



CITY OF DOVER

CITY COUNCIL - AGENDA

Meeting Type: **Regular Meeting**
Meeting Location: **McConnell Center, Room 306**
Meeting Date: **Wednesday, August 8, 2018**
Meeting Time: **7:00pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL ATTENDANCE

5. PROCLAMATIONS/AWARDS

A. NATIONAL RECOVERY MONTH

6. APPROVAL OF AGENDA

7. PUBLIC HEARINGS

A. CHAPTER 92 – DRIVEWAYS

SPONSORED BY COUNCILOR CIOTTI

B. FISCAL YEAR 2019 CAPITAL IMPROVEMENTS PROJECT (CIP) APPROPRIATION AND AUTHORIZATION FOR CLEAN WATER STATE REVOLVING FUND (CWSRF) STORM WATER ASSET MANAGEMENT LOAN (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL.) (VOTE TO OCCUR ON AUGUST 22, 2018.)

SPONSORED BY MAYOR WESTON BY REQUEST

8. CITIZEN'S FORUM

Citizens are invited to speak on any issue pertaining to the business of the City of Dover. Statements shall be limited to five minutes.

9. CITY MANAGER'S REPORT

10. APPROVAL OF MINUTES

A. July 25, 2018 – Regular Meeting

B. July 25, 2018 – Workshop Session

11. MAYOR'S REPORT

12. UNFINISHED BUSINESS

A. ORDINANCES IN THE 2nd READING

1. CHAPTER 92 – DRIVEWAYS

SPONSORED BY COUNCILOR CIOTTI



CITY OF DOVER

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B. ORDINANCES IN THE 3RD READING

C. RESOLUTIONS

13. NEW BUSINESS

A. CONSENT CALENDAR

1. B18073 CENTRAL FALLS GRANITE RETAINING WALL STRUCTURAL RECONSTRUCTION

SPONSORED BY MAYOR WESTON BY REQUEST

2. PURCHASE OF SCARBOROUGH RECEPTACLES

SPONSORED BY MAYOR WESTON BY REQUEST

3. PURCHASE OF WATER METERS

SPONSORED BY MAYOR WESTON BY REQUEST

COMMITTEE REPORTS

1. School Board
2. Planning Board
3. 400th Anniversary Committee
4. Appointments Committee
5. Arena Commission
6. Arts Commission
7. Conservation Commission
8. Downtown TIF Advisory Board
9. Energy Commission
10. Heritage Commission
11. Legislative Liaison
12. Library Board of Trustees
13. McConnell Center Advisory Board

14. Ordinance Committee
15. Parking Commission
16. Pool Advisory Committee
17. Recreation Advisory Board
18. Solid Waste Advisory Commission
19. Transportation Advisory Commission
20. Waterfront TIF Advisory Board
21. Joint Building Committee – Dover High School and Regional Career Technical Center
22. Joint Building Committee Garrison Elementary School
23. COAST
24. Dover Main Street

B. RESOLUTIONS

1. DISSOLUTION OF SCHOOL VOCATIONAL EDUCATION FUND

SPONSORED BY MAYOR WESTON BY REQUEST

2. ACCEPTANCE OF DONATION AND NAMING RIGHTS OF DOVER HIGH SCHOOL HEALTH SCIENCE LAB

SPONSORED BY MAYOR WESTON BY REQUEST



CITY OF DOVER

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3. AUTHORIZATION TO CONTRACT WITH WRIGHT-PIERCE FOR EMERGENCY EVALUATION AND REPLACEMENT OF FAILED VARIABLE SPEED DRIVE AT RIVER STREET PUMP STATION

SPONSORED BY MAYOR WESTON BY REQUEST

4. B17025 VETERANS MEMORIAL ADDITIONAL SCOPE

(TO BE REFERRED TO A PUBLIC HEARING ON AUGUST 22, 2018.)

SPONSORED BY MAYOR WESTON BY REQUEST

C. ORDINANCES IN 1ST READING

**1. CHAPTER 166 – VEHICLES AND TRAFFIC,
SECTIONS 16, 18, 19, 21, 30 AND 60**

(TO BE REFERRED TO A PUBLIC HEARING ON AUGUST 22, 2018.)

SPONSORED BY MAYOR WESTON

2. CHAPTER 170 – ZONING

(TO BE REFERRED TO A PUBLIC HEARING ON AUGUST 22, 2018.)

SPONSORED BY COUNCILOR CIOTTI

14. COUNCIL CORRESPONDENCE

15. COUNCIL MATTERS OF INTEREST

16. ADJOURN



CITY OF DOVER

CITY OF DOVER - RESOLUTION

**Agenda Item#: 7.B.
Public Hearing Only**

Resolution Number: **R – 2018.07.25 – 102**
Resolution Re: **FY2019 CIP Appropriation and Authorization for
CWSRF Storm Water Asset Management Loan**

WHEREAS: The City Council desires to make public improvements and to finance these improvements through the NH Clean Water State Revolving Fund Program and;

WHEREAS: The Storm Water Asset Management loans are available through the NH Department of Environmental Services, and the loan includes 100% principal forgiveness for storm-water work; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:
The following capital project is appropriated with estimated useful lives in excess of the length indicated:

		Proposed			
Item #	Description	Appropriation	Life/Yrs	Department	Fund
1	Storm Water Asset Management	\$30,000	5	Comm Serv - PW	General
	Total	\$30,000			

AND FURTHER BE IT RESOLVED THAT:

Pursuant to the City Charter and the New Hampshire Municipal Finance Act and any other enabling authority, the City of Dover is hereby authorized to participate in the NH Clean Water State Revolving Fund (CWSRF) Program for financing this project. The City Manager, Finance Director and Treasurer are authorized, on behalf of the City of Dover, to file for participation in the NH CWSRF Program to obtain the loan for eligible identified project.

NOTE: This resolution requires a duly advertised public hearing and a 2/3 favorable vote of all members for passage with the vote deferred until at least three (3) days after public hearing.

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Karen Weston
By Request

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

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

**Agenda Item#: 7.B.
Public Hearing Only**

Resolution Number: **R – 2018.07.25 – 102**
Resolution Re: **FY2019 CIP Appropriation and Authorization for
CWSRF Storm Water Asset Management Loan**

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, At Large		
Councilor Michelle Muffett-Lipinski, Ward 1		
Councilor Dennis Ciotti, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Marcia Gasses, Ward 4		
Councilor Dennis Shanahan, Ward 5		
Councilor Matthew Keane, Ward 6		
Councilor Lindsey Williams, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

**Agenda Item#: 7.B.
Public Hearing Only**

Resolution Number: **R – 2018.07.25 – 102**
Resolution Re: **FY2019 CIP Appropriation and Authorization for
CWSRF Storm Water Asset Management Loan**

RESOLUTION BACKGROUND MATERIAL:

This resolution makes an appropriation for an FY2019 Capital Improvements Program project financed by loan from NH DES Clean Water State Revolving Fund, with 100% principal forgiveness, and authorizes the city to enter into the loan agreement with NH DES.

This resolution makes an appropriations to apply condition assessment and prioritization concepts to approximately 5-7 miles of the City's subsurface stormwater system in the most urbanized part of the City.

Debt Authorization versus Debt Retirement

The following table compares the tentative authorization amount to the amount of debt being retired:

Description	City
Pending Authorization	30,000
Prior FY19 CIP Authorization	4,100,000
FY19 Principal Retirement	3,832,184
Net Change	297,816

Legal Debt Limits

The following table summarizes the amount of debt outstanding & authorized-unissued, as of June 30, 2018 and this authorization, against the legal debt limit of the City.

Description	City
Debt Outstanding	40,671,411
Authorized - Unissued	13,864,494
Total Issued & Unissued	54,535,905
This Authorization	30,000
Grand Total	54,565,905
Legal Debt Limit	97,586,960
Unused Capacity	43,021,055
Percent Unused	44.10%

Note: City Legal debt limit is based on 3 percent of equalized assessed value.

Budgetary and Rate Impacts

The \$30,000 CWSRF loan is expected to be paid back over a 5-year period. Principal repayments would be \$6,000 per year and this amount would be offset by an equal annual amount of principal forgiveness resulting in no impact to the City's General Fund budget for principal repayment. The interest that would accrue on outstanding principal balances over the 5 year period is estimated to be a total of \$2,250 impact to the City's General Fund budget over that 5 year period. This would be less than a \$0.01 impact on the annual tax rate.

City Manager's Report

August 8, 2018

Reporting on July 2018



Legal Department

by Anthony Blenkinsop

The Office of General Legal Counsel provides legal support to the City Council, City Manager, city staff and volunteers on boards, commissions and committees of the City of Dover to assist efforts in providing services to our constituents and/or customers. In addition, legal support is also provided to the Dover School Board and Superintendent of Schools.

Customer Focused Outcomes: Right to Know Requests

- BOSTON, MA – TOBACCO ORDINANCE
- UNIVERSITY OF MI – TOBACCO ORDINANCE
- DOVER, NH – COMPLAINTS-RATS FOR YEARS 2018 & 2018
- DOVER, NH – SEWER SYSTEM IMPROVEMENTS AT WYNDBROOK AT DOVER
- DOVER, NH – PRIVATE SEWER PUMPING STATIONS
- ROCHESTER, NH – RALLY APPLICATION FOR JUNE 27, 2018
- ONLINE – ELECTRICAL, PLUMBING-MECHANICAL, BLASTING PERMITS

Financial Outcomes: Litigation

Ventas Realty Limited Partnership v. City:

(2014 tax year) Bench Trial held June 2018. Awaiting Judge's ruling.

(2015 tax year) City filed Answer to Petition for Abatement with Certified Record; City filed Case Structuring and ADR Order. Case stayed pending resolution of 2014 case.

(2016 tax year) City served with complaint. Case stayed pending resolution of 2014 case.

Opioid Epidemic Litigation: Retained services of Robbins Geller of Boca Raton, Florida for fraudulent marketing practices of pharmaceutical manufacturers. Suit filed in USCD in Concord.

	For month	FY19	FY18	FY17
Legal Matters/Questions Handled	25	25	456	354
Document Creation & Review Including Contracts	16	16	259	271
Right to Know Requests Processed	07	07	94	73
Resolutions	01	01	67	42
Ordinances	01	01	10	13

Product & Process Outcomes: Assistance to City Departments

City Council	Drafting/review of resolutions and ordinances; Opioid litigation, Ireland Well Issue
City Manager	Use of Public Funds; Ongoing General Code project; Union dues
Community Services	Acceptance of a New City Road Checklist; Mailbox issue; Burial payment; Shrub cutting; Central Falls Retaining Wall Project; Road Excavation Permit; PFOA levels in Ireland Well; Orphaned parcel title search; Roberts Road easement
Executive	No legal assistance needed.
Fire & Rescue	COOP Development
Finance	Discharges and Liens; Iona Avenue lot sale; Specialized Legal Services letter; Fire hydrant accident/uninsured motorist; Polly Ann Park tax sales
Planning	Dover HS PPA contract; STF Development letter; Dover Design Guidelines; Transportation Center lease; Waterfront development term sheet
Police	Training Agreement
Public Library	No legal assistance needed.
Public Welfare	Notice to Public Sector Employers
Recreation	Unitil and Eversource Incentive Application for Ice Arena; Fireworks payment
School	School Care Program review; YMCA Memorandum of Understanding; School Board Meeting – obscene language; Review of Public School Works Agreement

The use of outside counsel to handle specialty matters continues and consists of environmental matters and labor negotiations. There are a small number of attorneys hired on a variety of smaller matters.

Dover Business & Industrial Development Authority

by Daniel Barufaldi

Leadership & Governance Outcomes:

Summary:

Business activity in the region expanded at a moderate pace on average with variations across industry segments. Manufacturing and retail businesses are reporting sales and revenues with mid single digit year over year gains. Software and IT companies are reporting gains from 5% to double digit. Commercial real estate activity, including multifamily/ mixed use projects was robust regionally and locally. Non-residential industrial development tax base was up \$8.9 million in FY2018 limited by the high cost of new builds. Single home residential real estate is experiencing robust demand, up \$203.3 million in FY2018, but more recent sales are limited by lack of inventory. Staffing firms report hiring for specific skill sets is brisk but limited by available potential employees. Planned wage increases are gaining momentum with prices increasing slightly to moderately in most sectors. Contacts expect further growth consistent with recent results going forward. Some concern is being expressed about the rate of growth as the Dow, having surpassed 26,000, dipped suddenly and then partially recovered to the 24,000 range most recently. The Fed has stopped renewing Treasury bond purchases as they expire which will cause interest rates to rise and they did add another 25 basis points as expected at their last meeting. Three further 25 basis points hikes anticipated this year are still expected. Downtown retailers, bars and restaurants are experiencing improved performance this month following the traditionally slow first quarter. Third quarter summer weather is expected to sustain a continuing recovery. The most marketing savvy establishments are experiencing improved sales growth aided by the multiple marketing events cosponsored and implemented by DBIDA, Dover Main Street and the Dover Retail Committee. Those less creative in their marketing efforts or not open to market changes are experiencing the negative effects of improved competition. Retailers reported they continue to be helped by the First Fridays Art Walk events and the Hot Diggity Dog Saturdays with the cooperation of virtually all merchants City wide.

Selected Business Services:

Demand for consulting and advertising is up moderately over last year at this time. Software and IT services providers are experiencing vastly improved results versus the previous year sales. Services to the healthcare sector have recently increased as walk-in convenient care centers and stand- alone ER's are being added. Some consolidation is now being experienced in the institutional healthcare sector. Wentworth Douglas Hospital's merger with Mass General is part of an overall consolidation trend in institutional healthcare. This is expanding the range of medical specialties available to the Dover market. WDH has opened a medical practice facility at the Pease Development Authority. Portsmouth Regional Hospital is building a stand-alone ER building at Exit 7 in Dover. Wages, while up significantly in critical skill areas, remain just above inflation on average, as do prices. To attract highly skilled workers in growing industries these firms are expanding their social media and technological attraction efforts. Increased health insurance costs remain a concern with the uncertainty of the future reform of the Affordable Care Act and the challenge of being able to increase pricing to cover the

increased cost. Experienced wait staff is at a premium. Overall the sector is optimistic and expecting high single digit growth over the next two quarters and beyond.

Local walk-in healthcare centers are hiring strongly as these in- demand skill sets become available.

Predictions for 2018 revenue growth are in the 7%-10% range.

Commercial Real Estate:

Non-residential commercial real estate sales activity continued with modest sustained growth locally, and with flat activity in the Boston and Portland markets. Demand locally has remained positive with several local commercial developments, mixed use infill, multifamily and assisted living investment projects coming to fruition. New build costs for needed 20,000 SF – 30,000 SF manufacturing/ assembly/ warehouse/ office spaces at Enterprise Park are causing sticker shock for several prospects and delaying project initiation. Accelerator units of 1,200 – 2,500 SF are sorely needed to house small post startup companies to get underway and to grow in Dover. Office leasing continued to be just above flat this month. Land sales continue to have momentum locally. Investment demand for commercial real estate remains strong, especially for industrial space. Leasing fundamentals maintained a moderate pace of improvement in recent weeks, consistent with slow employment growth. A significant amount of speculative office construction as part of mixed use building is now being done. Some recent mixed use developments are experiencing difficulty in filling the commercial component while booking the residential component immediately. The lending environment remains highly favorable to borrowers, with historically low, but increasing interest rates and somewhat tighter lending standards. Abundant investment capital continues to flow into commercial lease properties across the Seacoast, sourced from private equity firms, pension funds, foreign investors, REITS and high net worth individuals. Leverage ratios are on the rise among some investors, but remain low in absolute terms. Local multi-family and mixed use construction remains at a very healthy pace with local inventory in this category rising rapidly. The outlook remains optimistic across the region. Forecasts call for more slow improvement in fundamentals moving forward, pending steady employment growth. Fiscal policy and uncertainty around the business and employment effects of the Healthcare Bill and Medicaid status are producing uncertainty at both the state and federal levels and this is mentioned by some as a down side risk to employment growth that produces improvement in leasing and construction activity. Some major capital spending projects are underway and some about to be announced. The Fosters building at 333 Central Ave. project is currently at the TRC stage. The Robbins building downtown sold to Cathartes who has now completed demolition of the building and is now setting pilings on the site to make room for a full block mixed use development.

