



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - City Hall, 288 Central Avenue
Meeting Date: **Tuesday, April 25, 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, Catherine Plante, Tristan Donovan (Alternate), James Burdin (Alternate)

Members Not Present: Hayley Harmon (Alternate)

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

The Chair called the meeting to order at 7:00 p.m. He described the process used to hear cases and the opportunities for the public to communicate.

1. CITIZENS' FORUM

Citizens Forum Open.

The Chair confirmed for Jack Mettee, 56 Rutland Street, that there would be a public hearing for the items on the agenda.

Citizens Forum Closed.

2. APPROVAL OF THE PRIOR MINUTES

- April 11, 2017 Regular Meeting Minutes

Motion: D.White made a motion to approve the April 11, 2017 Regular Meeting Minutes. Seconded by D.Ciotti. Vote U/A

The Chair confirmed for F.Torr the April 18, 2017 Workshop Meeting Minutes would be reviewed at the next Regular Planning Board meeting.

3. OLD BUSINESS

- A. Consideration and possible vote to amend the Planning Board Operating Rules (Bylaws).*

C.Parker provided an overview of the background information regarding amending the Planning Board Operating Rules (Bylaws).

Public hearing opened. Nobody Spoke. Public hearing closed.

Motion: D.Ciotti made a motion to approve the amended Planning Board Operation Rules (Bylaws). Seconded by C.Plante. C.Parker verified for K.Schuman that the amendment will take effect at the next Planning Board meeting. Vote U/A

- B. 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)



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The Chair stated this item would remain tabled.

- C. Consideration and possible vote 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)
- D. Consideration and possible vote 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)

G.Cruikshank read items 3.C and 3.D together.

Motion: D.White made a motion to remove items 3.C and 3.D from the table, and accept items 4 A and B.
Seconded by D.Ciotti. Vote U/A

C.Parker provided an update regarding the feedback received from Board members and the public regarding the architectural design to the building. He provided suggestions to the architectural design and recommended an approval with a condition to have an architectural compliance hearing at a later date.

Christopher Berry, Berry Surveying & Engineering, Inc., represented the applicants, displayed a plan for viewing, and addressed the architectural design and updates to the proposed plan. He requested the project be approved with the condition for the compliance hearing for the architectural design. He also addressed the Conditional Use Permits pertaining to the project.

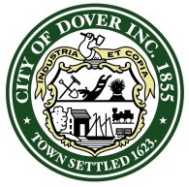
Public hearing Reopened.

Jack Mettee, 56 Rutland Street, spoke in favor of the project and requested the Board consider the architectural design guidelines according to the Waterfront project for a similar quality and look, as well as consideration of a third party architectural firm to evaluate the project.

Public hearing closed.

C.Parker stated the architectural design guidelines and standards for the Planning Board as a reference, and how the standard was used on previous projects. He applied the standard to the feedback received from the public, and provided decision options to the Board as it pertains to the standard. He recommended the Board provide feedback regarding the application of the standard to this and future projects, and addressed the downtown diversity and how this project could blend with the area.

Discussion ensued regarding the background information of the project, the transfer of the property from the City, the architectural design, snow maintenance and snow storage locations, snow removal for the City parking spaces, parking issues and monitored parking in various locations, the planning review process overview in response to the public feedback, comments and the future plan of the intersection on Third and Chestnut Street, consideration of the architectural design from the railroad side for passengers, the challenge of the site from the architectural perspective, consideration of the dormer and the need for a quality structure. There was various Board consensus and consideration regarding the roof design, awnings, mechanicals, colors, brick motif, the compliance hearing, and third party architectural firm review.



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Discussion continued regarding the façade of the building, the color, and changes to the texture and consideration to add windows at the end of the building to break up the façade. There was further discussion regarding the quality of the design for Third Street and the need for more detail, and the consideration for more brick.

The Chair confirmed with C.Parker that items 3.C, 3.D, 4.A, and 4.B are to be reviewed together.

STAFF RECOMMENDATION: (P17-20)

The Planning Department recommends that the Board 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

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

STAFF RECOMMENDATION: (P17-02) - Waiver

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

C.Parker addressed the need to eliminate lighting waivers and the 5' pavement setbacks in the downtown district.

