



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, May 22, 2018**
Meeting Time: **7:00 pm**

1. CITIZENS' FORUM

2. APPROVAL OF THE PRIOR MINUTES

- May 8, 2018 Regular Meeting Minutes

3. OLD BUSINESS

- A. Repost Zoning Amendments.
- B. Review amendments to Chapter 149, entitled "Site Review Regulations" to revise landscaping requirements.

4. NEW BUSINESS

- A. Consideration and acceptance of a Conditional Use Permit for Great Bay Yacht Club, Assessor's Map 8, Lot 40, zoned R-20, and located at 21 Wentworth Terrace. (Proposal is to replace an existing shed with a smaller shed and add an outdoor deck). *(P18-20)
- B. Consideration and acceptance of a Conditional Use Permit for Ronald & Nicole Mercier, Assessor's Map B, Lot 14C, zoned R-40, and located at 120 County Farm Cross Road. (Proposal is to construct a driveway for access to a residential building which will impact 2900 sq.ft. of wetlands and 5948 sq.ft. of wetlands buffer). *(P18-21)
- C. Consideration and acceptance of a Minor Subdivision for Ronald & Nicole Mercier, Assessor's Map B, Lot 14C, zoned R-40, and located at 120 County Farm Cross Road. (1 new lot). *(P18-22)

5. STAFF COMMENT

6. MEMBER COMMENTS

- A. Discussion on Open Space Subdivisions.

7. 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-NHPlanning@dover.nh.gov. You may also view materials at www.dover.nh.gov. Follow us on Twitter @DoverNHPlanning and find us on Facebook at <https://www.facebook.com/DoverNHPlanning>.



DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
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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)



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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.



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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.Burbin 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.Burbin 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:



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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.Burdin 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)



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- 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:



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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
 - o **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
 - o 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

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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”, revising section B as follows:

“B. Words and terms appearing in CAPITAL LETTERS throughout this Chapter shall have the meanings indicated: below. Other Land Use/Planning related words and terms not defined in this Chapter shall rely on the definition(s) contained within A Planners Dictionary published and updated by the American Planning Association.”

AND

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 a one hundred foot SETBACK, unless reduced via a Conditional Use Permit feet from the reference line, 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~~ accessible ramps or steps may encroach into the side, REAR

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and front SETBACKS for a distance of up to three (3) feet. Improvements made at ground level (patio, pads, deck) 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” in Section A and in Section B as follows:

~~“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 Dover¹:~~

~~(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.~~

¹ See Ch. 149, Site Review.

~~(4) Any change 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), Highway Business District (B-5) District to revise the Principal Building Setbacks as follows:

B-3

FRONT SETBACK	<u>50</u>30 FT
ABUT A STREET SETBACK	<u>50</u>30 FT

B-4

FRONT SETBACK	<u>50</u>30 FT
ABUT A STREET SETBACK	<u>50</u>30 FT

B-5

FRONT SETBACK	<u>50</u>30 FT
ABUT A STREET SETBACK	<u>50</u>30 FT

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”

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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.]

- 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.~~
 1. Efficiency apartments shall be counted on the basis of fifty (50) square feet per unit.
 2. A payment in lieu of providing the recreation space on site, for an identified recreation area, may be agreed to by the Planning Board.
- 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~~ for 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.

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- 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 non-residential STRUCTURES and or parking areas from existing residential STRUCTURES located to the rear and side of any proposal, STRUCTURES or parking area.
- F. All screening requirements pursuant to this section shall not be binding in the ETP or any Mixed Use Zoning District.
- G. All recreation space requirements pursuant to this section shall not be binding in the CBD – General, TOD and CWD districts.

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-4 District, 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, 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

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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, 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 Handicap Accessible Additions” by revising as follows:

~~“170-17 Dimensional Regulations for Handicap Accessible Additions~~ Removal of Barriers to Access

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 physically and/or mentally ~~challenged disabled~~ individuals may be erected within the BUILDING SETBACKS (front, side and/or REAR) as specified in the Table of Dimension Regulations provided:

- 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 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



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- (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, which shall be setback from the allowed height to create a terrace, for either:
 - (a) Each subgrade story of parking provided on the site; or.
 - (b) Additional units resulting from this CUP are restricted so that the rent of said units conforms to the HUD Fair Market Rent rates, for Dover, published annually by the New Hampshire Housing Finance Authority.
- (3) General Guiding Principles for BUILDING Placement
 - (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.



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- (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 permitted, except as follows:
 - 1. Where a BUILDING does not front directly onto a STREET or municipal parking lot, residential activity may be located on the GROUND FLOOR.
 - 2. 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.
 - i. The determination of a secondary STREET shall be made during the Site Plan Review process by vote of the Technical Review Committee.
 - 3. If retail and commercial activities are located on the GROUND FLOOR of BUILDINGs not fronting directly onto a STREET or municipal parking lot or on secondary STREETs, the HEIGHT of the BUILDING may be increased by one (1) story.
 - i. Any additional stories shall be setback to create a terrace, and approved via a Conditional Use Permit.
- (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.

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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 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

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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, 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

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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.
- (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



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- (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. 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.~~
 - (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 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."~~

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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 which does not have, outside the Conservation District, an area equal to the minimum LOT size required for the underlying zoning district, 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. ~~The lot area outside of the Conservation District may be non-contiguous.~~”

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-27 “Conservation District”, section E – “Other provisions”, by deleting section (9) as follows and renumbering the subsequent sections:

~~“Land area contained within the Conservation District can be counted in determining the gross land area of a tract, LOT or parcel.”~~

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

“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.]



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- 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.
 - 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.

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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 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

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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. This cost shall become the value at which DEVELOPMENT RIGHTS may be purchased.~~
- (2) Proceeds from the purchase of DEVELOPMENT RIGHTS, shall be placed into the Conservation Fund to be used to purchase future property or easements, or monitor easements, and not into the general fund.



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

(a) Private land transfer Single Family Detached method.

i. An applicant shall develop a baseline yield for the lot to be developed, 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 to account for roadway, this creates the net area.
3. The net area is then multiplied by a factor determined by the amount of wetlands over the parent lot. This is the developable area.

<u>Percentage of Parcel that is wetlands</u>	<u>Factor</u>
<u>0<10%</u>	<u>0.85</u>
<u>10<20%</u>	<u>0.8</u>
<u>20<30%</u>	<u>0.75</u>
<u>30%<</u>	<u>.7</u>

4. The developable area is the divided by the minimum lot size, and the whole number value is the base number, with 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 of the following calculations:

1. For construction of units no larger than one thousand (1,000) square feet, two (2) units per DEVELOPMENT RIGHT purchased shall be allowed.
2. For construction of units no larger than fourteen hundred (1,400) square feet, one and a half (1.5) units per DEVELOPMENT RIGHT purchased shall be allowed. The unit count shall be the whole number value and not rounded up.

a. If the math to devise the base number ends in more than half a unit but less than a whole, and a transfer is purchased, the result would be two (2) dwelling units.

iii. The units created, through the transfer must be:

1. Sold, and are not for rental purposes
2. Limited to the square footage originally constructed.

iv. A note shall be placed on the approved plan and any Building Permit shall note the adherence to this section of the Code.



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- (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.~~
- (b) ~~Land bank Attached Single Family, Two family, three family and 4 or more 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). 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) ~~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. 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.~~
- (4) ~~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. A minimum of three (3) acres shall be purchased. 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:



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

- (6) 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~~. 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
- (7) ~~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 continuous visual buffer shall be created along the perimeter of the parent parcel.
- (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."~~

15. AMENDMENT



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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 if it 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~~ the Housing Standards Board, 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, unless an extension is granted by the Housing Standards Board. 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.

AUTHORIZATION

Approved as to
Funding:

Daniel R. Lynch
Finance Director

Sponsored
by:

Councilor Dennis Ciotti
City Council Planning Board
Representative



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Approved as to Legal Form
and Compliance: Anthony Blenkinsop
City Attorney

Recorded by: Karen Lavertu
City Clerk

DOCUMENT HISTORY:

First Reading 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:

Site Review Regulations
Chapter 149
Article IV – Site Design and Development Criteria
149-14: Site Development Design Criteria

G. Landscaping

In order to separate parking areas from abutting streets, to provide areas for snow disposal, to break up expanses of vehicles and pavement, to provide summer shade on pavement areas, ~~and~~ to provide general beautification of parking facilities, and to reduce stormwater impacts, the following landscaping standards are required for non-residential development:

(1) General Requirements

- (a) Existing vegetation shall be preserved wherever possible. Existing natural features of special interest, such as those having historic relevance, shall be delineated and located on the landscaping plan. A note should be added to the site plan indicating that identified feature(s) shall be protected during site clearing and construction through the use of construction fencing or other adequate protective barriers. Maximum effort should be made to preserve small stands of trees, rather than individual trees, to minimize the potential for serious damage due to wind, grade changes and soil compaction. No construction materials, equipment, vehicles, or temporary soil deposits shall be located within the dripline of existing trees. Before commencement of work, protective barriers shall be installed and maintained around each plant and/or groups of plants that are to remain on site until completion. Snow fence installed around the dripline of the tree canopy is an example of an acceptable barrier.
- (b) All invasive plant species identified in Chapter Agr 3800, pursuant to RSA 430:55 are prohibited. All non-native plant species identified in the New Hampshire Restricted Invasive Plants Species/Watch List are strongly discouraged. Vegetation planted in accordance with the requirements of this section shall be non-invasive species selected for their adaptability to the climatic, geologic and topographical conditions of the site.
- (c) Shrubs and hedges shall be a minimum of ~~twenty four~~ (24) inches in height when measured immediately after planting. Groundcovers and perennials may be less.
- (d) Effective use and preservation of natural berms, existing topography and existing vegetation is encouraged.
- (e) Plants, or a combination of plants and a solid visual barrier such as wooden fencing, or berms, shall be used to screen loading, waste disposal, material storage and other areas that are likely to generate noise, dust, or other potentially disruptive conditions.

- (f) Landscaping shall be used to establish and/or maintain an attractive streetscape adjacent to roadways. A minimum of one tree per ~~thirty five~~ (35) linear feet, not more than ~~six~~ (6) feet apart for individual shrubs, and not more than ~~three~~ (3) feet between individual perennials and groundcovers or portion thereof.
- (g) The type and location of vegetation shall not interfere with utilities or the safe and efficient flow of street traffic. All trees located under utilities wires shall be low-growing species.
- (h) A maintenance plan shall be provided with the site plan application. All landscaped areas shall receive regular maintenance and upkeep. Severely injured, diseased, or dead plant material shall be replaced in kind in perpetuity (avoid replacing landscape materials in the period from November to March.) Best practices to minimize environmental impacts such as the use of low phosphorous fertilizer and slow release nitrogen, shall be included in the management plan. If ownership of a site is conveyed to a new property owner, the new owner shall be responsible for maintaining all landscaping in accordance with the approved final landscaping plan.
- (i) Snow storage shall not be permitted on any landscape area.

(+)(2) Interior Landscaping

- (a) In addition to the perimeter landscaping required in Section 149-15) C), landscaping requirements for the interior of parking lots is as follows:

MINIMUM INTERIOR PARKING LOT LANDSCAPING REQUIREMENTS	
Number of Parking Spaces in Lot	Minimum Percent of Interior Landscaping
<u>0 - 20</u> or fewer spaces	Not required
21 to 125 <u>50</u> spaces	5 percent (5%)
126 <u>51</u> to 375 <u>200</u> spaces	8 percent (8%)
Greater than 375 <u>200</u> spaces	10 percent (10%)

- (b) Parking lots which have more than two (2) aisles, which are approximately parallel, shall be required to have continuous landscaped planting strips separating every four (4) rows of parking. The landscaped planting strips shall be a minimum of ~~six ten~~ (610) feet in width and shall be separated from the parking area by adequate curbing. Within the landscaped planting strips, deciduous shade trees shall be planted at forty (40) feet on center. Trees shall be species tolerant to the climatic conditions of Dover and shall be a minimum caliper of ~~two~~ three and a half (23.5) inches (measured at four (4) feet above grade level). Within the landscaped planting strips, shrubs shall be planted between the deciduous trees at five (5) feet on center. The shrubs shall be a mix of deciduous and evergreen species, tolerant to the climatic conditions of Dover and shall be a minimum

height of two (2) feet at the time of planting. All trees, shrubs and landscaping materials shall be maintained in good condition so as to present a healthy, neat, and orderly appearance.

Potential drawing/rendering to be inserted here.

- (c) Islands at the end of a row of parking spaces are encouraged to protect parked vehicles, increase safety in parking lots, and provide space for landscaping. The minimum size for landscaped islands shall be two hundred fifty ~~square~~ (250) ~~square~~ feet in total area, and should include trees with shrubs, perennials, and ground covers planted en masse among the trees. Adequate curbing is required for landscaping islands.
- (d) Bare soil is not acceptable. The introduction of groundcovers and/or perennials planted en masse and the use of mulch as a soil covering is acceptable. However, no more than twenty (20) percent of the minimum landscaped area may be covered with non-living landscaping material such as bark mulch, woodchips, or leaf litter.

~~(2)~~(3) Perimeter Landscaping

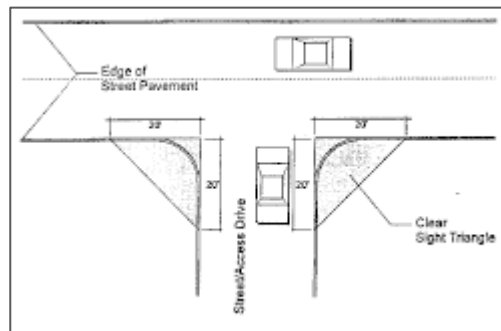
- (a) Along the perimeter of parking lots with ten (10) or more spaces, deciduous shade trees shall be planted at ~~forty thirty-five~~-(~~40~~35) feet on center within the buffer area required by Section 149-15 C). Trees shall be species tolerant to the climatic conditions of Dover and shall be a minimum caliper of ~~two~~ three (2) and a half (~~23~~.5) inches (measured at four (4) feet above grade level). Within the perimeter buffer, shrubs shall be planted between the deciduous trees at five (5) feet on center. The shrubs shall be a mix of deciduous and evergreen species, tolerant to the climatic conditions of Dover and shall be a minimum height of two (2) feet at the time of planting. All trees, shrubs and landscaping materials shall be maintained in good condition so as to present a healthy, neat, and orderly appearance.

Potential drawing/rendering to be inserted here.

- (b) Trees shall be salt and drought-tolerant, native or non-invasive species, and have a structure and growth form which prevents them from obstructing sidewalks and walkways. Flood-tolerant plants shall be used in drainage swales.

