



CITY OF DOVER

## ZONING BOARD OF ADJUSTMENT - AGENDA

Meeting Type: Regular Meeting  
Meeting Location: Council Chambers, City Hall – 288 Central Ave., Dover, NH 03820  
Meeting Date: Thursday, September 19, 2019  
Meeting Time: 7:00 pm

### 1. ATTENDANCE

### 2. APPROVAL OF MEETING MINUTES OF AUGUST 15, 2019

### 3. HEARINGS

- A. Z19-13 Applicant River Valley Development Corp. and Owner Gulf Landing Properties, LLC, Central Avenue (Tax Map 38, Lot 9-A-2), requests a variance from **Section 170-12.A** of the Zoning Ordinance to permit a hospital use (a substance abuse treatment facility) where hospitals are not a permitted use in the Thoroughfare Business (B-3) Zoning District.

### 4. OTHER BUSINESS

### 5. ADJOURN

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](http://www.dover.nh.gov). Follow us on Twitter @DoverNHPlanning and find us on Facebook at <https://www.facebook.com/DoverNHPlanning>.



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



CITY OF DOVER

## ZONING BOARD OF ADJUSTMENT - MINUTES

Meeting Type: Regular Meeting  
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Meeting Date: Thursday, August 15, 2019  
Meeting Time: 7:00 pm

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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Meeting Time: 7:00 pm

**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

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**CITY OF DOVER**

## ZONING BOARD OF ADJUSTMENT – STAFF MEMO

|                   |                                                                |
|-------------------|----------------------------------------------------------------|
| Meeting Type:     | Regular Meeting                                                |
| Meeting Location: | Council Chambers, City Hall – 288 Central Ave. Dover, NH 03820 |
| Meeting Date:     | Thursday, September 19, 2019                                   |
| Meeting Time:     | 7:00 pm                                                        |

**INTENT:** The applicant requests a variance to permit a substance abuse treatment facility (hospital).

**UNITS PROPOSED:** N/A

**AGENDA ITEM #:** 3-A

**ZONING DISTRICT:**

Thoroughfare Business (B-3) Zoning District

**FILE:** Z19-13

**APPLICANT/OWNER:** River Valley Development Corp./Gulf Landing Properties, LLC

**LOCATION:** Central Avenue (Tax Map 38, Lot 9-A-2)

**ACREAGE:** 1.12 ac (48,787 sq. ft.)

**EXISTING LAND USE:** Vacant

**PROPOSED LAND USE:**

Substance abuse treatment facility

**SURROUNDING LAND USE:**

Commercial

**PREVIOUS ZBA ACTION:** Z14-01 and Z14-02, to permit increased density for multifamily dwellings over non-residential and a reduced setback (expired)

**PLANNING BOARD APPROVAL REQUIRED:** Yes

**ATTACHMENTS:** Application, plans

**STAFF RECOMMENDATION:**

Staff supports granting the variance request.

**SUMMARY OF REQUEST AND BACKGROUND INFORMATION**

The property subject to this request is located on the northeast side of upper Central Avenue, between the Meineke Car Care Center and Dover Bowl. It is one of two vacant lots in that location without frontage on Central Avenue. The lot has right-of-way access to Central Avenue over land owned by the “Shaw’s Plaza” development.

In 2014, the Zoning Board of Adjustment granted a variance to permit a mixed-use building with non-residential first-floor space and 10 dwelling units on the second, third, and fourth floors. Only six units would have been permitted by right (one per 5,000 sq. ft. of lot area). The variance expired in early 2018. Today, multi-family dwellings are permitted as a special exception use with the same criteria.

**REASON FOR STAFF RECOMMENDATION**

In the Thoroughfare Business (B-3) Zoning District, medical offices are allowed by right and multi-family residential is allowed by special exception. However, the definition of “office” excludes medical offices providing inpatient services or overnight accommodation. The nature of the proposed treatment facility requires both medical care and overnight stays for a length of time. For these reasons, the variance requested is for a “hospital” use.

