

**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, March 13, 2018**  
Meeting Time: **7:00 pm**

**1. CITIZENS' FORUM**

**2. APPROVAL OF THE PRIOR MINUTES**

- February 12, 2018 Climate Adaptation Master Plan Steering Committee Meeting Minutes
- February 27, 2018 Regular Meeting Minutes

**3. NEW BUSINESS**

- A. Consideration and Acceptance of a Conditional Use Permit for Fish Lips Holding Co., LLC & 38 Littleworth Rd., LLC, Assessor's Map G, Lot 4G-1, zoned I-2, located at 38 Littleworth Road. (Proposal is to install a new driveway off of Industrial Park Rd., with a permanent wetlands impact of 553 square feet and a wetlands buffer impact of 11,437 sq. ft.). \*(P18-09)
- B. Presentation of proposed land use amendments to the Site Review Regulations, Subdivision Regulations, and the Zoning Ordinance.

**4. STAFF COMMENT**

**5. MEMBER COMMENTS**

**6. 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](mailto:Dover-Planning@dover.nh.gov). You may also view materials at [www.dover.nh.gov](http://www.dover.nh.gov). Follow us on Twitter [@DoverNHPlanning](https://twitter.com/DoverNHPlanning) and find us on Facebook at <https://www.facebook.com/DoverNHPlanning>.

# **REGISTRATION IS NOW OPEN!**

## **24<sup>th</sup> Annual Spring Planning & Zoning Conference Saturday, April 28, 2018**

Hosted by the New Hampshire Office of Strategic Initiatives at the  
Courtyard by Marriott  
Grappone Conference Center  
Concord, NH

### **FEATURING:**

- **Plenary Session: State and Local Collaboration**
  - **What's New in Historic Preservation Planning**
  - **Accessory Dwelling Units: Lessons from the Field**
  - **Right to Know Law Issues for Land Use Boards**
  - **Solar 101 for Local Land Use Boards**
- and more...

To register, and for additional conference details, go to:

<http://www.nh.gov/osi>

Or contact Danielle Craver at 603-271-2155; e-mail: [danielle.craver@osi.nh.gov](mailto:danielle.craver@osi.nh.gov)

*Registration Deadline: Friday, April 20, 2018*

### **Registration fee is \$55 per person**

**Fee includes full conference participation, breakfast, lunch, and breaks.**

### **Overnight Stay Accommodations**

**The Courtyard by Marriott is offering a limited number of rooms  
for conference attendees at a reduced rate of \$144.00.**

**To take advantage of this rate, call 603-225-0303 prior to April 2, 2018  
and mention the Office of Strategic Initiatives conference.**

***REMEMBER TO SUBMIT YOUR REGISTRATION EARLY - SESSIONS FILL QUICKLY***

**We look forward to seeing you at the conference!**

Danielle Craver  
Administrative Secretary  
NH Office of Strategic Initiatives  
107 Pleasant Street, Johnson Hall  
Concord, NH 03301

|                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                  |               |                 |                   |                                                       |               |                   |               |                       |
|---------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-----------------|-------------------|-------------------------------------------------------|---------------|-------------------|---------------|-----------------------|
|  <p><b>CITY OF DOVER</b></p> | <p align="center"><b>CLIMATE ADAPTATION MASTER PLAN<br/>STEERING COMMITTEE<br/>MINUTES</b></p> <table border="0"> <tr> <td>Meeting Type:</td><td>Regular Meeting</td></tr> <tr> <td>Meeting Location:</td><td><b>City Hall Council Chambers, 288 Central Avenue</b></td></tr> <tr> <td>Meeting Date:</td><td>February 12, 2018</td></tr> <tr> <td>Meeting Time:</td><td><b>6:00 – 8:00 PM</b></td></tr> </table> | Meeting Type: | Regular Meeting | Meeting Location: | <b>City Hall Council Chambers, 288 Central Avenue</b> | Meeting Date: | February 12, 2018 | Meeting Time: | <b>6:00 – 8:00 PM</b> |
| Meeting Type:                                                                                                 | Regular Meeting                                                                                                                                                                                                                                                                                                                                                                                                  |               |                 |                   |                                                       |               |                   |               |                       |
| Meeting Location:                                                                                             | <b>City Hall Council Chambers, 288 Central Avenue</b>                                                                                                                                                                                                                                                                                                                                                            |               |                 |                   |                                                       |               |                   |               |                       |
| Meeting Date:                                                                                                 | February 12, 2018                                                                                                                                                                                                                                                                                                                                                                                                |               |                 |                   |                                                       |               |                   |               |                       |
| Meeting Time:                                                                                                 | <b>6:00 – 8:00 PM</b>                                                                                                                                                                                                                                                                                                                                                                                            |               |                 |                   |                                                       |               |                   |               |                       |

**Members Present:** John Peterman (Chair), Tom Thompson (Vice Chair), Bill Baber, Anna Boudreau, Marcia Gasses, Cora Quisumbing-King and Jan Nedelka

**Members Absent:** Haley Harmon

**Staff Present:** Dave Carpenter, Community Development Planner

**Others:** Kyle Pimental, Strafford Regional Planning Commission; Lisa Graichen, UNH Cooperative Extension and NH Sea Grant

### 1. Call to Order

The meeting was called to order at 6:00 p.m.

### 2. Adoption of Minutes from December 4, 2017

Motion by Nedelka to adopt the minutes, seconded by Quisumbing-King. Motion passed unanimously.

### 3. Old Business:

- a. Brief update on land use meet and greet

Pimental provided an overview of the presentation he provided at the January, 9<sup>th</sup> Planning Board workshop.

- b. Update on Sustainability Fellows Program RFP

Carpenter indicated that the Carbon Footprint proposal had been selected for program.

### 4. New Business:

- a. Discussion of outreach materials and advertising campaign for the public hearing (UNH Cooperative Extension)

Pimental and Graichen provided an overview of the outreach that will be performed prior to the Planning Board public hearing.

- b. Review final draft implementation table

Pimental indicated that the proposed Actions had been reviewed by Staff. He also discussed the proposed action regarding the King Tide photo event. The Committee indicated that they felt the Implementation Table Key was helpful.



**CITY OF DOVER**

## CLIMATE ADAPTATION MASTER PLAN STEERING COMMITTEE MINUTES

|                   |                                                       |
|-------------------|-------------------------------------------------------|
| Meeting Type:     | Regular Meeting                                       |
| Meeting Location: | <b>City Hall Council Chambers, 288 Central Avenue</b> |
| Meeting Date:     | February 12, 2018                                     |
| Meeting Time:     | <b>6:00 – 8:00 PM</b>                                 |

- c. Solicit any additional comments on final draft chapter

The Committee provided feedback on a few items included in the chapter

- d. Motion that recommends the chair sign a letter of support

Motion by Nedelka, seconded by Quisumbing-King Committee to direct the Chair to sign a letter of support. Motion passed unanimously.

### **5. Next steps toward adoption**

Carpenter provided a brief overview of the next step towards adoption of the Chapter and thanked the Committee for their participation.

### **6. Member Questions**

Peterman thanked the Committee for their involvement and commitment to the project.

### **7. Citizens Forum**

No one spoke during the Citizens Forum.

### **8. Adjournment**

Motion by Quisumbing-King to disband the Committee and adjourn. Second by Thompson. Motion passed unanimously. The meeting adjourned at 7:15 p.m.



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**

**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.



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## DOVER PLANNING BOARD – MINUTES

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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.



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## DOVER PLANNING BOARD – MINUTES

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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)



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## DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting  
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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.Buridin 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  
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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

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- 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



**CITY OF DOVER**

## PLANNING BOARD - STAFF MEMO FILE #P18-09

Application Type: Conditional Use Permit  
Applicant(s): Fish Lips Holding Co., LLC & 38 Littleworth Rd., LLC  
Owner(s): Fish Lips Holding Co., LLC & 38 Littleworth Rd., LLC  
Location: 38 Littleworth Road (Assessor's Map G, Lot 4G-1)  
Meeting Date: March 13, 2018

**INTENT:** To obtain an amended Conditional Use Permit to install a new driveway off of Industrial Park Road, with a permanent wetlands impact of 553 square feet and a wetlands buffer impact of 11,437 square feet.

**LOTS/UNITS PROPOSED:** None

**AGENDA ITEM:** # 3-A

**ACREAGE:** 2.75 acres

**ZONING DISTRICT:** Rural Restricted Industrial District (I-2)

**EXISTING LAND USE:** Commercial and industrial

**PROPOSED LAND USE:** Commercial and industrial

**SURROUNDING LAND USE:** Residential, commercial, and industrial

**ZBA ACTION:** None

**ATTACHMENTS:**  
CUP application and plans, 2/12/18 Conservation Commission minutes, 2/22/18 TRC minutes

**APPLICATION IS COMPLETE:** Yes

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

**PERMITS REQUIRED:**  
-Conditional Use Permit for Wetland Protection District  
-NHDES Wetlands Permit

**WAIVERS REQUESTED:** None for this CUP

### Summary of Request and Background

The applicant is requesting a Conditional Use Permit to install a new 24 foot wide driveway off of Industrial Park Road, to replace this lot's access to the existing shared driveway off Littleworth Road.

The Conservation Commission endorsed this CUP at their February 12, 2018 meeting.

The applicant came before the Technical Review Committee on February 22, 2018 (minutes attached). TRC determined that the site plan did not require full site plan review.

### 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.

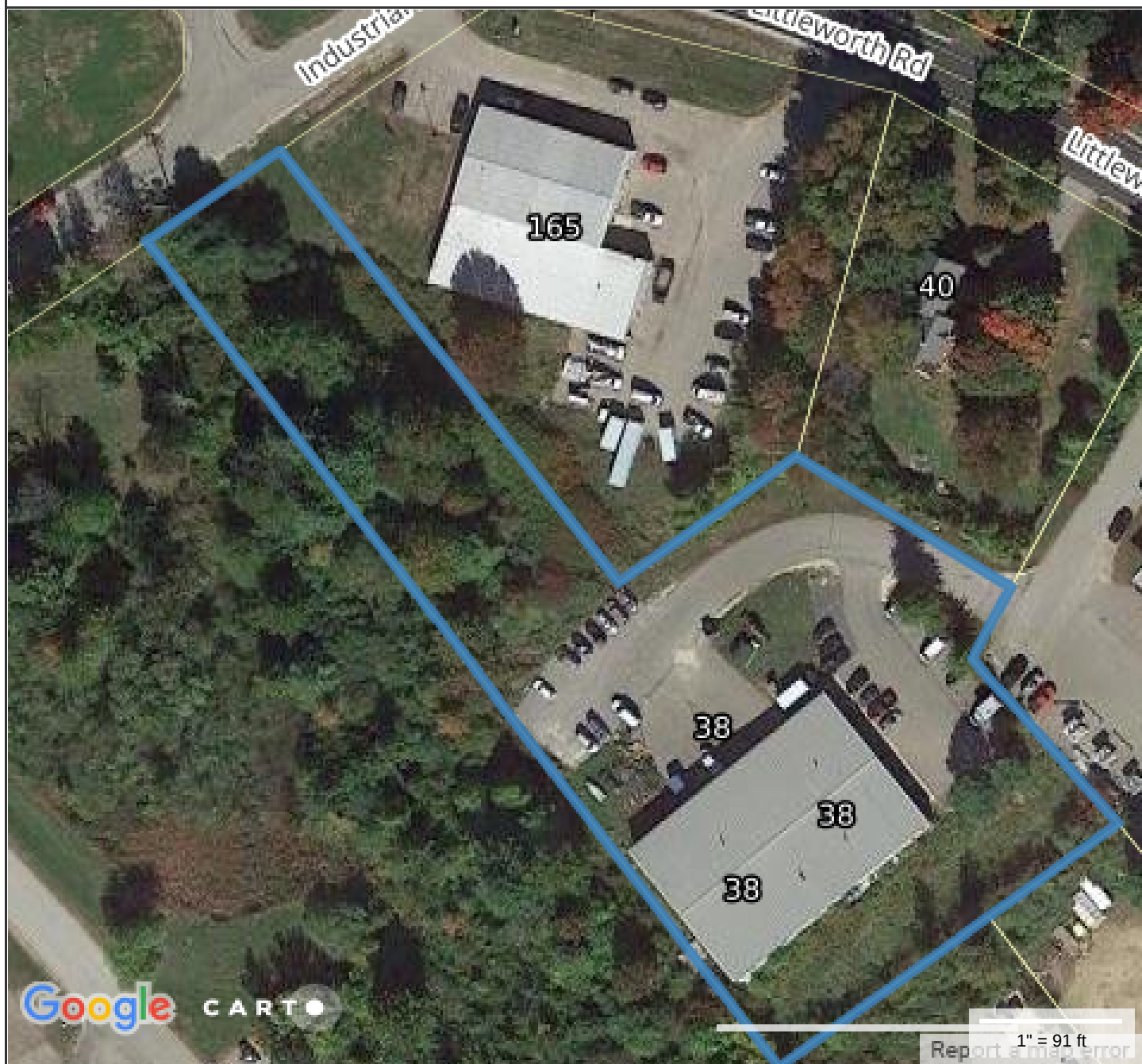
### STAFF RECOMMENDATION:

The Planning Department recommends the Planning Board accept the application, open the public hearing, and vote to approve the Conditional Use Permit with the following conditions:

### Conditions 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 NHDES Wetlands Permit.
2. The applicant shall revise the plans per the Technical Review Committee comments from 2/22/18 and submit the revised plans to the Planning Department for approval.

## 38 Littleworth Road

**Property Information**

**Property ID** G0004-G00001  
**Location** 38 LITTLEWORTH RD  
**Owner** 38 LITTLEWORTH ROAD  
CONDOMINIUM



**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 02/16/2018  
Properties updated 03/06/2018



**CITY OF DOVER**

## DOVER CONSERVATION COMMISSION – MINUTES

Meeting Type: Regular Meeting  
Meeting Location: 2<sup>nd</sup> Floor Conference Room, City Hall, 288 Central Avenue  
Meeting Date: Monday, February 12, 2018  
Meeting Time: 5:30 pm

**MEMBERS PRESENT:** Bill Hunt (Chair), Tristan Donovan (Vice Chair), Michael Joyce, Robert Eckert, Amy Kramer Perry, Richard Erickson

**STAFF PRESENT:** Steve Bird (City Planner)

**OTHERS PRESENT:** Marcia Gasses (City Council Liaison), Liz Bratter, Steve Haight, Matt Randall, Steve Riker, Sarah Horuihane, Richard Friberg, Jim Mitchell, Mike Seekamp, others

**1. The meeting was convened at 5:33 PM and a roll call was done.**

**2. APPROVAL OF THE PRIOR MEETING MINUTES – January 8, 2018**

*Donovan moved to approve the January 8, 201 minutes, Eckert seconded. Vote: 6 in favor*

**3. OLD BUSINESS:**

**4. NEW BUSINESS:**

A. NHDES Wetlands Permit by Notification and City of Dover Conditional Use Permit for Myles Bratter, Assessor's Map L-14, Lot K-2, zoned R-20, located at 75 Spur Road.

Liz Bratter was present to explain the proposal to repair an existing 91-foot stone seawall adjacent to the tidal Bellamy River. We plan to use the same stones that exist on site. The site is very sandy. Plan to do the work in early spring or late fall. Will use the same footprint and place the stones back in the same size and shape.

Gasses: Have you contacted DES about this project? I am surprised that this is a permit by notification.

Bratter: Yes, Dave Price has visited the site with me and said this is the correct type of application.

Hunt: How will you do this work and what type of machinery will you use?

Bratter: We will use my neighbors backhoe and use straps or chains to lift the stones.

Donovan: What are your plans for stabilizing the soil behind the wall during construction?

Bratter: I have no plans for that, as we hope to do it all in one day.

Donovan. You should have a plan in place in case it takes longer or you have issues. You don't want to leave the soils exposed during a high tide. You should plan to have silt fence or silt sock on hand to stabilize the soil.

Bratter: Yes that is a good idea.

*Erickson made a motion to endorse the NHDES Review Wetlands Permit by Notification and City of Dover CUP, with the condition that the plan include silt fence or silt sock to be provided as necessary, Kramer-Perry seconded. Vote: 6 in favor*

*The Chair signed one original of the DES application for the applicant.*

B. NHDES Wetlands Permit for Margaret Gabriel Revocable Trust, Assessor's Map L, Lot 99, zoned R-20, located off Dover Point Road.



**CITY OF DOVER**

## TECHNICAL REVIEW COMMITTEE MINUTES - P18-09

Application Type: Conditional Use Permit Review  
Applicant(s): Fish Lips Holding Co. LLC  
Owner(s): 33 Littleworth Road LLC  
Location: 38A & 38B Littleworth Rd. (Tax Map G, Lot 4G-1)  
Date: February 22, 2018

**INTENT:** Conditional Use Permit to construct a 24' wide paved driveway to the site from Industrial Park Drive, removal of the connecting access drive from the abutting lot, and removal of pavement areas.

**LOTS/UNITS PROPOSED:** N/A

**AGENDA ITEM #:** 1

**ACREAGE:** 2.73 acres

**ZONING DISTRICT:** I-2

**EXISTING LAND USE:**  
Commercial/Industrial

**SURROUNDING LAND USE:** Industrial,  
Commercial, and Residential

**ZBA ACTION:** None

**PERMITS REQUIRED:**  
-NHDES Wetlands  
-Dover Conditional Use Permit

**WAIVERS REQUESTED:** None

**ATTENDANCE:**  
**Members:** Elena Piekut, Planning/Zoning  
Donna Benton, Planning  
Dave White, Engineering  
Marn Speidel, Police  
James Maxfield, Inspections/Fire  
Frank Torr, Planning Board  
Dan Barufaldi, Economic Development

**Others:** Steve Haight, Civilworks  
Matt Randall, Civilworks

**Approval of 2/8/18 Meeting Minutes**  
Frank Torr moved to approve the minutes of February 8, 2018. Dave White seconded. Vote: U/A.

### PLAN REVIEW:

#### Planning Comments:

- Submit copy of NHDES Wetlands permit will be a recommended condition of approval
- Stormwater plans to the satisfaction of the City Engineer
- Please revise plan to:
  - Indicate file number P18-09 on all sheets
  - Add applicant and owners signatures
  - Add parking calculation based on existing vs. proposed parking.

#### Police Department Comments:

- Change address of property to an Industrial Park Drive address. I understand you may need to rename the LLC. Will defer to Building Official.

#### Fire/Inspections Comments:

- A new address will be assigned
- Provide turning template for T1
- Add accessible (van) parking signage
- Add fire lane signage along 30' and 56' radii
- Plans shall reflect design compliance with applicable accessible regulations and NH RSA 155-A:5

#### Engineering Comments:

- Show the watermain on this plan. Our records indicate it goes down the easement.
- Install an RCP pipe in the right of way of Industrial Park Road instead of HDPE
- Smh 1 is mismarked and should be smh 2.
- Remove any overlapping pavement onto this property from the other property.
- Will there be or is there a maintenance agreement with the abutting properties for the common drainage system?
- Develop an operation and maintenance plan for the drainage system/detention pond
- Please clean out the existing drainage pond.
- Add a note on page 5 detail for the road cross section that fabric may be required under the gravel based on site conditions.



**CITY OF DOVER**

## TECHNICAL REVIEW COMMITTEE MINUTES - P18-09

Application Type: Conditional Use Permit Review  
Applicant(s): Fish Lips Holding Co. LLC  
Owner(s): 33 Littleworth Road LLC  
Location: 38A & 38B Littleworth Rd. (Tax Map G, Lot 4G-1)  
Date: February 22, 2018

### **Economic Development Comments:**

- Was concerned about brush pile

### **Planning Board Comments:**

- Project is a good improvement

### **Next Steps:**

CUP is on March 13<sup>th</sup> Planning Board agenda.  
Full site plan review is not required.

