



DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: City Council Chamber's 288 Central Avenue
Meeting Date: **Tuesday, April 9, 2019**
Meeting Time: **7:00 pm**

Members Present: Gina Cruikshank (Chair), Dennis Ciotti (Councilor), Dave White, Dave Landry, Frank Torr, Tom Clark, Jackson Kaspari (Alternate), Matt Sullivan (Alternate), Lee Skinner (arrived 7:48pm.)

Members Not Present: Tristan Donovan (Vice Chair), Hayley Harmon, James Burdin (Alternate)

Staff Present: Donna Benton, City Planner

The Chair called the meeting to order at 7:00pm and appointed Jackson Kaspari to sit for Tristan Donovan and Matt Sullivan to sit for Hayley Harmon and announced that Items 3A and 4F would not be heard tonight.

1. CITIZENS' FORUM

Citizens Forum Open No one spoke. *Citizens Forum Closed.*

2. APPROVAL OF THE PRIOR MINUTES

- March 26, 2019 Regular Meeting Minutes

Motion: D. Landry made a motion to approve the minutes. Seconded by D. White. Vote: U/A.

3. OLD BUSINESS

- A. Consideration and possible vote on posting the proposed Architectural Design Guidelines. The full text of the amendments is available in Planning Department & at www.dover.nh.gov located under City Documents & View Current City Reports.

D. Benton gave an update on the process thus far and explained that the Steering Committee had some comments that staff wanted to address before asking the Board to vote on posting. The Board will receive the draft changes to the zoning and site plan regulations at their May 14 meeting.

4. NEW BUSINESS

J. Kaspari announced items 4A,B &C will be heard together.

- A. Consideration and acceptance of Transfer of Development Rights for 44 Maple Ave. LLC, (Owner: Dennis Ciotti Revocable Trust), Assessor's Map 30, Lot 19, zoned I-1, located at 44 Maple Street. (Requesting to buy 7 units) *(P18-60)
- B. Consideration and acceptance of a Conditional Use Permit for 44 Maple Ave. LLC, (Owner: Dennis Ciotti Revocable Trust), Assessor's Map 30, Lot 19, zoned I-1 located at 44 Maple Street. (Proposal is to construct a small parking array within the 50 ft. wetland buffer). *(P18-59)
- C. Consideration and acceptance of a Site Review for 44 Maple Ave. LLC, (Owner: Dennis Ciotti Revocable Trust), Assessor's Map 30, Lot 19, zoned I-1, located at 44 Maple Street. (Proposal is to construct two 6 units residential buildings and construction of a private roadway with additional parking and access to proposed buildings). *(P18-58)

D. Ciotti recused himself from the cases.

D. Benton introduced the project.

Christopher Berry, Berry Surveying and Engineering, represented the owner and reviewed the application including the location and current improvements on site. The property has been almost 100% impervious for



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many years. The wetlands were located and surveyed. The brook is important, and they plan to improve the site.

They will construct a small driveway, two 6-unit buildings and a shared parking area. An agreement has been made with the owners of the abutting lot. The applicant will redevelop the front of that site along with the applicant's site including parking and sidewalk extension. They are requesting a waiver for the parking array to be less than 10' from the right of way. It will be 2'. This will be an improvement as it is currently 0'.

The stormwater will all be captured and filtered and discharged into Berry's Brook. There are invasive species in the buffer zone. The applicant will work with Stoney Ridge Environmental to determine what's there and how to remove it. The area will be replanted with native species.

C. Berry explained the architecture plans and how they've been revised as he's worked with the Planning office.

The CUP is requested to be within 50' of the wetland buffer. The proposed plan is actually a net reduction in impervious surface.

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

Public hearing opened.

No one spoke.

Public Hearing closed.

P18-60:

STAFF RECOMMENDATION-TDR:

Staff reviewing density calculation and agrees with baseline. Furthermore, staff supports that the request is consistent with the Master Plan and is compatible with land uses on neighboring lots.

