

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: City Council Chamber's 288 Central Avenue
Meeting Date: **Tuesday, January 22, 2019**
Meeting Time: **7:00 pm**

Members Present: Gina Cruikshank (Chair), Frank Torr, Dave White, Lee Skinner, Tristan Donovan (Vice Chair), Dennis Ciotti (Councilor), Tom Clark, Hayley Harmon

Members Not Present: Dave Landry, Matt Sullivan (Alternate), James Burdin (Alternate); Jackson Kaspari (Alternate)

Staff Present: Christopher Parker, Assistant City Manager; Dave Carpenter, Community Development Planner

The Chair called the meeting to order at 7:00 pm and noted that no alternate is available to sit in for Dave Landry.

1. CITIZENS' FORUM

Citizens Forum Open. No One Spoke Citizens Forum Closed.

2. APPROVAL OF THE PRIOR MINUTES

- January 08, 2019 Workshop Meeting Minutes
- January 08, 2019 Regular Meeting Minutes

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

3. OLD BUSINESS

There was none

4. NEW BUSINESS

- A. Public Hearing on the draft FY20 CDBG Action Plan. All persons wishing to speak on the proposed Action Plan and use of funds are urged to attend.

C. Parker gave a quick overview of the CDBG process.

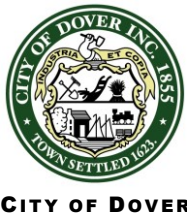
D. Carpenter, Community Development Planner for Dover reviewed the process and walked the Board through the application materials. Public comment will be heard tonight. At the next Planning Board meeting the board will make a recommendation to the City Council who will also hold a public hearing on the matter. This plan will technically become effective July 1st, though typically contracts would not be signed until the fall.

Public hearing opened.

Tammy Smith, Community Partners stated that project funds go towards permanent and affordable housing for individuals providing security deposits and first month's rent.

Martha Stone, Cross Roads House, reviewed some statistics of who and how many people they've helped over the past year as well as objectives and goals for their homeless shelter.

Lena Nichols, Dover Welfare, stated that project funds go towards rent security deposits and temporary hotel costs until housing is available.



DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
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Cheryl Allen, Haven, stated Haven supports victims of domestic violence and sexual assault. Funds go towards expenses for the shelter and getting clients into permanent, safe homes.

Tracy Tartercoff, Homeless Center for Strafford County, explained their free lease at their current location will be up in 2021. They have submitted a public facilities grant for \$75,000 for land acquisition.

Susan Ford and FX Bruton, My Friends Place, reviewed the criteria for entry and exit from the shelter and mentioned how all of these organizations work together to support the clients.

Betsey Andrews Parker and Bob Arnold, Community Action, work to keep people housed in their homes. They reviewed objectives for the weatherization program. Clients are income-screened. Dover's funds stay in Dover.

Doug Steele, The Woodman Museum, reviewed facility improvements for ADA compliance.

Public Hearing closed.

Motion: L. Skinner made a motion to table the Action Plan. Seconded by H. Harmon. Vote U/A

T. Donovan noted that items B and C would be heard together.

- B. Consideration and acceptance of a Site Review for DMC Real Estate Holdings, LLC, (Owner: Kevin & Lydia Cooper), Assessor's Map H, Lot 33, zoned B-4, located at 67 Knox Marsh Road. (Proposal is to construct an urgent care animal hospital within two phases. The first phase consisting of 8,000 sq. ft. of first floor hospital space with 3,000 sq. ft. of second floor office space and the second phase would consist of an additional 4,800 sq. ft. of hospital space attached to the first floor). *(P18-57)
- C. Consideration and acceptance of a Conditional Use Permit for DMC Real Estate Holdings, LLC, Assessor's Map H, Lot 33, zoned B-4, located at 67 Knox Marsh Road. (Proposal is to construct an urgent care animal hospital with a wetland buffer impact of 50 ft.). *(P18-56)

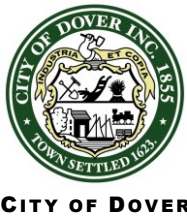
C. Parker explained that applicant is requesting to construct an urgent care animal hospital in two phases. The first phase would be 8,000 s.f. of first floor animal hospital with 3,000 s.f. of second floor office. The second phase would be an additional 4,800 s.f. of hospital space on the first floor. At this point, the timing is not known for when the second phase would be constructed. The site is proposed to be serviced by municipal water and sewer. There is 11,240 s.f. of impact to the 50' wetland buffer.

This site had been previously approved for a mixed use building. That approval expired.