Dave White moved to approve. Frank Torr  
seconded. Vote: U/A

DRAFT



**CITY OF DOVER**

## DOVER CONSERVATION COMMISSION – MINUTES

Meeting Type: Regular Meeting  
Meeting Location: 2<sup>nd</sup> Floor Conference Room, City Hall, 288 Central Avenue  
Meeting Date: Monday, February 12, 2018  
Meeting Time: 5:30 pm

Steve Haight was present to explain the proposal to install a community dock, consisting of a 4' x 75' fixed pier, a 3' x 50' seasonal gangway, an 8' x 20' landing float, an 8' x 62' main float, and three 4' x 24' finger floats adjacent to the tidal Piscataqua River, with a permanent impact of 300 square feet and a temporary impact of 1,094 square feet. There will be 3-4 feet of water at low tide, so no need for float stops. We have received letters from the harbor master approving the dock layout and from the NH Division of Historical Resources. Pickering will use a barge to construct the dock and install the pilings, which will be made out of wood. Could have a dock for each lot but there will be less impact with a common dock.

Donovan: I agree that the common dock will have less impact than separate docks.

*Donovan made a motion to endorse the NHDES Wetlands Permit, Erickson seconded. Vote: 6 in favor*

- C. NHDES Expedited Review Wetlands Permit and City of Dover Conditional Use Permit for 38 Littleworth Road Condominium, Assessor's Map G, Lot 4G-1, zoned I-2, located at 38 Littleworth Rd.

Steve Haight was present to explain the proposal to install a new driveway off of Industrial Park Rd., with a permanent wetlands impact of 553 square feet and a wetlands buffer impact of 11,437 square feet. Will use the existing utility area that is already disturbed for the new driveway location. We will be removing pavement by eliminating the connector driveway and some parking. The new driveway will be 24 feet wide.

Donovan: Does the new driveway require NHDOT approval?

Haight: No since the driveway is not onto a state road.

Joyce: How much wetland buffer will remain?

Haight: It varies but up to 40-50 feet.

*Donovan made a motion to endorse the NHDES Wetlands Permit and City of Dover CUP, Erickson seconded. Vote: 6 in favor*

- D. NHDES Wetlands Permit and City of Dover Conditional Use Permit for Patrick and Sarah Hourihane, Assessor's Map L, Lot 34, zoned R-20, located at 135 Spur Road.

Steve Riker was present to explain the proposal 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 wetlands application was filed on 2/5/18. There is a drainage swale from the turnpike on the south side of the lot. Driveway will be replaced with pervious material. New pool will have pervious deck. Impervious coverage will be decreasing.

Donovan: What is the width of the driveway?

Riker: It is 24 feet, the same as the garage.

Bird confirmed with Riker that the Shoreland permit has been filed with DES.

Donovan: I like to see that you are using pervious driveway for a residential use.

Bird: How far from the reference line is the pool and deck? It appears to be closer than the existing house and deck.



**CITY OF DOVER**

## DOVER CONSERVATION COMMISSION – MINUTES

Meeting Type: Regular Meeting  
Meeting Location: 2<sup>nd</sup> Floor Conference Room, City Hall, 288 Central Avenue  
Meeting Date: Monday, February 12, 2018  
Meeting Time: 5:30 pm

Riker: It is 30 feet from the reference line. Moving the pool back would not gain much because you have to stay 10 feet from the side lot line.

Joyce: What kind and amount of vegetation is there on the north side of the lot?

Riker: There is a natural area of shrubs and some grass.

Donovan: I agree that most applications we review are no closer to the resource than existing encroachments.

Joyce: Look at reducing the pool deck size. I want to see more natural area maintained and added if necessary.

Donovan: For me getting closer to the reference line is an issue.

Kramer-Perry: Could the pool deck be smaller?

Riker: We could add plantings, 10 feet by 55 feet between the pool deck and the reference line. We would use native plants.

*Joyce made a motion to endorse the NHDES Wetlands Permit and City of Dover CUP, with the condition that a 55 foot by 10 foot vegetative strip of native plants with bushes eight foot on center be added to the plan between the property line and the dock Erickson seconded. Vote: 6 in favor*

Hunt: These next two applications will be heard together.

- E. Amended City of Dover Conditional Use Permit for Okad of Dover, LLC (Agent: Richard Friberg of TEC), Assessor's Map 38, Lot 37, zoned B-3, located at 824-828 Central Ave. & 8 Glenwood Ave.
- F. Amended City of Dover Conditional Use Permit for Okad of Dover, LLC (Agent: Richard Friberg of TEC, Inc.), Assessor's Map 38, Lot 37, zoned B-3, located at 824-828 Central Ave. & 8 Glenwood Ave.

Richard Friberg, Jim Mitchell and Mike Seekamp were present to explain the amended proposals to increase the wetlands impacts by 120 s.f. and wetlands buffers by 20 s.f.. A wetlands replication area of 5,705 s.f. is proposed. Also the amended proposal increases impervious cover from 50.6% to 50.9%, where 20% is allowed in the Secondary Groundwater Protection Zone. We were here a year ago and are back due to a redesign to accommodate a new building layout that caused a retaining wall to be straightened out. WE have received amendment approvals from Des for the AOT permit and wetlands permit. This project is near Berry's Brook so we are committed to improving the quality of water runoff and treating the water.

Donovan confirmed that the wetlands replication ratio of 2:1 is being maintained.

Joyce: Is there a monitoring requirement for the wetlands being created from any of your permits?

Seekamp: Yes we added it to our monitoring plan and it requires annual reporting.

Bird confirmed that the new building has a smaller footprint than before.

*Donovan made a motion to endorse the amended City of Dover CUP's, Kramer-Perry seconded. Vote: 6 in favor*



**CITY OF DOVER**

## DOVER CONSERVATION COMMISSION – MINUTES

Meeting Type: Regular Meeting  
Meeting Location: 2<sup>nd</sup> Floor Conference Room, City Hall, 288 Central Avenue  
Meeting Date: Monday, February 12, 2018  
Meeting Time: 5:30 pm

### 5. REPORT FROM THE CHAIR

#### A. Review of Correspondence Received From NH Department of Environmental Services:

1. Letter from NH DES to Brian Short of 1 Wentworth Terrace approving a wetlands permit for a dock.
2. Letter from NH DES to Electrocraft NH on 1 Progress Drive approving a wetlands permit.

### 6. OTHER BUSINESS:

Bird distributed information on the Full Moon Snowshoe walk on March 2<sup>nd</sup> at 6:30 pm off Hillside Drive.

### 7. ADJOURNMENT

The Chair declared the meeting adjourned at 7:10 pm.

# **CIVILWORKS NEW ENGLAND**

181 WATSON ROAD  
P.O. BOX 1166  
DOVER, NH 03821-1166  
PHONE: 603.749.0443 FAX: 603.749.7348

January 29, 2018

Re: Site Plan Application –  
Technical Review Committee Submission

Subject: Conditional Use Permit Driveway Entrance  
38 Littleworth Dr.  
Dover, NH  
Our Reference No. 1680

Dear Mr. Parker:

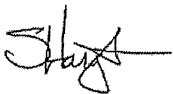
On Behalf of our clients, Unit 1 – 38B Littleworth Road: 38 Littleworth RD, LLC & Unit #2 – 38A Littleworth Road: Fish Lips Holding CO., LLC, we are pleased to submit (8) full size sets, (1) 11 x 17, and one electronic copy of the attached materials for Technical Review Committee consideration:

- 1) Site Review Application & Checklist;
- 2) Check
- 3) Project Narrative
- 4) Tax Map
- 5) USGS Map
- 6) Current Deed Information
- 7) Wetland Report
- 8) Design Plans
- 9) Wetland Permit Package

We look forward to discussing this application further following review by City Staff. If you have any questions that we might be able to answer, please do not hesitate to contact our office.

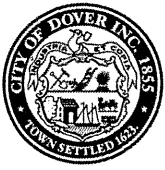
Sincerely,

**CIVILWORKS NEW ENGLAND**



Stephen J Haight, PE  
SJH/pdd

# **Conditional Use Permit**



# City of Dover, New Hampshire

## CONDITIONAL USE PERMIT APPLICATION

[Revision Date: May 16, 2013]

|                 |              |       |                |       |
|-----------------|--------------|-------|----------------|-------|
| Office Use Only | Project #:   | _____ | Date Received: | _____ |
|                 | Amount Paid: | _____ | Time Received: | _____ |

### APPLICANT AND OWNER INFORMATION

"Unit 1"-38B Littleworth Road: 38 Littleworth Rd, LLC

Name of Applicant: "Unit 2"-38A Littleworth road: \_\_\_\_\_ Telephone # 603-781-7369  
Fish Lips Holding Co., LLC 603-740-6060

Address of Applicant: "Unit #1"-PO Box 2232, Dover NH 03821  
"Unit #2"-140 Silver Street, Dover, NH 03820

E-Mail Address: chip@cflloral.com

Name of Property Owner (if different from applicant): Same Telephone # See Above

Address of Property Owner: See Above

### PROPERTY INFORMATION

Assessor's Map # G Lot(s) # 4G-1

Zoning District(s) I-2 Overlay District(s) Wetland Protection District

Existing Use of Property: Commercial/Industrial

### CONDITIONAL USE PERMIT INFORMATION

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

- |                                                                 |                                                         |                                            |
|-----------------------------------------------------------------|---------------------------------------------------------|--------------------------------------------|
| <input type="checkbox"/> Conservation District                  | <input type="checkbox"/> RCM Use Overlay District       | <input type="checkbox"/> I-1 District Uses |
| <input type="checkbox"/> Groundwater Protection                 | <input type="checkbox"/> Off-Street Parking and Loading |                                            |
| <input checked="" type="checkbox"/> Wetland Protection District | <input checked="" type="checkbox"/> Wetland Protection  |                                            |

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

Install new entrance driveway along Industrial Park Road and remove existing access via easement through lot G/4G-2

List Any Associated State or Federal Permits That Have Been or Will Be Applied For and Indicate Their Status: NH Expedited Wetlands Permit

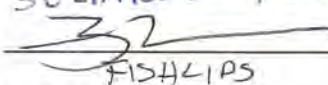
Name of Professional That Prepared Plans: Stephen J. Haight

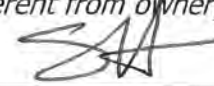
Address PO Box 1166, Dover, NH 03821 Telephone #: 603-749-0443

Professional License #: 7978 E-mail address: shaight@civilworksne.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.

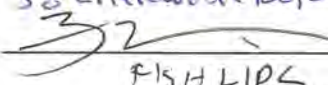
Signature of Property Owner:  11/25/18 Date: 11/25/18

Signature of Applicant (if different from owner):  Date: 11/29/18

Signature of Agent:  Date: 11/29/18

**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: 11/25/18

Pursuant to RSA 676:4, the State Law of New Hampshire, the City of Dover is required to notify the applicant, abutters (including holders of conservation easements), and any professional whose seal is on the plan, of the public hearing by certified mail, return receipt requested. The applicant must obtain the abutter information from the records of the Tax Assessor's Office (not more than five days prior to filing) in order to process the site review application.

**Owner:**

| TAX MAP | LOT # | PROPERTY OWNER | MAILING ADDRESS |
|---------|-------|----------------|-----------------|
|         |       |                |                 |

| APPLICANT NAME | APPLICANT COMPANY | MAILING ADDRESS |
|----------------|-------------------|-----------------|
|                |                   |                 |

| NAME | COMPANY | MAILING ADDRESS |
|------|---------|-----------------|
|      |         |                 |
|      |         |                 |

| TAX MAP | LOT # | NAME OF EASEMENT HOLDER | MAILING ADDRESS |
|---------|-------|-------------------------|-----------------|
|         |       |                         |                 |

[illegible]

# PLANNING BOARD

## APPLICATION CHECKLIST & FEE SCHEDULE

- A. If you are submitting an application for Site Review or a Major Subdivision the applicant shall meet with the Technical Review Committee (TRC). Eight (8) copies of the application and preliminary plan must be submitted. \_\_\_\_\_
- B. Prior to the submission deadline for Planning Board, fifteen (15) copies of the application and fifteen (15) sets of plans must be submitted. Four (4) 22" x 34" and eleven (11) 11" x 17" (signed by owner). \_\_\_\_\_
- C. **TOTAL FEE** paid by cash or check made payable to "City of Dover"
1. Application fee for the following:
    - SUBDIVISION \$150.00 x # \_\_\_\_\_ new lots created = \$ \_\_\_\_\_
    - LOT LINE ADJUSTMENT \$200.00 (if more than two lots involved, add \$100.00 per lot) = \$ \_\_\_\_\_
    - SITE REVIEW - RESIDENTIAL \$100.00 x # \_\_\_\_\_ per dwelling unit = \$ \_\_\_\_\_
    - SITE REVIEW – NON-RESIDENTIAL (not to exceed \$10,000)
      - New construction \$.15 sq. ft. x # \_\_\_\_\_ sq. ft. = \$ \_\_\_\_\_
      - Additions (new floor space) \$.10 per sq. ft. x # \_\_\_\_\_ sq. ft. = \$ \_\_\_\_\_
    - IMPERVIOUS PAVED AREA (for new development) OR IMPERVIOUS PARKING LOT ADDITIONS (not to exceed \$10,000) \$.07 sq. ft. x # \_\_\_\_\_ = \$ \_\_\_\_\_
    - MOTEL/HOTEL \$35.00 x # \_\_\_\_\_ per lodging unit = \$ \_\_\_\_\_
    - CHANGE OF USE (not to exceed \$5,000)
      - Existing floor space \$.10 per sq. ft. x # \_\_\_\_\_ sq. ft. = \$ \_\_\_\_\_
    - CONDITIONAL USE PERMIT \$150.00 x # \_\_\_\_\_ per application = \$ 150.00
    - GRAVEL PIT/ EXTRACTION PERMIT
      - Application fee \$50.00 = \$ \_\_\_\_\_
      - Permit fee \$75.00 = \$ \_\_\_\_\_
    - EXTENSIONS OF/AMENDMENTS TO/WAIVERS FOR AN APPROVED PLAN (\$150.00 minimum) \$50.00 x # \_\_\_\_\_ per hour of review \$ \_\_\_\_\_
    - REQUEST FOR REZONING \$150.00 = \$ \_\_\_\_\_
    - DRIVEWAY WAIVER – \$100.00 application fee = \$ \_\_\_\_\_
    - Letter of rejection from Engineering Department, diagram & letter from owner \$ \_\_\_\_\_
- D. **Mailing Labels (Avery 5160)** in triplicate including owner, engineer, architect, land surveyor, or soil scientist whose professional seal appears on the plat with names and addresses for notices.
1. Certified letters fee: # of abutters \_\_\_\_\_ X \$8.00 = \$ \_\_\_\_\_
  2. Applicant & Owner, engineer, architect, land surveyor or soil scientist  
Certified letters fee # \_\_\_\_\_ of x \$8.00 = \$ \_\_\_\_\_
  3. First Class Mail fee (for individual owner of units within a condominium or other collective form of ownership): # of abutters \_\_\_\_\_ X \$1.00 = \$ \_\_\_\_\_
  4. Creating/Printing Abutter Labels fee per sheet \_\_\_\_\_ x \$10.00 = \$ \_\_\_\_\_
- E. **Foster's newspaper public notice fee** \$ -80.00-
- F. **Digital Version of the Plan & Archive Fee** \$1.00 x # \_\_\_\_\_ per sheet of plan set = \$ \_\_\_\_\_
- TOTAL FEE** \$ 150.00

# **Project Narrative**

**PROJECT NARRATIVE  
CONDITIONAL USE PERMIT  
For**

**38 Littleworth Rd., LLC  
PO Box 2232  
Dover, NH 03821  
&  
Fish Lips Holding CO., LLC  
140 Silver St, Dover, NH 03820**

**Tax Map G, Lot 4-G1**

**PROJECT OVERVIEW**

The project consists of the following general improvements:

- Construction of a 24' wide paved driveway to the site from Industrial Park Drive
- Removal of the connecting access drive from abutting lot, Tax Map G, Lot 4-G2.
- Removal of the pavement areas around the parking lots.
- Loam and seed disturbed areas

**PROJECT LOCATION AND SITE CHARACTERISTICS**

The project site consists of a single parcel of land as shown on Tax Map G, Lot 4G-1. The parcel is recorded as condominium ownership (2 Units) with limited common areas and common areas. The site contains 2.73 acres, or 118,992 square feet, and is developed with a single story steel frame building, parking lot, loading areas and connection to Littleworth Drive by means of an access easement through the abutting lot, Tax Map G, Lot 4-G2. There are wetlands located on the western portion of the site which includes a forested area and a 20' wide sewer easement containing sewer lines and underground utilities. The project proposes to construct a paved drive into the site from existing frontage on Industrial Park Drive with a portion of the 24' pavement width and 1' foot shoulder located within this easement. The project also proposes to change the internal parking circulation to accommodate the new entrance and revised parking as shown on the plans.

Currently the Salmon Falls Woodworking business is located within the steel framed building on-site. The owner is proposing to change the driveway location in order to reroute the existing truck traffic to the proposed entrance along Industrial Park Road, which provides enhanced sight distance.

## **DRIVEWAY AND PARKING LAYOUT**

The proposed truck access and driveway will be 24' wide with a 1' shoulder. The entrance location on Industrial Park Drive provides for safer and more accessible entrance for lot 4G-1. The sight distance along Industrial Park Drive is enhanced from the current entrance along Littleworth Drive. The proposed construction will result in an addition of 4745sf for the entire project (10,212sf impervious – 5,467sf grassed area). The existing sewer easement provides a suitable location given the fill used for the previous installation, current drainage, and the intent to minimize the wetland and buffer impact.

## **WETLAND AND MINIMUM IMPACT TYPE**

The project work meets the criteria under Minimum Impact Project Type. The project work involves the alteration of significantly less than 3,000 square feet (+/- 553 sf). in swamps or wet meadows. The project does not impact bogs, marshes, sand dunes, tidal wetlands, cedar swamps, undisturbed tidal buffer zone, or involve any work within 50 feet of a salt marsh. The project is not located within 100 feet of prime wetlands. There are no known or suspected archaeological resources within the project area. The wetland is a shrub wetland dominated by glossy buckthorn. The wetland has been highly disturbed by historical agriculture, the development of abutting parcels, and is thick with a variety of non-native, invasive shrubs.

The proposed driveway is located along the northeastern boundary of the property which allows for the least impact to the wetlands and the buffer area. Total buffer area to be disturbed will be +/- 11,437 sf. +/-1176 sf of this buffer area will be converted to grassed area when the changes to the parking areas are completed. The remaining disturbed area will be grading along the driveway and driveway pavement.