The property is located about half a mile from Wentworth Douglass Hospital and the many associated medical offices and the assisted living facility in the Hospital (H) Zoning District. It is surrounded by commercial uses including a bowling alley, car wash, restaurants, retail and personal services, and an auto service station. As such, a small hospital is a reasonable use that complements the surrounding uses and is consistent with the public interest and spirit of the ordinance. Similarly, a hospital use is unlikely to have a negative impact on surrounding commercial property values. There is hardship unique to the property in that it is relatively small and lacks frontage on or visibility from Central Avenue; it is less suited to accommodate the automobile-oriented, pass-by destinations envisioned for the Thoroughfare Business District. A specialized hospital of this type is a destination and does not generate substantial traffic.

**STAFF RECOMMENDATION**

Staff recommends the Board open the public hearing, take public testimony, make findings on each of the five variance criteria, and grant the variance.



## 799 Central Avenue

**Property Information**

**Property ID** 38009-A00002  
**Location** CENTRAL AV  
**Owner** GULF LANDING PROPERTIES LLC  
**Land Use** 390

**MAP FOR REFERENCE ONLY  
NOT A LEGAL DOCUMENT**

City of Dover, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 5/3/2019  
Data updated Daily



**City of Dover, New Hampshire**  
**ZONING BOARD OF ADJUSTMENT APPLICATION**  
[Revised April 7, 2017]

|                        |                       |                      |
|------------------------|-----------------------|----------------------|
| <i>Office Use Only</i> | Case #: _____         | Date Received: _____ |
|                        | Amount Paid: \$ _____ | Time Received: _____ |

**APPLICANT/PROPERTY OWNER INFORMATION**

APPLICANT: River Valley Development Corp

Phone # 978-815-4590

Address of Applicant: 9 Patriot Drive, Dover, NH 03820

E-Mail Address: rvdc1501@comcast.net

PROPERTY OWNER (if different from applicant): Gulf Landing Properties, LLC

Address: 9 Patriot Drive, Dover, NH 03820

Phone # 978-815-4590

E-Mail Address: rvdc1501@comcast.net

**PROPERTY/PARCEL INFORMATION**

Address: Rear of 799 Central Avenue

Brief Directions: On right of way across from Black Dog Car Wash

Zoning District: B-3 Assessor's Map # 38 Lot(s) # 9-A-2

**TYPE OF APPEAL: (Please check one)**

|                                                                      |                                                     |
|----------------------------------------------------------------------|-----------------------------------------------------|
| <input checked="" type="checkbox"/> Variance                         | from Section 170-11 & 12 of the Zoning Ordinance    |
| <input type="checkbox"/> Physical Disability Variance (RSA 674:33-V) | from Section <u>  </u> of the Zoning Ordinance      |
| <input type="checkbox"/> Special Exception                           | per Section <u>  </u> of the Zoning Ordinance       |
| <input type="checkbox"/> Appeal of Administrative Decision           | regarding Section <u>  </u> of the Zoning Ordinance |
| <input type="checkbox"/> Equitable Waiver                            | per Section <u>  </u> of the Zoning Ordinance       |

**DESCRIBE BRIEFLY YOUR PLANS FOR THE PROPERTY:** The Applicant proposes to construct a three story clinic for the treatment of substance abuse. The building will include offices for doctors and other medical professionals, will have secure residential space for individuals undergoing initial treatment for substance abuse, and less restricted residential space for individuals who have progressed past the acute treatment phase. The proposed use will be classified as a hospital use.

