



DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: City Council Chamber's 288 Central Avenue
Meeting Date: **Tuesday, July 23, 2019**
Meeting Time: **7:00 pm**

Members Present: Hayley Harmon (Vice Chair), Dave Landry, Frank Torr, Tom Clark, Lee Skinner, Ellen Brooks (Alternate), Dave White, and Dennis Ciotti (Councilor)

Members Not Present (excused): Gina Cruikshank (Chair), Jackson Kaspari, Matt Sullivan (Alternate), James Burdin (Alternate)

Members Not Present (un-excused): None

Staff Present: Donna Benton, City Planner

In the absence of the Chair, Vice Chair Harmon called the meeting to order at 7:00 pm and stated D. Landry will sit as Vice Chair for this meeting and E. Brooks will sit for J. Kaspari.

1. CITIZENS' FORUM

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

2. APPROVAL OF THE PRIOR MINUTES

- June 26, 2019 Regular Meeting Minutes

Motion: D. White made a motion to approve the minutes of June 26, 2019. Seconded by L. Skinner. Vote: U/A.

3. OLD BUSINESS

- A. Public hearing and possible vote on an amendments to Chapter 170, entitled "Zoning Ordinance" of the code of the City of Dover. Amendments include revising terminology, references, footnotes, fees, height of fences, and architectural and streetscape standards including solar. 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. White voted to remove the item from the table. D. Ciotti seconded. Vote: U/A.

Public hearing opened.

D. Benton provided an update of the changes made to the amendment. If the Board approves of the amendments, two votes would be required. First to amend the amendments and secondly, a vote to adopt and forward to Council for ratification would be required.

Public hearing closed.

Motion: D. White moved to amend the amendments. Seconded by E. Brooks. Vote: U/A.

Motion: D. White moved to adopt the amendments and forward to City Council for ratification. Seconded by E. Brooks. Vote: U/A.

4. NEW BUSINESS

- A. Consideration and acceptance of a Minor Lot Line Adjustment for Margaret M. Gabriel Revocable Trust, (Owners: Margaret M. Gabriel Trustee and Jeffrey P. & Karen L. Wills), Assessor's Map L, Lots 98, 98C & 101, zoned R-20, and located at 262 & 262 ½ Dover Point Road. *(P19-47)



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D. Benton stated that the applicant wishes to adjust their lot lines. The new lot would be 7.45 acres, 1.93 acres, and 1.86 acres. The Riverfront Residential Overlay District requires a minimum lot size of three times the R-20 requirement, meaning 60,000 s.f. This lot line adjustment would not affect the frontage and therefore would remain legal non-conforming in that manner.

Kevin McEneaney, Civil Works NE/McEneaney Survey represented the applicant, discussed the proposal and presented the application. Three lines will be adjusted. He described how each parcel will be altered.

Motion: D. White 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:

Chapter 155-18 of the City Code provides for the adjustment of existing lot lines. The plan meets the criteria laid out. The Planning Department recommends that the Planning Board approve the Minor Lot Line Adjustment 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
2. Provide an updated current use plan to the Assessor's satisfaction.
3. The applicant shall revise the plat to:
 - a. Add Planning file number P19-47
 - b. Add signature and stamp of LLS
 - c. Add owners' signatures
 - d. Add note to plan referencing access easement described in the deeds for lots 98 and 101.
 - e. Add common site plan note 12
 - f. Show existing house on lot 100.

Motion: D. Ciotti made a motion that the Planning Board approve the application with staff recommended conditions. Seconded by E. Brooks. Vote U/A

- B. Consideration and acceptance of a Minor Lot Line Adjustment for Christopher Jon Prior, (Owners: Christopher Jon Prior and City of Dover), Assessor's Maps K & 22, Lots 5 & 42, zoned R-12 & CWD, and located at 150 Henry Law Ave & Towne Dr. *(P19-48)

D. Benton stated that the applicant is proposing to adjust the lot line between the two subject lots. The City Council approved being a party to the Lot Line Adjustment on June 26. The City Playground equipment will remain in place for now and will be relocated as the Maglaras Park Master Plan is implemented with the waterfront development. The CWD allows for lots without frontage so Maglaras Park does not need direct access to Henry Law Ave. The City will have an easement over the new Prior parcel for access and utilities.