See Local Major Development Projects Section below.

Residential Real Estate:

Residential real estate markets continue to exhibit strong performance in the Seacoast. Home buyer confidence is up. Completed sales of single family homes increased year-over-year in Q1 and Q2 but Q3 and Q4 unit sales in 2017 declined slightly and first half 2018 unit sales declined slightly due to lack of inventory but dollar sales were up due to the increase in prices. Rising prices are convincing sellers to put homes on the market before interest rates go up any more (now averaging 4.5% on residential mortgages). Median selling prices continue to rise locally and are up 7-9% year-over-year 2017-2018. Condo sales though somewhat mixed regionally, are up locally as well, as are condo pricing and pending sales. Closed unit sales of both single family homes and condominiums improved very slightly over the past month. Median sale prices in NH and in Dover increased again in the period. Pending sales suggest the markets for single family houses and condos will continue to do well throughout 2018.

Manufacturing & Related Services:

Most local manufacturers supplying domestic markets are now reporting strength in sales and improved year over year profits. One point-of-purchase systems supplier is experiencing sales increases significant enough to require some out sourcing of production. Exporters to both Europe and China are concerned with the UK exit from the EU, but most world economies are now doing well and that helps to support the US economy. The Chinese economy has slowed but China's GDP is still growing at a 6-7% rate and their investment in infrastructure, often purchased here, is also down significantly. Some concern exists that the new administration's "America First" policies and import tariffs will negatively affect exports significantly, but the tax reform law is expected to make exporting US companies more competitive internationally. Currently, local manufacturers are experiencing growing sales. The North Korean situation ups and downs make it difficult to assess the effects they will cause in world-wide markets and economies should they become a world player in foreign markets. Other uncertainties surrounding the federal administration change are evident in local manufacturers, including import taxes and a relaxation of the regulatory constraints on businesses that will reduce costs. NAFTA revisions, if implemented, could cause some local manufacturers concern that have facilities in Mexico or Canada or are importing raw materials or parts from those NAFTA partners. Local manufacturers are still slightly uncertain about the tax reform package but are encouraged by the most recent amended tax reform law passed. Pickup truck and auto sales have arrested their decline this month with large holiday sales being experienced around Memorial Day and the Fourth of July. Locally we are seeing some confidence in future auto sales expressed in two large dealership expansion and upgrade investments on Dover Point Road. Manufacturing firms reporting on inventory levels are split with half citing flat inventory levels and half citing higher levels. Most contacts in the manufacturing sector indicate that both staffing levels and wage growth are now headed up at a moderate pace. Capital investment is up locally except for new-builds due to building costs exceeding the value of the completed building at present. Foreign investment in the US is growing rapidly due to the uncertainties rampant in the Chinese, Brazilian, and European economies and the pro-business messages from the new administration. Locally, Safran and Albany International that were experiencing a decline in their aerospace composites businesses are now seeing an uptick and are hiring again when qualified workers can be found. Some major capital spending projects are underway and some about to be announced. A number of other commercial projects are currently underway or about to be underway during this building season. Outlook for the balance of the year remains very positive. Very few manufacturing buildings in the 20,000-30,000SF range are available locally. The Silver Square development is now well underway with Phase II progress on this \$50 million dollar development. The Residence at Silver Square assisted living building has been erected and is fully occupied. The new on-site Garrison 66 room boutique hotel is now open and experiencing excellent occupancy rates.

Price pressures remain moderate. Regional manufacturers remain optimistic.

Labor demand has been strong in IT and software. Nursing, electronics, engineering, quality assurance tech and legal skills demand remain strong. Most firms in the field have begun to hire with wages beginning to move upward. Qualified workers in many tech skills areas are not available locally and a lack of a comprehensive worker training program locally is beginning to be detrimental to acquiring relocation candidate companies, especially when the local cost of electricity and water is folded into the mix. New initiatives with the Greater Dover Chamber of Commerce Education Committee, Great Bay Community College and UNH for BIZEDConnect Recent reductions in the NH BPT and EPT are helpful but more is needed in both corporate tax reduction and regulatory relief to reclaim the "NH Advantage". The FY2019 property tax increase with an over the tax cap budget from the School District is causing concern at several local businesses when combined with high electric energy costs and water processing costs.

Retail & Tourism:

Retailers contacted for this period report an increase in sales following a robust result in 2017 Holiday sales. Year-over-year store sales range from up 12% to up 80% but these sectors are now in their annual third quarter high demand period. The recent stock market increases followed by the recent correction and recovery have bolstered confidence at Main Street businesses at present. The uncertainty about the effect of the tax reform law on household income and the issues of the effect on healthcare coverage and cost has faded to some degree. Local restaurants are still having difficulty hiring wait staff. The recent gasoline price volatility (now in a slightly lower price cycle), has had no discernible effect yet on retail, hotel and restaurant sales so far. A significant increase in military spending is having a very positive effect on the number of shipyard and Air Force workers electing to get better value for their Fed per diem allowance by staying in Dover hotels and having dinner in Dover. Conversely, the new trend toward on-line short term rentals is beginning to affect hotel occupancy rates negatively. On-line shopping has reinforced a "just-in-time" shopping mentality that has exacerbated erratic monthly sales results for brick and mortar department stores. Several national brick and mortar department stores are experiencing declining sales and are doing some store closings and layoffs. Looking at longer term retail results tends to dispel the shopping center apocalypse reports. As overall brick and mortar retail sales were up by 4.5% during the last holiday season. Walmart has initiated a multi-million dollar made-in-America program designed to provide several thousand jobs over the next two years. Many retailers are making infrastructure investments to participate more fully in on-line sales which are up by 18%+ year-over-year. The on-line state sales tax ruling is expected to moderate the huge expansion in on-line sales unless New Hampshire and a few other smaller states prevail in their legal efforts to defeat it. The decline in the large shopping malls may begin to help our small retailers with people looking for unique products and personal customer service. Bus tours to Dover are fully booked for 2018. Pricing that has remained steady up to now, is beginning to be affected by wage rates for experienced retail clerks and wait staff and is beginning to force prices to rise or margins to decline at local restaurants.

Employment and Wages:

Local labor market pressure sustained in June with the traditional Q3 seasonal uptick. Dover's current unemployment rate is 2.3%. Salary increases for highly skilled employees are increasingly frequent as retention and attraction efforts multiply to sustain growing sales. Lack of STEM skills and drug test failures by prospective employees are real limits to the potential hiring pool.

Wages for wait staff and experienced retail workers have begun to accelerate upward. 2017 wage gains averaged 2.7% and something in excess of that is expected in 2018.

Restaurants are expressing concern about labor shortages with some initiating early week closed days due to a lack of available hiring candidates.

In the higher skill set categories; engineers, paramedics, physician's assistants and nurses are in short supply and are commanding top salaries and temporary living subsidies for those traveling to the region to work.

Local Major Development Projects:

- First Street Development Phase 2 in TRC.
- Third Street Development
- Silver Square Development: Phase 1 completion, Phase 2 underway.
- Yacht Club Development (residential full, Commercial beginning to be occupied)
- Dover Parking Garage: performing as projected.
- 49,000 SF at 27 Production Drive leased to buy option exercised.
- Robbins Building site / Cathartes Project (Demolition complete, site prep underway).
- Broadway mixed use development
- Well over \$100,000,000 in Dover development underway.
- Enterprise Park Developments suffering from "sticker shock" for new builds.
- Fosters Building sold for \$1.5 million / Kostas Brothers (renovation plans in process).
- The Old courthouse Building on First and 2nd may be now be renovated for a mixed use facility.
- 6 Grove St. Project in TRC.
- Bradley Commons is nearing completion.

Parking Division

Meter Activity

	June 2018	June 2017
Meter Transactions	40,245	40,771
Income from Meters - Total	\$53,066	\$51,657
Income from Meters – Parking Garage	\$4,284	\$4,115
Meter Days	21	22
Average Meter Transactions Per Day	1,916	1,853
Transaction Increase / Decrease	+3.4%	

	Fiscal Year 2018	Fiscal Year 2017
Meter Transactions	449,010	421,689
Income from Meters - Total	\$594,736	\$531,197
Meter Days	250	249
Average Meter Transactions Per Day	1,796	1,694
Transaction Increase / Decrease	+6.0%	

COAST

Ridership Activity

Month	Route 1	Route 2	Route 33 (FasTrans)
October 2017	5,511	17,602	1,270
November 2017	5,149	15,362	1,055
December 2017	4,881	13,553	1,135
January 2018	4,930	13,804	1,195
February 2018	5,053	14,117	1,157
March 2018	5,413	14,883	1,227
April 2018	5,005	15,108	1,040
May 2018	5,551	16,495	1,125
June 2018	5,335	15,118	947
Totals:	41,277	119,547	9,026

J. MICHAEL JOYAL, JR.
CITY MANAGER

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1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Councilor Muffett-Lipinski led the Pledge of Allegiance.

4. ROLL CALL ATTENDANCE

Present: Mayor Weston, Councilor Ciotti, Councilor Gasses, Councilor Keane, Councilor Muffett-Lipinski, Councilor Shanahan, Councilor Thibodeaux, and Councilor Williams.

Absent: Deputy Mayor Carrier.

Also Present: City Manager Joyal, City Attorney Blenkinsop, and City Clerk Lavertu.

5. PROCLAMATIONS/AWARDS

6. APPROVAL OF AGENDA

Councilor Gasses moved to add the McConnell Center Advisory Board Report.

Mayor Weston moved to add Committee Reports #19-23.

Councilor Ciotti moved to approve the Agenda as amended; seconded by Councilor Muffett-Lipinski.

Vote: 8/0.

7. PUBLIC HEARINGS

A. CHAPTER 148, SECTION 13-24 – WATER SYSTEM SPONSORED BY MAYOR WESTON BY REQUEST

Otis Perry, 91 Court Street, Member of Dover Utilities Commission: He spoke in support of the Ordinance change, and urged the Council to pass it.

Mayor Weston, seeing no one else wishing to speak, closed the Public Hearing.

8. CITIZEN'S FORUM

Citizens are invited to speak on any issue pertaining to the business of the City of Dover. Statements shall be limited to five minutes.

Otis Perry, 91 Court Street, Member of Dover Utilities Commission: He spoke in support of the Dover Fire Department in regards to his own emergency call. He thanked Matthew McLean, Jared Bouchard, and Cody Nason for their care when he needed it.

Mayor Weston, seeing no one else wishing to speak, closed the Citizen's Forum.

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9. CITY MANAGER'S REPORT

City Manager Joyal said he submitted both the May and June July reports in writing. He spoke about the Pudding Hill Aquifer being compromised by contaminates migrating from the Madbury Metals site. He said the City has also taken the Ireland Well has been taken offline. He said at no time did water entering into the public drinking system from these wells exceed the health advisory levels.

He talked about the small electrical fire at the River Street Pump Station and the resulting expense to repair the one unit or to overhaul the whole VFD (variable frequency drives) system.

He referred to the Dover Housing Authority vacancy and his appointment of Rachel Stansfield.

Councilor Ciotti moved to accept the City Manager's Report; seconded by Councilor Shanahan.
Vote: 8/0.

10. APPROVAL OF MINUTES

- A. July 11, 2018 – Workshop Session**
- B. July 11, 2018 – Regular Meeting**

Councilor Ciotti moved to accept the Minutes as presented; seconded by Councilor Thibodeaux.
Vote: 8/0.

11. MAYOR'S REPORT

Mayor Weston said she attended the Tri-City Task Force meeting.
Councilor Ciotti moved to accept the Mayor's Report; seconded by Councilor Keane.
Vote: 8/0.

12. UNFINISHED BUSINESS

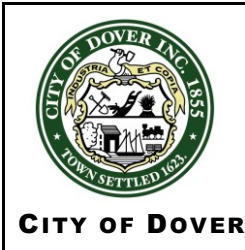
A. ORDINANCES IN THE 2ND READING

1. CHAPTER 148, SECTION 13-24 – WATER SYSTEM SPONSORED BY MAYOR WESTON BY REQUEST

Councilor Ciotti moved for its adoption; seconded by Councilor Gasses.
Vote: 8/0.

B. ORDINANCES IN THE 3RD READING

C. RESOLUTIONS



CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **McConnell Center, Room 306**
Meeting Date: **Wednesday, July 25, 2018**
Meeting Time: **7:00pm**

13. NEW BUSINESS

A. CONSENT CALENDAR

1. **B18089 HOUSEHOLD HAZARDOUS WASTE CLEAN UP DAY**
SPONSORED BY MAYOR WESTON BY REQUEST
2. **BOOKS & MEDIA PURCHASES**
SPONSORED BY MAYOR WESTON BY REQUEST
3. **VARIOUS SENIOR CENTER TRIPS**
SPONSORED BY MAYOR WESTON BY REQUEST

COMMITTEE REPORTS

- | | |
|--|---|
| 1. School Board | 14. Ordinance Committee |
| 2. Planning Board | 15. Parking Commission |
| 3. 400th Anniversary Committee | 16. Pool Advisory Committee |
| 4. Appointments Committee | 17. Recreation Advisory Board |
| 5. Arena Commission | 18. Solid Waste Advisory Commission |
| 6. Arts Commission | 19. Transportation Advisory Commission |
| 7. Conservation Commission | 20. Waterfront TIF Advisory Board |
| 8. Downtown TIF Advisory Board | 21. Joint Building Committee – Dover High School |
| 9. Energy Commission | and Regional Career Technical Center |
| 10. Heritage Commission | 22. Joint Building Committee |
| 11. Legislative Liaison | Garrison Elementary School |
| 12. Library Board of Trustees | 23. COAST |
| 13. McConnell Center Advisory Board | 24. Dover Main Street |

Councilor Ciotti moved for the adoption of the Consent Calendar; seconded by Councilor Thibodeaux.

Mayor Weston asked the Council if they had items they would like pulled for further discussion.

Councilor Thibodeaux pulled Item 13.A.2.

Roll Call Vote: 8/0.

Councilor Ciotti moved for the adoption of Item 13.A.2.; seconded by Councilor Shanahan.

City Manager Joyal gave an overview of the resolution to the Council.

Roll Call Vote: 8/0.

Councilor Gasses gave an overview of the McConnell Center Advisory Board to the Council.

Councilor Ciotti moved to accept the McConnell Center Advisory Board; seconded by Councilor Williams.

Vote: 8/0.

 CITY OF DOVER	CITY COUNCIL - MINUTES Meeting Type: Regular Meeting Meeting Location: McConnell Center, Room 306 Meeting Date: Wednesday, July 25, 2018 Meeting Time: 7:00pm
---	---

Mayor Weston said the Transportation Advisory Commission has a two month summer break and there are no updates for the Council.

Mayor Weston moved to accept the Transportation Advisory Commission Report; seconded by Councilor Ciotti.

Vote: 8/0.

Councilor Gasses said the Waterfront TIF Advisory Board has not met at this time.

Mayor Weston asked if a meeting has been coordinated.

City Manager Joyal said they are waiting for the fiscal year to close out to present a financial report.

Councilor Ciotti moved to accept the Waterfront TIF Advisory Board Report; seconded by Councilor Keane.

Vote: 8/0.

Councilor Shanahan gave an overview of the Joint Building Committee – Dover High School and Regional CTC Report to the Council.

Councilor Ciotti moved to accept the Joint Building Committee – Dover High School and Regional CTC Report; seconded by Councilor Gasses.

Vote: 8/0

Councilor Ciotti gave an overview of the Joint Building Committee – Garrison Elementary School to the Council.

Councilor Ciotti moved to accept the Joint Building Committee – Garrison School Report; seconded by Councilor Shanahan.

Vote: 8/0

Councilor Shanahan gave an overview of the COAST Report to the Council.

Councilor Ciotti moved to accept the COAST Report; seconded by Councilor Keane.