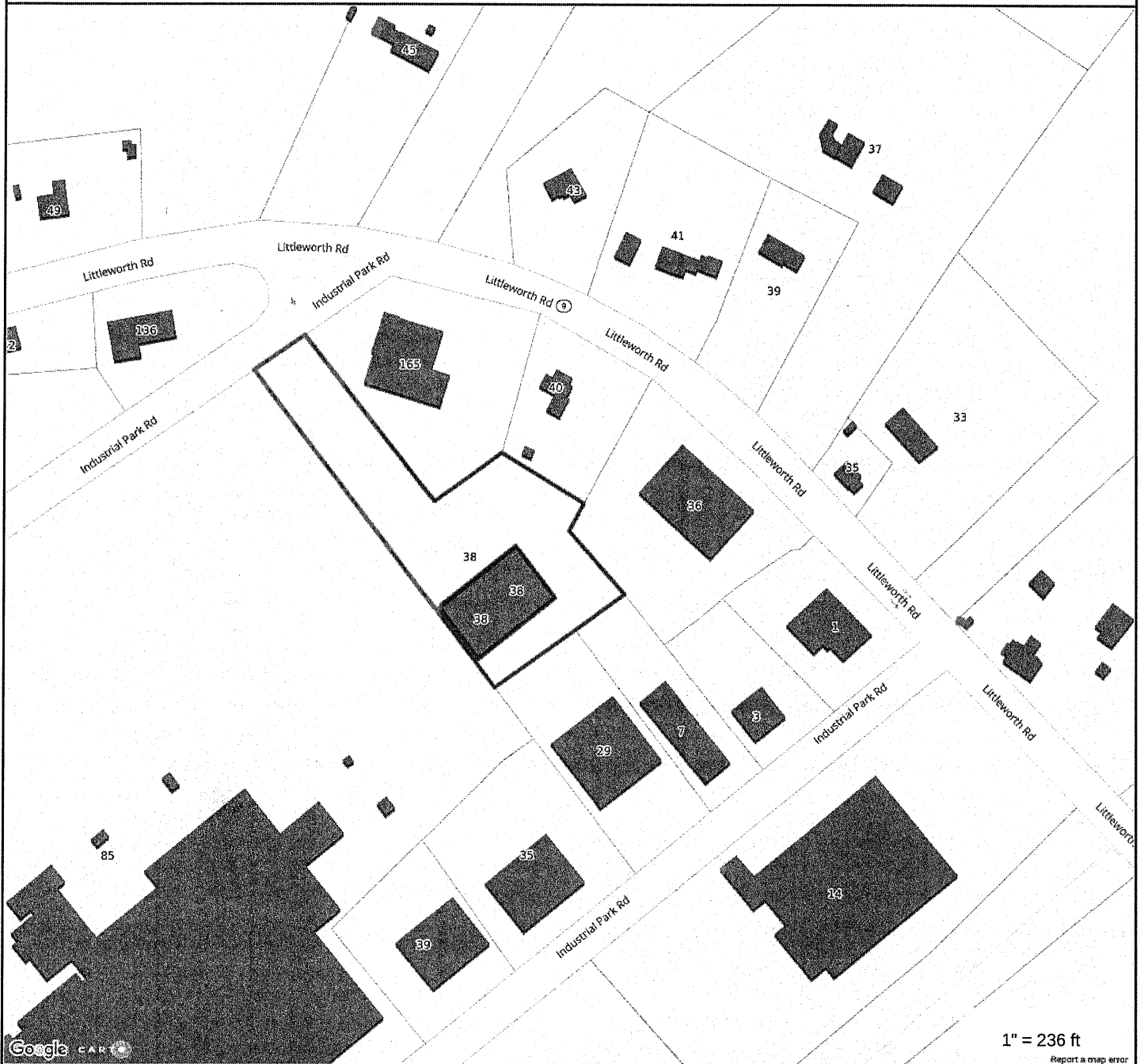
## **DRAINAGE**

The proposed driveway will create a minimum amount of impervious area and will be mitigated by onsite buffers and grading. +/-4290 of the existing parking lot and driveway connection will be removed which currently drains to the onsite drainage basin, reducing the overall stormwater flowing to this onsite structure. The proposed driveway will be crowned with the northeastern side of the driveway draining to shallow swales directing the water to either the culvert along Industrial Park Drive or the existing location of the 12" culvert. The culvert along Industrial Park Drive discharges into the wetland buffer and flows overland. The culvert under the driveway discharges at the same spot as it did before and follows the wetlands with no change prior to leaving the site. The northwestern half of the driveway sheetflows from the crowned section and into the wetland buffer. +/- 1162 sf of existing impervious area is changed to pervious area and enters the buffer prior to the wetlands onsite. The total amount of imperious area of the driveway is +/- 9544 and a small amount of impervious area added (+/- 668sf) in the parking lot.

January 24, 2018

# **Tax Map**

## 38 Littleworth Drive



1" = 236 ft

[Report a map error](#)

## Property Information

Property ID G0004-G00001  
Location 38 LITTLEWORTH RD  
Owner 38 LITTLEWORTH ROAD  
CONDOMINIUM

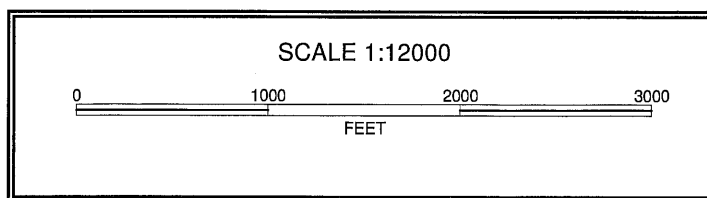
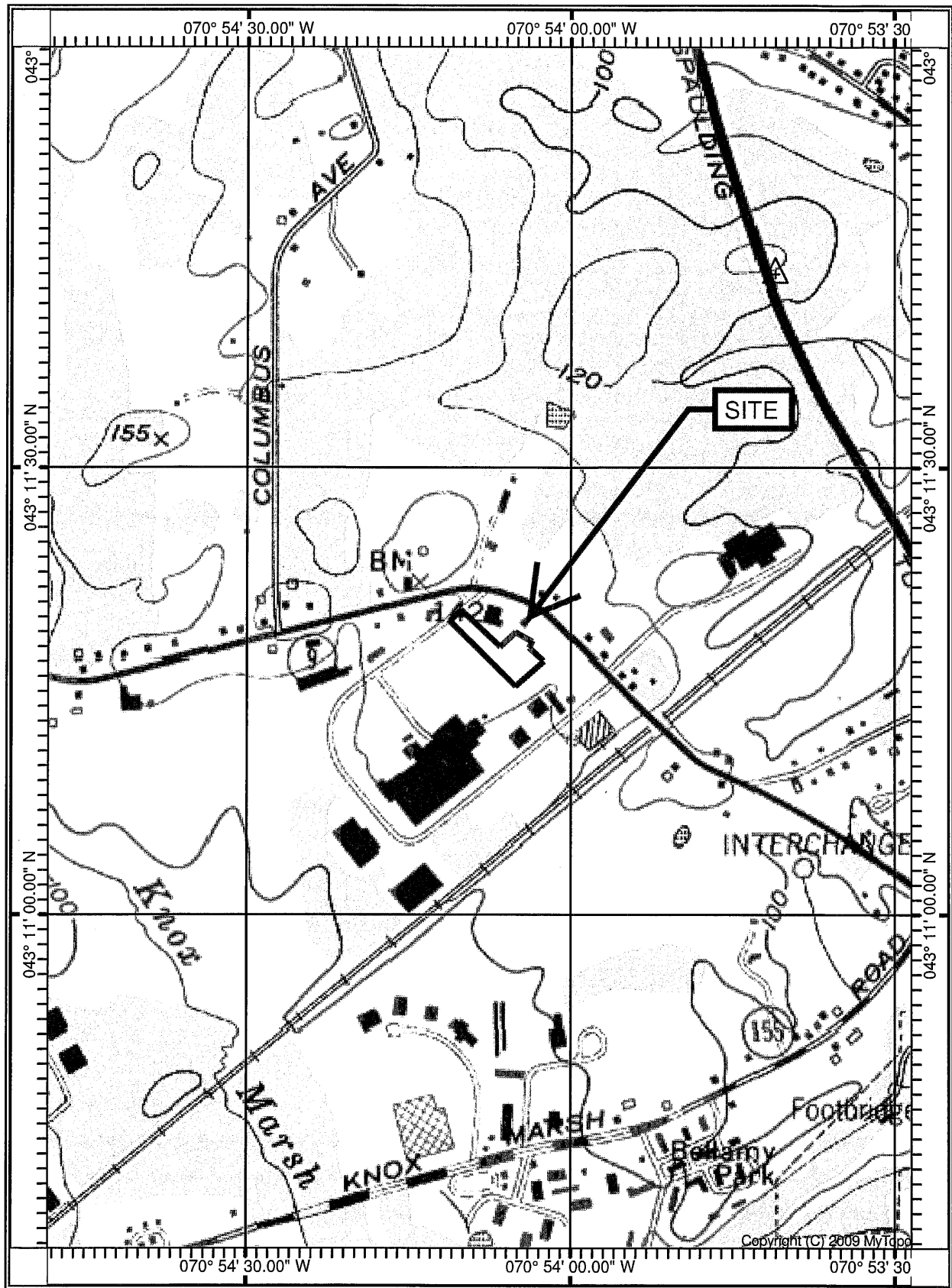
MAP FOR REFERENCE ONLY  
NOT A LEGAL DOCUMENT

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 6/13/2017  
Properties updated 01/23/2018

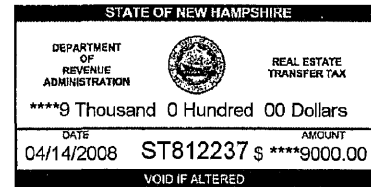
January 24, 2018

## **USGS Map**



38 Littleworth Road  
 Dover, NH 03820  
 Tax Map G, Lot 4-G1

# DEEDS



## CONDOMINIUM WARRANTY DEED

*KNOW ALL MEN BY THESE PRESENTS THAT, 38 Littleworth Road, LLC, a New Hampshire Limited Liability Company, with an address of P.O. Box 2232, Dover, Strafford County, State of New Hampshire, for consideration paid, grant to Fish Lips Holding Co., LLC, a New Hampshire Limited Liability Company with a place of business at 140 Silver Street, Dover, County of Strafford, State of New Hampshire, with WARRANTY covenants, the following:*

A certain Condominium Unit at 38 Littleworth Road Condominium, located at 38 Littleworth Road, Dover, County of Strafford, State of New Hampshire, more particularly bounded and described as follows:

Unit 2 in 38 Littleworth Road Condominium ("Condominium") as described and identified in the Declaration of Condominium for 38 Littleworth Road Condominium dated March 28, 2008, and recorded in the Strafford County Registry of Deeds at Book 3629, Page 535, and as shown on a certain site plan entitled "Condominium Site Plan 38 Littleworth Road Condominium Unit # 1 & Unit # 2 off Industrial Park Road, Dover, New Hampshire" dated March 20, 2008 prepared for TriTech Engineering Corporation and recorded at the Strafford County Registry of Deeds as Plan 93-93.

See floor plan recorded at Strafford County Registry of Deeds as Plan No.93-94.

**Together with** the "Limited Common Area-#2" as shown on the above referenced plan.

**Together with** the undivided interest in the Common Area appurtenant to said Unit as defined and described in said Declaration as said Declaration may be amended pursuant to its terms.

**Subject to** Declaration of Condominium for 38 Littleworth Road Condominium dated March 28, 2008, and recorded in the Strafford County Registry of Deeds at Book 3629, Page 535 and By-Laws of 38 Littleworth Road Condominium dated March 28, 2008, and recorded at Book 3629, Page 546.

**Subject to and together with access, sewer, and drainage easements and Protective**

Covenants of record and as depicted on the above referenced plan and as more particularly described in deed of Gerald M. Cupp and Lisa A. Cupp to 38 Littleworth Road, LLC dated October 22, 2007 and recorded at Book 3585, Page 102.

Meaning and intending to convey a portion of the premises conveyed to 38 Littleworth Road, LLC by Warranty Deed of Gerald M. Cupp and Lisa A. Cupp dated October 22, 2007 and recorded at the Strafford County Registry of Deeds Book 3585, Page 102.

Signed this 11<sup>th</sup> day of April, 2008.

**38 Littleworth Road, LLC**

Samantha L. Leland  
Witness

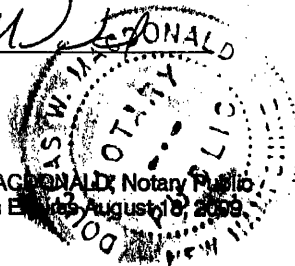
By: Matt Williams member  
Matt R. Williams, III, Member

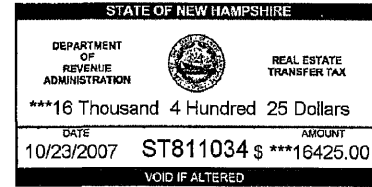
State of New Hampshire  
County of Rockingham

On this the 11<sup>th</sup> day of April, 2008, before me, Douglas W. Macdonald, the undersigned officer, personally appeared Matt R. Williams, III, sole member of 38 Littleworth Road, LLC and acknowledged that he executed the foregoing instrument for the purposes therein contained on behalf of 38 Littleworth Road, LLC.

In witness whereof, I hereunto set my hand and official seal.

Douglas W. Macdonald  
Notary Public  
My commission expires:  
DOUGLAS W. MACDONALD, Notary Public  
My Commission Expires August 10, 2009





## WARRANTY DEED

**KNOW ALL MEN BY THESE PRESENTS**, that **Gerald M. Cupp and Lisa A. Cupp**, husband and wife, of 198 Shady Side Avenue, Concord, Middlesex County, Massachusetts 01742, for consideration paid, grants to **38 Littleworth Road, LLC**, a New Hampshire limited liability company, of PO Box 2232, Dover, Strafford County, New Hampshire, with Warranty Covenants:

A certain lot or parcel of land, with the buildings and improvements thereon, located on the easterly side of Industrial Park Road, Dover, County of Stafford, State of New Hampshire, shown as Lot G/4G-1 on a plan entitled "Standard Boundary Survey and Minor Subdivision Plan of Land, Lot 4G, Tax Assessor's Map "G" Littleworth Road (NH Route 9) & Industrial Park Road, Dover, New Hampshire, County of Stafford" by Civilworks dated March 29, 1999, recorded in the Stafford County Registry of Deeds as Plan 57-4, and according to said plan, bounded and described as follows:

Beginning at an iron rod on the easterly side of Industrial Park Road at land now or formerly of Davidson Rubber Company, Inc. and shown as Lot G/3B [erroneously described as "land now or formerly of Holgate Limited Partnership and shown as Lot G/4F" in prior deed at Book 2347, Page 715]; thence North 54° 21' 01" East along Industrial Park Road 121.53 feet to a point at land referenced as remaining portion of G/4G; thence South 40° 18' 08" East a distance of 334.19 feet to an iron rod set; thence North 49° 41' 50" East 122.04 feet to a granite bound found at land now or formerly of Tucker; thence South 65° 08' 08" East 150.67 feet to a granite bound found at land shown as Lot G/4G-2 on the above-referenced plan; thence South 29° 27' 46" West 56.87 feet to an iron rod; thence South 38° 55' 25" East 143.02 feet to an iron rod at land now or formerly of Pillar Investment Corp; thence South 51° 43' 30" West along land of said Pillar and land now or formerly of LaPointe 249.81 feet to a steel stake found; thence North 40° 18' 08" West along land now or formerly of Davidson Rubber Company, Inc. 634.59 feet to an iron rod at the point of beginning.

### Access, Sewer and Drainage Easements

For purposes of describing the following easement benefits and burdens, intended to run with the above described lot, reference is made to a certain "As Built" (Record) Survey, Lot 4G-2, Tax Assessor's Map "G", Littleworth Road (N.H. Route 9) & Industrial Park Road, Dover, New Hampshire, County of Strafford, drawn by Civilworks, dated 1-17-01, not recorded with the Strafford County Registry of Deeds, but on file with the Dover Planning Office and/or the

Department of Community Services, hereinafter referred to the "As Built Survey Plan."

The above described Lot G/4G-1 is conveyed TOGETHER WITH the benefit of a fifty (50') foot wide Access Easement for vehicular and pedestrian access to and from the Littleworth Road (NH Route 9) over (and located along the 50 foot wide northerly portion of) Lot G/4G-2 as shown on both Plan 57-4 and the As Built Survey Plan. Use of said 50 foot wide Access Easement by the Grantees, their successors and/or assigns and successors in title, shall be in common with the current owners of Lot G/4G-2 (said lot is currently owned by the Grantor of this Deed) her successors, heirs and assigns and successors in title. Use of said easement is furthermore conditioned upon the Grantees' agreement, for themselves, their heirs and assigns and successors in title to Lot G/4G-1 benefited by said Access Easement, to jointly share, with the current and future owners of Lot G/4G-2, in the responsibility and costs of maintaining and keeping said access in good repair, including winter maintenance. Acceptance and recording of this deed shall evidence the Grantees agreement, for themselves, their heirs and assigns and successors in title, to said shared maintenance obligations.

The above described Lot G/4G-1 is also conveyed SUBJECT TO a twenty (20') foot wide Sewer Easement located every where twenty (20') feet wide and parallel to the second, third and fourth described courses to the above Lot G/4G-1 property description (i.e. along the Northerly boundary of said Lot G/4G-1), as more specifically shown on Plan 57-4 and the As Built Survey Plan. As declared by the Grantor's Declaration of Intent to Convey Cross Easements dated August 28, 2001, recorded at the Stratford County Registry of Deeds, Book 2375, Page 342, the purpose of said easement is to benefit the abutting Lot G/4G-2 and G/3 (land now or formerly of Douglas and Anne E. Tucker) with City sewer connection rights, specifically including the right of current and future owners of Lot G/4G-2 to construct and maintain a sewer connection to the sanitary sewer collection pipe constructed within said 20 foot wide Sewer Easement, and the right to drain water-carry putrescible sanitary sewage waste from both Lot G/4G-2 and said Tucker lot into said sanitary sewer collection pipe constructed within the 20 foot Sewer Easement. The location of said sewer is shown on the As Built Survey Plan. The rights of the current and future owners of Lot G/4G-2 to make future repairs shall be and are hereby declared to be subject to the conditions stated within the above referenced Grantors' Declaration (see specifically Strafford County Registry Book 2375, Page 343). The Grantees and/or future owners of Lot G/4G-1 (burdened by the above described 20 foot wide Sewer Easement) may also connect their lot into the sanitary sewer collection pipe constructed within said easement as allowed by the City of Dover.

The above described Lot G/4G-1 is also conveyed SUBJECT TO the drainage Detention Basin (located along the southerly portion of Lot G/4G-1) together with existing drain pipes, bringing drainage from the abutting Lot G/4G-2 and Lot G/4C-1 (now or formerly LaPointe property) into said Detention Basin, all as currently constructed, and as so constructed, shown on the As Built Survey Plan. The current and future owners of the abutting Lot G/4G-2 shall have the right, but not necessarily exclusive obligation, to maintain said Detention Basin, together with its related improvements as shown on the above referenced As Built Survey Plan.

#### Other Encumbrances

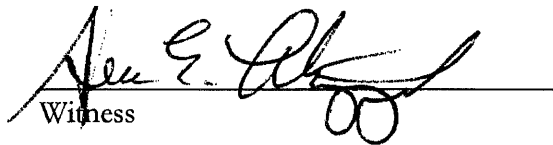
The above described Lot G/4G-1 is further conveyed SUBJECT TO Restrictive Covenant Agreement dated November 21, 1958, recorded in the Stafford County Registry of Deeds at Book 697, Page 325 and a certain Modification Agreement dated August 31, 1962 recorded in said

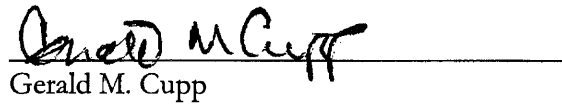
Registry at Book 759, Page 339, the provisions of which modifications are hereby specifically made applicable to the premises herein conveyed coming together with other conditions and restrictions of record in the Strafford County Registry of Deeds.

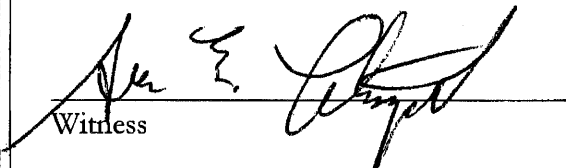
Further subject to utility and other easements of record.

Meaning and intending to describe and convey the same premises conveyed to Gerald M. Cupp and Lisa A. Cupp by Warranty Deed of Megan H. Martineau, Trustee of the Megan H. Martineau Revocable Trust, dated November 19, 2002 and recorded in the Strafford County Registry of Deeds at Book 2695, Page 571.

IN WITNESS WHEREOF, I have executed this deed on this 22 day of October, 2007.

  
Witness

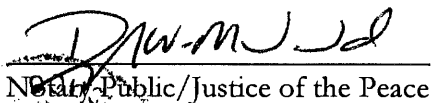
  
Gerald M. Cupp

  
Witness

  
Lisa A. Cupp

State of New Hampshire  
County of Rockingham

This instrument was acknowledged before me on October 22, 2007 by Gerald M. Cupp and Lisa A. Cupp.

  
Notary Public/Justice of the Peace

My commission expires: \_\_\_\_\_

DOUGLAS W. MACDONALD, Notary Public  
My Commission Expires August 18, 2009

January 24, 2018

# **WETLAND REPORT**

**Michael Cuomo, Soil Scientist**  
6 York Pond Road, York, Maine 03909  
207 363 4532  
mcuomosoil@gmail.com

17 November 2017

Steve Haight, P.E.  
Civilworks of New England  
P.O. Box 1166  
Dover, NH 03820

Dear Mr. Haight;

This letter is in reference to the vacant 2.74 acre lot located behind Martineau Electric on Industrial Park Drive in Dover, NH. On this date I inspected the property for regulated wetlands.

Wetlands were identified as defined by the State of New Hampshire.