Robert Stowell, Trittech Engineering, represented the applicant, discussed the proposal and presented the application. He clarified the long back piece of the Prior property will go to the adjacent City-owned lot.

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

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



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STAFF RECOMMENDATION:

Chapter 155-18 of the City Code provides for transfer of land between adjacent land owners. This plan meets the requirements outlined. Planning Department recommends that the Planning Board approve the Minor Lot Line Adjustment 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
2. Provide easement language to include playground, access, and utilities to the satisfaction of the Assistant City Manager.
3. The applicant shall revise the plat to:
 - a. Add Planning file number P19-48
 - b. Include the Licensed Land Surveyor signature and stamp
 - c. Add the owner's signatures to the final plat submitted for signature to be recorded at the Strafford County Registry of Deeds

Motion: L. Skinner made a motion that the Planning Board approve the application with staff recommended conditions. Seconded by D. Ciotti. Vote U/A.

- C. Consideration and acceptance of a Minor Lot Line Adjustment for the City of Dover, (Owners: City of Dover and Candia South Branch Holdings, LLC), Assessor's Map H, Lots 58 & 59, zoned I-4, and located at 273 & 325 Mast Road. *(P19-53)

D. Benton stated that the applicant is requesting to adjust the lot lines between two properties. The City Council approved the City being a party to the Lot Line Adjustment on February 27. The City will receive area for groundwater protection and recharge basin for drinking water well, and is doing an even swap with Severino for land elsewhere on the parcel.

Dean Peschel, Peschel Consulting and City of Dover and Kevin McEneaney, McEneaney Survey, representing the property owner, discussed the proposal and presented the application. Mr. Peschel explained the purpose is for the City to develop an artificial recharge system. The best location is on this other lot being discussed. There will be a swap of land area with the other landowner.

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

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

L. Skinner wondered if the lot line adjustment will alter the area of land that is being excavated by Severino. Mr. McEneaney does not believe that will be altered though technically it could.

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. The Planning Department recommends that the Planning Board approve the lot line adjustment 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
2. The applicant shall revise the plat to:
 - a. Add Planning file number P19-53



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- b. Include the Licensed Land Surveyor signature and stamp
- c. Add the owner's signatures to the final plat submitted for signature to be recorded at the Strafford County Registry of Deeds

Motion: D. Ciotti made a motion that the Planning Board approve the lot line adjustment with staff recommended conditions. Seconded by D. White. Vote U/A

D. Consideration and acceptance of a Minor Subdivision for Edward J Jr. & Ahn C Murphy, Assessor's Map N Lot 13C, zoned R-40, and located at Country Club Estates Drive. (1 new lot) *(P19-46)

D. Benton stated that the applicant is requesting to subdivide their lot into two. The Board approved a lot line adjustment in February of 2017. This subdivision essentially reverses that lot line adjustment.

Paul Connolly, CivilWorks NE, representing the property owner, discussed the proposal and presented the application.

D. Ciotti wondered if the Country Club Estates subdivision allows for another house to go in. The answer was yes, it does.

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

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

STAFF RECOMMENDATION:

Chapter 155-15 of the Land Subdivision Regulations of the City Code provides for subdivision of existing lots. The plan is consistent with those regulations. 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 revise the plat to:
 - a. Include the Licensed Land Surveyor signature and stamp
 - b. Add the owner's signatures to the final plat submitted for signature to be recorded at the Strafford County Registry of Deeds
 - c. Add Planning File #P19-46
 - d. Add NHDES Subdivision number to note 11
 - e. Show electrical utilities and indicate future utilities will be underground
 - f. Indicate proposed septic locations
 - g. Indicate potential driveway location
 - h. Add common subdivision plan notes: 8, 10, 13, 14, 23, and 25

Conditions to Be Met Prior to Occupancy:

2. Issuance of a Certificate of Occupancy.
3. Impact fees for new dwelling unit shall be paid per the invoice included with the Notice of Decision.

Motion: D. White made a motion that the Planning Board approve the minor subdivision with staff recommended conditions. Seconded by L. Skinner. Vote U/A



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- E. Consideration and acceptance of a Request to use Transfer of Development Rights to purchase 2 additional units for STF Development Corporation, Assessor's Map 24, Lot 2A-1, zoned RM-U, and located at 1-4 Waverly Drive. (Proposal is to purchase 2 additional units and construct a duplex with four additional parking spaces including on the abutting lot). *(P19-54)

D. Benton stated that Waverly Place was created with 8 units. The applicant is requesting to purchase two additional units through the "old style" or non-restricted style of Transfer of Development rights and is proposing adding additional parking to the two lots.