The Planning Department recommends that the Planning Board accept the application, hold the public hearing, and vote to approve the application of the TDR with following conditions:

Conditions to Be Met Prior to the Granting of the TDR:

1. Payment of the TDR fee (\$93,814)
2. Revise the plan to note what relief is granted (i.e. frontage, lot size, etc.)
3. Revise the plan to note that the TDR is in conformance with Chapter 170.27.2.G(3)(b)

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

P18-59:

STAFF RECOMMENDATION-CUP:

The Planning Department recommends the Planning Board to accept the application, open the public hearing, and vote to approve the Conditional Use Permit with the following conditions:

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

1. The Planning Board approves the Transfer of Development Rights application (P18-60)
2. The Planning Board approves the Site Plan Application (P18-58)



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

P18-58:

STAFF RECOMMENDATION: Waiver Request

The Planning Department recommends that the Planning Board accept the item for review, hold a public hearing, and then vote to approve the waiver request with the following condition:

Condition to Be Met Prior to the Signing of the Plan:

1. A note shall be added to the site plan that the waivers were granted for the reasons stated by the applicant and that the Board found the criteria of 149-19 have been met.

D. Landry mentioned that this is one of the most thorough applications he has seen. It is well thought out.

Motion: F. Torr made a motion to grant the waiver request with staff recommended conditions. Seconded by D. Landry. Vote U/A.

STAFF RECOMMENDATION: Site Plan

The Planning Department recommends that the Planning Board approve the site plan with transfer of development rights with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

1. The Transfer of Development Rights request to buy 7 units is granted by the Planning Board.
2. The Conditional Use Permit is granted by the Planning Board.
3. The applicant shall provide a digital version of the plan to the Planning Department.
4. The applicant shall revise the plat to:
 - a. Add the owners' signatures
 - b. Add the Licensed Land Surveyor, Professional Engineer, Wetland Soil Scientist, Architect, and Landscape Architect stamps and signatures

Conditions to Be Met Prior to Any Construction Activity:

5. Applicant shall supply the Planning Department a letter indicating whether a pest management plan is necessary and if so, shall provide the management plan to the satisfaction of the Health Inspector.
6. The applicant shall provide a copy of the recorded deed over the Free Trade parcel to the Planning Department.
7. 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.
8. 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>
9. The applicant shall either contribute \$10,000 in recreation fees to the City or contribute \$10,000 worth of active recreation infrastructure at Horne Street School Park, to the satisfaction of the Assistant City Manager with consultation by the Recreation Director.

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

10. Water and sewer investment fees shall be paid at the time of request of service.

Conditions to Be Met Prior to Occupancy:

11. Issuance of a certificate of occupancy.



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12. The applicant shall provide a letter of credit or other form of security acceptable to the City for any unfinished work.
13. Impact fees for any new unit (\$4,601 per unit) shall be paid per the invoice provided with the Notice of Decision.
14. The recreation contribution be either paid to the City or put in place.

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

J. Kaspari announced Items 4D&E would be heard together.

- D. Consideration and acceptance of Transfer of Development Rights for Graystone Builders Inc., (Owners: Claire and Raymond Howe), Assessor's Map G, Lot 35-E, zoned R-40, and located at 32 Old Stage Road. (Requesting to buy 7 units)*(P19-19)
- E. Consideration and acceptance of a Subdivision for Graystone Builders Inc., (Owners: Claire and Raymond Howe), Assessor's Map G, Lot 35-E, zoned R-40, and located at 32 Old Stage Road. (9 new lots)*(P19-20)

D. Ciotti returned to his seat.

D. Benton introduced the applications.

Christopher Berry, Berry Surveying and Engineering, represented the owner and explained the applications including the location and current site improvements. The driveway will be widened, retaining wall moved outward and slope regraded. They modified their road design based on TRC recommendations and studies of traffic and speed.

Stormwater will be captured, stored and re-infiltrated into the ground.

They propose to keep the current single-family house on site and construct nine new single-family homes clustered around a cul-de-sac. They want to create single-family homes that are affordable and in keeping with the neighborhood.