Vote: 8/0.

Mayor Weston reminded the Council that the Deputy Mayor is the Council liaison for Dover Main Street and with his absence there is no report to the Council. She said the Council will hear reports for Items 1-6 at the next regular meeting.

B. RESOLUTIONS

1. REGIONAL HOMELESS MASTER PLAN

SPONSORED BY MAYOR WESTON AND COUNCILOR GASSES

Councilor Ciotti moved for its adoption; seconded by Councilor Gasses.

Councilor Gasses gave an overview of the Resolution to the Council. She said it is a County-wide issue. She said she would like to table this Resolution until after the Task Force meets with the County delegation.

Councilor Gasses moved to table; seconded by Councilor Shanahan.

Vote: 8/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **McConnell Center, Room 306**
Meeting Date: **Wednesday, July 25, 2018**
Meeting Time: **7:00pm**

- 2. FISCAL YEAR 2019 CAPITAL IMPROVEMENTS PROJECT (CIP)
APPROPRIATION AND AUTHORIZATION FOR CLEAN WATER STATE
REVOLVING FUND (CWSRF) STORM WATER ASSET MANAGEMENT LOAN
(REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL.)
(TO BE REFERRED TO A PUBLIC HEARING ON AUGUST 8, 2018, WITH A
VOTE TO OCCUR ON AUGUST 22, 2018).
SPONSORED BY MAYOR WESTON BY REQUEST**

Councilor Ciotti to refer to a Public Hearing on August 8, 2018; seconded by Councilor Thibodeaux.

Vote: 8/0.

C. ORDINANCES IN 1ST READING

- 1. CHAPTER 92 – DRIVEWAYS
(TO BE REFERRED TO A PUBLIC HEARING ON AUGUST 8, 2018.)
SPONSORED BY COUNCILOR CIOTTI**

Councilor Ciotti to refer to a Public Hearing on August 8, 2018; seconded by Councilor Muffett-Lipinski.

Vote: 8/0.

14. COUNCIL CORRESPONDENCE

15. COUNCIL MATTERS OF INTEREST

Councilor Thibodeaux spoke about road work on Middle and Tuttle Roads.

Councilor Muffett-Lipinski asked about the cleanup of the rodents.

City Manager Joyal gave an overview regarding what the City is doing to help with the rodent issue in the City.

16. ADJOURN

Councilor Ciotti moved to adjourn to the Workshop Session; seconded by Councilor Keane.

Vote: 8/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Workshop Session**
Meeting Location: **McConnell Center, Room 305**
Meeting Date: **Wednesday, July 25, 2018**
Meeting Time: **Immediately following Regular Meeting**

1. CALL TO ORDER

Mayor Weston called the meeting to order at 8:00 pm.

~~2. MOMENT OF SILENCE~~

~~3. PLEDGE OF ALLEGIANCE~~

4. ROLL CALL ATTENDANCE

Present: Mayor Weston, Councilor Ciotti, Councilor Gasses, Councilor Keane, Councilor Muffett-Lipinski, Councilor Shanahan, Councilor Thibodeaux, and Councilor Williams.

Absent: Deputy Mayor Carrier.

Also Present: City Manager Joyal, Assistant City Manager Parker, City Attorney Blenkinsop, Community Services Director Storer, Dean Peschel, Dover Utilities Commission member Perry, City Clerk Lavertu, Keith Pratt from Underwood Engineers, and John Brooks from Emery & Garrett Investigations.

5. CITIZEN'S FORUM

Citizens are invited to speak on the subject matter of the Workshop. Statements shall be limited to five minutes.

Mayor Weston, seeing no one wishing to speak; closed the Citizens Forum.

6. DISCUSSIONS

A. WATER SUPPLY UPDATE

PowerPoint presentation has been archived with the minutes.

Discussion centered on the various wells in the City and the current and future status.

7. ADJOURNMENT

9:45 pm – Councilor Ciotti motioned to adjourn; seconded by Councilor Thibodeaux.

Vote: 8/0.



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 12.A.1.

Ordinance Number: **O – 2018.07.25 - 007**
Ordinance Title: Driveways
Chapter: 92
Section: All

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to repeal Chapter 92

2. AMENDMENT

Chapter 92 entitled “Driveways” is hereby repealed in full as it is now contained within Chapters 149 and 155.

~~DRIVEWAYS~~

~~CHAPTER 92~~

~~92-1. Purpose.~~

~~92-2. Statutory Authority.~~

~~92-3. Applicability.~~

~~92-4. Definitions.~~

~~92-5. Construction Permits.~~

~~92-6. Standards.~~

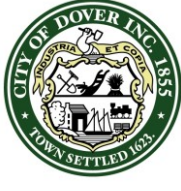
~~92-7. Paving Contractor's License.~~

~~92-8. Conversion of Driveways to Public Streets.~~

~~92-9. Violations and Penalties; Costs of Restoration.~~

~~92-10. Modification of Standards.~~

~~92-11. Appeals.~~

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER - ORDINANCE</th></tr> <tr> <td colspan="2">Agenda Item#: 12.A.1.</td></tr> <tr> <td>Ordinance Number:</td><td>O – 2018.07.25 - 007</td></tr> <tr> <td>Ordinance Title:</td><td>Driveways</td></tr> <tr> <td>Chapter:</td><td>92</td></tr> <tr> <td>Section:</td><td>All</td></tr> </table>	CITY OF DOVER - ORDINANCE		Agenda Item#: 12.A.1.		Ordinance Number:	O – 2018.07.25 - 007	Ordinance Title:	Driveways	Chapter:	92	Section:	All
CITY OF DOVER - ORDINANCE													
Agenda Item#: 12.A.1.													
Ordinance Number:	O – 2018.07.25 - 007												
Ordinance Title:	Driveways												
Chapter:	92												
Section:	All												

~~[HISTORY: Adopted by the City Council on 12-14-1977¹. Amendments noted where applicable.]~~
~~GENERAL REFERENCES—Streets and sidewalks—See Ch. 152; Ch. 155 Subdivisions~~

~~92-1. Purpose.~~

~~The purpose of this chapter is to further the safe and orderly development of the city through the establishment of an administrative procedure by which the location, method and materials used to provide vehicular access to and from city streets onto private property are subject to the review and approval of the Director of Public Works.~~

~~92-2. Statutory Authority.~~

~~This chapter is enacted pursuant to the provisions of RSA 236:13.~~

~~92-3. Applicability.~~

~~The provisions of this chapter apply to the construction, reconstruction, alteration, surfacing or resurfacing of any driveway which intersects with the right-of-way of any city-owned, city maintained way and/or other private way. Section 92-7 of this Chapter, referring to licensing requirements, applies to all paving contractors or related construction enterprises engaged in the retailing of driveway paving services to the general public within Dover's city limits.~~

~~92-4. Definitions.~~

~~As used in this Chapter the following terms mean:~~

~~**ALL SEASON SIGHT DISTANCE**—A line which encounters no visual obstruction between two (2) points, each at a height of three (3) feet nine (9) inches above the pavement and so located as to represent the critical line of sight between the operator of a vehicle using the access and the operator of a vehicle approaching from either direction.~~

~~**DRIVEWAY**—A private road which is intended to provide vehicular access from a public way or private way to a single primary building which is located on a single lot. A "driveway" may service up to four (4) lots only if it complies with the terms and conditions of the Subdivision Ordinance, 155-51; Site Review Ordinance, 149-14, or 92-6 of this chapter. [Amended 11-18-79 by Ord. No. 27-79; Amended 12-10-86 by Ord. No. 20-86]~~

~~**LOT**—A parcel of land intended to be separately owned, rented, developed or otherwise used as a unit.~~

¹ Editor's Note: Provisions of this Chapter are derived from Ch. 41 of the former Code adopted 12-14-77



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 12.A.1.

Ordinance Number: **O – 2018.07.25 - 007**
Ordinance Title: Driveways
Chapter: 92
Section: All

~~92-5. Construction Permits.~~

~~A. Henceforth, it shall be unlawful to construct, reconstruct, alter, surface or resurface any Driveway in a manner which affects the size, elevation or grade of such Driveway until the Director of Public Works has reviewed and approved of such construction or alteration and has issued a written permit for such work. No permit shall be required for any existing Driveway, entrance or approach unless the grade, elevation, location or width of said Driveway is changed. For purposes of this section, any Driveway so constructed, reconstructed, altered, surfaced or resurfaced as indicated above which abuts or is clearly designed to provide access to a public way as defined by RSA 259:125 shall be presumed to be situated within the right of way. [Amended on 11-26-86 by Ord. No. 19-86; Amended on 11-21-01 by Ord. No. 27-2001]~~

~~B. Pursuant to this section, a written construction permit application must be obtained from and filed with the Public Works office by any landowner or by his paving contractor, if he is employing one, affected by the provisions of this Chapter (see section 92-5.A above).~~

~~C. Before any construction or alteration work is commenced, said permit application shall have been reviewed and approved and a construction permit issued by the Director of Public Works. Said permit shall:~~

~~(1) Describe the location of the Driveway, entrance, exit or approach. The location —shall be selected to most adequately protect the safety of the traveling public.~~

~~(2) Describe any drainage structures, traffic control devices and channelization —islands to be installed by the applicant.~~

~~(3) Establish grades that adequately protect and promote street drainage and permit a —safe and controlled approach to the street in all seasons of the year.~~

~~(4) Include any other terms and specifications necessary for the safety of the traveling —public.~~

~~92-6. Standards.~~



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 12.A.1.

Ordinance Number: **O – 2018.07.25 - 007**
Ordinance Title: Driveways
Chapter: 92
Section: All

- ~~A. Unless an All Season Sight Distance of four hundred (400) feet in both directions along the street can be obtained, the Director of Public Works shall not permit more than one (1) access to a single parcel of land, and this access shall be at that location he determines to be safest. The Public Works Director shall not give final approval for use of any additional access until it has been demonstrated that the four hundred-foot All Season Sight Distance has been approved.~~
- ~~B. Within twenty (20) feet of the point where the Driveway intersects the public right-of-way, the maximum slope of a driveway to four (4) or fewer dwelling units shall not exceed twelve percent (12%) and the maximum slope for other driveways shall not exceed eight percent (8%).~~
- ~~C. With the exception of shared Driveways, no Driveway, including any flare, shall be within five (5) feet of a side property line.~~
- ~~D. The angle of the Driveway with respect to the pavement edge shall not be less than sixty (60) degrees to ninety (90) degrees, except that a smaller angle may be used for entrance Driveways along a divided street, permitting only one-way operation of the Driveway.~~
- ~~E. At rural intersections, the minimum distance between the nearest edge of the driveway and the crossroad edge of pavement, measured along the edge of pavement, shall be one hundred (100) feet. At urban intersections, this minimum distance may be reduced to twenty-five (25) feet. Driveways to be located on the opposite side of T-intersections shall generally conform to the urban intersection standard. The Director of Public Works shall have the authority to increase these distances if, in his opinion, such action is necessary for the protection of traffic. He may also modify these requirements, if justifiable on the basis of specific site conditions, including Lot size.~~
- ~~F. The type of construction where the Driveway meets the edge of the traveled way shall be commensurate with existing conditions with respect to drainage and curb configuration and shall be subject to the approval of the Director of Public Works. The property owner shall be responsible for the proper installation and maintenance of all drainage facilities (driveway culvert, swale, etc.) and the Driveway bed that lies~~



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 12.A.1.

Ordinance Number: **O – 2018.07.25 - 007**
Ordinance Title: Driveways
Chapter: 92
Section: All

between the edge of the traveled way and the parcel's property line. ~~[Amended on 11-28-79 by Ord. No. 27-79]~~

~~G. In no case shall the permitted Driveway construction cause water to stand on the pavement, shoulders or within the street right of way limits. In those cases where property development increases drainage runoff such that existing street drainage structures are insufficient to adequately dispose of all drainage, the applicant will be required to provide additional or larger drainage facilities to prevent any ponding within the street right of way or adjacent lands thereto.~~

~~H. For access to a proposed commercial or industrial enterprise, to a subdivision or to a multifamily dwelling containing more than four (4) dwelling units, all of which for purposes of this chapter shall be considered a single parcel of land, said permit application shall be accompanied by such engineering drawings as may be required by the Director of Public Works showing information as set forth in Section 92-2 of this Chapter.~~

~~I. No construction permit shall allow a residential driveway entrance, exit or approach to be constructed more than twenty two (22) feet in width. Driveway entrances and exits for nonresidential use shall be as follows: [Amended on 11-28-79 by Ord. No. 27-79]~~

~~(1) Where one (1) entrance/exit is designed to service a parcel, the width shall not — exceed thirty two (32) feet.~~

~~(2) Where two (2) entrances/exits are designed to service a parcel, the width shall not — exceed twenty four (24) feet.~~

~~92-7. Paving Contractor's License.~~

~~Henceforth, all paving and related contractors who conduct Driveway construction, reconstruction, alteration, surfacing or resurfacing operations within the city limits of Dover shall comply with the following Driveway licensing procedures:~~

~~A. Before any Driveway paving operation is begun, subsequent to the adoption of this chapter the paving contractor shall apply to the Director of Public Works for a license to conduct operations within Dover's city limits.~~



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 12.A.1.

Ordinance Number: **O – 2018.07.25 - 007**
Ordinance Title: Driveways
Chapter: 92
Section: All

~~B. License fee. The annual license fee is contained in the Fee Schedule adopted by the City Council.~~

~~C. Such paving license shall expire on April 1 following the date of issuance.~~

~~D. Such paving license shall specify that if the paving work performed by the contractor fails to be acceptable to the Public Works Director that the contractor will either improve the Driveway to acceptable standards or be liable for such costs as may be necessary to effectuate such improvements or the removal of such driveway facility. The minimum standard imposed by the Director of Public Works will be for the provision of a Driveway access facility which provides safe movement of motor vehicles and which does not adversely affect the flow of drainage waters on city streets.~~

~~E. Failure to comply with paving standards established by the Public Works Department will result in revocation of the paving license and any accompanying driveway paving privileges within the city limits of Dover.~~

~~92-8. Conversion of Driveways to Public Streets.~~

~~As previously noted, a Driveway is a private way. Accordingly, no Driveway may subsequently be dedicated to the city as a public street until and unless the owner(s) of the property served by such Driveway make, at their expense, any improvements necessary to bring such roadway into conformance with the construction standards and specifications as set forth in Chapter 152 Streets and Sidewalks, for a public street or into conformance with such other specifications as established by the Director of Public Works or City Council.~~

~~92-9. Violations and Penalties; Costs of Restoration.~~

~~Whoever violates any provisions of this chapter shall be fined not more than two hundred fifty dollars (\$250.00). The landowner shall be liable for the cost of restoration of the affected public street to a condition which conforms to the provisions of this chapter to the satisfaction of the Director of Public Works. If a landowner fails to ensure that the above said conformance is accomplished within thirty (30) days of receiving written notification from the Director of Public Works, the restoration shall be accomplished by the city and charged to the landowner.~~

~~92-10. Modification of Standards. [Amended on 11-28-79 by Ord. No. 27-79]~~



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 12.A.1.

Ordinance Number: **O – 2018.07.25 - 007**
Ordinance Title: Driveways
Chapter: 92
Section: All

~~Where the Director of Public Works finds that an unnecessary hardship may result from the strict compliance with these regulations, he may modify the regulations so that substantial justice may be achieved and the public interest secured, provided that such modifications shall not have the effect of nullifying the intent and purpose of this Chapter 92 Driveways and Chapter 155 Subdivision of Land.~~

92-11. Appeals.

