



DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: City Council Chamber's 288 Central Avenue
Meeting Date: **Tuesday, May 14, 2019**
Meeting Time: **7:00 pm**

Members Present: Gina Cruikshank (Chair), Dave White, Dave Landry, Frank Torr, Tom Clark, Jackson Kaspari, Lee Skinner, Hayley Harmon (Vice Chair), Ellen Brooks (Alternate), Matt Sullivan (Alternate)

Members Not Present (excused): Dennis Ciotti (Councilor), James Burdin (Alternate)

Members Not Present (un-excused): None

Staff Present: Christopher Parker, Assistant City Manager, Donna Benton, City Planner

The Chair called the meeting to order at 7:00 pm and noted that no alternate can sit for Councilor Ciotti.

1. CITIZENS' FORUM

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

2. APPROVAL OF THE PRIOR MINUTES

- April 23, 2019 Regular Meeting Minutes

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

3. OLD BUSINESS

- A. Consideration and possible vote on posting the proposed Architectural Design Standards in Chapter 170 and the associated Zoning Tables. The full text of the amendments is available in Planning Department & at www.dover.nh.gov located under City Documents & View Current City Reports.
- B. Consideration and possible vote on posting the proposed Architectural Design Standards in Chapter 149. The full text of the amendments is available in Planning Department & at www.dover.nh.gov located under City Documents & View Current City Reports.

C. Parker gave background of the project.

D. Benton gave a brief overview of the process and reviewed the zoning changes proposed.

D. Landry wondered if a project will be revisited if it is renovated again. It was noted that, the language is based on language from the building department. If those properties are renovated, they will have to make life safety upgrades to meet code standards. He also asked about the language, "character". D. Benton explained that it is not defined but is the character of Dover.

He also asked for clarification regarding the criteria for projects to meet 'solar-ready' standards. D. Benton explained the consultant made recommendations based on national research.

D. White also inquired about the solar panel requirements along with what else is needed for equipment on the roof to support it. D. Benton explained those calculations were taken into account.

L. Skinner proposed two grammatical edits which were accepted.

D. Benton reviewed the site review changes proposed.



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L. Skinner proposed grammatical edits which were accepted.

D. Landry wondered about the process of selecting exterior materials. D. Benton said it is normally discussed during the technical review process.

Motion: T. Clark made a motion to post the Zoning amendments as amended.
Seconded by F. Torr. Vote: U/A.

Motion: T. Clark made a motion to post the Site Review amendments as amended.
Seconded by F. Torr. Vote: U/A.

4. NEW BUSINESS

- A. Consideration and acceptance of an Amendment to the conditions for a previously approved Subdivision Plan for TDAK & Company LLC, Assessor's Map 35, Lot 57, zoned R-12, located at 99 Sixth Street. (Proposal is to adjust grading and add a fence and arborvitae). *(P18-07B)

C. Parker explained that the applicant wishes to amend the previous approved subdivision with the installation of a 4' high retaining wall on the easterly side of unit 3 and add a landscaped buffer and a 8' white vinyl fence to provide a buffer from unit 3 to abutters as well as to construct a rain garden in the northeast corner of the lot. These amendments are a result of some violations that occurred on the site, and the affected abutters. The Dionne's have worked with the applicant to develop the plan before the Board. Staff has agreed that where this is a first infraction by the applicant, that if the remedy is in place in a timely manner, the fines will be waived.

James Hayden, Berry Surveying and Engineering, represented the applicant and explained the plan.

D. White commented that by having both the fencing close to the structure along with the landscaping buffer seems to prevent the unit owner from utilizing the exterior property. C. Parker explained both parties are aware of the proposal.

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

Public hearing opened.

Susan Keenan, 31 Hillcrest Drive expressed concerns regarding: how the amendments will affect the abutters, pooling water on abutting properties and if the amendment will make this problem better or worse, if there is flooding on abutting properties who is responsible for the costs and maintenance, the discrepancy between the plans and the actual height of the arborvitae.