(c) To foster biological diversity, trees planted along a given street shall use the “10-20-30 Rule” (No more than 10% of the trees shall be of the same species, no more than 20% in the same genus, and no more than 30% in the same family.)

(d) At the discretion of the Planning Board, alternative methods of perimeter screening may be permitted if the APPLICANT can demonstrate that an adequate screening of the parking lot is achieved. Additional screening methods that are encouraged include earthen berms planted with grass and shrubs, fencing, and low walls. To insure that landscape materials do not constitute a driving hazard, a "clear sight triangle" shall be observed at all street and access drive intersections. Ground cover and trees with at least eight (8) feet of limbless trunk shall be permitted within the sight distance triangle. In the case of a city street intersection, the sight triangle shall consist of the area between points twenty feet (20') along both intersecting streets from their respective edge of pavements.



(e) A wall, or fence of uniform appearance six (6) feet high of brick, stone or finished concrete (cannot be concrete block) may be used in conjunction with plant materials with a minimum ten (10) foot-buffer between the fence and the street. A minimum of one tree per thirty five (35) linear feet or portion thereof with a combination of shrubs, perennials, vines, and groundcovers planted en masse per thirty five (35) linear feet excluding curb cuts. A combination of both deciduous plants and evergreens are encouraged.

(4) Stormwater Management

(a) The following provisions are intended to support the site design criteria set forth in Section 149-14A. In the event of any conflict or inconsistency the more stringent provision shall prevail.

(b) Where possible, interior landscaping islands and perimeter landscaping areas shall provide for stormwater treatment and bioretention as well as act as a visual buffer.

(c) To promote on-site water retention and filtration, landscaped areas shall be designed in a manner that guides stormwater from on-site impervious streets,

parking areas, sidewalks and walkways to vegetated areas or approved retention areas.

(d) Curbing or equivalent barriers shall be required to protect vegetation from vehicle damage. Barriers shall be designed with openings that allow stormwater to flow into vegetated areas.

(e) When irrigation systems are proposed, a temporary watering plan/ schedule, or low volume (drip) irrigation system shall be required. Permanent irrigation systems are prohibited, except as noted below. Temporary irrigation systems shall be designed and installed for efficient and effective water use to the landscaped area for a limited period of time determined by the plant material and site conditions. For those exceptions when permanent irrigation is considered necessary, such as an athletic field, permanent irrigation shall utilize water saving technologies, including rain sensors, flow meters, and management systems that monitor current weather conditions.

(f) All newly planted trees, shrubs and other vegetation shall have a watering plan during the establishment period (for trees, one-year-per-inch in caliper at planting, shrubs and other vegetation generally establish within one growing season). Mulching trees, shrubs, and plants helps retain soil moisture, moderates temperature fluctuations, provides protection from mechanical damage by mowers and trimmers, and serves as temporary covering of exposed soil until understory plants and ground covers fill in. However, thick applications of mulch (such as “volcano mulching”) will kill trees and other vegetation. Mulch shall be no greater than three (3) inches in depth and shall not be in contact with the bark or stems of plants.

(3)(5) Other Alternative Landscaping Options

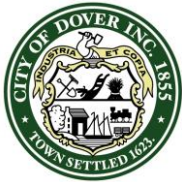
- (a) Whenever possible, existing trees and shrubs shall be preserved and used to satisfy the minimum landscaping requirements of this section. Each existing healthy and native or non-invasive tree, with a caliper of three (3) inches or greater, preserved using proper protection methods within the interior parking lot area may be substituted for one tree required for every ten (10) parking spaces.
- (b) Loading docks, dumpsters, generators, ground-level mechanical units and other similar devices shall be adequately screened so as not to be visible from the public road or adjacent parcels. Where an applicant proposes leaving a significant portion of healthy noninvasive trees and other vegetation within the proposed construction area, the ~~p~~Planning ~~b~~Board will consider alternative landscaping designs.
- (c) The use of interior landscaping islands and perimeter landscaping areas for STORM WATER treatment and bioretention is acceptable if the areas still provide a visual buffer. At the discretion of the Planning Board, alternative

methods of perimeter screening may be permitted if the APPLICANT can demonstrate that an adequate screening of the parking lot is achieved. Additional screening methods that are encouraged include earthen berms planted with grass and shrubs, fencing, and low walls

- (d) If the area abutting the street is existing woodland, a ~~twenty five (25)~~-foot woodland buffer may be left in lieu of landscaping if approved by the ~~p~~Planning ~~b~~Board.

~~(4) Invasive Species~~

- ~~(a) While reviewing site plans, the Planning Board shall reserve the right to prohibit invasive species from being planted. The Planning Department shall maintain an up-to-date listing of invasive species.~~



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P18-20

Application Type: Conditional Use Permit
Applicant(s): Thomas Page and Great Bay Yacht Club
Owner(s): Great Bay Yacht Club
Location: 21 Wentworth Terrace (Assessor's Map 8, Lot 40)
Meeting Date: May 22, 2018

INTENT: To obtain a Conditional Use Permit to replace a 16' x 16' shed with a 12' x 16' storage shed and a 20' x 24' wooden deck within the 100 foot Conservation District adjacent to the tidal Piscataqua River. The shed is 22 feet from the river and the deck is 25 feet from the river.

LOTS/UNITS PROPOSED: N/A

AGENDA ITEM: # 4-A

ACREAGE: 0.18 acres

ZONING DISTRICT: Low-Density Residential District (R-20)

EXISTING LAND USE: Yacht Club with locker shed and dock

PROPOSED LAND USE: Same

SURROUNDING LAND USE: Residential and tidal Piscataqua River

ZBA ACTION: None

ATTACHMENTS:

CUP application and materials, May 14th Conservation Commission minutes, plan

APPLICATION IS COMPLETE: Yes

NOTICES SENT: Abutter notices were sent by certified and/or first class mail to all abutters for this meeting

PERMITS REQUIRED:

-Conditional Use Permit
- NH Department of Environmental Services Shoreland Permit

WAIVERS REQUESTED: None

Summary of Request and Background

The applicant is requesting a Conditional Use Permit for the replacement of an existing 16' x 16' shed with a 12' x 16' storage shed and a 20' x 24' wooden deck within the 100 foot Conservation District adjacent to the tidal Piscataqua River.

The Conservation Commission reviewed and endorsed this project on May 14, 2018 (Conservation Commission minutes attached).

Consistency with Land Use Regulations

The Conservation District ordinance provides for Conditional Use Permits to allow impacts to land within 100 feet of a tidal river 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 then approve the application 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 Shoreland Permit.

21 Wentworth Terrace

**Property Information**

Property ID 08040-000000
Location 21 WENTWORTH TR
Owner GREAT BAY YACHT CLUB

**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 03/29/2018
Properties updated 05/10/2018



CITY OF DOVER

DOVER CONSERVATION COMMISSION – MINUTES

Meeting Type: Regular Meeting
Meeting Location: 2nd Floor Conference Room, City Hall, 288 Central Avenue
Meeting Date: Monday, May 14, 2018
Meeting Time: 5:30 pm

MEMBERS PRESENT: Bill Hunt (Chair), Tristan Donovan (Vice Chair), Amy Kramer-Perry, Richard Erickson (5:35), Robert Eckert, Abby Lyon (Alternate), Jay Aube (Alternate)

STAFF PRESENT: Steve Bird (City Planner)

OTHERS PRESENT: Chris Berry, James Hayden, John O'Connor, Bob Stowell, Ron Mercier, others

1. The meeting was convened at 5:30 PM and a roll call was done.

2. APPROVAL OF THE PRIOR MEETING MINUTES – April 9, 2018

Eckert moved to approve the April 9, 2018 minutes, Lyon seconded. Vote: 6 in favor

3. OLD BUSINESS: NONE

4. NEW BUSINESS:

- A. City of Dover Conditional Use Permit for TDAK & Company, LLC, Assessor's Map 35, Lot 57, zoned R-12, located at 99 Sixth Street.

Chris Berry was present to explain the proposal for the construction of a 345 foot long private road that impacts a Conservation District area of 20% or greater slopes. The total proposed impact is 6,200 square feet. Two driveways exist now. We are use Transfer of Development ordinance to gain density. Slopes are all man-made. Some of the disturbance is due to storm water management measures. The plans address erosion control.

Donovan: Have you done any sub-surface exploration?

Berry: Yes we have done test pits. The water table is 3 to 4 feet down.

Donovan: Have you done a slope stability analysis?

Berry: We only did a site specific slope stabilization study.

Aube: Where does storm water flow?

Berry: Down the driveways out onto Sixth Street. But most will go into the City catch basins. We have an operations and maintenance plan.

Perry: What is the purpose of the pavement between units 2 and 3?

Berry: It is a fire truck turn around.

Donovan explained that the Planning Board has scheduled a site walk on Tuesday, May 22nd at 5:30 PM and the Conservation Commission is invited to attend.

Aube: This design is a betterment of the existing situation.

Donovan: I agree with that. They have improved the storm water situation.

Aube made a motion to endorse the City of Dover Conditional Use Permit, Donovan seconded. Vote: 7 in favor



CITY OF DOVER

DOVER CONSERVATION COMMISSION – MINUTES

Meeting Type: Regular Meeting
Meeting Location: 2nd Floor Conference Room, City Hall, 288 Central Avenue
Meeting Date: Monday, May 14, 2018
Meeting Time: 5:30 pm

- B. City of Dover Conditional Use Permit for Thomas Page and the Great Bay Yacht Club, Assessor's Map 8, Lot 40, zoned R-20, located at 21 Wentworth Terrace.

John O'Connor was present to explain the proposal for the construction of a 12' x 16' storage shed and a 20' x 24' wooden deck within the 100 foot Conservation District adjacent to the tidal Piscataqua River. The shed is 22 feet from the river and the deck is 25 feet from the river. This requires a DES Shoreland Permit. This a yacht club only by name, very modest. We have an existing 16' x 16' shed with stone dust around it. Deck would be where existing shed is.

Lyon: Will the deck be covered?

O'Connor: Not at this point due to cost.

Lyon: Application says lot coverage is being reduced but not if deck is covered.

O'Connor: Stone dust will be removed and replaced with loam and seed.

Lyon confirmed that they will keep the existing timber wall.

Donovan: Do they need a wetlands permit for this?

Bird: Not sure but they did apply for a shoreland permit so DES would make that determination.

O'Connor: Yes I think we got a letter from DES asking for more information.

Aube: DES views decks to impervious unless they are designed for storm water infiltration.

Donovan: They could put a layer of gravel under the deck to handle storm water.

Lyon: Will the deck have footings?

O'Connor: There will be no footings.

Bird asked if O'Connor had the letter asking for more information.

O'Connor gave the letter to Hunt and he read the letter.

Aube: Stone dust is considered impervious.

Bird: The Planning Board will have a condition that the applicant obtain the Shoreland Permit.

Donovan made a motion to endorse the City of Dover Conditional Use Permit, Erickson seconded. Vote: 7 in favor

- C. NHDES Expedited Review Wetlands Permit and City of Dover Conditional Use Permit for Ronald & Nicole Mercier, Assessor's Map B, Lot 14-C, zoned R-40, located at 120 County Farm Cross Road.

Bob Stowell was present to explain the proposal to install a new 12-foot wide driveway to access a proposed house with a permanent wetlands impact of 2,900 square feet and a wetlands buffer impact of 5,948 square feet. This used to be two lots of record but it didn't qualify for lot restoration due to a barn being built over the lot line. Building site is at the rear of the new lot. There are two wetland impact areas and 12" culverts will be installed at each crossing. Site has been disturbed for a long time and is regularly mowed.

Aube: I would like to see information on the functions and values of the wetlands.

Stowell: I don't have one but we had a pre-application meeting with DES and Planning Department.



CITY OF DOVER

DOVER CONSERVATION COMMISSION – MINUTES

Meeting Type: Regular Meeting
Meeting Location: 2nd Floor Conference Room, City Hall, 288 Central Avenue
Meeting Date: Monday, May 14, 2018
Meeting Time: 5:30 pm

Hunt: It is an interesting lot configuration.

Stowell: We did multiple configurations that didn't work. We kept the wetland impact 20 feet off property line.

Aube: You don't have many options.

Stowell: We will have on-site septic system and well. Will be at Planning Board on May 22nd.

Bird confirmed with Stowell that the threshold for an expedited permit is 3,000 square feet.

Donovan made a motion to endorse the City of Dover Conditional Use Permit and NH DES Expedited Review Application, Kramer-Perry seconded. Vote: 7 in favor

5. REPORT FROM THE CHAIR

Hunt: We received an e-mail from Mike Joyce just before the meeting and he is resigning due to his job. Would either of the alternates like to become a regular member?

Lyon agreed to be a regular member, so Bird will notify the City Clerk.

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

1. Wetlands Permit from DES Wetlands for Patrick & Sarah Hourihane of 135 Spur Road.
2. Letter from DES Wetlands to Margaret & William Green of 124 Dover Neck Road, regarding enforcement inspection
3. Shoreland Permit by Notification for Olde Madbury Lane for installation of one monitoring well adjacent to Bellamy River.
4. Request for more information from DES for Dan Ayer for a dock at 100 McKone Lane.
5. Request for more information from DES for Rachel and Scott Fillion at 17 Boston Harbor Road.

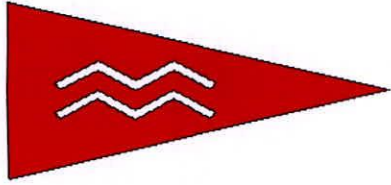
6. OTHER BUSINESS:

Bird informed the Conservation Commission that the waterfront public dock installation is scheduled to take place on May 23rd. City is required to notify DES also.

Aube distributed a letter from the DES Commissioner to the Conservation Commission asking for volunteers to join the LAC for the Cochecho River. He was just appointed and trying to revive the group. They review various permits to make sure the river is being protected.

7. ADJOURNMENT

The Chair declared the meeting adjourned at 6:42 pm.



Great Bay Yacht Club

PO Box 1644, Wentworth Terrace, Dover, NH 03820

RECEIVED
Planning Office
APR 30 2018
Dover, New Hampshire

April 27, 2018

Elena Piekut
Planning Department
Dover, NH 03820

RE: **Great Bay Yacht Club**
Tax Map 8 Lot 40
Condition Use Permit Application

Dear Ms. Piekut:

The Great Bay Yacht Club is submitting a Conditional Use Permit application with supporting materials for the following project at our property at 21 Wentworth Terrace on Dover Point. We have also submitted a Building Permit application to the City and a Shorelands Permit application to the State.