Chris Berry, Berry Surveying and Engineering, representing the property owner, discussed the proposal and presented the application including details about the parking plan.

D. White asked if the houses front Forest St. the answer was yes, they do.

D. Ciotti believed there are four spaces in the back and wondered if the two spaces on the front right are needed. C. Berry said he can look into that.

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

Public hearing opened.

Jodi Clary, renter, 1 Waverly Dr commented that there are three spaces in the center area. She is concerned about the parking spacing especially during the winter. The area where parking is proposed is currently grass where many children play. It is also where the snow is pushed. If this area turns to parking, the play area will be lost and where will the snow go?

Public Hearing closed.

C. Berry commented that some of the parking space locations can be modified if needed to aid snow removal.

STAFF RECOMMENDATION - TDR:

Chapter 170-27.2 of the Zoning Ordinance of the City Code provides for transfer of development rights via two processes, this uses the original process, not the affordable single-family process. Planning Department recommends that the Planning Board approve the sale of 2 units with the following conditions:

Conditions to be Met Prior to Granting the TDR:

1. Payment of the TDR fee (\$26,804)
2. Have the LLS and PE sign and stamp the plan
3. Revise note 24 to add date of approval
4. Add a note on plan that should one of the two lots sell, that an easement for parking and access shall be recorded at the Strafford County Registry of Deeds.
5. Add Planning file number P19-54 to the plan set.
6. Correct notes 22 & 23 on sheet 3
7. Add note regarding snow removal to the satisfaction of the Assistant City Manager

Conditions to be Met Prior to the Issuance of a Building Permit:

8. The new dwelling units shall be assessed and pay the current water and sewer investment fees in place at the time of application for service.



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Conditions to be Met Prior to Occupancy:

9. Issuance of a Certificate of Occupancy.
10. Impact fees per unit shall be paid per the invoice attached to the Notice of Decision
11. The applicant shall provide a letter of credit or other form of security acceptable to the City for any unfinished work.

E. Brooks wondered if any upgrade to the current drainage is proposed. It is not.

D. Ciotti wondered if there is a dumpster proposed. There is not.

Motion: L. Skinner made a motion that the Planning Board determine the proposal is consistent with the neighborhood and approve the TDR with staff recommended condition. Seconded by D. White Vote: U/A.

- F. Consideration and acceptance of a Minor Subdivision for Queen City Holdings LLC, (Owners: Hot Corner Productions, LLC), Assessor's Map G, Lot 29, zoned I-2, and located at Littleworth Road. (2 new lots). *(P19-22)

D. Benton stated that the applicant is looking to subdivide their property into three lots. The land was rezoned 2 years ago and has since had some interest in developing it.

Nick Golon, TF Moran representing the property owner, discussed the proposal and presented the application. Two new lots with one remainder lot is proposed. Three waivers are requested.

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

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

STAFF RECOMMENDATION-Waiver:

The Planning Department recommends that the Planning Board grant the waiver requests per the reasons provided by the applicant with the following condition:

Condition to be Met Prior to Signing of the Plans:

1. Add a note to the plat that the Board granted a waiver to Chapter 155-28. G, H, & L (providing existing conditions, soil information, and test pits) and that the Board found the criteria of Chapter 155-51.A have been met.

Motion: E. Brooks made a motion to grant the waivers per the reasoning provided by the applicant and found that 155-51.A have been met. Seconded by D. Ciotti. Vote: U/A

STAFF RECOMMENDATION-Minor Subdivision:

The Planning Department recommends that the Planning Board vote to approve the Minor Subdivision with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

1. The applicant shall revise the plat to:
 - a. Include the Licensed Land Surveyor signature and stamp
 - b. Add notes that lot numbers are assigned by the City Assessor
 - c. Add note about easement indicating that it is to be for access and utility, that it be relocatable when a site plan comes in



