



DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: McConnell Center Rm 306 – 61 Locust Street
Meeting Date: **Tuesday, July 24, 2018**
Meeting Time: **7:00 pm**

Members Present: Frank Torr, Tom Clark, David Landry, Lee Skinner, James Burdin, Kirt Schuman (Chair), Dave White, Tristan Donovan (Alternate), Sarah Wheeler (Alternate), Hayley Harmon (Alternate)

Members Not Present: Dennis Ciotti (Councilor), Gina Cruikshank (Vice Chair)

Staff Present: Christopher Parker, Assistant City Manager

The Chair called the meeting to order at 7:00 p.m. and noted for the public benefit that item 3B is going to be tabled this evening.

S. Wheeler (Alternate) sat in for G. Cruikshank.

1. CITIZENS' FORUM

Citizens Forum Open. No One Spoke. Citizens Forum Closed.

2. APPROVAL OF THE PRIOR MINUTES

- June 26, 2018 Regular Meeting Minutes

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

3. OLD BUSINESS

- A. Public Hearing and consideration of amendments to Chapter 170, entitled “Zoning Ordinance” of the code of the City of Dover. Amendments include definitions, Site Plan applicability, dimensional regulations, open space standards, building heights and first floor use, impact fees, transfer of development rights, repairing and nonconforming structures. The full text of the amendments is available in the Planning Department and at www.dover.nh.gov located at <https://bit.ly/2JyZFUE>.

Motion: S. Wheeler made a motion to remove the items from the table. Seconded by F. Torr. Vote U/A

- C. Parker reviewed the procedures regarding the amendments.

Public hearing opened. No one spoke. Public Hearing Closed.

Discussion about the amendments and potential adjustments.

C. Parker reviewed previous comments and proposed adjustments to the amendments. PowerPoint is online and in the folder.

Motion: L. Skinner made a motion to update section 14D to reference purchase language. Seconded by T. Clark. Vote U/A

Motion: F. Torr made a motion to strike 3H(2) and 3H(2)I and amend 3H(3) to strike ‘or on secondary streets’. Seconded by D. White. Vote U/A

Motion: D. Landry made a motion to amend 15D to “in no case shall the proposed structure be closer than 75 feet to the property line” and in E to strike ‘structures or parking’. Seconded by F. Torr.



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Discussion:

J. Burdin expressed concern about broadening the language of section D to include commercial and industrial uses in zones where we want to encourage mixed use and commercial uses.

Discussion occurred using real examples of how this language would affect areas of the City.

Vote for the changes in D only: The motion failed 1-7.

(changes in E were determined administrative in nature, and not part of the vote)

Motion: J. Burdin made a motion in F that all screening and setback requirements pursuant to this section shall not be binding the ETP or any mixed-use zoning district. Seconded by F. Torr. Vote U/A

Motion: T. Clark made a motion to adopt the amendments to chapter 170 and forward to the City Council for ratification. Seconded by F. Torr. Vote U/A

B. Subdivision with Transfer of Development Rights for TDAK & Company LLC, Assessor's Map M, Lot 61, zoned R-20, located at 146 Dover Point Road. (Proposal is to construct a private roadway approximately 475 ft. long, 24 ft. wide with a turnaround for emergency vehicles). (11 lots plus open space) (P18-14)

Motion: S. Wheeler made a motion to remove the item from the table. Seconded by D. White. Vote U/A

C. Parker explained the applicant is requesting to be tabled until August to allow its engineer to revise the road grade, vegetative buffer and sewer connections.

Motion: D. White made a motion to table the application. Seconded by J. Burdin. Vote U/A

4. NEW BUSINESS

A. Consideration and acceptance of a Minor Subdivision for Richard P. & Katherine C. Towle Revocable Trusts of 1997, Assessor's Map I, Lot 54, zoned R-12, and located at 67 Back River Road. (1 new lot) *(P18-29)

C. Parker explained the applicant is requesting to subdivide one lot on Back River Road/Mast Road into 2 lots. This parent lot had a previous one lot subdivision approved by the Planning Board on March 24, 2014.

The current request is for one 3.09 acre lot 1 with 100' of frontage on Mast Road created out of the 20.93 acre lot. It would separate the house and barn from the parent lot. Both lots will be serviced by individual septic systems and wells. The new lot will be accessed by a shared drive.

