

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers – City Hall, 288 Central Avenue
Meeting Date: **Tuesday, February 27, 2018**
Meeting Time: **7:00 pm**

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

Members Not Present: Kirt Schuman (Chair), Sarah Wheeler (Alternate), Tom Clark

Staff Present: Christopher Parker, Assistant City Manager, Dave Carpenter, Community Development Planner,

The Vice Chair called the meeting to order at 7:00 p.m, and announced that Hayley Harmon and Tristan Donovan would be sitting in for Tom Clark and Kirt Schuman.

1. CITIZENS' FORUM

Citizens Forum Open. Nobody Spoke. Citizens Forum Closed.

2. APPROVAL OF THE PRIOR MINUTES

- February 13, 2018 Regular Meeting Minutes

Motion: J.Burdin made a motion to approve the minutes as presented. Seconded by D.White. Vote U/A

3. OLD BUSINESS

- Discussion and possible vote on Community Development Block Grant (CDBG) Funding requests for Fiscal Year 2018/2019.

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

D.Carpenter reviewed changes to the allocation sheet.

Discussion ensued regarding the allocations.

Motion: D.White made a motion to recommend the City Council adopt the Action Plan as presented. Seconded by D.Ciotti.

J.Burdin commented on the inclusion of the Skate Park and overall plan, as being beneficial to the community.

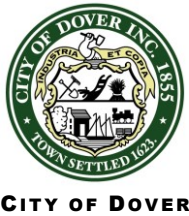
Vote U/A

4. NEW BUSINESS

- Public Hearing and possible adoption of the Climate Resilience Chapter of the Master Plan

J.Burdin recused himself, as he works for the Consultant. No one sat in due to absences.

C.Parker reminded the Board it had a presentation on the Climate chapter in January as part of the Land Use Meet and Greet. Tonight is the public hearing and overview of the chapter. Once adopted, staff will provide a copy to the regional planning commission and State.



DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers – City Hall, 288 Central Avenue
Meeting Date: **Tuesday, February 27, 2018**
Meeting Time: **7:00 pm**

D.Carpenter reviewed the chapter.

John Peterman, chair of the committee, spoke about the makeup of the committee and reviewed the process with consultants.

Public hearing opened. Nobody Spoke. Public Hearing Closed.

L.Skinner noted a scrivener's error on page 10.

D.Carpenter noted two scriveners' errors on page 30.

Consensus of the Board was to adopt the document with the errors corrected.

Motion: H.Harmon made a motion to adopt the Climate Resilience Chapter and authorize the Chair or Vice Chair to sign the certification form. Seconded by D.Landry. Vote U/A

J.Burdin returned.

B. Consideration and acceptance of a Conditional Use permit for Myles Bratter, Assessor's Map L-14, Lot K-2, zoned R-20, located at 75 Spur Road. (Proposal is to repair an existing 91-foot stone seawall adjacent to the tidal Bellamy River). *(P18-06)

C. Parker explained that the applicant is requesting a Conditional Use Permit to allow them to repair an existing 91 foot stone seawall, along the Bellamy River. The Conservation Commission reviewed and endorsed this project with the condition that the plan include silt fence or silt sock to be provided as necessary on February 12, 2018.

L.Bratter represented the application and reviewed the details of the plan.

Motion: F.Torr made a motion to accept the application. Seconded by H.Harmon. 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 Conservation District ordinance which allows impacts to land within 100 feet of a tidal river if standards related to demonstration of need, avoidance, minimization, and mitigation are met. The Planning Department recommends that the Planning Board approve the Permit with the following conditions:

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

1. The applicant shall provide the Planning Department with a copy of the NHDES Wetlands Permit.
2. The applicant shall provide silt fence or silt sock during construction as necessary.

C.Parker clarified for D.Ciotti that the stones do not have mortar.



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers – City Hall, 288 Central Avenue
Meeting Date: **Tuesday, February 27, 2018**
Meeting Time: **7:00 pm**

L.Skinner thanked the applicant for the information provided in the application.