**Z19-13**

**799 Central Avenue**

| Property ID  | Location               | Owner 1                               | Owner 2                    | Owner Address 1             | City          | State | Zip        |
|--------------|------------------------|---------------------------------------|----------------------------|-----------------------------|---------------|-------|------------|
| 38006-A00000 | 851 881 CENTRAL AV     | 851 CENTRAL AVENUE LLC                |                            | 177 HUNTINGTON AVE STE 1901 | BOSTON        | MA    | 02115      |
| 38009-A00000 | 887 CENTRAL AV         | BLACK DOG CAR WASH CENTRAL AVENUE LLC |                            | PO BOX 8                    | WAITSFIELD    | VT    | 05673-0008 |
| 38009-A00001 | CENTRAL AV             | DRISCOLL REALTY INC                   |                            | BOX 207                     | KITTERY POINT | ME    | 03905      |
| 38009-B00000 | 899 CENTRAL AV         | HUEYLOCH LLC                          |                            | 899 CENTRAL AV              | DOVER         | NH    | 03820      |
| 38009-D00000 | CENTRAL AV             | 887B CENTRAL AVENUE LLC               | C/O THE ANAGNOST COMPANIES | 1662 ELM ST STE 100         | MANCHESTER    | NH    | 03101-1243 |
| 38010-000000 | 901 CENTRAL AV         | NANTUCKET HOLDING COMPANY LLC         |                            | 340 CENTAL AVE STE 202      | DOVER         | NH    | 03820      |
| 38010-A00000 | CENTRAL AV             | STATE OF NEW HAMPSHIRE                |                            | J.D. MORTON BLDG            | CONCORD       | NH    | 03301      |
| 38011-000000 | 903 CENTRAL AV         | RT 125 ASSOCIATES                     |                            | PO BOX 977                  | DOVER         | NH    | 03821      |
| 38011-000004 | 903 4 CENTRAL AV       | 903 CENTRAL AVENUE ASSOCIATES LLC     |                            | 903 CENTRAL AV UNIT 5       | DOVER         | NH    | 03820      |
| 38011-00003B | 903 3 CENTRAL AV       | RT 125 ASSOCIATES                     |                            | PO BOX 977                  | DOVER         | NH    | 03821      |
| 38012-000000 | OLD ENGLISH VILLAGE RD | CHURCHILL FORGE                       |                            | 7 WELLS AVENUE SUITE 14     | NEWTON        | MA    | 02459      |
| 38009-A00002 | CENTRAL AV             | GULF LANDING PROPERTIES LLC           |                            | 9 PATRIOT DR                | DOVER         | NH    | 03820      |
|              |                        | RIVER VALLEY DEVELOPMENT CORP         |                            | 9 PATRIOT DRIVE             | DOVER         | NH    | 03820      |
|              |                        | BERRY SURVEYING & ENGINEERING         |                            | 335 SECOND CROWN POINT ROAD | BARRINGTON    | NH    | 03820      |



## APPLICATION CHECKLIST (Please check off)

- A. **Application signed** by Applicant and Property Owner (if different from Applicant) \_\_\_\_\_  
*Note:* In order for the application to be accepted by Planning Department staff and placed on the ZBA agenda YOU MUST COMPLETE (1) ALL SECTIONS ON PAGE 1 as well as (2) ALL QUESTIONS FOR THE SPECIFIC APPEAL YOU ARE SEEKING.
- B. **10 Copies of Completed Zoning Board of Adjustment Application** \_\_\_\_\_  
*Note:* Only include those pages of the application that are relevant to your request. Please do not include the abutters list with the 10 copies (include only as part of original signed application (Part A above)).
- C. **10 copies of a plot plan** drawn in accordance with a boundary line to scale not less than 1" = 40'. They need to include the lot dimensions including area in square feet, and also the size and location of existing and proposed buildings if applicable, including setbacks. \_\_\_\_\_
- D. Submit at least one (1) copy of the plot plan at a size of **8 1/2 x 11** (this is in addition to the 10 copies required in 'C' above). \_\_\_\_\_
- E. **10 copies of photos** (suggested but optional) and any **other materials** applicant would like to submit in support of the application. \_\_\_\_\_
- F. **Abutter Notification/Mailing Labels** - this office will create and print the abutter list and provide labels in triplicate for each abutter. The applicant/owner will need to provide to this office the engineer, architect, land surveyor or soil scientist whose professional seal appears on the plan with names and addresses for notices. You will be notified with the amount due, once this has been completed.
1. Applicant & Owner, engineer, architect, land surveyor or soil scientist \_\_\_\_\_
  2. Certified letters fee # \_\_\_\_\_ of x \$8.00 = \$ \_\_\_\_\_
  3. Certified letters fee: # of abutters \_\_\_\_\_ X \$8.00 = \$ \_\_\_\_\_
  3. First Class Mail fee (for individual owner of units within a condominium or other collective form of ownership): # of abutters \_\_\_\_\_ X \$1.00 = \$ \_\_\_\_\_
  4. Creating/Printing Abutter Labels in triplicate per sheet \_\_\_\_\_ x \$10.00 = \$ \_\_\_\_\_
- G. **TOTAL FEE** paid by cash or check made payable to "City of Dover"
1. Application fee of:
 

