



DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers – City Hall, 288 Central Avenue
Meeting Date: **Tuesday, May 8, 2018**
Meeting Time: **7:00 pm**

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

Members Not Present: Kirt Schuman (Chair), Dave White, Hayley Harmon (Alternate)

Staff Present: Christopher Parker, Assistant City Manager,

The Vice Chair called the meeting to order at 7:00 p.m, and announced that T.Donnovan would sit in for K.Schuman, and S.Wheeler sitting in for D.White Also noted that the lot line adjustment on Olive Meadow was withdrawn.

1. CITIZENS' FORUM

Citizens Forum Open. Nobody Spoke. Citizens Forum Closed.

2. APPROVAL OF THE PRIOR MINUTES

- April 24, 2018 Regular Meeting Minutes
- April 24, 2018 Workshop Meeting Minutes

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

3. OLD BUSINESS

- A. Review amendments to Chapter 149, entitled “Site Review Regulations” to revise landscaping requirements.

C.Parker reviewed the status and the potential language.

L.Skinner suggested that the stormwater section reference thresholds.

4. NEW BUSINESS

Vice Chair stated the next three items would be heard together, and voted separately.

- A. Consideration and acceptance of a Lot Line Adjustment for 6 Grove Street Residences LLC, (Owners: 6 Grove Street Residences & Gotham Holdings, LLC), Assessor's Map 31, Lot 14 & 14D-1, zoned CBD-TOD, and located at 6 Grove Street. *(P16-31A)
- B. Consideration and acceptance of a Conditional Use Permit for 6 Grove Street Residences LLC, (Owners: 6 Grove Street Residences & Gotham Holdings, LLC) Assessor's Map 31, Lot 14, zoned CBD-TOD, and located at 6 Grove Street. (Proposal is to allow a two story structure where a minimum of three stories is required, and to provide less than the minimum 75% required lot coverage.) *(P16-31B)
- C. Consideration and acceptance of a Site Plan Amendment for 6 Grove Street Residences LLC, (Owners: 6 Grove Street Residences & Gotham Holdings LLC), Assessor's Map 31, Lot 14, zoned CBD-TOD, and located at 6 Grove Street. (Proposal is to convert an existing building into 32 residential rental units and 8,967 sq. ft. of commercial space and construct 6 townhouses units. The proposal will also include 39 on-site parking spaces). *(P16-31C)



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers – City Hall, 288 Central Avenue
Meeting Date: **Tuesday, May 8, 2018**
Meeting Time: **7:00 pm**

C.Parker explained that the main applicant received site plan approval in 2017 for a mixed use building with 38 units and 9,000 square footage of commercial on the first floor. The applicant determined that it did not make sense to add a fifth floor to the building, and is seeking to amend the site plan to relocate the additional units to two buildings on land currently owned by an abutter. In total, there is a reduction of 2 units.

The lot line adjustment application is to convey that land to the applicant so that the two buildings can be constructed. A total of 9,046 square feet would be conveyed from Map 31 Lot14 D-1 to Map 31 Lot 14. Lot 14D-1 is a vacant lot. There is no minimum lot size or frontage requirement in this zoning district. They are proposed to be 2 stories as opposed to three, as required in the district, this the Conditional Use Permit would allow the two story structures. The second Permit would allow a lot coverage of 35.58%, where the minimum lot coverage of the TOD sub-district is 75%. The existing lot coverage is 39%. The applicant provided material to support its request.

Finally, the applicant is seeking a waiver from Section 149-14.G(1) for interior landscaping requirements. Instead of additional landscaping islands, the applicant increased perimeter landscaping in areas identified by the TRC.

The applicant appeared before the Technical Review Committee on February 8, 2018. Staff, the applicants and abutters met on April 18 to review the plans and address traffic and stormwater concerns.

Christopher Berry represented the applications and review the details of the plan and development program.

Motion: T.Clark made a motion to accept the applications. Seconded by D.Landry. Vote U/A

Public hearing opened.

Chris Alibrini 9 Frances Drive represented the River Run Association. She appreciated the efforts made to address traffic concerns and flow with curbing. She expressed concerns regarding the parking and quality of construction. She also conveyed a concern that the Association has property rights relative to easements and those need to be protected.

Carl Citelli, 8 Frances Drive express concerns about visitor parking and vehicle loading.