Env-Wt 101.113 "Wetland" means "wetlands", as defined by RSA 482-A:2, X, namely "an area that is inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal conditions does support, a prevalence of vegetation typically adapted for life in saturated soil conditions."

Wetlands include swamps, marshes, bogs and similar areas.

Wetlands were delineated on site using the technical criteria in the *Corps of Engineers Wetlands Delineation Manual* and the *Regional Supplement to the Corps of Engineers Wetlands Delineation Manual*. These are the standards used by State and Federal regulators and conform with local requirements.

A single wetland was identified in the northwest of the property. The wetland-upland boundary was marked with 23

sequentially numbered blue flags.

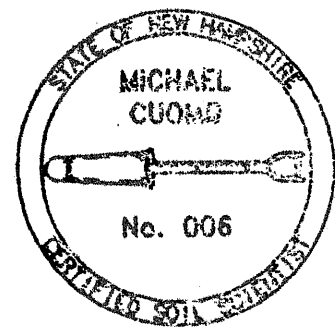
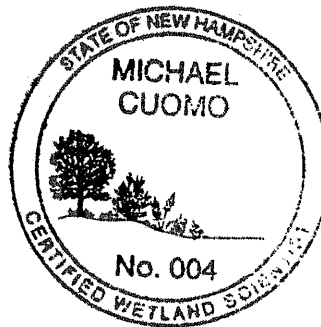
This is a shrub wetland dominated by glossy buckthorn (*Rhamnus frangula*). The soils are the poorly drained Scitico silt loam. The wetland has been highly disturbed by historical agriculture, the development of abutting parcels, and is thick with a variety of non-native, invasive shrubs.

Please call if you have questions regarding this work.

Sincerely,

Michael Cuomo

Michael Cuomo  
NH Wetland Scientist #004  
NH Soil Scientist #006



January 24, 2018

# **Design Plans**

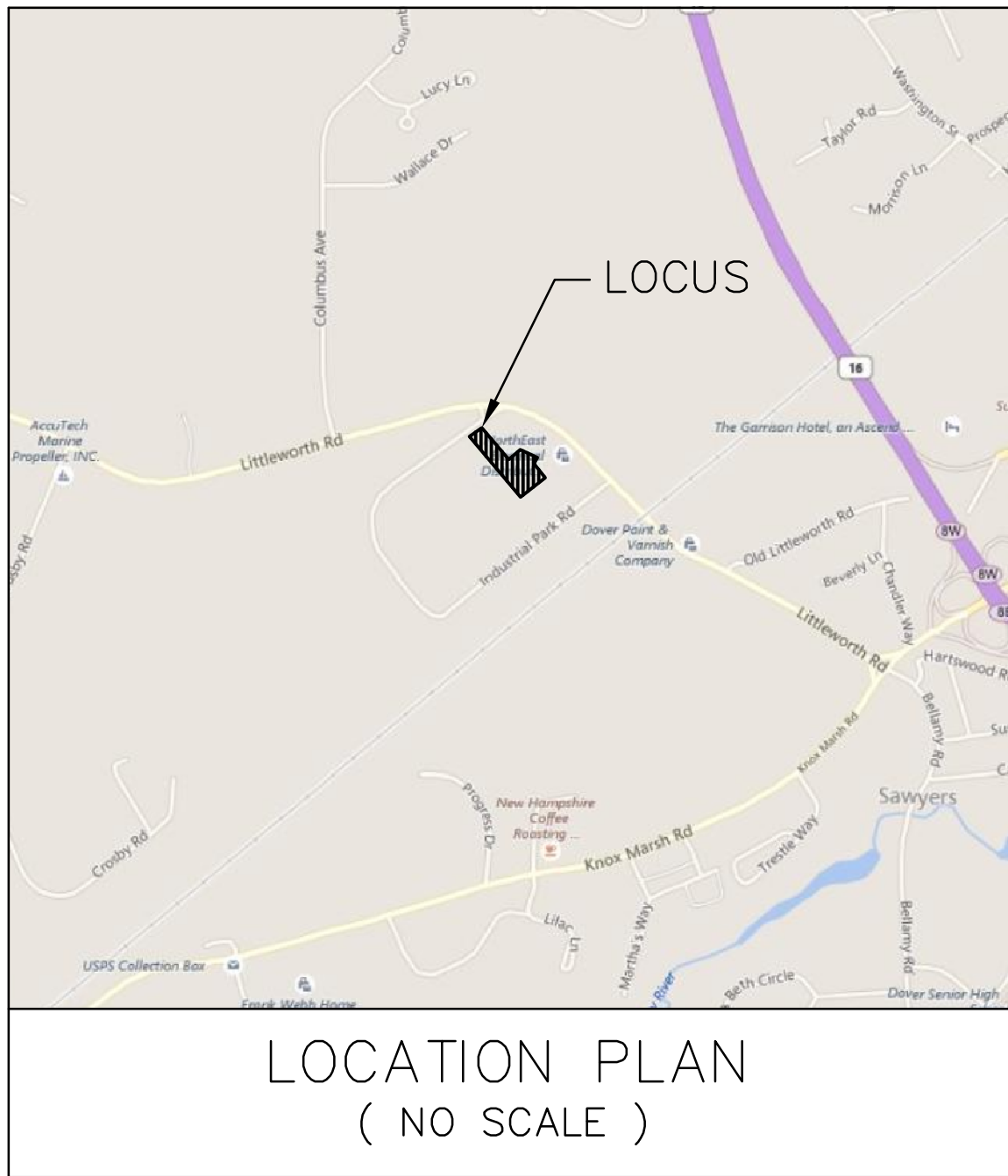
**P18-09            38 A&B Littleworth Road**

| <b>Property ID</b> | <b>Location</b>        | <b>Owner 1</b>                           | <b>Owner 2</b>                       | <b>Owner Address 1</b>    | <b>City</b> | <b>State</b> | <b>Zip</b> |
|--------------------|------------------------|------------------------------------------|--------------------------------------|---------------------------|-------------|--------------|------------|
| G0004-A00001       | 1 INDUSTRIAL PARK RD   | BEARINGS INC                             | C/O PT COUNSELORS                    | PO BOX 3075               | MCKINNEY    | TX           | 75070      |
| G0004-C00001       | 29 INDUSTRIAL PARK RD  | R&R BERNSTEIN HOLDING LLC                |                                      | 12 TIDE MILL RD           | HAMPTON     | NH           | 03842      |
| G0004-C00000       | 7 INDUSTRIAL PARK RD   | JUSTRIGHT AWNINGS LLC                    |                                      | 7 INDUSTIRAL DR           | DOVER       | NH           | 03820      |
| G0028-000000       | LITTLEWORTH RD         | GROSSMAN PENELOPE                        |                                      | 132 JACKSON STREET        | NEWTON CTR. | MA           | 02159      |
| G0004-G00002       | 36 LITTLEWORTH RD      | LITTLEWORTH/INDUSTRIAL PARK PROPERTIES L |                                      | 165 INDUSTRIAL PARK DRIVE | DOVER       | NH           | 03820      |
| G0004-G00000       | 165 INDUSTRIAL PARK RD | LITTLEWORTH/INDUSTRIAL PARK PROPERTIES L |                                      | 165 INDUSTRIAL PARK RD    | DOVER       | NH           | 03820      |
| G0029-000000       | LITTLEWORTH RD         | KAY RICHARD & ANNA REVOCABLE TRUST       |                                      | 45 LITTLEWORTH ROAD       | DOVER       | NH           | 03820      |
| G0004-B00000       | 35 INDUSTRIAL PARK RD  | CAMH LLC                                 |                                      | 35 INDUSTRIAL PARK RD     | DOVER       | NH           | 03820      |
| G0004-A00000       | 3 INDUSTRIAL PARK RD   | KAY DUANE D &                            | KAY MARY M                           | 131 COLUMBUS AVE          | DOVER       | NH           | 03820      |
| G0029-B00000       | 45 LITTLEWORTH RD      | KAY RICHARD W & ANNA R TRUSTEES          | KAY RICHARD & ANNA IRREVOCABLE TRUST | 45 LITTLEWORTH ROAD       | DOVER       | NH           | 03820      |
| G0003-B00000       | 85 INDUSTRIAL PARK RD  | 85 INDUSTRIAL PARK II LLC                |                                      | 273 CORPORATE DR STE 150  | PORTSMOUTH  | NH           | 03801      |
| G0003-000000       | 40 LITTLEWORTH RD      | TUCKER ANNE E TRUSTEE                    | TUCKER ANNE E REVOCABLE TRUST        | 16 THE GARRISON           | DOVER       | NH           | 03820      |
| G0004-F00000       | 136 INDUSTRIAL PARK RD | HOLGATE LIMITED PARTNERSHIP              |                                      | 130 CENTRAL AVE           | DOVER       | NH           | 03820      |
|                    |                        | CIVIL WORKS NEW ENGLAND                  | STEPHEN J. HAIGHT                    | P.O. BOX 1166             | DOVER       | NH           | 03820      |
|                    |                        | 38 LITTLEWORTH RD., LLC                  |                                      | P.O. BOX 2232             | DOVER       | NH           | 03820      |
|                    |                        | FISH LIPS HOLDING CO., LLC               |                                      | 140 SILVER STREET         | DOVER       | NH           | 03820      |

# SITE PLAN

## 38 LITTLEWORTH ROAD

TAX MAP G, LOT 4G-1  
DOVER, NH  
JANUARY 29, 2018



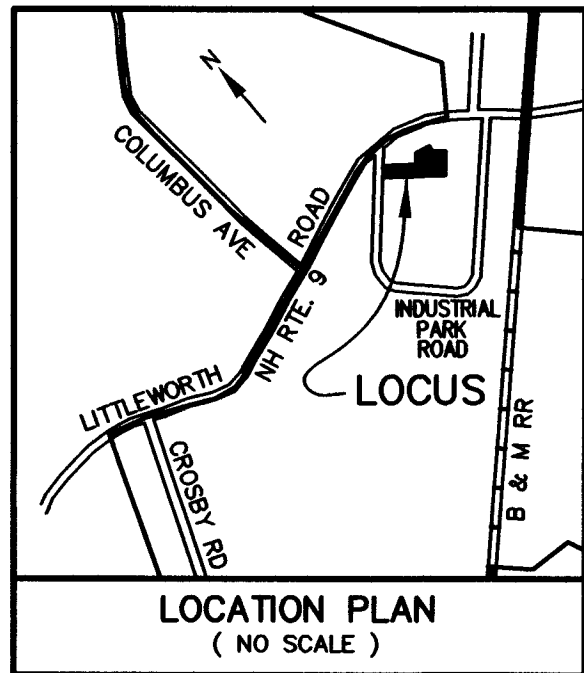
|                   |                                                                     |                             |      |
|-------------------|---------------------------------------------------------------------|-----------------------------|------|
| OWNERS/APPLICANTS | 38 LITTLEWORTH ROAD, LLC<br>P.O. BOX 2232<br>DOVER, NH 03821        | 38 LITTLEWORTH ROAD, LLC    | DATE |
|                   | FISH LIPS HOLDINGS CO., LLC<br>140 SILVER STREET<br>DOVER, NH 03820 | FISH LIPS HOLDINGS CO., LLC | DATE |

|                     |                                                                                                                               |
|---------------------|-------------------------------------------------------------------------------------------------------------------------------|
| SITE CIVIL ENGINEER | CIVILWORKS NEW ENGLAND<br>CIVIL ENGINEERING<br>181 Watson Road, P.O. Box 1166<br>Dover, New Hampshire 03820<br>(603) 749-0443 |
|                     |                                                                                                                               |

|               |                                                                                                              |
|---------------|--------------------------------------------------------------------------------------------------------------|
| LAND SURVEYOR | MCENEANEY SURVEY ASSOCIATES, INC.<br>P.O. BOX 681<br>24 CHESTNUT STREET<br>DOVER, NH 03820<br>(603) 742-0911 |
|               |                                                                                                              |

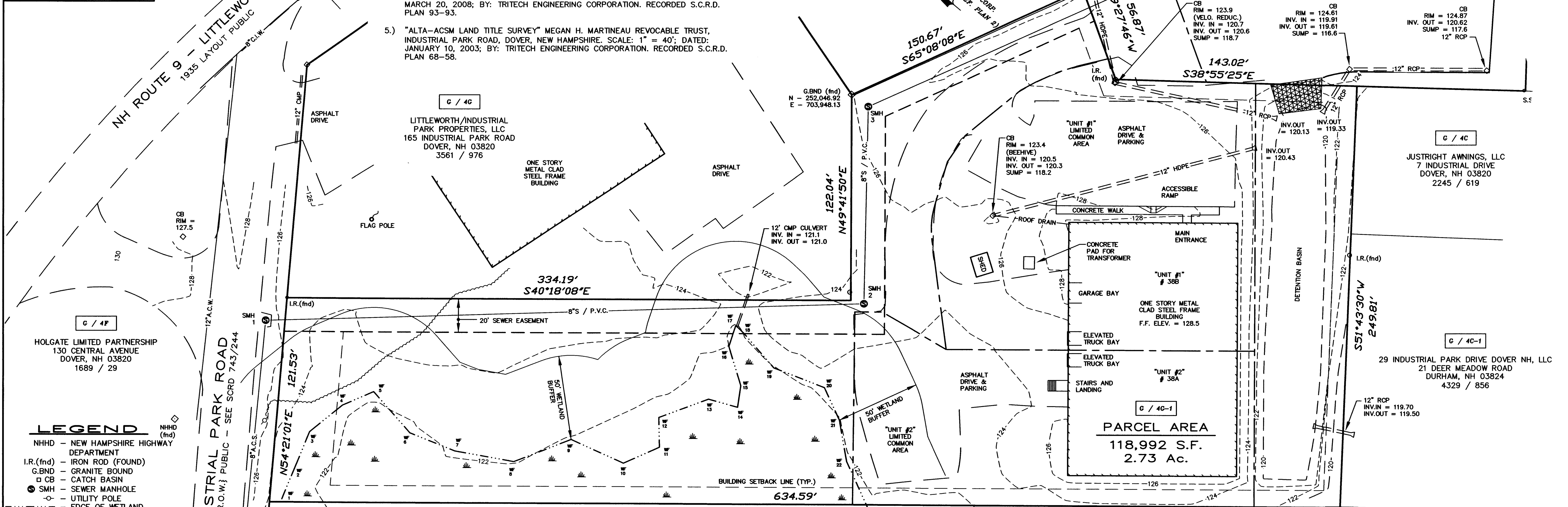
|                   |                                                             |
|-------------------|-------------------------------------------------------------|
| WETLAND SCIENTIST | MICHEAL CUOMO CWS#004<br>6 YORK POND ROAD<br>YORK, ME 03909 |
|                   |                                                             |

| SHEET INDEXINDEX                               | SHEET |
|------------------------------------------------|-------|
| COVER SHEET                                    | 1     |
| EXISTING CONDITIONS PLAN (BY MCENEANEY SURVEY) | 2     |
| GRADING, DRAINAGE & EROSION CONTROL PLAN       | 3     |
| EROSION CONTROL NOTES                          | 4     |
| DETAILS                                        | 5     |



## REFERENCE PLANS:

- 1.) GENERAL SITE PLAN - MEGAN MARTINEAU - LIGHT INDUSTRIAL FACILITY, LITTLEWORTH ROAD (N.H. ROUTE 9) AND INDUSTRIAL PARK ROAD, DOVER, NEW HAMPSHIRE. SCALE: 1" = 40'; DATED: JULY 19, 2001, REVISED THROUGH 08/08/01; BY: TRITECH ENGINEERING CORPORATION.
- 2.) LIGHT INDUSTRIAL AND SELF STORAGE FACILITY EXISTING CONDITIONS PLAN, LOT 4G-1 & 4G-2, TAX ASSESSOR'S MAP "G", LITTLEWORTH ROAD (N.H. ROUTE 9) & INDUSTRIAL PARK ROAD, DOVER, NEW HAMPSHIRE, COUNTY OF STRAFFORD. SCALE: 1" = 40'; DATED: JULY 15, 1999, REVISED THROUGH 08/19/99; BY: CIVILWORKS.
- 3.) "AS-BUILT" (RECORD SURVEY, LOT 4G-2, TAX ASSESSOR'S MAP "G", LITTLEWORTH ROAD (N.H. ROUTE 9) & INDUSTRIAL PARK ROAD, DOVER, NEW HAMPSHIRE, COUNTY OF STRAFFORD. SCALE: 1" = 40'; DATED: JANUARY 17, 2001, REVISED THROUGH 01/17/01; BY: CIVILWORKS.
- 4.) CONDOMINIUM SITE PLAN 38 LITTLEWORTH ROAD CONDOMINIUM UNIT #1 & UNIT #2, OFF INDUSTRIAL PARK ROAD, DOVER, NEW HAMPSHIRE. SCALE: 1" = 40'; DATED: MARCH 20, 2008; BY: TRITECH ENGINEERING CORPORATION. RECORDED S.C.R.D. PLAN 93-93.
- 5.) "ALTA-ACSM LAND TITLE SURVEY" MEGAN H. MARTINEAU REVOCABLE TRUST, INDUSTRIAL PARK ROAD, DOVER, NEW HAMPSHIRE. SCALE: 1" = 40'; DATED: JANUARY 10, 2003; BY: TRITECH ENGINEERING CORPORATION. RECORDED S.C.R.D. PLAN 68-58.



| SEWER MANHOLE SCHEDULE |           |               |                |
|------------------------|-----------|---------------|----------------|
| MANHOLE #              | RIM ELEV. | INV. IN ELEV. | INV. OUT ELEV. |
| EXISTING               | 126.15    | 118.48        | 118.48         |
| #1                     | 127.04    | 119.29        | 119.21         |
| #2                     | 125.57    | 120.62        | 120.60         |
| #3                     | 126.69    | 121.19        | 121.11         |
| #4                     | 125.73    | 122.33        | 122.28         |

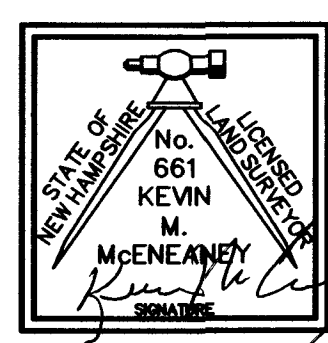
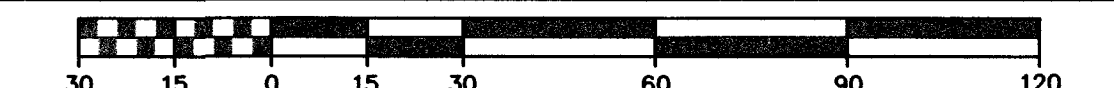
"I HEREBY CERTIFY THAT THIS PLAN IS BASED ON AN ACTUAL GROUND SURVEY PERFORMED WITH A TOTAL STATION, BY ME OR THOSE UNDER MY DIRECT SUPERVISION AND THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, SAID SURVEY MEETS OR EXCEEDS THE MINIMUM PRECISION REQUIREMENTS FOR SURVEY CLASSIFICATION "U" AS SET FORTH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

"I CERTIFY THAT THIS SURVEY PLAT IS NOT A SUBDIVISION PURSUANT TO THIS TITLE AND THAT THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW WAYS ARE SHOWN." (RSA 676:18)

1/22/18  
DATE: / KEVIN M. MCNEANEY LLS # 861

EXISTING CONDITIONS PLAN  
PREPARED FOR THE  
38 LITTLEWORTH ROAD CONDOMINIUM  
TAX MAP G, LOT No. 4G-1  
38 LITTLEWORTH ROAD  
CITY of DOVER  
COUNTY of STRAFFORD  
STATE of NEW HAMPSHIRE

DOVER PLANNING FILE No. P 18-  
DRAWN BY: RJM FILE: W10 CP\2170\17-2170  
SCALE: 1" = 30' DATE: DECEMBER 13, 2017



McNeaney  
Survey  
Associates, inc.

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

SURVEYING - PLANNING - CONSULTING



DESCRIPTION

THE INTENT OF THIS PLAN IS TO SHOW SITE IMPROVEMENTS ASSOCIATED WITH CONSTRUCTION OF A DRIVEWAY ENTRANCE LOCATED IN THE RURAL RESTRICTED INDUSTRIAL DISTRICT (1-2) IN DOVER, NH.