The existing deteriorated shed will be demolished and replaced with a new smaller and more attractive storage shed and an outdoor deck. The existing area occupied by the shed and surrounding gravel is 990 SF. The gravel in front will be converted to lawn and the new structures will have an area of 672 SF, reducing the total impervious area. We request approval to locate the new shed as shown on the attached plans in the Conservation District.

Please contact me if you have any questions. My phone number is 207 337-4785 and my email address is tpage@underwoodengineers.com

Very Truly Yours,
GREAT BAY YACHT CLUB


Thomas G. Page
Vice Commodore

Enc.



City of Dover, New Hampshire CONDITIONAL USE PERMIT APPLICATION

[Revision Date: May 18, 2017]

RECEIVED
Planning Office

Office Use Only

Project #:

P18-20

Date Received:

APR 30 2018

Amount Paid:

Time Received:

Dover, New Hampshire

APPLICANT AND OWNER INFORMATION

Name of Applicant: Thomas Page, Vice Commodore Telephone # 207 337 4785

Address of Applicant: Great Bay Yacht Club, PO Box 1644, Dover, NH 03820

E-Mail Address: tpage@underwoodengineers.com

Name of Property Owner (if different from applicant): Great Bay Yacht Club Telephone # _____

Address of Property Owner: PO Box 1644, Dover, NH 03820

PROPERTY INFORMATION

Assessor's Map # 8 Lot(s) # 40

Address of Property: 21 Wentworth Terrace

Zoning District(s) R20 Overlay District(s) Conservation

Existing Use of Property: Dock and boat gear storage for club members

CONDITIONAL USE PERMIT INFORMATION

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

- | | | |
|---|---|--|
| ☒ Conservation District | ☐ RCM Use Overlay District | ☐ I-1 District Uses |
| ☐ Groundwater Protection | ☐ Off-Street Parking and Loading | ☐ Alternative Treatment Center |
| ☐ Wetland Protection District | ☐ Central Business District | ☐ Heritage Residential District |

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

New storage shed (12' x 16') near waterfront to replace existing
deteriorated shed (16' x 16'). Total impervious area will be reduced by
converting existing gravel area by waterfront to lawn.

List Any Associated State or Federal Permits That Have Been or Will Be Applied For and Indicate Their Status: NHDES -

Shoreland Permit Application, 2018-00971, accepted for review 4/9/18

Name of Professional That Prepared Plans: N/A

Address _____ Telephone #: _____

Professional License #: _____ E-mail address: _____

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: [Signature] (Commodore) Date: 4/27/18

Signature of Applicant (if different from owner): [Signature] Vice Commodore Date: 4/27/18

Signature of Agent: _____ Date: _____

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: [Signature] Date: 4/27/18

CITY OF DOVER CONDITIONAL USE LIST OF ABUTTERS

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. Staff will provide the abutter information, while the applicant must provide accurate contact information for the owner, applicant and professional agents representing the project.

Owner:

TAX MAP	LOT #	PROPERTY OWNER	MAILING ADDRESS
8	40	Great Bay Yacht Club	PO Box 1644, Dover NH 03820

Applicant (if different from owner):

APPLICANT NAME	APPLICANT COMPANY	MAILING ADDRESS
Thomas Page	(Vice Commodore)	PO Box 1644 Dover, NH 03820

Surveyor and/or Engineer/Professional Agent:

NAME	COMPANY	MAILING ADDRESS

Conservation Easement Holder:

TAX MAP	LOT #	NAME OF EASEMENT HOLDER	MAILING ADDRESS



City of Dover, New Hampshire **SITE PLAN REVIEW SUBMISSION CHECKLIST**

[Revision Date: May 15, 2017]

This site plan review checklist, as required by Chapter 149-6-B(2), should be completed by the applicant. It is intended to assist the applicant in the planning process of preparing a Site Plan Review application for Planning Board action. The size of the project will determine the types of information required for review, therefore, a **pre-application conference** with the Planning Department to determine the list of items that must be completed is strongly encouraged.

Fees will be invoiced and are due along with fifteen (15), folded, copies of the plan set and materials, including response to TRC comments, will be due 3 weeks prior to the Planning Board meeting.

The applicant is cautioned that this checklist is only a guide and is not intended to be a complete list of all site plan review requirements. Please refer to the Site Plan Review Regulations for full details.

APPLICANT: Thomas Page File Number: _____

PROJECT TITLE: Great Bay Yacht Club Improvements

PROPERTY LOCATION: 21 Wentworth Terrace Tax Map: 8 Lot: 40

	Explain How Provided	Reviewed
1. Completed and signed Application form	<i>provided with application</i>	
2. Electronic copy of the engineered/surveyed plan layout	<i>email</i>	
3. Electronic copy of supplementary materials and application	<i>email</i>	
4. Traffic Impact Assessment and Analysis (Standard or Advanced)	<i>n/a</i>	
5. Fiscal Impact Analysis (For more than 10 units)	<i>n/a</i>	
6. Waiver requests to the Site Plan Review Regulations, with written justification	<i>See WP Application</i>	
7. Conditional Use Permit applications	<i>provided with application</i>	
8. A colored rendering of the streetscape that will be created along the existing public right-of-way	<i>N/A</i>	
9. A colored architectural plan showing all sides of buildings	<i>provided with application</i>	
10. List of all professional agents to be notified for Planning Board	<i>n/a</i>	
11. Eight copies of site plan w/scale of not less than 1"=50' or 1"=100' for larger site plans, for TRC. Plans shall contain the following items as appropriate:	<i>11" X 17"</i> <i>1" = 20' scale</i>	
Location map at appropriate scale	<i>✓</i>	
Proposed Project name and title and Planning File #	<i>✓</i>	
Date, north arrow and scale	<i>✓</i>	
Names of all abutting property owners	<i>✓</i>	
Name and address of owners and/or applicants	<i>✓</i>	
Signature & stamp of NH licensed land surveyor and/or engineer	<i>n/a</i>	
Zoning District boundaries, including any special or overlay districts	<i>All in R-20</i>	
Location of Conservation District areas	<i>✓</i>	
Location, names and widths of existing and proposed streets, including pavement widths, grades, curbs and crosswalks	<i>✓</i>	
Location and widths of existing & proposed easements & right of ways	<i>✓</i>	
Depict pedestrian walkways and accessible access	<i>n/a</i>	
Location and width of existing and proposed access/egress ways	<i>n/a</i>	
Existing and proposed property lines with dimensions and bearings tied into Dover's Geographic Information System coordinate system	<i>✓</i>	
Existing and proposed topographic information at two foot intervals	<i>Site is nearly flat</i>	

	Explain How Provided	Reviewed
Existing and proposed buildings and structure locations	✓	
Minimum building setbacks or build to lines on all lots	✓	
Location and size of existing and proposed electric, telephone, gas cable and other underground utilities	✓ ext n/a	
Existing and proposed water lines and fire hydrants, including materials and capacity needed	existing water only	
Location and materials of sanitary sewage facilities within project site and projected additional peak hour sewer load	n/a	
Existing and proposed stormwater lines and facilities	n/a	
Lighting plan depicting all existing and proposed exterior light fixtures and a lighting level analysis for parking lots	n/a	
Location of Flood Hazard Zone	n/a	
Location of all bodies of water and watercourses	✓	
Location of wetlands and buffers	✓	
Neighborhood plan with aerial underlay showing how project relates to abutting uses	Aerial was attached	
Existing natural features and/or significant vegetation on property	✓	
Depict existing contours up to 100 ft. beyond project limits	n/a	
Landscape plan depicting existing and proposed landscaping, prepared by a licensed Professional Landscape Architect	n/a	
Location of parking layout delineating spaces and arrangement; note addressing maximum required spaces	n/a	
Location, material and size of existing and proposed pavement area	✓	
Location of proposed fire lanes	n/a	
Specify finished floor elevations of buildings	Shed on blocks @ Grade	
Location of solid waste disposal facilities (dumpster, pad and screening, etc.), including required screening	n/a	
Depict all service, storage, loading bays and utility areas	n/a	
All applicable Dover Common Site Plan notes	Sheet 1	
12. Additional Information if appropriate	n/a	
Stormwater Management Plan depicting the existing & proposed storm drainage system and engineered drainage analysis		
Stormwater Management System Operation and Maintenance Plan		
Erosion and Sedimentation Control Plan		
Landscape Operation and Maintenance Plan		
Proposed restrictive covenants or homeowners association documents		
Dates and permit numbers of all required state and federal permits		
If wetland buffer, indicate placards locations, as applicable		
Depict test boring locations, groundwater elevations and soil profiles and/or soils types call-outs		
Location of proposed drive-in facilities		
Provide additional exhibits/technical data determined appropriate by the Planning Board or its staff as required		

REVIEWED BY: _____ DATE _____ TRC DATE _____



Property Information

Property ID 08040-000000
 Location 21 WENTWORTH TR
 Owner GREAT BAY YACHT CLUB



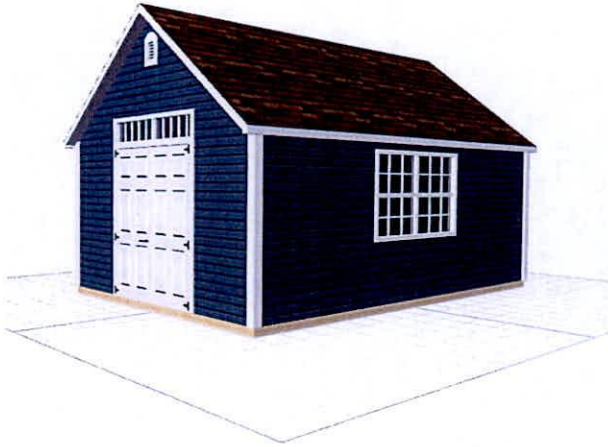
MAP FOR REFERENCE ONLY NOT A LEGAL DOCUMENT

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.

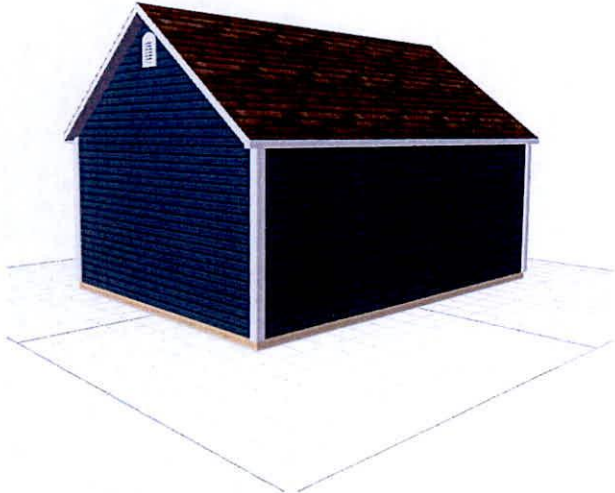
Parcels updated 02/16/2018
 Properties updated 03/26/2018

Great Bay Yacht Club – 21 Wentworth Terrace, Dover Point

Proposed Storage Shed - April 2018



View from north, looking south



View from south, looking north



The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner



=====

SHORELAND IMPACT PERMIT 2018-00971

NOTE CONDITIONS

PERMITTEE: GREAT BAY YACHT CLUB
PO BOX 1644
DOVER NH 03820

PROJECT LOCATION: 21 WENTWORTH TER., DOVER
TAX MAP #8, LOT #40

WATERBODY: PISCATAQUA RIVER

APPROVAL DATE: MAY 09, 2018

EXPIRATION DATE: May 09, 2023

=====

Based upon review of the above referenced application, in accordance with RSA 483-B, a Shoreland Impact Permit was issued by the New Hampshire Department of Environmental Services (NHDES). This permit shall not be considered valid unless signed as specified below.

PERMIT DESCRIPTION: Impact 990 square feet (SF) of protected shoreland in order to demolish the existing shed, install a new shed with a deck, and convert the dust gravel area along the waterfront into lawn.

THIS APPROVAL IS SUBJECT TO THE FOLLOWING PROJECT SPECIFIC CONDITIONS:

1. All work shall be in accordance with plans by DT's Survey Co., dated March 29, 2018, and received by the NH Department of Environmental Services (NHDES) on April 9, 2018.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 19.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

www.des.nh.gov

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095

NHDES Main Line: (603) 271-3503 • Subsurface Fax: (603) 271-6683 • Wetlands Fax: (603) 271-6588

TDD Access: Relay NH 1 (800) 735-2964

10. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
11. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

GENERAL CONDITIONS THAT APPLY TO ALL NHDES SHORELAND IMPACT PERMITS:

1. A copy of this permit shall be posted on site during construction in a prominent location visible to inspecting personnel;
2. This permit does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others;
3. The NHDES Wetlands Bureau shall be notified upon completion of work;
4. This permit does not relieve the applicant from the obligation to obtain other local, state or federal permits, and/or consult with other agencies as may be required (including US EPA, US Army Corps of Engineers, NH Department of Transportation, NH Division of Historical Resources (NH Department of Cultural Resources), NHDES Alteration of Terrain, etc.);
5. Transfer of this permit to a new owner shall require notification to and approval by NHDES;
6. This permit shall not be extended beyond the current expiration date;
7. This project has been screened for potential impacts to **known** occurrences of protected species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or have only received cursory inventories, unidentified sensitive species or communities may be present. This permit does not absolve the permittee from due diligence in regard to state, local or federal laws regarding such communities or species.

APPROVED:



Marie-Eve Jacques
Shoreland Program
Land Resources Management

=====

BY SIGNING BELOW I HEREBY CERTIFY THAT I HAVE FULLY READ THIS PERMIT AND AGREE TO ABIDE BY ALL PERMIT CONDITIONS.

