



**CITY OF DOVER**

## DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting  
Meeting Location: McConnell Center Room 306, 61 Locust St. Dover, NH 03820  
Meeting Date: **Tuesday, September 12 2017**  
Meeting Time: **7:00 pm**

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

**Members Not Present:** None

**Staff Present:** Christopher Parker (Assistant City Manager)

The Chair called the meeting to order at 7:00 p.m.

K.Schuman described the process used to hear cases and the opportunities for the public to communicate.

### 1. CITIZENS' FORUM

*Citizens Forum Open. Nobody spoke. Citizens Forum Closed.*

### 2. APPROVAL OF THE PRIOR MINUTES

- August 22, 2017 Regular Meeting Minutes

**Motion:** D.White made a motion to approve the August 22, 2017 Regular Meeting Minutes. Seconded by F.Torr.

D.Landry asked to have a line clarified on page 7 of 9, regarding wetlands associated with a driveway.

Vote: UA

### 3. OLD BUSINESS

- A. Public Hearing and Discussion of a Zoning Ordinance Amendment to rezone a 29.1 acre City owned parcel (Maglaras Park), Assessor's Map 22, Lot 42, located off Henry Law Avenue & Towne Drive from R-12 to CWD.

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

*Public Hearing Opened No One Spoke Public Hearing Closed*

C.Parker stated that the Board posted the amendment on June 27<sup>th</sup>, and held a public hearing in July and August. Staff noted that while focus is on Maglaras Park, a sliver of the River Street parcel, Assessor's Map 22 lot 1 is also zoned R-12 and is included in the motion. Discussion should occur tonight regarding the area to be rezoned and next steps.

If the Board is looking to amend the motion, staff has language ready to go.

Discussion ensued regarding which, if any additional lots to include.

**Motion:** T.Clark made a motion to add the following language to the rezoning amendment, based upon public input:  
"The official Zoning Map of the City of Dover, New Hampshire, dated December 9, 2009, is amended by changing from Medium-Density Residential (R-12) District to Cochecho Waterfront (CWD) District an area of approximately 2.12 acres located along Henry Law Avenue and Towne Drive, consisting of Map K lots 5."

Seconded by D.White. Vote: U/A.



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**Motion:** D.White made a motion to forward the rezoning of approximately 31 acres from R-12 to CWD to the City Council. Seconded by T.Clark. Vote: U/A.

### 4. NEW BUSINESS

- A. Consideration and acceptance of a Minor Lot Line Adjustment for Three Rivers Farm Irrevocable Security Trust, Assessor's Map N, Lots 4 & 3-4, zoned R-40, located on Three Rivers Farm Road. \*(P17-59)

C.Parker stated that the request is to adjust the lot lines at Three Rivers Farm Road. These lot lines were created in 2000, as part of a subdivision of the whole peninsula. No new lots are created and the smaller lot is outside the Riverfront Overlay District.

Kevin McEneaney represented the application. He described the adjustment of 1.7 acres from one lot to the other and the reasoning for the request. He also clarified that the septic and wells would all be placed on the lots they serve.

**Motion:** L.Skinner made a motion to accept the application for item 4.A. Seconded by D.Ciotti. Vote U/A

*Public Hearing Opened* No one spoke. *Public Hearing Closed*

C.Parker summarized emails sent to staff from abutters.

#### **STAFF RECOMMENDATION: (P17-59)**

C.Parker stated that the application meets the requirements of chapter 155, to adjust the boundaries between two lots. The Planning Department recommends that the Board vote to approve the application with the following Conditions:

#### **Conditions to Be Met Prior to the Signing of Plans:**

1. The applicant shall provide the Planning Department with a digital version of the final plat.
2. The applicant shall revise the plat to:
  - a. Include the Licensed Land Surveyor signature and stamp
  - b. Add the owner's signatures to the final plat submitted for signature to be recorded at the Strafford County Registry of Deeds
  - c. Revise Planning file number to be P17-59 on all sheets
  - d. Add common subdivision notes: 10, 12, 14 and 26

C.Parker clarified that invoices have been paid, and that the emails were civil in nature and not the Board's jurisdiction.

