



CITY OF DOVER

ZONING BOARD OF ADJUSTMENT - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers, City Hall – 288 Central Ave., Dover, NH 03820
Meeting Date: Thursday, August 15, 2019
Meeting Time: 7:00 pm

1. ATTENDANCE

Members Present: Chris Prior, Otis Perry, Rich Onufry (Alternate), Nick Couturier, Frank Landford, Anthony Sillitta (Alternate), James Burdin (Alternate)

Members Absent (Excused): George Reagan

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

The Chair called the meeting to order at 7:17 PM.

2. APPROVAL OF MEETING MINUTES OF JULY 18, 2019

Motion: Otis Perry moved to approve the minutes of July 18, 2019 as submitted. Seconded by Nick Couturier.
Vote: U/A

3. HEARINGS

A. Z19-09 Applicant/Owner Joseph DiGregorio, 107 Mast Road (Tax Map I, Lot 54-A-4), requests a variance from Section 170-12.B to permit the conversion of the second story of an attached garage to a bedroom, where the property was previously granted a variance (Z95-18) to permit the garage to have a side setback of 12' 6", with the condition that there would be no living space above the garage. The minimum side setback is 15 feet.

Applicant/Owner Joseph DiGregorio presented the case. He received a variance for the garage in 1995 with the condition that there is no living space on the second floor. He would like to add a bedroom above the garage. In 1995 there was a 20' side setback regulation which has since changed to 15'. There is 12'6" from the garage to the property line.

The Chair stated Anthony Sillitta will vote in this case.

Public hearing opened. No one spoke.

STAFF RECOMMENDATION:

Assistant City Planner Elena Piekut stated the Planning Department supports granting the variance. The impact is only 2.5' and the structure size will not change.

Public hearing closed.

Motion: Otis Perry moved to approve the variance to change the storage space above the garage to bedroom space. Frank Landford seconded. Vote U/A



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B. Z19-11 Applicant/Owner Quantum Real Estate Group, LLC, Littleworth Road (Tax Map H, Lot 29- A-3), requests a variance from Section 170-12.A to permit a self-service storage facility, where self-storage facilities are not a permitted use in the Low Density Residential (R-20) Zoning District.

FX Bruton, Bruton and Berube presented the case. The lot is unique, and he described how. The use is not permitted in the zone. The rezoning committee is looking into changing that zoning to I-2 but it has not gone through yet so the applicant decided to move forward. The surrounding properties are not residential. He explained why the use would meet the five variance criteria.

James Burdin asked about the small frontage lots off Littleworth Rd. They will remain as separate lots.

Chair Prior noted that Rich Onufry will vote on this case.

Public Hearing opened.

Bernard Stillwagon, 20 Littleworth Rd mentioned the wetlands, ponds and underground stream behind the lots. He is not opposed to houses, but he and his neighbors are opposed to having commercial uses there due to traffic and crime.

Rich Onufry asked about the hours of operation and access.

FX Bruton said it will be key and gate access only. These are often 24-hr operations, but if that's an issue it can be discussed at the Planning Board level.

STAFF RECOMMENDATION:

Assistant City Planner Elena Piekut stated the Planning Department supports granting the variance. The proposal is set back from the road and has existing vegetative buffers. Storage facilities are relatively low impact. Conditions have been proposed: buildings will be perpendicular to the street and some architectural design restrictions will be implemented. The proposal is reasonable considering the goals of the City.

FX Bruton stated the conditions are acceptable to the applicant.

At the request of Otis Perry, Assistant City Planner Elena Piekut explained what the CUP would entail if the zone had already been changed and the applicant applied for it. Otis Perry noted one of those conditions was if abutting a residential neighborhood, hours of operation would be specifically limited. He suggested that since the zone is under review already, perhaps if they grant the variance, they should have the applicant follow the conditional use permit regulations of the I-2 zone.

Discussion ensued about the hours of operation and what the Planning Board will determine during their process and what the Zoning Board wants to write in as a condition.

A third condition was determined: The hours of operation are consistent with the conditional use standards of the I-2 zone.

Public hearing closed.

Chair Prior stated he looked at the surrounding properties and saw the various zones and this request is reasonable for that property.



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Motion: Frank Landford moved to approve the variance with the following conditions:

1. Buildings shall be located perpendicular to the street, with no storage unit doors facing the street.
 2. Buildings shall adhere to the architectural design guidelines of Section 149-14.L(8)(b) of the Dover Code
 3. The hours of operation are consistent with the conditional use standards of the I-2 zone.
- Otis Perry seconded. Vote: U/A

4. OTHER BUSINESS

Chair Prior asked James Burdin to introduce himself. He was on the Planning Board since 2016. He works for the Strafford Regional Planning Commission as a planner. He has a newborn so needed to change the night of his service to the City as well as his commitment level.

5. ADJOURN

Motion: Anthony Sillitta moved to adjourn at 8:10 PM. Seconded by Otis Perry. Vote U/A

Persons with questions or interested in reviewing the meeting materials are invited to visit the Planning Department located in City Hall, open Monday-Thursday from 8:30 am to 5:30 pm and Friday from 8:30 am to 4:00 pm. The meeting materials are also available online at www.dover.nh.gov. Follow us on Twitter @DoverNHPlanning and find us on Facebook at <https://www.facebook.com/DoverNHPlanning>.