Planning and Police staff have communicated to NHDOT the request to continue the previous right of way design with acceleration and deceleration lanes in both directions. At this time, staff has not heard a confirmation from NHDOT and therefore has a recommended condition of approval below.

This application was reviewed by the Technical Review Committee on November 29, 2018. The Conservation Commission endorsed this item at their January 14, 2019 meeting.

Steve Haight, Civilworks, NE, reviewed the technical aspects of the plan and noted the wetlands buffer impact is for drainage.



DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: City Council Chamber's 288 Central Avenue
Meeting Date: **Tuesday, January 22, 2019**
Meeting Time: **7:00 pm**

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

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

STAFF RECOMMENDATION (Site Plan):

Chapter 149-4 of the Site Review Regulations of the City Code provides for site review by the Planning Board of new construction of various types. The Planning Department believes this plan is consistent with those regulations and recommends that the Planning Board vote to approve the Site Plan with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

1. 1 The conditional use permit (P18-56) shall be approved.
2. The applicant shall provide:
 - a. A digital version of plan set
 - b. Updated NHDOT Permit
3. The applicant must revise final plan set to:
 - a. Add the owner's signatures to the final plat submitted for signature to be recorded at the Strafford County Registry of Deeds
 - b. Add LLS, PE, and Landscape Architect signatures and stamps to final plan
 - c. Revise the elevations to indicate materials and show full side of building rather than cut off
 - d. Add AOT, NHDES and NHDOT permit numbers
 - e. Indicate future pad as loamed and seeded
 - f. Show the right-of-way on Knox Marsh Road layout to the satisfaction of the Assistant City Manager.

Conditions to Be Met Prior to any Construction Activity:

4. A site construction sign with the contact information for the general contractor must be located and approved by the City Engineer or Assistant City Manager.
5. Applicant shall complete Land Use Development Tracking Form, most recently revised version, utilizing the online Pollution Tracking and Accounting Pilot Project (PTAPP) portal. <https://www.unh.edu/unhsc/ptapp>

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

6. The commercial space shall be assessed and pay the current water and sewer investment fees in place at the time of application for service.

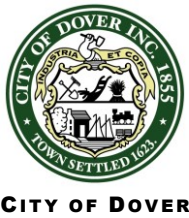
Conditions to Be Met Prior to Occupancy:

7. Issuance of a certificate of occupancy.
8. Impact fees shall be paid per the invoice included with the Notice of Decision.
9. The applicant shall provide a letter of credit or other form of security acceptable to the City for any unfinished work.

Motion: F. Torr made a motion to approve with staff recommended conditions. Seconded by L. Skinner. Vote U/A.

STAFF RECOMMENDATION (Conditional Use Permit):

The Wetlands Protection District ordinance provides for Conditional Use Permits to allow impacts to wetlands and wetland buffers if standards related to demonstration of need, avoidance, minimization, and mitigation are met. The Planning Department believes this plan is consistent with those standards and



DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
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recommends that the Planning Board vote to approve the Conditional Use Permit with the following conditions:

Condition to Be Met Prior to the Issuance of a Conditional Use Permit:

1. Site Plan be approved (P18-57)

Motion: F. Torr made a motion to approve with staff recommended conditions. Seconded by L. Skinner. Vote U/A.

- D. Consideration and acceptance of a Conditional Use Permit for Lilac Garden LLC, Assessor's Map H, Lot 35-D, zoned RM-SU, located at Lilac Lane. (Proposal is to construct a trash compactor area for the 50-acre existing housing complex. The construction consists of 235 sq. ft. of impervious area and 4,495 sq. ft. of disturbance within the 50 ft. wetland buffer). *(P18-64)

C. Parker explained that applicant is requesting to install a trash compactor area with 237 s.f. of impervious area which would have 5,057s.f. of disturbance within the 50' wetland buffer.

This application went to the Technical Review Committee on December 13, 2018 for review. The Conservation Commission endorsed this item at their January 14, 2019 meeting with a condition that the plan details be amended to include maintenance of the bio-retention areas.

Hannah Giovannucci, TF Moran, reviewed the technical aspects of the plan. She also clarified the square footage of impervious area is 237 sq. ft. and the square footage of wetlands disturbance is 5057 sq. ft.

L. Skinner asked for more clarification about the recycling area. Ms. Giovannucci stated they will add recycling bins that waste management will empty. Currently there is no recycling program on site. This will be a pilot program.

T. Donovan inquired about the plantings since the pond will be saturated. They will be wetland plantings. He also inquired about some math which was not confirmed at the meeting but will be checked.