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- d. Revise access to lot 2 via an easement over lots 1 & 3
- e. Add the owner's signatures to the final plat submitted for signature to be recorded at the Strafford County Registry of Deeds
- f. Revise setbacks along G/29A and G/29C to indicate 50' front setback
- g. Revise waiver note to be identified by topic and not citation
- h. Correct resource list
- i. Replace Planning Board approval area with a 2" square space
- j. Add Planning File #P19-22
- k. Add note to plan that any development on lot 3 may need further survey, wetland delineation and soil surveys completed
- l. Add proposed utility location including wells and septic areas
- m. Add or edit common minor subdivision notes: 8, 10, 13, 14, 15, 24, 25, 33, and 34
2. Provide access and utility easement language to the satisfaction of the Assistant City Manager
3. Provide proof of NHDOT driveway approval to the Assistant City Manager.

Discussion occurred regarding access to the lots. N. Golon confirmed that though future home owners may desire three driveways, there is not enough frontage to support them. DOT will be involved in granting access. This request is for subdivision only at this point. Board members desired a requirement for lot 1 to be accessed through a shared driveway and prefer that note be added now in case that lot is sold off before they have the chance to discuss the matter again.

D. Benton clarified that a condition of approval is suggested that an access easement be granted to allow lots 1 and 3 to have access off of lot 2 which would give them rights rather than prohibiting the other access points. The only option that would not need to come back before the Planning Board is a single-family house and that is not permitted in that district.

Motion: F. Torr made a motion that the Planning Board approve the minor subdivision with staff recommended conditions. Seconded by L. Skinner. Vote U/A

- G. Consideration and acceptance of an Amendment of a previously approved Site Plan for Hellenic Realty Partners, LLC, Assessor's Map 2, Lot 19, zoned CBD-G located at 333 Central Avenue. (Proposal is to revise a Site Plan *[previously amended on December 11, 2018]* to add two additional floors to the existing footprint, change second floor to residential, creating 14 new residential units, totaling 32 new units).
*(P18-04C)

D. Benton stated that the applicant is back before the Planning Board to amend a previous site plan to add 14 residential units. As the Board will recall, the applicant came in in 2017 with a plan to renovate the old Foster's building, amended the façade and site in October of 2018 which required a compliance hearing which was held in December 2018, and now is back before the Board asking for the additional 14 units. This amendment went before the Technical Review Committee on June 20, 2019. They are adding the units, by adding 2 floors above the old press room, so the full building on Henry Law Ave will be four stories.

Mike Sievert, MJS Engineering, and Shannon Alther, TMS Architects, representing the property owner, discussed the proposal and presented the application. The amendment is to add two stories for a total of three residential stories over the ground floor. There are some minor utility changes and lighting changes. 14 additional units are requested. Exterior renderings were shown, and exterior materials were highlighted.

F. Torr wondered if the lighting meets regulation. It does. He also wanted to confirm there is no Sunday construction hours. The board discussed and clarified the intersection traffic lanes. F. Torr wondered why the



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site would be left natural rather than landscaped. M. Sievert clarified the portion that will be left natural. F. Torr's concern is that bittersweet will tend to take over if not landscaped. F. Torr stated the white material detracts from the look of the building.

D. Landry mentioned that originally there was discussion about the weight of the structure and how the brick material would be too heavy for the existing soil.

Much discussion occurred about the white portions of the structure. The original plans were reviewed, and it was confirmed that at this point, the structure could be all brick and the weight would not be an issue.

D. Ciotti recommended that the white portion of the structure be offered to the Arts Commission as an area to be used for artwork.

H. Harmon wanted to highlight a particular section of the building by having it all be clapboard. Discussion occurred about the building materials for that section.

The board discussed their options: peer review, compliance hearing for architecture or adding a comment to the conditions.

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 Planning Department recommends that the Planning Board approve the amendment to the site plan with the following conditions:

Conditions to Be Met Prior to the Signing of the Plans:

