

Revised and effective: August 1, 2015

Important Notices To Our Customers

How to Use Your Cable Service Notice to Customers Regarding Equipment Compatibility & Important Information

X37648 8773-1000, 2000, 3000, 8633-0100, 0110, 0120 (ALL)

How To Use Your Cable Service

Congratulations on your choice of one of the world's best entertainment and information media - cable TV! We have designed our XFINITY TV service to be as simple to use as it is exciting to explore!

This information is provided to enable you to be more knowledgeable about your service and to answer any questions you may have about it.

Complaint Procedures

If you have a complaint regarding your cable television service or your bill, please call the local customer service number listed below or our toll-free telephone number which is available 24 hours a day, seven days a week. You can also visit our local business office listed on your billing statement. Alternatively, if you wish to put your comments in writing, your letter should be addressed to Comcast at the local address listed on your billing statement. We will promptly try to resolve your complaint. If we are unable to resolve your complaint, we will notify you that we are unable to do so and explain the reason why. If you are dissatisfied with our resolution of your complaint, or we are unable to resolve your complaint, you may contact the local franchising authority to discuss your complaint. Please refer to your monthly cable bill or call the local customer service number listed below for the name and address of your local franchising authority.

General Do's and Don'ts

We have installed cable in your home in a manner that is consistent with Federal Communications Commission ("FCC") rules. Here are a few tips to keep it operating safely and reliably:

1. During severe electrical storms you should unplug your television set and cable converter to avoid damage. Comcast and your set manufacturer are not responsible for damage which occurs due to acts of nature.
2. Your cable converter operates on 110 volts. Please take all the same precautions you would for any small appliance, such as checking the cord to make sure it is not worn or damaged.
3. For your own safety, do not attempt to open or otherwise tamper with your cable converter.
4. If you have someone other than Comcast install the inside wiring in your home, or if you do it yourself, you are responsible for ensuring that the installation
 - a. complies with all applicable governmental regulations (FCC signal leakage rules, for example), and
 - b. does not interfere with the normal operations of the cable system or any other communications systems, such as those used by police and fire departments.

Billing

Your monthly cable bill not only gives you a listing of your current charges, payments and credits, but it may also contain special messages to our customers. Take time to review your bill to make sure your name, address and other information are correct. You generally will be billed at the same time each month unless you are notified otherwise.

Your first statement will include a monthly charge for the upcoming month. It may also include:

1. Your installation charge,
2. A partial charge for your first month's service if you are connected in the middle of a billing cycle; for example, if your monthly cable fee is \$24.00 and you connect to cable on the tenth day of a 30-day month, you would be billed for 2/3 of a month. The amount shown next to the line entry "prorate" or "partial month" would be \$16.00,
3. Your payment due date,
4. An address to send any written requests in a separate letter to Comcast, and
5. All prices for services (these may be subject to applicable franchise fees and taxes).

Theft Of Service

The Cable Act (47 USC § 533) created both civil and criminal penalties for manufacturers, suppliers and users of unauthorized cable devices. This federal theft-of-service law supplements any existing state or local laws, and provides a federal remedy against any person who, without authorization, intercepts or receives any communication service which is provided over a cable system.

This federal law prohibits the unauthorized interception or receipt of any communications service over a cable system. This would include the theft of audio, video, textual data or other service, including data transmitted to or from a customer over a system that has interactive capability. The law applies to both manufacturers and distributors of equipment, as well as individual subscribers.

The Cable Act provides both civil and criminal penalties for theft of cable services. Under this federal legislation, a cable operator may seek substantial monetary damages for the theft of its cable services. In addition, if the violations are willful and for commercial advantage or private financial gain, the court may award damages of up to \$50,000 in civil cases and a maximum of \$100,000 for certain criminal violations, in addition to a maximum of five years imprisonment for subsequent offenses.

Theft of service creates unfair burdens on cable subscribers who are forced to subsidize the benefits that other individuals are getting by receiving cable service without paying for it.

About Your Converter/CableCARD

In order to receive XFINITY TV, as well as to descramble certain optional premium or pay-per-view services, you may require an electronic channel selection device called a "converter" or a CableCARD activated device. A converter and a remote control or a CableCARD are available from Comcast on a lease basis or converters or remotes may be purchased at certain retail outlets, including consumer appliance or electronics stores.