OWNER'S SIGNATURE (required)

CONTRACTOR'S SIGNATURE (required)

P18-20

21 Wentworth Terrace

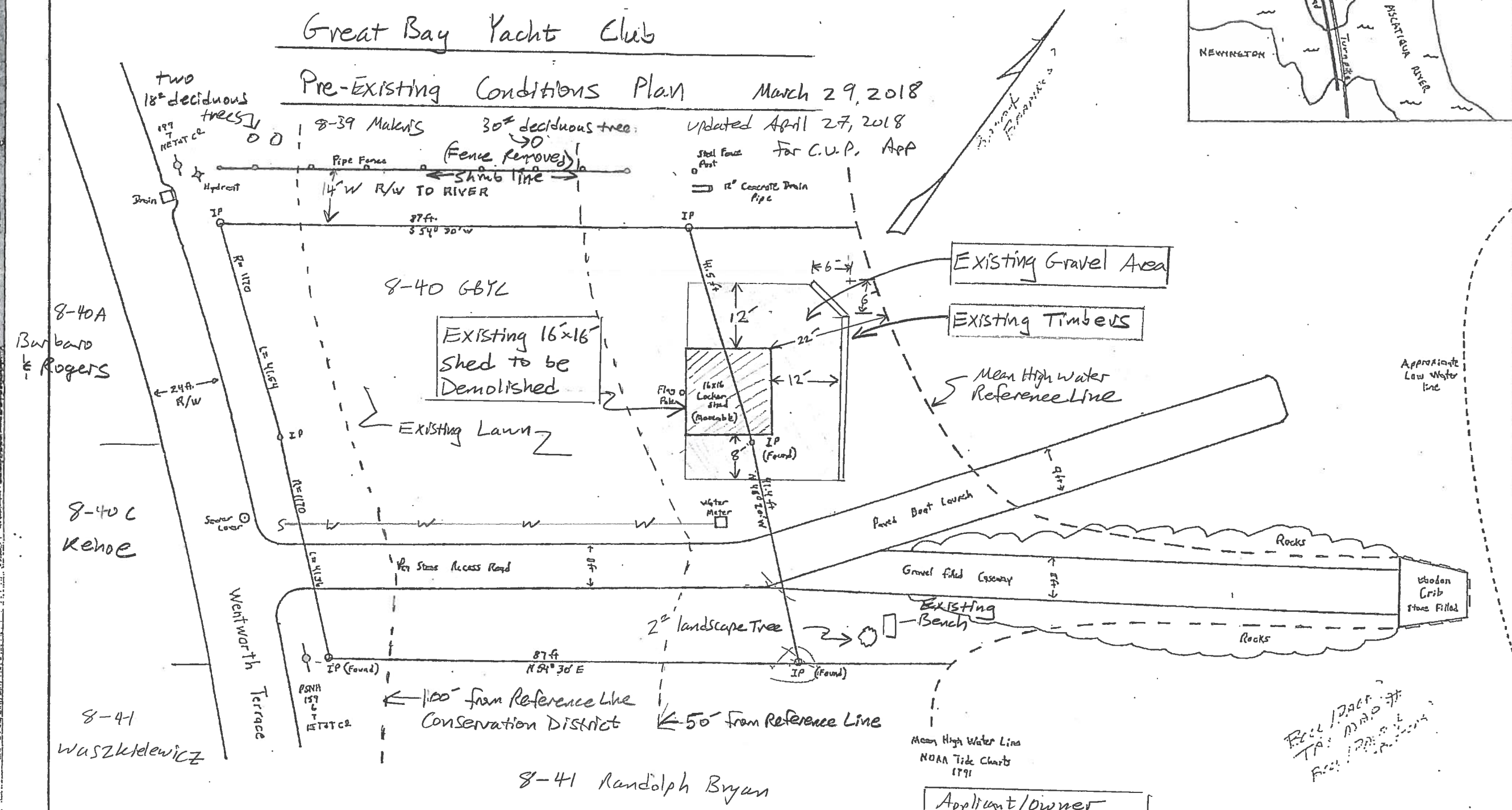
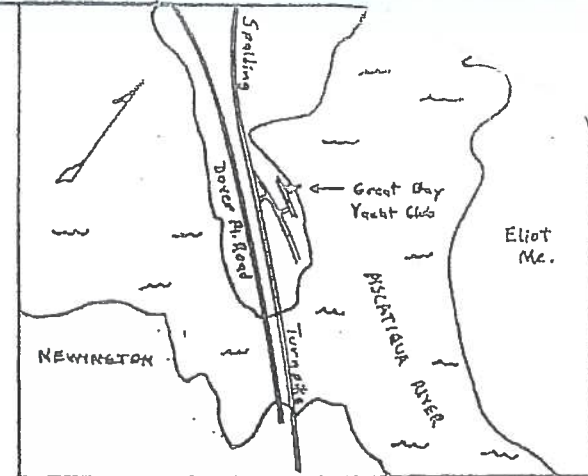
Property ID	Location	Owner 1	Owner 2	Owner Address 1	City	State	Zip
08035-000000	11 WENTWORTH TR	MAKRIS ALEXIS TRUSTEE	MAKRIS ALEXIS 2003 REVOCABLE TRUST	11 WENTWORTH TERRACE	DOVER	NH	03820
08037-000000	10 WENTWORTH TR	CITY OF DOVER		288 CENTRAL AVE	DOVER	NH	03820
08039-A00000	25 WENTWORTH TR	MAKRIS ALEXIS		11 WENTWORTH TERRACE	DOVER	NH	03820
08040-A00000	22 WENTWORTH TR	BARBARO SARAFINO ERNESTO &	ROGERS GINA J	22 WENTWORTH TERR	DOVER	NH	03820
08040-B00000	24 WENTWORTH TR	HUTCHINS RONALD L &	HUTCHINS ROBIN K	24 WENTWORTH TERR	DOVER	NH	03820
08040-C00000	20 WENTWORTH TR	BATTLES KATHERINE KEHOE TRUSTEE	20 WENTWORTH TERRACE TRUST	67 NEWFIELDS RD	EXETER	NH	03833-4541
08041-000000	18 WENTWORTH TR	WASZKIELEWICZ LISA L		18 WENTWORTH TR	DOVER	NH	03820
08041-A00000	17 WENTWORTH TR	LEWIS PATRICIA A &	BROADHURST FIONA	17 WENTWORTH TERR	DOVER	NH	03820
08041-B00000	19 WENTWORTH TR	BRYAN RANDOLPH 2/3 & ELLEN 1/3 TRUSTEES	BRYAN RANDOLPH AND ELLEN TRUSTS 201	46 RIDGE RD	CONCORD	NH	03301
08042-000000	16 WENTWORTH TR	CARLE MICHAEL D &	UTGARD KAREN E	409 WHITE CEDAR BOULEVARD	PORTSMOUTH	NH	03801
08043-000000	15 WENTWORTH TR	KEHOE BATTLES KATHERINE &	KEHOE ELIZABETH ANN	67 NEWFIELDS RD	EXETER	NH	03833-4541
08046-B00000	27 WENTWORTH TR	VALLEE GREGORY MICHAEL &	VALLEE MONICA L	27 WENTWORTH TR	DOVER	NH	03820-4658
		GREAT BAY YACHT CLUB		P.O. BOX 1644	DOVER	NH	03820
		THOMAS PAGE	VICE COMMODORE	P.O. BOX 1644	DOVER	NH	03820

Great Bay Yacht Club - Storage Shed Improvements

April 27, 2018

Sheet 1 - General Notes:

1. The intent of this site plan is to show the layout of a proposed storage shed and ground level deck, for members using the club dock and facilities to store boat gear, and to show the removal of a deteriorated existing shed and restoration of an existing gravel area to lawn.
2. Current Owner: Great Bay Yacht Club, PO Box 1644, Dover, NH 03820.
3. Plans and notes prepared by: Thomas Page, Vice Commodore
4. The project parcel is shown as Lot 40 Map 8 of the City of Dover Tax Assessors Maps.
5. The project parcel contains 12,950 SF or 0.30 acres including land above the high water line and the right of way along the northerly side.
6. The tile reference for the project parcel is the Strafford County Registry of Deeds, Book No.718, Page No.242 - 243
7. Project Plan References: Survey of Great Bay Yacht Club by "DT", April 29, 1991.
8. A right of way for certain abutters to the Piscatiqua River exists as shown on the northerly side of the property.
9. The project parcel zoning requirements include:
 - a. Zoning district: R-20
 - b. Minimum lot size: 20,000 SF
 - c. Minimum lot frontage: 125 ft
 - d. Minimum yard setbacks/build-to-lines – Principal Structures:
 - i. Front: 20 ft min, 35 ft max
 - ii. Side: 20 ft
 - iii. Rear: 30 ft
 - iv. Abut-a-street: 20 ft min, 35 ft max
 - e. Minimum yard setbacks/build-to-lines – Outbuilding/Accessory Uses (shed):
 - i. Front: Lesser of existing building or 35 ft
 - ii. Side: 10 ft
 - iii. Rear: 10 ft
 - iv. Abut-a-street: Lesser of existing building or 35 ft
 - f. This property falls within the Conservation District
10. Property line information is based on a survey in 1991 as student project by "DT" and recorded deed.
11. Project parcel is not located within a Federally designated flood hazard area (Community panel number 33017CO405E, Effective Date: September 30, 2015).
12. Approximate Mean High Water line is indicated.
13. As-built plans of the site shall be submitted on paper and in digital PDF format to the City of Dover Engineer's Office upon completion, as requestd by City.
14. Topographic survey has not been performed. Changes to grade are not planned.
15. The project parcel is served by municipal water (outside spigot only).
16. This project requires the following local, state, and federal permits:
 - a. Local building permit pending
 - b. Conditional use permit pending
 - c. Shoreland permit pending, #2018-00971
17. Erosion control measures shall include best management practices and as indicated by the pending Shorelands Permit.
18. The limits of construction disturbance that are located in or within 50 ft of the Conservation and Wetland Districts shall be staked and clearly identified prior to any earth disturbing activity.
19. Sheet Index
 - a. Sheet 1: General Notes
 - b. Sheet 2: Pre-Existing Conditions Plan
 - c. Sheet 3: Post-Construction Conditions Plan

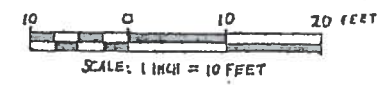


Great Bay Yacht Club

Pre-Existing Conditions Plan

March 29, 2018

Updated April 27, 2018
for C.U.P. App



Applicant/owner
Thomas Page, VC
Great Bay Yacht Club
PO Box 1644
Dover, NH 03820

Sheet 2

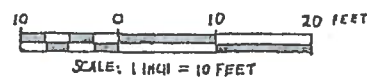
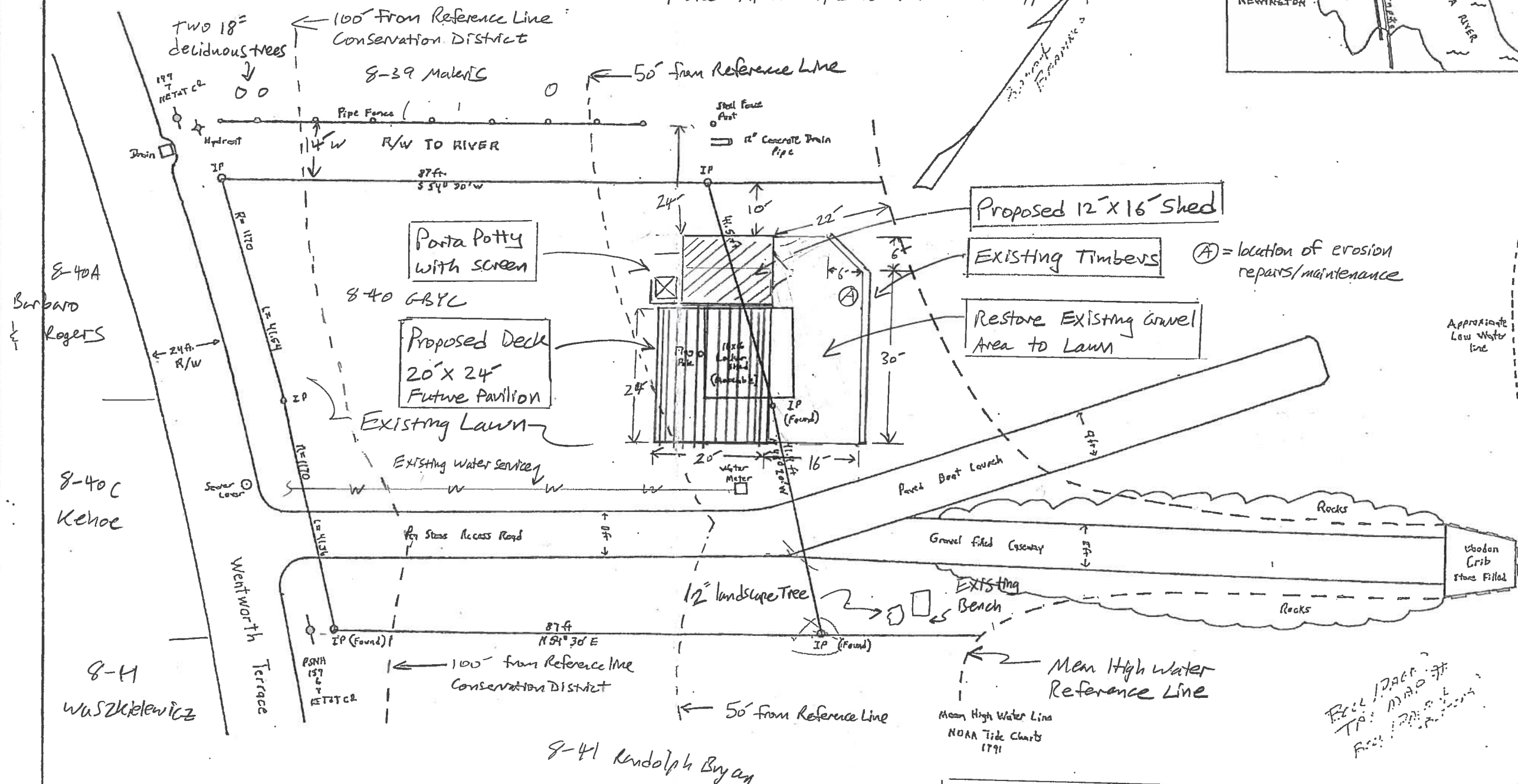
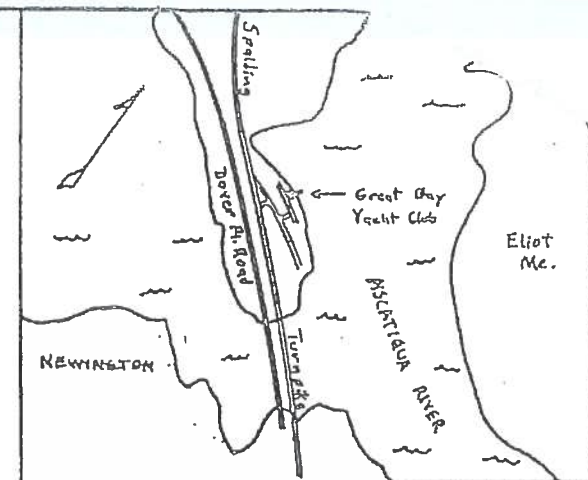
DT'S SURVEY CO.
11 WENTWORTH TERRACE DOVER, NH
SURVEY
OF
GREAT BAY YACHT CLUB
BY APPROVED

NOT FOR RECORDING
STUDENT PROJECT

Great Bay Yacht Club

Post-Construction Conditions Plan March 29, 2018

Updated April 27, 2018 For C.U.P. App

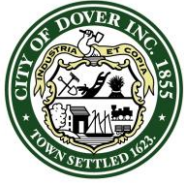


Applicant/Owner
 Thomas Page, VC
 Great Bay Yacht Club
 PO Box 1644
 Dover, NH 03820

Sheet 3

DT'S SURVEY CO.
11 WENTWORTH TERRACE DOVER, NH
SURVEY
OF
GREAT BAY YACHT CLUB
BY APPROVED

NOT FOR RECORDING
 STUDENT PROJECT



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P18-21

Application Type: Conditional Use Permit
Applicant(s): Ronald & Nicole Mercier
Owner(s): Ronald & Nicole Mercier
Location: 120 County Farm Cross Road (Assessor's Map B, Lot 14C)
Meeting Date: May 22, 2018

INTENT: To obtain a Conditional Use Permit to construct a 12-foot wide driveway for access to a residential building site which will impact 2,900 square feet of wetlands and 5,948 square feet of wetlands buffer.