A.Boulanger, 6 Grove Street, expressed concerns about quality of construction and the reliability of the developer

Public Hearing Closed.

T.Clark stated that the Planning Board is not the venue for civil concerns relative to easement allowances to be adjudicated. The Board reviews applications understanding that the applicant presents that it has the legal right to develop its property or in this case convey property to an abutter. The Board should not get in the middle of civil actions.

Discussion ensued regarding parking, the approval process for amending a site plan, and holding a site walk.

Motion: L.Skinner made a motion to table for a site walk Seconded by D.landry. Vote 4/5. Motion fails.



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers – City Hall, 288 Central Avenue
Meeting Date: **Tuesday, May 8, 2018**
Meeting Time: **7:00 pm**

STAFF RECOMMENDATION: LOT LINE ADJUSTMENT

Staff finds that the request is consistent with the provisions of Chapter 155-18, Subdivision of Land which provides for the adjustment of existing lot lines between two or more lots.

Conditions to Be Met Prior to Signing of Plans:

1. The applicant shall provide the Planning Department with a digital version of the final plat.
2. The applicant shall revise the plat to:
 - a. Add the owners' signatures to the final plat submitted for signature to be recorded at the Strafford County Registry of Deeds
 - b. Include location, names and widths of existing streets, including pavement widths, grades, curbs, and crosswalks
 - c. Include setbacks or build-to lines
 - d. Indicate material and size of proposed permanent monuments.

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

STAFF RECOMMENDATION: Conditional Use Permit

Staff finds that the request is consistent with the provisions of Chapter 170-20-B(1) regarding granting Conditional Use Permits for alteration of standards in the district. Staff recommends that the Planning Board approve the plan with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

1. Site plan (P16-31C) shall be approved.
2. The applicant shall be subject to a formal agreement between the Planning Board and the applicant. Said agreement shall be recorded at the Strafford County Registry of Deeds per Chapter 170-20.B(3).

Motion: J.Buridin made a motion to approve the Conditional Use Permit subject to the staff recommended conditions. Seconded by T.Clark. Vote U/A

STAFF RECOMMENDATION: Waiver

Staff recommends that the Board approve the waiver from Section 149-14.G(1) for interior landscaping requirements with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

1. The applicant shall revise the plan to note that the Board finds the criteria of 149-19A have been met based upon the materials presented and note what the waiver is for.

Motion: J.Buridin made a motion to approve the Waiver subject to the staff recommended conditions. Seconded by T.Clark. Vote U/A

STAFF RECOMMENDATION: SITE PLAN

Staff finds that the request is consistent with the provisions of Chapter 149 regarding development of land. This proposal is consistent with those standards and staff recommends that the Planning Board approve the plan with the following conditions:



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers – City Hall, 288 Central Avenue
Meeting Date: **Tuesday, May 8, 2018**
Meeting Time: **7:00 pm**

Conditions to Be Met Prior to Signing of Plans:

1. Lot Line Adjustments (P16-31A) and Conditional Use Permits (P16-31B) shall be approved.
2. The applicant shall provide:
 - a. letters from utilities regarding ability to provide service to the development
 - b. a digital version of final plan set.
 - c. A sample residential lease indicating a maximum of 1 parking permit per residential unit shall be available onsite.
3. The applicant must revise plan set to:
 - a. Should a further lot line adjustment be completed between Map 31, Lot 4-D1 and Map 31, Lot 4-D, the parcel boundaries shall be updated.
 - b. Add a note to the plan acknowledging that it supersedes approved plan P16-31
 - c. Add the owners' signatures to the final plan
 - d. add detail for 8' white vinyl fence proposed on west side of property
 - e. Add a note that any residential parking above one permit per unit shall park at Map 31 lot 22 or another off site location and not on street.

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

4. 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 Occupancy:

5. A Certificate of Occupancy shall be issued
6. New buildings shall be assessed the current impact fees in place at the time of building permit application and fees shall be paid prior to issuance of Certificate(s) of Occupancy.
7. The applicant shall provide a letter of credit or other form of security acceptable to the City for any unfinished work.

Motion: L.Skinner made a motion to remove condition 1. Seconded by D.landry. Vote U/A

Motion: J.Buridin made a motion to approve the Site Plan subject to the staff recommended conditions. Seconded by T.Clark. Vote U/A

Board took a five minute recess.