PROJECT NAME AND LOCATION

38 LITTLEWORTH ROAD  
LOT MAP G, LOT 4G-1  
38 LITTLEWORTH ROAD  
DOVER, NH 03820

LATITUDE - 43° 11' 18"  
LONGITUDE - 70° 54' 09"

OWNER

38 LITTLEWORTH ROAD, LLC  
P.O. BOX 2232  
DOVER, NH 03821

FISH LIPS HOLDINGS CO., LLC  
140 SILVER STREET  
DOVER, NEW HAMPSHIRE 03821  
S.C.R.D. VOL. 3585, PAGE 102

DISTURBED AREA

±25,809 square feet

SEQUENCE OF MAJOR ACTIVITIES

- CONTRACTOR SHALL PREPARE THE SWPPP, FILE FOR AND OBTAIN THE NOI A MINIMUM OF 2 WEEKS PRIOR TO COMMENCEMENT OF SITE WORK.
- PLACE TEMPORARY EROSION AND SEDIMENT CONTROL BMP'S PRIOR TO EARTH MOVING ACTIVITIES.
- ALL EROSION CONTROL AND PERIMETER CONTROLS SHALL BE INSTALLED PRIOR TO COMMENCING EARTH MOVING OPERATIONS.
- SELECTIVE DEMOLITION (IF APPLICABLE).
- INSTALL DRAINAGE STRUCTURES AND CONTROLS.
- REGRADE AS NECESSARY.
- SWALES AND PONDS (AS APPLICABLE) SHALL BE CONSTRUCTED EARLY ON IN THE CONSTRUCTION SEQUENCE AND BEFORE ROUGH GRADING OF THE SITE AND ALL DITCHED AND SWALES SHALL BE STABILIZED PRIOR TO DIRECTING RUNOFF TO THEM.
- STABILIZE, ROADWAYS & PARKING LOTS WITHIN 72 HOURS OF ACHIEVING FINISHED GRADE
- ALL CUT AND FILL SLOPES SHALL BE LOAMED AND SEEDED (AS APPLICABLE) WITHIN 72 HOURS OF ACHIEVING FINISH GRADE.
- ALL EROSION CONTROL MEASURES SHALL BE INSPECTED AT LEAST WEEKLY AND AFTER EVERY 1/4" OF RAINFALL.
- IN ALL CASES THE SMALLEST PRACTICAL AREA SHALL BE DISTURBED DURING CONSTRUCTION AND IN NO CASE SHALL EXCEED 2 ACRES AT ANY ONE TIME BEFORE DISTURBED AREAS ARE STABILIZED. ALL DISTURBED AREAS SHALL BE STABILIZED WITHIN 14 DAYS OF INITIAL DISTURBANCE.
- WHEN ALL SITE WORK IS COMPLETE AND ALL DISTURBED AREAS ARE STABILIZED REMOVE ALL TEMPORARY EROSION CONTROL MEASURES AND FILE THE EPA - N.O.T.

DEFINITIONS

AN AREA SHALL BE CONSIDERED STABLE IF ONE OF THE FOLLOWING HAS OCCURRED.

- BASE COURSE GRAVELS HAVE BEEN INSTALLED IN AREAS TO BE PAVED
- A MINIMUM OF 85% VEGETATED GROWTH HAS BEEN ESTABLISHED
- A MINIMUM OF 3" OF NON-EROSIVE MATERIAL SUCH AS STONE OR RIP-RAP HAS BEEN INSTALLED; OR
- EROSION CONTROL BLANKETS HAVE BEEN PROPERLY INSTALLED

INSTALLATION, MAINTENANCE AND INSPECTION PROCEDURES OF EROSION AND SEDIMENT CONTROLS

A. GENERAL

- THESE ARE THE GENERAL INSPECTION AND MAINTENANCE PRACTICES THAT WILL BE USED TO IMPLEMENT THE PLAN.
- ALL DITCHES SHALL BE STABILIZED PRIOR TO DIRECTING RUNOFF TO THEM.
- THE SMALLEST PRACTICAL PORTION OF THE SITE WILL BE DENUDE AT ONE TIME.
- ALL CONTROL MEASURES WILL BE INSPECTED AT LEAST ONCE EACH WEEK AND FOLLOWING ANY STORM EVENT OF 1/4 INCH OR GREATER.
- ALL EAS MEASURES WILL BE MAINTAINED IN GOOD WORKING ORDER; IF A REPAIR IS NECESSARY, IT WILL BE INITIATED WITHIN 24 HOURS OF REPORT.
- BUILT UP SEDIMENT WILL BE REMOVED FROM SILT FENCE OR CHECK DAMS WHEN IT HAS REACHED ONE THIRD THE HEIGHT OF THE FENCE OR DAM.
- ALL DIVERSION DIKES WILL BE INSPECTED AND ANY BREACHES PROMPTLY REPAIRED.
- TEMPORARY SEEDING AND PLANTING WILL BE INSPECTED FOR BARE SPOTS, WASHOUTS, AND UNHEALTHY GROWTH.
- A MAINTENANCE INSPECTION REPORT WILL BE MADE AFTER EACH INSPECTION.
- A REPRESENTATIVE OF THE OWNER, WILL BE RESPONSIBLE FOR INSPECTIONS, MAINTENANCE AND REPAIR ACTIVITIES, AND FILLING OUT THE INSPECTION AND MAINTENANCE REPORT.
- ALL AREAS SHALL BE STABILIZED WITHIN 72 HOURS OF ACHIEVING FINISH GRADE

B. SILT SOXX

- "FILTREXX SILT SOXX" WILL BE PLACED AT LOCATIONS INDICATED ON PLANS AND AS DIRECTED BY THE ENGINEER. "FILTREXX SILT SOXX" SHOULD BE INSTALLED PARALLEL TO THE BASE OF THE SLOPE OR OTHER AFFECTED AREA, PERPENDICULAR TO SHEET FLOW. IN EXTREME CONDITIONS (I.E., 2:1 SLOPES), OR WHEN SHEET FLOW FLOWS TO THE AREA FROM A PARCEL ABOVE THE WORK ZONE, A SECOND SOCK SHALL BE CONSTRUCTED AT THE TOP OF THE SLOPE IN ORDER TO DISSIPATE FLOWS. (SEE SOCK SIZE INDICATIONS IN THE DRAINAGE CHART ATTACHED)
- IF THE "FILTREXX SILT SOXX" IS TO BE LEFT AS A PERMANENT FILTER OR PART OF THE NATURAL LANDSCAPE, IT MAY BE SEEDED AT TIME OF INSTALLATION FOR ESTABLISHMENT OF PERMANENT VEGETATION. THE ENGINEER SHALL SPECIFY SEED REQUIREMENTS.
- "FILTREXX SILT SOXX" MAY BE USED IN DIRECT FLOW SITUATIONS WITHIN RUNOFF CHANNELS NOT EXCEEDING 3 FEET IN DEPTH. NORMALLY, 18" OR 24" "FILTREXX SILT SOXX" SHOULD BE USED. BE SURE TO FOLLOW STAKING DETAILS AS IDENTIFIED ABOVE.
- SEE SCHEMATIC FOR "FILTREXX SILT SOXX" INSTALLATION.

MAINTENANCE:

- THE CONTRACTOR SHALL MAINTAIN THE "FILTREXX SILT SOXX" IN A FUNCTIONAL CONDITION AT ALL TIMES AND IT SHALL BE ROUTINELY INSPECTED.
- WHERE THE "FILTREXX SILT SOXX" REQUIRES REPAIR, IT WILL BE ROUTINELY REPAIRED.
- THE CONTRACTOR SHALL REMOVE SEDIMENT COLLECTED AT THE BASE OF THE "FILTREXX SILT SOXX" WHEN THEY REACH 1/2 OF THE EXPOSED HEIGHT OF THE", OR AS DIRECTED BY THE ENGINEER. ALTERNATIVELY, RATHER THAN CREATE A SOIL DISTURBING ACTIVITY, THE ENGINEER MAY CALL FOR ADDITIONAL "FILTREXX SILT SOXX" TO BE ADDED AT AREAS OF HIGH SEDIMENTATION, PLACED IMMEDIATELY ON TOP OF THE EXISTING SEDIMENT LADEN "FILTREXX SILT SOXX".

C. MULCHING

- IN ORDER FOR MULCH TO BE EFFECTIVE, IT MUST BE IN PLACE PRIOR TO MAJOR STORM EVENTS. THERE ARE TWO (2) TYPES OF STANDARDS WHICH SHALL BE USED TO ASSURE THIS:
  - APPLY MULCH PRIOR TO ANY STORM EVENT. IT WILL BE NECESSARY TO CLOSELY MONITOR WEATHER PREDICTIONS, USUALLY BY CONTACTING THE NATIONAL WEATHER SERVICE IN CONCORD, TO HAVE ADEQUATE WARNING OF SIGNIFICANT STORMS.
  - REQUIRED MULCHING WITHIN A SPECIFIED TIME PERIOD. THE TIME PERIOD CAN RANGE FROM 14 TO 21 DAYS OF INACTIVITY ON A AREA, THE LENGTH OF TIME VARYING WITH SITE CONDITIONS. PROFESSIONAL JUDGEMENT SHALL BE USED TO EVALUATE THE INTERACTION OF SITE CONDITIONS (SOIL ERODIBILITY, SEASON OF YEAR, EXTENT OF DISTURBANCE, PROXIMITY TO SENSITIVE RESOURCES, ETC.) AND THE POTENTIAL IMPACT OF EROSION ON ADJACENT AREAS TO CHOOSE AN APPROPRIATE TIME RESTRICTION.
- APPLICATION RATE  
MULCH SHALL BE APPLIED AT A RATE OF BETWEEN 1.5 TO 2 TONS PER ACRE, OR 90 TO 100 POUNDS PER 1000 SQUARE FEET.
- GUIDELINES FOR WINTER MULCH APPLICATION. WHEN MULCH IS APPLIED TO PROVIDE PROTECTION OVER WINTER (PAST THE GROWING SEASON) IT SHALL BE AT A RATE OF 6,000 POUNDS OF HAY OR STRAW PER ACRE. A TACKIFIER MAY BE ADDED TO THE MULCH.
- MAINTENANCE ALL MULCHES MUST BE INSPECTED PERIODICALLY, IN PARTICULAR AFTER RAINSTORMS, TO CHECK FOR RILL EROSION. IF LESS THAN 90% OF THE SOIL SURFACE IS COVERED BY MULCH, ADDITIONAL MULCH SHALL BE IMMEDIATELY APPLIED.
- EXCELSIOR MATTING EXCELSIOR MATTING SHALL BE USED IN PLACE OF MULCH ON ALL SLOPES STEEPER THAN 3:1.

D. TEMPORARY GRASS COVER

- SEEDBED PREPARATION  
APPLY FERTILIZER AT THE RATE OF 600 POUNDS PER ACRE OF 10-10-10. APPLY LIMESTONE (EQUIVALENT TO 50 PERCENT CALCIUM PLUS MAGNESIUM OXIDE) AT A RATE OF THREE (3) TONS PER ACRE.
- SEEDING
  - UTILIZE ANNUAL RYE GRASS AT A RATE OF 40 LBS./ACRE.
  - WHERE THE SOIL HAS BEEN COMPACTED BY CONSTRUCTION OPERATIONS, LOOSEN SOIL TO A DEPTH OF TWO (2) INCHES BEFORE APPLYING FERTILIZER, LIME AND SEED.
  - APPLY SEED UNIFORMLY BY HAND, CYCLONE SEEDER, OR HYDROSEEDER (SLURRY INCLUDING SEED AND FERTILIZER). HYDROSEEDINGS, WHICH INCLUDE MULCH, MAY BE LEFT ON SOIL SURFACE. SEEDING RATES MUST BE INCREASED 10% WHEN HYDROSEEDING.
- MAINTENANCE  
TEMPORARY SEEDINGS SHALL BE PERIODICALLY INSPECTED. AT A MINIMUM, 95% OF THE SOIL SURFACE SHOULD BE COVERED BY VEGETATION. IF ANY EVIDENCE OF EROSION OR SEDIMENTATION IS APPARENT, REPAIRS SHALL BE MADE AND OTHER TEMPORARY MEASURES USED IN THE INTERIM (MULCH, FILTER BARRIERS, CHECK DAMS, ETC.).

E. PERMANENT SEEDING

- BEDDING - STONES LARGER THAN 1 1/2", TRASH, ROOTS, AND OTHER DEBRIS INTERFERE WITH SEEDING AND FUTURE MAINTENANCE OF THE AREA SHOULD BE REMOVED. WHERE FEASIBLE, THE SOIL SHOULD BE TILLED TO A DEPTH OF 4" TO PREPARE A SEEDBED AND MIX FERTILIZER INTO THE SOIL.
- FERTILIZER - LIME AND FERTILIZER SHOULD BE APPLIED EVENLY OVER THE AREA PRIOR TO OR AT THE TIME OF SEEDING AND INCORPORATED INTO THE SOIL. KINDS AND AMOUNTS OF LIME AND FERTILIZER SHOULD BE BASED ON AN EVALUATION OF SOIL TESTS. WHEN A SOIL TEST IS NOT AVAILABLE, THE FOLLOWING MINIMUM AMOUNTS SHOULD BE APPLIED:  
AGRICULTURAL LIMESTONE @ 100 LBS. PER 1,000 S.F.  
10-20-20 FERTILIZER @ 12 LBS. PER 1,000 S.F.
- SEED MIXTURE (RECOMMENDED)

| RATE TYPE           | LBS. PER ACRE | LBS. PER 1,000 S.F. |
|---------------------|---------------|---------------------|
| TALL FESCUE         | 20            | 0.45                |
| CREeping RED FESCUE | 20            | 0.45                |
| BIRDSFOOT TREFOIL   | 8             | 0.20                |
| TOTAL               | 48            | 1.10                |
- SODDING - SODDING IS DONE WHERE IT IS DESIRABLE TO RAPIDLY ESTABLISH COVER ON A DISTURBED AREA. SODDING AN AREA MAY BE SUBSTITUTED FOR PERMANENT SEEDING PROCEDURES ANYWHERE ON SITE. BED PREPARATION, FERTILIZING, AND PLACEMENT OF SOD SHALL BE PERFORMED ACCORDING TO THE S.C.S. HANDBOOK. SODDING IS RECOMMENDED FOR STEEP SLOPED AREAS, AREAS IMMEDIATELY ADJACENT TO SENSITIVE WATER COURSES, EASILY ERODIBLE SOILS (FINE SAND/SILT) ETC.
- PROVIDE A MINIMUM OF 4 INCHES (5 INCHES LOOSE) OF TOPSOIL TO ALL AREAS TO BE SEEDED.

MAINTENANCE OF STORMWATER MANAGEMENT FACILITIES

THE PROJECT PROPONENT IS RESPONSIBLE FOR THE MAINTENANCE OF ALL STORMWATER FACILITIES DURING CONSTRUCTION AND THE PROPERTY OWNER IS RESPONSIBLE AFTER CONSTRUCTION IS COMPLETE.

WINTER CONSTRUCTION NOTES

- ALL PROPOSED POST-DEVELOPMENT VEGETATED AREAS WHICH DO NOT EXHIBIT A MINIMUM OF 85% VEGETATIVE GROWTH BY OCTOBER 15TH, OR WHICH ARE DISTURBED AFTER OCTOBER 15TH, SHALL BE STABILIZED BY SEEDING AND INSTALLING EROSION CONTROL BLANKETS ON SLOPES GREATER THAN 3:1, AND SEEDING AND PLACING 3 TO 4 TONS OF MULCH PER ACRE, SECURED WITH ANCHORED NETTING, ELSEWHERE. THE PLACEMENT OF EROSION CONTROL BLANKETS OR MULCH AND NETTING SHALL NOT OCCUR OVER ACCUMULATED SNOW OR ON FROZEN GROUND AND SHALL BE COMPLETED IN ADVANCE OF THAW OR SPRING MELT.
- ALL SLOPES WHICH DO NOT EXHIBIT A MINIMUM OF 85% VEGETATIVE GROWTH BY OCTOBER 15TH, OR WHICH ARE DISTURBED AFTER OCTOBER 15TH SHALL BE STABILIZED WITH STONE OR EROSION CONTROL BLANKETS.
- AFTER OCTOBER 15TH, INCOMPLETE ROAD SURFACES SHALL BE PROTECTED WITH A MINIMUM OF 3-INCHES OF CRUSHED GRAVEL PER NHDOT ITEM 403.3, OR IF CONSTRUCTION IS TO CONTINUE THROUGH THE WINTER SEASON BE CLEARED OF ANY ACCUMULATED SNOW AFTER EACH STORM EVENT.

CATCH BASINS & STORMWATER TREATMENT STRUCTURES

- CULVERTS & STORMWATER TREATMENT STRUCTURES SHOULD BE INSPECTED ON A MONTHLY BASIS AND/OR AFTER A MAJOR RAINFALL EVENT TO ASSURE THAT DEBRIS OR SEDIMENTS DO NOT REDUCE THE EFFECTIVENESS OF THE SYSTEM.

WASTE DISPOSAL

A. WASTE MATERIALS

ALL WASTE MATERIALS WILL BE COLLECTED AND STORED IN SECURELY LIDDED RECEPTACLES. ALL TRASH AND CONSTRUCTION DEBRIS FROM THE SITE WILL BE DEPOSITED IN A DUMPSTER. NO CONSTRUCTION WASTE MATERIALS WILL BE BURIED ON SITE. ALL PERSONNEL WILL BE INSTRUCTED REGARDING THE CORRECT PROCEDURE FOR WASTE DISPOSAL BY THE SUPERINTENDENT.

B. HAZARDOUS WASTE

ALL HAZARDOUS WASTE MATERIALS WILL BE DISPOSED OF IN THE MANNER SPECIFIED BY LOCAL OR STATE REGULATION OR BY THE MANUFACTURER. SITE PERSONNEL WILL BE INSTRUCTED IN THESE PRACTICES BY THE SUPERINTENDENT.

C. SANITARY WASTE

ALL SANITARY WASTE WILL BE COLLECTED FROM THE PORTABLE UNITS A MINIMUM OF ONCE PER WEEK BY A LICENSED SANITARY WASTE MANAGEMENT CONTRACTOR.

SPILL PREVENTION

A. MATERIAL MANAGEMENT PRACTICES

THE FOLLOWING ARE THE MATERIAL MANAGEMENT PRACTICES THAT WILL BE USED TO REDUCE THE RISK OF SPILLS OR OTHER ACCIDENTAL EXPOSURE OF MATERIALS AND SUBSTANCES DURING CONSTRUCTION TO STORMWATER RUNOFF:

GOOD HOUSEKEEPING:

- THE FOLLOWING GOOD HOUSEKEEPING PRACTICES WILL BE FOLLOWED ON SITE DURING THE CONSTRUCTION PROJECT:
  - AN EFFORT WILL BE MADE TO STORE ONLY SUFFICIENT AMOUNTS OF PRODUCTS TO DO THE WORK.
  - ALL MATERIALS STORED ON SITE WILL BE STORED IN A NEAT, ORDERLY MANNER IN THEIR PROPER (ORIGINAL IF POSSIBLE) CONTAINERS AND, IF POSSIBLE, UNDER A ROOF OR OTHER ENCLOSURE.
  - MANUFACTURER'S RECOMMENDATIONS FOR PROPER USE AND DISPOSAL WILL BE FOLLOWED.
  - THE SITE SUPERINTENDENT WILL INSPECT DAILY TO ENSURE PROPER USE AND DISPOSAL OF MATERIALS.
  - SUBSTANCES WILL NOT BE MIXED WITH ONE ANOTHER UNLESS RECOMMENDED BY THE MANUFACTURER.
  - WHENEVER POSSIBLE ALL OF A PRODUCT WILL BE USED UP BEFORE DISPOSING OF THE CONTAINER.