1. All conditions of approval from the December 11, 2018 meeting be met.
2. Amount of revised cost-share for off-site improvement shall be agreed to with the Assistant City Manager and City Engineer.
3. Provide a revised developer's agreement for the site to replace the previous one including plan revision information, materials for buildings, and value of the Henry Law Ave contribution to the satisfaction of the Assistant City Manager.
4. The applicant shall provide:
 - a. A digital version of plan set
 - b. A narrative outlining solar ready components and future solar
 - c. Letters from utilities regarding ability to provide service to the amended development
5. Traffic Analysis to be signed and stamped by a PE.
6. The applicant must revise final plan set to:
 - a. Add the owner's signatures to the final plat
 - b. Add LLS, PE, Architect, and LLA signatures and stamps to final plan
 - c. Replace planning file number with P18-04C
 - d. Add common note 35
 - e. Revise lighting plan that meets the regulations and indicates overall uniformity ratio
 - f. Indicate 3.5" minimum caliper on landscape sheet
 - g. Revise construction hours to indicate no Sunday hours
 - h. Revise architectural renderings to the satisfaction of the Planning Department with consultation from the Dover Arts Commission.
 - i. Add a five year lease for suitable parking for 24/7 parking.



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Conditions to Be Met Prior to any Construction Activity:

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.

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

8. The new building 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:

9. Issuance of a certificate of occupancy.
10. Impact fees shall be paid per the invoice included with the Notice of Decision. (14 units x \$4,601=\$64,414)
11. The applicant shall provide a letter of credit or other form of security acceptable to the City for any unfinished work.
12. Funding for cost share of off-site improvements shall be paid to the City.

Motion: L. Skinner made a motion that the Planning Board approve the amendment to the site plan with staff recommended conditions. Seconded by E. Brooks. Vote U/A

The Vice Chair announced that Items H-J would be heard together

- H. Consideration and acceptance of a Minor Lot Line Adjustment for Darlene Colwell – Ellis Trustee (Owners: Darlene Colwell-Ellis Trustee and City of Dover and Irene R Carrier Trustee), Assessor's Map 6, Lots 54D & 54C, zoned CBD-G, located at 10 Fourth Street. *(P19-08)
- I. Consideration and acceptance of a Conditional Use Permit for Darlene Colwell – Ellis Trustee (Owners: Darlene Colwell-Ellis Trustee and City of Dover) Assessor's Map 6, Lots 54D, 54C, & 54E, zoned CBD-G, located at 10 Fourth Street. (Proposal is for a 6.5' rear setback instead of the 10' required) *(P19-06)
- J. Consideration and acceptance of a Site Review for for Darlene Colwell – Ellis Trustee (Owners: Darlene Colwell-Ellis Trustee and City of Dover), Assessor's Map 6, Lots 54D & 54C, zoned CBD-G, located at 10 Fourth Street. (Proposal is to demolish the existing building and construct a 4,300 sq. ft. new mixed use building with commercial offices on the first floor and residential units above). *(P19-03)

D. Benton stated that the applicant is looking to raze the existing Doug's Hougies Building at 10 Fourth Street and build a new 5 story building with 20 residential units and commercial on first floor. Part of the redevelopment would include improvements to the city owned parking lot, right of way, and co-locating one dumpster area with the abutters. As such lot line adjustments and a conditional use permit to waive the rear setback are also being reviewed tonight. The City Council approved the City being a party to the lot line adjustment on June 26th. The Parking Commission endorsed the parking spaces at the Transportation Center lot at its May 21st meeting. The City Council approved the long-term permits of 30 spaces on June 26th. Staff supports the improvements to the right-of-way, closing the existing access from Chestnut St. and moving it to Fourth Street and making a portion of Fourth Street two-way traffic.

FX Bruton, Bruton and Berube PLLC, and Christopher Berry, Berry Surveying and Engineering, representing the property owner, discussed the proposal and presented the application. C. Berry clarified several points for the board members.

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



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Public hearing opened.

H. Harmon mentioned an email received by Wendy McManus. D. Benton paraphrased that she is concerned about the 5-story structure and the identity of Dover.

Charles Panasis and Brian O'Brien of 21 Fourth Street, LLC- abutters expressed concerns about their access and congestion in their parking area with people cutting through. Their tenants have issues with losing business due to parking space access. They also expressed keeping the area near the dumpster open and light. There is homeless activity in the area, and they have found needles on their premises.

Public Hearing closed.

D. Benton clarified where the two-way portion of the road will be. There is a screening requirement for a solid fence around the dumpster, but they should let the City know if there are issues.