~~Any person aggrieved by a decision of the Director of Public Works under this chapter may request a hearing before the Planning Board on the merits of his/her case. The Planning Board shall hear the facts in the case and vote to confirm, reject or modify the decision of the Director of Public Works. The Director of Public Works shall not participate in this vote. The decision of the Planning Board shall be final.²~~

~~A. The applicant and all abutters shall be notified of said hearing by certified mail, with return receipt requested, stating the time, date and place of such hearing not less than five (5) days prior to the date fixed thereon.~~

~~B. Such public hearing shall be advertised in a newspaper of general distribution not less than five (5) days nor more than ten (10) days prior to said hearing.~~

~~C. The applicant shall be billed for all costs incurred for such notification.~~

3. TAKES EFFECT

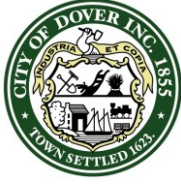
This ordinance shall take effect upon passage and publication of notice as required by RSA 47:18.

REFER TO A PUBLIC HEARING

AUTHORIZATION

Approved as to Funding:	Daniel R. Lynch Finance Director	Sponsored by:	Councilor Dennis Ciotti
Approved as to Legal Form and Compliance:	Anthony Blenkinsop City Attorney		
Recorded by:	Karen Lavertu City Clerk		

² Editor's Note: See Ch. 155, Subdivision of Land

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 12.A.1. Ordinance Number: O – 2018.07.25 - 007 Ordinance Title: Driveways Chapter: 92 Section: All
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DOCUMENT HISTORY:

First Reading Date: 07/25/2018	Public Hearing Date: 08/08/2018
Approved Date:	Effective Date:

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor Karen Weston		
Deputy Mayor Robert Carrier, At Large		
Councilor Michelle Muffett-Lipinski, Ward 1		
Councilor Dennis Ciotti, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Marcia Gasses, Ward 4		
Councilor Dennis Shanahan, Ward 5		
Councilor Matthew Keane, Ward 6		
Councilor Lindsey Williams, At Large		
Total Votes:		
Resolution does does not pass.		

ORDINANCE BACKGROUND MATERIAL:

On April 24, 2018 the Planning Board adopted changes to Chapter 155 and on June 12, 2018 the Planning Board adopted changes to Chapter 149 which absorbed the contents of Chapter 92 into those two chapters, thus making Chapter 92 redundant.

To: Dover City Council
From: Christopher Parker, AICP
CC: J. Michael Joyal, City Manager
Dover Planning Board
Date: July 25, 2016
Re: Repeal of Chapter 92 (Driveways)

ISSUE:

The Planning Board has amended chapter's 149 (Site Plan Review) and 155 (Subdivision of Land) to include elements of Chapter 92 (Driveways), making 92 no longer necessary.

INTENT:

This memo will briefly describe how the portions of 92 was incorporated into other land use related portions of the Code.

GOALS:

Educate the City Council on where the elements were relocated to, and why Chapter 92 is no longer necessary.

PROCESS:

By combing driveway requirements with other land use related regulations within the Site and Subdivision of Land sections of the Code, it will be easier for property owners and developers to properly process applications and permits, and reduce redundancy.

The Planning Board adopted amendments to Subdivision regulations on May 8, 2018 and amendments to Site Review regulations on June 12, 2018, after public hearings were held.

ATTACHMENTS:

- None

Most elements were merged into Chapter 155, with a few in 149, one within 152.

- General Updates
 - References within the regulations to:
 - refer to the "Community Services Director", not "Public Works Director" or "Director of Public Works"
 - refer to the "Community Services Department" not "Public Works Department"
 - refer to "stormwater" and not "drainage"
- 92-1 (Purpose)
 - Take elements and revise 155-3
- 92-2 (Legal Authority)
 - Add to 155-2
- 92-3 (Applicability)
 - Create a new section at 155-49 "Driveways"
- 92-4 (Definitions)
 - Add to 155-61
- 92-5 (Construction Permits)
 - Add to new 155-49
- 92-6 (Standards)
 - Add to new 155-49:
 - A-G, I (first sentence)
 - Relocate to 149-14 C:
 - H and I (second sentence)
- 92-7 (Paving Contractor's License)
 - Within 152
- 92-8 (Conversion of a Driveway to Street)
 - Add to 155-48
- 92-9 (Violations)
 - Add to 155-54
- 92-10 (Modification of Standards)
 - Add to new 155-49
- 92-11 (Appeals)
 - Add to 155-58
 - rewrite to eliminate A, B and C (already required by 155)
- 155-49 now contains:
 - A (92-3)
 - B (92-5)
 - A-C become (1) - (3)
 - C (92-6)
 - with edits as noted above
 - D (92-10)



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.1.

Resolution Number: **R – 2018.08.08 – 103**
Resolution Re: B18073 Central Falls Granite Retaining Wall Reconstruction
Additional Scope of Work Change Order One

WHEREAS: A Request for Qualifications B18073 was issued for Central Falls Structural and Geotechnical Evaluation of Cocheco Falls Granite Retaining Wall, and results were received on April 4, 2018 at 2:30 pm; and

WHEREAS: Four qualification packets were received and evaluated by City staff. Staff felt the highest ranked consultant, based on their: demonstrated project understanding; experience with similar granite block wall construction; and overall experience of the proposed project team was Tighe & Bond of Portsmouth NH and council awarded via resolution [R-2018.05.09-048](#) the contract in the amount of \$50,000 for the structural and geotechnical evaluation; and

WHEREAS: Tighe & Bond has completed the evaluation and has submitted change order one which outlines the scope of work and costs of design engineering services for the final design and construction observation in the amount of \$155,000.00. It is the recommendation to award change order two as outlined in this resolution making the new total contract price \$205,000.00.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The Purchasing Agent is hereby authorized to issue a Change Order to Tighe and Bond of Portsmouth NH for engineering services for Central Falls Granite Retaining Wall Reconstruction in the amount of \$155,000.00. The City Manager, or designee, is hereby authorized to contract with the vendor, consistent with the Purchase Order authorized herein.

The amount of this authorization shall be limited so as not to exceed available funding.

Financing

Account	Description	Appropriation	Balance
4019.1.300.43155.4754.03103.19	Cocheco Dam - Wall Repairs	1,100,000.00	1,045,582.80

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Karen Weston
By Request

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

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.1.

Resolution Number: **R – 2018.08.08 – 103**
Resolution Re: B18073 Central Falls Granite Retaining Wall Reconstruction
Additional Scope of Work Change Order One

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, At Large		
Councilor Michelle Muffett-Lipinski, Ward 1		
Councilor Dennis Ciotti, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Marcia Gasses, Ward 4		
Councilor Dennis Shanahan, Ward 5		
Councilor Matthew Keane, Ward 6		
Councilor Lindsey Williams, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.1.

Resolution Number: **R – 2018.08.08 – 103**
Resolution Re: B18073 Central Falls Granite Retaining Wall Reconstruction
Additional Scope of Work Change Order One

RESOLUTION BACKGROUND MATERIAL:

The City of Dover Community Services Department engaged the professional services of Tighe & Bond Inc for the preliminary design, evaluation, and permitting associated with large, historically significant, granite stone retaining walls. Relevant experience was also required for: geotechnical analysis and soil evaluations; working with the New Hampshire Department of Environmental Services Dam Bureau; and working with the New Hampshire Division of Historical Resources as the Cochecho Falls and abutting features are a historical and iconic feature of the City.

Tighe & Bond Inc has submitted change order one in the amount of \$155,000 for additional professional engineering services including additional subsurface exploration, soils testing, permitting plan set development, construction documentation preparation, construction oversight, bidding assistance and preliminary design for the reconstruction of the retaining wall and Fish Ladder Park in downtown Dover.

Bid Information:

A Request for Qualifications B18073 was issued and received for Central Falls Granite Retaining Wall Structural Evaluation on April 4, 2018 at 2:30 pm

Award Information:

A purchase order will be issued to the vendor selected to authorize expenditures as outlined in this resolution.

Purchasing Information:

Type:	Purchase Order	Advertised:	Yes
Invitations Mailed:	330	Number of Responses:	4
Warranty:	Per manufacturer	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	Until Complete	Estimated Delivery:	As needed
Recommended Award to:	Tighe and Bond Portsmouth NH	Fund:	CIP
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase to exceed the \$25,000 amount requiring Council approval subsequent to a bid solicitation

[B18073 Bid Documents and Vendor List](#)



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.2.

Resolution Number: **R – 2018.08.08 – 104**
Resolution Re: Purchase of Scarborough Receptacles

WHEREAS: The City is a member of (NCPA) National Cooperative Purchasing Alliance and can take advantage of contracts awarded through this group. One such contract is for various outdoor furniture and equipment awarded to Landscape Forms, Inc. The City is installing litter and recycling receptacles throughout downtown Dover and in an effort to remain consistent with the Master Plans are seeking pricing for the same décor lights, benches, and trash receptacles that were installed on Silver Street; and

WHEREAS: The City has received pricing for sixty units direct from the distributor, Landscape Forms, Inc of Kalamazoo MI at the rates of \$1,041.62 for litter receptacles and \$1,393.22 for recycling litter receptacles plus shipping costs of \$4,390.00 for a total cost of \$77,435.20 which represents a 12.1% discount by using the NCPA contract; and

WHEREAS: Per 3-37 Exceptions to Competitive Bidding: B Cooperative buying Groups, the Purchasing Agent, with the City Managers approval, may waive bidding procedures when purchasing can be accomplished through cooperative buying groups and if: Sole Source purchases where the proposed purchase is manufactured or provided by only one entity.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The Purchasing Agent is hereby authorized to issue a Purchase Order to Landscape Forms, Inc of Kalamazoo, MI for receptacles in the amount not to exceed \$77,435.20. The City Manager, or designee, is hereby authorized to contract with the vendor, consistent with the Purchase Order authorized herein.

The amount of this authorization shall be limited so as not to exceed available funding.

Financing

Account	Description	Appropriation	Balance
3320.1.300.4323.4741.00000	CS Waste Management	175,900.00	175,000.00

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Karen Weston
By Request

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

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.2.

Resolution Number: **R – 2018.08.08 – 104**
Resolution Re: Purchase of Scarborough Receptacles

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, At Large		
Councilor Michelle Muffett-Lipinski, Ward 1		
Councilor Dennis Ciotti, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Marcia Gasses, Ward 4		
Councilor Dennis Shanahan, Ward 5		
Councilor Matthew Keane, Ward 6		
Councilor Lindsey Williams, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.2.

Resolution Number: **R – 2018.08.08 – 104**
Resolution Re: Purchase of Scarborough Receptacles

RESOLUTION BACKGROUND MATERIAL:

The City elected to purchase these newer style of receptacles for the following reasons:

- The City is trying to standardize all Receptacles, benches and light poles around the downtown area as outlined in the masterplan.
- Our current receptacles are 9 years old and in a state of disrepair. The manufacturer of the containers is out of business making it impossible to obtain replacement parts.
- The new receptacles are metal and finished with a polyester powder coat which resists rusting chipping peeling and fading.
- The new receptacles will match designated light poles, and benches elevating the quality of public space.

Bid Information:

Cooperative Purchasing Group bid, sole distributor for North America for Scarborough Products.

Award Information:

A purchase order will be issued to the vendor selected to authorize expenditures as outlined in this resolution.

Purchasing Information:

Type:	Purchase Order	Advertised:	No
Invitations Mailed:	n/a	Number of Responses:	n/a
Warranty:	n/a	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	No
Prices will hold for:	Until completion	Estimated Delivery:	Immediately
Recommended Award to:	Landscape Forms Inc	Fund:	CIP
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase to exceed the \$25,000 amount requiring Council approval



CITY OF DOVER

CITY OF DOVER – RESOLUTION

Agenda Item#: 13.A.3.

Bid Number: **R -2018.08.08 – 105**
Bid Description: Purchase of Water Meters

WHEREAS: The City has been purchasing water meters from Badger Meter since they were awarded the bid in 1995 via Bid# B95052; and

WHEREAS: Badger Meter manufactures to order which means shipments can take up to six weeks for delivery. Badger Meter moved its sale of products to municipalities, such as Dover, to their local distributor. Stiles Company Inc is the exclusive distributor for utility products manufactured by Badger Meter for the State of New Hampshire. Stiles Company, Inc has been providing meters to the city since 2016, per approved resolution [R-2016.08.24-114](#) at rates locked for one year periods; and

WHEREAS: The city has received FY19 pricing quote that will be locked in until 6/30/19 which is reviewed annually.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The Purchasing Agent is hereby authorized to issue a Purchase Order to Stiles Company of Northwood NH for various meters as needed at rates in conjunction with the attached quote. The City Manager, or designee, is hereby authorized to contract with the vendor, consistent with the Purchase Order authorized herein.

The amount of this authorization shall be limited so as not to exceed available funding.

Financing

Account	Description	Appropriation	Balance
5300.1.300.43320.4741.00000.00	Water Machinery and Equipment	\$175,000.00	\$175,000.00
5300.1.300.43320.4741.03510.19	Water Meter Replacement	\$825,000.00	\$804,331.00

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Karen Weston
By Request

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

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER – RESOLUTION

Agenda Item#: 13.A.3.

Bid Number: **R -2018.08.08 – 105**
Bid Description: Purchase of Water Meters

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, At Large		
Councilor Michelle Muffett-Lipinski, Ward 1		
Councilor Dennis Ciotti, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Marcia Gasses, Ward 4		
Councilor Dennis Shanahan, Ward 5		
Councilor Matthew Keane, Ward 6		
Councilor Lindsey Williams, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER – RESOLUTION

Agenda Item#: 13.A.3.

Bid Number: **R -2018.08.08 – 105**
Bid Description: Purchase of Water Meters

RESOLUTION BACKGROUND MATERIAL:

The FY19 Capital Improvement Program approved funding that continues the process of replacing existing meters in the field that have met their life expectancy. This ensures the water meters in system are not outdated and are recording water usage correctly. Not only have some meters reached their life expectancy, they also require inefficient, manual reading of the actual meters. The meter readings are also used as the basis for determining volumetric Sewer Bills.

The City currently has approximately 9,500 total water meters. The goal is to convert to an entire radio read system to eliminate any need for manual reading of meters. This will improve meter read accuracy and enhance overall efficiency. To date, approximately 3,000 meters have been installed with new technology to allow for remote radio reading. Another 2,500 or so have a slightly older generation of technology that does allow for radio reading, but only if we drive by the property with a remote antenna. However, there are 4,000 very old meters that require manual reading and will be the target of the meter replacement effort.

Bid Information:

No bid, sole distributor for New England Region.

Award Information:

A purchase order will be issued to the vendor selected to authorize expenditures as outlined in this resolution.

