



CITY OF DOVER

DOVER PLANNING BOARD – AGENDA

Meeting Type: Regular Meeting
Meeting Location: Council Chambers, City Hall, 288 Central Ave, Dover NH 03820
Meeting Date: **Tuesday, April 11, 2017**
Meeting Time: **7:00 pm**

1. CITIZENS' FORUM

2. APPROVAL OF THE PRIOR MINUTES

- March 28, 2017 Regular Meeting Minutes

3. OLD BUSINESS

- A. Consideration and possible vote of a Conditional Use Permit for Daniel Ayer, Assessor's Map N, Lot 18, zoned R-40, located off McKone Lane and Back Road. (Proposal is to build a new subdivision road and drainage facilities that impact 2,197 sq. ft. of steep slope greater than 20 percent). *(P17-10)
- B. Consideration and possible vote of a Conditional Use Permit for Daniel Ayer, Assessor's Map N, Lot 18, zoned R-40, located off McKone Lane and Back Road. (Proposal is to build a new subdivision road that crosses a wetland. Impacts include 350 sq. ft. of wetland impact, and 24,283 sq. ft. of wetland buffer impact). *(P17-12)
- C. Consideration and possible vote of an Open Space Subdivision of land for Daniel Ayer, Assessor's Map N, Lot 18, zoned R-40, located off McKone Lane and Back Road. (17 lots) *(P16-25)
- D. Consideration and possible vote of an amendment to the conditions for a previously approved Site Plan (2/10/2015) for Bradley Commons (Owner: Housing Partnership), Map 27, Lots 2, 3, 4, & 15, zoned CBD, located at 577 Central Avenue (Amended development agreement). (P14-34A)
- E. Consideration and possible vote on revised Planning Board Bylaws.

4. NEW BUSINESS

- A. Consideration and acceptance of a Conditional Use Permit for Kyle & Joshua Cote, Assessor's Map 10, Lot 22, zoned HR (Heritage Residential), located at 281 Washington Street. (Proposal is to convert existing structure (barn) to a fourth unit). *(P17-19)
- B. Consideration and acceptance of a Minor Subdivision for Changing Places, LLC, (Owner: City of Dover), Assessor's Map 6, Lot 54A, zoned CBD, located at Third Street. (1 new lot) *(P17-20)
- C. Consideration and acceptance of a Site Plan Review for Changing Places, LLC, (Owner: City of Dover), Assessor's Map 6, Lot 54A, zoned CBD, located at Third Street. (Proposal is for a 32,534 s.f. mixed use development with a total of 27 parking spaces within the 27,984 sq. ft. paved area.) *(P17-02)

5. STAFF COMMENTS

6. MEMBER COMMENTS

7. ADJOURNMENT

*Indicates that if the application is accepted for discussion, the public hearing will be held the same evening. Note that some hearings will be continued from one meeting to another and some may be postponed. Since this is only a partial description of the proposal and may change, persons with questions or wishing to see the plans are invited to visit the Planning Office, Monday through Thursday from 8:30 am to 5:30 pm and Friday 8:30 am to 4:00 pm or email Dover-Planning@dover.nh.gov. You may also view materials at www.dover.nh.gov. Follow us on Twitter @DoverNHPlanning and find us on Facebook at <https://www.facebook.com/DoverNHPlanning>.



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

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Meeting Date: **Tuesday, March 28, 2017**
Meeting Time: **7:00 pm**

Members Present: Kirt Schuman (Chair), Gina Cruikshank (Vice Chair), Dennis Ciotti (Councilor), Dave White, Tom Clark, Frank Torr, David Landry, Lee Skinner, James Burdin (Alternate), Tristan Donovan (Alternate), Hayley Harmon (Alternate)

Members Not Present: Catherine Plante

Staff Present: Christopher Parker (Assistant City Manager), Donna Benton (Assistant City Planner), Gretchen Young (Assistant City Engineer), Jamie Stevens (Pump Operator II), Tracy Smith (Recording Secretary)

The Chair recognized H.Harmon to sit in for C.Plante, and called the meeting to order at 7:01 p.m. He explained the process for Citizen's Forum, and requested the public to sign their name on the sign-up sheet if they comment at the public hearings.

1. CITIZENS' FORUM

Citizens Forum Open.

Councilor Marcia Gasses, Ward 4, addressed item 4.A on the agenda and stated her concern that sidewalks were not included in the plan and strongly advocated that sidewalks be added to the Capital Improvement Program.

Citizens Forum Closed.

2. APPROVAL OF THE PRIOR MINUTES

- February 28, 2017 Regular Meeting Minutes

Motion: F.Torr made a motion to approve the February 28, 2017 Regular Meeting Minutes. Seconded by D.Ciotti. Vote U/A

3. OLD BUSINESS

G.Cruikshank stated items 3.A, 3.B, and 3.C would be heard together.

- A. Consideration and possible vote of a Site Plan Review for Okad of Dover, LLC, Assessor's Map 37, Lots 35, 36, 37 & 38 zoned B-3, located at 824, 826, 828 Central Avenue and 8 Glenwood Avenue (Proposal is to construct 28,202 s.f of commercial use including 7,000 s.f. of restaurants, a 2,072 s.f. bank and the remaining retail with a total of 134 parking spaces within the 88,262 s.f. paved area). *(P16-39)
- B. Consideration and possible vote of a Conditional Use Permit for Okad of Dover, LLC, Assessor's Map 37, Lots 35, 36, 37 & 38 zoned B-3, located at 824, 826, 828 Central Avenue and 8 Glenwood Avenue (Proposal is for the 2,850 s.f. impact of wetland and associated buffer). *(P17-08)
- C. Consideration and possible vote of a Conditional Use Permit for Okad of Dover, LLC, Assessor's Map 37, Lots 35, 36, 37 & 38 zoned B-3, located at 824, 826, 828 Central Avenue and 8 Glenwood Avenue (Proposal is for the 50.6% total impervious surface coverage in the Secondary Groundwater Protection Zone). *(P17-09)



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
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Meeting Date: **Tuesday, March 28, 2017**
Meeting Time: **7:00 pm**

Motion: D.Ciotti made a motion to remove the item from the table. Seconded by T.Clark. Vote U/A

C.Parker provided background information and an update regarding the applications.

Peter Ellison, TEC, Inc., represented the applicant, displayed a plan for viewing, and presented the updated information to the proposed plan. He stated there were meetings held with the abutters to address their concerns. Scott Mitchell and Jim Mitchell of Tropic Star Development, LLC, were also present.

C.Parker confirmed for F.Torr the email from Brian Kelley would be addressed during Staff comments.

Discussion ensued regarding traffic concerns, and confirmation of the deed restriction with the conservation easement.

Public hearing Reopened.

Keith Calderone, 16 Crescent Avenue, requested clarification regarding the buffer and if the area will be accessible to pedestrian traffic.

C.Parker addressed the email received from Brian Kelley, 2 Crescent Avenue, which stated his concern regarding plantings with the buffer. He stated the applicant is willing to work with abutters regarding planting trees, vegetation, and fence placement and confirmed there would be no berm.

Public hearing closed.

C.Parker addressed the abutter concerns regarding the planting and fence placement of the buffer, as well as the timeline regarding the phases to protect the abutters. He confirmed access to the City property and trails created there. He addressed the property with the deed restriction and stated he would work with the applicant on the license agreement.

C.Parker confirmed for D.Ciotti the bond agreement for plantings is two years.

STAFF RECOMMENDATION: (P16-39) - Waiver

Waiver Request:

The applicant is requesting a waiver from Chapter 149-14.H for an additional right-in driveway on Central Ave with justification in a letter dated February 8, 2017.

After reviewing the peer review report of the traffic study, the Planning Department supports the driveway waiver.

Condition to Be Met Prior to Signing of Plans:

1. A note shall be added to the site plan that the Board has granted the waiver for the reasons stated by the applicant, and the Board finds that the criteria of Chapter 149-19.A have been met.

C.Parker confirmed for T.Clark the left turn in was included in the site plan conditions.

Motion: T.Clark made a motion to approve the waiver subject to staff recommended conditions. Seconded by F.Torr. Vote U/A



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - City Hall, 288 Central Avenue
Meeting Date: **Tuesday, March 28, 2017**
Meeting Time: **7:00 pm**

STAFF RECOMMENDATION: (P16-39) – Site Plan

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

Conditions to be Met Prior to Signing of the Plans:

1. The owner's signatures must be added to the final plan.
2. The Conditional Use Permits (P17-08 and P17-09) shall be approved.
3. The applicant must provide a digital version of plan set.
4. The Professional Engineer, Licensed Land Surveyor, Wetland Scientist, and Licensed Landscape Architect will need to sign and date final plans.
5. Stormwater Operations and Maintenance Plan to be reviewed to the UNH Stormwater Center and City Engineer's satisfaction.
6. Landscape Operation and Maintenance Plan to be reviewed and approved by the Assistant City Manager.
7. The applicant shall provide a lot merger form and record it at the Strafford County Registry of Deeds.
8. The applicant shall have a license agreement approved by the City Council and signed by the City of Dover for landscaping and access in the right-of-way.
9. The applicant shall pay the peer-review invoices.
10. The final map and lot shall be current 8 Glenwood Avenue (Assessor's Map 37, Lot 38).
11. The applicant shall submit documentation with timeline of construction including off-site impacts to the satisfaction of the Assistant City Manager.
12. The applicant shall revise plan set to:
 - a. Combine the site plan and supplemental plans into one plan set
 - b. Add outside drops on sewer man hole 3 and 5
 - c. Provide model for the 1" storm to each tributary system
 - d. Add details/cross-sections for each stormwater Best Management Practice in detail sheets
 - e. Revise plan to note Sebago's following Peer Review Comments on their memo dated March 2, 2017:
 - i. Show all proposed off-site mitigation at the Glenwood and Hannaford intersections (#1)
 - ii. Show protected left only turn (#2)
 - iii. Convert lane on Glenwood to shared thru/left turn (#3) and remove left turn in on Glenwood
 - iv. Upgrade pedestrian signal equipment such as APS buttons and countdown heads but not ramps which the City will upgrade (#4)
 - v. Install cameras at southerly light (#6)

Conditions to Be Met Prior to Any Construction Activity:

13. Site Construction hours shall be limited to Monday-Friday 7 AM-6 PM, Saturday 9 AM-4 PM, with no Sunday hours. Hours of construction must be documented on a site construction sign along with the contact information for the general contractor. Said signage must be located and approved by the City Engineer or Assistant City Manager.
14. Coordinate with UNH Stormwater Center to provide construction oversight when Berry Brook elements are being disturbed and provide written correspondence to Assistant City Manager.
15. The final signal plans shall be submitted for review and approval by the Assistant City Manager and City Engineer.



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - City Hall, 288 Central Avenue
Meeting Date: **Tuesday, March 28, 2017**
Meeting Time: **7:00 pm**

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

16. The new building shall be assessed the current water/sewer investment fees in place at the time of application for water/sewer service.
17. Fence and additional landscaping along Crescent Avenue shall be installed.

Conditions to Be Met Prior to Issuance of a Certificate of Occupancy:

18. Any new building shall be assessed the current impact fees in place at the time of building permit application and paid by time of Certificate of Occupancy.
19. The applicant shall provide a letter of credit or other form of security acceptable to the City for any unfinished work.
20. Upgrades to pedestrian sign equipment such as APS buttons and countdown heads and installation of cameras at southerly light on Central Ave has occurred.

C.Parker clarified condition #20 for L.Skinner regarding the camera installations, and stated he is working on a project regarding timing for traffic signals and confirmed the cameras are for congestion management only.

Motion: F.Torr made a motion to approve the site plan subject to staff recommended conditions, including the minor revision to condition #8. Seconded by T.Clark. Vote U/A

STAFF RECOMMENDATION: (P17-08)

The Planning Department recommends the Planning Board vote to approve the Conditional Use Permit with the following condition:

Condition to Be Met Prior to the Issuance of the Conditional Use Permit:

1. UNH Stormwater Center review letter shall be adequately addressed by the applicant and that if there are any increases to impacts to wetlands, wetlands buffers or impervious surface, the applicant shall return to the Conservation Commission.

Motion: F.Torr made a motion to approve the Conditional Use Permit subject to staff recommended conditions. Seconded by L.Skinner. Vote U/A

STAFF RECOMMENDATION: (P17-09)

The Planning Department recommends the Planning Board vote to approve the Conditional Use Permit with the following condition:

Condition to Be Met Prior to the Issuance of the Conditional Use Permit:

1. UNH Stormwater Center review letter shall be adequately addressed by the applicant and that if there are any increases to impacts to wetlands, wetlands buffers or impervious surface, the applicant shall return to the Conservation Commission.

D.Landry requested clarification of the condition regarding possible changes to wetlands. C.Parker clarified any changes would need Conservation Committee approval.

Motion: F.Torr made a motion to approve the Conditional Use Permit subject to staff recommended conditions. Seconded by L.Skinner. Vote U/A



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - City Hall, 288 Central Avenue
Meeting Date: **Tuesday, March 28, 2017**
Meeting Time: **7:00 pm**

- D. Consideration and possible vote of an amendment to the conditions for a previously approved Site Plan (2/10/2015) for Bradley Commons (Owner: Housing Partnership) Map 27, Lots 2, 3, 4, & 15, zoned CBD, located at 577 Central Avenue (Amended development agreement). (P14-34A)

The Chair stated item 3.D would not be heard until the pending issues are resolved.

C.Parker stated the pending items will be resolved, and that the amendment to be heard at the April 11, 2017 Regular Planning Board meeting.

4. NEW BUSINESS

- A. Consideration and acceptance of a Conditional Use Permit for the City of Dover, zoned R-40 and R-12, located on Spruce Lane (between Mast Rd & Back River Rd) (Proposal is to widen road, improve drainage, and repair/replace culverts). *(P17-14)

C.Parker provided an overview of the application.

J.Stevens displayed plans for viewing, provided background information with the project, and presented the proposed plan. G.Young was also present.

Discussion ensued regarding the current lack of funds for sidewalk placement, the road width at 24 ft. to consider sidewalk placement, and the future sidewalk project for Spruce Lane, as well as, additional locations from Mast Road to Danielle Lane.

C.Parker stated the project will involve the timeline for improvements, scheduling, and future neighborhood meetings to obtain feedback. He stated further improvements would be made to the park on Spruce Lane and the intersection at Back River and Spruce Lane.

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

Public hearing opened.

Ellen Johns, 30 Spruce Lane, stated her traffic safety concern regarding the lack of sidewalks.

Rita Shortill, 5 Spruce Drive, stated her agreement with her neighbor.

Joseph Gagne, 29 Spruce Lane, requested clarification regarding the road width and drainage culvert locations.

C.Parker confirmed the road width at 24 ft. and stated J.Stevens would confirm the drainage culvert locations near his property.

Jodie Gagne, 29 Spruce Lane, stated her concern regarding the possibility of tree removal.

Public hearing closed.

J.Stevens displayed plans for viewing and addressed the abutter concerns. He provided the locations of drainage culvert locations and confirmed no tree removal was expected.



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - City Hall, 288 Central Avenue
Meeting Date: **Tuesday, March 28, 2017**
Meeting Time: **7:00 pm**

C.Parker stated if trees were to be removed there would be a process and notification would be made to the abutters.

STAFF RECOMMENDATION:

The Planning Department recommends the Planning Board vote to approve the Conditional Use Permit with the following nonbinding condition:

Condition to Be Met Prior to the Issuance of the Conditional Use Permit:

1. The applicant shall provide the Planning Department with a copy of the NH Department of Environmental Services Minimal Impact Expedited Permit.

Motion: F.Torr made a motion to approve the Conditional Use Permit subject to staff recommended conditions. Seconded by T.Clark. Vote U/A

D.Ciotti stated he and Marcia Gasses would address the sidewalk issues with in the Capital Improvement Program. C.Parker stated he would address some ideas with the Community Services staff and report back to the City Council.

- B. Consideration and acceptance of a Conditional Use Permit for the City of Dover (Owner: Seames Trefethen), Assessor's Map H, Lot 14A, zoned R-12, located at 58 Cataract Avenue (Proposal is to install a bioretention stormwater system adjacent to Bellamy Road to restore the stream). *(P17-15)

C.Parker provided an overview of the application.

Joel Ballestero, Streamlines Engineering, displayed a plan for viewing, explained the flooding occurring at the location, and presented the proposed plan. G.Young was also present.

J.Ballestero confirmed for F.Torr the drainage easement on the property would be amended with access for City maintenance.

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

Public hearing opened. Nobody Spoke. Public hearing closed.

STAFF RECOMMENDATION:

The Planning Department recommends the Planning Board vote to approve the Conditional Use Permit with the following nonbinding recommendation:

Condition to Be Met Prior to the Issuance of the Conditional Use Permit:

1. The applicant shall provide the Planning Department with a copy of the NH Department of Environmental Services Minimal Impact Expedited Permit.
2. The applicant shall follow the Bellamy Project Sequence and Timing supplied to the Planning Department.
3. The applicant shall provide the Planning Department a copy of the NH DES Shoreland Permit.



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - City Hall, 288 Central Avenue
Meeting Date: **Tuesday, March 28, 2017**
Meeting Time: **7:00 pm**

Motion: F.Torr made a motion to approve the Conditional Use Permit subject to staff recommended conditions. Seconded by L.Skinner. Vote U/A

T.Clark recused himself from the next two items on the agenda.

The Chair recognized T.Donovan to sit in for T.Clark.

G.Cruikshank stated items 4.C and 4.D would be heard together.

- C. Consideration and acceptance of a Site Plan Review for 6 Grove Street Residences, LLC, (Owner: Alan Hatch & Sherrilyn McKie Family Trust), Assessor's Map 31, Lot 14, zoned CBD (Transit Oriented Overlay), located at 6 Grove Street (Proposal is to develop a 9,060.51 s.f. mixed use building with commercial space on the 1st floor and a total of 36 residential units on the 2nd – 5th floors with 30 parking spaces within the 13,806.70 s.f. paved area). *(P16-31)
- D. Consideration and acceptance of a Conditional Use Permit for 6 Grove Street Residences, LLC, (Owner: Alan Hatch & Sherrilyn McKie Family Trust), Assessor's Map 31, Lot 14, zoned CBD (Transit Oriented Overlay), located at 6 Grove Street (Proposal is to have a building lot coverage of 47% whereas 75% is required and frontage build out of 73% on Grove Street and 75% on Third Street whereas 80% is required). *(P17-16)

C.Parker provided an overview of the applications.

Christopher Berry, Berry Surveying & Engineering, Inc., represented the applicants, displayed plans for viewing, and presented the proposed plan.

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

Public hearing opened.

Chris Alibrandi, 9 Frances Drive, representative for the Condo Association for Frances Drive, stated traffic, safety, and drainage concerns and the impact to the private road they live on, adding the Association is responsible for any repairs. She addressed the landscaping that fronts Frances Drive and requested information about a fence or vegetation buffer, access to Third St during construction, and the environmental impact to using pervious pavement to absorb the water. She wanted to know if there would be additional opportunities in the future for abutter input.

Matt Benkosky, 48 Fourth Street, stated his concern with parking issues.

James Kimball, 32 Fourth Street, stated his concern that he is a tenant in the building and was only aware of the project due to the sign posted on the site. He requested timeline information about the project.

Public Hearing Closed.

C.Berry addressed the abutter concerns regarding drainage, the use of the underground sand filter for the project, traffic concerns, and confirmed the fence would be replaced with a white vinyl fence for buffer, as well as vegetation plantings. He explained the roof line with wing walls for emergency escape route, and clarified the



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
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Meeting Date: **Tuesday, March 28, 2017**
Meeting Time: **7:00 pm**

parking location and that the residents would need to receive lease agreements from the City, and that the construction access would be from the Grove Street area.

Discussion ensued regarding the parking requirements location on sheet 4 of the plan, the process of the lease agreement for parking for tenants, and the number of parking spaces for residents and current parking available for commercial use at the location, recommendation to have the developer responsible for the other six parking spaces, and confirmation that the new on-street parking is municipal public parking and will not be metered parking.

Discussion continued regarding clarification that there is open public laundry on the first floor, and the consideration to post signs to discourage access through Frances Drive.

C.Berry requested clarification regarding the process in response to the abutter inquiry regarding any further opportunity to speak. The Chair stated the project would be voted on that evening and any further concerns could be brought to the Planning Director. C.Parker confirmed the locations of who would have received an abutter notice.

Discussion ensued regarding abutter concerns regarding the abutter notification, traffic, and parking concerns.

C.Parker explained the abutter notification process, and addressed the abutter concerns regarding drainage, the City requirements and confirmation of the existing impervious site, 30 parking spaces to be created on site and available during the day for the businesses, the parking proximity to the Transportation lot, and changes to the conditions to add the right turn lane and placement of fence and lease to the 6 spaces. He provided voting options to the Board.

STAFF RECOMMENDATION: (P16-31) - Waiver

The Planning Department recommends that the Board approve the waivers from Section 149-15.C for the 5' pavement setback for the turnaround and from 149-14.E(1)(e) for the lighting spill over with the following condition:

Condition to Be Met Prior to Signing of Plans:

1. A note shall be added to the site plan that the Board has granted the waivers for the reasons stated by the applicant, and the Board finds that the criteria of Chapter 149-19.A have been met.
2. The Building Official approves the fire truck radius that that would require a less than 5' pavement setback.

Motion: D.White made a motion to approve the waiver subject to staff recommended conditions. Seconded by H.Harmon. Vote U/A

STAFF RECOMMENDATION: (P16-31) – Site Plan

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

Conditions to Be Met Prior to Signing of Plans:

1. Conditional Use Permits (P17-16) shall be approved.
2. The applicant shall provide:
 - a. revised architectural renderings showing the white parts to be brick, stone, or masonry and indicate south elevation



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - City Hall, 288 Central Avenue
Meeting Date: **Tuesday, March 28, 2017**
Meeting Time: **7:00 pm**

- b. a digital version of plan set
 - c. revised floor plans that show the entire floor area of the L shaped building
3. The applicant shall provide the City of Dover with a drainage report that addresses the requirements of the City of Dover to the satisfaction of the City Engineer.
4. The applicant must revise plan set to:
 - a. Add the owners signatures to the final plan
 - b. The Professional Engineer, Licensed Land Surveyor and Licensed Landscape Architect will need to sign and date final plans.
 - c. Address any outstanding Fire and Engineering TRC comments
 - d. Add common site plan note #s 15, 16, and 26
 - e. Lantern or similar type lighting fixtures for both pole and mounted light fixtures
 - f. Add right turn only sign at the exit onto Third Street and adjust the geometry of the exit onto Third Street to prohibit left hand turns.
 - g. Add a note to replace the fence along the westerly side with an 8 ft. vinyl fence.
5. Written proof that all encroachments shall be removed is to be provided.
6. The applicant and City shall enter into a development agreement which covers construction timing, including internal, exterior construction and sidewalk/street trees, as well as leasing the 6 spaces needed to meet the parking requirements. Included in this shall be a breakdown of sureties and when they are returned.

Conditions to Be Met Prior to Any Construction Activity:

7. Site Construction hours shall be limited to Monday-Friday 7 AM-6 PM, Saturday 9 AM-4 P M, with no Sunday hours. Hours of construction must be documented on a site construction sign along with the contact information for the general contractor. Said signage must be located and approved by the City Engineer or Assistant City Manager.
8. All encroaching buildings shall be removed.

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

9. The new uses/building shall be assessed the current water/sewer investment fees in place at the time of application for water/sewer service.

Conditions to Be Met Prior to Issuance of a Certificate of Occupancy:

10. Any new construction or renovation shall be assessed the current impact fees in place at the time of building permit application and pay by time of Certificate of Occupancy.
11. The applicant shall provide a letter of credit or other form of security acceptable to the City for any unfinished work.

Motion: D.Landry made a motion to table the item to address the abutter concerns.

Discussion ensued regarding consideration that the parking and access issues with Frances Drive pertain to the City and not the proposed project, the use of signs to discourage access to Frances Drive, clarification of which houses on Frances Drive are included in the Condo Association and pertain to the existing parking issue, conditions to the initial site plan as it pertains to what the Condo Association is responsible for and pertinence to this project and the existing conditions of approval. D.Landry withdrew his motion to table the item.

C.Berry requested condition #5 removed and stated it is a civil issue and will cause a delay in the construction.



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
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Meeting Date: **Tuesday, March 28, 2017**
Meeting Time: **7:00 pm**

Discussion ensued regarding clarification to condition #5, options for the applicant to remove the encroaching structure to the property, and the need for documentation showing proof that the structures would be removed and that legal proceedings have begun would be acceptable to meet the condition.

Motion: F.Torr made a motion to approve the site plan subject to staff recommended conditions. Seconded by T.Donovan. Vote U/A

STAFF RECOMMENDATION: (P17-16)

The Planning Department recommends that the Planning Board vote to approve the Conditional Use Permit with the following condition:

Conditions to Be Met Prior to the Issuance of the Conditional Use Permit:

1. A revised application with corrected building height be submitted.
2. Site plan (P16-31) shall be approved.
3. The applicant shall be subject to a formal agreement between the Planning Board and the applicant. Said agreement shall be recorded at the Strafford County Registry of Deeds per Chapter 170-20-B(3).

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

The Chair announced a five minute recess at 9:32 p.m.

The meeting reconvened at 9:39 p.m.

T.Clark returned to his seat.

G.Cruikshank stated items 4.E, 4.F, and 4.G would be heard together.

- E. Consideration and acceptance of a Conditional Use Permit for Daniel Ayer, Assessor's Map N, Lot 18, zoned R-40, located off McKone Lane and Back Road (Proposal is to build a new subdivision road and drainage facilities that impact 2,197 s.f. of steep slope greater than 20 percent). *(P17-10)
- F. Conditional Use Permit for Daniel Ayer, Assessor's Map N, Lot 18, zoned R-40, located off McKone Lane and Back Road (Proposal is to build a new road that crosses a wetland and construct a walking path in the tidal buffer. Impacts include 350 s.f. of wetland impact, 24,283 s.f. of wetland buffer impact, and 2,284 s.f. of tidal buffer impact adjacent to the Cochecho River). *(P17-12)
- G. Consideration and acceptance of an Open Space Subdivision of land for Daniel Ayer, Assessor's Map N, Lot 18, zoned R-40, located off McKone Lane and Back Road (17 lots). *(P16-25)

C.Parker provided an overview of the applications.

Kevin McEneaney, McEneaney Survey Associates, Inc, represented the applicants, displayed a plan for viewing, and presented the proposed plan. Daniel Ayer and Mike Sievert, MJS Engineering, were also present.

M.Sievert explained further details regarding the proposed project.