C. Berry clarified a couple points for the board members.

STAFF RECOMMENDATION-LLA:

The Planning Department recommends the Planning Board approve the lot line adjustments with the following conditions:

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

1. Site Plan (P19-03) shall be approved.
2. Conditional Use Permit (P19-06) shall be approved.
3. The applicant shall provide the Planning Department with a digital version of the final plat.
4. The applicant shall revise the plat to:
 - a. Add Planning file number P19-08
 - b. Add signature and stamp of LLS
 - c. Add owners' signatures
 - d. Add common lot line adjustment note 13

Motion: D. White made a motion that the Planning Board approve the lot line adjustments with staff recommended conditions. Seconded by F. Torr. Vote U/A

STAFF RECOMMENDATION-CUP:

The Planning Department recommends the Planning Board approve the Conditional Use Permit with the following conditions:

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

1. Site Plan (P19-03) is approved.
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).

Motion: F. Torr made a motion that the Planning Board approve the conditional use permit with staff recommended conditions. Seconded by D. White. Vote U/A

STAFF RECOMMENDATION: Waiver



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The Planning Department recommends the Planning Board grant the waiver with the following condition to be met prior to signing of the plans:

1. Update the waiver notes on sheet 7 with date of approval

Motion: D. White made a motion that the Planning Board grant the waiver with staff recommended conditions. Seconded by F. Torr. Vote U/A

STAFF RECOMMENDATION: Site Plan:

The Planning Department recommends the Planning Board vote to approve the Site Plan with the following conditions:

Conditions to Be Met Prior to the Signing of Plans:

1. The lot line adjustments (P19-08) shall be approved by the Planning Board.
2. The CUP (P19-09) shall be approved by the Planning Board.
3. The applicant shall provide:
 - a. a digital version of plan set
 - b. A signed copy of the parking memorandum of understanding
 - c. A signed license agreement to the satisfaction of the Assistant City Manager about the generator and dumpster on the City owned lot
4. The applicant must revise final plan set to:
 - a. Add the owner's signatures to the final plat
 - b. Add LLS, PE, Architect, and LLA signatures and stamps to final plan
 - c. Replace note on landscaping plan to indicate that the existing red maple is to remain near easterly border and should it die, that the landscaping on the landscaping plan shall be installed.
 - d. Confirm location and disguise of restaurant vent to the satisfaction of the Assistant City Manager and Building Official and add to renderings.
 - e. Work with owner of lot 54E to locate and have the applicant install a walkway from 54E's parking lot to the City parking lot along the southerly side of the building on 54E.
 - f. Add common note 29 (PTAPP)
 - g. Work with Dover Delite to revise landscaping in front of Dover Delite to the satisfaction of the Assistant City Manager.
 - h. Add note that dumpster area will be shared with lots 54B and 54E
 - i. Add note that at least a 3' wide access aisle will be maintained
 - j. Add landscaping around dumpster and generator to screen
 - k. Review need of utility and drainage easement and remove if not needed

Conditions to Be Met Prior to any Construction Activity:

5. Provide recording document numbers to the Planning Department for:
 - a. The lot line adjustments in P19-08
 - b. Easements documents
6. 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.

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

7. The new building 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:

8. Issuance of a certificate of occupancy.



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9. Impact fees (20 units for this approval x 2247= \$44,940 – PD and Fire Credits=\$30,420) shall be paid per the invoice included with the Notice of Decision.
10. The applicant shall provide a letter of credit or other form of security acceptable to the City for any unfinished work.
11. Walkway from parking lot on 54E to City owned parking lot is installed per the plan.

Motion: F. Torr made a motion that the Planning Board approve the Site Plan with staff recommended conditions. Seconded by L. Skinner. Vote U/A

5. STAFF COMMENTS

- No new TRC items since June 23rd meeting
- Working with preferred candidate for the Recreational Master Plan Chapter. Looking to appoint the Steering Committee at the August Planning Board meeting
- Private road meeting set up for August 5th at 6pm in the McConnell Center Chambers
- Development listening session is August 10th at 10am at the Strand
- Hoping to report out the Rezoning efforts on August 27th Planning Board meeting
- Legal memo is your packet is just for future reference, we did receive the desired letter

6. MEMBER COMMENTS

F. Torr noted the First St construction also has construction around it.

L. Skinner commented that procedures have changed- after public hearing is opened and public has spoken, the board should have a chance to have discussion before the public hearing closes prior to staff recommendations.

7. ADJOURNMENT

Motion: F. Torr made a motion to adjourn at 9:30pm. Seconded by T. Clark. Vote U/A