HAZARDOUS PRODUCTS:

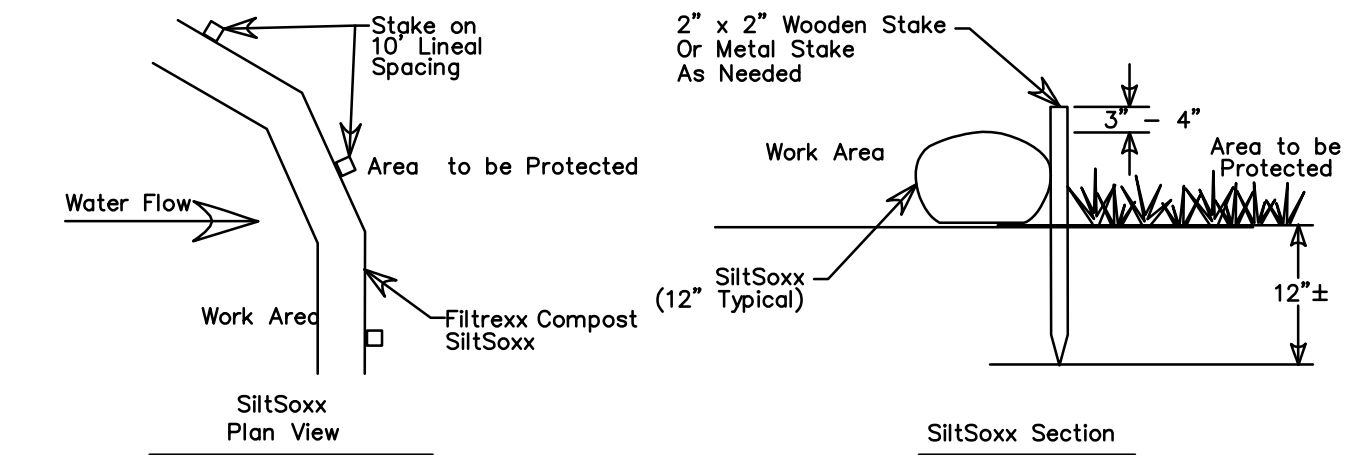
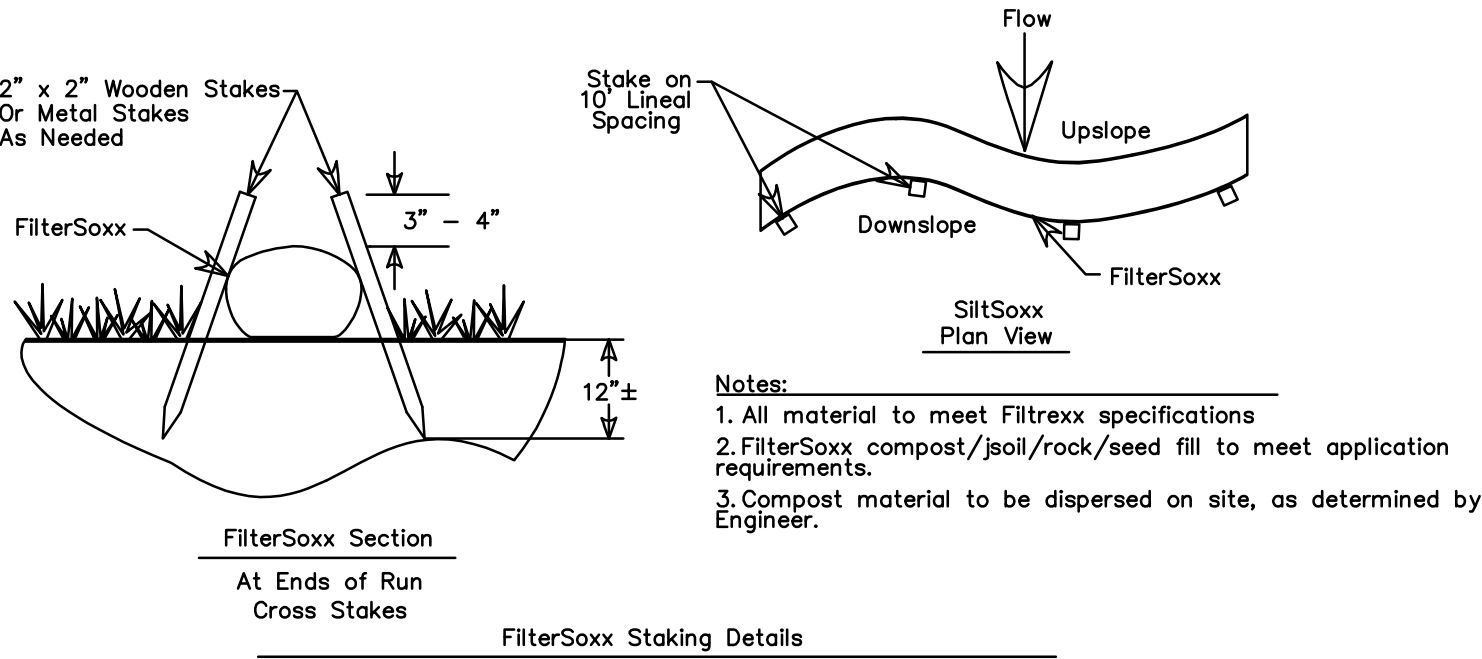
- THE FOLLOWING PRACTICES WILL BE USED TO REDUCE THE RISKS ASSOCIATED WITH HAZARDOUS MATERIALS:
  - PRODUCTS WILL BE KEPT IN THEIR ORIGINAL CONTAINERS UNLESS THEY ARE NOT RESEALABLE.
  - ORIGINAL LABELS AND MATERIAL SAFETY DATA WILL BE RETAINED FOR IMPORTANT PRODUCT INFORMATION.
  - SURPLUS PRODUCT THAT MUST BE DISPOSED OF WILL BE DISCARDED ACCORDING TO THE MANUFACTURER'S RECOMMENDED METHODS OF DISPOSAL.

B. PRODUCT SPECIFICATION PRACTICES

THE FOLLOWING PRODUCT SPECIFIC PRACTICES WILL BE FOLLOWED ON SITE: PETROLEUM PRODUCTS: ALL ON SITE VEHICLES WILL BE MONITORED FOR LEAKS AND RECEIVE REGULAR PREVENTIVE MAINTENANCE TO REDUCE LEAKAGE. PETROLEUM PRODUCTS WILL BE STORED IN TIGHTLY SEALED CONTAINERS WHICH ARE CLEARLY LABELED. ANY ASPHALT BASED SUBSTANCES USED ON SITE WILL BE APPLIED ACCORDING TO THE MANUFACTURER'S RECOMMENDATIONS.

C. SPILL CONTROL PRACTICES

- IN ADDITION TO GOOD HOUSEKEEPING AND MATERIAL MANAGEMENT PRACTICES DISCUSSED IN THE PREVIOUS SECTION THE FOLLOWING PRACTICES WILL BE FOLLOWED FOR SPILL PREVENTION AND CLEANUP:
  - MANUFACTURER'S RECOMMENDED METHODS FOR SPILL CLEANUP WILL BE CLEARLY POSTED AND SITE PERSONNEL WILL BE MADE AWARE OF THE PROCEDURES AND THE LOCATION OF THE INFORMATION AND CLEANUP SUPPLIES.
  - MATERIALS AND EQUIPMENT NECESSARY FOR SPILL CLEANUP WILL BE KEPT IN THE MATERIAL STORAGE AREA ON SITE. EQUIPMENT AND MATERIALS WILL INCLUDE BUT NOT BE LIMITED TO BROOMS, DUSTPANS, MOPS, RAGS, GLOVES, GOGGLES, KITTY LITTER, SAND, SANDSTORM AND PLASTIC OR METAL TRASH CONTAINERS SPECIFICALLY FOR THIS PURPOSE.
  - ALL SPILLS WILL BE CLEANED UP IMMEDIATELY AFTER DISCOVERY.
  - THE SPILL AREA WILL BE KEPT WELL VENTILATED AND PERSONNEL WILL WEAR APPROPRIATE PROTECTIVE CLOTHING TO PREVENT INJURY FROM CONTACT WITH A HAZARDOUS SUBSTANCE.
  - SPILLS OF TOXIC OR HAZARDOUS MATERIAL WILL BE REPORTED TO THE APPROPRIATE STATE OR LOCAL GOVERNMENT AGENCY, REGARDLESS OF THE SIZE.
  - THE SITE SUPERINTENDENT RESPONSIBLE FOR DAY-TO-DAY SITE OPERATIONS WILL BE THE SPILL PREVENTION AND CLEANUP COORDINATOR.



SiltSoxx Details

NOT TO SCALE

SILTSACK®

SPECIFICATIONS

NOTE: THE SILTSACK WILL BE MANUFACTURED FROM A WOVEN POLYPROPYLENE FABRIC THAT MEETS OR EXCEEDS THE FOLLOWING SPECIFICATIONS. AS SUPPLIED BY AH HARRIS OF PORTSMOUTH OR APPROVED EQUAL.

REGULAR FLOW SILTSACK®

(FOR AREAS OF LOW TO MODERATE PRECIPITATION AND RUN-OFF)

| PROPERTIES              | TEST METHOD | UNITS            |
|-------------------------|-------------|------------------|
| GRAB TENSILE STRENGTH   | ASTM D-4632 | 300 LBS          |
| GRAB TENSILE ELONGATION | ASTM D-4632 | 20 %             |
| PUNCTURE                | ASTM D-4833 | 120 LBS          |
| MULLEN BURST            | ASTM D-3786 | 800 PSI          |
| TRAPEZOID TEAR          | ASTM D-4583 | 150 LBS          |
| UV RESISTANCE           | ASTM D-4355 | 80 %             |
| APPARENT OPENING SIZE   | ASTM D-4751 | 40 US SIEVE      |
| FLOW RATE               | ASTM D-4491 | 40 GAL/MIN/SQ FT |
| PERMITTIVITY            | ASTM D-4491 | 0.55 SEC -1      |

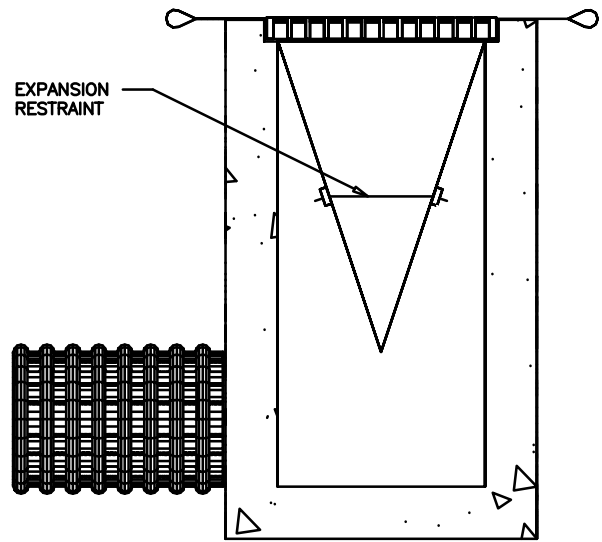
HI-FLOW SILTSACK®

(FOR AREAS OF MODERATE TO HEAVY PRECIPITATION AND RUN-OFF)

| PROPERTIES              | TEST METHOD | UNITS             |
|-------------------------|-------------|-------------------|
| GRAB TENSILE STRENGTH   | ASTM D-4632 | 265 LBS           |
| GRAB TENSILE ELONGATION | ASTM D-4632 | 20 %              |
| PUNCTURE                | ASTM D-4833 | 135 LBS           |
| MULLEN BURST            | ASTM D-3786 | 420 PSI           |
| TRAPEZOID TEAR          | ASTM D-4533 | 45 LBS            |
| UV RESISTANCE           | ASTM D-4355 | 90 %              |
| APPARENT OPENING SIZE   | ASTM D-4751 | 20 US SIEVE       |
| FLOW RATE               | ASTM D-4491 | 200 GAL/MIN/SQ FT |
| PERMITTIVITY            | ASTM D-4491 | 15 SEC -1         |

OIL-ABSORBANT SILTSACK®

(FOR AREAS WHERE THERE IS A CONCERN FOR OIL RUN-OFF OR SPILLS)  
DEPENDING ON YOUR PARTICULAR APPLICATION, THE SILTSACK® CAN BE MADE FROM EITHER ONE OF THE ABOVE FABRICS WITH AN OIL-ABSORBANT PILLOW INSERT OR, MADE COMPLETELY FROM AN OIL-ABSORBANT SILTSACK®, WITH A WOVEN PILLOW INSERT.



INSTALLATION DETAIL

DETAIL OF INLET SEDIMENT CONTROL DEVICE

NOT TO SCALE

EROSION CONTROL NOTES

PROJECT:

38 LITTLEWORTH ROAD  
DOVER, NH 03820

OWNER /APPLICANT:

38 LITTLEWORTH ROAD, LLC &  
FISH LIPS HOLDINGS CO., LLC  
DOVER, NH 03820

DATE: 1-25-18

SCALE: 1"=40'

DRAWN BY: SRD

DESIGN BY: SRD

APPROVED BY:JH

PROJECT NO:1680

FILE: SITE.DWG

NO.

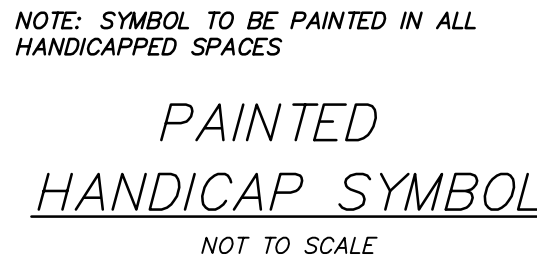
REVISION

APP'D

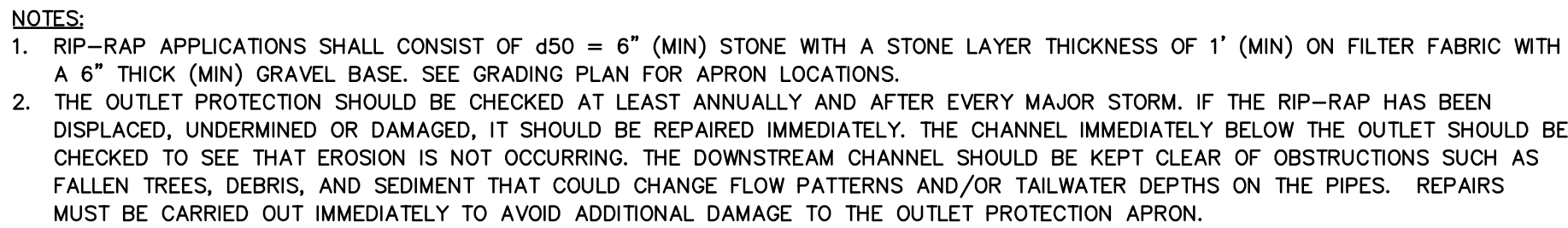
DATE

NOT FOR CONSTRUCTION FOR PERMIT USE ONLY  
PLANNING FILE NO.:

CIVILWORKS NEW ENGLAND  
CIVIL ENGINEERING  
181 Watson Road, P.O. Box 1166  
Dover, New Hampshire 03820  
(603) 749-0443



LENGTH: AS REQUIRED  
WEIGHT PER LINEAR FOOT: 2.50 LBS (MIN.)  
HOLE: 3/8" DIAMETER, 1" C-C FULL LENGTH  
STEEL: SHALL CONFORM TO ASTM A-499 (GRADE 60) OR  
ASTM A-576 (GRADE 1070 - 1080)  
FINISH: SHALL BE PAINTED WITH TWO COATS OF AN APPROVED  
MEDIUM GREEN  
  
BAKED ON AIR DRIED, PAINT OF WEATHER RESISTANT QUALITY.  
ALL FABRICATION SHALL BE COMPLETE BEFORE PAINTING.

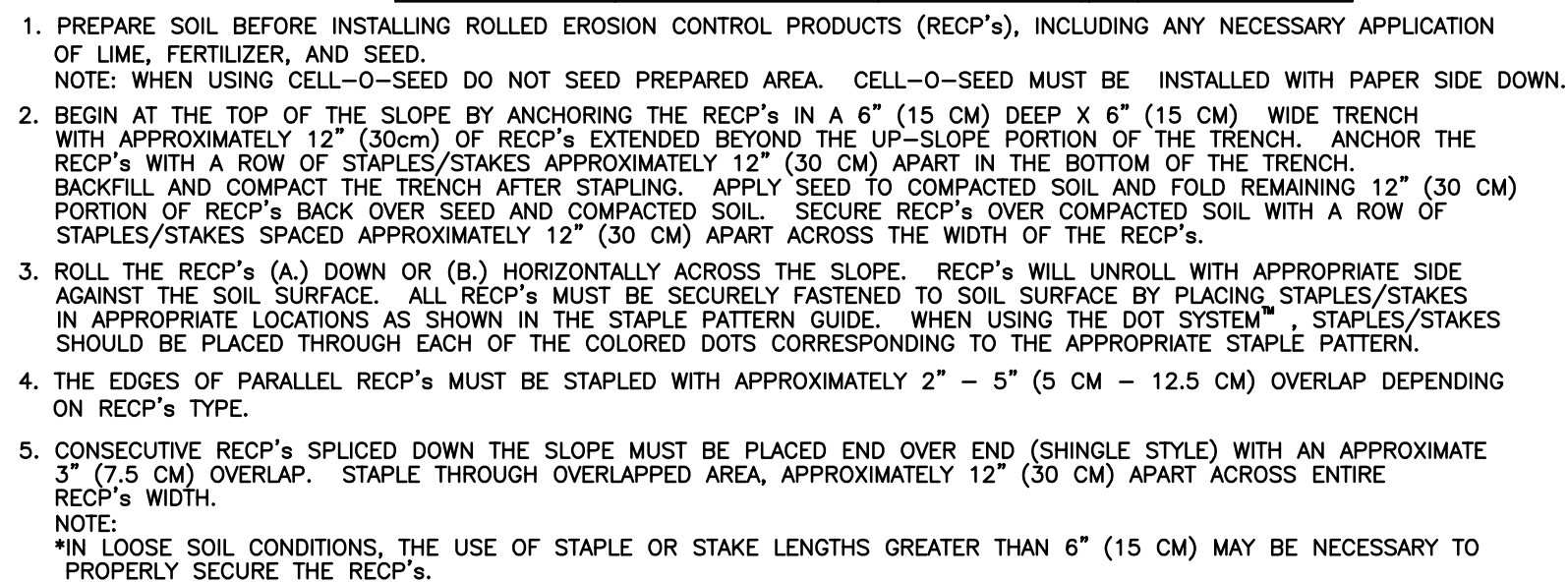


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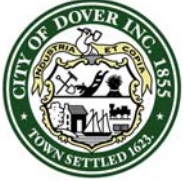
| <u>SAND BLANKET &amp; BEDDING</u> |                          | <u>3/4" CRUSHED STONE BEDDING</u> |                          |
|-----------------------------------|--------------------------|-----------------------------------|--------------------------|
| <u>SIEVE SIZE</u>                 | <u>% FINER BY WEIGHT</u> | <u>SIEVE SIZE</u>                 | <u>% FINER BY WEIGHT</u> |
| 1/2"                              | 90 - 100                 | 1"                                | 100                      |
| 200                               | 0 - 15                   | 3/4"                              | 90 - 100                 |
|                                   |                          | 1/2"                              | 20 - 50                  |
|                                   |                          | 3/8"                              | 0 - 20                   |
|                                   |                          | # 4                               | 0 - 5                    |

NOT TO SCALE



NOT TO SCALE

[illegible]

|                                                                                                               |                                                                                                                                                                                                                                                                           |
|---------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  <p><b>CITY OF DOVER</b></p> | <p style="text-align: center;"><b>CITY OF DOVER – ORDINANCE</b></p> <p style="text-align: right;"><b>Posted:</b></p> <p>Ordinance Number:   <b>O – yyyy.mm.dd -</b><br/> Ordinance Title:       Updating the Dover Zoning Ordinance<br/> Chapter:                 170</p> |
|---------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

The City of Dover Ordains:

### 1. PURPOSE

The purpose of this ordinance is to amend Chapter 170 of the Code of the City of Dover, entitled Zoning, by updating the Code to reflect changes in the community and in land use regulations.