|                                              |           |
|----------------------------------------------|-----------|
| \$100.00 VARIANCE (per Section requested)    | \$ 100.00 |
| \$100.00 SPECIAL EXCEPTION                   | \$ _____  |
| \$100.00 APPEAL FROM ADMINISTRATIVE DECISION | \$ _____  |
| \$100.00 EQUITABLE WAIVER                    | \$ _____  |
  2. Foster's newspaper public notice \$ 80.00
- TOTAL FEE** \$ 180.00

VARIANCE REQUIREMENTS

THIS SECTION TO BE COMPLETED BY VARIANCE APPLICANTS ONLY

A. Variance Requested

A variance is requested from Section(s) 170-11 & 12 of the Zoning Ordinance to permit: A medical treatment facility which will be classified as a hospital to provide treatment for individuals with substance abuse issues, and to provide residential care for those individuals.

B. The Five Variance Criteria (as set forth in NH RSA 674:33, I(b))

Please demonstrate compliance with the following:

1. Waiving the terms of the Ordinance will not be contrary to the public interest because:

See attached statement.

2. Deviation from the strict requirements of the Ordinance is consistent with the spirit of the Ordinance because:

See attached statement.

3. Granting the variance would do substantial justice because:

See attached statement

4. The value of surrounding property will not be diminished because:

See attached statement.

**NOTE: please complete EITHER paragraph 5A OR paragraph 5B. Staff recommends that you complete paragraph 5B only if you feel you cannot meet the requirements set forth in paragraph 5A.**

5A. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship:

(i) The following special conditions of the property distinguish it from other properties in the area:

See attached statement.

**and**

(ii) No fair and substantial relationship exists between the general purposes of the ordinance provision and the specific application of that provision to the property because:

See attached statement.

**and (iii)** The proposed use is a reasonable one because:

See attached statement.

**OR**

5B. If the criteria in subparagraph 5A above are not established, explain how, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it:

## SIGNATURE PAGE

***THIS SECTION OF THE APPLICATION MUST BE COMPLETED BY ALL APPLICANTS***

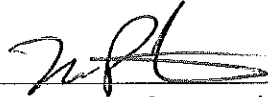
I, the undersigned Applicant, hereby certify that the information contained within this Application is complete and accurate, and I acknowledge that I have read and understand the Application Instructions, which are set forth on the first two pages of this Application form.

### IMPORTANT

PROPERTY IDENTIFICATION SIGN  
MUST BE POSTED ON THE PROPERTY  
FOR THE 5 DAYS PRIOR TO HEARING.  
FAILURE TO POST MAY RESULT IN  
APPLICATION NOT BEING ACCEPTED.



Signature of Applicant\*



Signature of Owner\*

\*Both Signatures Required

### AUTHORIZATION TO ENTER SUBJECT PROPERTY

I, and my successors, hereby authorize members of the Dover Zoning Board, Planning Department and other pertinent City Departments and boards to enter my property for the purpose of evaluating this application, including performing inspections during the application phase, post-approval phase, construction phase and occupancy phase. It is understood that these individuals must use all reasonable care, courtesy, and diligence when on the property.

Signature of Property Owner:



Date:

8-28-19

## VARIANCE REQUIREMENTS:

1. Provide proof that demonstrates that the variance will not be contrary to the public interest.

The applicant is requesting a variance to allow the construction and operation of a medical treatment facility for the treatment of substance abuse, with provision for residential care during the treatment process. This use would be defined as a hospital use because of the residential care. During the initial period of an individual's care, that individual would receive daily treatment with a doctor and other professional staff, and would reside in a secure portion of the building on the second level. As treatment progresses, the individual would move to a portion of the building with fewer restrictions.

The B-3 zone allows for medical offices, but the definition of a medical office does not allow for inpatient care or overnight accommodation. If granted, this variance would allow for inpatient treatment for residents, with appropriate provisions for the security of the patients and the general public. The nature of substance abuse rehabilitation is such that success depends upon a course of daily treatment and separation from the circumstances which contributed to the condition, so supervised residential care is essential to the process. This property is located near to the hospital in the event that unexpected medical treatment becomes necessary.