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.

C.Parker confirmed for D.Ciotti that the lighting spill and 5' pavement setback waivers will be put on the list for Zoning Ordinance review for elimination by the Planning Board.

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

STAFF RECOMMENDATION: (P17-02) – Site Plan

The Planning Department recommends that the Board 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 (P17-27) and (P17-28) shall be approved.
3. The applicant shall provide:



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- a. Revised architectural renderings meeting 149-14.L demonstrating an urban form and structure, which shall be approved by the Planning Board at a Compliance Hearing.
- 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
 - 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:

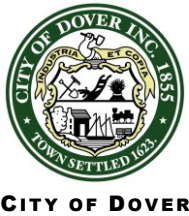
8. The new uses/building shall be assessed the current water/sewer investment fees in place at the time of application for water/sewer service.

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

9. All landscaping shall be installed along Third Street
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.

Discussion ensued regarding clarification of the conditions regarding the compliance hearing and the construction hours.

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



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4. NEW BUSINESS

- A. Consideration and acceptance of a Conditional Use Permit for Changing Places, LLC, (Owner: City of Dover), Assessor's Map 6, Lot 54A, zoned CBD, located at Third Street (CUP is to allow minimum lot coverage less than 75%). *(P17-27)
- B. Consideration and acceptance of a Conditional Use Permit for Changing Places, LLC, (Owner: City of Dover), Assessor's Map 6, Lot 54A, zoned CBD, located at Third Street (CUP is to allow a rear setback less than 10 ft.). *(P17-28)

STAFF RECOMMENDATION: (P17-27)

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

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

- 1. Subdivision Plan (P17-20) shall be approved.
- 2. The owner's signature shall be added to the final plan.
- 3. The applicant shall provide a digital version of the final plan to the Planning Department.
- 4. 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).

C.Parker stated the information for both Conditional Use Permits and the site plan should be combined into one formal agreement between the Chair and the applicant.

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: (P17-28)

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

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

- 1. Subdivision Plan (P17-20) shall be approved.
- 2. The owner's signature shall be added to the final plan.
- 3. The applicant shall provide a digital version of the final plan to the Planning Department.
- 4. 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: T.Clark made a motion to approve the Conditional Use Permit subject to staff recommended conditions. Seconded by D.Ciotti. Vote U/A



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- C. Consideration and acceptance of a Site Plan Review for Jeannette Gestapo, LLC, Assessor's Map 37, Lots 8, 9, 10 & 12, zoned B-3, located at 825 Central Avenue (Proposal is to construct a 15,000 s.f. commercial building with 47 parking spaces within the 25,500 s.f. paved area). *(P16-37)

C.Parker provided an overview of the proposed plan, background information regarding the meetings pertaining to the application, and the work between the Staff and the applicant regarding connectivity of this site with the Hannaford site as it pertains to the traffic light and the high pressure water line.

Attorney Chris Mulligan of Bosen and Associates, PLLC, represented the applicant, displayed a plan for viewing, and presented the proposed plan. Jim Scott and Janet Scott, applicants, Patrick Crimmins of Tighe & Bond, Inc, and Greg Stewart of Jewett Construction were also present.

C.Parker stated the traffic study was coordinated with the Glenwood/Central Avenue project.

P.Crimmins presented the landscaping plan and displayed plans for viewing. He confirmed for K.Schuman that there is no plan to install a fence at this time.

Discussion ensued regarding clarification of the tractor trailer truck loading/unloading location, clarification of certain wording on the plan, and that there is the intent to have only one occupant for the building

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

Public hearing opened.

John Haley, 4 Hall Street, stated his traffic concern and the need for a fence on the residential side of the site.

Greg Lazarus, 5 Gilman Street, addressed the location of the dumpster and requested noise be considered as they are currently awakened at 4:00 a.m. by dumpster pick up from the nearby doctor office.

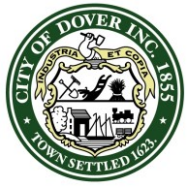
Noelle Lazarus, 5 Gilman Street, stated her traffic concerns and requested a speed limit sign of 15mph for the area be re-installed. She stated further concerns regarding sight distance on Central Avenue, as well as, dumpster waste smell and concerns that it might attract rodents.