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
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Meeting Date: **Tuesday, March 28, 2017**
Meeting Time: **7:00 pm**

Discussion ensued regarding confirmation that McKone Lane would not be paved and it is a Class 5 road with the agreement that as lots were created there would be funds for improvement in the final phase of the site plan, and clarification that the lots would have wells with sanitary sewer, the location of the pump station, details of the pump process, and that it would be maintained by the property owners.

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

Public hearing opened. Nobody Spoke. Public Hearing Tabled.

STAFF RECOMMENDATION: (P17-10) (P17-12) (P16-25)

The Planning Department recommends the Planning Board table the item until the subdivision is ready for a vote to be taken.

D.Ciotti confirmed with C.Parker that a waiver was not needed for the road length, the road connections would be the full length through to avoid the waiver, and the Fire Department has advised on the turn arounds.

Motion: F.Torr made a motion to table items 4.E, 4.F, and 4.G. Seconded by T.Clark. Vote U/A

- H. Consideration and acceptance of a Site Review for Cocheco Valley Humane Society (Owner: Strafford County c/o City of Dover), Assessor's Map B, Lot 20, zoned R-40, located at 259 County Farm Road (Proposal is to develop an 11,000 s.f. Animal Shelter/Services with 32 parking spaces within the 22,671 s.f. paved area). *(P17-13)

C.Parker provided an overview of the applications.

John Lorden, MSC, Division of TF Moran, Inc, represented the applicants, displayed a plan for viewing, and presented the proposed plan. Rachel Copeland, Jennifer Stauffis, and Karen Zaramba were present to represent the Cocheco Valley Humane Society Board. Peter Stewart, Stewart Architects, and Chuck Moretti, NCM Construction Management were also present.

C.Parker requested clarification of the conservation area on the site and how the location of the site was determined. George Maglaras, Chairman of the Board of County Commissioners for Strafford County, clarified the areas that had conservation easement held by the Society of NH Forest which is only allowed for recreation use.

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

Public hearing opened. Nobody Spoke. Public Hearing Closed.

STAFF RECOMMENDATION (P17-13) - Waiver

The Planning Department recommends that the Board vote to approve the waiver with the following conditions:

Waiver Request:

The Planning Department recommends that the Board approve the waivers from Section 149-14.G for the perimeter landscaping and the 149-13.A for the property line information with the following condition:



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - City Hall, 288 Central Avenue
Meeting Date: **Tuesday, March 28, 2017**
Meeting Time: **7:00 pm**

Condition to Be Met Prior to Signing of Plans:

1. A note shall be added to the site plan that the Board has granted the waivers for the reasons stated by the applicant, and the Board finds that the criteria of Chapter 149-19.A have been met.

Motion: D.White made a motion to approve the waiver subject to staff recommended conditions. Seconded by D.Landry. Vote U/A

D.Landry recommended landscaping and trees to define the perimeter.

Discussion ensued regarding clarification that the surrounding area is leased to farmers and used for hay, pet therapy provided at the Riverside Home, pet recreation provided in the area, that the perimeter for the parking blends with the field to provide a pastoral setting, consideration of the installation of a white fence around the perimeter, aesthetics of the area and its functionality, and confirmation that the remaining sites are reserved for government and conservation use.

STAFF RECOMMENDATION (P17-13) - Site Plan

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

Conditions to Be Met Prior to Signing of Plans:

1. The applicant shall provide a digital version of plan set.
2. The applicant shall provide the City of Dover with a drainage report that addresses the requirements of the City of Dover to the satisfaction of the City Engineer.
3. The applicant must provide:
 - a. Traffic Impact Analysis which meets the Standard Traffic requirements
 - b. Streetscape to include landscaping information
4. The applicant must revise plan set to:
 - a. Add the owners signatures to the final plan
 - b. The Professional Engineer and Licensed Landscape Architect will need to sign and date final plans.
 - c. Address any outstanding Fire and Engineering TRC comments
 - d. On sheet 2, add note indicating no parking is allowed along the driveway from County Farm Road to the paved lot.
 - e. Add a note that the business be alarmed after hours
 - f. Landscape plan needs to include 5% interior landscaping or waiver necessary and add landscaping around the dumpster.
5. The applicant shall provide a landscape and roadway operation and maintenance plan to be reviewed and approved by the Assistant City Manager.

Conditions to Be Met Prior to Any Construction Activity:

6. Site Construction hours shall be limited to Monday-Friday 7 AM-6 PM, Saturday and Sunday 9 AM-4 PM. Hours of construction must be documented on a site construction sign along with the contact information for the general contractor. Said signage must be located and approved by the City Engineer or Assistant City Manager.

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

7. The new building shall be assessed the current water/sewer investment fees in place at the time of application for water/sewer service.



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - City Hall, 288 Central Avenue
Meeting Date: **Tuesday, March 28, 2017**
Meeting Time: **7:00 pm**

Conditions to Be Met Prior to Issuance of a Certificate of Occupancy:

8. Any new building shall be assessed the current impact fees in place at the time of building permit application and pay by time of Certificate of Occupancy.
9. The applicant shall provide a letter of credit or other form of security acceptable to the City for any unfinished work.

F.Torr requested clarification on condition 3.b, and an addition to condition 4.f that the dumpster be enclosed and have landscape screening according to the regulations, and that a landscape maintenance and roadway operation plan be added as a condition.

J.Lorden confirmed there are only four dog runs in response to D.Landry's concern to the surrounding developments around the site.

J.Lorden addressed condition 4.d regarding the installation of "no parking" signs, and stated the signs are not neighborhood friendly. He requested they add the signs only if parking becomes a problem.

Discussion ensued regarding condition 4.d and the consideration to add a "fire lane no parking" area, the length of the driveway at 400 ft., the Police Department concern regarding game parking in the lot, and consideration of the request to only put up a sign if parking becomes an issue, and placement of a no parking sign on the gravel area. C.Parker stated a note will be added on sheet C2 indicating no parking allowed along County Farm Road to the paved the driveway.

C.Parker reread the conditions with the changes added.

Motion: L.Skinner made a motion to approve the site plan subject to staff recommended conditions. Seconded by F.Torr. Vote U/A

- I. Consideration and acceptance of a Conditional Use Permit for Paula J. Reid, Trustee & Sheila Woolley, (Owner: Paula J. Reid 2003 Revocable Trust), Assessor's Map 10, Lot 107, zoned HR, located on Lexington Street (The Conditional Use Permit is for side yard setback to be 7' whereas 15' is required).
*(P17-17)

C.Parker provided an overview of the applications.

Attorney Christopher Wyskiel of Wyskiel, Boc, Tillinghast & Bolduc, P.A, represented the applicants, distributed a larger plan of exhibit 5 to the Board members, displayed the plan for viewing, and presented the proposed plan.

C.Wyskiel explained for L.Skinner the change in elevation on the property and how that would be applied in the construction of the building.

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

Public hearing opened. Nobody Spoke. Public Hearing Closed.

C.Wyskiel addressed the conditions of approval regarding the formal agreement.

STAFF RECOMMENDATION:

The Planning Department recommends the Planning Board approve the Conditional Use Permit with the following condition:



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - City Hall, 288 Central Avenue
Meeting Date: **Tuesday, March 28, 2017**
Meeting Time: **7:00 pm**

Condition to Be Met Prior to the Issuance of the Conditional Use Permit:

1. A formal agreement between the Planning Board and the applicant shall be prepared and recorded at the Strafford County Registry of Deeds.
2. The applicant shall revise the plan and insert into the formal agreement an indication that the dwelling to be single family residential.

C.Parker noted a change to condition #2 regarding the formal agreement “and insert into the formal agreement an indication”.

Motion: T.Clark made a motion to approve the Conditional Use Permit subject to staff recommended conditions. Seconded by L.Skinner. Vote U/A

F.Torr addressed exhibit 3 and stated the carriage house is standard and fits the architecture of the neighborhood.

C.Wyskiel clarified the layout of exhibit 4 for D.Ciotti.

- J. Consideration and acceptance of a Conditional Use Permit for Jacqueline Pierce (Owner: Sojourn Property Management LLC), Assessor’s Map 31, Lot 7, zoned CBD (Transit Oriented Overlay), located at 66 Third Street (The Conditional Use Permit is needed to allow Dog Training & Daycare in the Transit Oriented Overlay district). *(P17-22)

C.Parker provided an overview of the applications.

Jacqueline (Pierce) Flynn, owner of Sojourn Property Management LLC, displayed a plan for viewing and presented the proposed plan.

Discussion ensued regarding confirmation that the establishment is for all dogs, the hours of operation are 8 a.m. to 8:30 p.m. with no overnight stay, clarification of the parking and traffic plan for morning and afternoon pick-up and drop-offs, and that the parking lot is open for public use.

Motion: T.Clark made a motion to accept the application. Seconded by F.Torr. Vote U/A

Public hearing opened.

Michael Bondi, 30 Fourth Street, representative of the White Birch Condo Association, stated his traffic concerns, and the possibility of dogs taken off the property and brought to the Community Trail.

Public Hearing Closed.

STAFF RECOMMENDATION:

The Planning Department recommends the Planning Board approve the Conditional Use Permit with the following condition:



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - City Hall, 288 Central Avenue
Meeting Date: **Tuesday, March 28, 2017**
Meeting Time: **7:00 pm**

Condition to Be Met Prior to the Issuance of the Conditional Use Permit:

1. A formal agreement between the Planning Board and the applicant shall be prepared and recorded at the Strafford County Registry of Deeds.

Discussion ensued regarding the Community Trail public access and that restrictions cannot be placed on its use. J.Flynn confirmed she would not use the trails due to liability factor.

J.Flynn confirmed the parking location on the plans for M.Bondi.

Motion: T.Clark made a motion to approve the Conditional Use Permit subject to staff recommended conditions. Seconded by D.White. Vote 8/1 D.Landry opposed.

5. STAFF COMMENTS

C.Parker addressed the following:

- The packet distributed to the Board regarding the 2016 Stewardship of Resources.
- The grant funding received for the 2019 project to complete the Community Trail. He provided the locations to be completed.
- The schedule to determine when to have a workshop to review the I-2 and I-1 Districts. He provided options to the Board, and it was determined by consensus to have the workshop on April 18, 2017 at 7:00 p.m. D.Landry requested materials be provided in advance in order to be prepared for the meeting.
- The Climate Adaptation Master Plan and that 14 people interviewed for the Committee. Hayley Harmon would be the Planning Board representative. He provided the list of names to be on the Committee. There were no objections from the Board regarding the list. The Chair appointed the Committee.

6. MEMBER COMMENTS

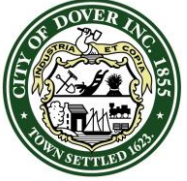
L.Skinner addressed the item on the agenda that was not ready for review.

C.Parker explained the State deadline dates had changed, the reason item 3.D was pulled from the agenda, and that the procedure used to inform the public and the Board is the typical procedure.

F.Torr congratulated all who worked on the Glenwood/Central Avenue project.

7. ADJOURNMENT

Motion: G.Cruikshank made a motion to adjourn at 11:18 p.m. Seconded by F.Torr. Vote U/A



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P17-10

Application Type:	Conditional Use Permit
Applicant:	Daniel W. Ayer
Owner:	Daniel W. Ayer
Location	Back Road and McKone Lane (Tax Map N, Lot 18, 18-4, 18-5, and 19)
Meeting Date:	April 11, 2017

INTENT: To obtain a Conditional Use Permit for a new road and drainage facilities that impact 2,197 s.f. of steep slope greater than 20 percent.

LOTS/UNITS PROPOSED: 17 lots

AGENDA ITEM #: 3-A

ACRES: Total acres: 44.9
Phase 2 acres: 29.38

ZONING DISTRICT: Rural Residential (R-40) District

EXISTING LAND USE:
Residential/Vacant

SURROUNDING LAND USE:
Residential

PROPOSED LAND USE: Residential

ZBA ACTION: None

ATTACHMENTS: March 28, 2017
Planning Board minutes- *Please bring previous materials provided*

APPLICATION IS COMPLETE: Yes

NOTICES SENT: Abutter notices were sent by certified mail to all abutters for the March 28, meeting

PERMITS REQUIRED:
-Dover CUP
-NH DES Wetlands Permit
-Alteration of Terrain Permit

WAIVERS REQUESTED: None

Summary of Request and Background

The applicant is requesting a Conditional Use Permit to build a new road and drainage facilities that impact 2,197 s.f. of steep slope greater than 20 percent.

The applicant appeared before the Technical Review Committee on August 25, 2016 and March 2, 2017 (minutes were previously provided).

The Conservation Commission endorsed the application at their March 14, 2017 meeting.

The Board accepted the application at the March 28, 2017 meeting.

Consistency with Land Use Regulations

The Conservation District ordinance provides for Conditional Use Permits to allow impacts to areas of 20 percent slope if standards related to demonstration of need, avoidance, minimization, and mitigation are met.

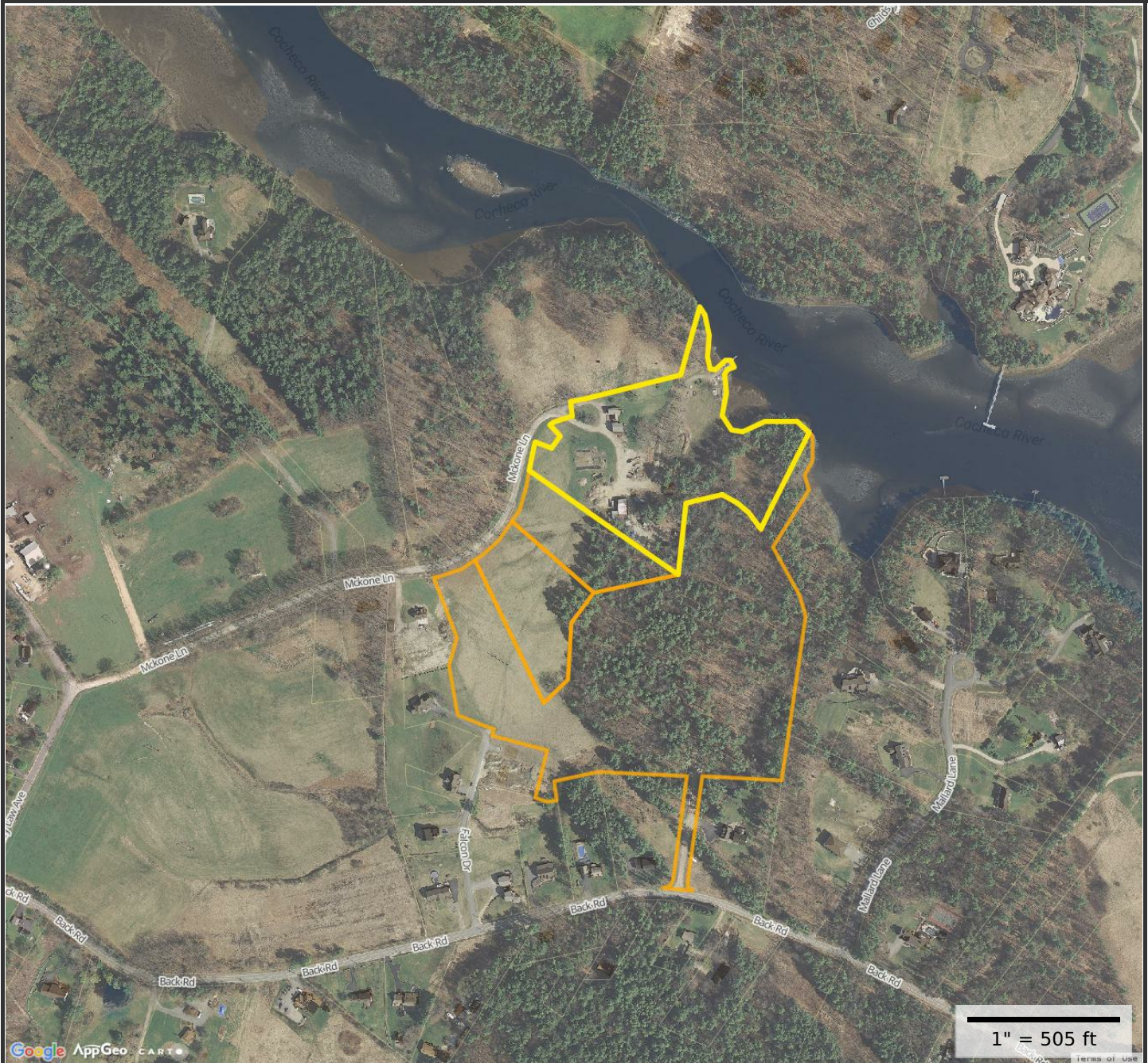
STAFF RECOMMENDATION:

The Planning Department recommends the Planning Board re-open the public hearing and vote to approve the Conditional Use Permit with the following condition:

Condition to Be Met Prior to the Issuance of the Conditional Use Permit:

1. The applicant revise the CUP plan to indicate the correct Planning File Number (P17-10)
2. The applicant has the owner sign the final plan set.
3. The Professional Engineer sign and stamp the final plan set.

McKone Lane

**Property Information**

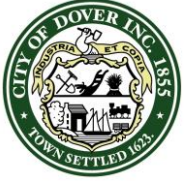
Property ID N0018-000000
Location 100 MCKONE LN
Owner AYER DANIEL & JACQUELINE REV TRUSTS



**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 03/20/2017
Properties updated 03/23/2017



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P17-12

Application Type:	Conditional Use Permit
Applicant:	Daniel W. Ayer
Owner:	Daniel W. Ayer
Location:	Back Road and McKone Lane (Tax Map N, Lot 18, 18-4, 18-5, and 19)
Meeting Date:	April 11, 2017

INTENT: To obtain a Conditional Use Permit to build a road that crosses a wetland. Impacts include 350 s.f. of wetland impact and 24,283 s.f. of wetland buffer impact.

LOTS/UNITS PROPOSED: 17 lots

AGENDA ITEM: 3-B

ACRES: Total acres: 44.9
Phase 2 acres: 29.38

ZONING DISTRICT: Rural Residential (R-40) District

EXISTING LAND USE:
Residential/Vacant

SURROUNDING LAND USE:
Residential

PROPOSED LAND USE: Residential

ZBA ACTION: None

ATTACHMENTS: March 28, 2017 Planning Board minutes—*Please bring previous materials provided*

APPLICATION IS COMPLETE: Yes

NOTICES SENT: Abutter notices were sent by certified mail to all abutters for the March 28, 2017 meeting

PERMITS REQUIRED:
-Dover CUP
-NH DES Wetlands Permit
-NH DES Shoreland Permit
-Alteration of Terrain Permit

WAIVERS REQUESTED: None

Summary of Request and Background

The applicant is requesting a Conditional Use Permit to build a road that crosses a wetland. Impacts include 350 s.f. of wetland impact and 24,283 s.f. of wetland buffer impact.

The applicant appeared before the Technical Review Committee on August 25, 2016 and March 2, 2017 (minutes were previously provided).

The Conservation Commission endorsed the application at their March 14, 2017 meeting with the condition that wetland buffer signs be placed on any lot with a buffer on the lot and in the open space area between Eagan Drive and Whitely Drive.

The Board accepted the item for review at the March 28, 2017 meeting.

Consistency with Land Use Regulations

The Wetlands Protection District ordinance provides for Conditional Use Permits to allow impacts to wetlands and wetland buffers if standards related to demonstration of need, avoidance, minimization, and mitigation are met. This proposal is consistent with those standards.

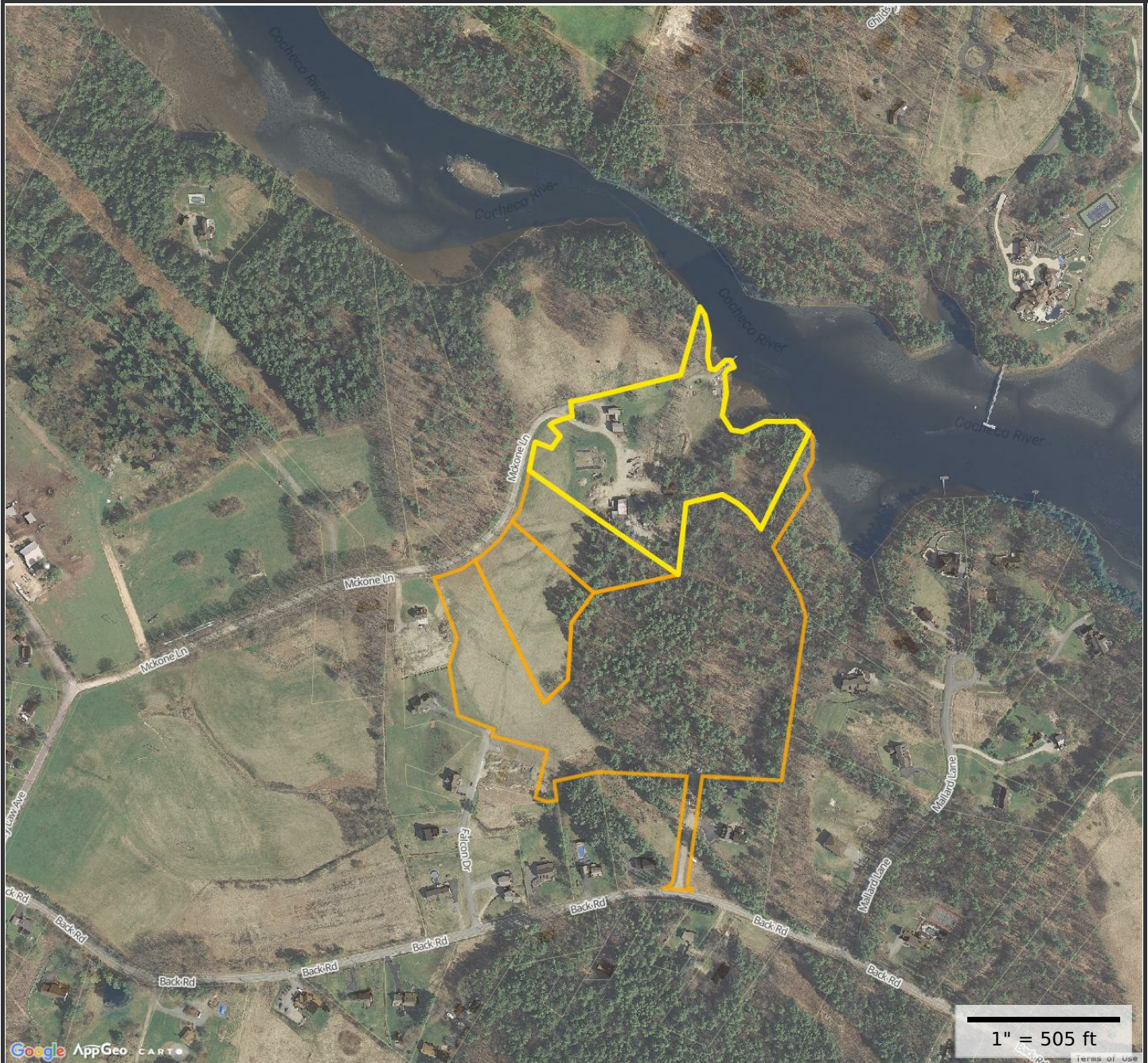
STAFF RECOMMENDATION:

The Planning Department recommends the Planning re-open the public hearing and vote to approve the Conditional Use Permit with the following condition:

Condition to Be Met Prior to the Issuance of the Conditional Use Permit:

1. The applicant shall revise the plat to indicate wetland buffer signs be placed on any lot with a buffer on the lot and in the open space area between Eagan and Whitely Drive.
2. The applicant revise the CUP plan to indicate the correct Planning File Number (P17-12)
3. The applicant has the owner sign the final plan set.
4. The Professional Engineer sign and stamp the final plan set.
5. Provide the Planning Department a copy of the NHDES Wetlands Permit and NHDES Shoreland Permit.

McKone Lane

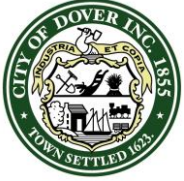
**Property Information**

Property ID N0018-000000
Location 100 MCKONE LN
Owner AYER DANIEL & JACQUELINE REV TRUSTS

**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 03/20/2017
Properties updated 03/23/2017



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P16-25

Application Type:	Open Space Subdivision
Applicant:	Daniel W. Ayer
Owner:	Daniel W. Ayer
Location:	Back Road and McKone Lane (Tax Map N, Lot 18, 18-4, 18-5, and 19)
Meeting Date:	April 11, 2017

INTENT: Subdivision Plan Review to create an open space subdivision containing 17 total single family residential lots plus open space lots.

LOTS/UNITS PROPOSED: Sixteen (16) new single family dwelling units.

AGENDA ITEM #: 3-C

ACRES: Total acres: 44.9
Phase 2 acres: 29.38

ZONING DISTRICT: Rural Residential (R-40) District

EXISTING LAND USE:
Residential/Vacant

SURROUNDING LAND USE:
Residential

PROPOSED LAND USE: Residential

ZBA ACTION: None

ATTACHMENTS: Subdivision Plan, Phasing Plan, Revised Traffic Study, Fiscal Impact Analysis-- ***Please bring previous materials provided***

APPLICATION IS COMPLETE: Yes

NOTICES SENT: Abutter notices were sent by certified mail to all abutters for the March 28, 2017 meeting

PERMITS REQUIRED: Dover CUP

WAIVERS REQUESTED: None

Summary of Request and Background

The applicant appeared before the Technical Review Committee on August 25, 2016 and March 2, 2017 (minutes are attached).

The Conservation Commission endorsed the application at their March 14, 2017 meeting with the condition that wetland buffer signs be placed on any lot with a buffer on the lot and in the open space area between Eagan Drive and Whitley Drive.

The Board accepted the item for review at their March 28, 2017 meeting.

Consistency with Land Use Regulations

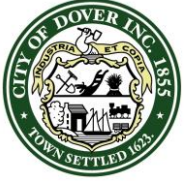
Chapter 155-15 of the Land Subdivision Regulations of the City Code provides for subdivisions of existing lots.

STAFF RECOMMENDATION:

The Planning Department recommends that the Planning Board re-open the public hearing and vote to approve the subdivision plans with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

1. The owner's signatures shall be added to the final plat submitted for signature.
2. The Licensed Land Surveyor and Professional Engineer stamp and sign final plans.
3. The applicant shall provide the Planning Department with a:
 - a. digital version of the final plat
 - b. lot merger paperwork to be recorded
4. The applicant shall revise the plat to:
 - a. Include a revised Current Use plan for the property to the Assessor Department's satisfaction.
 - b. Indicate permit approval dates
 - c. Indicate existing tree line/wooded area to remain
 - d. Add note about recording stormwater plan
 - e. Indicate location of central mail delivery point or supply letter from Post Master indicating individual mail delivery.
5. The applicant's proposed Homeowner's Association Documents shall address access to the open space lot, preservation of perimeter landscaping, snow removal, solid waste hauling, fond mounts, utility mounts, and ownership and maintenance of common areas including open space, drainage infrastructure and utilities. These documents must be reviewed by the Planning Department, with consultation by the City Attorney on compliance with conditions.