Some television components like DVD players, DVD recorders, cable-ready sets and remote-control devices may not be compatible with your cable television service. We encourage you to make certain components you purchase are compatible with your cable television service prior to making a purchase. For further information, please refer to the Equipment Compatibility section of this notification, or call your local Comcast office.

Converters that unscramble services also provide our customers with the option to use "parental control" to block channels they wish not to view.

It is easy to watch your television after connecting to cable using a converter. Just turn on both your television set and the converter. Make sure that your television is tuned to the output channel of your converter (Ch. 2, 3 or 4), and then select the channel you want to watch by using the controls on either the converter or the hand-held remote control device. To ensure reliable operation, make sure the converter is plugged into a "live" electrical outlet, rather than one controlled by a light switch. Loss of power to some converters may result in a temporary loss of cable service, even after the power is restored.

IF YOUR CONVERTER IS PROVIDED TO YOU BY COMCAST, YOU MUST RETURN IT ONCE YOU ARE NO LONGER A CUSTOMER.

If You Have Problems

If you experience a problem with picture or signal quality, you should review your television, DVD player and/or DVD recorder owner's manual for proper adjustment or please try the troubleshooting information below. If your service problem does not clear up you should call the local customer service number listed below and describe the problem to a customer service representative.

In order to correct the problem, we may need access to your premises. If required, a service call will be scheduled at a time convenient to you. We will make all reasonable efforts to resolve any complaints you have concerning the quality of our signals promptly and efficiently. Excluding conditions beyond our control, we will respond to a service interruption no later than twenty-four hours after receipt of notification. We respond to other service problems no later than the next business day after notification. If our service technician is unable to correct the problem to your satisfaction we will, at your request, schedule a second service appointment. If we remain unable to correct the problem you will be notified of this fact and the reason why. If you are dissatisfied with our resolution of your service problem, you may contact the local franchising authority to discuss the problem with your service. Please refer to your monthly cable bill or call the local customer service number listed below for the name and address of your local franchising authority.

Wrong Channel

- Check television set dial and converter for channel setting. Try channel 2, 3, or 4.



Snow on Screen

- Check to make sure converter is plugged into a working outlet.



No Picture, No Sound

- Make sure the television set is plugged into a "live" electrical outlet, and not controlled by a wall switch.



Picture Shrinks

- May be an overloaded circuit in your television set, or
- Electric company power cutback.



No Picture

- Check channel setting on converter and television set.
- Check listing to make sure channel is broadcasting during this time slot.
- Check other channels to compare reception.



DVD Player, DVD Recorder-Cable Hookups

1. Additional equipment, such as coaxial cables, signal splitters or A/B switches, may cause picture distortion if it does not meet Comcast systems' standards. Please call our repair department before you purchase additional hookup equipment.
2. We recommend against cutting cable wire connectors. An improperly cut cable may cause picture distortion.
3. All cable connections must be fitted "wrench tight."

True Cable Compatibility

Please refer to the Equipment Compatibility section in this notice regarding cable compatibility, or call your Comcast office if you have questions.

Installing Digital Cable Service

Digital TV self-installation kits and manuals are available from your local Comcast cable office for a separate charge.

A Brief Note About The Services We Offer

Not all services are available in all areas. Please call your local Comcast office for details.

Limited Basic

Limited Basic Service is one of our most viewed levels of service. Limited Basic may include off-air broadcast stations and franchise-required public, educational and government access channels. All such programming

varies on a community-by-community basis and is subject to change at any time. Currently, our cable customers must subscribe to Limited Basic in order to subscribe to any tiers of video service offered by Comcast.

Digital Service Tiers

Our Digital Service tiers generally carry all non-premium cable channels, such as The Discovery Channel, Lifetime, ESPN, A&E, USA, TNT and, where available, regional sports services. All such programming varies on a community-by-community basis and is subject to change at any time.

A customer must receive Limited Basic Service in order to be eligible to receive a Digital Service Tier.

Premium Services

Premium Services are generally available to customers who receive Limited Basic Service. Premium channels generally include Home Box Office (HBO), Showtime, Cinemax, STARZ!, and Encore. All premium services may not be available in all areas. There is a separate monthly charge for each premium channel a customer receives.

Other Optional Services

In addition to these programming services, we may also offer our customers the option of renting converters or remotes for an additional monthly charge; Pay-Per-View or other services, including ordering and downloading pay-per-view services; and optional interactive television services, such as e-mail and access to the Internet.