### 2. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-6 “Definitions”, to delete the definition of Building Floor Area as follows:

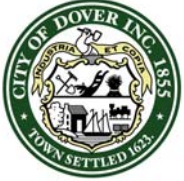
**BUILD TO LINE** means a line parallel to the STREET RIGHT-OF-WAY LINE representing the distance ~~that which~~ part of the BUILDING is must be located. Front porches, stairs and handicap ramps may extend beyond the BUILD TO LINE up to half their depth. If locating the BUILDING at the BUILD TO LINE is not possible due to SETBACK or buffer requirements of Chapter 170-27 or Chapter 170-27.1, the BUILDING shall be located as close to the BUILD TO LINE as feasible. For parcels with no frontage, the BUILD TO LINE shall be calculated from the boundary parallel to the nearest STREET RIGHT-OF-WAY LINE. For parcels with frontage on a tidal waterway, the BUILD TO LINE may be one hundred feet from the waterway, no matter the distance to the STREET RIGHT-OF-WAY LINE.

**BUILDING** means any STRUCTURE built for the support, shelter or enclosure of persons, animals, chattels or property of any kind and which is constructed and permanently affixed on the land. Such "BUILDING" includes open ~~porches~~ decks, open breezeways and any roofed areas. This in no way is to be construed to include a trailer, MANUFACTURED HOUSE or any other like product. For the purposes of measuring SETBACKs, eaves and uncovered ~~decks~~, porches ~~and~~ handicap ramps or steps may encroach into the side, REAR and front SETBACKs for a distance of up to three (3) feet. Patios are not required to meet SETBACKS.

~~“BUSINESS FLOOR AREA means that area, leased or occupied by a business, excluding hallway(s) or shared BUILDING/tenant facilities.”~~

### 3. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-7 “Establishment of Districts” to revise the name of the “Gateway District” as follows:

|                                                                                                               |                                  |                                     |                |
|---------------------------------------------------------------------------------------------------------------|----------------------------------|-------------------------------------|----------------|
|  <p><b>CITY OF DOVER</b></p> | <b>CITY OF DOVER – ORDINANCE</b> |                                     | <b>Posted:</b> |
|                                                                                                               | Ordinance Number:                | <b>O – yyyy.mm.dd -</b>             |                |
|                                                                                                               | Ordinance Title:                 | Updating the Dover Zoning Ordinance |                |
|                                                                                                               | Chapter:                         | 170                                 |                |

~~“B-5 Gateway Highway Business District~~

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12 “Applicability of Tables of Use and Dimensional Regulations By District”, by revising the Dimensional Regulations Tables in the Gateway District (B-5) to rename it to the Highway Business District.

#### 4. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-11 “Use Regulations” section D “Planning Board site Review Approval” as follows:

“D. PLANNING BOARD Site Review Approval. ~~Any~~ The following development/redevelopment meeting the criteria laid out in the Applicability section of the Site Review Regulations of the City of Dover shall be subject to the rules and regulations contained in said chapter. ~~the Site Review Regulations of the City of Dover<sup>1</sup>:~~

- ~~(1) All non-residential development or redevelopment.~~
- ~~(2) All multi-family residential uses wherein more than five (5) units are proposed for development.~~
- ~~(3) All MANUFACTURED HOUSING PARKS.~~
- ~~(4) Any chance of use as defined in Chapter 149, Site Review Regulations.~~

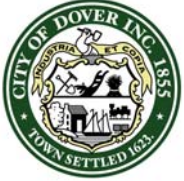
#### 5. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12 “Applicability of Tables of Use and Dimensional Regulations By District”, by revising the Dimensional Regulations Tables in the Thoroughfare Business District (B-3), HOTEL/Retail District (B-4), Gateway District (B-5) District to adjust the add Principle Building Setbacks as follows:

**B-3**

|                      |                       |
|----------------------|-----------------------|
| <b>FRONT SETBACK</b> | <b><u>5030</u> FT</b> |
|----------------------|-----------------------|

<sup>1</sup> See Ch. 149, Site Review.

|                                                                                                           |                                  |                                     |                |
|-----------------------------------------------------------------------------------------------------------|----------------------------------|-------------------------------------|----------------|
| <br><b>CITY OF DOVER</b> | <b>CITY OF DOVER – ORDINANCE</b> |                                     | <b>Posted:</b> |
|                                                                                                           | Ordinance Number:                | <b>O – yyyy.mm.dd -</b>             |                |
|                                                                                                           | Ordinance Title:                 | Updating the Dover Zoning Ordinance |                |
|                                                                                                           | Chapter:                         | 170                                 |                |

|                          |                       |
|--------------------------|-----------------------|
| ABUT A STREET<br>SETBACK | <b><u>5030</u> FT</b> |
|--------------------------|-----------------------|

B-4

|                          |                       |
|--------------------------|-----------------------|
| FRONT SETBACK            | <b><u>5030</u> FT</b> |
| ABUT A STREET<br>SETBACK | <b><u>5030</u> FT</b> |

B-5

|                          |                       |
|--------------------------|-----------------------|
| FRONT SETBACK            | <b><u>5030</u> FT</b> |
| ABUT A STREET<br>SETBACK | <b><u>5030</u> FT</b> |

**6. AMENDMENT**

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12 “Applicability of Tables of Use and Dimensional Regulations By District” by revising the Dimensional Regulations Table in the Heritage Residential District (HR) footnote [\*]: “Deviations from these requirements are permitted by Conditional Use Permit, subject to the requirements of Section 170-20.B(1), where applicable.”

**7. AMENDMENT**

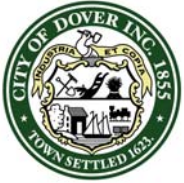
Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-14 “Nonconforming LOTS” by revising the reference to former Article X, now Article XI of this ordinance as follows:

B. “Refer to Article **XI** of this chapter for provisions regulating nonconforming LOTS that are adjacent or of continuous FRONTAGE and NONCONFORMING USES and STRUCTURES”

**8. AMENDMENT**

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-15 “OPEN SPACE Requirements”, by revising the title and adding new subsection D and E and revising the current D to F as follows:

**“170-15. ~~OPEN SPACE~~ Recreation Space and Separation between Use Requirements.** [Amended on 08-01-90 by Ord. No. 8-90, Amended on 12-09-2009 by Ord. No. 2009.09.09-15.]



CITY OF DOVER

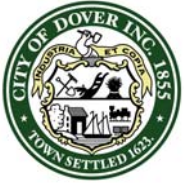
## CITY OF DOVER – ORDINANCE

Posted:

Ordinance Number: O – yyyy.mm.dd -  
Ordinance Title: Updating the Dover Zoning Ordinance  
Chapter: 170

- A. For each bedroom of a multifamily [greater than four (4) DWELLING UNITS] residential STRUCTURE, there shall be provided at least one hundred (100) square feet of usable ~~OPEN SPACE~~ recreation space. Half of this required ~~OPEN SPACE~~ recreation space shall be provided in such a manner so as to afford active recreational opportunities for children, to include such facilities as swings, sandboxes, slides, play areas, etc. The remainder of the required ~~OPEN SPACE~~ recreation space shall be provided in such a manner so as to afford passive recreational opportunities for adults, such as sitting areas, outdoor cooking facilities, walkways, etc. The active and passive recreational facilities may be combined or separated as appropriate to the site and to the anticipated occupancy needs of the development. Efficiency apartments shall be counted on the basis of fifty (50) square feet per unit. Projects which are designed not to contain children (i.e., housing for the elderly) may eliminate the active recreational component of this requirement.
- B. The minimum distance between any main BUILDING and any accessory BUILDING not structurally attached to such main BUILDING shall be not less than the HEIGHT of the REAR wall of the accessory BUILDING.
- C. No part of a yard or other ~~OPEN SPACE~~ recreation space required about any BUILDING for the purpose of complying with the provisions of this Chapter shall be included as part of a yard or other ~~OPEN SPACE~~ recreation space similarly required for another BUILDING.
- D. ~~All OPEN SPACE requirements pursuant to this section shall not be binding in the CBD, and CWD Zoning Districts.~~ Non-Residential uses requiring site plan review shall be at least one hundred fifty (150) feet from all existing residential STRUCTURES, located within residential zones.
- E. A continuous and year round visual buffer of either vegetation or fencing shall separate STRUCTURES and parking areas from existing residential STRUCTURES located to the rear and side of any proposal.
- F. All recreation space and screening requirements pursuant to this section shall not be binding in the ETP or any Mixed Use Zoning District.

AND



CITY OF DOVER

## CITY OF DOVER – ORDINANCE

Posted:

Ordinance Number: O – yyyy.mm.dd -  
Ordinance Title: Updating the Dover Zoning Ordinance  
Chapter: 170

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12 “Applicability of Tables of Use and Dimensional Regulations By District”, by revising the Dimensional Regulations table in the B-4 District revising footnote 4 as follows:

~~“[4] Buildings shall be at least one hundred fifty (150) feet from all residential structures that exist on the date of enactment of the B-4 Zoning District. A continuous visual buffer of either vegetation or fencing shall separate buildings from these existing residential structures. [Added 10-26-88 by Ord. No. 18-88] See Section 170-15”~~

### AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12 “Applicability of Tables of Use and Dimensional Regulations By District”, by revising the Dimensional Regulations table in the B-5 District revising footnote 4 as follows:

~~“[4] A continuous visual buffer of either vegetation or fencing shall separate buildings and parking areas from existing residential structures located to the rear and side of any proposal. See Section 170-15”~~

### AND

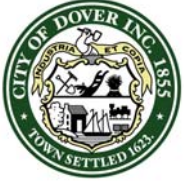
Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12 “Applicability of Tables of Use and Dimensional Regulations By District”, by revising the Dimensional Regulations table in the I-4 District revising footnote 4 as follows:

~~“[4] Buildings shall be at least one hundred fifty (150) feet from all residential structures that exist on the date of enactment of the I-4 Zoning District. A continuous visual buffer of either vegetation or fencing shall separate buildings from these existing residential structures. [Added 10-26-88 by Ord. No. 18-88] See Section 170-15”~~

## 9. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-17 “Dimensional Regulations for Handicapped Accessible Additions” by revising as follows:

“Upon the discretion of the Building Inspector, with consultation of the Zoning Administrator, in all zoning districts a STRUCTURE constructed for the express purpose of improving and/or providing accessibility to an existing BUILDING for physical and/or mentally challenged individuals may be erected within the BUILDING SETBACKS (front, side and/or REAR) as specified in the Table of Dimension Regulations provided:

|                                                                                                               |                                                                                                                                         |  |                |
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|  <p><b>CITY OF DOVER</b></p> | <b>CITY OF DOVER – ORDINANCE</b>                                                                                                        |  | <b>Posted:</b> |
|                                                                                                               | Ordinance Number: <b>O – yyyy.mm.dd -</b><br>Ordinance Title:       Updating the Dover Zoning Ordinance<br>Chapter:                 170 |  |                |

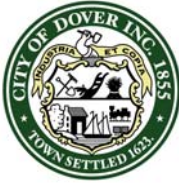
- A. The STRUCTURE cannot feasibly and practicably be constructed on the LOT in compliance with the Table of Dimensional Regulations;
- ~~B. ABUTTERS to the property on which the proposed STRUCTURE will be erected shall be notified by the Building Inspector prior to the issuance of the building permit; and~~
- C. The STRUCTURE must not create a hazard or detrimental impact to surrounding properties.”

## 10. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-20 “Central Business District Regulations”, by revising section D – “Standards and regulations”, to read as follows

### “D. Standards and regulations

- (1) The standards for use and dimensions to be utilized within the CBD are shown on the tables at the end of the section. Included in each table are the following areas:
  - (a) District Purpose
  - (b) LOT Occupation Regulations
  - (c) Diagram of BUILDING HEIGHT
  - (d) Diagram of BUILD TO LINEs
  - (e) Special Regulations
  - (f) Permitted Uses
- ~~(2) Where BUILDINGS exist on LOTS adjacent to a proposed BUILDING, the proposed BUILDING may match the more conforming of the adjacent BUILDINGS’ SETBACKs and HEIGHTs rather than match the provisions of this code, through the issuance of a conditional use permit. BUILDING HEIGHT may be increased by one (1) story for each subgrade story of parking provided on the site.~~
- (3) General Guiding Principles for BUILDING Placement



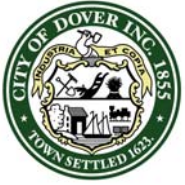
CITY OF DOVER

## CITY OF DOVER – ORDINANCE

Posted:

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Ordinance Title: Updating the Dover Zoning Ordinance  
Chapter: 170

- (a) The goal of the BUILDING HEIGHT and BUILD TO LINE standards is the creation of a healthy and vital public realm through good STREET space.
- (b) BUILDINGs are aligned and close to the STREET.
- (c) The STREET is a coherent space, with consistent BUILDING forms on both sides of the STREET, creating a clear PUBLIC SPACE and community identity.
- (d) BUILDINGs oversee the STREET (and SQUARE) with active fronts contributing to a vital and safe PUBLIC SPACE.
- (e) Property lines are physically defined by BUILDINGs or STREET WALLs.
- (f) BUILDINGs are designed for an urban feel and situation. Views are directed to the STREET and the garden/courtyard, not toward the neighbors. However within the STREET wall alcoves or small courtyards are permitted to allow for seating and public access
- (g) Vehicle storage, garbage and mechanical equipment are kept away from the STREET.
- (h) Within the General, Mixed Use, and TOD sub-districts, new retail and commercial activities are located on the GROUND FLOOR. Residential activity is not.
  - a. Where a BUILDING does not front directly onto a STREET or municipal parking lot residential activity may be located on the GROUND FLOOR. When retail and commercial activities are located on the GROUND FLOOR of BUILDINGs not fronting directly onto a STREET or municipal parking lot, the HEIGHT of the BUILDING maybe increased by one (1) story.
  - b. Where a BUILDING fronts more than one (1) STREET, residential activity may be located on the GROUND FLOOR, of the portion fronting on the secondary STREET. If retail and commercial activities are located on the GROUND FLOOR of BUILDING along all STREETs, the HEIGHT of the BUILDING maybe increased by one (1) story.

|                                                                                                               |                                                                                                                                                                                                                                                                           |
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|  <p><b>CITY OF DOVER</b></p> | <p style="text-align: center;"><b>CITY OF DOVER – ORDINANCE</b></p> <p style="text-align: right;"><b>Posted:</b></p> <p>Ordinance Number:   <b>O – yyyy.mm.dd -</b><br/> Ordinance Title:       Updating the Dover Zoning Ordinance<br/> Chapter:                 170</p> |
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i. The determination of a secondary STREET shall be made during the Site Plan Review process by vote of the Technical Review Committee.

- (i) In the Downtown Gateway residential may be located on the GROUND FLOOR, however new retail and commercial activities are encouraged to be developed.
- (j) Parking (not including on-street parking) should be away from the STREETS and shared by multiple owners/users.
- (k) Historic character should be preserved and enhanced by context sensitive construction.

## 11. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-23 “Impact Fees” as follows:

**“170-23. IMPACT FEE Ordinance. [Amended on 01-22-2003 by Ord. No. 35-02; Amended on 12-09-2009 by Ord. No. 2009.09.09-15; Amended on 11-28-2012 by Ord. No. 2012.11.14-24.]**

A. Purpose: This ordinance is enacted pursuant to RSA 674:16 and 674:21, and in order to:

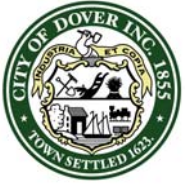
- ~~Promote public health, safety, convenience, welfare, and prosperity;~~
- ~~Insure that adequate and appropriate public facilities are available; and~~
- ~~Provide for the harmonious development of the City and its environs.~~

~~For consideration in lieu of above:~~

- (1) Assist in the implementation of the Master Plan and Capital Improvements Program;
- (2) Provide adequate public capital facilities necessitated by NEW DEVELOPMENT;
- (3) Assess an equitable share of the cost of public capital facilities to NEW DEVELOPMENT.

B. Authority

- (1) IMPACT FEES may be assessed to NEW DEVELOPMENT to compensate the City of Dover and the School District for the proportional share of capital facilities generated by NEW DEVELOPMENT in the City of Dover. Any person who seeks

| <br>CITY OF DOVER | CITY OF DOVER – ORDINANCE                                                                                                                                                               |  |
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|                                                                                                    | <div>Ordinance Number:   <b>O – yyyy.mm.dd -</b></div> <div>Ordinance Title:       Updating the Dover Zoning Ordinance</div> <div>Chapter:                 170</div> <div>Posted:</div> |  |

approval for NEW DEVELOPMENT may be required to pay an IMPACT FEE in the manner set forth herein.

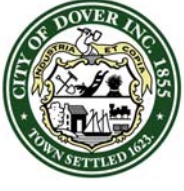
- (2) The PLANNING BOARD may, as a condition of approval of any subdivision, site plan, or change of use, and when consistent with applicable Board regulations, require an APPLICANT to pay exaction for off site improvements necessitated by the development.
- (3) Nothing in this section shall be construed to limit the existing authority of the PLANNING BOARD to disapprove proposed development which is scattered or premature, or which would require an excessive expenditure of public funds, or which would otherwise violate applicable ordinances and regulations. Nothing in this section shall be construed to limit the PLANNING BOARD’s authority to require off-site work to be performed by the APPLICANT, in lieu of paying an exaction for OFF-SITE IMPROVEMENTS, or the board’s authority to impose other types of conditions of approval. Nothing in this section shall be construed to affect types of fees governed by other statutes, ordinances or regulations.

#### C. ASSESSMENT Methodology

- (1) Proportionality: The amount of the IMPACT FEE shall be calculated by the PLANNING BOARD to be a proportional share of municipal capital improvement costs which is reasonably related to the capital needs created by the development, and to the benefits accruing to the development from the capital improvements financed by the fee. The PLANNING BOARD may prepare, adopt, or amend studies or reports that are consistent with the above standards, and which define a methodology for IMPACT FEE ASSESSMENT for public capital facilities and IMPACT FEE ASSESSMENT schedules therefore.
- (2) Existing Deficiencies: Upgrading of existing facilities and STRUCTURES, the need for which is not created by NEW DEVELOPMENT, shall not be paid for by IMPACT FEES.
- (3) In the case of NEW DEVELOPMENT created by conversion or modification of an existing use, the impact fee shall be based upon the net positive increase in the impact fee assessed for the new use as compared to the highest impact fee that was or would have been assessed for the previous use in existence on or after the effective date of this Ordinance.

#### D. Administration

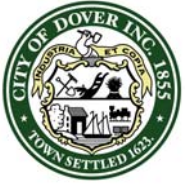
- (1) Accounting: In accord with RSA 673:16, II and RSA 674:21, V(c), IMPACT FEES shall be accounted for separately, shall be segregated from the City’s general fund,

|                                                                                                               |                                                                                                                                                                                                                                                                         |
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may be spent upon order of the City Council, and shall be used solely for the capital improvements for which it was collected, or to recoup the cost of capital improvements made in anticipation of the needs which the fee was collected to meet. In the event that bonds or similar debt instruments have been or will be issued by the City of Dover or the Dover School District for the funding of capital improvements that are the subject of IMPACT FEE ASSESSMENT, IMPACT FEES from the appropriate related capital facility IMPACT FEE accounts may be applied to pay debt service on such bonds or similar debt instruments.