Kevin McEneaney, McEneaney Survey Associates, Inc represented the applicant and discussed the project. K. McEneaney confirmed the reasons for the lot layout.

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

Public hearing opened.

M. Smith, 57 Back River Road expressed concerns with the development of more residential lots in the Back River Road area.

Public Hearing Closed.



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STAFF RECOMMENDATION

Chapter 155-18 of the Land Subdivision Regulations of the City Code provides for the minor subdivisions of existing lots. This plan is consistent with those regulations. Staff recommends approval with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

1. Provide copies of NHDES Subdivision Permit to staff and amend Plan Note #15 to add those permit numbers.
2. The applicant shall revise the plat to:
 - a. Include the Licensed Land Surveyor signature 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. An additional access easement for the driveway crossing lot I/54 will need to be recorded at the Strafford County Registry of Deeds
 - d. Revise note 3 to indicate the build-to-line maximum and minimum.
 - e. Add common minor subdivision notes 10 & 16
 - f. Add Planning File #P18-29

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

3. 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.

Motion: F. Torr made a motion to approve the minor subdivision subject to the staff recommended conditions. Seconded by T. Clark. Vote U/A

B. City of Dover Conditional Use Permit for Eversource Energy, Assessor's Map I, Lot 22, (Owner: Jensen's Residential Communities, LLC) located off Brookmoor Road; Assessor's Map I, Lot 29, (Owners: David & Laurie Landry), located at 17 Spruce Lane; Assessor's Map M, Lot 83-9, (Owner: Eric Ferrell) located at 47 Overlook Drive; Assessor's Map M, Lot 83-1, (Owners Marc & Christine Bessette), located at 39 Overlook Drive; and Assessor's Map M, Lot 91-A, (Owner: Townsquare Media Portsmouth, LLC) located at 292 Middle Road. All subject lots zoned R-40. (Proposal is to install grounding rings on existing utility poles in utility easements in five locations. Temporary wetland impacts are 11,351 square feet.) *(P18-33)

C. Parker explained that the applicant is requesting a Conditional Use Permit to install grounding wire rings around the base of the utility pole structures within the Eversource transmission line. There are temporary wetlands impacts of 11,351 sq. ft.

The locations include:

- Assessor's Map I, Lot 22, (Owner: Jensen's Residential Communities, LLC) located off Brookmoor Road;
- Assessor's Map I, Lot 29, (Owners: David & Laurie Landry), located at 17 Spruce Lane;
- Assessor's Map M, Lot 83-9, (Owner: Eric Ferrell) located at 47 Overlook Drive;
- Assessor's Map M, Lot 83-1, (Owners Marc & Christine Bessette), located at 39 Overlook Drive;
- Assessor's Map M, Lot 91-A, (Owner: Townsquare Media Portsmouth, LLC) located at 292 Middle Road.

The Conservation Commission endorsed this CUP at their July 9, 2018 meeting.



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A. Fiorello, Normandeau Associates represented the application with M. Carden, Eversource. She reviewed the details of the plan. The wire rings are designed to protect the wooden poles from lightning strikes. She reviewed on the maps where the work will cross wetland buffers.

Motion: D. White made a motion to accept the application. Seconded by L. Skinner. Vote U/A

Public hearing opened.

D. Scamon, Town Square Media expressed concerns with the impact to RF signal from WOKQ.

Public Hearing closed.

STAFF RECOMMENDATION:

The Planning Department recommends that the Planning Board approve the Conditional Use Permit with the following conditions:

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

1. The applicant shall provide the Planning Department with a copy of the NHDES Shoreland Permit and Wetlands Permit.

Motion: D. White made a motion to approve the application subject to the staff recommended condition. Seconded by D. Landry. Vote U/A

5. STAFF COMMENTS

- Review TRC projects: Bradlee Commons, First Street
- Updated the Board on Central/Glenwood, Third Street
- One Meeting a month in August.
- No baseball related news.
- Architectural Design guidelines are moving forward

6. MEMBER COMMENTS

F. Torr urged the board to read the Eversource narratives relative to the deeds.

7. ADJOURNMENT

Motion: S. Wheeler made a motion to adjourn at 9:01 p.m. Seconded by D. White. Vote U/A