LOTS/UNITS PROPOSED: One additional house lot

AGENDA ITEM: # 4-B

ACREAGE: 4.048 acres

ZONING DISTRICT: Rural Residential District (R-40)

EXISTING LAND USE: Single Family house, garage and barn

PROPOSED LAND USE: Subdivision to create new single family lot

SURROUNDING LAND USE: Residential

ZBA ACTION: None

ATTACHMENTS:

CUP application and plans, 5/14/18 Conservation Commission 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
- NH Department of Environmental Services Wetlands Permit
- NH Department of Environmental Services Subdivision Permit

WAIVERS REQUESTED: None

Summary of Request and Background

The applicant is requesting a Conditional Use Permit to install a new 12 foot wide driveway off County Farm Cross Road to provide access to the new house site on the proposed new lot. There are two wetland crossing where culverts will be installed under the driveway.

The Conservation Commission endorsed this CUP at their May 14, 2018 meeting (minutes attached).

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 provide the Planning Department with a copy of the NHDES Subdivision Permit.
3. The applicant shall follow the erosion and sediment control measures required on sheet WPA-2 of the wetland permit application plan during the construction of the driveway.

120 County Farm Cross Road

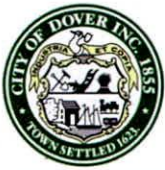
**Property Information**

Property ID B0014-C00000
Location 120 COUNTY FARM CROSS RD
Owner MERCIER RONALD R &

**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 03/29/2018
Properties updated 05/10/2018



City of Dover, New Hampshire **CONDITIONAL USE PERMIT APPLICATION**

[Revision Date: May 18, 2017]

Office Use Only

Project #:

P18-21

Date Received:

RECEIVED
Planning Office

MAY 01 2018

Amount Paid:

Time Received:

Dover, New Hampshire

APPLICANT AND OWNER INFORMATION

Name of Applicant: Ronald & Nicole Mercier Telephone # (978) 744-7073

Address of Applicant: 120 County Cross Farm Road, Dover, NH 03820

E-Mail Address: _____

Name of Property Owner (if different from applicant): _____ Telephone # _____

Address of Property Owner: _____

PROPERTY INFORMATION

Assessor's Map # B Lot(s) # 14C

Address of Property: 120 County Farm Cross Road, Dover, NH

Zoning District(s) R-40 Overlay District(s) Wetlands

Existing Use of Property: Single Family House

CONDITIONAL USE PERMIT INFORMATION

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

- | | | |
|---|---|--|
| ☐ Conservation District | ☐ RCM Use Overlay District | ☐ I-1 District Uses |
| ☐ Groundwater Protection | ☐ Off-Street Parking and Loading | ☐ Alternative Treatment Center |
| ☒ Wetland Protection District | ☐ Central Business District | ☐ Heritage Residential District |

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

Impact to 2900 square feet of Wetlands and 5948 square feet of Wetlands Buffer for the construction
of a driveway for access to a residential building site.

List Any Associated State or Federal Permits That Have Been or Will Be Applied For and Indicate Their Status: _____

NHDES Wetlands Impact Permit

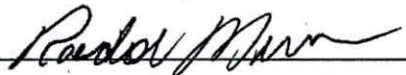
Name of Professional That Prepared Plans: Tritech Engineering Corporation

Address 755 Central Avenue, Dover, NH 03820 Telephone #: (603)742-8107

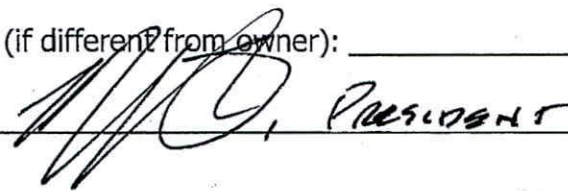
Professional License #: P.E 9903, LLS 884 E-mail address: rjs@tritecheng.com

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:  Date: 5/1/18

Signature of Applicant (if different from owner): _____ Date: _____

Signature of Agent:  PRESIDENT Date: 5/1/18

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: 5/1/18

**CITY OF DOVER CONDITIONAL USE
LIST OF ABUTTERS**

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. Staff will provide the abutter information, while the applicant must provide accurate contact information for the owner, applicant and professional agents representing the project.

Owner:

TAX MAP	LOT #	PROPERTY OWNER	<u>MAILING ADDRESS</u>
B	14C	Ronald & Nicole Mercier	120 County Farm Cross Rd, Dover, NH

Applicant (if different from owner):

APPLICANT NAME	APPLICANT COMPANY	<u>MAILING ADDRESS</u>

Surveyor and/or Engineer/Professional Agent:

NAME	COMPANY	<u>MAILING ADDRESS</u>
Robert J. Stowell	Tritech Engineering Corporation	755 Central Avenue, Dover, NH

Conservation Easement Holder:

TAX MAP	LOT #	NAME OF EASEMENT HOLDER	<u>MAILING ADDRESS</u>



City of Dover, New Hampshire SITE PLAN REVIEW SUBMISSION CHECKLIST

[Revision Date: May 15, 2017]

This site plan review checklist, as required by Chapter 149-6-B(2), should be completed by the applicant. It is intended to assist the applicant in the planning process of preparing a Site Plan Review application for Planning Board action. The size of the project will determine the types of information required for review, therefore, a **pre-application conference** with the Planning Department to determine the list of items that must be completed is strongly encouraged.

Fees will be invoiced and are due along with fifteen (15), folded, copies of the plan set and materials, including response to TRC comments, will be due 3 weeks prior to the Planning Board meeting.

The applicant is cautioned that this checklist is only a guide and is not intended to be a complete list of all site plan review requirements. Please refer to the Site Plan Review Regulations for full details.

APPLICANT: Ronald & Nicole Mercier File Number: _____

PROJECT TITLE: Conditional Use Permit

PROPERTY LOCATION: 120 County Farm Cross Road, Dover, NH Tax Map: B Lot: 14C

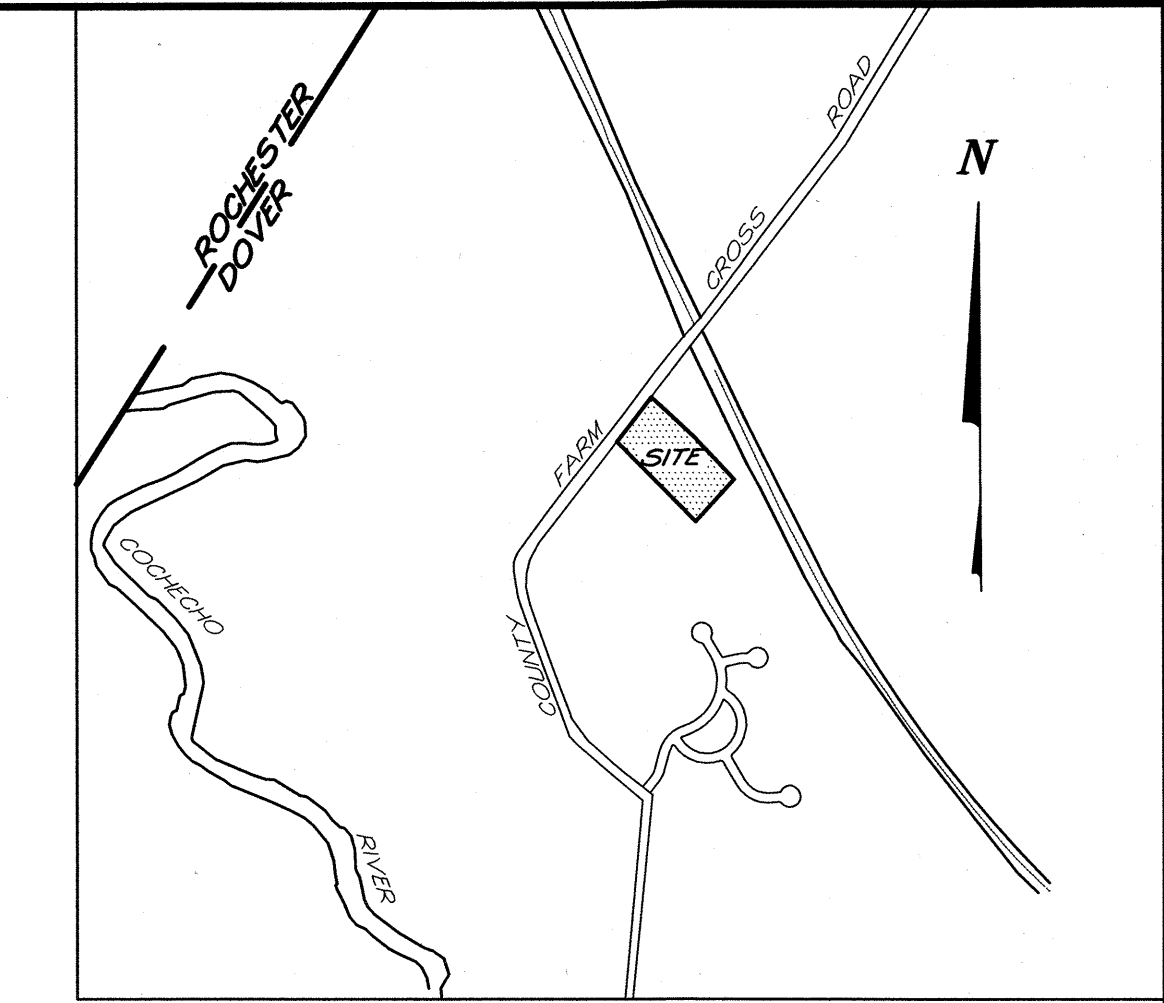
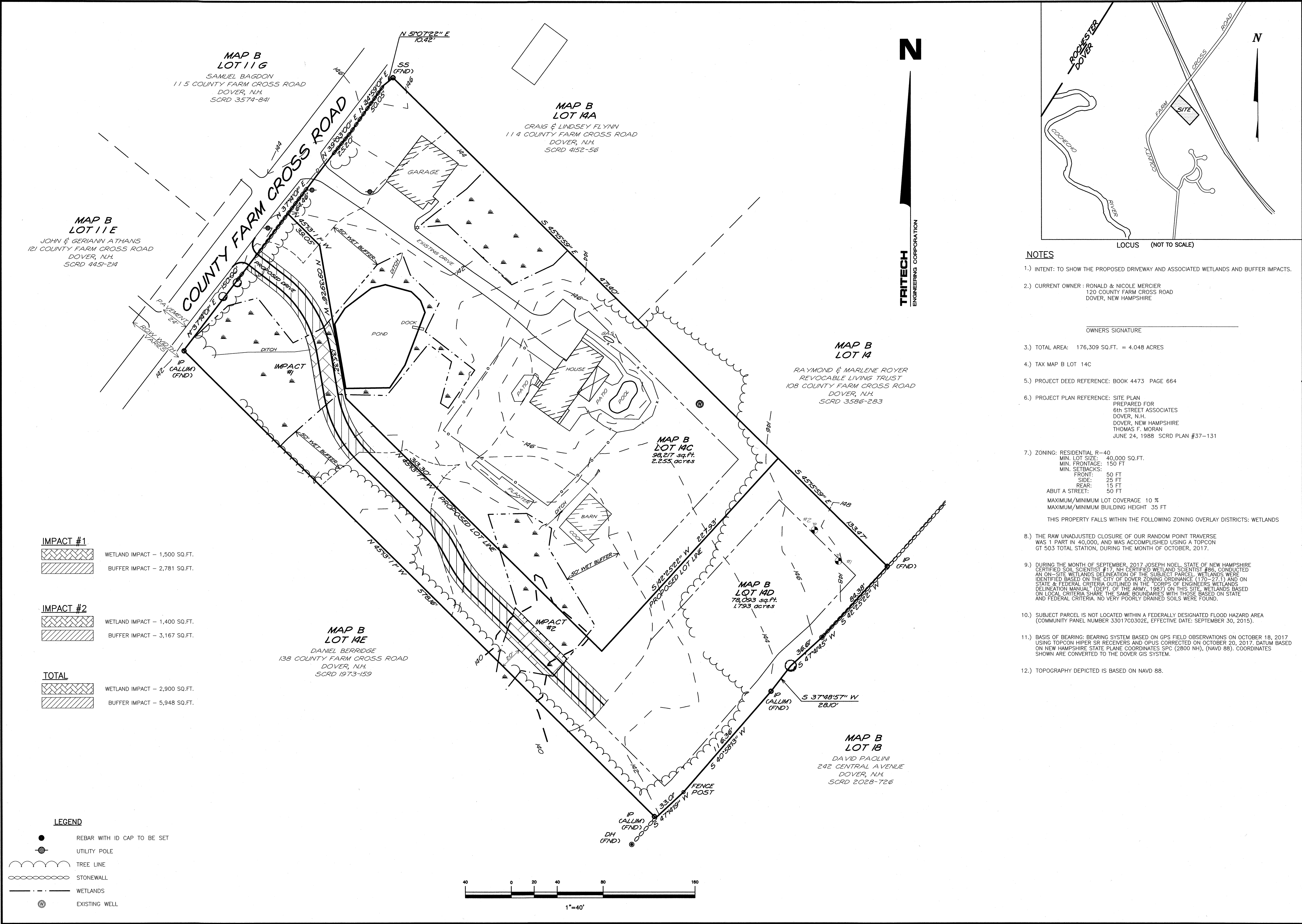
	Explain How Provided	Reviewed
1. Completed and signed Application form	Enclosed	
2. Electronic copy of the engineered/surveyed plan layout	Email	
3. Electronic copy of supplementary materials and application	Email	
4. Traffic Impact Assessment and Analysis (Standard or Advanced)	N/A	
5. Fiscal Impact Analysis (For more than 10 units)	N/A	
6. Waiver requests to the Site Plan Review Regulations, with written justification	N/A	
7. Conditional Use Permit applications	Enclosed	
8. A colored rendering of the streetscape that will be created along the existing public right-of-way	N/A	
9. A colored architectural plan showing all sides of buildings	N/A	
10. List of all professional agents to be notified for Planning Board	Enclosed	
11. Eight copies of site plan w/scale of not less than 1"=50' or 1"=100' for larger site plans, for TRC. Plans shall contain the following items as appropriate:	Enclosed	
Location map at appropriate scale	On Plan	
Proposed Project name and title and Planning File #	On Plan	
Date, north arrow and scale	On Plan	
Names of all abutting property owners	On Plan	
Name and address of owners and/or applicants	On Plan	
Signature & stamp of NH licensed land surveyor and/or engineer	On Plan	
Zoning District boundaries, including any special or overlay districts	On Plan	
Location of Conservation District areas	On Plan	
Location, names and widths of existing and proposed streets, including pavement widths, grades, curbs and crosswalks	On Plan	
Location and widths of existing & proposed easements & right of ways	On Plan	
Depict pedestrian walkways and accessible access	On Plan	
Location and width of existing and proposed access/egress ways	On Plan	
Existing and proposed property lines with dimensions and bearings tied into Dover's Geographic Information System coordinate system	On Plan	
Existing and proposed topographic information at two foot intervals	On Plan	