K.McEneaney clarified waterfront access for the lots, to D.Ciotti.

**Motion:** D.White made a motion to approve the Minor Lot Line Adjustment subject to staff recommended conditions. Seconded by D.Ciotti Vote U/A.

- B. Consideration and acceptance of a Site Plan Review for Washington Street Mill, LLC, Assessor's Map 23, Lot 14, zoned CBD, located at 1 Washington Street (Proposal is to convert 44,000 sq. ft. of commercial/office space to 54 apartment units). \*(P17-46)

C.Parker stated that the request is a change of use request to convert 44,000 sq. ft. of commercial/office space to 54 apartment units within an existing downtown building. The project went through technical review on July 13. Previously there have been two variances granted for the site, but neither are related to the area in question. Staff anticipates that there will be a credit issued for the Impact and Investment Fees, but that value has not been determined yet.



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Dana Lynch representing the application, explained the request noting the building remains, and that landscaping, lighting, drainage and ADA accessibility improvements are being made. He clarified for C.Plante elevator and security operations, and clarified for D.Landry the comparison of commercial vs residential impacts on traffic.

**Motion:** F.Torr made a motion to accept the applications for item 4 B. Seconded by D.White. Vote U/A

*Public Hearing Opened* No one spoke. *Public Hearing Closed*

### **STAFF RECOMMENDATION: (P17-46)**

C.Parker stated that the application meets the requirements of chapter 149, regarding a site plan required for a Change of Use. The Planning Department recommends that the vote to approve the site plan application with the following conditions:

#### **Conditions to Be Met Prior to Signing of Plans:**

1. The applicant shall pay any outstanding Planning Board application fees as invoiced.
2. The applicant shall provide:
  - a. A digital version of plan set
  - b. Revised Fiscal Impact with additional Public Safety narrative as discussed by Sgt. Speidel
3. The applicant must revise plan set to:
  - a. Add the owner's signatures
  - b. Include the Professional Engineer, Licensed Land Surveyor, and Licensed Landscape Architect stamp and signatures
  - c. Insert floor plans into plan set
  - d. Add parking calculations to note 6 on sheet 3

#### **Conditions to Be Met Prior to Any Construction Activity:**

4. Site Construction hours shall be limited to Monday-Friday 7 AM-6 PM, Saturday and Sunday 8 AM-5 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:**

5. The new dwelling units shall be assessed the current water and sewer investment fees in place at the time of application for service.

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

6. Any new dwelling units shall be assessed the current impact fees in place at the time of building permit application.
7. The applicant shall provide a letter of credit or other form of security acceptable to the City for any unfinished work

C.Parker reviewed the downtown pedestrian and vehicular plan and the potential interrelationship of the project. K.Schuman put the applicant and public on notice that there will be construction activity on the adjacent waterfront site in the coming years.

**Motion:** D.White made a motion to approve the site plan application subject to staff recommended conditions. Seconded by F.Torr. Vote U/A.

- C. Consideration and acceptance of a Minor Lot Line Adjustment for Gerald & Cathy Avery, Assessor's Map I, Lots 2D & 2F, zoned RM-SU, located on Garrison Road & 10 Shaws Lane. \*(P17-60)



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C.Parker stated that the adjust the lot line between two lots off Shaw's Lane. Approximately 3 acres is being swapped between the two lots. One of the lots has no frontage. This nonconformity is not being increased, and an easement over a third lot exists to grant access to the lot.

Robert Stowell representing the application, described the layout, noting that the waterfrontage will remain on one lot.

**Motion:** F.Torr made a motion to accept the application for item 4 C. Seconded by L.Skinner. Vote U/A

R.Stowell clarified that the septic system has an easement.