Public hearing closed.

C.Parker addressed the abutter concerns regarding the speed limit sign and stated the lowest speed to post is 25 mph. He requested the applicant address the fence, traffic, dumpster, and solid waste removal.

C.Mulligan addressed the abutter concerns and stated enhanced landscaping could be provided and that the dumpster location currently has heavy vegetation and does not want to disturb this. He stated they could request time restrictions for the dumpsters, and confirmed there would be no toxic/hazardous waste. He further stated they are not in control of traffic concerns regarding Merry Street, and cannot stop people from using this road.

Discussion ensued regarding traffic and easement issues, the consideration to require improvements by the developer regarding Merry Street traffic use, the Statis building and possible problems during development with the lot regarding access, the consideration to impose dumpster hours, confirmation that there is a door for loading only with a call button, clarification of the location of the entrance as it pertains to parking and consideration whether a no parking sign is needed at the delivery area, confirmation that the waiver is needed for



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the driveway entrance locations and without it the parking would be moved closer to the residential areas and the impact to Merry Street, the consideration to add a fence near the residential area with arborvitae screening near the loading zone and the dumpster area to help mitigate the sound, and that Community Services could add a “no outlet” sign on Ridge Street.

STAFF RECOMMENDATION: (P16-37) -Waiver

The Planning Department recommends that the Board approve the waivers from Section 149-14.H for the driveway locations for non-residential uses 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.

Motion: F.Torr made a motion to approve the waiver subject to staff recommended conditions. Seconded by T.Clark. Vote 8/1 Passed C.Plante opposed

STAFF RECOMMENDATION: (P16-37) –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 the Stormwater Management Plan and Stormwater Management System and Operation and Maintenance Plan that addresses the requirements of the City of Dover to the satisfaction of the City Engineer.
3. Lot merger be approved by the Planning Board and recorded at the registry of deeds.
4. The applicant must revise plan set to:
 - a. Add the owners signatures to the final plan
 - b. Add more landscaping and fencing along the rear property lines and switch out summersweet clethra for a more screening shrubs
 - c. Indicate access easement on the site plan and record easement at Strafford County Registry of Deeds
 - d. Indicate colors on the architectural renderings per 149.14.L
 - e. Revise lighting plan so that there is no spill over onto abutting properties
 - f. The Professional Engineer, Licensed Land Surveyor and Licensed Landscape Architect will need to sign and date final plans.
 - g. Address any outstanding Fire/Building issues to the satisfaction of the Building Official.
 - h. Add a note that the business be alarmed after hours
 - i. Incorporate recommendations from traffic study
 - j. Note alternative to water connection to proposed connection through Hannaford lot should Hannaford not agree to easement.
 - k. Add a note that solid waste removal shall be limited to 8 AM-7 PM
 - l. Add a note that a shim and overlay of Merry Street shall be complete as part of the parking lot construction.

Conditions to Be Met Prior to Any Construction Activity:

5. Site Construction hours shall be limited to Monday-Friday 7 AM-6 PM, with no Saturday or Sunday hours. Hours of construction must be documented on a site construction sign along with the contact



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information for the general contractor. Said signage must be located and approved by the City Engineer or Assistant City Manager.

6. Confirm water connection option with the Community Services Department and Assistant City Manager.
7. Existing vegetation to remain along Gilman Street and Ridge Street shall be flagged and inspected by the City Engineer.

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

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

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

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

Discussion ensued regarding clarification of the screening, and consideration regarding the conditions as it pertained to the addition of fencing, and the construction and dumpster hours.

Discussion continued regarding traffic issues, the architectural renderings, and working with Hannaford regarding the traffic issues.

Motion: F.Torr made a motion to amend the conditions to add Saturday 9 AM-4PM, with no Sunday hours to the construction hours. Seconded by T.Clark. Vote 6/3 Passed D.Landry, D.White, and K.Schuman opposed

Condition 5 now reads:

Site Construction hours shall be limited to Monday-Friday 7 AM-6 PM, Saturday 9 AM-4PM 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.