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

C. Consideration and acceptance of a Conditional Use permit for Patrick and Sarah Hourihane, Assessor's Map L, Lot 34, zoned R-20, located at 135 Spur Road. (Proposal is for a 1,112 sq. ft. addition to existing house and to build a pool and deck within the Conservation District adjacent to tidal Bellamy River. Total disturbance in Conservation District is 2,691 sq. ft.). *(P18-12)

C. Parker explained that the applicant is requesting a Conditional Use Permit to allow for a 1,112 sq. ft. addition to existing house and to build a pool and deck within the Conservation District adjacent to tidal Bellamy River. Total disturbance in Conservation District is 2,691 sq. ft.

The Conservation Commission reviewed and endorsed this project with the condition that a 55 foot by 10 foot vegetative strip of native plants with bushes eight feet on center be added to the plan between the property line and the dock on February 12, 2018. The applicant's engineer has amended the plan to add the recommended plantings, as shown in green on the revised plan dated February 13, 2018.

Steve Ricker represented the application and reviewed the details of the plan, and clarified that the impervious surface is being reduced from 17.3% to 15.4% of the lot.

Motion: F.Torr made a motion to accept the application. Seconded by D.White. 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 Conservation District ordinance which allows impacts to land within 100 feet of a tidal river if standards related to demonstration of need, avoidance, minimization, and mitigation are met. The Planning Department recommends that the Planning Board approve the Permit with the following conditions:

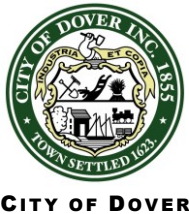
Conditions to Be Met Prior to Issuance of the Conditional Use Permit:

1. The applicant shall provide the Planning Department with a copy of the NHDES Wetlands Permit and Shoreland Permit.
2. The required plantings shall be installed prior to the grading for and construction of the pool and pool deck area.

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

The Vice Chair noted that the following 3 applications will all be heard together, with separate votes.

D. Consideration and acceptance of a Conditional Use Permit for Okad of Dover, LLC, Assessor's Map 37, Lot 38, zoned B-3, located at 824-828 Central Ave. & 8 Glenwood Ave. (Amended proposal increases wetlands impacts by 120 sq. ft. and wetland buffers by 20 sq. ft.. A wetlands replication area of 5,705 sq. ft. is proposed). *(P17-08A)



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers – City Hall, 288 Central Avenue
Meeting Date: **Tuesday, February 27, 2018**
Meeting Time: **7:00 pm**

E. Consideration and acceptance of a Conditional Use Permit for Okad of Dover, LLC, Assessor's Map 37, Lot 38, zoned B-3, located at 824-828 Central Ave. & 8 Glenwood Ave. (Amended proposal increases impervious cover from 50.6% to 50.9%, where 20% is allowed in the Secondary Groundwater Protection Zone). *(P17-09A)

F. Consideration and acceptance of a Site Plan Amendment for Okad of Dover, LLC, Assessor's Map 37, Lot 38, zoned B-3, located at 824-828 Central Ave. & 8 Glenwood Ave. (Amended proposal is to replace an existing 11,250 sq. ft. and 6,800 sq. ft. building with construction of a 23,620 sq. ft. building). *(P16-39A)

C. Parker explained that the applicant is requesting to amend two conditional use permits, and a site plan, all of which were approved by the Board on March 28, 2017. The Plans were signed on August 25, 2017. On its own the site plan changes don't trigger Planning Board review, but taken in total with the changes required for the Conditional Use Permits needed for the stormwater management, and the neighborhood involvement, it made sense to bring the site plan back to the Board. The Conservation Commission endorsed both Conditional Use Permits at its February 12, 2018 meeting.

The applicant is seeking to amend the previously granted Conditional Use Permit to add 120 square feet of wetlands impact to construct a retaining wall. Furthermore, the applicant is seeking a .3% increase for a total impervious surface area of 50.9% whereas 20% is the maximum. The site plan change is to combine two buildings, totaling 18,050 square feet with a single 23620 square foot building, removing the rear access road and redesigning the parking areas.

Rick Frieberg, TEC represented the application and reviewed the details of the plan. He noted the acceptance of the staff conditions and said that the applicant is happy to work with abutters to iron out details of concern.

C.Parker clarified for D.Ciotti that the trees will be reviewed in the field with consultation of abutters for final placement.

R.Frieberg clarified the construction specifications of the rain garden and what is included in the stormwater operation and maintenance plan.

Discussion ensued regarding adding a note to the plan relative to the use restriction of the buffer.