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P16-25

Application Type: Open Space Subdivision
Applicant: Daniel W. Ayer
Owner: Daniel W. Ayer
Location: Back Road and McKone Lane (Tax Map N, Lot 18, 18-4, 18-5, and 19)
Meeting Date: April 11, 2017

6. The Stormwater Management Plan and Stormwater Management System Operation and Maintenance Plan must be approved to the satisfaction of the City Engineer.

Conditions to Be Met Prior to Any Construction Activity:

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

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

8. Any new dwelling units shall be assessed the current sewer investment fees in place at the time of application for sewer service.

Conditions to Be Met Prior to Issuance of a Certificate of Occupancy:

9. Any new dwelling unit shall be assessed the current impact fees in place at the time of building permit application.
10. The applicant shall provide a letter of credit or other form of security acceptable to the City for any unfinished work, which will need to detail the phasing.



MJS ENGINEERING, P.C.
CIVIL • STRUCTURAL • ENVIRONMENTAL

5 Railroad Street • P.O. Box 359
Newmarket, NH 03857
Phone: (603) 659-4979
Email: mjs@mjs-engineering.com

March 31, 2017

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

**Re: Revised Estimated Trip Generation for The Narrows
Open Space Conservation Subdivision
Back Road and McKone Lane**

Dear Dover Planning Board Members:

MJS Engineering, PC has prepared a traffic volume estimate as defined in the Institute of Transportation Engineers, Trip Generation Manual for your review. This information is provided for use in determining the traffic generation from the additional single-family lots, within the proposed subdivision, on the existing Town roads.

Calculations:

The following calculations are based on the Institute of Transportation Engineers, Trip Generation Manual, Land Use 210, Single Family Detached Housing.

Per Land use 210, Single Family Detached Housing:

Average Daily Trips = 9.57 trips per day/dwelling unit

Peak Hour Trips(morning) = 0.77 trips/dwelling unit

Directional Split = 74% exiting, 26% entering

Peak Hour Trips(afternoon) = 1.02 trips/dwelling unit

Directional Split = 64% entering, 36% exiting

Given:

Subdivision = 13 new lots = 13 dwelling units

The proposed development area is currently made up of 4 existing lots of record. The 4 lots will be consolidated into one lot and then subdivided into 17 lots with the existing dwelling unit on one of the lots. Therefore, this proposed subdivision will create 13 new single-family lots.

Average Daily Trips:

Average Daily Trips = 13 dwelling units x 9.57 trips per day/dwelling unit

Average Daily Trips = 124.41 trips/day

Average Daily Trips = 124 trips/day

Trips during Peak Hour(morning):

Peak Hour Trips(morning) = 13 dwelling units x 0.77 trips/dwelling unit

Peak Hour Trips(morning) = 10.01 trips/day

Peak Hour Trips(morning) = 10 trips/day

Directional Split = 74% exiting, 26% entering

Exiting Trips = 7 trips/day

Entering Trips = 3 trips/day

Trips during Peak Hour(afternoon):

Peak Hour Trips(afternoon) = 13 dwelling units x 1.02 trips/dwelling unit

Peak Hour Trips(afternoon) = 13.26 trips/day

Peak Hour Trips(afternoon) = 13 trips/day

Directional Split = 64% exiting, 36% entering

Exiting Trips = 8 trips/day

Entering Trips = 5 trips/day

Conclusion:

As calculated above, this subdivision will generate 124 average daily trips when the built out is complete. The subdivision has two points of access, one on Back Road and one on McKone Lane to Henry Law Ave. This will also separate the traffic entering and exiting the subdivision. Given the layout of the subdivision, with the disposition of the lots closer to Back Road than to Henry Law Ave., we estimate that the greater majority of the vehicles will use the Back Road entrance. If 15% - 25% of the lots use McKone Lane, to Henry Law Ave., for access, given one lot has its frontage on McKone Lane, and two to four of the lots are right off the end of McKone Lane, this will spread out the traffic impact to two different locations on town roads. Either way, this is an insignificant amount of traffic for the existing town roads that provide access to the subdivision.

If you require additional information or have any questions or comments, please call (603) 659-4979 x302.

Sincerely,

A handwritten signature in black ink, reading "Michael J. Sievert". The signature is written in a cursive, flowing style with a large initial 'M' and 'S'.

Michael J. Sievert PE
President

FISCAL IMPACT ANALYSIS

THE NARROWS - OPEN SPACE SUBDIVISION MCKONE LANE - DOVER, NH

March 2017

Per Chapter 155, Section 29Q: *Any project that creates more than ten (10) residential LOTS shall submit a fiscal impact analysis which details the probable effects of the SUBDIVISION on the following aspects of concern to the City:*

This subdivision will create 13 new lots from 4 existing lots.

(1) attendance at public schools:

Per a 2008 study prepared for the City of Dover, NH Department of Planning and Community Development by Bruce C. Mayberry, Planning Consultant, Section C. "Residential Enrollment per Housing Unit", Table 7, the number of students per single family (detached) dwelling unit is 0.3694, resulting in an estimated total of 5 enrolled students for this proposed 16 lot development.

$(0.3694 \text{ enrolled students} \times 13 \text{ dwelling units} = 4.8022)$

(2) increase in vehicular traffic:

Per the ITE, Trip Generation Manual, Land Use 210 for detached single family dwellings, the average daily trips is 9.57 trips per day, per dwelling unit, for a total of 124 trips per day for this proposed development. A more detailed traffic report has been submitted as part of this application.

$(9.57 \text{ trips per day} \times 13 \text{ dwelling units} = 124.41 \text{ trips per day})$

(3) changes in the number of legal residents:

It could be reasonably assumed that each single-family dwelling unit would house two adults plus the estimated number of school age children based on the study used for (1) above, resulting in an estimated increase of 31 legal residents for this proposed development.

$(2 \text{ adults} + .3694 \text{ children} = 2.3694 \text{ residents per dwelling unit} \times 13 = 30.8022 \text{ total legal residents})$

(4) increases in municipal costs:

The new lots will be serviced by private wells, and the road will be maintained by the Home Owner's Association. Sewer service costs will be offset by the Investment Fee imposed on the developer, as well as the quarterly billing of the individual home owner. The City of Dover estimates school costs per student to be \$15,000. This development estimates an additional 5 students (see 1, above) and an additional tax revenue of \$136,256 (see 7, below). Based on these estimates, the result would be a positive net increase in revenue of \$61,256 per year.

$(\text{estimated tax revenue of } \$136,256 - \text{estimated school costs of } \$75,000 = \text{estimated net revenue of } \$61,256)$

(5) load on public utilities or future demand for them:

The developer will install all necessary utilities, appropriate for the number of proposed single family dwelling units, per Subdivision and Site Review Regulations and as approved by the City of Dover, at the sole cost of the developer. Each lot will have private wells, but will be tied into the municipal sewer system via a private force main. Maintenance of this sewer force main system will be the responsibility of the Home Owners Association and its use would be paid by the individual homeowners by the quarterly City Utility Bill.

(6) public safety:

This residential development will be similar to the type of development surrounding it and would not pose any change in the public safety of this area. The roads will be constructed to meet Subdivision and Site Review requirements of the City which would include consideration to safety.

(7) changes in tax revenue:

Based on a calculation of assessed values of nearby comparative properties, taken from the City of Dover 2016 Assessed Values Report (4 properties on Falcon Drive, 1 property on McKone Lane), the average property value is \$400,000. In 2016, the property tax rate for the City of Dover was \$26.29 per \$1000. Based on these values, this development would result in a tax revenue increase of \$136,256 per year.

$(\$26.29 \times 400 = \$10,516 \text{ per dwelling unit} \times 13 \text{ dwelling units} = \$136,708 \text{ tax revenue})$

(8) changes in surface drainage:

Per City of Dover Site Review Regulations, a Stormwater Drainage and Maintenance Plan has been submitted to the City for approval which creates a pre-and post- construction plan to address surface drainage with design elements in place to minimize surface runoff. In addition, the subdivision requires an Alteration of Terrain Permit from the NHDES.

(9) increased consumption of groundwater:

According to the 2008 study prepared for the City of Dover, NH Department of Planning and Community Development by Bruce C. Mayberry, Planning Consultant, per the State of New Hampshire Water Usage Standards contained in Table 1008-1 in Chapter Env-Wq 1000 of the New Hampshire Code of Administrative Rules, a single-family dwelling (based on 3 bedrooms) uses 450 gallons per day. Therefore, the estimated groundwater use for this development would be 7,200 gallons per day. The proposed 16 lots will be serviced by private wells which will be installed by the developer and maintained by the landowner, having no financial impact on the City.

$(13 \text{ dwelling units} \times 450 \text{ gallons per day} = 5,850 \text{ gallons per day})$

(10) increased refuse disposal:

Any cost associated with the refuse created by this development will be offset through the purchase of City trash bags, and picked up on a weekly basis, as is the case throughout the City, or through a private trash collection company paid by the individual owners or Home Owner's Association.

(11) pollution of water or air:

The design of this proposed development does not contain any elements which would pose any significant pollution of water or air in the surrounding area and there that there are elements of the overall design in place to ensure that any negative impacts to water and air are minimized and/or avoided.

(12) land EROSION or loss of tree cover:

Erosion control measures will be used during the construction of this development, as required and approved by the City of Dover Site Review Regulations. It is the intent of the developer, to minimize tree removal only to that required for construction of the roadway, drainage and erosion control and individual lot development. The intent is to retain the existing tree cover to the maximum extent possible. Also, the developer will be required to installed appropriate vegetation throughout the development per Subdivision Regulations and State approvals.

(13) disturbance to other aspects of the natural ecology:

This subdivision design was created to minimize the proximity of the lots to the river and a NH DES Wetland and shoreland Permits will be obtained for work to be done within the shoreland protected area. The natural ecology will be disturbed only to the extent necessary and strictly as approved by the City of Dover and State of NH DES.

(14) blocking of views:

The overall lay of the land is a generally downward slope toward the river with a significant strip of dense tree cover along the river's edge and as such there would be minimal blocking of views, beyond what exists currently, within this development.

(15) harmony with the character of surrounding development:

The style of housing would be typical of other neighborhoods throughout the City of Dover and more specifically of similar character and value of the immediate area.

(16) location of utilities:

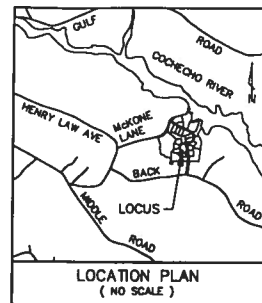
All utilities are proposed to be underground, per the City of Dover Site Review Regulations design requirements, and will be place within the (private) right of ways. An As-Built plan will be generated once construction is completed and filed with the City of Dover, as required by the Subdivision Regulations.

Lot Development Phase 2A

Lots	Open Space
N18-10	N18-OPN1
N18-11	N18-OPN3
N18-12	N18-OPN5
N18-13	N18-OPN6
N18-14	N18-OPN7
N18-15	
N18-16	
N18-17	
N18-18	
N18-19	
N18-20	

Lot Development Phase 2B

Lots	Open Space
N18	N18-OPN2
N18-6	N18-OPN4
N18-6	
N18-8	
N18-9	
N18-21	



BACK ROAD -
PUBLIC VARIABLE
WIDTH RIGHT OF WAY

A FIRE HYDRANT IS LOCATED AT
THE INTERSECTION OF BACK ROAD,
HENRY LAW AVENUE AND MULLIGAN
DRIVE. IT IS APPROXIMATELY 2,450
FEET FROM THE PROPOSED
INTERSECTION WITH BACK ROAD.

FALCON DRIVE HOMEOWNER'S ASSOCIATION
c/o JOHN J. ROSS
18 FALCON DRIVE
DOVER, NH 03820
3860 / 232

CHASE H. FLANDERS
JANINE E. TERRY
26 FALCON DRIVE
DOVER, NH 03820-5017
4223 / 861

STATE OF NEW HAMPSHIRE
FISH AND GAME DEPARTMENT
11 HAZEN DRIVE
CONCORD, NH 03301
3690 / 671

STATE OF NEW HAMPSHIRE
FISH AND GAME DEPARTMENT
11 HAZEN DRIVE
CONCORD, NH 03301
3793 / 585

DANIEL & JACQUELINE AYER REVOCABLE TRUSTS
DANIEL AND JACQUELINE AYER, TRUSTEES
100 MCKONE LANE # A
DOVER, NH 03820-3852
2950 / 946

STATE OF NEW HAMPSHIRE
FISH AND GAME DEPARTMENT
11 HAZEN DRIVE
CONCORD, NH 03301
3793 / 585

STATE OF NEW HAMPSHIRE
FISH AND GAME DEPARTMENT
11 HAZEN DRIVE
CONCORD, NH 03301
3887 / 774

REFERENCE PLANS:
1.) LOT CONSOLIDATION PLAN PREPARED FOR DANIEL & JACQUELINE AYER REVOCABLE TRUSTS AND DANIEL W. AYER REV. AGREEMENT OF TRUST, TAX MAP N, LOT No. 18, 18-4, 18-5 & 18, MCKONE LANE, FALCON DRIVE & BACK ROAD, CITY OF DOVER, COUNTY OF STRAFFORD, STATE OF NEW HAMPSHIRE. SCALE: 1" = 100'; DATED: DECEMBER 9, 2015; BY THIS OFFICE.

NOTES:

- OWNERS OF RECORD:
N / 18 DANIEL & JACQUELINE AYER REVOCABLE TRUSTS
DANIEL AND JACQUELINE AYER, TRUSTEES
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DOVER, NEW HAMPSHIRE 03820-3852
S.C.R.D. VOL. 2665, PAGE 0744 & 747
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S.C.R.D. VOL. 2645, PAGE 0472
- N / 18 - DENOTES TAX MAP AND PARCEL NUMBER.
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55.0 FEET OF FRONTAGE ALONG FALCON DRIVE.
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- BASIS OF BEARING IS THE CITY OF DOVER G.I.S. SYSTEM.
- SEE SHEETS 5-8 FOR PARCEL METES AND BOUNDS.
- WETLAND BUFFER PLACECARDS SHALL BE INSTALLED EVERY 50 FEET AT LOTS THAT CONTAIN A WETLAND BUFFER. LOTS 6, 9, 10, 11, 12, 14, 15, 16, 19 & 20.
- PERIMETER BUFFER SIGNS SHALL BE INSTALLED EVERY 50 FEET AT LOTS THAT CONTAIN A PERIMETER BUFFER. LOTS 6, 7, 19, 20 & N/18 (EXISTING DWELLING).

RECEIVED
Planning Office

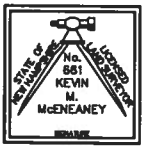
APR 05 2017

Dover, New Hampshire

SHEET 4 OF 28

THE NARROWS AN OPEN SPACE SUBDIVISION
PREPARED FOR
DANIEL & JACQUELINE AYER REVOCABLE TRUSTS
AND
DANIEL W. AYER REV. AGREEMENT OF TRUST
TAX MAP N, LOT No. 18
MCKONE LANE, FALCON DRIVE & BACK ROAD
CITY OF DOVER
COUNTY OF STRAFFORD
STATE OF NEW HAMPSHIRE

DOVER PLANNING FILE No. P16-25
DRAWN BY: RJM FILE: VR CP\1984\15-1984 OSS2
SCALE: 1" = 100' DATE: AUGUST 1, 2016



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Survey
Associates, inc.

P.O. Box 681 - 24 CHESTNUT STREET
DOVER, NH 03820 (603) 742-0911

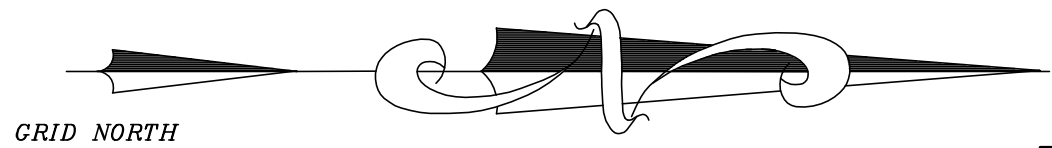
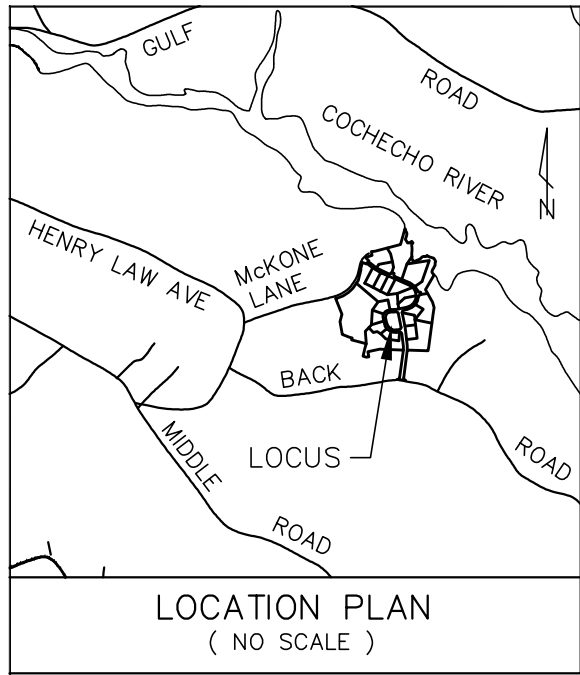
SURVEYING - PLANNING - CONSULTING

LEGEND

- PROPERTY LINE
- 250' STATE SHORELAND PROTECTION LINE
- 100' DOVER CONSERVATION DISTRICT LINE
- EDGE OF WETLANDS / WATERLINE
- EASEMENT LINE
- SURVEY TIE LINE
- SETBACK / BUFFER LINE
- EDGE OF PAVEMENT / TRAVELED WAY
- WETLANDS
- UP - UTILITY POLE
- (TYP.) - TYPICAL
- S.F. - SQUARE FEET
- Ac. - ACRE
- S.C.R.D. - STRAFFORD COUNTY REGISTRY OF DEEDS
- SWQPA - SHORELAND WATER QUALITY PROTECTION ACT
- O.A. - OVERALL
- T1 - PROPOSED EVERSOURCE TRANSFORMER
- T2J3 - PROPOSED EVERSOURCE JUNCTION BOX

"I HEREBY CERTIFY THAT THIS PLAN IS BASED ON AN ACTUAL GROUND SURVEY PERFORMED WITH A TOTAL STATION, BY ME OR THOSE UNDER MY DIRECT SUPERVISION AND THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, SAID SURVEY MEETS OR EXCEEDS THE MINIMUM PRECISION REQUIREMENTS FOR SURVEY CLASSIFICATION "U" AS SET FORTH IN TABLE 500.1 OF THE NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES OF THE BOARD OF LICENSURE FOR LAND SURVEYORS."

NO.	DATE	DESCRIPTION	BY	CHK
2	3/21/17	REVISE PER 3/2/17 TRC COMMENTS	RJM	KUM
1	2/7/17	REVISE PER TRC COMMENTS	RJM	KUM
REVISIONS				
12-1984	OSS PH22	15-05	-	-
PROJECT NO	TYPE	FIELDBOOK & PAGES		



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- 7.) BASIS OF BEARING IS THE CITY OF DOVER G.I.S. SYSTEM.
- 8.) SEE SHEETS 5-8 FOR PARCEL METES AND BOUNDS.

LOCATION PLAN
(NO SCALE)

BACK ROAD -
PUBLIC VARIABLE
WIDTH RIGHT OF WAY

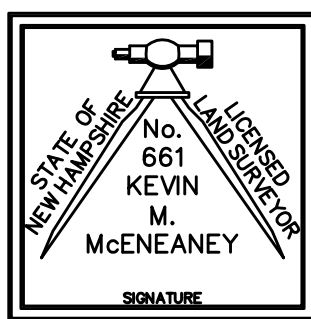
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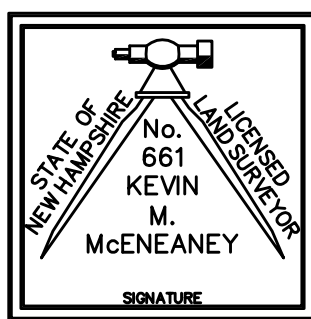
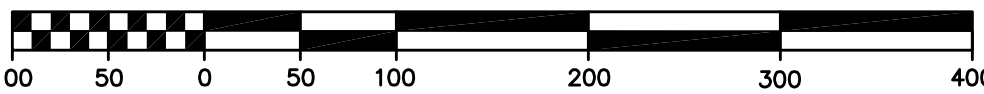
McGeneaney
Survey
Associates, inc.

P.O. Box 681 - 24 CHESTNUT STREET
DOVER, NH 03820 (603) 742-0911

SURVEYING - PLANNING - CONSULTING

THE NARROWS AN OPEN SPACE SUBDIVISION
PREPARED FOR
DANIEL & JACQUELINE AYER REVOCABLE TRUSTS
AND
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TAX MAP N, LOT No. 18
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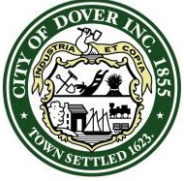
DOVER PLANNING FILE No. P16-25
DRAWN BY: RJM FILE: VR CP\1984\15-1984 OSS2
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DOVER, NH 03820 (603) 742-0911

SURVEYING - PLANNING - CONSULTING



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P14-34A

Application Type: Amendment to Site Plan Review
Applicant: Bradley Commons
Owner: The Housing Partnership
Location: 577 Central Avenue (Assessor's Map 27, Lots 2, 3, 4 & 15)
Meeting Date: April 11, 2017

INTENT: A site plan was approved in 2014. A Condition of Approval was the signing of a Development Agreement. The Applicant wishes to amend the signed agreement.

LOTS/UNITS PROPOSED: N/A

AGENDA ITEM #: 3-D

ACREAGE: N/A

ZONING DISTRICT: Central Business District - General (CBD)

EXISTING LAND USE: Vacant

PROPOSED LAND USE: Mixed use building with multifamily housing units, office space and retail space

SURROUNDING LAND USE: Commercial retail, offices, and all types of residential development

ZBA ACTION: None

PERMITS REQUIRED:

- N/A

WAIVERS REQUESTED:

- N/A

ATTACHMENTS: Signed original and signed (by applicant) revised Development Agreement

APPLICATION IS COMPLETE: Yes

NOTICES SENT: N/A

Summary of Request and Background

On September 25, 2014, the Planning Board approved a site plan for the applicant to construct a 60,918 sq. ft. building with multifamily housing units and 14,018 sq. ft. of commercial space and one 21,170 sq. ft. 2-story building with residential units.

As part of the Conditions of Approval for the Site Plan, the applicant and the City were required to enter into a Development Agreement, to be recorded, which covered the following areas:

- a. The conditions of approval.
- b. A tax guarantee for the phase II building to be located on Park Street, if said building is not completed within 5 years. The value of the guarantee shall be negotiated with the Director of Planning and Community Development.
- c. All requirements for the conditional use permits.
- d. Any traffic improvements suggested as part of the traffic analysis peer review.

This agreement was signed and recorded as required, prior to the signing of the plans for the Site Plan. The applicant is separating the buildings through a condominium. Additionally, each condominium will use a different finance corporation. As, funding of the Central Avenue building will be separate from the Park Street building, phase II, the applicant and its financial partners wish to separate the obligation of the payment in lieu of taxes (PILOT) based upon the condominiums, so that the condominium constructing and owning phase II is obligated to pay the PILOT if triggered.

The applicant's attorney and the City Attorney have drafted the language of the proposed amendment, and the applicant has signed the agreement.

Consistency with Land Use Regulations

The Site Plan regulations allow for the approval and amendment of site plans by the Planning Board. In this case, none of the original conditions of approval, outside the Development Agreement, will be affected.

STAFF RECOMMENDATION:

The Planning Department recommends the Planning Board approve the amendment with the following conditions:

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

1. The owner shall acknowledge that all the original conditions of approval for the site plan continue.
2. The revised development agreement, as presented, between the Planning Board and the applicant shall be prepared and recorded at the Strafford County Registry of Deeds.

**Property Information**

Property ID 27003-000000
Location 577 CENTRAL AV
Owner HOUSING PARTNERSHIP



**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 01/11/2017
Properties updated 03/08/2017



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

[Revised June 30, 2014]
RECEIVED
Planning Office

Office Use Only
P14-34A

Amount Paid:

\$230.00
ck #1064

Date/Time Received:

MAR 29 2017

Dover, New Hampshire

APPLICANT INFORMATION

Name of Applicant: The Housing Partnership Telephone # 603 766 3131
Address of Applicant: 767 Islington Street E-Mail hershey@housingpartnership.org
Project Name: Bradley Commons Project Location: 575 Central Avenue
Planning File Number: _____ Date of Original Approval 9.27.2016
File Type: Conditional Use _____ Site Plan Review ☒ Subdivision _____

EXTENSION INFORMATION (Note: notification of abutters required for first time extensions under Sec. 149-9.B and Sec. 155-24.B only)

Extension type requested (check one): ☐ Sec. 149-8.A ☐ Sec. 149-9.B ☐ Sec. 155-14.A ☐ Sec. 155-24.B
Current deadline date: _____ Number of Extensions Previously granted by Board _____
Reason(s) for extension/comments (attach additional sheets as needed): _____

AMENDMENT INFORMATION

Condition(s) or portion of plan to be amended: Amendment to DA
Reason(s) for amendment/comments (attach additional sheets as needed):
Restriction of liability for tax payment in lieu of development to owner of phase 2 land
condo owner.