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

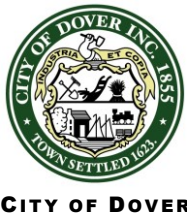
Public hearing opened. No one spoke. Public Hearing closed.

STAFF RECOMMENDATION:

The Wetlands Protection District ordinance provides for Conditional Use Permits to allow impacts to wetlands and wetland buffers if standards related to demonstration of need, avoidance, minimization, and mitigation are met. The Planning Department believes this plan is consistent with those standards and recommends that the Planning Board vote to approve the Conditional Use Permit with the following conditions:

Condition to Be Met Prior to the Issuance of a Conditional Use Permit:

1. Applicant shall revise the plan set to:
 - a. Update permit numbers and supply a copy to the Planning Department.
 - b. Remove note that the drawings are not for construction.
 - c. Owners signature and date on final plan set
 - d. Have the LLS, PE, and Wetland Soil Scientist sign and stamp the final plan set
 - e. Add wetland buffer placards along southwesterly buffer line



DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: City Council Chamber's 288 Central Avenue
Meeting Date: **Tuesday, January 22, 2019**
Meeting Time: **7:00 pm**

- f. Confirm accessible parking and layout to the satisfaction of the Building Official
- g. Indicate confirmation of design has been reviewed for and complies with all applicable accessibility regulations. (i.e. '09, IBC Chapter 11 w/ NH Amendments and ANSI) in accordance with NH RSA 155-A: 5.
- h. Add detail to include maintenance of the bio-retention areas to the satisfaction of the Assistant City Manager.

Motion: H. Harmon made a motion to approve with staff recommended conditions. Seconded by D. White. Vote U/A.

- E. Consideration and acceptance for a Conditional Use Permit for Donald R. & Dawn M. Barker, Assessor's Map B, Lot 12-B, zoned R-40, located at 94 County Farm Cross Road. (Proposal is to replace a failed septic system with a new septic system 43.8 ft. from wetlands, where 75 ft. is required). *(P19-02)

C. Parker explained that applicant is requesting a Conditional Use Permit to install a new septic system within 48.8' of a wetland whereas 75' is required.

The Conservation Commission endorsed this item at their January 14, 2019 meeting.

Ashley Rowe, Norway Plains Associates, reviewed the technical aspects of the plan. He also clarified that just the tank is in the buffer- not the leach field.

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

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

STAFF RECOMMENDATION (Conditional Use Permit):

The Wetlands Protection District ordinance provides for Conditional Use Permits to allow impacts to wetlands and wetland buffers if standards related to demonstration of need, avoidance, minimization, and mitigation are met. The Planning Department believes this plan is consistent with those standards and recommends that the Planning Board vote to approve the Conditional Use Permit with the following conditions:

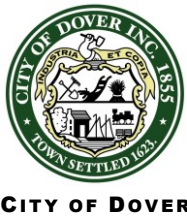
Condition to Be Met Prior to the Issuance of a Conditional Use Permit:

1. Applicant shall provide the NHDES Septic System Permit

Motion: H. Harmon made a motion to approve with staff recommended conditions. Seconded by L. Skinner. Vote U/A.

- F. Consideration and acceptance of a Conditional Use Permit for Knox Marsh Development, Assessor's Map 12, Lots 125 & 125A, zoned Heritage Residential, located at 84 Silver Street. (Proposal is to construct a 4 unit building in addition to the existing 8 unit apartment building and expand the existing parking lot). *(P19-01)

C. Parker explained that this property was subdivided last year. Both lots are to be serviced by municipal water and sewer, and use Belknap Street for vehicular access. Single Family and Two family homes are allowed by right in this district, in either case, the new structure must look like a single family home. 4 units are allowed, with compliance with the Conditional Use Permit criteria. As part of the subdivision, the Board



DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: City Council Chamber's 288 Central Avenue
Meeting Date: **Tuesday, January 22, 2019**
Meeting Time: **7:00 pm**

required shared access and parking easements, and a delineation between the two parcels. A copy of the approved subdivision plan has been provided to the Board.

The property owner proposes to construct 4 units in a townhouse style on lot 125A with a shared expanded parking lot with lot 125 which currently has 8 units.

Conditional Use Permits for this use in the HR do not require Technical Review Committee review.

Christopher Berry, Berry Surveying and Engineering, reviewed the technical aspects and criteria for the Conditional Use Permit. Rob Baldwin was present if needed.

C. Parker explained Community Services is not in favor of white fencing along the trail due to tagging and maintenance. They are going to add vegetation to mask the existing wire fencing. There will also be a hedge line between the two structures. F. Torr suggested a wood fence rather than white vinyl.