Motion: J.Burdin made a motion to accept the three applications. Seconded by D.Ciotti. Vote U/A

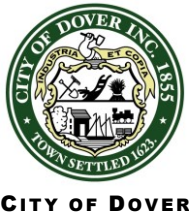
Public hearing opened.

Brian Kelley, 2 Crescent Ave, spoke in support of additional arborvitae, revisiting the fence location and the placement of the red maples.

Public Hearing Closed.

C.Parker suggested a 5 minute recess to review the landscape plan with Mr. Kelley.

8:10-8:15 Recess



DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers – City Hall, 288 Central Avenue
Meeting Date: **Tuesday, February 27, 2018**
Meeting Time: **7:00 pm**

James Mitchell clarified the construction timeline for D.Landry.

R.Friberg clarified the material used in the lawn area behind the fence, in the buffer.

J.Mitchel explained the architecture of the 8,100 square foot building for H.Harmon and D.Ciotti. He stated that all four sides will be finished and that he understood the rooftop screening is from all sides.

STAFF RECOMMENDATION – WETLANDS CUP:

Staff finds that the request is consistent with the provisions of the Wetlands Protection District ordinance which 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. The Planning Department recommends that the Planning Board approve the Permit without any conditions.

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

STAFF RECOMMENDATION – GROUNDWATER CUP:

Staff finds that the request is consistent with the provisions of the Groundwater Protection District ordinance which provides for Conditional Use Permits to allow development or land use activities proposed within the Groundwater Protection District. This project would be in the Secondary Groundwater Protection Zone which allows for land use permitted in the applicable underlying zone. The Planning Department recommends that the Planning Board approve the Permit without any conditions.

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

STAFF RECOMMENDATION – SITE PLAN:

Staff finds that the request is consistent with the provisions of Chapter 149, Site Plan Review, and recommends that the Planning Board approve the plan with the following conditions, which supersede the March 28, 2017 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 amendments (P17-08A and P17-09A) shall be approved.
3. 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. The applicant must revise plan set to:
 - a. Add additional Red Maple trees to the landscape plan within the buffer behind 6, 8 and 10 Crescent Ave. Number to be approved by the Assistant City Manager.
 - b. Revise the height of the 26 arborvitae located southeast of the building, so there is a mix of 6, 8 and 12' tall.
 - c. The lawn area behind the fence shall be revised to note native seed and not grass
 - d. Update the owner of 8 Glenwood Ave
 - e. Fix the spelling of "Amendment" in title block
 - f. Revise lighting plan so no spillover onto abutting properties occurs and that the darkest area of the parking lot is between 0.3 and 0.5 fc
 - g. Previous traffic related conditions of approval from March 28, 2017 must be addressed.



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers – City Hall, 288 Central Avenue
Meeting Date: **Tuesday, February 27, 2018**
Meeting Time: **7:00 pm**

- h. Revise General Note 5 on C-2 to meet Inspection Services common note requirement.
- i. Add a note relative to the spirit and intent of the buffer, and that only public safety or maintenance activity should occur there.

Conditions to Be Met Prior to Any Construction Activity:

- 6. 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.

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

- 7. For the back building, the fence and landscaping along Crescent Avenue within the buffer area shall be installed.
- 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. For the back building, the landscaping in the buffer shall be deemed healthy and not in need of replacement to the satisfaction of the Assistant City Manager.
- 10. 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.
- 11. The applicant shall provide a letter of credit or other form of security acceptable to the City for any unfinished work.
- 12. Upgrades to pedestrian sign equipment such as APS buttons and countdown heads and installation of cameras at southerly light on Central Ave has occurred.

Motion: F.Torr made a motion to approve the Site Plan subject to the staff recommended conditions.
Seconded by D.White. Vote U/A

5. STAFF COMMENTS

- Review TRC projects: 58 New Rochester Road.
- Updated the Board on Washington Street.
- Looking for a representative to Strafford Regional Planning, as a commissioner.
- March 7 the Council review of the Master Plan
- March 21 the Council will review findings about downtown made by UNH students.
- March 2's full moon snowshoe walk on the Community Trail might be postponed
- Congratulated Donna and Chris Benton on their new family member.

6. MEMBER COMMENTS

7. ADJOURNMENT

Motion: T.Donovan made a motion to adjourn at 8:34 p.m. Seconded by F.Torr. Vote U/A