We may also have available XFINITY Internet Service for personal computers that offers content-enhanced access to the Internet; full motion video; national, regional, and local content; e-mail; personalized browsers; and other exciting features at unprecedented speed and convenience. XFINITY Internet service may not be available in all areas and is subject to certain terms and conditions.

A Note About Programming

We receive programming from various non-cable and cable networks. We are not responsible for the content of programs aired by these networks. Programming complaints or questions should be directed to the particular cable or broadcast networks.

Moving

BEFORE YOU MOVE, please call Comcast. This is the best way for us to disconnect your service, recover your converter and arrange for cable television service in your new home. Call us in advance, and we will schedule a new installation if your new home is in our service area.

If you decide to disconnect your service, converters, remote control devices and any other equipment provided by Comcast should be returned to us immediately. Customers are liable for these items and will continue to be billed until the equipment is returned, or, if you have lost it or are otherwise unable to return it, paid for.

Emergencies

Emergencies such as fallen utility lines, violent storms or sub-freezing weather may interfere with reception of your service. We will promptly have one of our crews correct an emergency situation as soon as it is safely possible.

Important Notice To Our Customers Regarding Equipment Compatibility

"Cable Ready" and "Cable Compatible Equipment"

Many subscribers currently rent or own converters to receive our cable services. Because a converter functions as the channel tuner on your television, DVD player or DVD recorder, it may prevent you from using some of the special features and functions of your television, DVD player or DVD recorder. For example, you may not be able to view one program while recording another, record two or more consecutive programs that appear on different channels, use advanced picture generation and display features such as "picture in picture," channel review or use other features that necessitate channel selection by the television set. Some of these problems may be resolved by the use of A/B switches, signal splitters, and/or other supplemental equipment that can be purchased from Comcast or at electronic stores. Please call us if you would like to discuss the type of special equipment needed to resolve individual compatibility problems or if you have any questions regarding other equipment compatibility issues.

In order to enable you to utilize special features, which your television may have, we will make available, upon your request, equipment which will allow for simultaneous reception of two or more scrambled or encrypted signals and for tuning to alternative channels on a pre-programmed schedule. This equipment could include for example, converters and multiple descrambler/decoders and/or timers (or if such devices are not available, multiple devices will be provided), and signal bypass switches.

If you plan to purchase cable services that we scramble or encrypt, such as premium, pay-per-view or digital services, you should make sure that any converter, or navigation device or Digital-cable-ready television (which can receive digital cable services using a device that we must provide called CableCARD in place of a converter) that you purchase from a retail outlet is compatible with our system or Note: CableCARD will not support two-way, interactive services such as On Demand, pay-per-view and the Comcast interactive program guide. Sets capable of supporting two-way services will be available in the future, and Comcast is committed to supporting that technology when it becomes available.

Upon your request, we will provide you with the necessary technical parameters necessary for any converter rented or acquired from retail outlets to operate with our cable system. If you see advertisements for converters that have descramblers in them, you should understand that these devices may be illegal to use. Because of the need to protect our

scrambled services, we will not authorize the use of any converter/descrambler which does not conform to all required signal security specifications. People who use illegal converters/descramblers may be subject to prosecution for theft of cable service. It is unlawful to alter or tamper with any device belonging to a cable operator in order to receive, intercept or assist in receiving or intercepting any communications service offered over a cable system. People who take such actions may be subject to fines or imprisonment.

Availability Of Special By-Pass Equipment

Some of the channels offered on the Comcast cable system may also be scrambled and viewed only if a set-top converter is used. However, as described above, a converter may limit your ability to use certain advanced features on your television set, DVD Player or DVD Recorder. If you use a converter and you have problems using the special features, additional special equipment may be necessary to regain some or all of these features. Comcast will consult with you in order to determine what specific equipment may be available to solve your particular situation. This equipment may include an additional converter, or, if you have a receiver that can tune our cable channels, possibly a switch (or a special converter with a switch) that will enable you to by-pass the converter and tune all unscrambled channels with your television set, DVD player or DVD recorder.