- D. Consideration and acceptance of a Minor Lot Line Adjustment for Bean Family Trust, (Owners: Daniel P. Irish and Kristopher & Elizabeth M. Reischer), Assessor's Map A, Lots 45-2, 45A-2-1 & 45A-2-3, zoned R-40, and located at 12, 22, & 32 Olive Meadow Lane. *(P18-18)

This item was withdrawn.

The Vice Chair noted that the next two applications will be heard together.

- E. Consideration and acceptance of a Major Subdivision with Transfer of Development Rights for TDAK & Company LLC, Assessor's Map 35, Lot 57, zoned R-12, located at 99 Sixth Street. (Proposal is to construct a 345 ft. private roadway to access the existing two unit condominiums as well as new construction for four additional single family detached homes). *(P18-07)



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers – City Hall, 288 Central Avenue
Meeting Date: **Tuesday, May 8, 2018**
Meeting Time: **7:00 pm**

- F. Consideration and acceptance of a Conditional Use Permit for TDAK & Company LLC, Assessor's Map 35, Lot 57, zoned R-12, and located at 99 Sixth Street. (Proposal is to construct a 345 ft private roadway impacting areas of the parcel containing 20% slopes). *(P18-19)

C.Parker explained that the applicant is seeking a subdivision under the newly posted provisions of the Transfer of Development Right's Ordinance to create smaller cottage sized single family dwelling units. The project is proposing to purchase 2 units and limit all four new dwelling units to no more than 1,400 square feet. In addition, the project seeks a waivers for road grade, as the plan shows a 10% grade, where 8% is required. A second waiver is for the provision of sidewalks, and a third is for a 30 foot wide Right of way, as opposed to a 50 foot.

This project requires a Conditional Use Permit for steep slope issues. The Conservation Commission has not yet reviewed this proposal, but it is expected to be on their May 14th agenda. If the Planning Board decides to conduct a site visit, the Conservation Commission would be invited to attend

Christopher Berry represented the applications and review the details of the plan and development program. He stated that the applicant will be providing a walkway to Sixth Street, down the unused driveway, wishing to provide for walking, but separate pedestrians from vehicles.

Motion: J.Burdin made a motion to accept the applications. Seconded by F.Torr. Vote U/A

Public hearing opened.

Bill Reily 117 Sixth Street expressed concerns about the site distance of the roadway at Sixth Street, snow removal, walkability and the ROW width.

Ken Heally 67 Hough Street expressed concerns about site distance and the grade of the road.

Gordon Smith 2A Hillcrest requested information about stormwater runoff.

Carol Carville 97 Sixth Street, concerned about lights from cars into her yard, would prefer a fence to vegetation. Requested the fourth unit be moved away from the shared property line.

Craig Carville, 2B Hillcrest concerned about density of the area

Jim Verschueren 102B Sixth Street submitted letter supporting the project with the caveat that a sidewalk should be included.

Susan Keenan, 31 Hillcrest had questions about the Conditional Use Permit for conservation land impacts.

Maureen Heally, 67 Hough, expressed concerns about view shed impact and density.

Public Hearing tabled.

C.Berry reviewed the site distance, explained the stormwater management on site, reviewed the siting of the units and the impact to the conservation district.

STAFF RECOMMENDATION:



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers – City Hall, 288 Central Avenue
Meeting Date: **Tuesday, May 8, 2018**
Meeting Time: **7:00 pm**

Staff recommends tabling the application to allow the Conservation Commission to review. Should the Board wish to perform a site walk that should be scheduled between now and then.

Motion: F.Torr made a motion to table both applications. Seconded by L.Skinner. Vote U/A

A site walk will be held May 22, at 5:30. Houses, road centerline and existing vegetation to remain shall be identified.

5. STAFF COMMENTS

- CAP has requested a 90 day extension for the congregate care facility on County Farm Road
 - **Motion:** L.Skinner made a motion to grant the 90 day extension. Seconded by D.Landry. U/A
- Review TRC projects: 146 Dover Point Road
- Updated the Board on Washington Street, Central/Glenwood, Third Street.
- Gulf of Maine Sustainable Community Award
- CDBG Award
 - D.Carpenter updated the Board on the CDBG grant award.

6. MEMBER COMMENTS

7. ADJOURNMENT

Motion: J.Burdin made a motion to adjourn at 10:37p.m. Seconded by T.Clark. Vote U/A