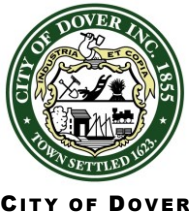
Discussion ensued regarding traffic issues, shimming, and the impact to Merry Street, and the comparison of the traffic analysis and conditions of approval for the Bradley Commons project.

Motion: F.Torr made a motion to amend the condition to remove the shimming and coat condition. Seconded by L.Skinner. F.Torr noted the timing of the shimming and the traffic impact.

Jim Scott addressed the discussion and compared the volume of traffic of the store to Hannaford.

The Chair requested a consensus from the Board regarding shimming. C.Parker provided the voting options and follow-up process regarding the condition. He recommended the developer do the work as part of site cost than pay later and stated the benefits for the developer to shim now.

L.Skinner withdrew his second after clarification to the motion with F.Torr. There was no second to the motion.



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C.Parker confirmed for D.Ciotti that shimming and paving is in the conditions. C.Parker read the condition. D.Ciotti commented on the inconvenience regarding shutting down the road in the future to do the work.

Motion: F.Torr made a motion to approve the site plan subject to staff recommended conditions and revised hours of operation. Seconded by D.White. Vote U/A

The Chair announced a five minute recess at 9:25 p.m.

The meeting reconvened at 9:32 p.m.

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

- D. Consideration and acceptance of a Site Plan Review for Changing Places, LLC, (Owner: Jason Wood, et al) Assessor's Map 24, Lots 98, 99, 100, zoned CBD, located at 15, 19, & 21 Mechanic Street (Proposal is to develop a mixed use commercial/residential/flex space building with a 26,805 s.f. total building area and 24 parking spaces within the 7,267 s.f. paved area). *(P17-11)
- E. Consideration and acceptance of a Conditional Use Permit for Changing Places, LLC, (Owner: Jason Wood, et al) Assessor's Map 24, Lots 98, 99, 100, zoned CBD, located at 15, 19 & 21 Mechanic Street (CUP is needed for minimum building coverage less than 75% and minimum frontage build-out less than 70%). *(P17-29)
- F. Consideration and acceptance of a Conditional Use Permit for Changing Places, LLC, (Owner: Jason Wood, et al) Assessor's Map 24, Lots 98, 99, 100, zoned CBD, located at 15, 19 & 21 Mechanic Street (CUP is needed to allow non-commercial use on the ground floor in units 7-11). *(P17-30)

C.Parker provided an overview of the proposed plan regarding the applications. He addressed the requirements needed regarding the Conditional Use Permit frontage for parking structure to be reconsidered by the Board. He further addressed consideration to widening and improvements to the roads on Mechanic Street and the surrounding streets.

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

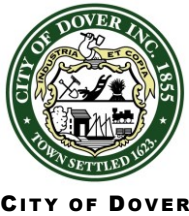
Discussion ensued regarding clarification of the stormwater management process, road widening on Mechanic Street and the surrounding locations, and confirmation of payment of the road widening by the developer.

Discussion continued regarding clarification of the parking and on-site parking regulations, and commercial area locations.

Motion: F.Torr made a motion to accept applications 4.D, 4.E, and 4.F. Seconded by T.Clark. Vote U/A

Public hearing opened.

George Laderbush, 25 Chapel Street, compared this project with the Portland Avenue project and stated his concern regarding the proximity of the project to his home, the lack of vegetation/screening and requested information regarding landscaping or fence installation. He stated further drainage/erosion concerns, lighting spillover to his property, noise concerns pertaining to the hours of operation for the businesses, trash removal,



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traffic concerns, and snow removal/maintenance. He addressed the work done regarding the parking lot extension for St. John's Church and the structural damage done to his home during that construction, and stated his concern regarding the impact of this construction to his house. He requested an evaluation of demolition/construction development to minimize the impact/damage to his home. He requested confirmation of the lot line markers, and the need for additional information to the project.

K.Schuman provided an overview of the abutter notice process, and stated the Planning Department invitation available on the notice for abutters to come to the Planning Department for additional information.

Public hearing closed.