Purchasing Information:

Type:	Purchase Order	Advertised:	No
Invitations Mailed:	n/a	Number of Responses:	n/a
Warranty:	n/a	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	No
Prices will hold for:	Until completion	Estimated Delivery:	As Needed
Recommended Award to:	Stiles Company	Fund:	CIP
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase to exceed the \$25,000 amount requiring Council approval

Stiles Company

Water Works Products

922 Pleasant Street
Norwood, MA 02062
800-426-6246
Federal ID: 04-2779533

QUOTATIONQuotation #: **016608**

Page 1 of 1

SOLD TO:

DOVER WATER WORKS NH

288 CENTRAL AV.
DOVER, NH 03820

SHIPPED TO:

DOVER WATER WORKS NH

271 MAST RD
DOVER, NH 03820

QUOTE DATE

7/1/2018

EXPIRATION DATE

6/30/2019

YOUR ORDER #

PAYMENT TERMS

Net 30 days

ENTERED BY

jlp

SHIPPED VIA

Quantity	Item #	Description	Price	Amount
1	BM25EB-11	M25 5/8 x 1/2 METER BODY ONLY CIB BI-ALLOY	\$49.61	\$49.61
1	BM25G-1	M25 GALLAXY CUBIC FT	\$158.34	\$158.34
1	BM35EB-31	MODEL 35 3/4 IN X 9 IN BI-ALLOY METER BODY	\$76.89	\$76.89
1	BM35G-1	M35 GALAXY CUBIC FEET	\$158.34	\$158.34
1	BM70EB-41	M70 1 IN X 10 3/4 IN BI-ALLOY METER BODY CIB	\$141.75	\$141.75
1	BM70G-1	M70 GALAXY CUBIC FEET	\$158.34	\$158.34
1	BM120EB-6F	MODEL 120 1 1/2 IN FLANGED BI-ALLOY	\$368.55	\$368.55
1	BM120G-1	M120 GALAXY CUBIC FEET	\$158.34	\$158.34
1	BM170EB-7F	MODEL 170 2 IN FLANGED METER BI-ALLOY	\$554.00	\$554.00
1	BM170G-1	M170 GALAXY CUBIC FEET	\$158.34	\$158.34
1	BMCS2EB-E	2 IN COMPOUND BASE ELLPTICAL BI-ALLOY	\$2,073.00	\$2,073.00
1	BMCS2G-2	2 IN COMPOUND GALAXY CF	\$387.45	\$387.45
1	BMCS3EB	3 IN COMPOUND ROUND BODY BI-ALLOY	\$2,871.00	\$2,871.00
1	BMCS3G-1R	3 IN COMPOUND GALAXY CUBIC FEET	\$387.45	\$387.45
1	BMCS4EB	4 IN COMPOUND ROUND BASE BI-ALLOY	\$3,262.30	\$3,262.30
1	BMCS4G-1R	4 IN COMPOUND GALAXY CUBIC DT 2ADE 2 GAX	\$387.45	\$387.45
1	BMCS6EB	6 IN COMPOUND SERIES METER BODY BI-ALLOY	\$4,759.00	\$4,759.00
1	BMCS6G-1R	6 IN COMPOUND GALAXY CUBIC FEET	\$387.45	\$387.45

Comments:

SUBTOTAL:	\$16,497.60
FREIGHT:	\$0.00
	\$0.00
	\$0.00
OTHER:	\$0.00
TOTAL:	\$16,497.60

Stiles Company

Water Works Products

922 Pleasant Street
Norwood, MA 02062
800-426-6246
Federal ID: 04-2779533

QUOTATIONQuotation #: **016609**

Page 1 of 1

SOLD TO:

DOVER WATER WORKS NH

288 CENTRAL AV.
DOVER, NH 03820

SHIPPED TO:

DOVER WATER WORKS NH

271 MAST RD
DOVER, NH 03820

QUOTE DATE

7/1/2018

EXPIRATION DATE

6/30/2018

YOUR ORDER #**PAYMENT TERMS**

Net 30 days

ENTERED BY

jlp

SHIPPED VIA

Quantity	Item #	Description	Price	Amount
1	BME25B-11-1	M25 E-SERIES 5/8 X 1/2 SS BODY CUBIC FEET	\$240.00	\$240.00
1	B 1	HRE LCD Registration Cuft 9Dial Galaxy 25 Ft Wire	\$0.00	\$0.00
1	BME35B-31-1	M35 E-SERIES 3/4 X 9 SS BODY CUBIC FEET	\$257.00	\$257.00
1	B 1	HRE LCD Registration Cuft 9Dial Galaxy 25 Ft Wire	\$0.00	\$0.00
1	BME55B-41-1	M55 E-SERIES 1 IN X 10-3/4 SS BODY CUBIC FEET	\$269.45	\$269.45
1	B 1	HRE LCD Registration Cuft 9Dial Galaxy 25 Ft Wire	\$0.00	\$0.00
1	BME120-6F-1	M120 E-SERIES 1-1/2 IN SS FLANGED BODY CUBIC FEET	\$469.64	\$469.64
1	B 1	HRE LCD Registration Cuft 9Dial Galaxy 25 Ft Wire	\$0.00	\$0.00
1	BME170-7F-1	M170 E-SERIES 2 IN SS FLANGED BODY CUBIC FEET	\$589.05	\$589.05
1	B 1	HRE LCD Registration Cuft 9Dial Galaxy 25 Ft Wire	\$0.00	\$0.00

Comments:

SUBTOTAL:	\$1,825.14
FREIGHT:	\$0.00
	\$0.00
	\$0.00
OTHER:	\$0.00
TOTAL:	\$1,825.14



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R - 2018.08.08 – 106**
Resolution Re: **Dissolution of School Vocational Education Fund**

WHEREAS: The City Council established the School Vocational Education Fund on May 11, 1983 to separately account for funds for vocational education programs and services; and

WHEREAS: The School Vocational Education Fund has had no activity for more than fifteen (15) years; and

WHEREAS: The Dover School Board voted on July 9, 2018 to close out the School Vocational Education Fund and have the \$906.30 balance in the fund placed into the Dover Career Technical Center Expendable Trust Fund; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:
The School Vocational Education Fund is hereby dissolved and the balance remaining in said fund is to be transferred into the Dover Career Technical Center Expendable Trust Fund.

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Karen Weston
By Request

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

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R - 2018.08.08 – 106**
Resolution Re: **Dissolution of School Vocational Education Fund**

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, At Large		
Councilor Michelle Muffett-Lipinski, Ward 1		
Councilor Dennis Ciotti, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Marcia Gasses, Ward 4		
Councilor Dennis Shanahan, Ward 5		
Councilor Matthew Keane, Ward 6		
Councilor Lindsey Williams, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R - 2018.08.08 – 106**

Resolution Re: **Dissolution of School Vocational Education Fund**

RESOLUTION BACKGROUND MATERIAL:

The City's independent auditors annually recommend that the City review existing Special Revenue Funds to determine if any of those funds may be dissolved.

The School Department determined that Fund 3820, the School Vocational Education Fund, has not had any activity for more than 15 years. Therefore, on July 9, 2018 the Dover School Board adopted a resolution to dissolve Fund 3820 and request that the City council approve dissolving the fund. A copy of the school board resolution is attached to this resolution.

The existing balance in Fund 3820 is \$906.30. This resolution proposes to place the \$906.30 in the Dover Career Technical Center Expendable Trust Fund, as this trust fund is established to provide funding for equipment and supplies for the career technical center at Dover High School.

RESOLUTION

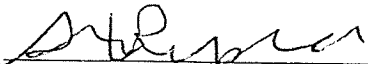
RE: REQUEST FOR THE DISSOLUTION OF THE SCHOOL VOCATIONAL EDUCATION FUND (3820)

- WHEREAS: The Vocational Education Fund (Fund 3820) was established in 1983 under the guidelines of RSA 188-E11; and
- WHEREAS: The Vocational Education Fund was established to be used for capital improvement costs for the replacement or upgrading of equipment, or for aiding in the various vocational programs offered by the center; and
- WHEREAS: There has been no activity in more than fifteen (15) years; and
- WHEREAS: The Dover Career Technical Center Expendable Trust Fund (Fund 8835) was established for the sole use of the Dover Career Technical Center; and
- WHEREAS: After review by the Dover School Department, the remaining funds of \$906.30 would be managed entirely through the Dover Career Technical Center Expendable Trust Fund; and

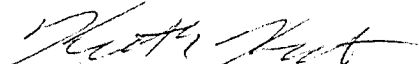
NOW, THEREFORE, BE IT RESOLVED THAT HEREIN IS A FORMAL REQUEST FROM THE DOVER SCHOOL BOARD TO THE MAYOR AND DOVER CITY COUNCIL THAT:

The City Council approves the dissolution of the Vocational Education Fund (3820) and the Dover School Department will transfer the remaining funds of \$906.30 to the Dover Career Technical Center Expendable Trust Fund (Fund 8835).

SUBMITTED BY:



Amanda L. Russell, Chairperson



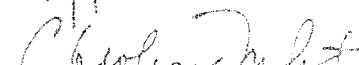
Keith Holt, Vice Chairperson



Kathleen Morrison, Secretary



Andrew Wallace



Carolyn Mebert



Zachary Koehler

Matthew Lahr

July 9, 2018



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R – 2018.08.08 – 107**

Resolution Re: Acceptance of Donation for Naming Rights of Dover High School Health Science Lab

WHEREAS: The City of Dover, through a Joint Building Committee, is in the process of constructing a new Dover High School and Career Technical Center; and

WHEREAS: The City Council adopted on June 14, 2017 the creation of a trust fund to accept gifts and donations for the purpose of purchasing items for the new high school/career technical center; and

WHEREAS: The Dover School Board approved a resolution on May 14, 2018 to accept a \$25,000.00 donation and associated agreement from David and Maureen Staples; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:
The donation of \$25,000.00 from David and Maureen Staples is hereby accepted and said donation is to be deposited into the Dover High School and Career Technology Center Trust Fund, donation to be expended in accordance with the established purpose of the trust fund.

AND, FURTHER BE IT RESOLVED;

Acceptance of the donation acknowledges the Donor agreement attached to this resolution, which includes a provision for naming rights for the new Health Science Lab to be called the *David and Maureen Staples Heath Science Lab*.

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Karen Weston
By Request

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

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R – 2018.08.08 – 107**

Resolution Re: Acceptance of Donation for Naming Rights of Dover High School Health Science Lab

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, At Large		
Councilor Michelle Muffett-Lipinski, Ward 1		
Councilor Dennis Ciotti, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Marcia Gasses, Ward 4		
Councilor Dennis Shanahan, Ward 5		
Councilor Matthew Keane, Ward 6		
Councilor Lindsey Williams, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R – 2018.08.08 – 107**

Resolution Re: Acceptance of Donation for Naming Rights of Dover High School Health Science Lab

RESOLUTION BACKGROUND MATERIAL:

The Dover School District and a sub-committee of the Joint Building Committee has embarked on a fundraising initiative for the new Dover High School/Career Technical Center.

In May 2018 the Dover School Board adopted a resolution to accept a \$25,000.00 donation from David and Maureen Staples, and acknowledge acceptance of the donor agreement for this donation to include naming rights for the new Health Science Lab. A copy of the School Board's adopted resolution and the donor agreement are attached to this resolution.

Since the new high school/career technical center is financed by the issuance of bonds, the City contacted bond counsel to review the specifics of the donation and associated agreement to ensure acceptance of the donation and granting of naming rights did not negatively impact the validity and tax-exempt status of the bonds. Bond counsel has provided a response to the city acknowledging that the donation and granting of naming rights for the Health Science Lab does not negatively impact the validity and tax-exempt status of the bonds.

The donation will be placed in the Dover High School and Career Technology Center Trust Fund to be used in accordance with the purpose of the trust fund, which is to purchase items for the new high school facility.

RESOLUTION
RE: NAMING RIGHTS – HEALTH SCIENCE LAB

WHEREAS: The District, by and through a Joint Building Committee formed with the City pursuant to RSA Chapter 199, is constructing a new Dover High School/Career Technical Center with associated amenities, and

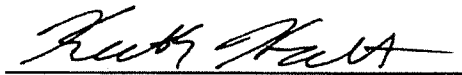
WHEREAS: David and Maureen Staples wish to make a one-time irrevocable donation in the amount of twenty-five thousand dollars (\$25,000) to the District, consistent with the terms of an Agreement between the Staples and the Dover School District and City of Dover (the "Gift"), and

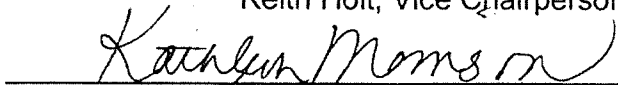
WHEREAS: Pursuant to the Agreement, the District and the City will acknowledge the Gift by naming the Health Science Lab the **David and Maureen Staples Health Science Lab**, commencing on September 1, 2018; and

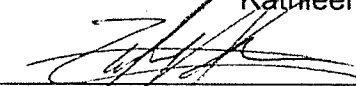
NOW, THEREFORE, BE IT RESOLVED, the Gift is accepted, subject to the terms and conditions set forth in the Agreement between David and Maureen Staples and the Dover School District and the City of Dover, by and through the approval of the City Council.

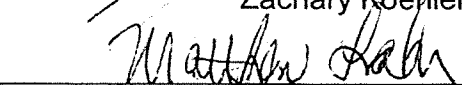
SUBMITTED BY:

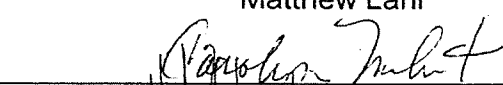

Amanda L. Russell, Chairperson

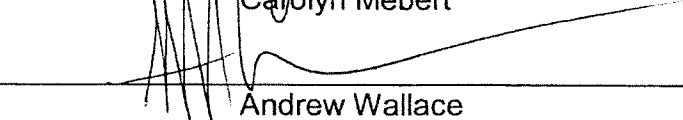

Keith Holt, Vice Chairperson


Kathleen Morrison, Secretary


Zachary Koehler


Matthew Lahr


Carolyn Mebert


Andrew Wallace

May 14, 2018

Agreement

This Agreement ("Agreement"), effective as of September 1, 2018 ("Effective Date"), is made and entered into by and between David and Maureen Staples, whose address is 2 Ruthie's Run, Dover, NH 03820 ("Donor") and the Dover School District ("District"), subject to the approval of the Dover School Board and City of Dover ("City") by and through its City Council, for the use and benefit of the District. Based upon the Recitals below, and in consideration of the mutual promises and benefits hereunder, the parties hereto agree as follows:

RECITALS

Whereas, the District, by and through a Joint Building Committee formed with the City pursuant to RSA chapter 199, is constructing a new Dover High School/Career Technical Center with associated amenities ("High School"); and

Whereas, the Donor wishes to make a gift to the District for the use and benefit of the District as set forth in this Agreement; and

Whereas, the District and the City desire to accept such gift, subject to the terms and conditions set forth in this Agreement.

AGREEMENT

1. **Gift.** Donor hereby pledges to the District, for the use and benefit of the District, the following gift: \$25,000.00 ("Gift").
2. **Payment of the Gift.** The Gift is an irrevocable pledge, relied on by the District, that will be paid to the District in a lump sum payment within 30 days of the Effective Date.

Payment shall be paid by Donor to District via check or electronic funds transfer.
3. **Use of the Gift.** The Gift shall be deposited in the "Dover High School and Career Technology Center Joint Building Committee Fundraising Trust Fund" and shall be used consistent with the purposes of said trust fund.
4. **Acknowledgment.** In consideration for the Gift, the District and the City will acknowledge the Gift by naming the Health Science Lab ("Facility"), the David and Maureen Staples Health Science Lab ("Naming"). Before the Naming is affixed to the Facility, Donor shall have completed payment of the Gift. Subject to the terms of this Agreement, the Naming will last for twenty-five (25) years, concluding on August 31, 2043 [end date].
5. **Termination of Naming.** In addition to any rights and remedies available at law, the District may terminate this Agreement and all rights and benefits of the Donor hereunder, including terminating the Naming:
 - a. In the event of any default in payment of the Gift as provided in this Agreement; or
 - b. In the event the District determines in its reasonable and good faith opinion that circumstances have changed such that the Naming chosen by the Donor would adversely impact the reputation, image, mission, or integrity of the City, the District, of the Dover High School Joint Building Committee, in the event of a continued association with Donor and the continuation of the Naming provided for herein.

Upon any such termination of this Agreement and/or the Naming hereunder the City of Dover, the Dover School District, the Dover High School Joint Building Committee shall have no further obligation or liability to Donor and shall not be required to return any portion of the Gift already paid. The District, however, may in its sole and absolute discretion determine an alternative recognition for the portion of the Gift already received.

In addition to the foregoing, if, during the useful life of the Facility, the Facility is transferred or conveyed from the District and/or City, closed, deconstructed, destroyed or severely damaged, significantly renovated, upgraded, or modified; relocated, or replaced, then the Naming shall cease. In such event, however, the Donor, if available, and in consultation with and as mutually agreed by the District and City, will have the opportunity, for no additional payment, to have another available District facility named after the Donor.