D. Ciotti asked if the benches and trash cans are required. Since they are not, he suggested they are taken off the plan. It is private land and the public will fill the trash bins and they will need constant attention for disposal.

L. Skinner clarified some dimensions with C. Berry. He also commented the structure doesn't look like a single-family home. Discussion ensued regarding the intent of the design resembling a single-family home with some board members expressing that thought the design does resemble a single-family home.

F. Torr discussed the vinyl fencing. Discussion occurred about whether to eliminate it all or add a 4' section to match. F. Torr preferred a condition to not have any white vinyl fencing on site.

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

Public hearing opened.

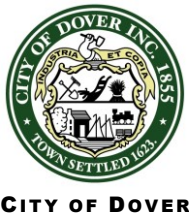
Grant Killian, 72 Belknap Street is an abutter 50' away. Two years ago, he was told this property would be a single-family home. His three concerns are: 1) Is this compatible with the surroundings? There are multi-family homes, but there are single-family homes there too. 2) Traffic- parking is already an issue. 3) Incidents due to density. There are currently disturbances in the neighborhood, and they will increase with more density. He asked for the board to take the feedback and not rubber-stamp the project.

Meg Maroni, 81 Belknap Street agreed with everything Mr. Killian said. She is concerned about the foot traffic- people cutting through wherever they want. Currently people climb up and down the adjacent properties to access the trail. Multi-family homes cause more issues for the neighborhood- there's no accountability so there is a lot of smoking and drinking. Landlords don't take care of the property. There are always disposal issues when people move out.

Public Hearing closed.

STAFF RECOMMENDATION:

Chapter 170-20-B(2)&(3) of the City Code states that conditional use approval for relief from the standards may be granted by the Planning Board provided that the proposed project complies with the standards contained within. The Planning Department believes this plan is consistent with those



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standards and recommends that the Planning Board vote to approve the Conditional Use Permit with the following conditions:

Condition to Be Met Prior to the Issuance of a Conditional Use Permit:

1. Add additional trees and landscaping, to the satisfaction of the Assistant City Manager, to screen the 4 units from:
 - a. Silver Street
 - b. The original 8 unit building
 - c. The Community Trail (5 - 6' on center)
 - d. Belknap Street
2. The applicant shall be subject to a formal agreement between the Planning Board and the applicant. Said agreement shall be recorded at the Strafford County Registry of Deeds per Chapter 170-20-B(3)
3. The owner's signature shall be added to the final plan.
4. Add the Planning File Number P19-01.
5. The applicant shall provide a digital version of the final plan to the Planning Department.
6. Add a note to the plan with the Book and Page of the access/parking easement declaration
7. Add note to the plan that no natural debris or trash shall enter the Dover Community Trail area from these properties.
8. Add a note to the plan that no snow can be pushed so that it falls onto the Dover Community Trail below.
9. Add a note to the plan that no vinyl fencing shall be installed on site.
10. Indicate materials on the architectural renderings to the satisfaction of the Assistant City Manager.
11. Provide information on water and sewer service, from Belknap Street, to the satisfaction of the City Engineer.
12. Provide information on the stormwater treatment and improvements to the satisfaction of the City Engineer.

Discussion ensued about multi-family issues and concerns.

C. Parker agreed the City needs to do a better job reaching out to landlords regarding trash and parking. He is happy to reach out to the abutters to discuss their concerns further.

Motion: D. White made a motion to approve with staff recommended conditions. Seconded by T. Donovan. Vote U/A.

5. STAFF COMMENTS

- TRC is picking up again, including the Little Bay Marina Project, First Street project, a project on Fourth Street, a subdivision on Back River Road and the Old Court House.
- New Alternate Matt Sullivan was appointed last month. Matt was unable to attend tonight.
- NHDOT public hearing- the City spoke in favor of the bus terminal and against the welcome center at exit 6.

6. MEMBER COMMENTS

D. Ciotti addressed a concern that the staff comments use the title Assistant City Manager rather than Planning Director and how that could cause an issue if/when that is no longer the same person. These issues come under the Planning Director portion of C. Parker's title. C. Parker clarified that City Attorney ok'd this procedure.



CITY OF DOVER

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F. Torr expressed his dislike of the state of the dumpsters at City Hall. They are unsightly and unscreened. C. Parker stated they are scheduled to be screened.

7. ADJOURNMENT

Motion: T. Donovan made a motion to adjourn at 9:34 pm. Seconded by D. White. Vote U/A