C.Parker addressed the abutter comments and confirmed the 6 ft. fence, and recommended an 8 ft. fence be installed. He explained the decision process for the Board, and recommended the applicant address the remaining concerns.

The Chair requested C.Berry address drainage, architectural renderings, and tree cutting.

C.Parker referred to the site plans and stated the lighting overspill waiver was removed because the lighting issue was corrected. He stated fencing would help with any lighting overspill.

C.Berry addressed the abutter comments and provided the locations for a 6 ft. fence location with additional 6 – 8 ft. arborvitae plantings. He explained the boundary lines information as it relates to the Portland Avenue and this project, the demolition/excavation information, the setbacks, location of the structure, the stormwater management, lighting, snow maintenance, and that refuse disposal would be private pick up. He displayed an architectural rendering for viewing and explained the design.

Public hearing closed.

C.Parker stated the applicant could put a window in the architectural design, but to consider the abutter comment and that he did not want people looking down on his property. D.White recommended the consideration of fake windows.

Motion: C.Plante made a motion to table the item and schedule a site walk due to the proximity of the project to the abutter. Seconded by L.Skinner. Vote 3/6 Failed. D.White, D.Ciotti, G.Cruikshank, K.Schuman, T.Clark, and F.Torr opposed

STAFF RECOMMENDATION: (P17-11) -Waiver

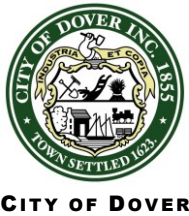
The Planning Department recommends that the Board approve the waiver from Section 149-15.C pavement setback with the following conditions:

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.

C.Parker clarified for C.Plante the reason for this waiver.

Motion: F.Torr made a motion to approve the waiver subject to staff recommended conditions. Seconded by D.Ciotti. Vote 8/1 C.Plante opposed



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STAFF RECOMMENDATION: (P17-11) – 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 (P17-29 and P17-30) shall be approved.
2. The applicant shall provide:
 - a. revised architectural renderings indicating the colors and materials
 - b. a digital version of plan set
 - c. streetscape on showing the Chapel Street side that meets Section 149-13.A(17)
 - d. A landscape management and operations plan for all landscaping shall be submitted to the satisfaction of the Assistant City Manager
3. 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 coniferous trees to southern landscape area
 - e. Add accessibility code note including design compliance with RSA 155-A:5 to the satisfaction of the Building Official
4. The applicant and City shall enter into a development agreement which covers construction timing, demolition, including internal, exterior construction, snow removal, and sidewalk/street trees. Included in this shall be a breakdown of sureties and when they are returned.

Conditions to Be Met Prior to Any Construction Activity:

5. 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.

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

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

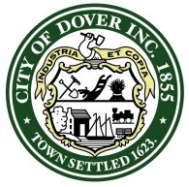
Conditions to Be Met Prior to Issuance of a Certificate of Occupancy:

7. 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.
8. The applicant shall provide a letter of credit or other form of security acceptable to the City for any unfinished work.

T.Clark addressed additional drainage in the conditions. C.Parker stated this could be added to the conditions to be located at the Laderbush side of the property.

Motion: T.Clark made a motion to add additional drainage as proposed by C.Berry on the Laderbush side of the property. Seconded by F.Torr Vote U/A

Condition 3 was revised to add item f:



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- f. Add additional drainage infrastructure on the side of Map 24, Lot 96

Discussion ensued regarding the consideration to change the project to have additional parking, the planning procedure before projects are presented to the Planning Board, and clarification of the regulations for Central Business District. C.Parker provided voting options for the Board and the legalities involved with the project to force another use.

Discussion continued regarding clarification of the regulations for the Central Business District regarding the scale of the building in comparison to the surrounding homes.

D.White recommended additions to the conditions to set monumentation at the corners to determine the property line, and the removal of light C from the plan. The Board, Staff, and the applicant agreed with the amendments. This will be added to the conditions as 3.g and 3.h, as follows:

- g. Set monumentation for boundary survey
- h. Remove lamp C from the lighting plan

Discussion ensued regarding clarification of the voting item on the agenda, and the voting options regarding the 8 ft. fence and the abutter concern regarding the need for a fence. The Board agreed to add an 8 ft. fence to the conditions as condition 3 I, as follows.