WAIVER INFORMATION

Site Review/Subdivision Regulations section(s) to be waived: _____
Justification for waiver request(s) (attach additional sheets as needed): _____

SIGNATURES

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

Signature of Property Owner: [Signature] Date: 3.24.2017

Signature of Applicant (if different from owner): _____ Date: _____

Signature of Agent: _____ Date: _____

CORRECTION OF DEVELOPMENT AGREEMENT

THIS CORRECTION OF DEVELOPMENT AGREEMENT dated as of the ____ day of March, 2017 (this "Agreement"), by and among THE HOUSING PARTNERSHIP: A Non-Profit Corporation, a New Hampshire non-profit corporation having a mailing address of P.O. Box 466, Portsmouth, NH 03802 (hereinafter the "Developer" or "Assignee"), The City of Dover, NY, 288 Central Avenue, Dover, NH 03820 (the "City")

WHEREAS, the Developer and the City entered into that certain Development Agreement executed September 27, 2016 recorded on October 17, 2016 in Book 4424, Page 0607 in the real estate records of Stafford County, NH (the "Development Agreement"), pursuant to which the Developer and the City agreed to certain provisions related to improvement of the property located at 577 Central Avenue (also having frontage on Park Street), Dover, NH (the "Property"), all as more particularly described in the Development Agreement;

WHEREAS, the Developer's Site Plan for the development of the improvements on the Property was approved by the City of Dover Planning Board;

WHEREAS, the Developer has subjected the Property to a land condominium regime resulting in the Property being treated as two legally separate land condominium units pursuant to Declaration of Bradley Commons Master Condominium dated December ____, 2016 and recorded in the Strafford County Registry of Deeds at Book ____, Page ____;

WHEREAS, The condominium units are known as Unit A and Unit Band are shown on the Condominium Site Plan recorded in the Strafford County Registry of Deeds as Plan # ____; in general terms, Unit A will be located on Central Avenue and Unit B will be located on Park Street;

WHEREAS, the Condominium Declaration provides that Unit A may be further condominiumized;

WHEREAS, the parties hereto now desire to correct certain terms of the Development Agreement as described herein;

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, and for other good and valuable consideration, the receipt and sufficiency of which is acknowledged hereby, the parties mutually agree as follows:

1. Capitalized terms used but not defined herein shall have the meanings given to them in the Development Agreement.
2. Paragraph 5, is amended to read as follows:

“5. Prior to the issuance of a certificate of occupancy for either the mixed use building to be constructed along Central Avenue or the residential structure to be built along Park Street, the Developer shall provide a Letter of Credit or other form of security acceptable to the City, for:

- (a) any unfinished work required by the approved Site Plan for the building for which a certificate of occupancy is sought; and
- (b) determining the feasibility of and striping of a left turn pocket southbound on Central Avenue if monitoring by the City for one year indicates a need. This subparagraph (b) shall only apply to the mixed use building to be constructed along Central Avenue.”

3. For purposes of clarifying the interpretation of Paragraph 9, the parties understand and agree that the obligations under the Development Agreement, as corrected hereby, shall be secured solely by and be enforceable against Unit B and the owner thereof, and that in no event shall the terms of Paragraphs 9 of the Development Agreement be binding upon or enforceable against the Unit A, any improvements on Unit A, or any owner of Unit A, or any subcondominium unit created out of Unit A.

4. In executing this instrument, the undersigned authorized representative of the City consents to the terms of this Agreement and certifies that this Agreement is consistent with the authorizations and approvals received by the Developer from the Dover Planning Board.

5. This Agreement shall be governed by the laws of the State of New Hampshire.

6. This Agreement may be executed in several counterparts, each of which shall be deemed to be an original copy and all of which together shall constitute one agreement binding on all parties hereto, notwithstanding that all the parties shall not have signed the same counterpart.

7. Except as otherwise provided in this Agreement, the Development Agreement remains in full force and effect.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed under seal as of the date first written above.

DEVELOPER:

THE HOUSING PARTNERSHIP: A NON-
PROFIT CORPORATION

By: 

Martin Chapman, Executive Director

THE CITY OF DOVER, NH

Kirt Schuman
Chair, Dover Planning Board

[NOTARY ACKNOWLEDGEMENTS ON FOLLOWING PAGE]

STATE OF NEW HAMPSHIRE

COUNTY OF

Rockingham

The foregoing instrument was acknowledged before me on March 8, 2017, by Martin Chapman, duly authorized representative of The Housing Partnership: A Non-Profit Corporation and THP Dover Commons, Inc., the General Partner of Bradley Commons Limited Partnership.

Renee Woodard

Notary Public/Justice of the Peace

My Commission Expires:

5/4/21

(Seal)

RENEE E. WOODARD, Notary Public
State of New Hampshire
My Commission Expires May 4, 2021

STATE OF NEW HAMPSHIRE

COUNTY OF _____

The foregoing instrument was acknowledged before me on _____, 2017, by Kirt Schuman, an authorized representative of the City of Dover, New Hampshire Planning Board.

Notary Public/Justice of the Peace

My Commission Expires: _____

(Seal)

DEVELOPMENT AGREEMENT

This Development Agreement is made by and between **The Housing Partnership: A Non-Profit Corporation**, a New Hampshire non-profit corporation having a mailing address of P. O. Box 466, Portsmouth, NH 03802 (hereinafter the “**Developer**”), and **The City of Dover, NH**, 288 Central Avenue, Dover, NH 03820 (hereinafter the “**City**”).

Explanatory Statement

The Developer is the owner of property located at 577 Central Avenue (also having frontage on Park Street), Dover, NH, shown on Dover Assessor’s Map 27 as Lots 2, 3, 4 and 15 (the “**Property**”). See Warranty Deed from The Roman Catholic Bishop of Manchester, a corporation sole, to The Housing Partnership: A Non-Profit Corporation, dated =====, 2016, recorded in the Strafford County Registry of Deeds at Book _____, Page _____. The Developer is the holder of Site Plan Approval and three Conditional Use Permits granted to The Housing Partnership by the Dover Planning Board by four separate Notices of Decision, each dated September 29, 2014, in the following cases:

- Case #P14-34 (Site Plan Approval)
- Case #P14-32 (Conditional Use Permit for relief from zone CBD-General building coverage and side property line setback requirements)
- Case #P14-33 (Conditional Use Permit for relief from zone CBD-General on-site parking requirements)
- Case #P14-51 (Conditional Use Permit for relief from zone CBD-General prohibition of residential use on first floor)

The approvals granted by the Dover Planning Board authorize mixed-use redevelopment of the Property with the construction of two buildings, one on Central Avenue and one on Park Street, and related site improvements, all as shown on the approved Site Plans. The approvals require that certain conditions be memorialized by this Development Agreement to be recorded at the Strafford County Registry of Deeds as required by Dover Code Section 170-20-B(3) and 170-44(I)(3).

NOW, THEREFORE, intending to be legally bound, the parties agree as follows:

1. This agreement shall be recorded contemporaneous with the Developer's acceptance and recording of a deed to and for the Property from the Roman Catholic Bishop of Manchester - a corporation sole, dated -----, 2016, recorded at Strafford County Registry of Deeds in Book -----, Page -----.

2. Along with the recording of Developer's deed and this Development Agreement, Developer shall also record at the Strafford County Registry of Deeds a Notice of Merger of those parcels shown on Dover Assessor's Map 27 as Lots 2, 3, 4 and 15 with the intent and for the purpose of those parcels (the Property) being merged as one lot as required by the Planning Board's Site Plan Approval.

3. Any construction relating to improvements authorized by the approved plans shall be limited to Monday through Friday, 7:00 a.m. to 6:00 p.m., and Saturday, 8:00 a.m. to 5:00 p.m., with no Sunday hours. Hours of construction shall be documented on a site construction sign along with the contact information for the general contractor. Said signage shall be located and approved by the City Engineer or Director of Planning and Community Development.

4. Prior to the issuance of any building permit for construction:

- (a) Developer shall pay required Impact Fees, with credit given for existing building;
- (b) Developer shall pay current water/sewer investment fees in place at the time of application for water/sewer service.

5. Prior to the issuance of a certificate of occupancy, the Developer shall provide a Letter of Credit or other form of security acceptable to the City for:

- (a) any unfinished work required by the approved Site Plan; and
- (b) determining the feasibility of and striping of a left turn pocket southbound on Central Avenue if monitoring by the City for one year indicates a need.

6. The mixed use building to be constructed along Central Avenue shall not have residential uses on the first floor. First floor residential uses shall be allowed in the residential structure to be built along Park Street.

7. Notwithstanding zone CBD-General parking requirements, the Planning Board authorizes redevelopment of the Property with the number and configuration of parking spaces as shown on the approved Site Plan, provided, however, that none of the vehicles used for the businesses occupying the non-residential portion of the building on Central Avenue will park in the on-site parking lot overnight.

8. Developer shall use snow storage areas shown on Site Plan for winter snow storage. Snow storage that encroaches into aisles and access ways shall be removed from the site. Developer shall be responsible for having "snow removal from site" contingency plans in place to be implemented as needed due to severity of winter storms/snow accumulation.

9. If construction of the multi-unit residential structure to be built on Park Street has not commenced by March 31, 2020, or if commenced, remains incomplete, meaning certificates of occupancy for all units have not been issued by April 1, 2020, the owner of the Property shall make a "Tax Guaranty Payment" to the City of Dover, together with its payment of *ad valorem* taxes attributable to the land, buildings and improvements for all of the Property, commencing with the tax bills due and collected by the City in December, 2020 and June, 2021, based on the Property's April 1, 2020 assessment.

(a) If, as of the April 1, 2020 assessment date, the multi-unit residential structure to be built on Park Street has not been started, then the Tax Guaranty Payment shall be in an amount equal to what would have been the increase in real estate taxes assessed against the Property as if its *ad valorem* tax assessment included a multi-unit residential structure on Park Street having an equalized assessed value no less than \$100,000.00 Dollars per unit of the multi-unit residential structure

(b) If, as of the April 1, 2020 assessment date, the multi-unit residential structure to be built on Park Street has been started but has not been completed (completion meaning certificates of occupancy for all units have been issued), the Tax Guaranty Payment shall be equal to the Tax Guaranty Payment determined under paragraph (a) above, less the actual amount of *ad valorem* taxes attributable to the partially completed Park Street structure assessment as of April 1, 2020.

(c) If the multi-unit residential structure to be built on Park Street remains uncompleted (completion meaning certificates of occupancy for all units have been issued), as of any April 1 assessment date(s) subsequent to April 1, 2020, the Tax Guaranty Payment to be paid with the December, then June tax bills following said April 1 assessment date shall be equal to the Tax Guaranty Payment determined under paragraph (a) above, less the actual amount of *ad valorem* taxes attributable to the partially completed Park Street structure assessment as of said April 1.

(d) Once the multi-unit residential structure has been completed on Park Street (completion meaning certificates of occupancy for all units have been issued), the Developer's obligation to make Tax Guaranty Payments together with tax bill payments shall terminate for any tax bills based upon an April 1 assessment including the completed Park Street structure.

10. The Developer's obligations hereunder shall be binding upon Developer's successors in interest to the Property, unless or to the extent modified by Planning Board Approval, confirmed by subsequent development agreement(s) recorded at the Strafford County Registry of Deeds.

IN WITNESS WHEREOF, the parties have signed this agreement this 27 day of September, 2016.

THE HOUSING PARTNERSHIP:
A NON-PROFIT CORPORATION

Z. Z. Z. Z.
Witness

By M. Chapman
Martin Chapman, Executive Director

THE CITY OF DOVER, NH
By Its Planning Board

Ronna Britton
Witness

By Franklin S. Torr
Franklin Torr, Chair



PLANNING BOARD OPERATING RULES

Proposed Revision Created March 8, 2017

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Article I. Name

The name of the committee is the Dover Planning Board.

Article II. Authority and Duties

The authority and duties of the Planning Board shall comply with RSA 672-677 and Chapter 41.

Article III. Membership

A. Membership.

1. The Planning Board consists of nine (9) regular members and three (3) alternate members.
2. Three (3) regular members are ex-officio members. The ex-officio members are the City Manager or the City Manager's designee, an administrative official of the City selected by the City Manager, and a member of the City Council selected by the City Council.
3. Alternates may sit to fill the open seats of regular members at the call of the Chair or Presiding Officer, except for the seat held by the City Council member. Alternates shall be called to sit using a sequential rotation system.
4. Alternate members shall be allowed to participate in meetings as non-voting members, including discussions.
5. Only voting members shall be seated at the table.
6. Members shall be appointed to terms of three (3) years.

- B. Attendance, Vacancies and Removal.** All appointments to the board shall serve for the terms appointed and until a successor shall have been appointed and qualified. Members who fail to attend four (4) meetings out of any twelve (12) consecutive meetings held without due cause may be recommended by the Board for replacement by the City Council. Such failure to attend shall be deemed sufficient cause for the City Council to remove the member pursuant to RSA 673:13. Appointments made to fill any vacancies shall be for full terms to begin the date of appointment by the appointing authority unless otherwise provided in state statute.

Article IV. Officers and Staffing

- A. Officers.** The officers of the Board shall consist of a Chair and Vice Chair who shall be elected by all Members of the Board. Ex-officio members shall not be officers.
- B. Duties of the Chair.** The Chair shall be the Presiding Officer responsible for the conduct of all matters pertaining to the usual duties as described in Robert's Rules of Order.

C. **Vice Chair.** The Vice Chair during the absence of the Chair shall perform all the duties of the Chair. In the absence of both Chair and Vice Chair, the members present at a regular or special meeting shall select a temporary Chair to fulfill all of the duties of the Presiding Officer.

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D. **Secretary.** The Secretary shall be provided by and selected by the Planning Director.

E. **Staff.** The City of Dover may provide staff support to the committee for meeting notification, typing, copying, and information gathering to the extent permitted by the city budget. All staff shall remain under the direction of the employer.

Article V. Election of Officers.

1. An annual meeting to elect officers by written ballot shall be held on the first meeting of January.
2. Candidates for any office shall be elected by a majority vote of the membership of the Planning Board. The elected candidates shall take office immediately.
3. Vacancies in offices shall be filled at the next regular meeting using the regular election procedure.

Article VI. Procedures

- A. **Regular Meetings and Workshops.** The Planning Board shall meet on the second and fourth Tuesday of each month at 7:00 p.m. in the City Council Chambers.
- B. **Special Meetings.** Special Meetings may be called by the Chair, Vice Chair or Planning Director. Members shall be notified by e-mail at least forty-eight (48) hours in advance of a Special Meeting.
- C. **Cancellations or Exceptions to Meeting Schedule.** Members shall be notified by the Chair, Vice Chair or Planning Director by e-mail at least four (4) hours in advance or by telephone if less than four (4) hours in the event of a cancellation or change to the meeting schedule.
- D. **Non-Public Sessions.** Non-public sessions shall be convened in accordance with RSA 91-A:3.
- E. **Parliamentary Authority.** The parliamentary authority for the board is *Robert's Rules of Order Revised, 11th ed.*, or duly published successor edition, except as provided by these rules or local, state or federal law.
- F. **Quorum.** A quorum shall consist of five (5) members. In the absence of a quorum at a regular or properly called meeting, the meeting shall be considered adjourned and rescheduled by the Chair or Presiding Officer.
- G. **Order of Business.** Business at regular or special meetings shall be taken up in the sequence of the posted agenda. The Presiding Officer, or any voting member, may request that an agenda item be reordered. The voting members shall by majority vote approve or reject any such request.
- H. **Conflicts of Interest.** Planning Board Members with a direct personal or pecuniary interest in a matter before the Planning Board, shall not introduce, speak or vote on any motion, ordinance or resolution. The Chair shall fill the open seat of a member who has declared a conflict of interest with an alternate member except the seat held by the City Councilor ex-officio member.
- I. **Procedure.** Actions shall be taken on the basis of a motion duly seconded made by any member of the Board. The number of votes necessary to transact business shall be a majority of those members present and voting except that no issue is to be considered passed that receives less than three (3) affirmative votes. Any member may request recording of his vote in the negative or abstention on any issue or his withdrawal from consideration on any issue with the reason stated

therefore, and at the request of any member, the Chair shall call for a recorded roll call vote on any issue.

- J. **Minutes.** Minutes shall be kept for all meetings of the board. The minutes shall include the names of the members in attendance, all actions, motions and resolutions coming before the public body including the votes of the members, and a summary of all discussions. Draft minutes shall be provided to the City Clerk within five (5) business days of each meeting for posting on the city website in draft form. Draft minutes shall be clearly marked "DRAFT". Draft minutes with or without revisions shall be approved by the committee at the next meeting of the committee, or as soon as possible. Final approved minutes shall be provided to the City Clerk for posting on the city website.
- K. **Recording of Meetings.** The committee shall arrange for video recording of all meetings. If video is not available, meetings shall be recorded using audio equipment. All recordings shall be provided to the City Clerk within five (5) business days of the meeting.
- L. **E-mail accounts.** Board members may obtain a City of Dover e-mail address to facilitate communications regarding meetings, agendas and the dissemination of information. Committee members shall refrain from using e-mail to discuss issues with other members where the e-mail discussion directly or indirectly involves a quorum of the committee. In addition, committee members shall refrain from conducting the official business of the committee outside the view of the public and the press unless permitted by state law.
- M. **Nonpublic meetings.** The committee may conduct nonpublic meetings pursuant to the laws of the State of New Hampshire. The Chair shall conduct nonpublic meetings utilizing the Checklist prepared by General Legal Counsel for nonpublic meetings.

~~N. **Amendment of Rules.** These rules may be repealed or amended by a vote of the Dover City Council based upon the recommendation of the committee.~~

Article VII. Committees

Special purpose and study committees as the Planning Board may from time to time deem necessary in order to conduct its business, shall be appointed by the Chair and any such committees shall cease to exist when their final report is acted upon by the Planning Board or at the next annual organizational meeting, whichever is sooner.

Article VIII. Citizen Forum

- A. To encourage and allow ongoing input and feedback from citizens, Regular meetings shall include an opportunity for citizens to address the Planning Board on any items not having a public hearing and/or matters pertaining to the business of the Planning Board on the agenda.
- i. Speakers shall be residents of the City of Dover, property owners in the City of Dover, and/or designated representatives of recognized civic organizations or businesses located in the City of Dover or by a interested party if allowed by a two-thirds (2/3) vote of the sitting Board;
- ii. Speakers shall address their comments to the Chair or Presiding Officer and the Planning Board as a body and not to any individual member;
- iii. Speakers shall first recite their name and address for the record;
- iv. Each speaker shall be provided a single opportunity for comment, limited to five (5) minutes with the five (5) minutes beginning after the obligatory statement of name and address by the speaker. The Chair (or designee) will keep time;
- v. Speakers requiring more than the allotted time are encouraged to submit their comments in writing to the Chair or Presiding Officer at the conclusion of their remarks to be available for review at the Planning Office;
- vi. Citizen Forum shall not be a two-way dialogue between speaker(s), Planning Board member(s), and/or City Staff;

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vii. The Chair or Presiding Officer shall preserve strict order and decorum for and by all speakers appearing before the Board.

Article ~~IX~~VIII. Public Hearings

A. To receive citizen input and feedback on certain specific matters that have been placed on the meeting agenda for consideration and action by the Planning Board, Public Hearing will be scheduled and held as required by law. Public Hearings will be noticed and held during a subsequent Regular and/or Special Meeting. At the request of the Chair or Presiding Officer, items scheduled on an agenda for a public hearing will be briefly introduced with appropriate explanations by staff. Citizens will then have the opportunity to address the Board speaking to specific item(s) subject to public hearing.

i. All speakers shall be residents of the City of Dover, property owners in the City of Dover, and/or designated representatives of recognized civic organizations or businesses located in the City of Dover or by a interested party if allowed by a two-thirds (2/3) vote of the sitting Board.

ii. All speakers shall address their comments to the Chair or Presiding Officer and the Board as a body and not to any individual member.

iii. Speakers shall first recite their name and address for the record.

iv. For each public hearing item, a speaker shall be provided a single opportunity for comment, limited to five (5) minutes. The Chair (or designee) will keep time.

v. Speakers requiring more than the allotted time are encouraged to submit their comments in writing to the Chair or Presiding Officer at the conclusion of their remarks to be available for review at the Planning office.

vi. Public Hearings are not intended to be utilized for a two-way dialogue between speaker(s), Board Member(s), and/or City Staff.

vii. The Chair or Presiding Officer shall preserve strict order and decorum for and by all speakers appearing before the Board.

viii. Any correspondence received by the Chair and/or members of the Planning Board pertaining to a public hearing agenda item may be acknowledged at the time of the public hearing and be available for review at the Planning office.

ix. The Chair or Presiding Officer shall declare a hearing closed or adjourned pending the submission of additional material or information or the correction of the noted deficiencies. In the case of a continuation, additional notice is not required if the date, time and place of the continuation is made known at adjournment.

A. The Chair or the Presiding Officer shall call the hearing into session and identify the name and address of the Applicant or Speaker.

B. During the presentation, members of the Planning Board may ask questions of the Applicant or Speaker when recognized by the Chair or Presiding Officer.

C. An Applicant or Speaker wishing to ask a question of another party must first be recognized by the Chair or Presiding Officer.

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- ~~D. An Applicant, abutter or any other person with a direct interest in the subject matter under discussion, may testify in person or in writing. All other interested persons may testify as permitted by the Chair or Presiding Officer.~~
- ~~E. Each person who speaks shall be required to state their name and address and to identify themselves as a party to the matter at hand, or an agent or counsel to the Applicant or Abutter.~~
- ~~F. Other interested parties such as representatives of City Departments, Boards or Commissions shall be allowed to present their comments in person or in writing.~~
- ~~G. The Chair or Presiding Officer shall declare a hearing closed or adjourned pending the submission of additional material or information or the correction of the noted deficiencies. In the case of an adjournment, additional notice is not required if the date, time and place of the continuation is made known at adjournment.~~

Article IX. Decisions

- A. The Planning Board shall render a written decision within sixty-five (65) days of the date of acceptance of a completed application, subject to extension or waiver as provided in RSA 676:4.
- B. The Planning Board shall act to approve, conditionally approve, or disapprove.
- C. Notice of decision will be made available for public inspection at the Planning Department within five (5) business days after the decision is made, as required in RSA 676:3. If the application is disapproved, the Planning Board shall provide the applicant with written reason for this disapproval.

Article X. Reconsideration

- A. The Planning Board may reconsider any decision to approve or disapprove an application, for good cause, provided it is within the statutory appeal period. Upon successful passage of the motion, the Planning Board shall schedule a public hearing, with notice as provided in RSA 676:4, I(d), where they shall consider whether or not to revise or alter their original decision. Should the Planning Board reach a new decision, a new appeal period shall be considered to have begun pursuant to RSA 677:15.

Article XI. Amendments

- A. The Dover Planning Board may suspend any of these rules by a two-thirds (2/3) majority of voting members present.
- B. These rules may be amended at any regular or special meeting by a two-thirds (2/3) vote of the entire membership of the Planning Board, including alternates. Amendments presented at any regular or special meeting may not be voted upon until the next regular meeting.



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P17-19

Application Type: Conditional Use Permit for HR Dimensional Regulations
Applicant: Kyle and Joshua Cote
Owner: Kyle and Joshua Cote
Location: 281 Washington St. (Assessor's Map 10, Lot 22)
Meeting Date: April 11, 2017

INTENT: To obtain a Conditional Use Permit to seek relief, per Chapter 170-20-B, to the Heritage Residential District to convert an existing carriage house into a fourth dwelling unit.

LOTS/UNITS PROPOSED: One additional (four total)

AGENDA ITEM #: 4-A

ACREAGE: 0.41 Acres

ZONING DISTRICT: Heritage Residential (HR)

EXISTING LAND USE: Vacant

PROPOSED LAND USE: Three-family residential

SURROUNDING LAND USE: Residential and railroad

ZBA ACTION: None

ATTACHMENTS: Conditional Use Permit application, map, narrative/Conditional Use Plan, and floor plans

APPLICATION IS COMPLETE: Yes

NOTICES SENT: Abutter notices were sent by certified mail to all abutters

PERMITS REQUIRED: City of Dover Conditional Use Permit

WAIVERS REQUESTED: None

Summary of Request and Background

The applicant has applied for a Conditional Use Permit to be able to convert an existing carriage house into a fourth dwelling unit (permitted via a CUP).

The applicants explained how they meet the criteria of 170-20-B, Staff believes the request does comply with the standards listed in Section 20-B and the Table of Use Footnotes.

Consistency with Land Use Regulations

Chapter 170-20-B provides for conditional use approval for relief from the HR standards if standards are complied with. Staff feels the applicable standards are met as described in the applicant's narrative.

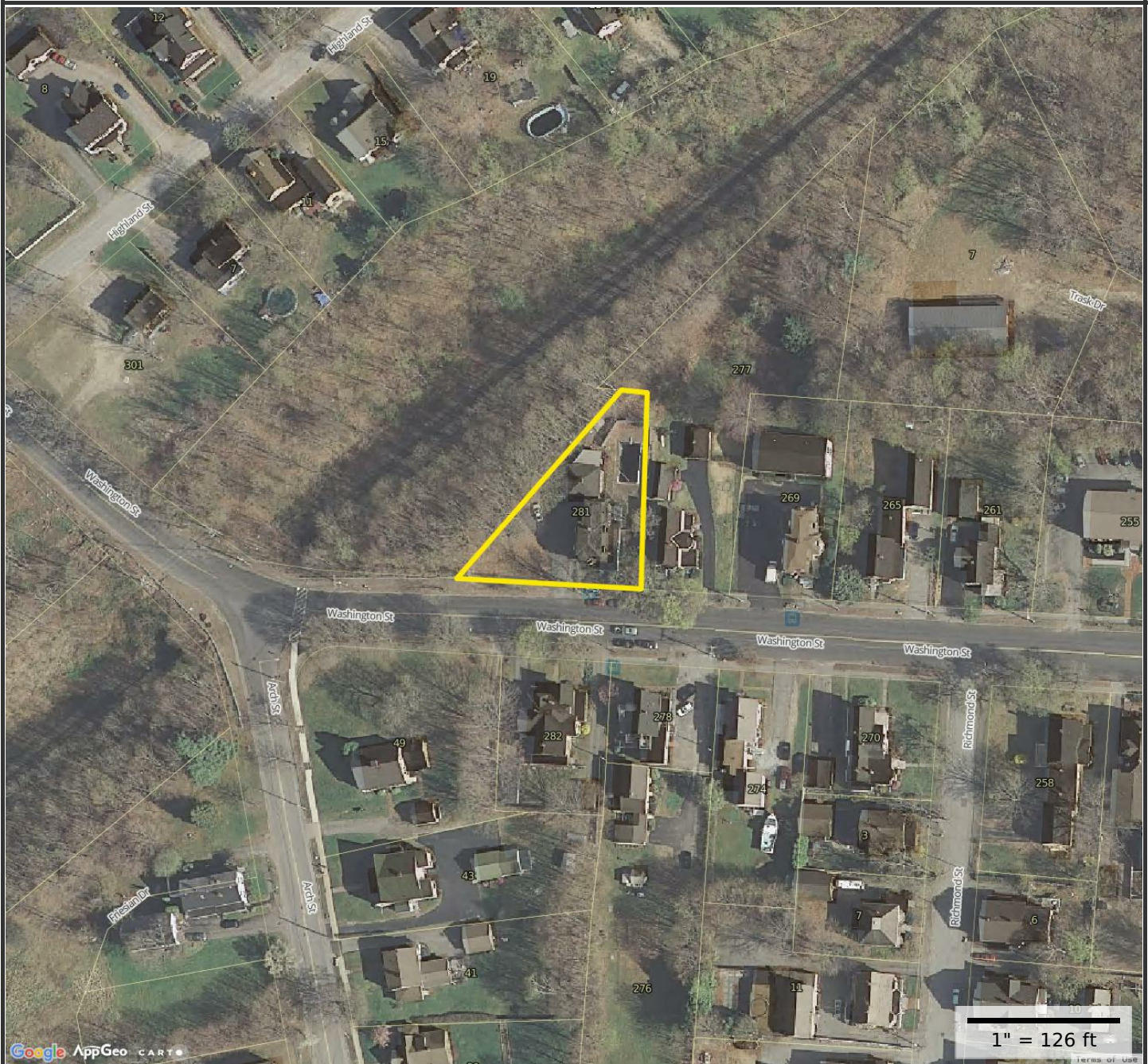
STAFF RECOMMENDATION:

The Planning Department recommends the Planning Board accept the application and approve the Conditional Use Permit with the following condition:

Condition to Be Met Prior to the Issuance of the Conditional Use Permit:

1. A formal agreement between the Planning Board and the applicant shall be prepared and recorded at the Strafford County Registry of Deeds.
2. The applicant shall provide a full surveyed plan that indicates the property line, existing setbacks and buildings, and fence/screening with a note that any additional pavement must meet the setback requirements of 5' from the side and rear and 10' from the front property line. The plan shall be meet the satisfaction of the Planning Director.