This property is located in the B-3 zone, and is surrounded by commercial uses. The property is located off Central Avenue and will have limited visibility from Central Avenue. This use generates very little vehicular traffic, and the site has ample parking either on site or through an existing parking easement on the Dover Bowl property.

The public interest is affected if the proposed use would constitute a fundamental change in the neighborhood or if there would be a substantial impact on health and safety. Given the proximity of other commercial uses and the very limited nearby residential uses, the proposed use would meet a critical need to provide effective treatment in a secure setting.

2. Provide proof that demonstrates how a variance observes the spirit of the ordinance.

The test for meeting the spirit of the ordinance is essentially the same as for whether the use would be contrary public interest. In each case, the test is whether the proposed use would constitute a fundamental change in the neighborhood or if there would be a substantial impact on health and safety. The uses in the neighborhood currently range from restaurants, motor vehicle service stations, retail stores, a bowling alley and bingo parlor, automobile collision repair, a car wash, and various officers and personal service businesses. The general spirit of the zoning ordinance is to ensure that uses are consistent with the character of the neighborhood. While a medical office is a permitted use and could provide limited treatment for substance abuse to persons with this affliction, effective treatment of substance abuse requires supervised residential care in a secure setting. This proposed use observes the spirit of the ordinance by providing the type of medical treatment that is most appropriate for this medical condition.

3. Provide proof that demonstrates how a variance will result in substantial justice.



Substantial justice is done if the benefit to the applicant exceeds any detriment to the general public. The proposed use is consistent with existing, authorized, and proposed uses in the neighborhood. The proposed use will not have a detrimental impact on the general public. This use will allow effective treatment in this geographic area for patients who require residential care. Since residential care is essential for treatment of this condition, allowing supervised residential care is essentially an expansion of the type of medical care that could begin in a medical office, but which cannot be successful without residential care.

4. Provide proof that demonstrates the variance will not diminish the values of surrounding properties.

This area is almost exclusively commercial in character. There are no abutting residential uses. The immediate abutters are motor vehicle service businesses, a shopping center and a bowling alley. The proposed use will generate very little traffic, will be set back from Central Avenue, and will be unobtrusive.

5A. Provide proof that literal enforcement of the provisions of the ordinance would result in an unnecessary hardship. Unnecessary hardship standards are:

(i) Special conditions of the property that distinguish it from other properties in the area:

This is a lot which is located near to but off Central Avenue. The parcel is limited in size and lacks good visibility from Central Avenue. Because it does not have direct frontage on or visibility from Central Avenue, it is not a good site for a commercial or retail use that depends upon such visibility and a steady flow of traffic past the site. The site is well suited for a use which generates low amounts of vehicular or pedestrian access, and the privacy afforded by the site is compatible with the proposed use as a treatment facility.

(ii) No fair and substantial relationship exists between the general public purposes of the ordinance provisions and the specific application of that provision to the property:

The general purpose of the ordinance is to ensure that uses are consistent with the character of the neighborhood. This neighborhood is almost entirely commercial in character, with no abutting traditional residential uses. While medical offices are permitted in this zone, inpatient and residential care is not permitted. The zoning ordinance does not include a definition for the use of "hospital". The B-3 zone, as a thoroughfare business zone, is an appropriate zone for small hospitals which provide specialized care, including residential care. The general purpose of the ordinance is to allow appropriate care for medical conditions, but the failure of the ordinance to specify that hospitals are allowed in this zone means that the ordinance does not really apply to this proposed use.

(iii) The proposed use is a reasonable one.