*Public Hearing Opened* No one spoke. *Public Hearing Closed*

### **STAFF RECOMMENDATION: (P17-60)**

C.Parker stated that the application meets the requirements of chapter 155, to adjust the boundaries between two lots. The Planning Department recommends that the vote to approve the minor lot line adjustment plat with the following conditions:

#### **Conditions to Be Met Prior to Signing of Plans:**

1. The applicant shall provide the Planning Department with a digital version of the final plat.
2. The applicant shall revise the plat to:
  - a. Include the Licensed Land Surveyor signature and stamp
  - b. Add the owner's signatures to the final plat submitted for signature to be recorded at the Strafford County Registry of Deeds
  - c. Revise Planning file number to be P17-60 on all sheets
  - d. Indicate 100' buffer from the river
  - e. Indicate building envelopes based off zoning dimensional requirements
  - f. Add a note that easements to be recorded and recording numbers supplied to the Planning Department.

**Motion:** D.White made a motion to approve the minor lot line adjustment subject to staff recommended conditions. Seconded by F. Torr. Vote: U/A.

- D. Consideration and acceptance of a Minor Subdivision for Sibs & Son, LLC, Assessor's Map 12, Lot 125, zoned RM-U, located at 84 Silver Street. \*(P17-61) (1 new lot)

D.Ciotti recused himself as he is an abutter. He moved to the back of the room.

C.Parker stated that the request is to subdivide the current 0.583 acre lot on Silver Street into two lots. Both lots will be serviced by municipal water and sewer, and use Belknap Street for vehicular access. Single Family and Two family homes are allowed by right in this district, in either case, the new structure must look like a single family home. The applicant is encouraged to review the Dover Historic Preservation Guide when considering the architecture of the new building. The lot abuts the Community Trail and staff wants to put the applicant on notice that the trail is utilized year round, and the City plans no additional screening in this area.

Robert Stowell represented the application and described the parking and access for the lots.

D.White expressed concern about the lack of delineation of the two boundaries around the parking lot.

**Motion:** D.White made a motion to accept the application for item 4 D. Seconded by D.Landry. Vote U/A

*Public Hearing Opened* No one spoke. *Public Hearing Closed*



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### STAFF RECOMMENDATION:

C.Parker stated that the application meets the requirements of chapter 155, to subdivide the lot into two lots. The Planning Department recommends that the vote to approve the minor subdivision application with the staff recommended conditions:

### Conditions to Be Met Prior to Signing of Plans:

1. The applicant shall provide the Planning Department with a digital version of the final plat.
2. The applicant shall revise the plat to:
  - a. Add the owner's signatures to the final plat submitted for signature to be recorded at the Strafford County Registry of Deeds
  - b. Add the Licensed Land Surveyor signature and stamp to the final plat
  - c. Add Planning Board file # P17-61 to all sheets of the plat set
  - d. Revise the sewer note to indicate municipal sewer
  - e. Add common minor subdivision note 19
  - f. Add a physical delineation (fence, wall etc) of the boundary between the two properties

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

3. Easements to be recorded and recording numbers supplied to the Planning Department.

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

4. Any new dwelling unit shall be assessed the current impact fees in place at the time of building permit application.
5. Any new dwelling unit shall be assessed the current water and sewer investment fees at time of water/sewer tie in service.

**Motion:** D.White made a motion to approve the minor subdivision subject to the following conditions. Seconded by L.Skinner. Vote U/A

### 5. STAFF COMMENT

C.Parker reminded the Board that the Planning Board will move back to meeting in the Council Chambers of City Hall next meeting. He also advised the Board to review the Pointe Place development which is reaching the point of CO.

### 6. MEMBER COMMENTS

L.Skinner noted that he sat in on another communities Board meeting, and appreciates the way this Board operates.

F.Torr asked staff to reach out to Community Services regarding stormwater infrastructure around the Sawyer Mills dam removal.

H.Harmon gave an update on the progress of the Climate Adaptation Master Plan Chapter.

The Board discussed that with the resignation of one member of that committee, the size should be adjusted.

K.Shcuman agreed and asked for a motion to do so.

**Motion:** T.Clark made a motion to not fill the vacancy on the subcommittee and reduce the adhoc committee by one member. Seconded by D.Giottir. Vote U/A

### 7. ADJOURNMENT

**Motion:** G. Cruikshank made a motion to adjourn at 8:16 pm. Seconded by D.White. Vote U/A.