Pay-Per-View Programming

Comcast may not have the right to distribute pay-per-view programming to commercial establishments, and you may not order or request pay-per-view programming for receipt, exhibition or taping in a commercial establishment. You may neither exhibit nor assist in the exhibition of pay-per-view programming in a commercial establishment unless explicitly authorized to do so in advance, by Comcast and our program provider. If you fail to abide by this restriction, you will be held liable for any claims made against you or Comcast on account of any unauthorized commercial exhibition.

Remote Controls

If you use a converter with remote control capability, Comcast provides remote control devices for a monthly charge. In some areas, you may also be able to buy them from us. It is also possible the remote control that came with your TV, DVD player or DVD recorder is capable of controlling the converter box. In that case, please feel free to use it. Finally, you may choose to buy a "universal" remote control device capable of working with our converters at retail outlets, including many appliance or consumer electronics stores. Examples of compatible universal remote control devices include: Zenith, including Gemini's "Rabbit" series; the Mac-10 and the Mac-20; Mentek Memorex CP-8; Universal Electronics One Four All III; and Tandy Corporation 15902. Others may be available as well.

Any or all of the above remote control devices may not be compatible with the converters required for optional services voluntarily requested by you.

We hope this information has been useful. If you have any questions, please contact us. The phone number of your Comcast office is contained on your monthly bill, or in your monthly billing mailing.

Important Information

Service Areas

MA, NH & ME

Phone Numbers

Billing/Repair

1-800-COMCAST (266-2278)

New Services/Sales

1-800-COMCAST (266-2278)

After-Hours Repair

1-800-COMCAST (266-2278)

Mailing/Office Address

Comcast
1 Comcast Center
Philadelphia, PA 19102

Local Franchising Authorities

Consumer Division of the
Department of Telecommunications and Cable
1-800-392-6066

1000 Washington Street, Suite 820
Boston, MA 02118

Office of the Attorney General
Consumer Protection and Antitrust Bureau
33 Capital Street
Concord, NH 03301

Office of the Attorney General
Consumer Information and Mediation Service
6 State House Station
Augusta, ME 04333

CHRISTOPHER G. PARKER, AICP
Assistant City Manager
Planning & Strategic Initiatives
c.parker@dover.nh.gov



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City of Dover, New Hampshire

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

February 2, 2017

Honorable Mayor and City Councilors
288 Central Avenue
Dover NH 03820

Dear Madam Mayor and City Councilors:

The Dover Planning Board, at its meeting of January 25, 2017, following a properly noticed public hearing, voted to recommend ratification, by the City Council of a Citizen Petition to rezone 100 + acres of land off Littleworth Road to Rural Restricted Industrial (I-2). As Chair of the Planning Board, I wanted to communicate to the City Council that the Planning Board voted unanimously in favor of this petition and review why we feel that, from a planning perspective, this is the correct move for Dover's future.

The Planning Board reviewed this petition using the guidelines of section 53, subsection F of Chapter 170 (Zoning). In that section, we are asked to find that an amendment to the Zoning Ordinance is compliant with the City's Master Plan, does not create undue hardship on municipal services, the environment, natural or historical resources or the City's economy and fiscal resources, as well as review neighborhood conformance. I understand staff has documented this in its own report/memo. We felt that any items which are outstanding would be reviewed at the site plan level, with full attention to abutter concerns and impacts.

As part of this process, the Planning Board has received testimony, written and oral, from residents and property owners in Dover. We take that testimony into account as part of our review, but focus on the land use, private property rights, and long term needs of Dover, from a holistic planning perspective. Through those lenses, the Board felt that this change in zoning, especially the change from residential to industrial zone for a portion, is in the best interest of Dover's long term needs. While we considered the Commercial Recreation user looking at this site, most importantly the Board looked at the need to expand economic opportunity for non-residential growth and the value of creating additional land, which could have various non-residential uses developed upon it.

The Land Use chapter of the Master Plan notes that there is 144 acres of undeveloped land which could have an industrial land use upon it. Out of 15,000+ acres in the City, 4,000 are undeveloped, according to the chapter. We need to continue to look at opportunities to increase that 144 acres wherever possible and feasible. This proposal follows through on that review, and offers the suggestion of land which is off a State Route, close to the Spaulding turnpike, and surrounded by land already zoned industrial. Through the planning lenses, this proposal is sound, reasonable and should be approved.

I am happy to answer any questions about the Planning Board's rationale or review, should they arise.

Kirt Schuman
Chair, Dover Planning Board