	Explain How Provided	Reviewed
Existing and proposed buildings and structure locations	N/A	
Minimum building setbacks or build to lines on all lots	On Plan	
Location and size of existing and proposed electric, telephone, gas cable and other underground utilities	On Plan	
Existing and proposed water lines and fire hydrants, including materials and capacity needed	N/A	
Location and materials of sanitary sewage facilities within project site and projected additional peak hour sewer load	N/A	
Existing and proposed stormwater lines and facilities	On Plan	
Lighting plan depicting all existing and proposed exterior light fixtures and a lighting level analysis for parking lots	N/A	
Location of Flood Hazard Zone	On Plan	
Location of all bodies of water and watercourses	On Plan	
Location of wetlands and buffers	On Plan	
Neighborhood plan with aerial underlay showing how project relates to abutting uses	Enclosed	
Existing natural features and/or significant vegetation on property	On Plan	
Depict existing contours up to 100 ft. beyond project limits	On Plan	
Landscape plan depicting existing and proposed landscaping, prepared by a licensed Professional Landscape Architect	N/A	
Location of parking layout delineating spaces and arrangement; note addressing maximum required spaces	N/A	
Location, material and size of existing and proposed pavement area	On Plan	
Location of proposed fire lanes	N/A	
Specify finished floor elevations of buildings	N/A	
Location of solid waste disposal facilities (dumpster, pad and screening, etc.), including required screening	N/A	
Depict all service, storage, loading bays and utility areas	N/A	
All applicable Dover Common Site Plan notes	On Plan	
12. Additional Information if appropriate		
Stormwater Management Plan depicting the existing & proposed storm drainage system and engineered drainage analysis		
Stormwater Management System Operation and Maintenance Plan		
Erosion and Sedimentation Control Plan		
Landscape Operation and Maintenance Plan		
Proposed restrictive covenants or homeowners association documents		
Dates and permit numbers of all required state and federal permits		
If wetland buffer, indicate placards locations, as applicable		
Depict test boring locations, groundwater elevations and soil profiles and/or soils types call-outs		
Location of proposed drive-in facilities		
Provide additional exhibits/technical data determined appropriate by the Planning Board or its staff as required		

REVIEWED BY: _____ DATE _____ TRC DATE _____

P18-21 120 County Farm Cross Road

Property ID	Location	Owner 1	Owner 2	Owner Address 1	City	State	Zip
B0011-B00000	137 COUNTY FARM CROSS RD	TRETTER JON & ELIZABETH		137 COUNTY FARM CROSS RD	DOVER NH		03820
B0011-E00000	121 COUNTY FARM CROSS RD	ATHANS JOHN P &	ATHANS GERIANN A	121 COUNTY FARM CROSS RD	DOVER NH		03820
B0011-F00000	107 COUNTY FARM CROSS RD	ADAMS GARY	ADAMS MARY	107 COUNTY FARM CROSS RD	DOVER NH		03820
B0011-G00000	115 COUNTY FARM CROSS RD	BAGDON SAMUEL		115 COUNTY FARM CROSS RD	DOVER NH		03820
B0012-000000	98 COUNTY FARM CROSS RD	MERKLEY MARY B		98 COUNTY FARM CROSS ROAD	DOVER NH		03820
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		RONALD & NICOLE MERCIER		120 COUNTY FARM CROSS ROAD	DOVER NH		03820
		TRITECH ENGINEERING CORPORATION		755 CENTRAL AVENUE	DOVER NH		03820



- NOTES
- 1.) INTENT: TO SHOW THE PROPOSED DRIVEWAY AND ASSOCIATED WETLANDS AND BUFFER IMPACTS.
- 2.) CURRENT OWNER : RONALD & NICOLE MERCIER
120 COUNTY FARM CROSS ROAD
DOVER, NEW HAMPSHIRE
- OWNERS SIGNATURE _____
- 3.) TOTAL AREA: 176,309 SQ.FT. = 4.048 ACRES
- 4.) TAX MAP B LOT 14C
- 5.) PROJECT DEED REFERENCE: BOOK 4473 PAGE 664
- 6.) PROJECT PLAN REFERENCE: SITE PLAN
PREPARED FOR
6TH STREET ASSOCIATES
DOVER, N.H.
DOVER, NEW HAMPSHIRE
THOMAS F. MORAN
JUNE 24, 1988 SCRD PLAN #37-131
- 7.) ZONING: RESIDENTIAL R-40.
MIN. LOT SIZE: 40,000 SQ.FT.
MIN. FRONTAGE: 150 FT
MIN. SETBACKS:
FRONT: 50 FT
SIDE: 25 FT
REAR: 15 FT
ABUT A STREET: 50 FT
MAXIMUM/MINIMUM LOT COVERAGE: 10 %
MAXIMUM/MINIMUM BUILDING HEIGHT: 35 FT
THIS PROPERTY FALLS WITHIN THE FOLLOWING ZONING OVERLAY DISTRICTS: WETLANDS
- 8.) THE RAW UNADJUSTED CLOSURE OF OUR RANDOM POINT TRAVERSE WAS 1 PART IN 40,000, AND WAS ACCOMPLISHED USING A TOPCON GT 503 TOTAL STATION, DURING THE MONTH OF OCTOBER, 2017.
- 9.) DURING THE MONTH OF SEPTEMBER, 2017 JOSEPH NOEL, STATE OF NEW HAMPSHIRE CERTIFIED SOIL SCIENTIST #17, NH CERTIFIED WETLAND SCIENTIST #86, CONDUCTED AN ON-SITE WETLANDS DELINEATION OF THE SUBJECT PARCEL. WETLANDS WERE IDENTIFIED BASED ON THE CITY OF DOVER ZONING ORDINANCE (170-27.1) AND ON STATE & FEDERAL CRITERIA OUTLINED IN THE "CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL" (DEPT. OF THE ARMY, 1987) ON THIS SITE. WETLANDS BASED ON LOCAL CRITERIA SHARE THE SAME BOUNDARIES WITH THOSE BASED ON STATE AND FEDERAL CRITERIA. NO VERY POORLY DRAINED SOILS WERE FOUND.
- 10.) SUBJECT PARCEL IS NOT LOCATED WITHIN A FEDERALLY DESIGNATED FLOOD HAZARD AREA (COMMUNITY PANEL NUMBER 33017C0302E, EFFECTIVE DATE: SEPTEMBER 30, 2015).
- 11.) BASIS OF BEARING: BEARING SYSTEM BASED ON GPS FIELD OBSERVATIONS ON OCTOBER 18, 2017 USING TOPCON HIPER SR RECEIVERS AND OPUS CORRECTED ON OCTOBER 20, 2017. DATUM BASED ON NEW HAMPSHIRE STATE PLANE COORDINATES SPC (2800 NH), (NAVD 88). COORDINATES SHOWN ARE CONVERTED TO THE DOVER GIS SYSTEM.
- 12.) TOPOGRAPHY DEPICTED IS BASED ON NAVD 88.

TRITECH
ENGINEERING CORPORATION

755 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820
TELEPHONE 603 748 8107
FAX 603 742 5830

CONDITIONAL USE PERMIT APPLICATION PLAN

RONALD & NICOLE MERCIER
120 COUNTY FARM CROSS ROAD
DOVER, NEW HAMPSHIRE

MAY 1, 2018 JOB No. 17131
SCALE: 1" = 40'

SHEET No.

CUP-1

(P18-PP)



CITY OF DOVER

DOVER CONSERVATION COMMISSION – MINUTES

Meeting Type: Regular Meeting
Meeting Location: 2nd Floor Conference Room, City Hall, 288 Central Avenue
Meeting Date: Monday, May 14, 2018
Meeting Time: 5:30 pm

MEMBERS PRESENT: Bill Hunt (Chair), Tristan Donovan (Vice Chair), Amy Kramer-Perry, Richard Erickson (5:35), Robert Eckert, Abby Lyon (Alternate), Jay Aube (Alternate)

STAFF PRESENT: Steve Bird (City Planner)

OTHERS PRESENT: Chris Berry, James Hayden, John O'Connor, Bob Stowell, Ron Mercier, others

1. The meeting was convened at 5:30 PM and a roll call was done.

2. APPROVAL OF THE PRIOR MEETING MINUTES – April 9, 2018

Eckert moved to approve the April 9, 2018 minutes, Lyon seconded. Vote: 6 in favor

3. OLD BUSINESS: NONE

4. NEW BUSINESS:

- A. City of Dover Conditional Use Permit for TDAK & Company, LLC, Assessor's Map 35, Lot 57, zoned R-12, located at 99 Sixth Street.

Chris Berry was present to explain the proposal for the construction of a 345 foot long private road that impacts a Conservation District area of 20% or greater slopes. The total proposed impact is 6,200 square feet. Two driveways exist now. We are use Transfer of Development ordinance to gain density. Slopes are all man-made. Some of the disturbance is due to storm water management measures. The plans address erosion control.

Donovan: Have you done any sub-surface exploration?

Berry: Yes we have done test pits. The water table is 3 to 4 feet down.

Donovan: Have you done a slope stability analysis?

Berry: We only did a site specific slope stabilization study.

Aube: Where does storm water flow?

Berry: Down the driveways out onto Sixth Street. But most will go into the City catch basins. We have an operations and maintenance plan.

Perry: What is the purpose of the pavement between units 2 and 3?

Berry: It is a fire truck turn around.

Donovan explained that the Planning Board has scheduled a site walk on Tuesday, May 22nd at 5:30 PM and the Conservation Commission is invited to attend.

Aube: This design is a betterment of the existing situation.

Donovan: I agree with that. They have improved the storm water situation.

Aube made a motion to endorse the City of Dover Conditional Use Permit, Donovan seconded. Vote: 7 in favor



CITY OF DOVER

DOVER CONSERVATION COMMISSION – MINUTES

Meeting Type: Regular Meeting
Meeting Location: 2nd Floor Conference Room, City Hall, 288 Central Avenue
Meeting Date: Monday, May 14, 2018
Meeting Time: 5:30 pm

- B. City of Dover Conditional Use Permit for Thomas Page and the Great Bay Yacht Club, Assessor's Map 8, Lot 40, zoned R-20, located at 21 Wentworth Terrace.

John O'Connor was present to explain the proposal for the construction of a 12' x 16' storage shed and a 20' x 24' wooden deck within the 100 foot Conservation District adjacent to the tidal Piscataqua River. The shed is 22 feet from the river and the deck is 25 feet from the river. This requires a DES Shoreland Permit. This a yacht club only by name, very modest. We have an existing 16' x 16' shed with stone dust around it. Deck would be where existing shed is.

Lyon: Will the deck be covered?

O'Connor: Not at this point due to cost.

Lyon: Application says lot coverage is being reduced but not if deck is covered.

O'Connor: Stone dust will be removed and replaced with loam and seed.

Lyon confirmed that they will keep the existing timber wall.

Donovan: Do they need a wetlands permit for this?

Bird: Not sure but they did apply for a shoreland permit so DES would make that determination.

O'Connor: Yes I think we got a letter from DES asking for more information.

Aube: DES views decks to impervious unless they are designed for storm water infiltration.

Donovan: They could put a layer of gravel under the deck to handle storm water.

Lyon: Will the deck have footings?

O'Connor: There will be no footings.

Bird asked if O'Connor had the letter asking for more information.

O'Connor gave the letter to Hunt and he read the letter.

Aube: Stone dust is considered impervious.

Bird: The Planning Board will have a condition that the applicant obtain the Shoreland Permit.

Donovan made a motion to endorse the City of Dover Conditional Use Permit, Erickson seconded. Vote: 7 in favor

- C. NHDES Expedited Review Wetlands Permit and City of Dover Conditional Use Permit for Ronald & Nicole Mercier, Assessor's Map B, Lot 14-C, zoned R-40, located at 120 County Farm Cross Road.

Bob Stowell was present to explain the proposal to install a new 12-foot wide driveway to access a proposed house with a permanent wetlands impact of 2,900 square feet and a wetlands buffer impact of 5,948 square feet. This used to be two lots of record but it didn't qualify for lot restoration due to a barn being built over the lot line. Building site is at the rear of the new lot. There are two wetland impact areas and 12" culverts will be installed at each crossing. Site has been disturbed for a long time and is regularly mowed.

Aube: I would like to see information on the functions and values of the wetlands.

Stowell: I don't have one but we had a pre-application meeting with DES and Planning Department.



CITY OF DOVER

DOVER CONSERVATION COMMISSION – MINUTES

Meeting Type: Regular Meeting
Meeting Location: 2nd Floor Conference Room, City Hall, 288 Central Avenue
Meeting Date: Monday, May 14, 2018
Meeting Time: 5:30 pm

Hunt: It is an interesting lot configuration.

Stowell: We did multiple configurations that didn't work. We kept the wetland impact 20 feet off property line.

Aube: You don't have many options.

Stowell: We will have on-site septic system and well. Will be at Planning Board on May 22nd.

Bird confirmed with Stowell that the threshold for an expedited permit is 3,000 square feet.

