



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

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

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

Members Not Present: James Burdin

Staff Present: Christopher Parker, Assistant City Manager

The Chair called the meeting to order at 7:00 p.m, and announced that Sarah Wheeler will be sitting in for James Burdin. Also, he announced that item 4A, a Conditional Use Permit for Fish Lips Holdings has been withdrawn.

1. CITIZENS' FORUM

Citizens Forum Open. Nobody Spoke. Citizens Forum Closed.

2. APPROVAL OF THE PRIOR MINUTES

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

Motion: F.Torr made a motion to approve the minutes as presented. Seconded by D.Ciotti. Vote U/A

3. OLD BUSINESS

None

4. 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)

Vice Chair stated the applicant has withdrawn the request.

- B. Consideration and acceptance of a Conditional Use Permit for Eversource Energy, (Owner: Gerald & Cathy Avery), Assessor's Map I, Lot 2-D, zoned RM-SU, located off Garrison Road and Shaw's Lane and Assessor's Map H, Lot 4 owned by Heron Bay Partners, LLC, zoned I-4, located off Cielo Drive. (Proposal is to replace existing power line structures in utility easements in two locations. One location is within the Conservation District adjacent to tidal Bellamy River. Temporary wetland impacts are 1,969 square feet). *(P18-13)

C. Parker explained that the applicant is seeking a Conditional Use Permit to replace existing power line structures in utility easements in two locations. There are temporary wetlands impact of 1,969 square feet in one location and work within the Conservation District adjacent to tidal Bellamy River in a second location. The Conservation Commission reviewed and endorsed this project on March 12, 2018.

Matt Cordin and Adelle Fiorenzo represented the application and reviewed the details of the plan.



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Motion: F.Torr made a motion to accept the application. Seconded by T.VClark. 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 Wetlands Protection District ordinance which allows impacts to wetlands and wetlands buffers if standards are met documenting the 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 Shoreland Permit.

C.Parker clarified for D.Ciotti the height of the wires and proximity to City owned property.

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

- C. Consideration and acceptance of a Site Review for Hellenic Realty Partners, LLC, Assessor's Map 2, Lot 19, zoned CBD-G, located at 333 Central Avenue. (Proposal is to renovate the existing building and add two new floors to one portion of the building. There will be approximately 16,100 sq. ft. of commercial space throughout, 18 residential units, and 47 parking spaces). *(P18-04)

C.Parker explained that the applicant is requesting to renovate the former headquarters of *Foster's Daily Democrat* recreating 16,000 square feet of commercial space, and creating 18 residential units. Most of the renovation will be within the existing structure, with an extension of the third and fourth floor on the Henry Law Avenue side of the building.

The design and layout calls for commercial uses on Henry Law Avenue and Central Avenue on the ground floor with residential on the upper floors. Part of the ground floor space, which is below grade, will be used for mechanical and parking uses. As this is an existing building, with no new structure, the minimum buildout of the property is not changing, nor is relief required. At this time no streetscape improvements are being made to Henry Law Avenue, though designs have been created. The City will collect a contribution towards the CIP project for the reconstruction of Henry Law Avenue.

The applicant came before the Technical Review Committee on January 25.

Nick Kostis reviewed the vision and goals of the project.

Mike Sievert represented the application and reviewed the engineering details of the plan.

Shannon Alther reviewed the floor plans and design of the building.

C.Parker clarified the location and width of the sidewalk on William Street for D.Ciotti. Consensus was to have the applicant work with the City to create a painted area along the edge of the ROW for pedestrians.



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S.Alther confirmed for D.Landry the flow of commercial space on floor two, and the security features of the building for L.Skinner. Finally, he explained the material specified for the rear of the building for T.Clark, and proposed windows for D.Landry.

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

Public hearing opened. No one Spoke Public Hearing Closed.

STAFF RECOMMENDATION

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:

Conditions to be Met Prior to Signing of the Plans:

1. The applicant shall provide:
 - a. A digital version of plan set
 - b. A stormwater operations and maintenance plan
 - c. A Landscape operations and maintenance plan
2. The applicant must revise final plan set to:
 - a. Add the owner's signatures
 - b. Include the Professional Engineer, Licensed Land Surveyor, Architect, and Licensed Landscape Architect stamp and signatures
 - c. Include the architectural and neighborhood plans in the Civil set.
3. The applicant and the City shall enter into an agreement regarding:
 - a. the value of a contribution to be made towards the Henry Law Avenue improvements,
 - b. the need to adjust the Central Avenue northbound approach to Washington Street, and
 - c. the management of the surface parking lot.