281 Washington Street

**Property Information**

Property ID 10022-000000
Location 281 WASHINGTON ST
Owner COTE KYLE &



**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 03/20/2017
Properties updated 04/05/2017

Parker, Christopher G.

From: Lee Pelletier <leopold31@comcast.net>
Sent: Monday, April 03, 2017 10:00 AM
To: City of Dover - Planning
Subject: Re: 281 Washington St.

I am Lee Pelletier and I am responding to the permit application by Kyle & Joshua Cote for 281 Washington St. We are the only direct abutters to this property besides the railroad.

My wife, Dea-Sue Pelletier, and I approve of this permit for the following reasons:

1. The structure already exists.
2. The structure (a barn/carriage house) will never reasonably be used for it's original purpose (the quartering of livestock).
3. Unused structures tend to decay over time. We would prefer that the structure be used and maintained.

Our one concern is that there be adequate off-street parking. Other than that, this looks like it will be a wonderful apartment in a historic structure.

We will not be attending the Planning Board meeting on Tuesday April 11th, but feel free to share this e-mail at the meeting.

Regards,
Lee & Dea-Sue Pelletier
277 Washington St.
Dover, NH 03820
(603)-793-1350

Sent from IQTell - my Productivity app



City of Dover, New Hampshire
CONDITIONAL USE PERMIT APPLICATION

RECEIVED
[Revision Date: August 16, 2016]
Planning Office

Office Use Only	Project #: <u>217-19</u>	Date Received: <u>FEB 28 2017</u>
	Amount Paid: <u>\$362.00</u>	Time Received: <u>Dover, New Hampshire</u>

ck#102

APPLICANT AND OWNER INFORMATION

Name of Applicant: Kyle Cote Telephone # (603) 512 7072
Address of Applicant: 11 Nelson St. Dover, NH 03820
E-Mail Address: kylevcote@gmail.com
Name of Property Owner (if different from applicant): _____ Telephone # _____
Address of Property Owner: _____

PROPERTY INFORMATION

Assessor's Map # 10 Lot(s) # 22
Address of Property: 281 Washington St. Dover, NH 03820
Zoning District(s) Heritage Residential Overlay District(s) _____
Existing Use of Property: Multi-Family (3) - Rental

CONDITIONAL USE PERMIT INFORMATION

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

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

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

Converting existing structure, the barn, to a 4th unit.

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

Renovating existing structure. Only interior work,
see attached.

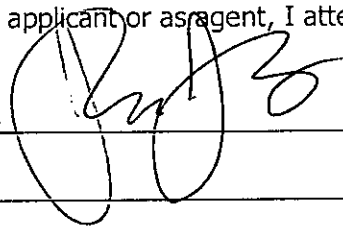
Name of Professional That Prepared Plans: n/a

Address _____ Telephone #: _____

Professional License #: _____ E-mail address: _____

SIGNATURES

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

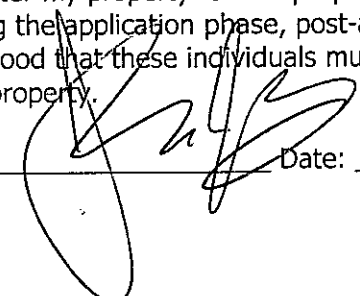
Signature of Property Owner: Kyle Cote  Date: 11/20/14

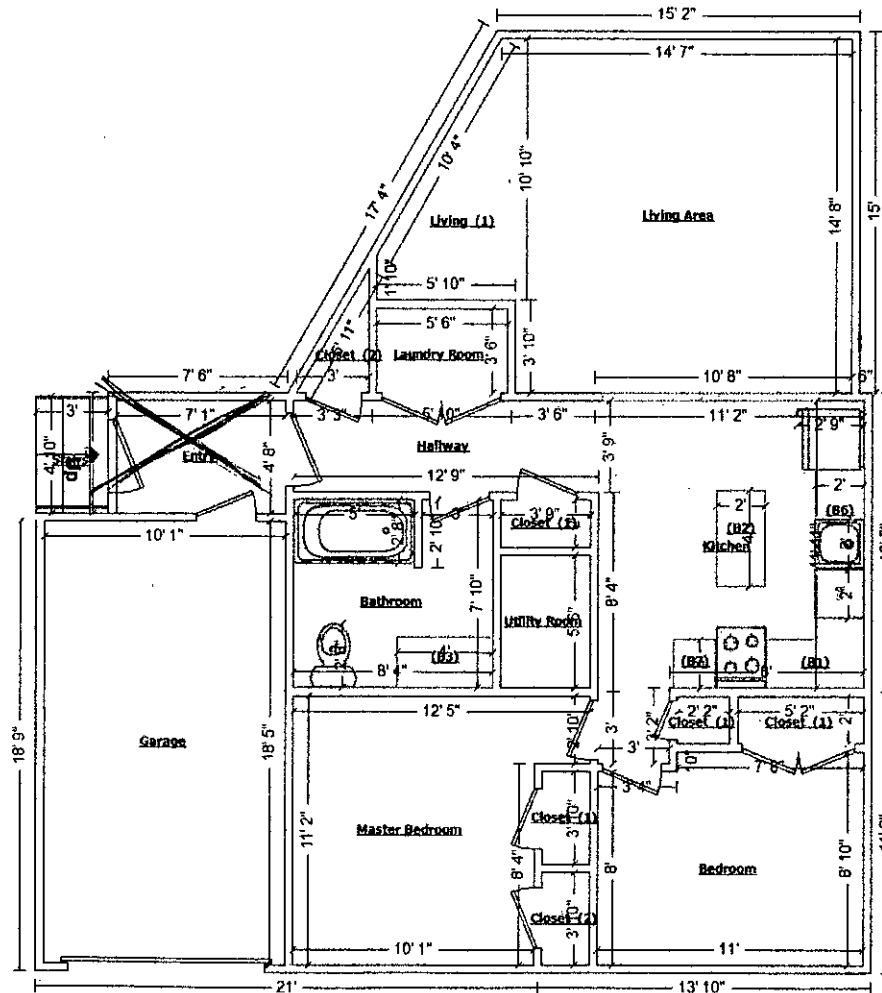
Signature of Applicant (if different from owner): _____ Date: _____

Signature of Agent: _____ Date: _____

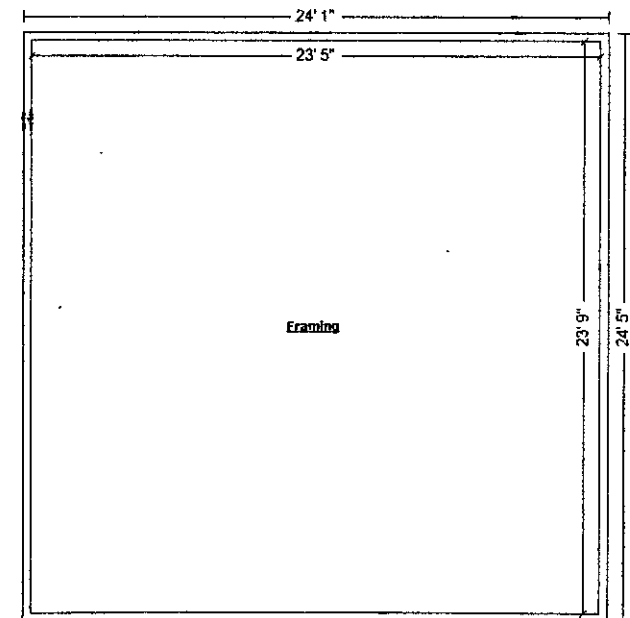
AUTHORIZATION TO ENTER SUBJECT PROPERTY

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

Signature of Property Owner: Kyle Cote  Date: 11/20/14



RECEIVED
Planning Office
FEB 28 2017
Dover, New Hampshire



Existing Structure (interior renovation)
at 281 Washington St.



Main Level

ABUTTER LIST: P17-19

KYLE & JOSHUA COTE

281 WASHINGTON STREET

Property ID	Location	Owner 1	Owner 2	Owner Address 1	City	State	Zip
10023-000000	277 WASHINGTON ST	PELLETIER DEA-SUE M &	PELLETIER LEE J	277 WASHINGTON ST	DOVER	NH	03820
10148-000000	274 WASHINGTON ST	DRAKE PHYLLIS L		274 WASHINGTON ST	DOVER	NH	03820
10149-000000	278 WASHINGTON ST	PURCELL ROBERT A &	PURCELL MARGARET	9 LEXINGTON ST A	DOVER	NH	03820
10150-000000	282 284 WASHINGTON ST	NADEAU PAUL E &	NADEAU KRISTINE E	13 MADISON AVE	KINGSTON	NH	03848
10149-A00000	276 WASHINGTON ST	MURJANI RAJEEV S		31 A CUSHING ST	DOVER	NH	03820
10018-000000	19 HIGHLAND ST	GILPATRICK BARRY	GILPATRICK STEPHANIE	19 HIGHLAND ST	DOVER	NH	03820
10147-A00000	270 WASHINGTON ST	THEODORAS CYNTHIA A TRUSTEE	THEODORAS SPERO REVOCABLE TRUST	261 WASHINGTON STREET	DOVER	NH	03820
10151-000000	49 ARCH ST	MCDAVITT KENNETH M &	MCDAVITT SANDRA M	PO BOX 245	SANBORNVILLE	NH	03872
10152-000000	43 45 ARCH ST	SHERWOOD GEORGE G & JANE ANN LIFE ESTS	SHERWOOD GEORGE G AND JANE ANN IRREVOCAB	43 ARCH STREET	DOVER	NH	03820
10024-000000	269 WASHINGTON ST	CARRIER IRENE R TRUSTEE	CARRIER IRENE R REV TRUST 98	50 FW HARTFORD DR	PORTSMOUTH	NH	03801
10027-000000	7 TRASK DR	DODD DOUGLAS V E &	LAMONTAGNE JESSICA F	7 TRASK DR	DOVER	NH	03820-3670
10025-000000	265 WASHINGTON ST	HEARN MICHAEL L	HEARN JEAN O	265 WASHINGTON STREET	DOVER	NH	03820
10021-000000	ARCH ST	BOSTON & MAINE RR	IRON HORSE PARK	HIGH STREET	NORTH BILLERICA	MA	01862
10022-000000	281 WASHINGTON ST	KYLE COTE	JOSHUA COTE	11 NELSON STREET	DOVER	NH	03820

RE: Conditional Use Permit Application for 281 Washington St

March 29, 2017

Dear Planning Board Members,

Please find below the details on our application for conditional use permit at our property at 281 Washington St. We are seeking to turn our existing carriage house into a fourth unit without expanding the current footprint. Below I have detailed each requirement and how we do, or do not meet the standards. At the end the narrative, I explain how we meet all the requirements for relief from the standards herein.

Sincerely,

Joshua and Kyle Cote

- A. The specific site must have an amount of open space, either landscaped or left natural, at least equal to the average amount of open space on all developed lots in the HR District that are wholly or partly within two hundred (200) feet of the subject parcel. Existing parking areas, either gravel, paved or unpaved, shall not be considered to be open space.

Yes, our site meets this requirement:

<u>Address</u>	<u>Building Sq/Ft</u>	<u>Lot Sq/Ft</u>	<u>% Open Space</u>
281 Washington	2500	17857	86
277 Washington	3035	36155	92
269 Washington	4075	14374	72
265 Washington	3189	12632	75
270 Washington	3030	10454	71
274 Washington	3310	14374	77
278 Washington	1815	7841	77
282/84 Washington	3400	10454	68
49 Arch	2365	25700	91
276 Washington	2200	33541	93
7 Trask	4255	61419	93

81 % - Average of all properties within 200ft

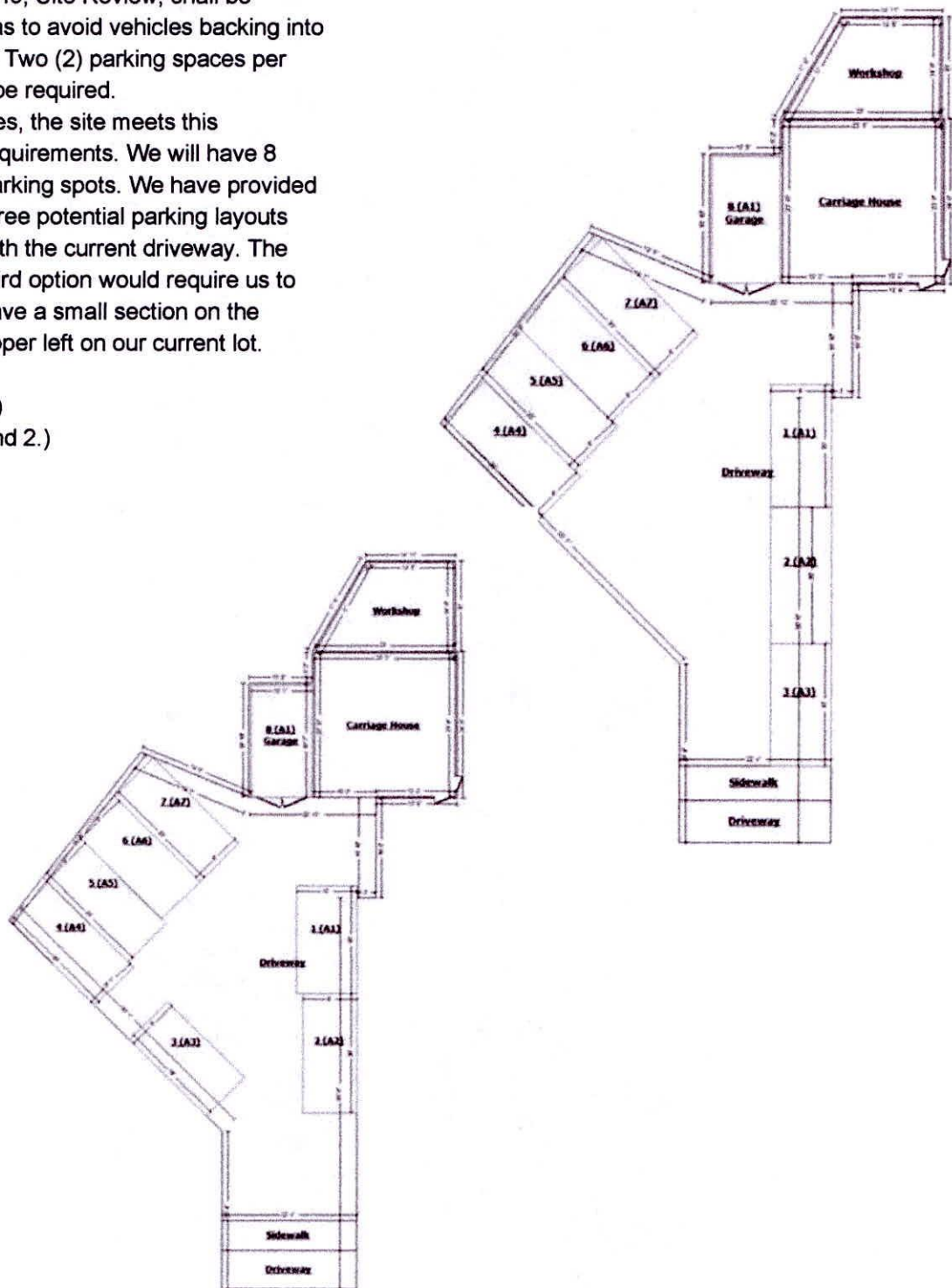
86 % - Average of 281 Washington St

RECEIVED
Planning Office
MAR 29 2017
Dover, New Hampshire

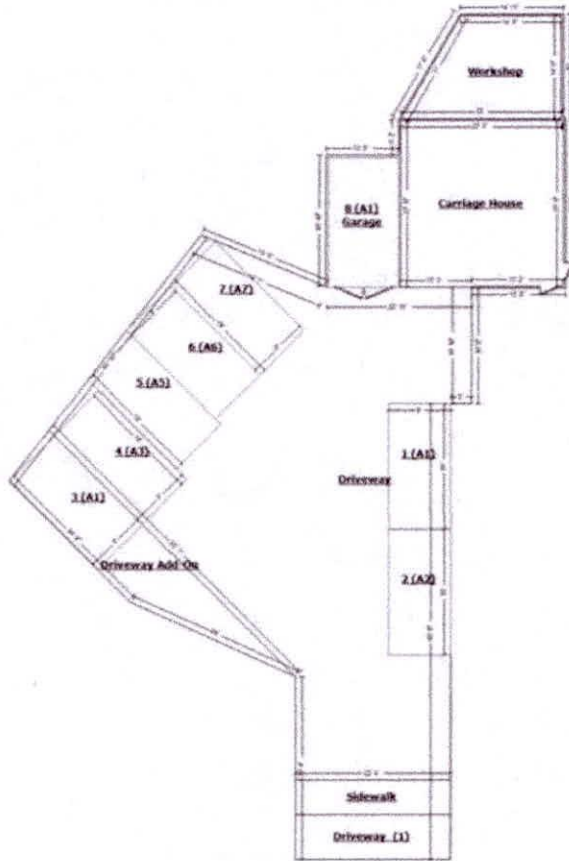
B. Off-street parking, in accordance with Chapter 149, Site Review, shall be provided as to avoid vehicles backing into the street. Two (2) parking spaces per unit shall be required.

Yes, the site meets this requirements. We will have 8 parking spots. We have provided three potential parking layouts with the current driveway. The third option would require us to pave a small section on the upper left on our current lot.

1.)
And 2.)



3.)



C. Parking lots shall be at least five (5) feet from a side property line and ten (10) feet from a front property line.

The existing parking lot does not meet this setback requirement on the top property line abutting the hill to the train tracks.

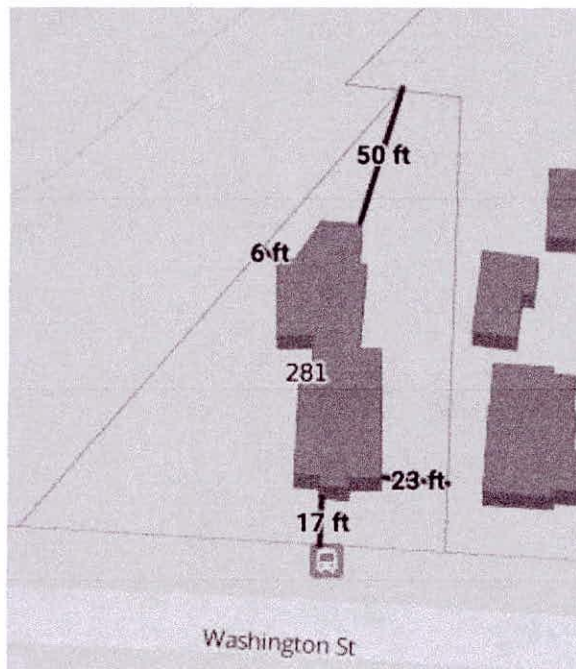
D. Parking areas shall be screened from the street and from abutting lots.

Yes, we will comply. We will install a fence to screen the parking lot from the road.

E. Structures shall be at least twenty (20) feet from a front property line, thirty (30) feet from a rear property line and fifteen (15) from a side property line unless abutting a street, in which case, the distance from the side property line shall be twenty (20) feet.

The carriage house meets all setbacks except on the left side that abuts the train hill to the train tracks. The carriage house is a stand alone building with its own foundation however, in the image below it appears to be one large structure.

(Please note, the home (current 3 unit building) does not meet the setback criteria, however this structure is not being changed from its current use)



F. For new construction, -- Not applicable to our site.

Request for relief from standards:

As noted above our current building(s) does not meet all current setback requirements. Therefore we request conditional use approval for relief from the use standards (after public notice and hearing) from the planning board (RSA 674:21 II) because the project complies with all the standards listed below:

(a) The requested use shall be compatible with abutting uses and the surrounding NEIGHBORHOOD.

Our neighborhood consists of mostly multi family buildings. Converting the existing carriage house to an additional unit would be consistent with other similar conversions throughout the adjacent neighborhood.

(b) The requested use will not create undue traffic congestion, or unduly impair pedestrian safety.

Our request will not create undue traffic congestion or impact pedestrian safety as we are only converting an existing structure into one additional unit.

(c) The requested use will not result in objectionable noise or odor which would constitute a NUISANCE.

Our request will not result in objectionable noise or odor.

Lastly, as noted earlier, we do not meet all requirements for all dimensional use standards. Therefore, I'd like to request conditional use approval for relief from dimensional standards be granted by the PLANNING BOARD (RSA 674:21 II) after proper public notice and public hearing because our proposed project complies with all the following standards:

(a) That both public and private BUILDINGS and landscaping shall contribute to the physical definition of RIGHTS OF WAY as CIVIC SPACES.

We are not building anything new however, we will be restoring and saving the carriage house on our property that contributes to the continued maintenance and repair of the property and restoration of the neighborhood.

(b) That development shall adequately accommodate automobiles, while respecting the pedestrian and the spatial form of public areas.

Yes, we have an appropriate parking area, we exceed the open space requirement and do not impede pedestrian travel or public areas.

(c) That the design of STREETS and BUILDINGS shall reinforce safe environments, but not at the expense of accessibility.

We are not building a new structure or street(s). The building will not impede the access to any public areas or impact accessibility to other buildings or open space.

(d) That architecture and landscape design shall grow from local climate, topography, history, and BUILDING practice.

The building already exists and is not being altered in a way that would impact the historic appearance. The project would restore and beautify the existing historic carriage house. As required, the building would continue to reflect the traditional neighborhood appearance.

(e) That BUILDINGS shall provide their inhabitants with a clear sense of geography and climate through energy efficient methods.

With regard to a clear sense of geography, the building already exists but we will use up to date, energy efficient heating systems and windows to ensure improved energy efficiency in a traditional building.

(f) That CIVIC BUILDINGS and public gathering places shall be provided as locations that reinforce community identity and activity.

Not applicable

(g) That CIVIC BUILDINGS shall be distinctive and appropriate to a role more important than the other BUILDINGS that constitute the fabric of the city.

Not applicable.

(h) That the preservation and renewal of historic BUILDINGS shall be facilitated.

Yes, we are planning to preserve the appearance of the carriage house/barn as we did when we previously renovated the main building.

(i) That the harmonious and orderly evolution of urban areas shall be advanced by the proposed BUILDING and/or use.

Yes, we are re-purposing an existing historic structure and renewing our barn, which is consistent with the preservation and urban renewal goals of the Dover community and Heritage District.



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P17-20

Application Type: Subdivision for Review
Applicant(s): Changing Places, LLC
Owner(s): City of Dover
Location: Third Street Parking Lot (Tax Map 6, Lot 54)
Meeting Date: April 11, 2017

INTENT: To subdivide one lot into two at Third Street.

UNITS PROPOSED: 22 residential units plus 1st floor commercial

AGENDA ITEM #: 4-B

ACREAGE:

-Lot 6/54A: 0.35 acres
-Lot 6/54A-1: 0.39 acres

ZONING DISTRICT: Central Business District (CBD—General)

EXISTING LAND USE: Parking Lot

PROPOSED LAND USE: Mixed Use Commercial and Residential

SURROUNDING LAND USE: Commercial and Residential

ZBA ACTION: None

ATTACHMENT:

Subdivision plan, application, and TRC minutes from 2/2/17

APPLICATION IS COMPLETE: Yes

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

PERMITS REQUIRED: None for the subdivision

WAIVERS REQUESTED: None for the subdivision

Summary of Request and Background

The applicant proposes to subdivide lot 6/54A into two lots 54A to have 0.35 acres and lot 54A-1 to have 0.39 acres.

The applicant appeared before the Technical Review Committee on February 2, 2017.

The applicant responded to a request for proposals to develop this underutilized parking lot, in October 2015. Working with the Parking Commission, which approved parking within an adjacent lot, for the residential uses, and the Dover Business Industrial Development Authority, the applicants developed a plan (P17-02), this subdivision is to help divide the project from the rest of the lot.

Consistency with Land Use Regulations

Chapter 155-15 of the Land Subdivision Regulations of the City Code provides for subdivisions of existing lots.

