



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers – City Hall, 288 Central Avenue
Meeting Date: **Tuesday, February 13, 2018**
Meeting Time: **7:00 pm**

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

Members Not Present: Dave White, James Burdin

Staff Present: Christopher Parker, Assistant City Manager, Steve Bird, City Planner, Dave Carpenter, Community Development Planner, James Maxfield, Building Official

The Chair called the meeting to order at 7:00 p.m, and announced that Haley Harmon and Tristan Donovan would be sitting in for Dave White and James Burdin.

1. CITIZENS' FORUM

Citizens Forum Open. Nobody Spoke. Citizens Forum Closed.

2. APPROVAL OF THE PRIOR MINUTES

- January 23, 2018 Regular Meeting Minutes

Motion: F.Torr made a motion to approve the minutes as presented. Seconded by T.Clark.

Discussion ensued regarding the informality of the minutes and the that questions should be attributed.

Staff will follow up with these changes.

Vote U/A

3. OLD BUSINESS

- A. Discussion and possible adoption of Revised Impact Fees and Associated Regulations. Public hearing and possible vote regarding updated proposed Fire, Police, Recreation, and Public School Impact Fees. NH RSA 674:21-I authorizes impact fees to be collected to pay for the impacts to Capital Facilities caused by development. The details of the impact fees are outlined in a report prepared for the Planning Board, which are available for public inspection in the Planning Department and on the City's website at www.dover.nh.gov.

Motion: F.Torr made a motion to remove item 3A from the table. Seconded by T.Clark. Vote U/A

C.Parker stated that this is an opportunity for the public to comment on the proposed fee increases.

Public hearing opened. Nobody Spoke. Public Hearing Closed.

S. Bird reviewed the changes made since the last meeting.

C. Parker discussed the process for amending the Impact Fees themselves.

Discussion ensued regarding the need for impact fees.



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D.Ciotti asked staff look into a waiver provision for affordable housing.

Motion: T.Clark made a motion to adopt the fees as presented. Seconded by H.Harmon. Vote 8/1 (Torr)

B. Public Hearing on renumbering of street addresses for Evans Drive, per Chapter 152-Section 6 and NH RSA 231:133-a.*(P18-05)

Motion: D.Ciotti made a motion to remove item 3B from the table. Seconded by T.Clark. Vote U/A

C.Parker updated the Board on the role it plays, and reviewed comments from the City Attorney.

Public hearing opened.

Patti Della Sola, 3 Evans drive, spoke about a letter her father submitted outlining his concerns regarding the renumbering. She reviewed a letter from Building Official James Maxfield. She outlined all of the personal information that would be affected by this change, and recommended that no change for 1 and 3.

Cami Britton, 2 Evans Drive spoke in opposition to the renumbering, though she understands the safety reasoning behind it. Economic costs of renumbering out way the reasoning behind the renumbering.

Michael Maddox, 6B Evans Drive, spoke in opposition to the renumbering, citing the lack of homes on the street and the distance between numbers assigned.

K.Schuman asked any Board members to speak now, as the public hearing is their only opportunity.

L.Skinner asked if there was leeway on the assignment of numbers

D.Landry asked about the magnitude of streets which need to be renumbered in Dover.

T.Clark voiced support for the proposal and outlined the need behind it.

D.Ciotti believes 1 and 3 should not be renumbered.

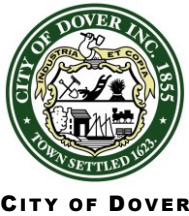
F.Torr encouraged the J.Maxfield to review the previous meeting minutes.

Public Hearing Closed.

J.Maxfield thanked the Board for hosting the hearing, explained the process, and the E911 requirements, and said he would make a decision soon.

C. Consideration and acceptance of a Conditional Use Permit for Adam Fogg and Patricia Nagle, Assessor's Map L, Lot 13, zoned R-20, located at 25 Nute Road. (Proposal is to add five sets of exterior stairs and a walkway to an existing house within the Conservation District adjacent to the tidal Bellamy River. The total permanent impact is 410 square feet).*(P17-72)

C. Parker explained that the applicant is requesting a Conditional Use Permit to add five sets of exterior stairs and a walkway to an existing house within the Conservation District adjacent to the tidal Bellamy River. The total permanent impact is 410 sq. ft.



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The applicant received a variance from the Zoning Board on June 19, 2014 to permit the construction of a single family home to be 4' from the side lot line where 20' is required.

The applicant also received a previous Conditional Use Permit on September 23, 2014 to allow the replacement of an existing house and garage with a new house and garage in a single structure. Total permanent impact to the Conservation District was 3,900 sq. ft. The Conservation Commission endorsed this new plan on October 10, 2017. The item appeared on the October 24, 2017 and November 14, 2017 agendas but a few outstanding items remained and thus has been put on this agenda with new abutter notification sent out.

Scott Hogan represented the applicant, displayed a plan for viewing, and presented the proposed plan.

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

Public hearing opened. Nobody Spoke. Public Hearing Closed.

K.Schuman noted the submission of a letter from the owners of 23 Nute Road.

STAFF RECOMMENDATION:

Staff finds that the request is consistent with the provisions of the Conservation District ordinance provides for Conditional Use Permits to allow impacts to the Conservation District (within 100' from River) if standards related to demonstration of need, avoidance, minimization, and mitigation are met.