J. Hayden addressed the concerns:

The upkeep/ maintenance of the rain garden will be taken care of by HOA.

Runoff to abutters will be less likely because that is what the rain garden will manage.

C. Parker added that formal complaints, if necessary, can be filed at the office.

Public Hearing closed.



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STAFF RECOMMENDATION:

Chapter 155-15 of the Land Subdivision Regulations of the City Code provides for subdivisions of existing lots. This plan is consistent with the regulations, and the Planning Department recommends that the Planning Board approve the amendment with the following conditions:

Condition to be Met Prior to Signing of the Plans:

1. All other conditions from P18-07 and P18-07A shall be met.
2. The applicant shall provide a digital version of the amended plat to the Planning Department.
3. Amend the stormwater report to the satisfaction of the City Engineer.
4. The applicant shall revise the plat to:
 - a. Indicate the previous amended arborvitae along the easterly property line an additional 80' southbound to align with the end of the driveway
 - b. Owner shall sign and date the amended plat
 - c. PE shall sign and stamp the amended plat

Condition to be Met Prior to Occupying 14 Carmen's Drive:

5. The applicant shall complete the landscaping and fencing
 - a. If the above is not completed by June 1, 2019, any fines accrued shall be paid before occupancy.
 - b. If the rain garden, and final section of fencing, is not completed by June 15, 2019, any fines accrued shall be paid before occupancy.

J. Kaspari asked how the storm water reports are compiled and if future climate forecasts are taken into consideration rather than just historical information. J. Hayden clarified the information is pulled from national research by many universities. The plan meets all of the standards for five, ten, 50-year floodplain.

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

- B. Consideration and acceptance of a Lot Line Adjustment for Roger C. Groux, (Owners: Groux/Bow Street & 280 Dover Pt Rd LLC), Assessor's Map L, Lots 106 & 106A, zoned R-20, located at Dover Point Road & 278 ½ Dover Point Road. *(P19-38)

C. Parker explained that the applicant wishes to adjust the lot line between the two subject lots moving 0.09 +/- acres or 4,132 s. f. from lot 106 to lot 106A. It was noted that during the review the tax map needs to be updated, as do the tax records regarding two small lots along Dover Point Road, also owned by the applicant.

The subject lots access would remain the same without frontage on a public street but through rights as outlined in the applicant's narrative dating May 2, 2019. Therefore, staying in the legal nonconforming status.

David Vincent, Vincent Land Surveying, represented the applicant and owner and reviewed the application.

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

Public hearing opened.

No one spoke.

Public Hearing closed.



CITY OF DOVER

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STAFF RECOMMENDATION:

Chapter 155-18 of the Land Subdivision Regulations of the City Code provides for the adjustment of existing lot lines between two or more lots. This plan is consistent with those regulations. This plan is consistent with the regulations, and the Planning Department recommends that the Planning Board approve the Minor Subdivision with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

1. The applicant shall provide the Planning Department with a digital version of the final plat which includes the two smaller lots providing access to correct the City's tax maps.
2. The applicant work with the Assessing office to assign lot IDs to those lots and separate tax cards.
3. The applicant shall revise the plat to:
 - a. Add Planning file number P19-38
 - b. Add signature and stamp of LLS
 - c. Add owners' signatures

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

5. STAFF COMMENTS

- TRC item since the last meeting: Final review of 1 First Street, Northern Pool and Spa at 29 Littleworth, 10 Fourth Street and 22 Fifth Street.
- Council voted a change to track board member attendance as excused or unexcused.
- State 10-year plan update
- Rezoning Committee update

6. MEMBER COMMENTS

- D. Landry mentioned the board wanted to discuss TDR and wondered if discussion will be in June.
- C. Parker noted it is anticipated for a June meeting.

7. ADJOURNMENT

Motion: H. Harmon made a motion to adjourn at 8:09 pm. Seconded by F. Torr. Vote U/A