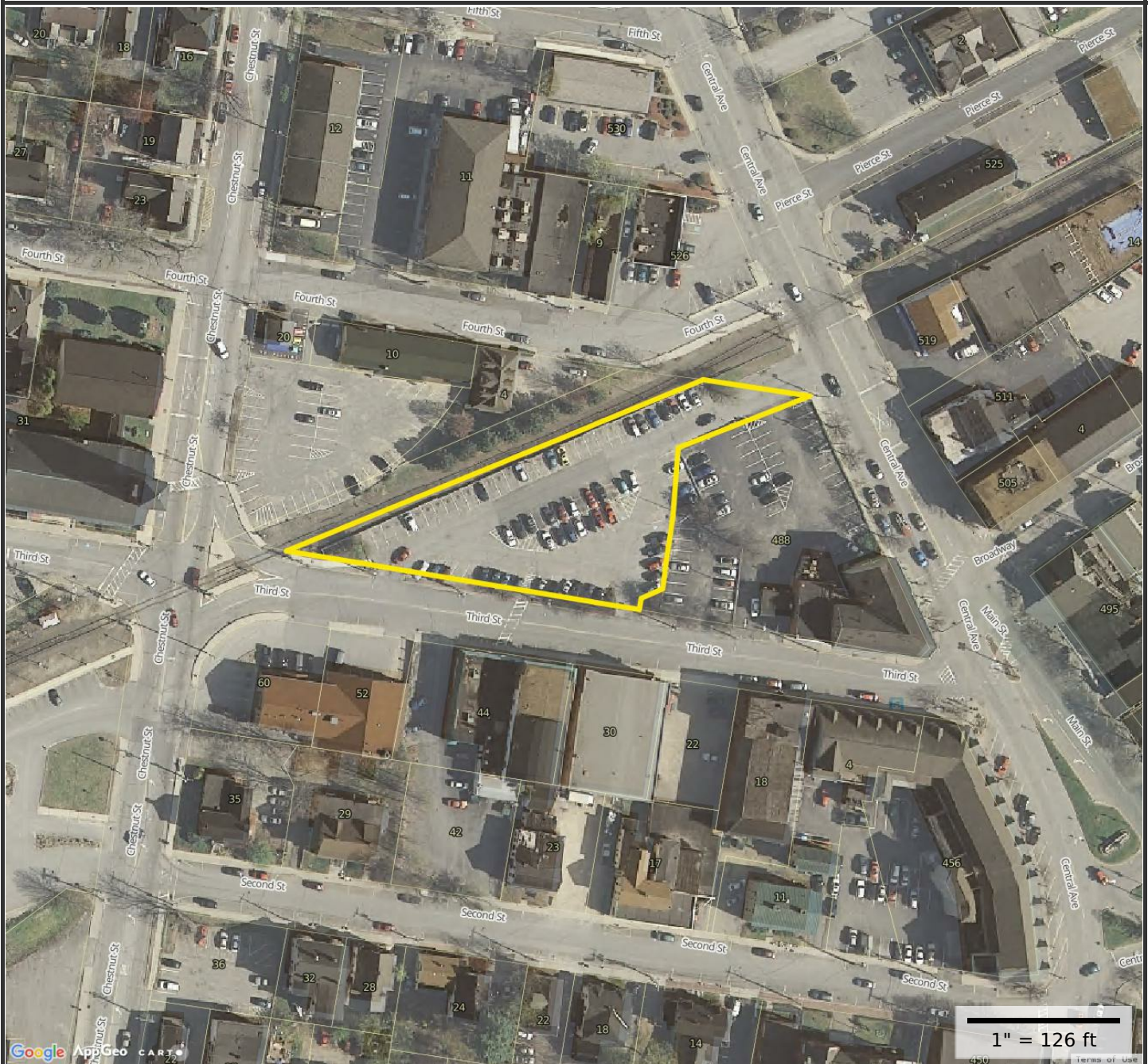
STAFF RECOMMENDATION:

The Planning Department recommends that the Board accept the application, open the public hearing, and vote to approve the minor subdivision plan with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

1. The owner's signatures shall be added to the final plat submitted for signature to be recorded at the Strafford County Registry of Deeds.
2. The Licensed Land Surveyor stamp and sign final plans.
3. The applicant shall provide the Planning Department with a digital version of the final plat.
4. The applicant shall revise the plat to:
 - a. add the planning file number (P17-20).
 - b. better indicate new lots with leader notes

Third Street

**Property Information**

Property ID 06054-A00000
Location THIRD ST
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 03/20/2017
Properties updated 04/05/2017



City of Dover, New Hampshire SUBDIVISION APPLICATION

[Revision Date: March 08, 2017]

RECEIVED
Planning Office

Office Use Only	Project #:	<u>P17-20</u>	Date Received:	<u>MAR 22 2017</u>
	Amount Paid:		Time Received:	

Dover, New Hampshire

APPLICANT AND OWNER INFORMATION

Name of Applicant: Changing Places, LLC Telephone # 749-3800

Address of Applicant: 42 J Dover Point Road, Dover, NH 03820

Name of Property Owner (if different from applicant): City of Dover Telephone # 516-6008

Address of Property Owner: 288 Central Ave., Dover, NH 03820

E-Mail Address: _____

PROPERTY INFORMATION

Address of Property: Third Street

Assessor's Map # 6 Lot(s) # 54-A

Zoning District(s) CBD Overlay District(s) _____

Size of Parcel: 32,534 Sq. Ft. Property Deed: Book 781 Page: 212
712 385

Existing Use of Property: Parking lot.

SUBDIVISION INFORMATION

Subdivision Type: Major (4 + net new lots): _____ Minor (3 or fewer lots): X Open Space: _____

Existing Number of Lots: 1 Proposed Number of Lots: 2

City Water? X Yes _____ No _____ How far is city water from the property? At property

City Sewer? X Yes _____ No _____ How far is city sewer from the property? At property

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

Estimated Length of Proposed Roads: N/A feet Public or Private Road? _____

WAIVER REQUESTS

Subdivision Regulations section(s) to be waived: _____

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

SURVEYOR INFORMATION

McEneaney Survey Associates, Inc.

Name of Surveyor and Company (Licensed in N.H.) Kevin McEneaney, LLSAddress P.O. Box 681 Dover, NH 03820 Telephone #: 742-0911Professional License #: _____ E-mail address: MSA@surveynh.net**ENGINEER INFORMATION**

Berry Surveying & Engineering

Name of Engineer and Company (Licensed in N.H.) Kenneth A Berry, PE, LLSAddress 335 Second Crown Point Rd, Barrington, NH 03825 Telephone #: 332-2863Professional License #: 14243 E-mail address: k.berry@berrysurveying.com**SIGNATURES**

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

Signature of Property Owner: _____ Date: 4/5/17Signature of Applicant (if different from owner): [Signature] Date: 4-5-17

Signature of Agent: _____ Date: _____

AUTHORIZATION TO ENTER SUBJECT PROPERTY

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

Signature of Property Owner: _____ Date: 4/5/17**AUTHORIZATION TO COMPLETE THE PROJECT ON SUBJECT PROPERTY**

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

Signature of Property Owner: _____ Date: 4/5/17

Signature of Applicant (if different from owner):



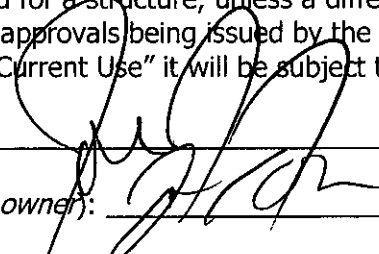
Date:

4-5-17

CERTIFICATION OF FEES

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

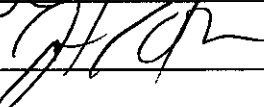
Signature of Property Owner:



Date:

4/5/17

Signature of Applicant (if different from owner):



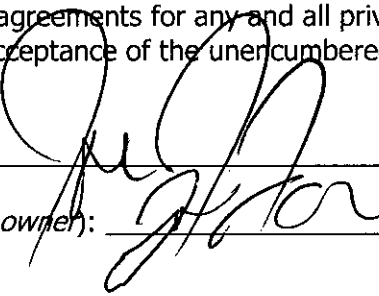
Date:

4-5-17

CERTIFICATION OF PUBLIC ROADWAY ACCEPTANCE

I, and my successors, hereby certify that I understand that the acceptance of a roadway as a public road is an action of the City Council in its sole and complete discretion. In order for the City Council to consider accepting a road as public, it must be free of encumbrances. No roadway with private utility easements shall be accepted as a public road by the City unless the easements are expunged prior to the transfer of land to the City. License agreements for any and all private utilities within the right of way may be granted by the City upon acceptance of the unencumbered roadway consistent with applicable state law.

Signature of Property Owner:



Date:

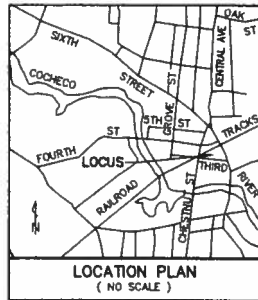
4/5/17

Signature of Applicant (if different from owner):



Date:

4-5-17



NOTES:

- OWNER OF RECORD:
THE CITY OF DOVER
288 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820
S.C.R.D. VOL. 781, PAGE 212
S.C.R.D. VOL. 712, PAGE 385
- 6 / 54A - DENOTES TAX MAP AND PARCEL NUMBER.
- ZONING DISTRICT: CENTRAL BUSINESS DISTRICT (CBD)
- THE INTENT OF THIS PLAN IS TO SUBDIVIDE THE SUBJECT PARCEL INTO TWO LOTS.
- THE SUBJECT PARCEL IS CURRENTLY USED AS A PARKING LOT WITH 82 STRIPED PARKING SPACES.
- THE SUBJECT PARCEL IS LOCATED WITHIN AREAS DETERMINED TO BE MINIMAL FLOOD HAZARD (ZONE X), AS SHOWN ON FLOOD INSURANCE RATE MAP, COMMUNITY NUMBER 330145, MAP NUMBERS 33017C0310E & 33017C0330E, EFFECTIVE DATE: 9/30/2015
- BASIS OF BEARINGS IS NH STATE PLANE GRID FROM GPS OBSERVATION TAKEN ON FEBRUARY 14, 2011. VERTICAL DATUM IS NAVD88.
- THERE ARE NO WETLANDS ON THE SUBJECT PARCEL.

FOURTH STREET {PUBLIC - 50' R.O.W.}

5 / 6

ADM REALTY LLC
199 CONSTITUTION AVE
PORTSMOUTH, NH 03801
4204 / 579

No.	Bearing	Distance
L1	N08°03'30"E	1.18'
L2	S27°08'12"W	7.24'
L3	S64°48'48"W	19.58'
L4	S03°45'01"W	13.14'

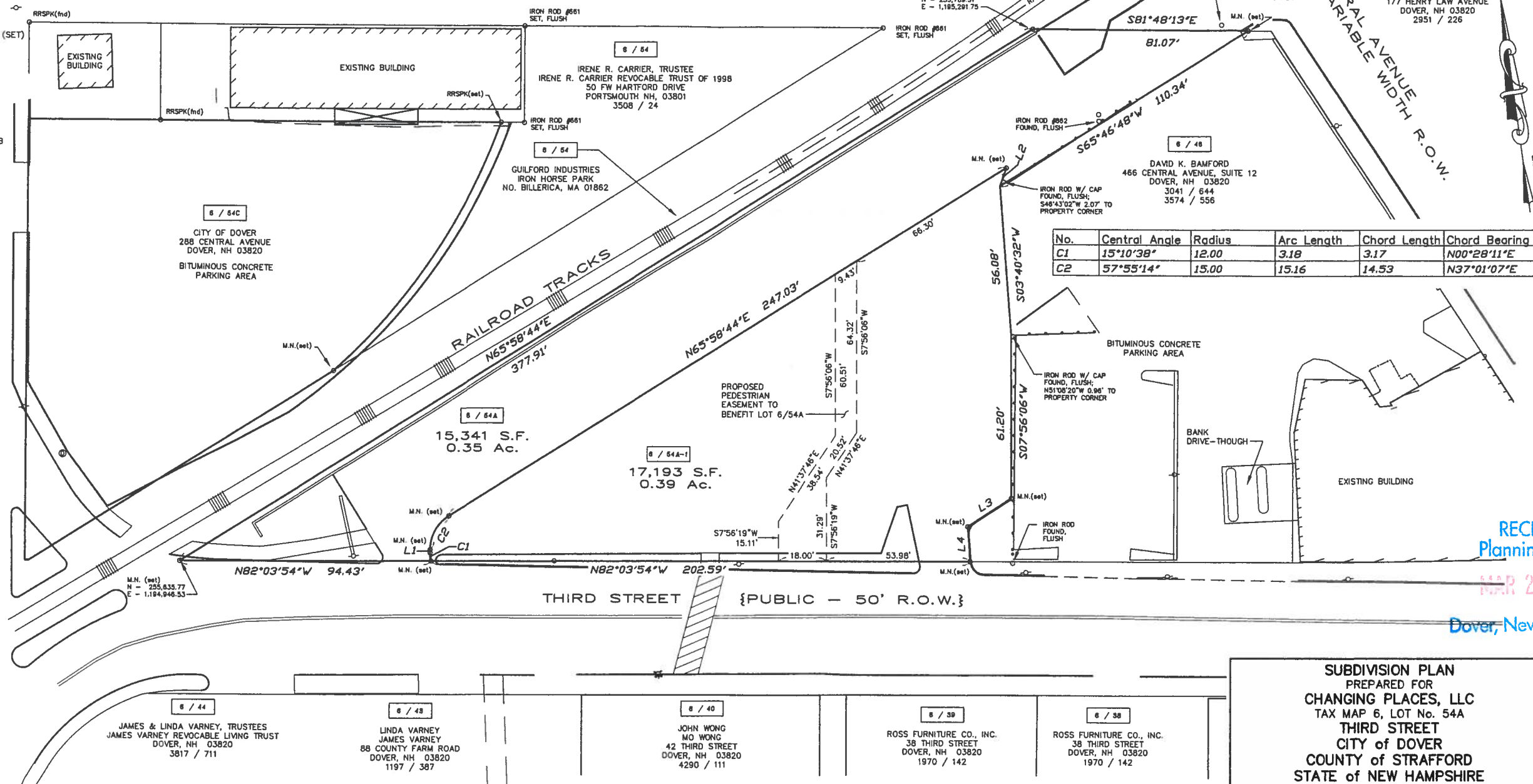
4 / 19

ATHANASIOS PAPAIOANNOU
SOTIRIOS PAPAIOANNOU
177 HENRY LAW AVENUE
DOVER, NH 03820
2951 / 226

LEGEND

- I.R.(set) - IRON ROD W/ PLASTIC I.D. CAP (SET)
- I.R.(fnd) - IRON ROD (FOUND)
- M.N.(set) - MAGNETIC NAIL (SET)
- RRSPK(set) - RAILROAD SPIKE (SET)
- C-UP - UTILITY POLE
- R.O.W. - RIGHT OF WAY
- S.C.R.D. - STRAFFORD COUNTY REGISTRY OF DEEDS
- D.H.(set) - DRILL HOLE (SET)
- SIGN POST
- FENCE LINE
- VGC - VERTICAL GRANITE CURB
- SGC - SLOPED GRANITE CURB

CHESTNUT STREET {PUBLIC - 66' R.O.W.}



No.	Central Angle	Radius	Arc Length	Chord Length	Chord Bearing
C1	15°10'38"	12.00	3.18	3.17	N00°28'11"E
C2	57°55'14"	15.00	15.16	14.53	N37°01'07"E

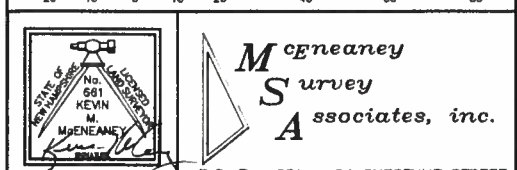
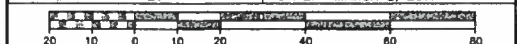
RECEIVED
Planning Office

MAR 22 2017

Dover, New Hampshire

SUBDIVISION PLAN
PREPARED FOR
CHANGING PLACES, LLC
TAX MAP 6, LOT No. 54A
THIRD STREET
CITY OF DOVER
COUNTY OF STRAFFORD
STATE OF NEW HAMPSHIRE

DRAWN BY: KJF FILE: VR CP\2090\15-2090 V2010
SCALE: 1" = 20' DATE: MARCH 2, 2017



McNeaney
Survey
Associates, inc.

P.O. Box 681 - 24 CHESTNUT STREET
DOVER, NH 03820 (603) 742-0911

SURVEYING - PLANNING - CONSULTING

"I HEREBY CERTIFY THAT THIS PLAN IS BASED ON AN ACTUAL GROUND SURVEY PERFORMED WITH A TOTAL STATION, BY ME OR THOSE UNDER MY DIRECT SUPERVISION AND THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, SAID SURVEY MEETS OR EXCEEDS THE MINIMUM PRECISION REQUIREMENTS FOR SURVEY CLASSIFICATION "U" AS SET FORTH IN TABLE 500.1 OF THE NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES OF THE BOARD OF LICENSURE FOR LAND SURVEYORS."

REFERENCE PLANS:

- LOT LINE ADJUSTMENT PLAN PREPARED FOR DAVID K. BAMFORD AND CITY OF DOVER, NH, TAX MAP 6 LOT Nos. 46 & 54A, THIRD STREET & CENTRAL AVENUE, CITY OF DOVER, COUNTY OF STRAFFORD, STATE OF NEW HAMPSHIRE. SCALE: 1" = 20'; DATED: JULY 10, 2007; BY: THIS OFFICE. RECORDED S.C.R.D. PLAN 91-97
- EXISTING CONDITIONS PLAN OF LAND PREPARED FOR CITY OF DOVER, NH, PROPERTY KNOWN AS THE THIRD STREET PARKING LOT, TAX MAP 6, LOT No. 54A, THIRD STREET & CENTRAL AVENUE, CITY OF DOVER, COUNTY OF STRAFFORD, STATE OF NEW HAMPSHIRE. SCALE: 1" = 20'; DATED: MAY 19, 2011; BY: THIS OFFICE; NOT RECORDED.

NO.	DATE	DESCRIPTION	BY	CHK
15-2090	SUBDIV	REVISIONS		
PROJECT NO	TYPE	FIELDBOOK & PAGES		



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P17-02

Application Type: Site Plan for Review
Applicant(s): Changing Places, LLC
Owner(s): City of Dover
Location: Third Street Parking Lot (Tax Map 6, Lot 54)
Meeting Date: April 11, 2017

INTENT: Site plan for a 32,534 s.f. mixed use development with a total of 27 parking spaces within the 27,984 sq. ft. paved area

UNITS PROPOSED: 22 residential units plus 1st floor commercial

AGENDA ITEM #: 4-C

ACREAGE: 0.39 acres

ZONING DISTRICT: Central Business District (CBD—General)

EXISTING LAND USE: Parking Lot

PROPOSED LAND USE: Mixed Use Commercial and Residential

SURROUNDING LAND USE: Commercial and Residential

ZBA ACTION: None

ATTACHMENT:
Site plan, application, and TRC minutes from 2/2/17

APPLICATION IS COMPLETE:
Yes

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

PERMITS REQUIRED:
-Dover CUPs for minimum lot coverage less than 75% and rear setback of less than 10'.

WAIVERS REQUESTED:

- 149-14.E(1)(e)- lighting spill over onto street and rail line
- 149-15.C- 5' pavement setback

Summary of Request and Background

The applicant proposes to construct two mixed use buildings with commercial space on the 1st floor and 22 residential units on between the 2nd -4th floors.

The applicant responded to a request for proposals to develop this underutilized parking lot, in October 2015. Working with the Parking Commission, which approved parking within an adjacent lot, for the residential uses, and the Dover Business Industrial Development Authority, the applicants developed a plan, which appeared before the Technical Review Committee on February 2, 2017 (minutes are attached).

Planning Staff has reviewed the parking and find the number provided is acceptable.

Consistency with Land Use Regulations

Chapter 149-4 of the Site Review Regulations of the City Code provides for site review by the Planning Board of new construction of various types.

STAFF RECOMMENDATION:

Waiver Request:

The Planning Department recommends that the Board approve the waivers from Section 149-14.E(1)(e) for the lighting spillover onto street and rail line and from 149-15.C for the 5' pavement setback.

Condition to Be Met Prior to Signing of Plans:

1. A note shall be added to the site plan that the Board has granted the waivers for the reasons stated by the applicant, and the Board finds that the criteria of Chapter 149-19.A have been met.
2. Revise Waiver Request Narrative to remove the reasoning regarding the Fire Truck radius.

Site Plan:

The Planning Department recommends that the Board accept the application, open the public hearing, and vote to approve the site plan with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

1. Subdivision Plan (P17-20) shall be approved
2. Conditional Use Permits (P17-16) shall be approved.
3. The applicant shall provide:
 - a. Revised architectural renderings screening the mechanical
 - b. A digital version of plan set
 - c. A drainage report that addresses the requirements of the City of Dover to the satisfaction of the City Engineer.
4. The applicant must revise plan set to:
 - a. Add the owners signatures to the final plan



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P17-02

Application Type: Site Plan for Review
Applicant(s): Changing Places, LLC
Owner(s): City of Dover
Location: Third Street Parking Lot (Tax Map 6, Lot 54)
Meeting Date: April 11, 2017

- b. Include the Professional Engineer, Licensed Land Surveyor and Licensed Landscape Architect signatures and date.
 - c. Address any outstanding Fire and Engineering TRC comments
 - d. Remove any lights from the remaining parking lot
 - e. Add a note that the site shall be accessible in all weather conditions at all times during construction
 - f. Include the turning template for Truck 1
 - g. Add a note that the building design will be in compliance with applicable accessibility regulations for the complete site certified by a qualified design professional.
 - h. Revise the landscaped islands along the boundary of Map 6 lot 46 so that they are in line with the rear of the parking stalls.
5. The applicant and the Planning Board shall enter into a development agreement which includes:
 - a. Internal and External construction timing in accordance with the Financial Development Agreement
 - b. Relocation of the parking lot kiosk, and installation of wayfinding signs
 - c. Sidewalk installation, including the sidewalk along Third St (noted on sheet 5)
 - d. Installation of landscaping and the wall along the boundaries of the project, including on the lot to remain owned by the City.
 - e. A landscape management and operations plan for all landscaping
 - f. A breakdown of sureties and when they are returned.

Conditions to Be Met Prior to Any Construction Activity:

6. Site Construction sign, approved by the City Engineer or Assistant City Manager, and shall be installed.
7. An abutter meeting as required by the Financial Developer's Agreement.

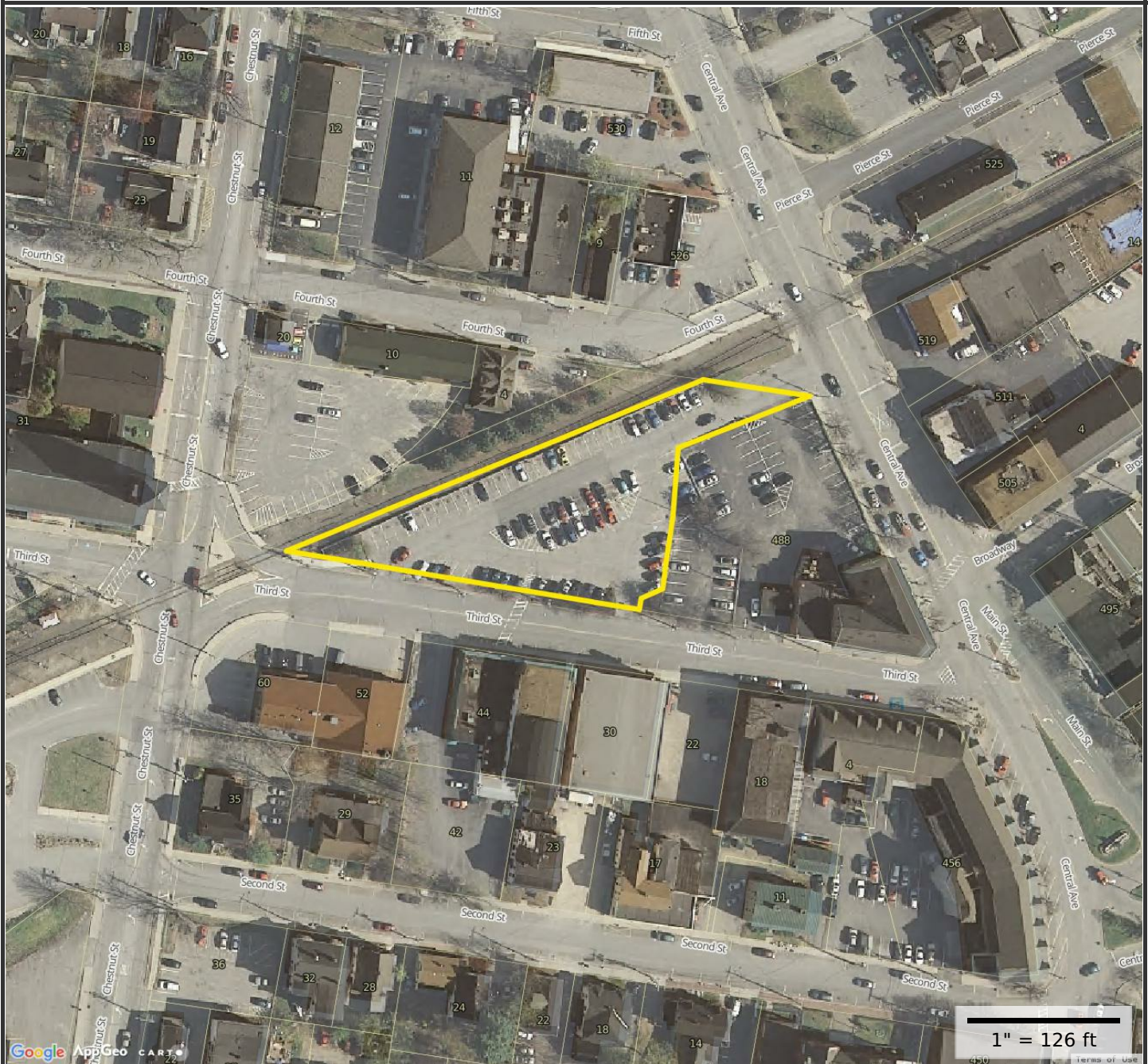
Conditions to Be Met Prior to Issuance of a Building Permit:

8. The new uses/building shall be assessed the current water/sewer investment fees in place at the time of application for water/sewer service.
9. All landscaping shall be installed along Third Street

Conditions to Be Met Prior to Issuance of a Certificate of Occupancy:

10. Any new construction shall be assessed the current impact fees in place at the time of building permit application and pay by time of Certificate of Occupancy.
11. The applicant shall provide a letter of credit or other form of security acceptable to the City for any unfinished work.

Third Street

**Property Information**

Property ID 06054-A00000
Location THIRD ST
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 03/20/2017
Properties updated 04/05/2017



CITY OF DOVER

TECHNICAL REVIEW COMMITTEE MINUTES - P17-02

Application Type: Site Plan Review
Applicant(s): Changing Places LLC
Owner(s): City of Dover
Location: Third Street (Tax Map 6, Lot 54-A)
Date: February 2, 2017

INTENT: Proposal is for a 32,534 s.f. mixed use development with a total of 27 parking spaces within the 27,984 sq. ft. paved area

LOTS/UNITS PROPOSED: 22 residential units

AGENDA ITEM #: 1

ACREAGE: 0.75 acres

ZONING DISTRICT: Central Business District (CBD)

EXISTING LAND USE: Parking lot

SURROUNDING LAND USE: Multi-family Residential, Commercial and parking

ZBA ACTION: N/A

PERMITS REQUIRED:

WAIVERS REQUESTED: pavement setback

ATTENDANCE:

Members:

Steve Bird, Planning
Chris Parker, Planning
Dave White, Engineering
Jim Maxfield, Building/Fire
Dan Barufaldi, Economic Development
Frank Torr, Planning Board

Others:

Christopher Berry
Ben Clark
John O'Neil
Scott O'Neil
Brian O'Neil

Approval of 1/5/17 Meeting Minutes

D.White moved to approve the minutes of January 5, 2017. D.Barufaldi seconded. Vote U/A.