6. **Use of Name and Publicity.** The District shall have the right to use the Naming in any/all manners. For purposes of publicizing the Gift and the Naming, the District will have the right, without charge, to photograph the Donor and use the names, likenesses, and images of the Donor in photographic, audiovisual, digital or any other form of medium (the "Media Materials") and to use, reproduce, distribute, exhibit, and publish the Media Materials in any manner and in whole or in part, including in brochures, website postings, informational and marketing materials, and reports and publications describing the District's and City's use of the named facility.
7. **Assignment.** This Agreement and the rights and benefits hereunder may not be assigned by either party without the prior written consent of the other party, which consent shall be in the sole and absolute discretion of the non-assigning party.
8. **Entire Agreement.** This Agreement constitutes the entire agreement of the parties with regard to the matters referred to herein, and supersedes all prior oral and written agreement, if any, of the parties in respect hereto. This Agreement may not be modified or amended except by written agreement executed by both parties hereto. The captions inserted in this Agreement are for convenience only and in no way define, limit, or otherwise describe the scope or intent of this Agreement, or any provision hereof, or in any way affect the interpretation of this Agreement.
9. **Governing Law and Venue.** This Agreement will be governed by and construed in accordance with the laws of the State of New Hampshire without regard to any conflict of laws rule or principle that might refer the governance or construction of this Agreement to the laws of another jurisdiction. Subject to the sovereign immunity of the State of New Hampshire, any legal proceeding brought in connection with disputes relating to or arising out of this Agreement will be filed and heard in Dover, New Hampshire, and each party waives any objection that it might raise to such venue and any right it may have to claim that such venue is inconvenient.
10. **Approval.** This Agreement and the recognition and naming provided for herein are subject to the approval by the District by and through its duly elected School Board and the City by and through its duly elected City Council, and this Agreement will not be effective unless and until approved by the District and the City Council.
11. **Amendment.** This Agreement may only be amended by written instrument executed by the Parties hereto.
12. **Severability.** If any provision of this Agreement, or the application of such provision to any person or circumstance, shall be held invalid, the remainder of this Agreement and the application of such provision herein shall not be construed as a general relinquishment of waiver as to that or any other provision.
13. **Notice.** Any notice or other communication under this Agreement shall be in writing, sent via registered or certified mail, and will be deemed given when deposited, postage prepaid, in the U.S. mail. Any notice or other communication will be addressed as set forth below:

To District:

Superintendent of Schools
Dover School District
61 Locust St., Suite 409
Dover, NH 03820

To Donor:

David and Maureen Staples
2 Ruthie's Run
Dover, NH 03820

ACCEPTED AND AGREED TO:

DAVID AND MAUREEN STAPLES

DOVER SCHOOL DISTRICT

By: _____
David Staples

By: _____
William R. Harbron
Superintendent of Schools

By: _____
Maureen Staples

Approved by vote of the Dover School Board on _____, 2018.

Approved by vote of the Dover City Council on _____, 2018.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.3.

Resolution Number: **R - 2018.08.08 – 108**

Resolution Re: Authorization to Contract with Wright-Pierce for
Emergency Evaluation and Replacement of Failed Variable
Speed Drive at River Street Pump Station

WHEREAS: The City owns and operates the River Street Pump Station; and

WHEREAS: There was a recent electrical fire at the River Street Pump Station that resulted in the subsequent failure of one of the variable speed drives; and

WHEREAS: The River Street Pump Station is critical to the overall operations of waste water management in the City of Dover; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

3-37-A Emergency Purchases: The City Manager may waive the competitive bidding procedures where there exists an emergency as determined by the City Manager.

The Purchasing Agent is hereby authorized to issue Purchase Order to Wright-Pierce for emergency evaluation and replacement of failed variable speed drive at River Street Pump Station per the proposal submitted by Wright-Pierce. The City Manager, or designee, is hereby authorized to contract with the vendor, consistent with the Purchase Order authorized herein.

The amount of this authorization shall be limited so as not to exceed available funding.

Financing				
Account	Description	Appropriation	Balance	Charge
5320.1.300.43250.4757.04573.07	Pump Station Equipment	650,000	545,593	69,500
			Total	

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Karen Weston
By Request

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

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.3.

Resolution Number: **R - 2018.08.08 – 108**
Resolution Re: Authorization to Contract with Wright-Pierce for
Emergency Evaluation and Replacement of Failed Variable
Speed Drive at River Street Pump Station

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, At Large		
Councilor Michelle Muffett-Lipinski, Ward 1		
Councilor Dennis Ciotti, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Marcia Gasses, Ward 4		
Councilor Dennis Shanahan, Ward 5		
Councilor Matthew Keane, Ward 6		
Councilor Lindsey Williams, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.3.

Resolution Number: **R - 2018.08.08 – 108**
Resolution Re: Authorization to Contract with Wright-Pierce for
Emergency Evaluation and Replacement of Failed Variable
Speed Drive at River Street Pump Station

RESOLUTION BACKGROUND MATERIAL:

A recent electrical fire at the River Street pump station damaged variable speed drive (VFD) No. 1 beyond repair. The City needs to replace this VFD as soon as possible to provide redundancy should there be an operational issue with the high flow pumps in the pump station.

Since the existing emergency repair resulted from an electrical fire, the City deems it in the best interest of operating the pump station to have an immediate evaluation of existing electrical conditions at the pump station to include switchgear, transfer switches, VFDs, and electrical service to the pump station building.

The City is proposing to contract with Wright-Pierce based on prior work experience with the firm for the recent Waste Water Treatment Plant MLE Conversion and Upgrade, as well as, Wright-Pierce being awarded B18015 for Professional Design Services for Upgrades to the Varney Brook Pump Station on December 13, 2017.

Bid Information:

3-37-A Emergency Purchases: The City Manager may waive the competitive bidding procedures where there exists an emergency as determined by the City Manager.

Purchasing Information:

Type:	Purchase Order	Advertised:	NA
Invitations Mailed:	NA	Number of Responses:	NA
Warranty:	NA	Terms:	Net 30, FOB Dover
Work Bonded:	NA	Contract:	Nine Months
Prices will hold for:	Until completed	Estimated Delivery:	08/17/2018
Recommended Award to:	Wright-Pierce	Fund:	Sewer
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase amount exceeds the \$25,000 amount requiring Council approval

August 1, 2018
W-P Project No. MWWNH

Mr. John Storer, Community Services Director
City of Dover
271 Mast Road
Dover, New Hampshire 03820

Subject: River Street Pump Station – VFD Replacement
Proposal for Professional Engineering Services

Dear Mr. Storer:

Following the recent electrical issue and subsequent failure of the variable speed drive (VFD) for Pump No. 1 at River Street Pump Station, the City requested that Wright-Pierce develop a scope and fee to prepare a bidding package for replacement of the four VFDs at the station and to complete an evaluation of the remaining electrical systems with recommendations for future upgrades. This letter details the project background and understanding, the proposed scope of services, the fee estimate, and the proposed schedule.

PROJECT BACKGROUND AND UNDERSTANDING

The River Street Pump Station was constructed in 1991, concurrent with construction of a new wastewater treatment facility, to convey wastewater flows from the site of the old treatment facility to the new treatment facility. The station was provided with two duty pumps (originally 100 HP, but later increased to 150 HP) and two high flow pumps (600 HP). When the combined pumping capacity of the two duty pumps is exceeded, the duty pumps are shut down and one high flow pump is called to run (the two high flow pumps never operate at the same time). Much of the electrical gear at the pump station is from the original construction; however, another engineering firm designed an electrical upgrade to replace the four pump VFDs. This work was completed by Ewing Electrical Company, Inc. circa 2007.

Recently, an electrical issue damaged the VFD for Pump No. 1 beyond repair. The damaged VFD powers one of the high flow pumps. While the City's efforts to identify and eliminate sources of inflow and infiltration have significantly reduced the frequency that the high flow pumps are called to operate, they are still called to run a several times a year. As this type of event could occur at any time, the City would has expressed the need to replace the damaged VFD and restore Pump No. 1 as soon as possible to provide redundancy should there be an operational issue with the other high flow pump. As the three remaining VFDs are the same type and age as the one that failed, the City has indicated that they would like to replace all four VFDs at the same time.

The City has also expressed concern regarding the age and condition of the remaining electrical gear, much of which is original to the facility. As such, they would also like to complete an evaluation of the electrical systems for the facility (including the generator) to determine the recommended extent, schedule and cost for future electrical upgrade work.



At the City's direction, this proposal is based on direct-purchase of the new VFD gear by the City. With the purchase order being issued and the shop drawings reviewed during design, this will allow fabrication of the gear to begin during the design or bidding phases rather than delaying until the electrical contractor is selected – thus expediting returning High-Flow Pump No. 1 to service.

PROPOSED SCOPE OF SERVICES

The proposed scope of services includes the following items:

1. Evaluation
 - a. Conduct a site visit to River Street Pump Station to document existing conditions.
 - b. Prepare and submit an abbreviated facility plan for the electrical systems in the form of a technical memorandum to include: electrical service to the building, switchgear, automatic transfer switches (ATSs), VFDs, motor control center, and the emergency generator. The facility plan will consist of a description of existing conditions and recommended upgrades, a schedule for the proposed upgrades and an estimate of the total project cost for the proposed work.
 - c. Meet with the City to review the facility plan memorandum and finalize the memorandum based on City comments.
2. Design
 - a. Assist with requesting and reviewing the VFD gear proposal from the equipment supplier. After the purchase order is placed, assist the City with review of shop drawings provided by the equipment supplier.
 - b. Develop general and technical specifications and demolition and modifications drawings (up to six drawings) to allow the City to competitively bid installation of the new VFDs.
 - c. Develop an opinion of the total project cost to install the new VFD.
 - d. Submit the specifications, drawings and project cost estimate to the City for review.
 - e. Meet with the City to review the bid package and finalize the bid package based on City comments.
3. Bidding
 - a. Provide copies of the bid package to the City's purchasing department, who will be responsible to advertise the bid and facilitate communications during the bidding period.
 - b. Attend and conduct a pre-bid meeting with the City and potential bidders. Prepare a meeting agenda and minutes.
 - c. Answer questions during the bidding period and develop addenda if needed. Draft addenda, revise addenda to meet City approval, and provide final addenda to potential bidders.
 - d. Review the received bids and provide an award recommendation to the City.
4. Construction
 - a. Attend a pre-construction meeting. Prepare agenda and minutes for the meeting.
 - b. Review and provide comment on shop drawings during construction.
 - c. Provide up to six, four-hour site visits during construction to view the installation. Report to the City any work that is found to be unsatisfactory.
 - d. Assist the City with answering questions during construction.
 - e. Attend substantial and final completion walk throughs (two visits) with the City and the selected electrical contractor. Provide a punch list with any remaining work to be completed by the electrical contractor after the substantial completion walk through.



FEE ESTIMATE

Our estimated engineering fee for the scope described above shall not exceed \$69,500, including all expenses. If you choose to move forward with this work, we will provide an engineering agreement for signature by all parties.

Task	Proposed Budget
Evaluation	\$12,700
Design	\$25,800
Bidding	\$4,600
Construction	\$26,400

PROPOSED SCHEDULE

The critical path for this is primarily related to the fabrication of the new VFD gear. In order to maintain the proposed schedule, it will be very important to establish the design criteria for the new VFDs; request quotations from equipment suppliers for the gear; issue the purchase order for the equipment; receive, review and approve shop drawings; and release the gear for fabrication and shipping without delay. The critical path items are shown in *italics* below.

Notice to Proceed	August 17, 2018
Evaluation	
<i>Site Visit</i>	Week of August 20, 2018
<i>Submit Draft Memorandum</i>	September 14, 2018
<i>Review Meeting with City</i>	Week of September 24, 2018
<i>Submit Final Memorandum/Solicit Quote for VFD Gear</i>	October 5, 2018
Design	
<i>Submit Draft Bid Package/Issue Purchase Order for VFD Gear</i>	October 26, 2018
<i>Review Meeting with City</i>	Week of November 5, 2018
<i>Submit Final Bid Package</i>	November 16, 2018
<i>Finalize Shop Drawings/Release VFD Gear for Fabrication ⁽¹⁾</i>	November 23, 2018
Bidding	
<i>Advertise for Bid</i>	November 19, 2018
<i>Pre-Bid Meeting</i>	Week of December 3, 2018
<i>Bid Opening</i>	December 18, 2018
<i>Award Bid/Notice to Proceed</i>	January 4, 2019
Construction	
<i>VFD Gear Arrives/Begin Construction</i>	March 2019
<i>Complete Construction</i>	April 2019

Note:

1. We have estimated four weeks for preparation, review and finalization of the shop drawings by the manufacturer.
2. Based on a conversation with Horizon Solutions, we have included 14 weeks for fabrication and delivery of the new gear.

Mr. John Storer, Community Services Director
August 1, 2018
Page 4 of 4



We appreciate the opportunity to submit this proposal to the City and are available to discuss the proposed scope and fee at your convenience. As always, we are more than willing to adjust the anticipated level of involvement and effort if what we have proposed varies from your expectations.

Sincerely,
WRIGHT-PIERCE

A handwritten signature in black ink that reads "Timothy R. Vadney". The signature is fluid and cursive, with a long horizontal stroke at the end.

Timothy R. Vadney, PE
Senior Project Manager
tim.vadney@wright-pierce.com

cc: *Bill Boulanger, City of Dover*



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.4.

Resolution Number: **R – 2018.08.08 – 109**
Resolution Re: B17025 Veterans Memorial Additional Walkway

WHEREAS: Requests for Qualifications # B17025 was issued and received seeking a firm to assist in the design and build a Veterans Memorial to be located off Locust Street in front of the McConnell Center on December 20, 2016 @ 11:00am; and

WHEREAS: The conforming qualification packet received and awarded via resolution [R-2017.02.08-009](#) was submitted by Ironwood Design Group with a fee and scope of work in the amount of \$80,000.00. The City also received change order one in the amount of \$59,935 for final design and construction services and was awarded via resolution [R-2017.08.23-106](#). Change order two was received in the amount of \$16,130.90 to add a new sidewalk from the Memorial to the handicap spaced in the McConnell Center driveway for a total project cost to date of \$156,065.90; and

WHEREAS: The city has received change order three in the amount of \$29,126.00 to add another walkway from the existing park circle to the north of the McConnell Center Lawn. Change order exceeds threshold, thereby requiring council approval.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The appropriation of \$29,126.00 is made as part of the FY19 Capital Improvements Program for the purposes of the Veterans Memorial, and the City Finance Director or Treasurer is authorized to transfer the sum of \$17,000.00 from the Recreation Improvements Capital Reserve Fund to fund a portion of the appropriation. The amount of \$12,126.00 will be transferred from the Recreation Agency Fund established for the Veterans Memorial

Account Number	Account Description	Budget Adjustment	Revised Budget
4019.1.350.45220.4715.05232.19.000.000.700	Veterans Memorial	29,126.00	29,126.00
4019.1.350.45220.3917.05232.19.000.000.R90	Veterans Memorial-Transfer from Agency Fund	(12,126.00)	(12,126.00)
4019.1.350.45220.3918.05232.19.000.000.R90	Veterans Memorial -Transfer from Trust Fund	(17,000.00)	(17,000.00)

AND FURTHER BE IT RESOLVED THAT:

The Purchasing Agent is hereby authorized to issue a change order three to Ironwood Design Group of Newmarket, NH in the amount not to exceed a total cost of \$29,126.00. The City Manager, or designee, is hereby authorized to contract with the vendor, consistent with the Purchase Order authorized herein.

The amount of this authorization shall be limited so as not to exceed available funding.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.4.

Resolution Number: **R – 2018.08.08 – 109**

Resolution Re: B17025 Veterans Memorial Additional Walkway

Financing

Account	Description	Appropriation	Balance
4019.1.350.45220.4715.05232.19	McConnell Veterans Memorial Park	29,126.00	29,126.00

Note: This resolution requires a public hearing and a 2/3 majority vote according to C6-6 of the Charter.

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Karen Weston

Approved for Legal Compliance: Anthony I. Blenkinsop
City Attorney

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.4.

Resolution Number: **R – 2018.08.08 – 109**

Resolution Re: B17025 Veterans Memorial Additional Walkway

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, At Large		
Councilor Michelle Muffett-Lipinski, Ward 1		
Councilor Dennis Ciotti, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Marcia Gasses, Ward 4		
Councilor Dennis Shanahan, Ward 5		
Councilor Matthew Keane, Ward 6		
Councilor Lindsey Williams, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.4.