Conditions to Be Met Prior to Issuing the Conditional Use Permit:

1. The applicant shall revise the plat to:
 - a. Add Planning File Number P17-72
 - b. Have the LLS sign and stamp
 - c. Add variance information
 - d. Add reference to the previous CUP plan
 - e. Indicate the Conservation District
2. This CUP includes and supercedes the CUP from 2014 therefore all conditions from 2014 still apply.

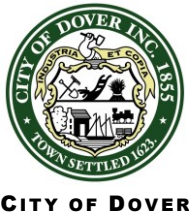
C.Parker confirmed for D.Landry that staff is not concerned with any violations of the setbacks.

F.Torr asked for clarification about the concerns raised by the abutter. C.Parker explained that the equipment are condenser units for Air Conditioning. The applicant could not confirm the size of the units or the distance from the property line. S.Hogan did clarify the ZBA process for the setback relief requested.

T. Donovan asked for clarification as to why this encroachment wasn't included in the original CUP request. He noted that the original request held the same corner point that that the previous house held. S.Hogan concurred, but explained that is why the request is before the Board, to increase the encroachment.

C.Parker clarified for D.Landry that the CUP in 2014 no stairs were shown. He reviewed the staff review of the property which resulted in the identification of the need for an additional CUP due to proposed encroachment.

S.Hogan explained how his applicant tried to work with staff and the need for additional living space.



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J.Maxfield clarified the stairs are not needed to meet life safety code.

Motion: T. Donovan made a motion to deny the Conditional Use Permit as it is inconsistent with the provisions of the District, has greater impact than the original proposal, and excessive impact will result within the Conservation District. Seconded by G. Cruikshank.

Discussion ensued regarding the placement of the 5 doors, the original 27 foot encroachment vs the current proposal, and the amount of encroachment has occurred and what is reasonable.

K.Schuman stated that he has heard no compelling reason for the additional encroachment of 410 square feet if all that is needed is access to the backyard.

Vote 7/2 (Ciotti, Landry)

4. NEW BUSINESS

A. Consideration and acceptance of a Minor Lot Line Adjustment for the City of Dover and C.P.J. Trust, Assessor's Map 41, Lot 9 and Map 43, Lot 1, zoned B-3, located at Willand Drive.*(P18-08)

C. Parker explained that the applicant proposes to adjust the lot lines between two lots. Most of the land is located in Somersworth and owned by the City of Dover, but one small portion sits in Dover. Therefore, the applicant has to appear before both the Dover and Somersworth Planning Boards for review.

The ending results if these lot line adjustments are approved would be lot 41/9 would include itself plus parcels A and B; lot 43/1 would be without Parcel A; and lot 64/1 would be without Parcel B. Parcel B is located in Dover and results in 8,656 sq. ft. being adjusted.

D.Ciotti noted that he owns property, in Somersworth, adjacent to the application.

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

Public hearing opened. Nobody Spoke. Public Hearing Closed.

STAFF RECOMMENDATION:

Staff finds that the request is consistent with the provisions of the Chapter 155-18, Land Subdivision Regulations, which provides for the adjustment of existing lot lines between two or more lots. The Planning Department recommends that the Planning Board approve the Lot Line Adjustment with the following conditions:

Conditions to Be Met Prior to Signing the Plan:

1. The applicant shall provide the Planning Department with a digital version of the final plat.
2. The Somersworth Planning Board approve the LLA plat.
3. 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 Stafford County Registry of Deeds
 - c. Add note that the adjusted area in Dover is approximately 8656 square feet



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- d. Add Planning file number to be P18-08

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

- B. Hearing on the draft FY19 CDBG Action Plan. All persons wishing to speak on the proposed Action Plan and use of funds are urged to attend

Dave Carpenter reviewed the proposed plan, and the process. He noted that this is separate from the review and vote the Board took at its last meeting.

Public hearing opened.

Susan Ford, My Friends Place, explained her program and how the funds would be applied.

Christian Welch, CAP, explained the weatherization program and how the number of homes fixed in 2018.

Paula Becker, Community Partners, explained the deposit program and how it assists her clients, and clarified the status of a House Bill relative to security deposits for D.Ciotti.

Heather Stone, Crossroads House, expressed the high demand for service, even during good economic times.

Lena Nichols, Dover Welfare, explained how security deposits are applied to Dover residents.

Gary Bannon, Dover Recreation, explained the need to relocate the Skate Park and build a broader playground for users.

Public Hearing Closed.

Motion: H.Harmon made a motion to table the CDBG Action Plan. Seconded by D.Ciotti. Vote U/A

5. STAFF COMMENTS

- Review TRC projects: 333 Central Avenue, 6 Grove Street, Strafford Farms, 221 Central Avenue and 99 Sixth Street.
- Updated the Board on Third Street, Washington Street, and Central and Glenwood.
- Climate Adaptation Chapter of the Master Plan is wrapping up. Public Hearing in 2 weeks
- March 7 is the Council review of the Master Plan
- March 2 is the full moon snowshoe walk on the Community Trail.
- Rezoning Committee has all appointees, so it can begin.

6. MEMBER COMMENTS

- L.Skinner noted his review of minutes from the 1990s and how the quality of the minutes, in general, has improved.

7. ADJOURNMENT

Motion: G. Cruikshank made a motion to adjourn at 9:36 p.m. Seconded by H.Harmon. Vote U/A