Planning Comments:

- Impact fees and water and sewer investment fees will be assessed
- Storm Water Management System Operation and Maintenance Plan to the satisfaction of the City Engineer
- Provide:
 - Streetscapes for all sides, including abutting buildings and proposed landscaping
 - Traffic Impact Analysis
 - Fiscal Impact Analysis
 - Waiver Request Narrative
 - Subdivision plan
 - Cross Access Easement from public parking across site
- Please revise the plan set to:
 - Correct that PSNH is Eversource
 - Add signature and stamp of the LLS, PE, and Landscape Architect
 - Add Planning file number P17-02 to all sheets
 - Add abutter information on sheet 1
 - Add stormwater recording note on sheets 2 and 11
 - Combine Architectural Renderings to plan set and revised to meet 149.14.L and CBD architectural requirements
 - Revise to show masonry on first floor for full building
 - Indicate Cement Fiber Board, Masonry or Wood above
 - On Sheet 2, revise notes 11, 24, 26, and 30 to meet Dover's common site plan notes
 - Revise note 31
 - On sheet 3:
 - label as sheet 3
 - add abutter information across from Central
 - On sheet 5:
 - Show intersection on Central
 - Is 16' adequate aisle width?
 - Add trash can on Central Ave?
 - Add FFE
 - Relocate the crosswalk closer to Chestnut Street, near exit of parking lot
 - Replacement of street lights with new City standard



CITY OF DOVER

TECHNICAL REVIEW COMMITTEE MINUTES - P17-02

Application Type: Site Plan Review
Applicant(s): Changing Places LLC
Owner(s): City of Dover
Location: Third Street (Tax Map 6, Lot 54-A)
Date: February 2, 2017

- Contribution towards sidewalk replacement from Central to site (difference between brick and concrete)
- Continue fence treatment from RR track to parcel boundary with Map 6 lot 46
- Have consistent one way arrow.
- On Sheet 12:
 - Indicate height of lights
 - Verify the darkest spot in parking lot is between 0.2 and 0.4 foot candles
- On Sheet L-01
 - Add note that landscaping shall meet City Regulations
 - Add a note that any transformer or generator shall be screened.
- Sheet 19
 - Revise bench to make it compliant with ADA
 - Use revised City street light spec.
- Add a note that construction hours shall be limited to Monday-Friday 7 AM-6 PM, Saturday 9 AM-4 PM, with no Sunday hours. Hours of construction shall be documented on a site construction sign along with the contact information for the general contractor.
- Indicate easements
- Add plan references

- How will pedestrians access site from the westerly side of Chestnut?

Engineering Comments:

- Sign posts are square not U channel.
- Show a 30 ft wide utility easement over the existing water.
- The transformer should not be in this easement or that close to the main.
- The poles along Third Street will need to move. They need a 10 ft clear area around the wire in my understanding
- The brace pole by the entrance interferes with the proposed sidewalk
- Keep the curbline straight on third st by the bank entrance.
- Remove the stop sign. It is set too far off the roadway.
- Remove the island that holds the parking meter. It takes up space and obstructs maintenance.
- Look at installing curbed islands at the end of the parking lot toward Central Ave. No sidewalk or cross walk is needed there in my opinion.
- Relocate the mid block crosswalk towards Chestnut Street.
- Relocate proposed tipdown by southwest corner of building.
- Let's discuss sand filter.
- What type of nonwoven geotextile?
- Should the stone be washed?
- Drainage still to be reviewed.
- Reconfigure the water line connection.
- Do not install a cleanout in the sewer service
- There seem to be oak trees proposed under the OH power lines.
- You don't need detail U2 since you have D6
- Correct sewer service detail. Sdr 35. Crushed stone not gravel. Solid sleeve coupling not fernco
- You will need flowable fill to cradle the water tap. We require stainless steel. Not Rochester.

Police Department Comments:

- Parking kiosk closest to Central Avenue may be unnecessary – coordinate with Parking Manager
- Coordinate with Parking Manager on placement of parking wayfinding signs
- Provide detail or image of the north wall (along RR tracks)

Fire/Inspections Comments:

- FDC shall be clearly identified by a permanent sign
- FDC access shall be free of obstacles and obstructions (including landscaping and vegetation) with a permanently clear route. No parking spaces shall be provided directly in front of FDC access
- Identify all proposed fire lanes with appropriate signage and striping. For example along the north side of the mixed use building and in front of the garages for the multifamily structure



CITY OF DOVER

TECHNICAL REVIEW COMMITTEE MINUTES - P17-02

Application Type: Site Plan Review
Applicant(s): Changing Places LLC
Owner(s): City of Dover
Location: Third Street (Tax Map 6, Lot 54-A)
Date: February 2, 2017

- Locate the nearest fire hydrants
- Clarify location and quantity of gas meters (interior or exterior)
- The structure will be required to be supplied by one electrical service in an approved location
- Clearly locate the number of entrances and exits to the proposed structure. Discuss entrance/exit location(s) for commercial unit(s) and identify accessible route. Discuss the type of commercial use intended on the first floor
- The site shall be accessible in all weather conditions at all times during construction
- Provide a larger sheet for the turning template for truck 1.
- Plans shall indicate design compliance with applicable accessibility (disabled) regulations for the completed site and be stamped by the qualified design professional. In addition compliance with RSA-155-A:5 shall be shown
- Benches shall meet applicable accessibility regulations. Plans shall indicate compliant details and specifications
- Clarify accessible route from accessible parking to the structure entrances

Project will not be scheduled for Planning Board until Traffic Analysis and Fiscal analysis are submitted and approved.

S:\Department\Planning\Planning_Share\PlanningBoard\TRC\2017 TRC\MINUTES\2017.02.2_PlanningTechnicalReviewCommittee.Third_Chestnut.docx

Economic Development Comments:

- Revise the plans to show brick on the full first floor.
- Clarify Access easement across property

Planning Board Comments:

- Replace Metrocast with Comcast
- Indicate parking lot lighting
- Coordinate landscape maintenance between City and Developer.

Parker, Christopher G.

From: Ted Anglace <tanglace@yahoo.com>
Sent: Tuesday, April 04, 2017 9:50 AM
To: Planning Board - All
Subject: Third Street development and load on school budget/facilities

Regarding the proposed development on Third Street, the impact on the schools needs to be considered.

Using planning department standards:

0.5 students per housing unit

x 22 units

x \$15k per student cost

Total= \$165,000 added cost to the school and 11 new students to the school facilities

\$0 tax revenue will fund the schools from this development since it is in a TIF and the baseline value is \$0 (city owned).

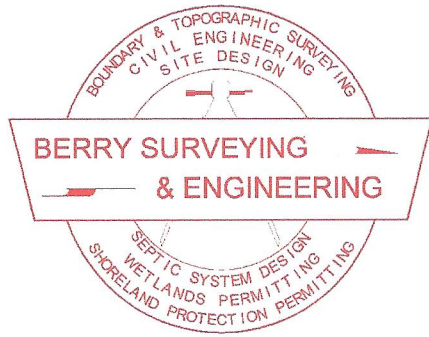
Arguments that these units won't be suitable for children are not valid since it was crammed down our throats that city wide averages must be used in any analysis regardless of the demographics of an area or neighborhood. A double standard for this will be very unacceptable.

The only way 22 new units should be allowed is if \$165k per year is carved out for the school budget from the tax money that goes into the TIF. At a guaranteed valuation of only \$3M this is a problem because the taxes will only be \$78,870 (@\$26.29 / 1000).

My comments will be the same for the 226 proposed units at the waterfront as that math yields a \$1.7M load on the school budget and 113 student load on the facilities.

I am finding that even some public board members who should know how TIF's impact the school budget have no idea how it works or what the potential impacts are. Please factor this important data into these decisions and give it some discussion time in public sessions so the school board, parents, and taxpayers can know and better understand the risks.

Ted



BERRY SURVEYING & ENGINEERING

335 Second Crown Point Road

Barrington, NH 03825

Phone: (603) 332-2863

Fax: (603) 335-4623

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City of Dover Technical Review Committee
288 Central Ave
Dover, NH 03820

February 21, 2017

RE: Comments from 2/02/11 TRC Meeting
Changing Places LLC
Third Street
Dover, NH

Based on comments from our February 2, 2017 TRC meeting, we respectfully submit the following comments and revisions. Our comments are in **bold**.

Planning Comments:

- Impact fees and water and sewer investment fees will be assessed
- Storm Water Management System Operation and Maintenance Plan to the satisfaction of the City Engineer
 - **A Stormwater Management System Operation and Maintenance Plan has been submitted.**
- Provide:
 - Streetscapes for all sides, including abutting buildings and proposed landscaping
 - **Streetscapes have been submitted.**
 - Traffic Impact Analysis
 - **A traffic analysis has been submitted.**
 - Waiver Request Narrative
 - **A waiver request narrative has been submitted.**
 - Subdivision plan
 - **A subdivision plan has been submitted.**
 - Cross Access Easement from public parking across site
 - **A Cross Access Easement is proposed.**
- Please revise the plan set to:
 - Correct that PSNH is Eversource
 - **References to PSNH have been changed to Eversource.**
 - Add signature and stamp of the LLS, PE, and Landscape Architect
 - **All sheets are stamped and signed.**
 - Add Planning file number P17-02 to all sheets
 - **The planning file number has been added to all sheets.**
 - Add abutter information on sheet 1
 - **Abutter information has been added to sheet 1.**
 - Add storm water recording note on sheets 2 and 11
 - **The notes have been added to sheets 2 and 11.**

- Combine Architectural Renderings to plan set and revised to meet 149.14L and CBD architectural requirements
 - Revise to show masonry on first floor for full building
 - **The Architectural plans have been revised.**
 - Indicate Cement Fiber Board, Masonry or Wood above
 - **The Architectural plans have been revised.**
- On Sheet 2, Revise notes 11, 24, 26 and 30 to meet Dover's common site plan notes
 - **The notes have been revised.**
- Revise note 31
 - **The note has been revised.**
- On sheet 3:
 - Label as sheet 3
 - **Sheet 3 is now called out properly.**
 - Add abutter information across from Central
 - **Abutter information has been added.**
- On sheet 5:
 - Show intersection on Central
 - **The intersection is now shown on the site plan.**
 - Is 16'adequate aisle width?
 - **It is our opinion that 16' is adequate for a one way aisle.**
 - Add trash can on Central Ave?
 - **A trash can has been added on Central Ave.**
 - Add FFE
 - **Finish floor elevations are shown on the grading plan, Sheet 6.**
 - Relocate the crosswalk closer to Chestnut Street, near exit of parking lot
 - **The crosswalk has been relocated.**
 - Replacement of street lights with new City standard
 - **The proposed lamp on the west portion of the property has been removed.**
 - Contribution towards sidewalk replacement from Central to site (difference between brick and concrete)
 - **Sidewalk replacement is to be worked out with the Assistant City Manager.**
 - Continue fence treatment from RR track to parcel boundary with Map 6 Lot 46
 - **Fence treatment is to be worked out with the Assistant City Manager.**
 - Have consistent one way arrow
 - **The one way arrows are consistent.**
- On sheet 12:
 - Indicate height of lights



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- **Heights of the lights is now shown on the site plan (Sheet 5) and the lighting plan (Sheet 12.)**
 - Verify the darkest spot in parking lot is between 0.2 and 0.4 foot candles
 - **The darkest spot in the parking lot is 0.4 foot candles.**
- On Sheet L-01
 - Add note that landscaping shall meet City Regulations
 - **A note has been added to the landscaping plan.**
 - Add a note that any transformer or generator shall be screened
 - **A note has been added to the landscaping plan.**
- On Sheet 19:
 - Revise bench to make it compliant with ADA
 - **The bench has been revised.**
 - Use revised City street light spec.
 - **Addressed above.**
- Add a note that construction hours shall be limited to Monday-Friday 7 AM-6 PM, Saturday 9 AM-4 PM, with no Sunday hours. Hours of construction shall be documented on a site construction sign along with the contact information for the general contractor
 - **A note has been added to the general notes page.**
- Indicate easements
 - **Proposed easements have been added to the subdivision plan.**
- Add plan references
 - **Plan references have been added to the existing conditions plan.**

Police Department Comments:

- Parking kiosk closest to Central Avenue may be unnecessary – coordinate with Parking Manager
 - **We will coordinate with the Parking Manager on this matter.**
- Coordinate with Parking Manager on placement of parking wayfinding signs
 - **We will coordinate with the Parking Manager on this matter.**
- Provide detail or image of the north wall (along RR tracks)
 - **A construction detail is pending.**
- How will pedestrians access site from the westerly side of Chestnut?
 - **Pedestrians will have the option of using the crosswalk across Chestnut Street at Fourth Street.**

Engineering Comments:

- Sign posts are square not U channel
 - **The sign table has been updated to call for square posts.**
- Show a 30ft wide utility easement over the existing water
 - **The city will take ownership of the aisle.**
- The transformer should not be in this easement or that close to the main
 - **The transformer has been moved.**



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- The poles along Third Street will need to move. They need a 10ft clear area around the wire is my understanding
 - **We will coordinate with Eversource on moving the utility poles.**
- The brace pole by the entrance interferes with the proposed sidewalk
 - **The sidewalk has been reconfigured in the area of the brace pole.**
- Keep the curb line straight on Third Street by the bank entrance
 - **The curb line is proposed to be straight.**
- Remove the island that holds the parking meter. It takes up space and obstructs maintenance
 - **We will coordinate with the Police Department on the parking meter.**
- Look at installing curbed islands at the end of the parking lot toward Central Ave. No sidewalk or cross walk is needed there in my opinion.
- Relocate the mid block crosswalk towards Chestnut Street.
 - **The crosswalk has been adjusted to be closer to Chestnut Street.**
- Relocate proposed tipdown by southwest corner of building.
 - **The tipdown has been relocated.**
- Let's discuss sand filter.
 - **The sand filter was designed based on conversations with the Assistant City Engineer and the Utilities Superintendent.**
- Wat type of nonwoven geotextile?
 - **The detail has been updated to specify Mirafi 140N fabric.**
- Should the stone be washed?
 - **The stone is called out as NHDOT 702 #67, which according to NHDOT specs is to be washed.**
- Drainage still to be reviewed.
- Reconfigure the water line connection.
 - **The water line connection has been reconfigured to only require one tap in the existing AC main.**
- Do not install a cleanout in the sewer service
 - **The cleanout has been removed.**
- There seem to be oak trees proposed under the OH power lines.
 - **The landscape architect specifically chose oak trees to be under the power lines.**
- You don't need detail U2 since you have D6
 - **The detail has been removed and renumbered.**
- Correct sewer service detail. Sdr 35. Crushed stone not gravel. Solid sleeve coupling not fernco.
 - **The detail has been revised.**
- You will need flowable fill to cradle the water tap. We require stainless steel. Not Rochester.
 - **The water connection is called out to use flowable fill.**



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Fire/Inspections Comments:

- FDC shall be clearly identified by a permanent sign
 - **The site plan has been updated to call for a sign.**
- FDC access shall be free of obstacles and obstructions (including landscaping and vegetation) with a permanently clear route. No parking spaces shall be provided directly in front of FDC access
 - **No parking is permitted on the street in front of the FDC access.**
- Identify all proposed fire lanes with appropriate signage and striping. For example along the north side of the mixed use building and in front of the garages for the multifamily structure.
 - **No fire lane striping is proposed, but proposed signs have been added to the building.**
- Locate the nearest fire hydrants
 - **The nearest hydrant is called out on the existing conditions plan and the site plan.**
- Clarify location and quantity of gas meters (interior or exterior)
 - **The 2 gas meter locations are called out on the site plan.**
- The structure will be required to be supplied by one electrical service in an approved location.
 - **Electrical service information will be provided on the building plan.**
- Clearly locate the number of entrances and exits to the proposed structure. Discuss entrance/exit location(s) for commercial unit(s) and identify accessible route. Discuss the type of commercial use intended on the first floor
 - **Entrances and exits will be shown on the building plan.**
- The site shall be accessible in all weather conditions at all times during construction.
 - **Safe access to the site will be available throughout construction as required.**
- Provide a larger sheet for the turning template for truck 1.
 - **The turning template will be provided on a full size sheet.**
- Plans shall indicate design compliance with applicable accessibility (disabled) regulations for the completed site and be stamped by the qualified design professional. In addition compliance with RSA-155-A:5 shall be shown
 - **Several mentions of ADA compliance are mentioned throughout the plan set, where appropriate. Building ADA compliance is handled by the Architect.**
- Benches shall meet applicable accessibility details and specifications
 - **Benches are designed to meet ADA and are now called out as such.**
- Clarify accessible route from accessible parking to the structure entrances
 - **All structure entrances and exits are accessible from accessible parking.**

Economic Development Comments:

- Revise the plans to show brick on the full first floor
 - **The Architectural plans have been revised.**

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- Clarify Access easement across property
 - **A Cross Access Easement is proposed.**

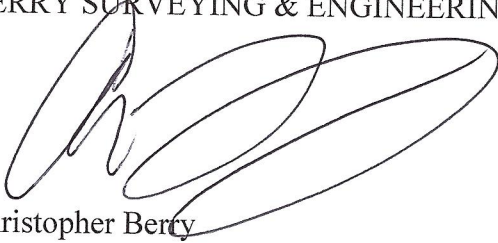
Planning Board Comments:

- Replace Metrocast with Comcast
 - **Instances of Metrocast have been replaced with Comcast.**
- Indicate parking lot lighting
 - **Parking lot lighting is shown on the lighting plan.**
- Coordinate landscape maintenance between City and Developer
 - **Landscaping maintenance will be coordinated between the City and the developer.**
- Project will not be scheduled for Planning Board until Traffic Analysis and Fiscal analysis are submitted and approved.
 - **A traffic analysis and fiscal impact analysis have been submitted.**

Thank you for your time and attention on this project, and we look forward to continuing to work with you on this project.

Respectfully,

BERRY SURVEYING & ENGINEERING



Christopher Berry
Principal and President

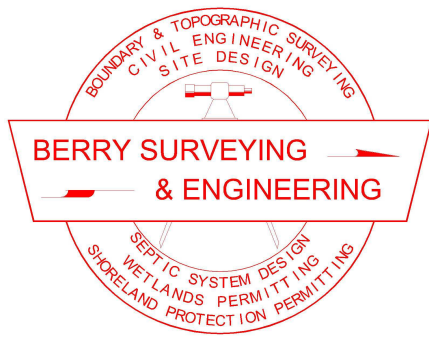


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March 20, 2017

City of Dover Planning Board
288 Central Ave
Dover, NH 03820

RE: Proposed mixed-use development
Third Street

Pursuant to Site Review Regulations 149-19 (Waivers,) Berry Surveying & Engineering (BS&E,) on behalf of Changing Places LLC respectfully requests the City of Dover Planning Board waive the following project specific items:

- 149-14 E.(1)(e) All outdoor light fixtures shall be designed, oriented, or shielded to prevent light or glare onto adjacent property or streets.
- 149-15 C. All paving and/or storage shall not be permitted within five (5) feet of any side or rear property line.

Mr. Chairman and Members of the Dover Planning Board,

1. Identification of Waiver Request & Explanation.

149-14 E.(1)(e) requires lighting to be designed and installed in such a way that no light spills onto adjacent properties or streets. The proposal includes a total reduction in the lighting on site due to the removal of the large cobra head style lamps, but still has low lumens that cross into the rail line and Third Street. This lighting is less than the existing condition, and is now down lit and shielded and is therefore less of a nuisance.

149-15 C. requires all pavement to be five (5) feet from any side or rear property lines. In the proposed site plan, there are a few areas where the proposed pavement will be less than 5 feet from the property line in order to accommodate Dover's fire truck turning template.

We are requesting waivers to these items based on the following:

2. Waiver Justification:

- **Specific circumstances relative to the subdivision, or conditions of the land in such site plan, indicate that the waiver will properly carry out the spirit and intent of the regulations.**

Regarding 149-14 E.(1)(e), based on the location of the existing building, and the requirements of the CBD regulations, some light spillover onto the adjacent streets and the rail line is inevitable with the lighting proposed on the building. However, given that there are existing street lights on Third Street and the rail way, the proposed lighting on the building will not cause a nuisance, given the low lumen generation, and for that reason it is our opinion that this waiver can be comfortably granted.

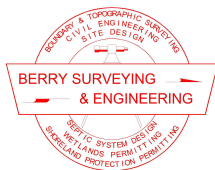
Regarding 149-15 C., the location of the pavement is within 5 feet of the property lines so the site can be re-built in the same position it is in now.

Thank you for your time and attention to this matter and we hope you look favorably upon the request.

Respectfully Submitted,

BERRY SURVEYING & ENGINEERING

Christopher R. Berry
Principal, President



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City of Dover, New Hampshire SITE REVIEW APPLICATION

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

Office Use Only

Project #:

717-02

Date Received:

MAR 22 2017

Amount Paid:

Time Received:

Dover, New Hampshire

APPLICANT AND OWNER INFORMATION

Name of Applicant: Changing Places LLC

Telephone # 749-3800

Address of Applicant: 42 J Dover Point Road, Dover, NH 03820

E-Mail Address: _____

Name of Property Owner (if different from applicant): City of Dover

Telephone # 516-6008

Address of Property Owner: 288 Central Ave., Dover, NH 03820

PROPERTY INFORMATION

Address of Property: Third Street

Assessor's Map # 6

Lot(s) # 54-A

Zoning District(s) CBD

Overlay District(s) _____

Size of Parcel: 32,534 sq. ft. 0.75 ac.

Property Deed: Book 781 712

Page: 212 385

Existing Use of Property: Parking Lot

SITE PLAN INFORMATION

Describe Proposed Use: Mixed use

Area of Parcel to be Developed: 32,534

sq. ft.

If Multi-family Residential, Specify Number of Units & Buildings Proposed: _____

Number of Parking Spaces: Existing 75

Proposed 27

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

Number of Employees Total: To be determined

In Maximum Shift: To be determined

Disposition of Parcel:

Building Setbacks:

Building Footprint 6322/3627 sq. ft.

Front Yard BT. 1' +/- 5' ft.

Total Building Area 25,288/10,881 sq. ft.

Rear Yard 10' ft.