Resolution Number: **R – 2018.08.08 – 109**

Resolution Re: B17025 Veterans Memorial Additional Walkway

RESOLUTION BACKGROUND MATERIAL:

The Recreation Improvements Capital Reserve (8938) currently has a balance of \$580,096.00. The Recreation Agency Fund for Veterans Memorial (09504) currently has a balance of \$19,352.00.

The City of Dover hired Ironwood Design Group to assist in the Design and Build of a Veterans Memorial to be located off Locust Street on the McConnell Center lawn. The scope of this work involves working with the City on specifications and construction for the memorial.

Original Bid	Design and Engineering	\$80,000.00
Change order 1	Construction	\$59,935.00
Change order 2	Additional Sidewalk	\$16,130.90
Change order 3	Additional Sidewalk	\$29,126.00
	Total costs	\$185,191.90

The City anticipates that donations that come through the purchase of bricks dedicated to veterans and other business and individual contributions will aid in offsetting the additional cost of this change order.

Bid Information:

Sealed Request for Qualification # B17025 was issued and received for a design build firm on 12/20/16 @ 11:00am

Award Information:

A purchase order will be issued to the vendor selected to authorize expenditures as outlined in this resolution.

Purchasing Information:

Type:	Purchase Order	Advertised:	yes
Invitations Mailed:	598	Number of Responses:	2
Warranty:	N/A	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	1 yr	Estimated Delivery:	As needed
Recommended Award to:	Ironwood Design Group	Fund:	CIP
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase to exceed the \$25,000 amount requiring Council approval subsequent to a bid solicitation

[B17025 Bid Documents and Vendor Lists](#)



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: O – 2018.08.08 – 008
Ordinance Title: Vehicles and Traffic
Chapter: 166
Section: 16 General Parking Restrictions
18 Parking Lots
19 Winter Parking
21 Resident Parking Permit
30 First Notice of Violation; Payment Tables
60 Schedule M: Business Parking Permit Zones

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to revise Sections 18. Parking Lots, Section 19. Winter Parking, Section 21. Resident Parking Permit, Section 30. First Notice of Violation; Payment Tables, and Section 60. SCHEDULE M: Business Parking Permit Zones.

2. AMENDMENT

Chapter 166 entitled “Vehicles and Traffic” is hereby amended by revising Section 16. General Parking Restrictions, Paragraph C. as follows:

166-16. General Parking Restrictions.

C. Loading and unloading zones.

The Chief of Police may establish loading and unloading zones which shall be marked by appropriate signs. It shall be unlawful for the owner of any Vehicle or any Person having custody to any Vehicle to park said Vehicle or permit the same to be parked in any zone designated as a loading or unloading zone unless actually engaged in loading ~~and/or~~ unloading with the vehicle’s hazard lights activated.

3. AMENDMENT

Chapter 166 entitled “Vehicles and Traffic” is hereby amended by revising Section 18. Parking Lots, Paragraph B. as follows:

166-18. Parking Lots.

- B. The McConnell Center/Library parking lot shall be restricted to a three hour parking limit each day, unless the vehicle displays a permit authorized by the Chief of Police. ~~Except when Chapter 166-19 (winter parking) is in effect, resident parking permits are not valid for use in this lot.~~ [Amended on 11-11-87 by Ord. No. 20-87; Amended on 12-21-88 by Ord. No. 27-88; Revoked 08-13-2008 by Ord. No. 2008-07-23-6; Amended on 06-08-2011 by Ord. No. 2011.05.25-7]



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: O – 2018.08.08 – 008
Ordinance Title: Vehicles and Traffic
Chapter: 166
Section: 16 General Parking Restrictions
18 Parking Lots
19 Winter Parking
21 Resident Parking Permit
30 First Notice of Violation; Payment Tables
60 Schedule M: Business Parking Permit Zones

4. AMENDMENT

Chapter 166 entitled “Vehicles and Traffic” is hereby amended by revising Section 19. Winter Parking as follows:

166-19. Winter Parking. [Amended on 11-16-83 by Ord. No. 31-83; Amended on 03-11-87 by Ord. No. 5-87; Amended on 11-11-98 by Ord. No. 15-98; Amended on 02-11-2015 by Ord. No. 2015.01.28-002; Amended on 10-11-2017 by Ord. No. 2017.09.27-007]

~~A. No Person shall, between the hours of 1:00 a.m. and 6:00 a.m. from the first day of December to the first day of April, park or allowed to be parked any Vehicle on any street or sidewalk within the City of Dover. The Chief of Police may, when deemed necessary because of weather conditions, suspend enforcement of this section upon giving notification of said suspension to the City Manager. Any Vehicle parked on any public way contrary to the provisions of this section and interfering with municipal snow removal operations, shall, at the request of the Community Services Department, be towed from its place and stored as directed by the Police Department. The expenses of both towing and storage shall be paid by the owner of the Vehicle before reacquiring the same.~~

~~B. A.~~ The Chief of PoliceCommunity Services Director shall have the authority, after consultation with the Chief of PoliceCommunity Services Director, to declare a an emergency parking ban affecting some or all City streets, adjacent parking areas, sidewalks and parking lots to facilitate municipal snow removal operations. The same public notification requirements contained in 166-3.B shall apply. Public notification requirements approved by City Council shall be posted on the City of Dover website and available at Parking Bureau and Community Services offices. No Person shall, during the declared parking ban hours, park or allow to be parked any Vehicle on any street or sidewalk within the City of Dover or declared areas thereof. Any Vehicle which is parked on a public way during a an emergency parking ban time period and which is interfering with municipal snow removal operations mayshall be towed from its place and stored. The expenses of both towing and storage shall be paid by the owner of the Vehicle before reacquiring the same. [Amended on 04-20-2005 by Ord. No. 10-2005; Amended 11-13-2013 by Ord. No. 2013.10.09-013; Amended on 02-11-2015 by Ord. No. 2015.01.28-002]



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: O – 2018.08.08 – 008
Ordinance Title: Vehicles and Traffic
Chapter: 166
Section: 16 General Parking Restrictions
18 Parking Lots
19 Winter Parking
21 Resident Parking Permit
30 First Notice of Violation; Payment Tables
60 Schedule M: Business Parking Permit Zones

~~C. B.~~ The Chief of Police shall have the authority to post specific areas within City controlled parking lots as no parking during a ~~the winter parking ban set forth in 166-19.A or other time period.~~ Any Vehicle parked in any City controlled parking lot contrary to the provisions of this section ~~may shall, at the request of the Community Services Department,~~ be towed from its place and stored as directed by the Police Department. The expenses of both towing and storage shall be paid by the owner of the Vehicle before reacquiring the same. [Added on 12-09-2015 by Ord. No. 2015.10.28-022]

~~D. Chronic Offenders. Any Person with five (5) violations in a season will be fined as set forth in the Schedule of Fees as adopted by City Council for each subsequent offense. In addition to a fine, any Vehicle to be found in violation of the aforementioned provisions may be towed by the direction of the Police Department. The expenses of both towing and storage shall be paid by the owner of the Vehicle before acquiring the same. [Added on 11-11-98 by Ord. No. 15-98; Amended 12-09-2015 by Ord. No. 2015.10.28-022]~~

~~E. The provisions of 166-19.A shall not apply to a Vehicle parked on First Street that is displaying a valid First Street Resident permit or First Street Business permit issued by the Police Department as authorized in 166-18.A. [Added on 02-11-2015 by Ord. No. 2015.01.28-002]~~

5. AMENDMENT

Chapter 166 entitled “Vehicles and Traffic” is hereby amended by deleting Section 21. Resident Parking Permit, Paragraph D as follows:

166-21. Resident Parking Permit. [Added on 04-27-83 by Ord. No. 10-83; Repealed on 08.13.2008 by Ord. No. 2008.07.23-6; Added on 04-15-2015 by Ord. No. 2015.03.25-010; Amended on 12-09-2015 by Ord. No. 2015.10.28-023; Amended on 05-25-2016 by Ord. No. 2016.05.11-007; Amended on 12-26-2016 by Ord. No. 2016.10.12-013; Amended on 10-11-2017 by Ord. No. 2017.09.27-007]

A. The Police Department is authorized to sell and distribute parking permits for residents of downtown who reside within two hundred (200) feet of an authorized residential parking area. Permits shall be valid for such periods of time, location and under such conditions as provided by the Police Department on or with such permits.



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: O – 2018.08.08 – 008
Ordinance Title: Vehicles and Traffic
Chapter: 166
Section: 16 General Parking Restrictions
18 Parking Lots
19 Winter Parking
21 Resident Parking Permit
30 First Notice of Violation; Payment Tables
60 Schedule M: Business Parking Permit Zones

- B. A maximum of two (2) residential parking permits may be issued per legal residential unit upon certification that on-site parking is unavailable. Permits shall be assigned to specific Vehicles owned by occupants of such residential unit. Permits are only valid for the nearest parking area designated by the Police Department for a particular residential unit.
- C. Authorized residential parking areas include designated spaces in the Metered Parking Garage (spaces 201 and above) and City controlled parking lots that are not leased or deeded to a third party excluding the Orchard Street Parking Lot. In addition, the following streets qualify for residential permit parking: First Street (northerly side spaces not subject to third party license), Chestnut Street between First Street and Orchard Street, Second Street (west of the meter in front of 10 Second Street), Main Street and School Street (angled parking spaces only).
- ~~D. In accordance with 166-18.C, residential parking permits are only available for the McConnell Center/Library parking lot during the months of the Winter Parking Ban.~~

6. AMENDMENT

Chapter 166 entitled “Vehicles and Traffic” is hereby amended by amending Section 30, Paragraph A.(1) as follows:

166-30. First Notice of Violation; Payment Tables. [Amended on 03-25-88 by Ord. No. 28-87; Amended on 04-19-2000 by Ord. No. 03-2000; Amended on 03-20-2002 by Ord. No. 15-2002; Amended on 04-20-2005 by Ord. No. 06-2005; Amended on 01-26-2011 by Ord. No. 2011.01.12-2; Amended on 07-11-2012 by Ord. No. 2012.05.09-8; Amended 11-13-2013 by Ord. No. 2013.10.09-013; Amended on 02-11-2015 by Ord. No. 2015.01.28-003; Amended on 03-11-2015 by Ord. No. 2015.02.25-009; Amended on 04-12-2017 by Ord. No. 2017.03.22-004]

Late Notice - If the fine indicated for the initial violation is not paid within ten (10) days, the Chief of Police shall send a late notice to the owner of the Vehicle. Such notice shall be sent to the primary owner as listed with the motor vehicle department of the state in which the Vehicle is registered. The late notice shall be sent by First Class mail and shall instruct the Vehicle owner that they may avoid further prosecution and fine by paying the City of Dover the amount in the applicable payment schedule for that violation.



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: O – 2018.08.08 – 008
Ordinance Title: Vehicles and Traffic
Chapter: 166
Section: 16 General Parking Restrictions
18 Parking Lots
19 Winter Parking
21 Resident Parking Permit
30 First Notice of Violation; Payment Tables
60 Schedule M: Business Parking Permit Zones

A. All parking violations enumerated in 166-16 through 166-46 shall be TABLE A violations as set forth in the Fee Schedule as adopted by City Council, except as follows:

(1) Violations of Section 166-16.E.(1), 166-16.F, 166-17.A.(9), 166-17.A.(12), 166-17.E, 166-38.C.(4) and 166-19.A shall be TABLE B violations as set forth in the Fee Schedule as adopted by City Council. [Amended on 03-11-2015 by Ord. No. 2015.02.25-009]

7. AMENDMENT

Chapter 166 entitled “Vehicles and Traffic” is hereby amended by amending Section 60 SCHEDULE M: Business Parking Permit Zones as follows:

166-60. SCHEDULE M: Business Parking Permit Zones. [Added on 05.25.2016 by Ord. No. 2016.05.11-007]

The following parking lots/areas are authorized for permit parking as authorized by Section 166-23 Business Parking Permit Program unless otherwise restricted:

PARKING LOTS	
Belknap Lot	
Chestnut Street Lot	
Orchard Street Parking Garage	All public parking spaces numbered 201 and above Spaces designated by the Chief of Police
Orchard Street Lot	
Portland Avenue (Grimes) Lot	
River Street Lot	



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: O – 2018.08.08 – 008
Ordinance Title: Vehicles and Traffic
Chapter: 166
Section: 16 General Parking Restrictions
18 Parking Lots
19 Winter Parking
21 Resident Parking Permit
30 First Notice of Violation; Payment Tables
60 Schedule M: Business Parking Permit Zones

Third Street Lot	
Transportation Center Lot	

8. TAKES EFFECT

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

REQUIRES A PUBLIC HEARING

AUTHORIZATION

Approved as to Funding:	Daniel R. Lynch Finance Director	Sponsored by:	Mayor Karen Weston By request
Approved as to Legal Form and Compliance:	Anthony Blenkinsop General Legal Counsel		
Recorded by:	Karen Lavertu City Clerk		



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: O – 2018.08.08 – 008
Ordinance Title: Vehicles and Traffic
Chapter: 166
Section: 16 General Parking Restrictions
18 Parking Lots
19 Winter Parking
21 Resident Parking Permit
30 First Notice of Violation; Payment Tables
60 Schedule M: Business Parking Permit Zones

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 Michelle Muffett-Lipinski, Ward 1		
Councilor Dennis Ciotti, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Marcia Gasses, Ward 4		
Councilor Dennis Shanahan, Ward 5		
Councilor Matthew Keane, Ward 6		
Councilor Lindsey Williams, At Large		
Total Votes:		
Resolution does does not pass.		



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Ordinance Title: Vehicles and Traffic
Chapter: 166
Section: 16 General Parking Restrictions
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30 First Notice of Violation; Payment Tables
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ORDINANCE BACKGROUND MATERIAL:

At their June meeting, the Parking Commission voted 5-1 in favor of moving from the current calendar-based Winter Parking Ban to as-needed or more commonly known storm-based parking ban.

The current calendar-based ban was enacted in the early 70s and has outgrown its need with the numerous notification options available today.

The procedures for education of the recommended changes as well as the day-of procedures are listed below.

Notification of new program and where to sign up for alerts

- (12) 24"x24" signs at entry points to city promoting "sign up for notifications"
- Notices on vehicles by PD November and December
- Flyers at City Clerk, PD, P&R and other city offices.
- Notification included to December tax bills - \$500
- Extensive and frequent media blitz (Dover Download, City Web Page, Channel 22/95, social media, standard news outlets – radio, print).
- Attendance and promotion at/through Dover Main Street & Chamber.
- Direct mailing/visit to restaurants/bars to encourage having a system in place to notify evening employees and customers on weekends.
- Mobile electronic display board (when available)
- Parking garage will be posted for "Permit parking only, beyond this sign" to ensure permit holders have a parking space.

Day of Ban Notification

- Called by 3 PM Community Services Director for City wide start at 10 PM, (downtown at 1 AM except when extreme storms requires earlier start). Map provided.
- Mobile electronic display board (when available)
- A press release will be sent to all relevant print, radio and television media, as well as online-only publications;
- An e-mail alert will be sent to all subscribers of the City's special announcements and/or parking ban alerts;
- A text alert will be sent to all subscribers of the parking ban text alert system (this notification system will be in place by the end of August);



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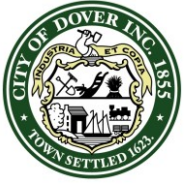
- Channels 22 and 95 will be updated with a parking ban alert that will perpetually appear as a lower-third for the first 24 hours of a ban, then as an alternating message, if necessary;
- Notice of the parking ban will be distributed across the City's social media platforms, including Facebook and Twitter;
- The homepage of the website will carry an alert of the parking ban, with a link to more information;
- The Driving Dover web page will be updated with the current parking ban information.
- Map showing streets included in 1 am restriction included.

During Event

- As the start time approaches, officers will try to contact owners as time allows.
- Non-downtown locations 10 PM: CS plow drivers will notify CS supervisor, who will notify dispatch of any vehicles in the way and an officer will respond to facilitate towing, if available. Otherwise the tow company can proceed.
- Downtown at 1 AM: Patrol officers and CS supervisor may initiate removal.
- First couple storms, PD will try to contact owners prior to towing, if available.