Donovan made a motion to endorse the City of Dover Conditional Use Permit and NH DES Expedited Review Application, Kramer-Perry seconded. Vote: 7 in favor

5. REPORT FROM THE CHAIR

Hunt: We received an e-mail from Mike Joyce just before the meeting and he is resigning due to his job. Would either of the alternates like to become a regular member?

Lyon agreed to be a regular member, so Bird will notify the City Clerk.

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

1. Wetlands Permit from DES Wetlands for Patrick & Sarah Hourihane of 135 Spur Road.
2. Letter from DES Wetlands to Margaret & William Green of 124 Dover Neck Road, regarding enforcement inspection
3. Shoreland Permit by Notification for Olde Madbury Lane for installation of one monitoring well adjacent to Bellamy River.
4. Request for more information from DES for Dan Ayer for a dock at 100 McKone Lane.
5. Request for more information from DES for Rachel and Scott Fillion at 17 Boston Harbor Road.

6. OTHER BUSINESS:

Bird informed the Conservation Commission that the waterfront public dock installation is scheduled to take place on May 23rd. City is required to notify DES also.

Aube distributed a letter from the DES Commissioner to the Conservation Commission asking for volunteers to join the LAC for the Cochecho River. He was just appointed and trying to revive the group. They review various permits to make sure the river is being protected.

7. ADJOURNMENT

The Chair declared the meeting adjourned at 6:42 pm.



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P18-22

Application Type: Minor Subdivision
Applicant(s): Ronald & Nicole Mercier
Owner(s): Ronald & Nicole Mercier
Location: 120 County Cross Road (Assessor's Map B, Lot 14C)
Meeting Date: May 22, 2018

INTENT: Subdivision Plan to create two lots. Lot 14C would be 2.255 acres and lot 14D would be 1.793 acres.

LOTS/UNITS PROPOSED: 1 new lot (14D)

AGENDA ITEM: # 4-C

ACREAGE: 4.048 acres. Lot 14C would be 2.255 acres and lot 14D would be 1.793 acres.

ZONING DISTRICT: Rural Residential District (R-40)

EXISTING LAND USE: Residential

PROPOSED LAND USE: Residential

SURROUNDING LAND USE: Residential

ZBA ACTION: None

ATTACHMENTS: Application, Subdivision Plan, Conservation Commission Minutes of 5/14/18

APPLICATION IS COMPLETE: Yes

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

PERMITS REQUIRED:

- NHDES Wetlands Permit
- NHDES Subdivision Permit
- Dover Conditional Use Permit

WAIVERS REQUESTED: None

Summary of Request and Background

The applicant has submitted a plan to subdivide one lot on County Farm Cross Road into 2 lots. Both lots will be serviced by individual septic systems and wells. The new lot will be accessed by a private drive.

The Conservation Commission reviewed this project at their May 14th meeting (minutes attached) and endorsed this application.

Consistency with Land Use Regulations

Chapter 155-15 of the Land Subdivision Regulations of the City Code provides for subdivisions of existing lots.

Staff Recommendation:

The Planning Department recommends that the Board accept the application, open the public hearing, and vote to approve the minor subdivision plan with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

1. Provide copies of NHDES Subdivision and Wetland Permits to staff and amend Plan Note #20 to add those permit numbers.
2. Conditional Use Permit (P18-21) shall be approved.
3. The applicant shall revise the plat to:
 - a. Include the Licensed Land Surveyor and Certified Wetland Scientist signatures and stamps
 - b. Add the owner's signatures to the final plat submitted for signature to be recorded at the Strafford County Registry of Deeds
 - c. Add common subdivision note 20
 - d. Amend note #14 to include a PDF copy
 - e. Add a note indicating that the use of the site will be for single family residential use
 - f. Add Planning File #P18-22

Conditions to Be Met Prior to Issuance of a Certificate of Occupancy:

4. Any new dwelling unit shall be assessed the current impact fees in place at the time of building permit application. Impact fees shall be paid prior to issuance of a Certificate of Occupancy.

120 County Farm Cross Road

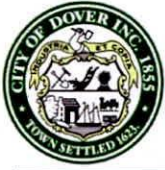
**Property Information**

Property ID B0014-C00000
Location 120 COUNTY FARM CROSS RD
Owner MERCIER RONALD R &

**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 03/29/2018
Properties updated 05/10/2018



City of Dover, New Hampshire

MINOR SUBDIVISION APPLICATION

[Revision Date: August 02, 2017]

RECEIVED
Planning Office

Office Use Only

Project #:

P18-22

Date Received:

MAY 01 2018

Amount Paid:

Time Received:

Dover, New Hampshire

APPLICANT AND OWNER INFORMATION

Name of Applicant: Ronald & Nicole Mercier Telephone # (978)744-7073

Address of Applicant: 120 County Cross Road, Dover, NH 03820

Name of Property Owner (if different from applicant): _____ Telephone # _____

Address of Property Owner: _____

E-Mail Address: _____

PROPERTY INFORMATION

Address of Property: 120 County Cross Road, Dover, NH 03820

Assessor's Map # B Lot(s) # 14C

Zoning District(s) R-40 Overlay District(s) Wetlands

Size of Parcel: 4.048 Acres Property Deed: Book 4473 Page: 664

Existing Use of Property: Single Family Home

SUBDIVISION INFORMATION

Existing Number of Lots: 1 Proposed Number of Lots: 2

City Water? Yes X No How far is city water from the property? More than 1000 Feet

City Sewer? Yes X No How far is city sewer from the property? More than 1000 Feet

Highway Access (check where applicable): X City Street _____ State Highway _____

Estimated Length of Proposed Roads: N/A feet Public or Private Road? N/A

WAIVER REQUESTS

Subdivision Regulations section(s) to be waived: _____

Justification for waiver request(s) (attach additional sheets as needed):

SURVEYOR INFORMATION

Name of Surveyor and Company (Licensed in N.H.) Robert J. Stowell, Trittech Engineering Corporation

Address 755 Central Avenue, Dover, NH 03820 Telephone #: (603)742-8107

Professional License #: 884 E-mail address: rjs@tritecheng.com

ENGINEER INFORMATION

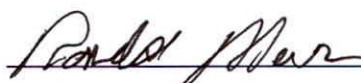
Name of Engineer and Company (Licensed in N.H.) Robert J. Stowell, Trittech Engineering Corporation

Address 755 Central Avenue, Dover, NH 03820 Telephone #: (603)742-8107

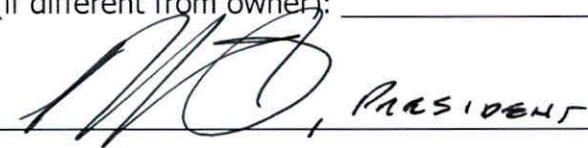
Professional License #: 9903 E-mail address: rjs@tritecheng.com

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. Furthermore, I/We submit that the existing conditions sheet of the plan represents the lot in question, and that no alteration of the site shall take place during Planning Board review up to and including the pre-construction meeting. As applicant or as agent, I attest that I am duly authorized to act in this capacity.

Signature of Property Owner:  Date: 5/1/18

Signature of Applicant (if different from owner): _____ Date: _____

Signature of Agent:  PRESIDENT Date: 05/01/18

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: 5/1/18

AUTHORIZATION TO COMPLETE THE PROJECT ON SUBJECT PROPERTY

I, and my successors, hereby authorize the City of Dover and its assigns to enter my property for the purpose of completing the site work as required by the approved plan should the letter or credit or other surety be called. It is understood that these individuals must use all reasonable care, courtesy, and diligence when on the property.

Signature of Property Owner: Ronald Munn Date: 5/1/18

Signature of Applicant (if different from owner): _____ Date: _____

CERTIFICATION OF FEES

I, and my successors, hereby certify that I understand that the City of Dover collects impact fees, utility investment fees and inspection fees for projects developed in Dover. Said fees must be paid before a Certificate of Occupancy can be obtained for a structure, unless a different payment schedule is agreed to by the applicant and the City prior to approvals being issued by the Dover Planning Board. Additionally, should the property be in "Current Use" it will be subject to the Land Use Change Tax.

Signature of Property Owner: Ronald Munn Date: 5/1/18

Signature of Applicant (if different from owner): _____ Date: _____

CERTIFICATION OF PUBLIC ROADWAY ACCEPTANCE

I, and my successors, hereby certify that I understand that the acceptance of a roadway as a public road is an action of the City Council in its sole and complete discretion. In order for the City Council to consider accepting a road as public, it must be free of encumbrances. No roadway with private utility easements shall be accepted as a public road by the City unless the easements are expunged prior to the transfer of land to the City. License agreements for any and all private utilities within the right of way may be granted by the City upon acceptance of the unencumbered roadway consistent with applicable state law.

Signature of Property Owner: Ronald Munn Date: 5/1/18

Signature of Applicant (if different from owner): _____ Date: _____

**CITY OF DOVER SUBDIVISION
LIST OF ABUTTERS**

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. Staff will provide the abutter information, while the applicant must provide accurate contact information for the owner, applicant and professional agents representing the project.

Owner:

TAX MAP	LOT #	PROPERTY OWNER	MAILING ADDRESS
B	14C	Ronald & Nicole Mercier	120 County Farm Cross Road, Dover, NH

Applicant (if different from owner):

APPLICANT NAME	APPLICANT COMPANY	MAILING ADDRESS

Surveyor and/or Engineer/Professional Agent:

NAME	COMPANY	MAILING ADDRESS
Robert J. Stowell	Tritech Engineering Corporation	755 Central Avenue, Dover, NH

Conservation Easement Holder:

TAX MAP	LOT #	NAME OF EASEMENT HOLDER	MAILING ADDRESS



City of Dover, New Hampshire

MINOR SUBDIVISION SUBMISSION CHECKLIST

[Revision Date: December 15, 2017]

This review checklist is intended to assist the applicant in the planning process of preparing a Subdivision application for Planning Board action. The size of the project will determine the types of information required for review, therefore, a **pre-application conference** with the Planning Department to determine the list of items that must be completed is strongly encouraged.

Fees will be invoiced and are due along with fifteen (15), folded, copies of the plan set and materials will be due 3 weeks prior to the Planning Board meeting.

The applicant is cautioned that this checklist is only a guide and is not intended to be a complete list of all subdivision requirements. Please refer to the Subdivision Regulations for full details.

APPLICANT: Ronald & Nicole Mercier File Number: _____

PROJECT TITLE: Minor Subdivision of Land

PROPERTY LOCATION: 120 County Farm Cross Road Tax Map: B Lot: 14C
Dover, NH 03820

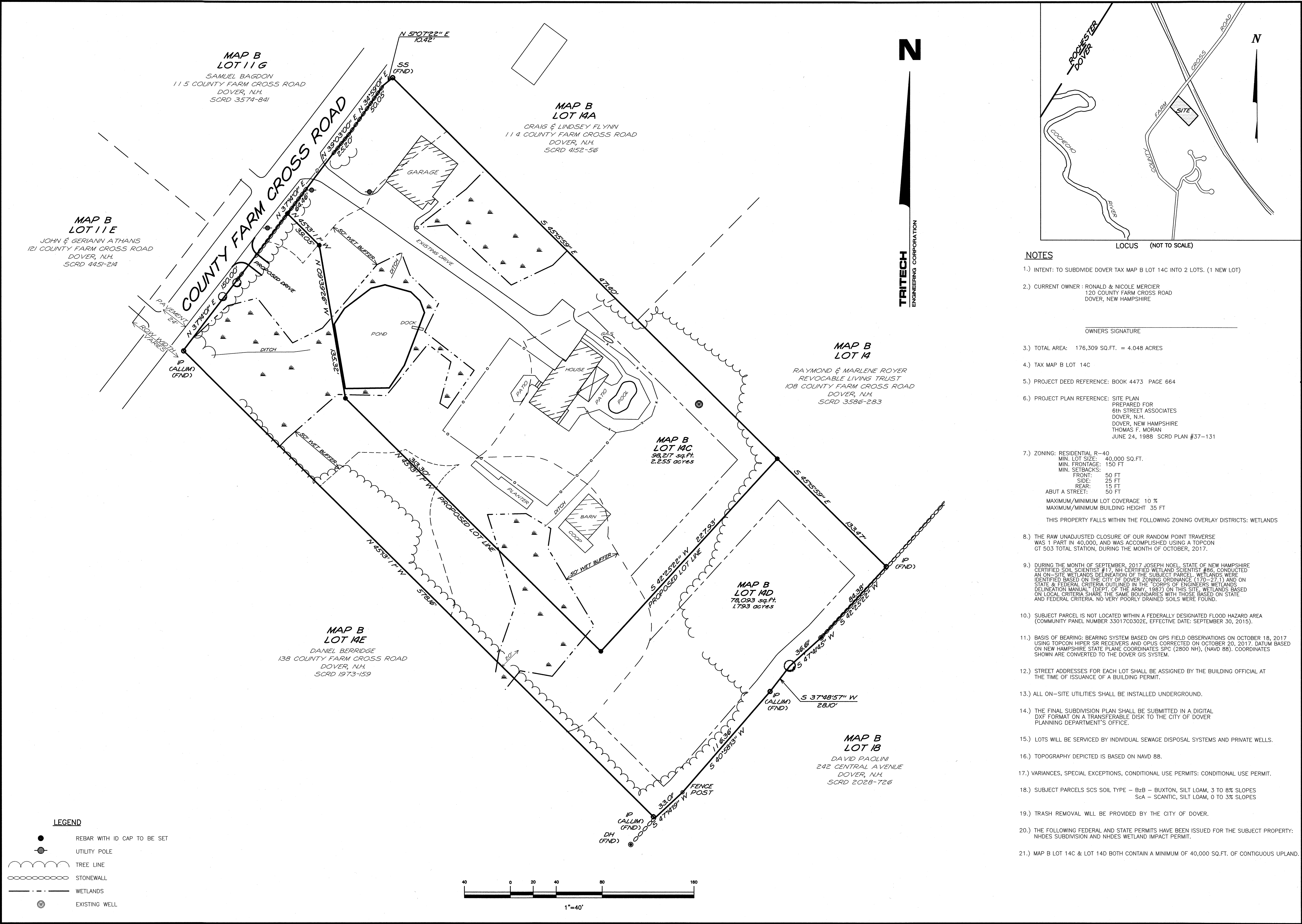
	Explain How Provided	Reviewed
1. Completed and signed Application form	Enclosed	
2. Electronic copy of the surveyed plat layout	Emailed	
3. Electronic copy of supplementary materials and application	Emailed	
4. Waiver requests to the Subdivision Regulations, with written justification	N/A	
5. Conditional Use Permit applications	Enclosed	
6. List of all professional agents to be notified for Planning Board	Enclosed	
7. Letter to Serve from Public and Private Utilities	N/A	
8. Fifteen folded copies of subdivision plan w/scale of not less than 1"=50' or 1"=100' for larger subdivisions. Plans shall contain the following items as appropriate:	Enclosed	
Location map at appropriate scale	On Plan	
Proposed subdivision name and title and Planning File #	On Plan	
Date, north arrow and scale	On Plan	
Names of all abutting property owners	On Plan	
Name and address of owners and/or applicants	On Plan	
Signature & stamp of NH licensed land surveyor and/or engineer		
Zoning District boundaries, including any special or overlay districts	On Plan	
Location of Conservation District areas	On Plan	
Location, names and widths of existing and proposed streets, including pavement widths, grades, curbs and crosswalks	On Plan	
Location and widths of existing & proposed easements & right of ways	N/A	
Location and widths of existing and proposed sidewalks	On Plan	
Existing and proposed property lines with dimensions and bearings tied into Dover's Geographic Information System coordinate system	On Plan	
Existing and proposed lot areas in square feet	On Plan	
Existing and proposed topographic information at two foot intervals	On Plan	
Existing and proposed buildings and structure locations	On Plan	
Minimum building setbacks or build to lines on all lots	On Plan	
Location and size of existing and proposed electric, telephone, gas cable and other underground utilities	On Plan	

