



CITY OF DOVER

ZONING BOARD OF ADJUSTMENT - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Room 306, McConnell Center – 61 Locust St. Dover, NH 03820
Meeting Date: **Thursday, September 20, 2018**
Meeting Time: **7:00 pm**

1. ATTENDANCE

Members Present: Chris Prior (Chair), Bob Hall (Vice Chair), Frank Landford, Nick Couturier (Alternate), Anthony Sillitta (Alternate), Rich Onufry (Alternate)

Members Absent: Otis Perry, George Reagan

Staff Present: Elena Piekut (Assistant City Planner, Zoning Administrator)

The Chair called the meeting to order at 7:00 p.m. He introduced the Board and staff present to the audience and explained the process used to hear cases.

2. APPROVAL OF MEETING MINUTES OF AUGUST 16, 2018

Motion: Bob Hall moved to approve the meeting minutes of August 16, 2018 as written. Frank Landford seconded.
Vote: U/A

3. HEARINGS

- A. Z18-15 Applicant/Owner Little Bay Marina & Development, LLC, 421, 423, 425 & 427 Dover Point Road (Tax Map 8, Lots 11, 9, 12, and 10 respectively), located in the Little Bay Waterfront (LBW) Zoning District, requests a variance from Section 170-11 of the Zoning Ordinance to permit multi-family dwellings, where multi-family dwellings are not a permitted use in the Little Bay Waterfront (LBW) Zoning District.

Assistant City Planner Elena Piekut stated that prior to the meeting the applicant withdrew the application from tonight's agenda.

- B. Z18-16 Applicant Summit Land Development and Owner Varney Brook Lands LLC, Pointe Place (Tax Map K, Lot 19-4), located in the Executive Technology Park (ETP) Zoning District and Residential-Commercial Mixed Use (RCM) Overlay District, request a variance from **Section 170-28.2.F(2)(b)(iii)** of the Zoning Ordinance to permit a building height of 44.5 feet, where the maximum height for residential buildings in the RCM Overlay District is 35 feet.

Susan Manchester, Attorney, represented the applicant. She stated they are seeking a height variance for two of the buildings in the Point Place mixed use development. The proposed buildings are 44 feet high where only 35 feet is allowed. Originally the plan called for commercial use on the first floor of the buildings which would have allowed a building height of 55 feet. The plan was revised. The buildings will be completely residential with parking. There is no increase in residential units. What was going to be commercial is now parking. The reason the building needs to be 44 feet is due to the desire to have the parking underneath and the topography issue of the road being 5 feet above the building pad. Ms. Manchester provided information relative to the variance criteria.

Public hearing opened.

John Gray, managing member of 34 Dover Point Rd said their property has been enhanced by this project and they are in favor of the application.

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Chair Chris Prior read into the record a letter of support for the application from abutter Debbie Reed, President of Bill Dube Ford and Toyota.

STAFF RECOMMENDATION:

Assistant City Planner Elena Piekut stated that the Planning Department supports the granting of the variance.

Public hearing closed.

Motion: Bob Hall moved to approve the variance as requested. Frank Landford seconded. Vote: U/A

- C. Z18-07 Applicant Industrial Tower and Wireless, LLC and Owners Peter and Susan Rousseau, 200 Henry Law Avenue (Tax Map K, Lot 1), located in the Rural Residential (R-40) Zoning District, request a variance from **Section 170-22.C(1)** of the Zoning Ordinance to permit the construction of a new, 180-foot tall telecommunications tower on the above referenced property, where the construction of new telecommunications towers is only permitted on 15 parcels specified by the Zoning Ordinance.

Assistant City Planner Elena Piekut stated the peer review consultant hired to review the radio frequency information could not attend tonight's meeting due to an emergency. There would also only be four voting members of the board present tonight after two members recused themselves. The applicant was informed of all of this and agreed to have the item tabled to the October 18th meeting.

The chair stated Nick Couturier will not vote on this motion.

Motion: Frank Landford moved to continue the item to the October 18th ZBA meeting. Bob Hall seconded.
Vote: U/A

4. OTHER BUSINESS

Assistant City Planner Elena Piekut stated the annual meet and greet will be January 8th, 2019.

5. ADJOURN

Motion: Anthony Sillitta moved to adjourn. Frank Landford seconded. Vote: U/A. Adjourned: 7:18 p.m.