Conditions to Be Met Prior to Any Construction Activity:

4. Formal notice shall be supplied to all vendors that construction vehicles shall be parked onsite. Proof shall be submitted to the Planning Department.

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

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

Conditions to Be Met Prior to Occupancy:

6. Issuance of a certificate of occupancy.
7. Any new dwelling units and commercial space shall be assessed the current impact fees in place at the time of building permit application.
8. The applicant shall provide a letter of credit or other form of security acceptable to the City for any unfinished work.
9. The applicant shall provide the value agreed to with the City towards the improvements at Henry Law Avenue.

M.Sievert clarified the letter from the arborists for L.Skinner.

N.Kostis agreed to review the tower design, to reflect the mills downtown, for H.Harmon and D.Ciotti.



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Motion: F.Torr made a motion to approve the Site Plan subject to the staff recommended conditions. Seconded by T.Clark

D.Ciotti complimented the process, and F.Torr complimented the project.
Vote U/A

D. Presentation of proposed land use amendments to the Site Review Regulations, Subdivision Regulations, and the Zoning Ordinance.

C. Parker reviewed the three packets, and introduced the proposed amendments. They are as follows:

- Zoning
 - Amend definitions for Build To Line, Building and delete Business Frontage
 - Discussion ensued regarding updating “accessibility” terms.
 - Rename the B-5 District to avoid confusion with Downtown Gateway
 - Amend Use Regulations to remove site review applicability
 - Amend B-3, B-4 and B-5 district front setback to be closer to ROW
 - Correct a footnote in the HR table
 - Amend nonconforming lot provisions
 - Amend to rename “Open Space” and update requirements relative to mixed uses
 - Amend dimensional regulations for accessible additions to not require the Building Inspector to notify abutters
 - Discussion ensued regarding updating “accessibility” terms.
 - Revise Central Business District regulations to clarify uses allowed on first floor and height in general district
 - Amend Impact Fees ordinance
 - Correct reference in floodplain ordinance
 - Amend Cons District calculation for min lot size
 - Revise TDR regulations to encourage affordable single family homes
 - Amend rebuild for damage for nonconforming structures
 - Amend prohibition on repairs for nonconforming structures
 - Discussion ensued regarding delegating authority to Housing Standards Board

Motion: T.Clark made a motion to post the amendments, with minor amendments. Seconded by F.Torr. Vote U/A

- Site Review
 - Clarify the standards for review of paved areas
 - Amend to include a 2 year landscape bond
 - Remove requirements of fiscal analysis and insert relevant ones into the application.
 - Update landscape regulations
 - Update to require Landscape O&M plan
 - Create requirements for minor site plans
 - Amend roadway design to insert guidance on roundabouts
 - Insert driveway widths for commercial/multi-family units
 - Amend lighting requirements in urban areas
 - Amend parking lot dimensions
 - Update definition of Impervious to include recreation areas

Motion: T.Clark made a motion to post the amendments, with minor amendments. Seconded by F.Torr. Vote U/A



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- Subdivision of Land
 - Add references to driveway requirements
 - Amend to include a 2 year landscape bond
 - Amend to require Landscape O&M plan
 - Amend length of a cul de sac
 - Amend roadway design to insert guidance on roundabouts
 - Amend the chapter to add elements to Chapter 92, Driveways to eliminate that chapter

Motion: D.Ciotti made a motion to post the amendments, with minor amendments. Seconded by G. Cruikshank. Vote U/A

5. STAFF COMMENTS

- Review TRC projects: 58 New Rochester Road, 6 Grove Street
- Updated the Board on Washington Street.
- Looking for a representative to Strafford Regional Planning, as a commissioner.
- March 14 the Council review of the Master Plan
- March 21 the Council review findings about downtown made by UNH students.
- April 28 Conference for PB Members

6. MEMBER COMMENTS

7. ADJOURNMENT

Motion: G. Cruikshank made a motion to adjourn at 9:24 p.m. Seconded by D.Landry. Vote U/A