	Explain How Provided	Reviewed
Existing and proposed water lines and fire hydrants, including materials and capacity needed	N/A	
Location and materials of sanitary sewage facilities within project site and projected additional peak hour sewer load	N/A	
Existing and proposed septic system, including test pit locations and results and NHDES subdivision permit number	Pending	
Existing and proposed stormwater lines and facilities	N/A	
Location of Flood Hazard Zone	On Plan	
Location of all bodies of water and watercourses	On Plan	
Location of wetlands and buffers	On Plan	
Existing natural features and/or significant vegetation on property	On Plan	
Soil types	On Plan	
Map and lot numbers for existing and proposed lots as assigned by Tax Assessor	On Plan	
Location of all land offered for dedication for public use or land to be held in common by property owners of the subdivision	N/A	
Location, material and size of existing and proposed permanent monuments	On Plan	
Existing railroad lines	N/A	
Note regarding solid waste disposal	On Plan	
All applicable Dover Common Subdivision notes	On Plan	
9. Additional Information if appropriate		
Stormwater Management Plan depicting the existing and proposed storm drainage system and engineered drainage analysis		
Stormwater Management System Operation and Maintenance Plan		
Erosion and Sedimentation Control Plan		
Proposed restrictive covenants or homeowners association documents		
Dates and permit numbers of all required state and federal permits		
If wetland buffer, indicate placards locations, as applicable		
Provide additional exhibits/technical data determined appropriate by the Planning Board or its staff as required		
8a. Construction Detail Sheets shall contain the following information (if appropriate):		
Profiles showing existing & proposed elevations along the center lines of proposed streets & within 100' of intersections with existing streets		
Profiles showing the locations & a typical cross-section detail of streets		
Location of street trees, street lighting poles and street signs		
Location, size and invert elevations of existing and proposed sanitary sewers, stormwater drains and fire hydrants		
Location and size of all water, gas and other underground utilities		

REVIEWED BY: _____ DATE _____

P18-22 120 County Farm Cross Road

Property ID	Location	Owner 1	Owner 2	Owner Address 1	City	State	Zip
B0011-B00000	137 COUNTY FARM CROSS RD	TRETTER JON & ELIZABETH		137 COUNTY FARM CROSS RD	DOVER NH		03820
B0011-E00000	121 COUNTY FARM CROSS RD	ATHANS JOHN P &	ATHANS GERIANN A	121 COUNTY FARM CROSS RD	DOVER NH		03820
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TRITECH
ENGINEERING CORPORATION

755 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820
TELEPHONE 603.749.9107
FAX 603.742.9630

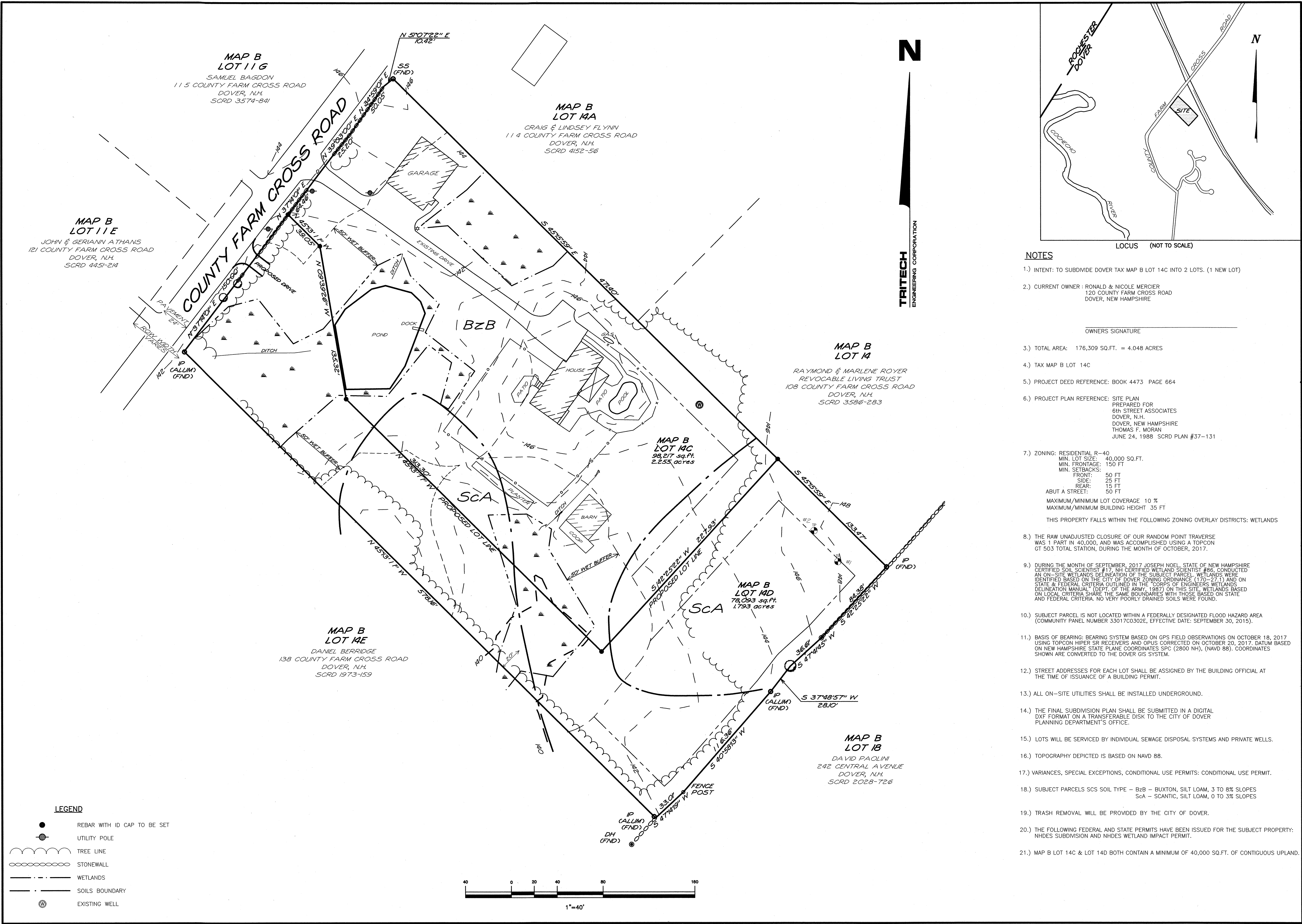
REVISIONS	DATE	DESCRIPTION

SUBDIVISION PLAN

RONALD & NICOLE MERCIER
120 COUNTY FARM CROSS ROAD
DOVER, NEW HAMPSHIRE
MAY 1, 2018
JOB No. 17131
SCALE: 1" = 40'

SHEET No.

S-1
(P18-??)



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TOPOGRAPHIC PLAN

RONALD & NICOLE MERCIER
120 COUNTY FARM CROSS ROAD
DOVER, NEW HAMPSHIRE

MAY 1, 2018 JOB No. 17131
SCALE: 1" = 40'

SHEET No.

6-2
(P18-??)



CITY OF DOVER

DOVER CONSERVATION COMMISSION – MINUTES

Meeting Type: Regular Meeting
Meeting Location: 2nd Floor Conference Room, City Hall, 288 Central Avenue
Meeting Date: Monday, May 14, 2018
Meeting Time: 5:30 pm

MEMBERS PRESENT: Bill Hunt (Chair), Tristan Donovan (Vice Chair), Amy Kramer-Perry, Richard Erickson (5:35), Robert Eckert, Abby Lyon (Alternate), Jay Aube (Alternate)

STAFF PRESENT: Steve Bird (City Planner)

OTHERS PRESENT: Chris Berry, James Hayden, John O'Connor, Bob Stowell, Ron Mercier, others

1. The meeting was convened at 5:30 PM and a roll call was done.

2. APPROVAL OF THE PRIOR MEETING MINUTES – April 9, 2018

Eckert moved to approve the April 9, 2018 minutes, Lyon seconded. Vote: 6 in favor

3. OLD BUSINESS: NONE

4. NEW BUSINESS:

- A. City of Dover Conditional Use Permit for TDAK & Company, LLC, Assessor's Map 35, Lot 57, zoned R-12, located at 99 Sixth Street.

Chris Berry was present to explain the proposal for the construction of a 345 foot long private road that impacts a Conservation District area of 20% or greater slopes. The total proposed impact is 6,200 square feet. Two driveways exist now. We are use Transfer of Development ordinance to gain density. Slopes are all man-made. Some of the disturbance is due to storm water management measures. The plans address erosion control.

Donovan: Have you done any sub-surface exploration?

Berry: Yes we have done test pits. The water table is 3 to 4 feet down.

Donovan: Have you done a slope stability analysis?

Berry: We only did a site specific slope stabilization study.

Aube: Where does storm water flow?

Berry: Down the driveways out onto Sixth Street. But most will go into the City catch basins. We have an operations and maintenance plan.

Perry: What is the purpose of the pavement between units 2 and 3?

Berry: It is a fire truck turn around.

Donovan explained that the Planning Board has scheduled a site walk on Tuesday, May 22nd at 5:30 PM and the Conservation Commission is invited to attend.

Aube: This design is a betterment of the existing situation.

Donovan: I agree with that. They have improved the storm water situation.

Aube made a motion to endorse the City of Dover Conditional Use Permit, Donovan seconded. Vote: 7 in favor



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- B. City of Dover Conditional Use Permit for Thomas Page and the Great Bay Yacht Club, Assessor's Map 8, Lot 40, zoned R-20, located at 21 Wentworth Terrace.

John O'Connor was present to explain the proposal for the construction of a 12' x 16' storage shed and a 20' x 24' wooden deck within the 100 foot Conservation District adjacent to the tidal Piscataqua River. The shed is 22 feet from the river and the deck is 25 feet from the river. This requires a DES Shoreland Permit. This a yacht club only by name, very modest. We have an existing 16' x 16' shed with stone dust around it. Deck would be where existing shed is.

Lyon: Will the deck be covered?

O'Connor: Not at this point due to cost.

Lyon: Application says lot coverage is being reduced but not if deck is covered.

O'Connor: Stone dust will be removed and replaced with loam and seed.

Lyon confirmed that they will keep the existing timber wall.

Donovan: Do they need a wetlands permit for this?

Bird: Not sure but they did apply for a shoreland permit so DES would make that determination.

O'Connor: Yes I think we got a letter from DES asking for more information.

Aube: DES views decks to impervious unless they are designed for storm water infiltration.

Donovan: They could put a layer of gravel under the deck to handle storm water.

Lyon: Will the deck have footings?

O'Connor: There will be no footings.

Bird asked if O'Connor had the letter asking for more information.

O'Connor gave the letter to Hunt and he read the letter.

Aube: Stone dust is considered impervious.

Bird: The Planning Board will have a condition that the applicant obtain the Shoreland Permit.

Donovan made a motion to endorse the City of Dover Conditional Use Permit, Erickson seconded. Vote: 7 in favor

- C. NHDES Expedited Review Wetlands Permit and City of Dover Conditional Use Permit for Ronald & Nicole Mercier, Assessor's Map B, Lot 14-C, zoned R-40, located at 120 County Farm Cross Road.

Bob Stowell was present to explain the proposal to install a new 12-foot wide driveway to access a proposed house with a permanent wetlands impact of 2,900 square feet and a wetlands buffer impact of 5,948 square feet. This used to be two lots of record but it didn't qualify for lot restoration due to a barn being built over the lot line. Building site is at the rear of the new lot. There are two wetland impact areas and 12" culverts will be installed at each crossing. Site has been disturbed for a long time and is regularly mowed.

Aube: I would like to see information on the functions and values of the wetlands.

Stowell: I don't have one but we had a pre-application meeting with DES and Planning Department.



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Hunt: It is an interesting lot configuration.

Stowell: We did multiple configurations that didn't work. We kept the wetland impact 20 feet off property line.

Aube: You don't have many options.

Stowell: We will have on-site septic system and well. Will be at Planning Board on May 22nd.

Bird confirmed with Stowell that the threshold for an expedited permit is 3,000 square feet.

Donovan made a motion to endorse the City of Dover Conditional Use Permit and NH DES Expedited Review Application, Kramer-Perry seconded. Vote: 7 in favor

5. REPORT FROM THE CHAIR

Hunt: We received an e-mail from Mike Joyce just before the meeting and he is resigning due to his job. Would either of the alternates like to become a regular member?

Lyon agreed to be a regular member, so Bird will notify the City Clerk.

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

1. Wetlands Permit from DES Wetlands for Patrick & Sarah Hourihane of 135 Spur Road.
2. Letter from DES Wetlands to Margaret & William Green of 124 Dover Neck Road, regarding enforcement inspection
3. Shoreland Permit by Notification for Olde Madbury Lane for installation of one monitoring well adjacent to Bellamy River.
4. Request for more information from DES for Dan Ayer for a dock at 100 McKone Lane.
5. Request for more information from DES for Rachel and Scott Fillion at 17 Boston Harbor Road.

6. OTHER BUSINESS:

Bird informed the Conservation Commission that the waterfront public dock installation is scheduled to take place on May 23rd. City is required to notify DES also.

Aube distributed a letter from the DES Commissioner to the Conservation Commission asking for volunteers to join the LAC for the Cochecho River. He was just appointed and trying to revive the group. They review various permits to make sure the river is being protected.

7. ADJOURNMENT

The Chair declared the meeting adjourned at 6:42 pm.