Post Event

- Dispatch will advise callers of location of towed vehicle.
- General inquires on reason for tow or complaints will be directed to CS intake phone.
- Official appeal (per RSA 262:33) of tow authorized by RSA 262:32 (interfering with snow removal) will be handled by Traffic Bureau Commander and reviewed with the Chief of Police.

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER – ORDINANCE</th></tr> <tr> <td colspan="2">Agenda Item#: 13.C.2.</td></tr> <tr> <td>Ordinance Number:</td><td>O – 2018.08.08 – 009</td></tr> <tr> <td>Ordinance Title:</td><td>Updating the Dover Zoning Ordinance</td></tr> <tr> <td>Chapter:</td><td>170</td></tr> </table>	CITY OF DOVER – ORDINANCE		Agenda Item#: 13.C.2.		Ordinance Number:	O – 2018.08.08 – 009	Ordinance Title:	Updating the Dover Zoning Ordinance	Chapter:	170
CITY OF DOVER – ORDINANCE											
Agenda Item#: 13.C.2.											
Ordinance Number:	O – 2018.08.08 – 009										
Ordinance Title:	Updating the Dover Zoning Ordinance										
Chapter:	170										

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:

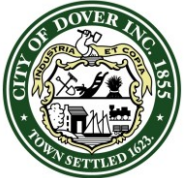
~~“D. PLANNING BOARD Site Review Approval. Any The following~~
development/redevelopment meeting the criteria laid out in the Applicability section of the Site Review Regulations of the City of Dover shall be subject to the rules and regulations contained in said chapter. ~~the Site Review Regulations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

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~~(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.
- F. All screening and setback 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. If retail and commercial activities are located on the GROUND FLOOR of BUILDINGs not fronting directly onto a STREET or municipal parking lot, the HEIGHT of the BUILDING 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.

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:



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“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 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



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- (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 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.



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- (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

- (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.



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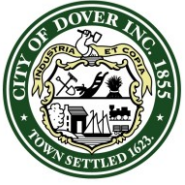
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- (2) In accord with RSA 676:5, III, appeals of the decision of the PLANNING BOARD in administering this ordinance may be made to Superior Court, as provided in RSA 676:5, III and RSA 677:15.

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 are purchased, 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, 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, of total living area, two (2) units per DEVELOPMENT RIGHT purchased shall be allowed.
2. For construction of units no larger than fourteen hundred (1,400) square feet, of total living area, 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.

v. A note shall be placed in the property/unit deed citing the restrictions listed above.



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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, or purchased. 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 or purchased. 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.

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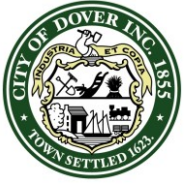
- (5) Regardless of the method utilized, the setbacks shall be:

<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."~~

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15. AMENDMENT

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

“B. A BUILDING or STRUCTURE nonconforming either in terms of use or BULK may be restored to its former BULK if destroyed by fire, ~~or~~ other hazard or 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.

REFERRAL TO A PUBLIC HEARING ON AUGUST 22, 2018



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AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Councilor Dennis Ciotti
City Council Planning
Board Representative

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

Recorded by: Karen Lavertu
City Clerk

DOCUMENT HISTORY:

First Reading 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 Michelle Moffet Lipinski, Ward 1		
Councilor Dennis Ciotti, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Marcia Gasses, Ward 4		
Councilor Dennis Shanahan, Ward 5		
Councilor Matthew Keane, Ward 6		
Councilor Lindsey Williams, At Large		
Total Votes:		
Resolution does does not pass.		



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Agenda Item#: 13.C.2.

Ordinance Number: **O – 2018.08.08 – 009**
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ORDINANCE BACKGROUND MATERIAL:

The Planning Board identified 15 areas of the zoning code to amend, in January. They fall into three categories, housekeeping, mandated and additions or limitation changes (see summary below). The Board then reviewed options over the first half of the year, posting Amendments in March and reposting, with changes, in May. From there it mailed a letter to all property owners summarizing the amendments and held a public input session on Tuesday June 26, 2018 and a Public Hearing on Tuesday, July 24, 2018. One resident spoke at the June 26th meeting, none at the July 24th meeting. After review, the Board unanimously approved the amendments.

The following is a summary of the amendments:

1. Purpose statement.
2. Amend Chapter 170-6 clarifying the use of a Planning Dictionary for certain definitions. Clarifying definitions for “Build To Line,” “Building,” and eliminating a definition for “Business Floor Area.”
3. Amend Chapter 170-7 and 170-12 to rename the B-5 “Gateway” District to “Highway Business” District.
4. Amend 170-11 to clarifying that the applicability of Site Plan review is governed by Chapter 149 of the City Code.
5. Amend Chapter 170-12 revising about a street setbacks from 50 feet to 30 feet in the B-3, B-4 and B-5 District, to encourage more pedestrian friendly development.
6. Amend Chapter 170-12 revising the Dimensional Regulations Table in the Heritage Residential (HR) District to correct a footnote.
7. Amend Chapter 170-14 revising the text of section B to refer to Article XI and not Article X as listed.
8. Amend Chapter 170-15 and 170-12 revising the Open Space standards, to clarify that the actual regulations govern recreation space, and to add separation between specific uses. Furthermore, the amendment revises the Dimensional Regulations Table in the Hotel/Retail (B-4), Highway Business (B-5), and Office and Assembly (I-4) Districts.
9. Amend Chapter 170-17 removing requirements for the removal of barriers to access, to bring the regulations into compliance with Federal law.
10. Amend Chapter 170-20 revising section D “Standards” clarifying the height allowances of buildings, and the first floor non-residential uses.
11. Amend Chapter 170-23 revising the Impact Fee ordinance to be in compliance with State law, allowing for a credit for existing space, which is reused, and removing waivers to projects deed restricted to those residents 55 in age or older, and for older projects.
12. Amend Chapter 170-25 revising the text of section D subsection (c) to refer to section K, not L.
13. Amend Chapter 170-27 to clarify conservation district land area calculations for minimum lot size.
14. Amend Chapter 170-27.2 revising the Transfer of Development Rights Ordinance to allow the purchase of development rights to create cottage sized single family homes in districts that allow residential uses. The amendment adds requirements for those homes.
15. Amend Chapter 170-41 allowing a property owner to repair a nonconforming structure if the Building Official has determined it is unsafe.



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16. Amend Chapter 170-42 allowing a property owner to restore, repair or rebuild a nonconforming structure if the Housing Standards Board has determined it is physically unsafe or unlawful.
17. Takes Effect

In addition to the above, Planning Staff has provided a summary document of the amendments, the required report to the City Council and a copy of the presentation which the Planning Board held on June 26th .

To: Dover City Council
From: Christopher Parker, AICP
CC: J. Michael Joyal, City Manager
Dover Planning Board
Date: July 25, 2016
Re: Zoning Amendments

ISSUE:

On July 24, 2018, the Planning Board unanimously approved 15 amendments to the City's Zoning Ordinance, Chapter 170.

INTENT:

This memo will briefly describe the findings of the Planning Board and ensure compliance with Chapter 170-53(F) of the Code.

GOALS:

The proposed zoning amendments must meet certain criteria for the Planning Board to support their adoption. This memo reviews the report criteria laid out in Chapter 170 to explain the findings of the Planning Board.

PROCESS:

The Planning Board and staff prepared a set of amendments in response to a list of areas of the Zoning Code the Board selected at its January 8th goal setting session.

The Planning Board posted the amendments after consideration on May 22, 2018. It held public hearings on June 26 and July 24 2018. The Board unanimously approved the amendments at the conclusion of the July 24th hearing and forwarded them to the City Council for ratification.

ATTACHMENTS:

- Summary of amendments
- Presentation of changes.

As per section 170-53(F), the Planning Board shall provide to the City Council a report on each proposed amendment that has been proposed and endorsed by it. This report shall include the Board's findings and recommendations on the following:

The consistency of the proposed amendments with the Master Plan;

The 2015 update to the City's Land Use Chapter of its Master Plan is entitled "It's All About Tomorrow." This chapter guides zoning amendment development. Amendment 10 promotes development in the urban core, connected with recommendation LU1.2. Amendment 14 expands options for TDR, connected to LU2.1 and 2.6, by creating new revenue opportunities to replenish the Conservation fund. Amendment 8 which provides protection to existing residential uses is connected to ED 1.2. Amendment 14 promotes diversity of housing options in line with H 1.2 and H 1.5, which call for density bonus for smaller homes.

The consistency of the proposed amendment with other plans, studies, or technical reports prepared by or for the Board and the City;

The proposed amendments do not conflict with any other plans, studies or technical reports. It should be noted that amendment 9 and 11 relative to the Accessibility and Impact Fees State law, are to be compliant with State and Federal guidelines.

The effect of the proposed amendment on the City's municipal services and capital facilities as described in the Capital Improvements Program;

There is no conflict with the Capital Improvements Program within the proposed amendments.

The effect of the proposed amendment on the natural, environment, and historical resources of the City;

In promoting contextually sensitive development, the amendments will increase the level of protection of the City's heritage and character.

The effect of the proposed amendment on neighborhood including the extent to which nonconformities will be created or eliminated;

Amendment 5 reduces the setbacks from streets in 3 commercial districts. This change is a setback and not a build to line, so it increases flexibility, but does not mandate use of it. This change is a result of the positive development at Glenwood and Central Avenue, where the project received a variance for this setback, and is more pedestrian friendly as a result. Amendment 8 adds buffers to residential homes abutting new non-residential development.

The effect of the proposed amendment on the City's economy and fiscal resources; and

Amendment's 15 and 16 allow for repair and reuse of non-conforming structures, as opposed to demolition. The intent to reduce costs for continued use of these structures.

The recommendation of the Planning Board relative to whether the proposed amendment should be adopted or rejected, and any recommendations for modifications to the proposed amendment.

The Planning Board unanimously approved the amendments and hereby submits them to the City Council for ratification.

CITY OF DOVER - SUMMARY OF PROPOSED AMENDMENTS – 2018

Zoning Ordinance – Chapter 170

Amendment #	Section	Summary	Why
2	170-6	Amend definitions for Build To Line	Clarify how to measure for lots without frontage
2	170-6	Amend definition for Building	Clarify which portions of building may encroach into setbacks
2	170-6	Delete definition for Business Floor Area	Unused term
3	170-7	Rename the B-5 District	Avoid confusion with CBD Gateway
4	170-11	Amend Use Regulations to remove site review applicability	Ordinance should only refer to Chapter 149
5	170-12	Reduce setbacks in B zones	To allow for more pedestrian friendly development
	170-12	Amend Zoning Map to include Maglaras Park in CWD	Approved by PB
6	170-12	Correct footnote in HR table	
7	170-14	Amend nonconforming lot provisions	Remove obsolete reference
8	170-15	Amend to rename “Open Space” and update requirements relative to mixed uses	Require screening between all commercial/industrial uses and existing residential, clarify intent of open space.
9	170-17	Amend dimensional regulations for accessible additions to not require the Building Inspector to notify abutters	Requirement is vague and unnecessary
10	170-20	Revise Central Business District regulations to clarify uses allowed on first floor in general district	To clarify intent, and take into account buildings which do not front on streets.
11	170-23	Amend Impact Fees ordinance	As per Mayberry Consulting report
12	170-25	Correct a reference to in the Floodplain ordinance.	
13	170-27	Amend Cons District calculation for min lot size	Remove conflicting language
14	170-27.2	Explore options to increase density for smaller sized single family housing	To promote homeownership as affordable housing
15	170-41	Amend rebuild for damage for nonconforming structures	Allow for maintenance of legacy structures
16	170-42	Amend prohibition on repairs for nonconforming structures	Allow for maintenance of legacy structures

Planning Board
Public Input/Hearing
June 26, 2018
July 24, 2018



How We Got Here:

- Goal Setting in January
- Housekeeping changes from Staff
- Posting of amendments in March
- Review and reposting in May
- Zoning amendment letter mailed to every property owner in City on June 13th
- Categories
 - Housekeeping/Simplification
 - Mandated
 - Additions/Limitations

Am I Affected?

Zoning District	Amendment #
Heritage	6
RM-SU	8
RM-U	8
B-1	8
B-3	5, 8
B-4	5
B-5	3,5
I-1	8
I-2	8
I-4	8
CBD-G	10
CBD-Mixed use	8, 10
CBD-Downtown Gateway	8
CBD-TOD	10
Citywide	2, 4, 7, 8, 9, 11, 12,13, 14, 15, 16

Housekeeping/Simplification Amendments

#	Intent
2	Remove unused Business Floor Area definition, clarify building
3	Rename Gateway District to avoid confusion with Downtown Gateway
4	Remove redundant language regarding site plan review
6	Updating footnote in HR table
7	Updating Article reference in the nonconforming lots section
8	Change name of “Open Space” to “Recreation Space”
12	Update section reference in floodplain ordinance
13	Remove conflict between lot area calculation & cons ord.

Mandated Amendments

#	Intent
9	Removing language not in compliance with the ADA
11	Amending Impact fee ordinance to comply with State law

Additions/Limitations Amendments

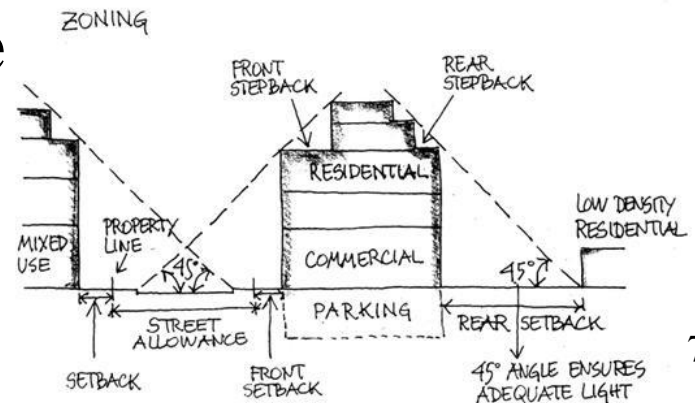
#	Intent
2	Clarifying Build To line for lots with no frontage
5	Reduce setbacks in B-3, 4 and 5 Districts from 50' to 30'
8	Add buffer requirements in areas where residential uses predate commercial development.
10	Revise CBD to allow additional height, if underground parking or if fair market rent units are provided
14	Amend residential TDR to encourage smaller homes
15	Allow nonconforming structures to be repaired in place
16	Allowing nonconforming structures to be restored in place

TDR

- Allows for purchase of units in exchange for funding conservation activities
- Restrictions on size of units
 - 1,400 sf or 1,000 sf
- Restrictions on additions
- Formula to create baseline of units, then purchase is above baseline
- Formula:
 - SF of parent lot – Environ constraints: **BASE**
 - $\text{BASE} - * .85$: **Net**
 - $\text{Net} * .85$ [sliding]: **Developable Area**
 - Developable Area/Min lot size: **base units**
- 99 Sixth
 - 90,322 sf – 15,225 sf: **75,097 sf**
 - 75,097 sf – $* .85$: **63,832.45 sf**
 - 63,832.45 sf $* .85$: **54,257.58 sf**
 - 54257.57 sf/12,000 sf: **4.52**

CBD Amendments

- **Buildings may be taller than 5 stories if**
 - Underground parking is provided
 - HUD Fair Market Rent units are created
- **Ground Floor Commercial Adjustments**
 - Remove necessary waiver for not providing commercial when a building does not front on a street/parking lot, or fronts on a secondary street
 - If provided an additional story is allowed
- **Additional stories must be stepped back, and only via a CUP**



For More Information....

- The full text is available:
 - On the City's Web Site: <https://bit.ly/2JyZFUE>.
 - In the Planning Department and City Clerk's Office M-Th 8:30 am to 5:30 pm or Fri 8:30am-4pm
 - At the Public Library
- Please call 516-6008 with further questions.
 - ◉ Blog: <http://dovernhplanning.tumblr.com/>
 - ◉ Facebook: www.facebook.com/DoverNHPLanning
 - ◉ Twitter: @DoverNHPlanning