They are proposing a vegetative buffer to protect views.

F. Torr asked about the cemetery and if it will be maintained as part of the maintenance plan. C. Berry said there will be an HOA so that could be added.

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

Public hearing opened.

No one spoke.

Public Hearing closed.

P19-19:

STAFF RECOMMENDATION-TDR:

Staff finds that this application meets the intent of the Master Plan and is compatible with land uses on neighboring lots.



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The Planning Department recommends that the Planning Board accept the application, open the public hearing, close the public hearing, and vote to approve the application of TDR to the Subdivision Plan with the following conditions:

Conditions to be Met Prior to Granting the TDR:

1. Payment of the TDR fee (\$53,608)
2. Revise the plan to note what relief is granted (i.e. frontage, lot size, etc.)
3. Any requirements of 170-27.2.G(3)(a) be included on the plan.

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

P19-20:

STAFF RECOMMENDATION: Waiver Request

The Planning Department recommends that the Planning Board accept the item for review, hold a public hearing, and then vote to approve the waiver requests with the following condition:

Condition to Be Met Prior to the Signing of the Plan:

1. A note shall be added to the subdivision plan that the waivers were granted for the reasons stated by the applicant and that the Board found the criteria of 155-52 have been met.

Motion: D. White made a motion to grant the waiver with staff recommended conditions. Seconded by D. Ciotti. Vote U/A.

STAFF RECOMMENDATION: Subdivision

The Planning Department recommends that the Planning Board approve the subdivision plat with transfer of development rights with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

1. The applicant shall provide a digital version of the plan to the Planning Department.
2. The applicant shall provide homeowners association documents to be reviewed and approved by the Assistant City Manager in consultation with the City's General Legal Counsel. Documentation shall include common space, cemetery, roadway, perimeter screening, stormwater infrastructure maintenance/operation, and deed/easement requirements per Section 170.27.2.
3. Provide a revised traffic study with actual eastbound design speed at site driveway to the satisfaction of the Assistant City Manager with consultation by the Police Sergeant.
4. The applicant shall revise the plat to:
 - a. Add the owners' signatures
 - b. Add the Licensed Land Surveyor, Professional Engineer, and Landscape Architect stamps and signatures
 - c. Add permit numbers and dates to the permit status notes
 - d. Indicate 6 units will be purchased and restricted

Conditions to Be Met Prior to Any Construction Activity:

5. 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.



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6. 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>
7. Provide deed language to the Planning Department including regards to the specific restrictions set forth in 170-27.2.G.

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

8. The applicant shall provide a letter of credit or other form of security acceptable to the City for any unfinished work.
9. Water and sewer investment fees shall be paid at the time of request of service.

Conditions to Be Met Prior to Occupancy:

10. Issuance of a Certificate of Occupancy.
11. Documentation that the HOA has been created and is in place.
12. Impact fees for any new unit (\$8,895 per unit) shall be paid per the invoice provided with the Notice of Decision.

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

- F. Consideration and acceptance of a Minor Subdivision for David W. Vincent, LLS, (Owner: Valerie A. Chenevert Irrevocable Trust), Assessor's Map M, Lot 102, zoned R-40, located at 277 Middle Road. (2 new lots). *(P19-28)

J. Kaspari announced Item 4F would not be heard until April 23, 2019.

5. STAFF COMMENTS

- The only TRC item since the last meeting was Northern Pool and Spa at 29 Littleworth
- On pace for a record-breaking year in the number of plan submissions
- NHDOT Rt. 108 meeting May 2nd
- NH OSI Spring Planning and Zoning Conference is June 1st

6. MEMBER COMMENTS

- D. Benton read T. Donovan's resignation. The Chair mentioned Tristan was a great asset to the board and she wished him well on his next endeavors.
- D. Ciotti complimented the Planning and Engineering offices on processing a high number of plans that are being submitted.

L. Skinner arrived at this time.

7. ADJOURNMENT

Motion: J. Kaspari made a motion to adjourn at 7:48 pm. Seconded by D. Ciotti. Vote U/A