(2) ASSESSMENT and COLLECTION:

- (a) Where subdivision or site plan approval is required for NEW DEVELOPMENT, IMPACT FEES shall be assessed at the time of PLANNING BOARD approval of a subdivision PLAT or site plan. The amount of such ASSESSMENT shall be applicable to subsequent BUILDING construction within the approved subdivision or site plan for a period of ~~four (4)~~ five (5) years from the date of PLANNING BOARD approval. Once this ~~four (4)~~ five (5) year period has expired, remaining construction for which no BUILDING permit has been obtained shall be subject to the adopted fee schedule in force at the time the BUILDING permit application is made.
  - (b) With the exception of those PLATS and site plans meeting the conditions in A) above, and when no other PLANNING BOARD approval is required, or has been made prior to the adoption or amendment of the IMPACT FEE ordinance, IMPACT FEES shall be assessed upon the issuance of a BUILDING permit. In such cases, the IMPACT FEE schedule in force at the time of the BUILDING permit application shall apply.
  - (c) IMPACT FEES will be collected prior to or at the time of issuance of a Certificate of Occupancy ~~BUILDING permit~~, unless the PLANNING BOARD establishes an alternate , mutually acceptable schedule of payment of IMPACT FEES imposed on an ASSESSED PROPERTY. If an alternate schedule of payment is established, the PLANNING BOARD may require security, in the form of a cash bond, letter of credit, or performance bond so as to guarantee future payment of IMPACT FEES. In no case will an IMPACT FEE payment be allowed to be made after the issuance of a CERTIFICATE OF OCCUPANCY.
- (3) Security: In the interim between ASSESSMENT and COLLECTION, the Building Inspector may require developers to post bonds, issue letters of credit, accept liens, or otherwise provide suitable measures of security so as to guarantee future payment of assessed IMPACT FEES.

|                                                                                                    |                                                                                                                                                                              |  |
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| <br>CITY OF DOVER | CITY OF DOVER – ORDINANCE                                                                                                                                                    |  |
|                                                                                                    | <div>Posted:</div> <div>Ordinance Number:   O – yyyy.mm.dd -</div> <div>Ordinance Title:     Updating the Dover Zoning Ordinance</div> <div>Chapter:               170</div> |  |

(4) Refund of Fees Paid: The current owner of record of property for which an IMPACT FEE has been paid shall be entitled to a refund of that fee, plus accrued interest under the following circumstances:

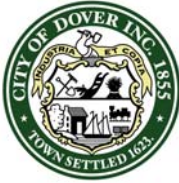
- (a) When either the full or partial portion of the IMPACT FEE, whichever is applicable, has not been encumbered or legally bound to be spent for the purpose for which it was collected within a period of six (6) years from the date of the full and final payment of the fee; or
- (b) When the City of Dover, or in the case of school IMPACT FEEs, the Dover School District, has failed, within the period of six (6) years from the date of the full and final payment of such fee, to appropriate their proportionate non-IMPACT FEE share of related capital improvement costs.

#### E. Appeals

- (1) A party aggrieved by a decision made by the Building Inspector regarding the ASSESSMENT or COLLECTION of IMPACT FEEs authorized by this Section may appeal such decision to the PLANNING BOARD.
- (2) In accord with RSA 676:5, III, appeals of the decision of the PLANNING BOARD in administering this ordinance may be made to Superior Court, as provided in RSA 676:5, III and RSA 677:15.

#### F. Waivers

- (1) The PLANNING BOARD may grant full or partial waivers of IMPACT FEEs where the PLANNING BOARD finds that one (1) or more of the following criteria are met with respect to the particular public capital facilities for which IMPACT FEEs are normally assessed:
  - (a) ~~An APPLICANT may request a full or partial waiver of school IMPACT FEEs for those residential units that are lawfully restricted to occupancy by senior citizens age sixty two (62) or over in a development that is also maintained in compliance with the provisions of RSA 354-A: 15, Housing For Older Persons. The PLANNING BOARD may waive school IMPACT FEE ASSESSMENTS on such age-restricted units where it finds that the property will be bound by lawful deeded restrictions on occupancy by senior citizens age sixty two (62) or over for a period of at least twenty (20) years.~~
  - (b) ~~A person may request a full or partial waiver of IMPACT FEEs for construction within a subdivision or site plan approved by the PLANNING BOARD prior to the effective date of this ordinance. Prior to granting such a waiver, the~~



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~~PLANNING BOARD must find that the proposed construction is entitled to the four (4) year exemption provided by RSA 674:39, pursuant to that statute. This waiver shall not be applicable to phases of a phased development project where active and substantial development, BUILDING and construction has not yet occurred in the phase in which construction is proposed.~~

- (c) The PLANNING BOARD may agree to waive all or part of an IMPACT FEE ASSESSMENT and accept in lieu of a cash payment, a proposed contribution of real property or facility improvements of equivalent value and utility to the public. Prior to acting on a request for a waiver of IMPACT FEES under this provision that would involve a contribution of real property or the construction of capital facilities; the PLANNING BOARD shall submit a copy of the waiver request to the City Council for its review and consent prior to its acceptance of the proposed contribution. The value of contributions or improvements shall be credited only toward facilities of like kind, and may not be credited to other categories of IMPACT FEE ASSESSMENT. The APPLICANT shall pay all costs incurred by the City for the review of such proposal, including consultant and counsel fees.

### 12. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-25 “Floodplain Development”, by revising section D – “Standards and regulations”, to read as follows

“(c) Certification by a registered engineer or architect that the FLOOD PROOFING methods for any nonresidential STRUCTURE meet the FLOOD PROOFING criteria in subsection KL(2).”

### 13. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-27 “Conservation District”, by revising section D – “Procedures for Subdivision”, to read as follows

“D. Procedures for subdivision. No subdivision of land shall be permitted which would create a LOT or parcel or leave as a remainder a LOT or parcel is solely made up of an area defined as ~~which does not have, outside the Conservation District, an area equal to the minimum LOT size or one (1) acre, whichever is less. The ZONING BOARD OF ADJUSTMENT may grant an exception to this rule if~~ unless such a LOT or parcel is to be permanently dedicated to OPEN SPACE or natural uses and is to be dedicated to a public or private agency having as a purpose the holding of such land in a natural state in perpetuity.”

|                                                                                                           |                                                                                                                                                                                                                            |
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#### 14. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-27.2 “Transfer of Development Rights” to read as follows

Insert TDR Section

#### 15. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-41 “Nonconforming STRUCTURES”, by revising section B to read as follows

“B. A BUILDING or STRUCTURE nonconforming either in terms of use or BULK may be restored to its former BULK if destroyed by fire, ~~or~~ other hazard or is determined by the BUILDING OFFICIAL to be a hazard to persons or BUILDINGS abutting it, provided that restoration of the STRUCTURE is begun within twelve (12) months after the act of destruction. All such STRUCTURES in use at the time of destruction for agricultural purposes shall be exempt from the provisions of this subsection, provided that such reconstruction, ALTERATIONS or repairs are in compliance with the provisions of subsection A.”

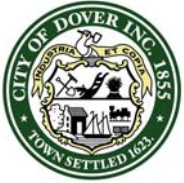
#### 16. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-42 “Repairs and Maintenance” to read as follows:

“On any nonconforming STRUCTURE or portion of a STRUCTURE containing a NONCONFORMING USE, ordinary repairs may be made, subject to the following provisions: if a nonconforming STRUCTURE or portion of a STRUCTURE containing a NONCONFORMING USE becomes physically unsafe or unlawful due to lack of repairs and maintenance and is so declared by any duly authorized official to be unsafe or unlawful by reason of physical condition, an owner shall be able to restore, repair or rebuild it within six (6) months of said determination, in its existing location. Otherwise, it shall not thereafter be restored, repaired or rebuilt except in conformity with the regulations of the district in which it is located. Any duly authorized official charged with protecting the public safety may rightfully order a STRUCTURE to be secured to a safe condition.”

#### 17. TAKES EFFECT

This ordinance shall take effect upon passage and publication of notice as required by RSA 47:18.



CITY OF DOVER

## CITY OF DOVER – ORDINANCE

Posted:

Ordinance Number: O – yyyy.mm.dd -  
Ordinance Title: Updating the Dover Zoning Ordinance  
Chapter: 170

### AUTHORIZATION

Approved as to  
Funding:

Daniel R. Lynch  
Finance Director

Sponsored by: Councilor Dennis Ciotti  
City Council Planning Board  
Representative

Approved as to Legal  
Form  
and Compliance:

Anthony Blenkinsop  
City Attorney

Recorded by:

Karen Lavertu  
City Clerk

### DOCUMENT HISTORY:

|                        |                      |
|------------------------|----------------------|
| First Reading<br>Date: | Public Hearing Date: |
| Approved Date:         | Effective Date:      |

### DOCUMENT ACTIONS:

| VOTING RECORD                          |     |    |
|----------------------------------------|-----|----|
| Date of Vote:                          | YES | NO |
| Mayor, Karen Weston                    |     |    |
| Deputy Mayor, Robert Carrier           |     |    |
| Councilor John O'Connor, Ward 1        |     |    |
| Councilor Dennis Ciotti, Ward 2        |     |    |
| Councilor Deborah Thibodeaux, Ward 3   |     |    |
| Councilor Joseph Nicolella, Jr, Ward 4 |     |    |
| Councilor Dennis Shanahan, Ward 5      |     |    |
| Councilor Jason Gagnon, Ward 6         |     |    |
| Councilor Sarah Greenshields, At Large |     |    |
| Total Votes:                           |     |    |
| Resolution does   does not pass.       |     |    |

### ORDINANCE BACKGROUND MATERIAL:

170-27.2. TRANSFER OF DEVELOPMENT RIGHTS. [Amended on 10-31-90 by Ord. No. 16-90; Amended on 01-22-2003 by Ord.35-02; Amended on 12-09-2009 by Ord. No. 2009.09.09-15; Amended on 02-22-2012 by Ord. No. 2012.01.25.]

- A. Authority. By the authority granted under RSA 674:21, this section creates overlay district(s) for the purpose of transferring DEVELOPMENT RIGHTS (TDR) within said districts.
- B. Purpose and Intent. Within the City of Dover there are certain lands that possess significant conservation features, including but not limited to wetlands, groundwater recharge zones, forested areas, wildlife habitat, farmland, scenic viewsheds, historic landmarks, and linkages to other such areas. Because of their unique assemblages of flora and fauna and their significant contribution to the ecological system and/or the cultural identity of our community, these lands are worthy of special protection. The City of Dover furthermore, has a limited supply of land suitable for development. The purpose of this overriding district is to promote intensive development on the developable land possessing the least conservation value and to permanently protect lands possessing significant conservation features that provide unique values in their undisturbed condition.  
Additionally, it is recognized that the City of Dover has an Open Lands Committee and Conservation Commission who are active in protecting and preserving OPEN SPACE.
- C. Applicability. Upon request by an APPLICANT for development approval and at the discretion of the PLANNING BOARD, the provisions of this subsection may apply to the district(s) defined in this subsection E below.
- D. Districts Defined.
  - (1) The Industrial TDR DISTRICT is hereby determined to be any I-4 or B-4 zoning district as shown on the Zoning Map for the City of Dover, New Hampshire, adopted December 9, 2009. The SENDING AREA is defined to be OPEN SPACE and related SETBACKS as defined by the City of Dover Wetland Protection District, Chapter 170-27.1, which are located in any I-4 or B-4 zoning district. The RECEIVING AREA is defined to be all remaining land in be any I-4 or B-4 zoning district.
  - (2) The Residential TDR DISTRICT is hereby determined to be Residential districts noted or displayed on the Zoning Map for the City of Dover, New Hampshire, adopted December 9, 2009. The SENDING AREA is defined to be any land preserved by the City of Dover through conservation programs in the R-40 or R-20 residential zoning districts. The RECEIVING AREA is defined to be all non-R-40 or R-20 zoning districts east of the Spaulding Turnpike which allow residential development.
- ~~(2)~~a. If the units created meet the requirements of Section G 3) (a) below, the receiving area may be any zoning district that allows residential development.
- E. Procedural Requirements.
  - (1) At the discretion of the PLANNING BOARD, an APPLICANT for development approval within the RECEIVING AREA of the defined Industrial TDR DISTRICT may apply the performance standards specified in Subsection F below in return for the acquisition of land or DEVELOPMENT RIGHTS from the

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SENDING AREA within the same TDR DISTRICT. The performance standards for the Residential TDR DISTRICT are outlined in Subsection G below.

- (2) A certified boundary survey of the associated land in the SENDING AREA shall be submitted as a supplement to the site plan or subdivision plan for development within the RECEIVING AREA. ~~For residential application, proof of previous preservation by the City of Dover is required.~~
- (3) The owner of the subject OPEN SPACE within the SENDING AREA of the TDR DISTRICT shall SIGN all application materials as a co- APPLICANT of the development application. For residential application, proof of an agreement to sell DEVELOPMENT RIGHTS must be provided by the Conservation Commission.
- (4) A sketch plan estimating layout of the development site and identifying the OPEN SPACE associated with the plan shall be submitted to the PLANNING BOARD for review at a regularly scheduled meeting. The PLANNING BOARD, within thirty (30) days of its review of the sketch plan, shall determine if waivers will be granted as allowed in Subsections ~~G-F~~ and ~~H-G~~ below. Following this decision, a final application is prepared. The final application for development approval shall be reviewed in accordance with the standard plan review process and subjected to all applicable development regulations, except as provided in this section.
- (5) A perpetual easement or restrictive covenant shall be recorded at the Strafford County Registry of Deeds that preserves the designated OPEN SPACE within the SENDING AREA. Said easement or covenant may allow for the continuance of existing residential and agricultural activities, and may allow for utility and access crossings in accordance with subsection I below. The designation of the land protection agency to hold the easement shall be approved by the PLANNING BOARD.

F. Industrial Performance Standards.

- (1) Land within a SENDING AREA, when surveyed, approved by the PLANNING BOARD and preserved by easement or covenant as specified in Subsection E above, may be counted for the OPEN SPACE requirement for a development site in a RECEIVING AREA. The amount of land preserved in a SENDING AREA shall equal or exceed the OPEN SPACE requirement for the development site, but in no case be less than one (1) acre. Notwithstanding, development sites within the I-4 and B-4 zoning districts shall maintain OPEN SPACE or landscaped area on at least ten percent (10%) of the site. The design of the development site shall locate the OPEN SPACE or landscaped area to maximize the aesthetic value of the site.
- (2) The minimum LOT size requirement may be waived by the PLANNING BOARD for land subjected to the TRANSFER OF DEVELOPMENT RIGHTS.
- (3) The minimum FRONTAGE requirement may be waived by the PLANNING BOARD for land subjected to the TRANSFER OF DEVELOPMENT RIGHTS provided that paved access to all developed areas suitable for emergency vehicles is approved by the PLANNING BOARD.
- (4) SETBACKS for parking, paved areas, and BUILDINGS may be waived by the PLANNING BOARD, and be consistent with the intent to promote intensive development of suitable development sites. Notwithstanding, BUILDINGS shall

be at least one hundred fifty (150) feet from residential STRUCTURES that exist on the date of enactment of the I-4 and B-4 Zoning districts, and seventy five (75) feet from the LOT LINE of a disagreeing residential ABUTTER.

- (5) The developer shall record covenants that address architectural considerations for STRUCTURES, SIGNAGE and lighting that are designed to promote the highest possible aesthetic quality of the development site.
- (6) A landscaping plan shall be submitted with a development application that depicts landscaping or OPEN SPACE around the perimeter of the site, near the proposed BUILDINGS, and within the parking LOT that promotes the highest possible aesthetic quality of the development.

G. Residential Performance Standards.

~~(1) A residential TRANSFER OF DEVELOPMENT RIGHTS APPLICANT may pursue one of the following methods for TRANSFERING DEVELOPMENT RIGHTS. Annually, the City shall update a document identifying the cumulative cost per acre spent to preserve OPEN SPACE within the City of Dover. This list shall be kept on file in the Department of Planning and Community Development, and coordinated with the Conservation Commission.~~

~~(2) Proceeds from the purchase of DEVELOPMENT RIGHTS, shall be placed into the Conservation Fund to be used to purchase future property or easements, and not into the general fund.~~

~~(+)(3) A residential TRANSFER OF DEVELOPMENT RIGHTS APPLICANT may pursue one of the following methods for TRANSFERING DEVELOPMENT RIGHTS.~~

~~(2)-~~

(a) ~~Private land~~Single Family Unit transfer method

i. An applicant shall develop a baseline yield for a lot, through the following formula

1. The square footage of the parent lot minus environmental constraints (wetlands, conservation areas etc) is the base lot size.
2. The base lot size is then reduced by fifteen (15) percent for roadway, this creates the net area.
3. Frontage along the public road is applied for the parent lot. The net area is then multiplied by a factor, determined by the amount of wetlands over the full lot. This is the developable area.

| <u>Percentage of Parcel that is wetlands</u>                                     | <u>Factor</u> |
|----------------------------------------------------------------------------------|---------------|
| <u>0&lt;10%</u>                                                                  | <u>0.85</u>   |
| <u>11&lt;20%</u>                                                                 | <u>0.8</u>    |
| <u>21&lt;30%</u>                                                                 | <u>0.75</u>   |
| <u>If wetlands make up more than 30% the parcel does not qualify for the TDR</u> |               |

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4. The developable area is the divided by the minimum lot size. The number of units is the resulting whole number (no rounding).
  - a. This base number is not required to be restricted by the requirements in subsection iii.
- ii. The transfer shall equate to one and a half (1.5) dwelling units per acre preserved. The unit count shall be the whole number value and not rounded up.
- iii. The units created, through the transfer, must be:
  - ~~(b) -s~~Sold, and are not for rental purposes.
  1.
  2. NThe units created shall be no larger than fourteen hundred (1,400) square feet of living area
    - a. Future additions or conversion of space shall result in a total living area of no more than seventeen hundred (1,700) square feet.
- iv. A note shall be placed on the approved plan and any Building Permit shall note the adherence to this section of the Code.
  - (i) For land in the sending district to be eligible for a TRANSFER OF DEVELOPMENT RIGHTS, it must be a parcel of at least five (5) acres, and developable under the existing land use regulations.
  - (ii) Land within a SENDING AREA, when surveyed, endorsed by the Conservation Commission/Open Lands Committee, approved by the PLANNING BOARD and preserved by easement or covenant as specified in subsection E above, may be counted for the minimum lot size requirement for a development site in a RECEIVING AREA. The criteria used by Open Lands Committee to rank parcels shall be listed on the application.
- ~~(e)~~(b) Land bankTwo family, three family and 4 or more unit method
  - (i) The transfer may be through the purchase of development rights, as described in G) (1) and (2), or through the protection of land via a permanent conservation easement as per section E) (5).
  - (i) For land in the sending district to be eligible for a TRANSFER OF DEVELOPMENT RIGHTS, it must be a parcel or easement purchased by the City through the use of Conservation funds allocated and approved by the City Council.
  - (ii) Annually, the City shall update a document identifying the cumulative cost per acre spent to preserve OPEN SPACE within the City of Dover. This list shall be kept on file in the Department of Planning and Community Development, and coordinated with the Conservation Commission.
  - (iii) Proceeds from the purchase of DEVELOPMENT RIGHTS, shall be placed into the Conservation Fund to be used to purchase future property or easements, and not into the general fund.

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~~(ii) Regardless of the method utilized, the transfer shall equate to one (1) unit per acre preserved. If the end result is a village themed residential/commercial project, the transfer shall equate to one (1) unit per tenth (10th) of an acre preserved.~~

~~(3) A minimum of three (3) acres shall be purchased.~~

(4) Regardless of the method utilized, the minimum LOT size requirement may be waived by the PLANNING BOARD for land subjected to the TRANSFER OF DEVELOPMENT RIGHTS.

(5) Regardless of the method utilized, the setbacks shall be:

| MINIMUM DISTANCE AROUND<br>INDIVIDUAL UNITS IN CLUSTERS |               | MINIMUM BUILDING SETBACKS FOR<br>SUBDIVISION LOTS |                     |
|---------------------------------------------------------|---------------|---------------------------------------------------|---------------------|
| STREET Sides of Units                                   | Between Units | Abutting A STREET                                 | Abutting A LOT LINE |
| 20 feet                                                 | 20 feet       | 20 feet                                           | 10 feet             |

~~(4)~~

(6) Regardless of the method utilized, the minimum FRONTAGE requirement may be waived by the PLANNING BOARD, for land subjected to the TRANSFER OF DEVELOPMENT RIGHTS provided that paved access to all developed areas suitable for emergency vehicles is approved by the PLANNING BOARD.

a. If lots are proposed, the minimum frontage allowed shall be forty (40) feet per unit

~~(5)~~(7) A continuous visual buffer shall be created along the perimeter of the parent parcel.

~~(6)~~(8) Regardless of the method utilized, any other provision in this Chapter to the contrary, the density or intensity of development of a receiving parcel may be increased by the TRANSFER OF DEVELOPMENT RIGHTS so long as the increase in density or intensity:

(a) Is consistent with the Master Plan

(b) Is not incompatible with the land uses on neighboring LOTS (eg a multifamily building in a single family neighborhood)

#### H. Conditional Uses.

(1) The PLANNING BOARD may grant conditional use permits to allow STREETS, roads, utilities, or other infrastructure improvements to cross wetlands within the RECEIVING AREA of the TDR DISTRICT, provided said infrastructure is essential to the productive use of land within the RECEIVING AREA of a TDR DISTRICT, and further provided that no possible location exists for said infrastructure in non-wetland areas.

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