- i. Revise the site plan to indicate an 8 ft. fence where a 6 ft. fence is shown.

Motion: F.Torr made a motion to approve the site plan subject to staff recommended conditions as amended. Seconded by T.Clark. Vote 8/1 C.Plante opposed

STAFF RECOMMENDATION: (P17-29)

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

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

1. The owner's signature shall be added to the final plan.
2. The applicant shall provide a digital version of the final plan to the Planning Department.
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 D.Landry. Vote 8/1 Passed L.Skinner opposed

STAFF RECOMMENDATION: (P17-30)

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

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

1. The owner's signature shall be added to the final plan.
2. The applicant shall provide a digital version of the final plan to the Planning Department.



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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).

Discussion ensued regarding the consideration of the architectural rendering, the lack of commercial use on the first floor for units 7 and 8, and the parking issues in comparison to previous projects.

Discussion continued with clarification of the off-site parking for units 1 through 6, that units 9-15 have commercial on the first floor.

D.Landry recommended an amendment that units 7 & 8 remain with commercial on the first floor. The Chair confirmed the intent of the amendment. C.Parker provided options for the Board to consider.

Motion: D.Landry made a motion to amend the conditions to have the applicant revise the plan and renderings to show non-residential space on the first floor of units 7 & 8 and find parking elsewhere. Seconded by C.Plante. Vote 6/3 Passed D.Ciotti, F.Torr, D.White opposed

New condition 4 is as follows:

4. The applicant shall revise plans and rendering to remove residential uses on the first floor of units 7 and 8.

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

- G. Consideration and acceptance of a Conditional Use Permit for Christi Haffner, Assessor's Map 7, Lot 17-A, zoned R-20, located 45 Boston Harbor Road (Proposal is to replace an existing single family house and reconfigure driveway and parking within the 100 ft. Conservation District adjacent to the tidal Little Bay). *(P17-23)

C.Parker provided an overview and background information of the meetings regarding the proposed plan.

Steve Riker of Ambit Engineering, represented the applicant, displayed plans for viewing, and presented the proposed plan. Christi Haffner was also present.

Discussion ensued regarding confirmation that there is no easement on the Casey property for the driveway, concerns with the driveway length and confirmation that the driveway leads to a garage, the two driveways on one lot and the need for a driveway permit or a waiver for the second driveway, that Boston Harbor Road is a Class 5 road which is paved, clarification of the application and the driveway permit needed, the Board voting options, and clarification of jurisdiction over the building height with confirmation that the building is 32 ft. in height.

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

Public hearing opened. Nobody Spoke. Public hearing closed.

STAFF RECOMMENDATION:

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



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Conditions 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 (P17-23)
2. The applicant and owner sign the final plan set.
3. The Professional Engineer sign and stamp the final plan set.
4. Applicant must submit a copy of the NH DES Wetlands Permit to the Planning Department
5. Applicant must pay balance of outstanding fees to the Planning Department.

C.Parker clarified the application fees regarding condition #5 for T.Clark.

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

5. STAFF COMMENTS

C.Parker stated that the Board would be reviewing gravel pit applications at the May 9, 2017 Regular Planning Board meeting.

C.Parker addressed the document regarding the New Hampshire Department of Environmental Services Annual Drinking Water Source Protection conference that was distributed to the Board members in their packet, and requested the Board members notify the office if they are planning to attend.

6. MEMBER COMMENTS

Hayley Harmon could not attend the Planning Board meeting, but requested Staff inform the Board that the first meeting for Climate Adaptation Master Plan Chapter was held on April 24, 2017, and it was a positive meeting.

T.Clark stated his agreement and understanding of perspective with Christopher Lawrence, a previous Planning Board member, and his opposition to waiving school impact fees after attending evening events at the school.

The Chair presented a lot merger form to the Board for Wolcott Holdings, LLC, 171 Columbus Avenue, Map I, Lot 73. There were no objections.

Motion: T.Clark made a motion to authorize the document. Seconded by D.Ciotti. Vote U/A
The Chair signed the lot merger.

7. ADJOURNMENT

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