Paved Area 27,984 sq. ft.Side Yard: Right 0-24' ft.
Left 0-24' ft.City Water? ☒ Yes ☐ NoHow far is city water from the property? In streetCity Sewer? ☒ Yes ☐ NoHow far is city sewer from the property? In street**BUILDING INFORMATION**Type of Building to be Built: Mixed useHeight of Building: 4-story (max.) Finished Floor Elevation: 76.50/76.25Number of Seats (where applicable) To be determined**WAIVER REQUESTS**Site Review Regulations section(s) to be waived: 149.15 (c) 5' to pavementJustification for waiver request(s) (*attach additional sheets as needed*): Entire site is paved to the boundary. This rehabilitation project mimics this feature.**SURVEYOR INFORMATION**Name of Surveyor and Company (Licensed in N.H.) McEneaney Survey Associates, Inc
Kevin McEneaney, LLSAddress PO Box 681
Dover, NH 03820 Telephone #: 742-0911Professional License #: _____ E-mail address: MSA@surveynh.net**ENGINEER INFORMATION**Name of Engineer and Company (Licensed in N.H.) Berry Surveying & Engineering
Kenneth A Berry, PE, LLSAddress 335 Second Crown Point Rd
Barrington, NH 03825 Telephone #: 332-2863Professional License #: 14243 E-mail address: K.Berry@BerrySurveying.com**SIGNATURES**

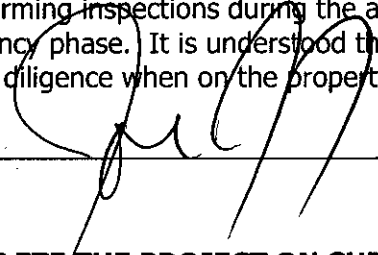
I/We hereby submit this application to the City of Dover Planning Board and attest that to the best of my knowledge all of the information on this application form and in the accompanying application materials and documentation is true and accurate. As applicant or as agent, I attest that I am duly authorized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

Signature of Property Owner: _____

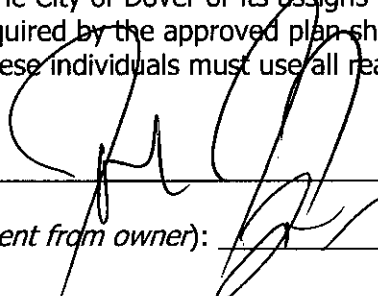
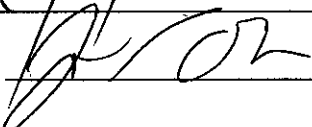
Date: 4/5/17Signature of Applicant (*if different from owner*): _____Date: 4-5-17

Signature of Agent: Date: 4-5-17**AUTHORIZATION TO ENTER SUBJECT PROPERTY**

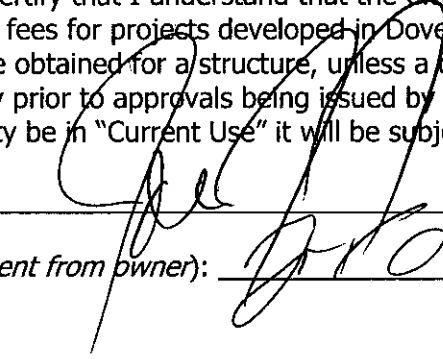
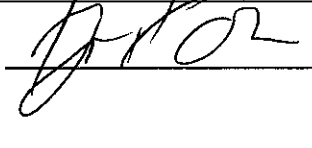
I, and my successors, hereby authorize members of the Dover Planning Board, Planning Department and other pertinent City Departments and boards to enter my property for the purpose of evaluating this application, including performing inspections during the application phase, post-approval phase, construction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

Signature of Property Owner: Date: 4/5/17**AUTHORIZATION TO COMPLETE THE PROJECT ON SUBJECT PROPERTY**

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

Signature of Property Owner: Date: 4/5/17Signature of Applicant (if different from owner): Date: 4-5-17**CERTIFICATION OF FEES**

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

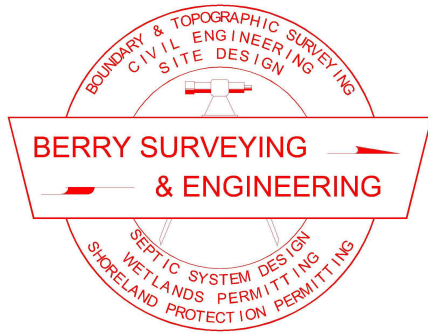
Signature of Property Owner: Date: 4/5/17Signature of Applicant (if different from owner): Date: 4-5-17

ABUTTER LIST: P17-02/P17-20

CHANGING PLACES, LLC/CITY OF DOVER

THIRD STREET

Property ID	Location	Owner 1	Owner 2	Owner Address 1	City	State	Zip
05003-000000	11 15 FOURTH ST	21 FOURTH STREET LLC		PO BOX 866	DOVER	NH	03821-0866
05004-000000	9 FOURTH ST	ADMR REALTY LLC		199 CONSTITUTION AVE	PORTSMOUTH	NH	03801
06037-000000	18 THIRD ST	ANBELWOLD LLC		334 ROUTE 108	MADBURY	NH	03823
31004-C00000	CHESTNUT ST	AT&T		PO BOX 7207	BEDMINSTER	NJ	07921-7207
06036-A00000	4 THIRD ST	BAMFORD INVESTMENT CO LLC		466 CENTRAL AVE SUITE 12	DOVER	NH	03820
06054-000000	THIRD ST	BOSTON & MAINE RR	IRON HORSE PARK	HIGH STREET	NORTH BILLERICA	MA	01862
06054-E00000	4 FOURTH ST	CARRIER IRENE R TRUSTEE	CARRIER IRENE R REV TRUST 98	50 FW HARTFORD DR	PORTSMOUTH	NH	03801
31004-B00000	33 CHESTNUT ST	COCHeco MILLS HOLDINGS LLC		3 PENSTOCK WAY	NEWMARKET	NH	03857-4416
06054-D00000	10 FOURTH ST	COLWELL-ELLIS DARLENE TRUSTEE	COLWELL-ELLIS DARLENE REVOCABLE FAMILY T	10A FOURTH ST	DOVER	NH	03820-2988
04017-000000	525 CENTRAL AV	DANVIN COURT ONE LLC &	DANVIN COURT TWO LLC	6 EDGEWOOD RD	MIDDLETON	MA	01949
04001-000000	505 CENTRAL AV	DOVER DRUG		131 CLEMENT RD	ROLLINSFORD	NH	03869
06054-B00000	20 CHESTNUT ST	FORTIN GAIL A	FORTIN DONALD A	PO BOX 902	MILTON	NH	03851
05007-000000	530 CENTRAL AV	GOSSELLS BONNIE & BLICHER E CO-TRUSTEES	BRANFORD TRUST	17 BENNETT ROAD	WAYLAND	MA	01778
04019-000000	519 CENTRAL AV	PAPAIoANNOU ATHANASIOS &	PAPAIoANNOU SOTIRIOS	177 HENRY LAW AVENUE	DOVER	NH	03820-3816
04020-000000	511 CENTRAL AV	PAPAIoANNOU SOTIRIOS & ALEXANDRA &	PAPAIoANNOU ATHANASIOS AND MARTHA	1 BIRCH DR	SOUTH BERWICK	ME	03908
04002-000000	4 BROADWAY	RANDALL CLAYTON F LIVING REVOCABLE TRUST	RANDALL CLAYTON F TRUSTEE	151 CLEMENT RD	ROLLINSFORD	NH	03869
31024-000000	31 THIRD ST	ROMAN CATHOLIC BISHOP		150 CENTRAL AVE	DOVER	NH	03820-4022
06030-000000	35 SECOND ST	ROSE SANDRA C	SPIELMAN STEVEN B	10 FERN WAY	MADBURY	NH	03823
06038-000000	22 THIRD ST	ROSS FURNITURE COMPANY INC		38 THIRD STREET	DOVER	NH	03820
04021-000000	CENTRAL AV	SEACOAST SAVING BANK	ATTN FACILITIES MGR	2 BURLINGTON SQUARE	BURLINGTON	VT	05402
06031-000000	29 31 SECOND ST	SECOND STREET DOVER LLC		2 NUTE RD	DOVER	NH	03820
31007-000000	66 THIRD ST	SOJOURN PROPERTY MANAGEMENT LLC		750 EXETER RD	HAMPTON	NH	03842-1022
31004-000LSE	35 37 CHESTNUT ST	SPRINT COMMUNICATIONS CO	C/O PROP TAX DEPT	PO BOX 12913	SHAWNEE MISSION	KS	66282-2913
04005-000000	14 BROADWAY	TRINKET REALTY LLC		519 CENTRAL AVE	DOVER	NH	03820
06043-000000	52 THIRD ST	VARNEY LINDA S	VARNEY JAMES W	88 COUNTY FARM ROAD	DOVER	NH	03820
06040-000000	44 THIRD ST	WONG JOHN &	WONG MO Y TRUSTEE	42 THIRD ST	DOVER	NH	03820
06034-000000	17 19 SECOND ST	WOODS PHYLLIS L TRUSTEE	WOODS PHYLLIS L REV TRUST	1 BARRY STREET	DOVER	NH	03820
		MCENEANEY SURVEY ASSOCIATES, INC	KEVIN MCENEANEY	PO BOX 681	DOVER	NH	03820
		BERRY SURVEYING & ENGINEERING	KENNETH BERRY, PE, LLS	335 SECOND CROWN POINT RD	BARRINGTON	NH	03825
		CHANGING PLACES LLC		42 DOVER POINT RD, SUITE J	DOVER	NH	03820



BERRY SURVEYING & ENGINEERING

335 Second Crown Point Road
Barrington, NH 03825
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February 21, 2017

City of Dover Planning Board
288 Central Ave
Dover, NH 03820

RE: Proposed mixed-use development
Third Street, Tax Map 6, Lot 54A
Changing Places, LLC
42 Dover Point Road Unit J
Conditional Use Permits

Mr. Chairman and Members of the Dover Planning Board,

Pursuant to Zoning Regulations (Chapter 170-20 B,) Berry Surveying & Engineering (BS&E,) on behalf of Changing Places, LLC, respectfully requests the City of Dover Planning Board to approve the following Conditional Use Permits:

- Minimum Lot Coverage less than 75%
- Minimum Frontage Build-out less than 70%
- Rear setback less than 10 feet

1. Identification of Conditional Use Permits

Dimensional regulations in the General sub-district of the Central Business District (CBD) state that the minimum lot coverage is 75%, frontage build-out must be a minimum of 70%, and there is a minimum rear setback of 10 feet. We ask that Conditional Use Permits be granted to allow building lot coverage of 57%, a frontage build-out of 59% on Third Street, and a rear setback of 4 feet.

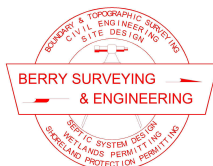
Below we show the project's compliance with the standards required to grant a Conditional Use Permit, and we provide justification for its approval.

2. Compliance with the following standards

- a) That both public and private buildings and landscaping shall contribute to the physical definition of rights of way as civic spaces.
 - **The proposed buildings will be approximately 2' off the right of way. Their proximity to the existing road, coupled**

with the proposed streetscape will define the right of way as an attractive civic space.

- b) That development shall adequately accommodate automobiles, while respecting the pedestrian and the spatial form of public areas.
 - **The design proposes a 16' one-way aisle with parking at the back of the site, along with raised sidewalks with curbing throughout the site and along the front of the site on Third Street, creating safe pedestrian access.**
- c) That the design of streets and buildings shall reinforce safe environments.
 - **The design proposes vertical granite curb along Third Street, with 5' sidewalks, providing safe access for pedestrians.**
- d) That architecture and landscape design shall grow from local climate, topography, history, and building practice.
 - **The architectural design is one born from the local climate and history, and has been widely met with approval at preliminary meetings with City staff.**
- e) That buildings shall provide their inhabitants with a clear sense of geography and climate through energy efficient methods.
 - **The project proposes two brand new buildings, which will be constructed with the latest energy efficient methods.**
- f) That civic buildings and public gathering places shall be provided as locations that reinforce community identity and activity.
 - **By combining commercial and residential areas, the proposed project will create a space that reinforces the identity and spirit of Dover's downtown by creating an open space to live and work.**
- g) That civic buildings shall be distinctive and appropriate to a role more important than the other buildings that constitute the fabric of the city.
 - **The location of the proposed project and the proposed buildings lend themselves to be defining and distinctive structures at the center of Dover's downtown.**
- h) That the preservation and renewal of historic buildings shall be facilitated.
 - **N/A**
- i) That the harmonious and orderly evolution of urban areas shall be secured through the adoption of these regulations.
 - **This project is proposed with an awareness of its place in Dover's downtown, and has been designed as such, in a way that the harmonious and orderly evolution of urban areas is secured.**



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3. Justification for approval of Conditional Use Permits

Given the shape of the existing lot, and the presence of existing City utilities which need continued maintenance by the City, we feel that the proposed design is the best use of space on the lot.

The proposed buildings will cover 57.9% of the lot, which is less than the 75% required, but with the City taking over a portion of the lot to maintain its water main, the remaining lot is triangular in shape and it would be difficult to approach the required 75% lot coverage.

Similarly, the triangular shape of the proposed lot makes it nearly impossible to achieve a build-out frontage of 70%, though the effective build-out is nearly 100% when viewing the site from the street. Our proposal puts build-out frontage at 59.1% across both buildings, and seems to be the limit when considering pedestrian safety and vehicular access to the buildings.

The new lot to be created was designed in such a way that the City would have full access and ownership of the aisle and all associated utilities within the aisle. As such, the rear lot line is proposed to be 4' off the rear of the building, which is less than the 10' required by code. We ask that this Conditional Use Permit be approved on the grounds that the City will need to own the aisle in order to properly maintain the utilities therein.

Thank you for your time and attention to this matter, and we hope you look favorably upon the request.

Respectfully Submitted,

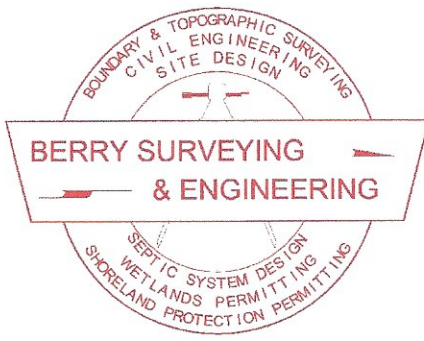
BERRY SURVEYING & ENGINEERING

Christopher R. Berry
Principal, President



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Fiscal Impact Analysis

For

Third Street Tax Map 6, Lot 54A

Changing Places, LLC
42 Dover Point Road Unit J
Dover, NH 03820

Prepared By

Berry Surveying & Engineering
335 Second Crown Point Road
Barrington, NH 03825
603-332-2863

File Number
DB2015-110

Introduction

On behalf of Changing Places, LLC, Berry Surveying & Engineering has submitted a mixed-use site plan for 22 residential units in two mixed-use multifamily buildings on Tax Map 6, Lot 54A. The design proposes new building construction, with associated parking and site improvements.

With respect to Chapter 149, we submit the following:

Attendance at Public Schools: In a study published in 2012 by New Hampshire Housing Finance Authority (NHHFA) the average rate derived for students per unit with 2 bedrooms or fewer in multi-family buildings is 0.05. Changing Places, LLC is proposing 22 residential units which fall into the multi-family category, all of which will have 2 or fewer bedrooms. As noted in a study submitted by the Housing Authority in March 2012, student enrollment is on the rise in Dover compared to the average around the state.

There are no outside forces due to marketing, demographic or the surrounding neighborhood to influence a higher or lower rate than provided in the NHHFA study.

Given the anticipated end user as mentioned above, offset by the known increase in enrollment specific to Dover, a rate of .08 was used in this analysis.

$$0.08 \times 22 = 1.76 \sim (2)$$

It should be noted that this number would be dispersed over entire school age system.

Increase in Vehicular Traffic: This project is a unique one in that it will be replacing a municipal parking lot that has 82 spaces. The proposed site will have 27 municipal spaces, and four two-car garages. Given the users for the proposed project will be largely the same as for the existing lot, we will see a large reduction in trip generation. Assuming a peak turnover rate of 1.5 trips per space for the PM weekday peak, and using Land Use Code (230) Residential Condominium/Townhouse from the 9th Edition ITE Trip Generation Manual, trip generation will go from 123 trips for the existing lot, to 42.58 trips for the proposed project, a reduction in trips of approximately 65%.

Change in Number of Legal Residents: It is assumed that all occupants would be residents with two people per unit. 44 resident increases. (46 if children are included.)

Increases in Municipal Costs: This project is proposed to be served by a driveway to be maintained by the City, but overall will result in a much smaller area to be maintained by the City. Expenses related to the Fire department and Police department are proposed to be the same as any typical development project. The project site will be on the public sewer and water system. It should be noted that there are impact and investment fees associated with each residential structure built within the project.

Load on Public Utilities or future demand for them: As noted above, the public utilities are limited to city sewer and water. The proposed units are to be built using the current building and energy code. The load generated by these new units is anticipated to be less demand on the system than comparable units within the neighborhood's existing housing stock.

Public Safety: The project will not have an adverse effect on public safety. Normal commercial and residential uses, similar to those of the surrounding neighborhood, are anticipated. Restoration of existing sidewalks along Third Street will improve pedestrian safety.

Changes in Tax Revenue: The existing tax rate is 26.29 dollars per thousand of value. The estimated cost of improvements is approximately \$3,000,000, generating tax revenue of at least \$78,870. Currently the property is owned by the City of Dover and does not generate any tax revenue.

Changes in Surface Drainage: Please find drainage analysis submitted and presently under review by the Dover Engineering Dept. Due to the decrease in impervious area, and introduction of the underground sand filter, there is a reduction in peak rate and volume of stormwater runoff, and an improvement in stormwater treatment.

Increased Consumption of Ground Water: There is no proposed increase in ground water consumption given the public water supply system.

Increased Refuse Disposal: Refuse disposal is to be handled at through private trash pickup.

Pollution of Water or Air: Given the current lack of a stormwater treatment system, the proposed underground sand filter treatment system will make an improvement by removing pollutants from the water. There are no known air quality issues related with normal multi-family uses. Uses will be similar to those currently found in the area.

Land Erosion and Loss of Tree Cover: This project proposes a slight decrease in impervious area, as landscaping is proposed throughout the project site and on the City's ROW in the form of street trees. An erosion control plan and an operation and maintenance plan have been developed and are being reviewed by the Engineering Department. The general character of the existing site will be much improved, as it is currently a large expanse of pavement.

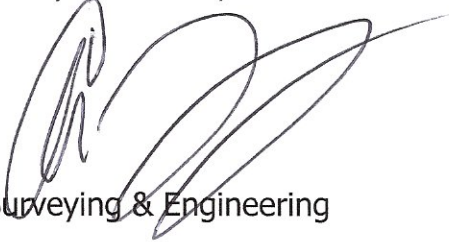
Disturbance to other aspects of the natural ecology: This project is being developed in a way that minimizes its impact to local natural ecology. By decreasing the impervious area and installing an underground sand filter, we are ensuring the natural ecology of the area remains unscathed.

Blocking Views: The surrounding buildings are similar in stature, and being located next to the train tracks, there are no natural views to be blocked by the proposed buildings. Views from ground level will be improved by the proposed streetscape.

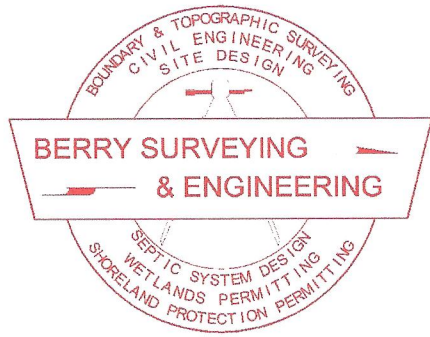
Harmony with Surrounding Developments: The surrounding properties are a mix of commercial, single family, multi-family, and duplex units. The proposed project would keep with the development style of the surrounding area.

Location of Utilities: All utilities required for this project are either at Third Street, or are proposed to be private. No utilities are required to be brought to the site. All utilities will be underground to the proposed structures.

Respectfully submitted,

A handwritten signature in black ink, consisting of stylized, overlapping loops and curves, positioned above the company name.

Berry Surveying & Engineering



BERRY SURVEYING & ENGINEERING

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Barrington, NH 03825

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City of Dover Planning Department
Attention: Director Christopher Parker
288 Central Ave
Dover, NH 03820

February 21, 2017

RE: Traffic Impact Analysis & Distribution
Third Street, Tax Map 6, Lot 54A
Changing Places, LLC
42 Dover Point Road Unit J
Dover, NH 03820

Mr. Parker,

On behalf of Changing Places, LLC, Berry Surveying & Engineering (BS&E) has prepared a Traffic Impact Analysis for the development of 22 residential rental units and 7,720 square feet of commercial office space on Third Street.

The site is currently home to a municipal parking lot with 82 spaces, which serves many businesses in downtown Dover. Although it is still one of the larger parking lots in the city, it is no longer relied upon as heavily with the new garage taking hold among commuters. In building the new parking garage, it was the City's intention to scuttle lots such as this one.

This project proposes a direct reduction in municipal parking spaces, while leaving users of the remaining spaces largely unchanged. Although residential users will also be using the new municipal spaces, it was decided that for the purposes of this analysis, we would conservatively assume that the new spaces will experience the same turnover, and thus trip generation, as the existing spaces.

For commercial uses, the site is poised to see a reduction in trip generation of approximately 65%, since trips will be distributed throughout the City's other municipal parking lots, particularly the new parking garage. The 65% figure comes from the flat reduction in municipal spaces from 82 existing to 27 proposed, and is illustrated below.

For residential uses, trip generation is ignored for the 27 proposed spaces, as turnover is much higher for commercial uses. However, the smaller building to the east has four units each with garages, and their trip generation is calculated below, using the 9th Edition ITE Trip Generation Manual. Land Use Code (230) Residential Condominium/Townhouse was used for the calculation.

Residential Trip Generation (4 Units):

Residential Peak Hour of Generator AM Weekday

Total Trips	19% Entering	81% Exiting
1.76T	0.33T	1.43T

Residential Peak Hour of Generator PM Weekday

Total Trips	64% Entering	36% Exiting
2.08T	1.33T	0.75T

Residential Peak Hour of Generator Saturday

Total Trips	54% Entering	46% Exiting
1.88T	1.02T	0.86T

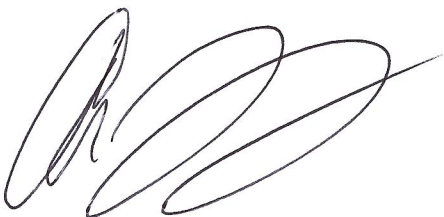
Conclusion:

Assuming a PM weekday peak turnover rate of 1.5 trips per space for existing and proposed municipal parking spaces, in addition to the trips added by the residential units, trip generation would go from 123 trips for the existing lot, to 42.58 for the proposed project, a reduction in trips of approximately 65%.

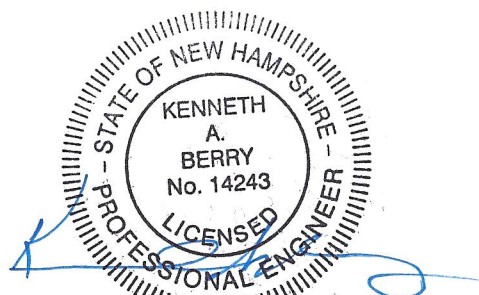
It should also be noted that although there are several public transportation options in the area, this analysis doesn't take credit for any of those options, and the trip generation numbers in this report represent the most conservative figures.

Respectfully Submitted,

BERRY SURVEYING & ENGINEERING



Christopher R. Berry SIT
Principal, President



Kenneth A. Berry, PE, LLS, CEPSC, JP
Principal, VP-Technical Operations

**BERRY SURVEYING & ENGINEERING**

335 Second Crown Pt. Rd., Barrington, NH 03825

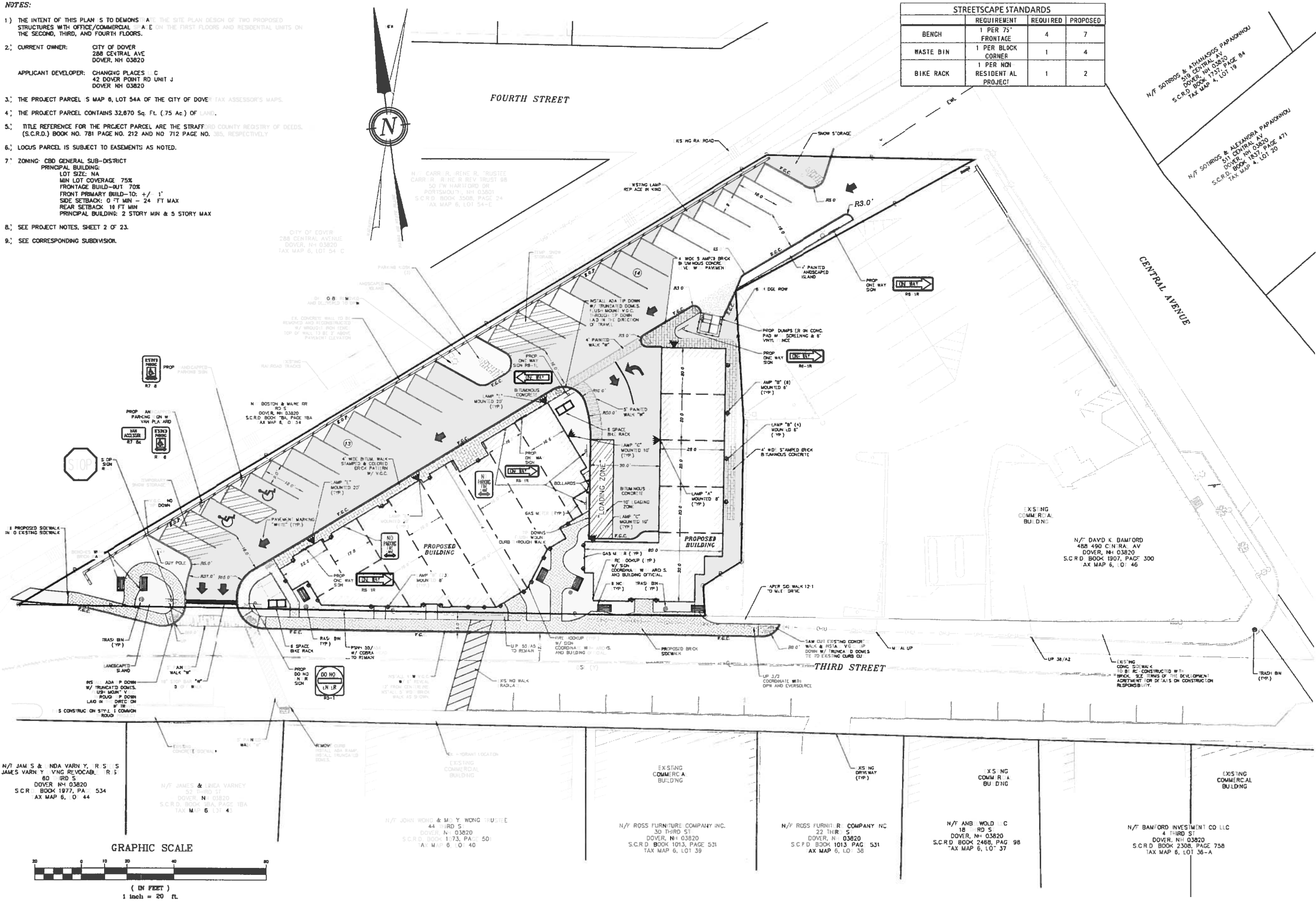
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NOTES:

- THE INTENT OF THIS PLAN IS TO DEMONSTRATE THE SITE PLAN DESIGN OF TWO PROPOSED STRUCTURES WITH OFFICE/COMMERCIAL SPACE ON THE FIRST FLOORS AND RESIDENTIAL UNITS ON THE SECOND, THIRD, AND FOURTH FLOORS.
- CURRENT OWNER: CITY OF DOVER
288 CENTRAL AVE
DOVER, NH 03820
APPLICANT DEVELOPER: CHANGING PLACES LLC
42 DOVER POINT RD UNIT J
DOVER, NH 03820
- THE PROJECT PARCEL IS MAP 6, LOT 54A OF THE CITY OF DOVER TAX ASSESSOR'S MAPS.
- THE PROJECT PARCEL CONTAINS 32,670 Sq. Ft. (.75 Ac.) OF LAND.
- TITLE REFERENCE FOR THE PROJECT PARCEL ARE THE STRAFFORD COUNTY REGISTRY OF DEEDS, (S.C.R.D.) BOOK NO. 781 PAGE NO. 212 AND NO. 712 PAGE NO. 385, RESPECTIVELY.
- LOCUS PARCEL IS SUBJECT TO EASEMENTS AS NOTED.
- ZONING: CBD GENERAL SUB-DISTRICT
PRINCIPAL BUILDING:
LOT SIZE: NA
MIN LOT COVERAGE: 75%
FRONTAGE BUILD-OUT: 70%
FRONT PRIMARY BUILD-OUT: +/- 1'
SIDE SETBACK: 0 FT MIN - 24 FT MAX
REAR SETBACK: 10 FT MIN
PRINCIPAL BUILDING: 2 STORY MIN & 5 STORY MAX
- SEE PROJECT NOTES, SHEET 2 OF 23.
- SEE CORRESPONDING SUBDIVISION.

STREETSCAPE STANDARDS			
	REQUIREMENT	REQUIRED	PROPOSED
BENCH	1 PER 75' FRONTAGE	4	7
WASTE BIN	1 PER BLOCK CORNER	1	4
BIKE RACK	1 PER NON RESIDENTIAL PROJECT	1	2



DOVER PLANNING FILE #P17-02			
#	REVISION	DATE	DESCRIPTION
1	2-20-17		REVISED PER TRC MEETING

PROPOSED SITE PLAN
FOR
CHANGING PLACES LLC
THIRD STREET
DOVER, NH
TAX MAP 6, LOT 54A

BERRY SURVEYING & ENGINEERING
335 SECOND CROWN POINT ROAD
BARRINGTON, NH 03825 (603)332-2863
SCALE: 1 IN. EQUALS 20 FT.
DATE: JANUARY 19, 2017
FILE NO.: DB 2015 - 110

STATE OF NEW HAMPSHIRE
KENNETH A. BERRY
No. 14243
LICENSED PROFESSIONAL ENGINEER

SHEET 5 OF 23