The general purpose of the ordinance is to ensure that uses are consistent with the character of the neighborhood. This neighborhood is almost entirely commercial in character,

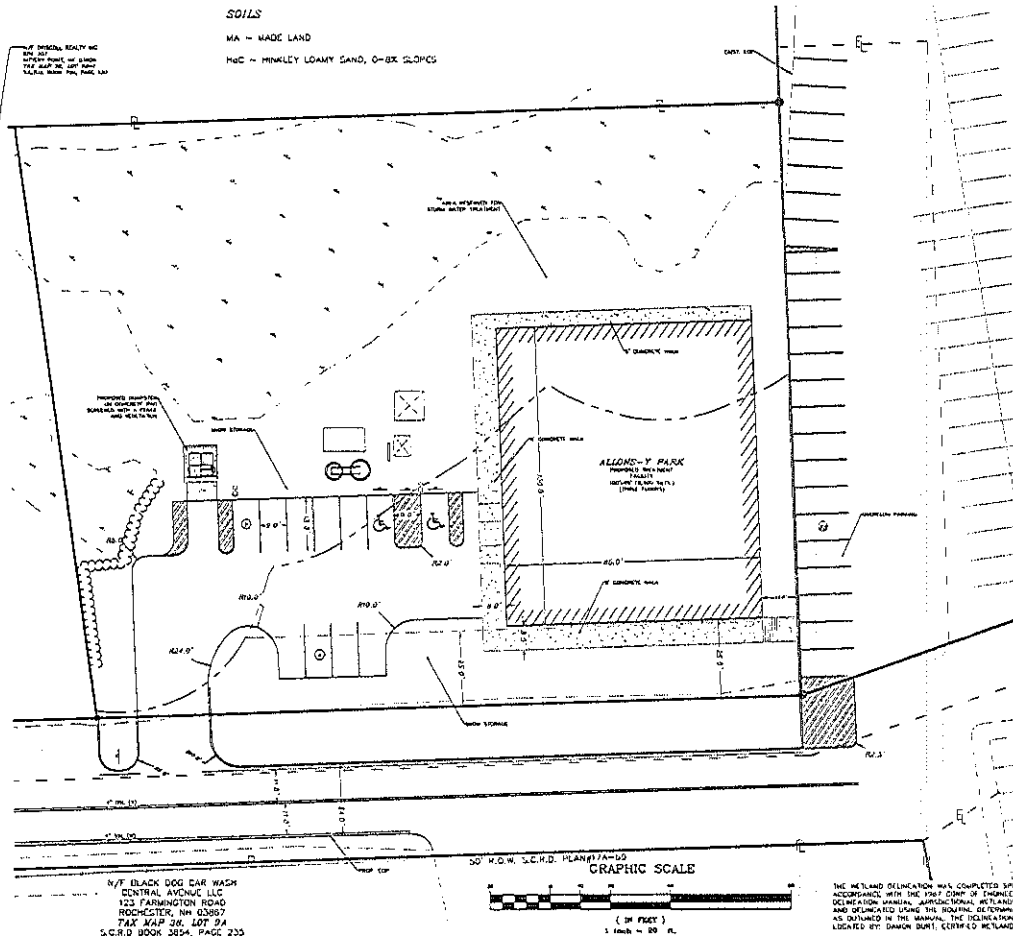
with no abutting traditional residential uses such as single family homes, condominiums, or apartment buildings. While medical offices are permitted in this zone, inpatient and residential care is not permitted. Since residential care is essential for treatment of this condition, allowing supervised residential care is essentially an expansion of the type of medical care that could begin in a medical office, but which cannot be successful without residential care. The residential care provided at this facility will be for treatment purposes, and not for typical residential use.

# UTILITY NOTE:

THE UNDERGROUND UTILITIES SHOWN ON THIS PLAN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. NEITHER THE SURVEYOR NOR THE ENGINEER MAKE GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN CORRESPOND TO ALL UTILITIES IN THE AREA. OTHER THAN SERVICE OR ABANDONED, THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS NEARLY AS POSSIBLE FROM THE INFORMATION AVAILABLE.

## SOILS

MA - MADE LAND  
HMC - HEAVY LOAMY SAND, 0-8% SLOPES



## LEGEND:

- HIGH BOUND (TO BE SET) (N/A)
- HIGH BOUND (FIND)
- UTILITY POLE
- SEWER MANHOLE
- CATCH BASIN
- WATER VALVE
- HYDRANT
- 1/4" TEST
- TEST HOLE AND IDENTIFICATION
- WETLANDS LINE
- 50' WETLAND BUFFER
- BUILDING SETBACK LINES
- DETAIL SHEET / DETAIL
- PROPOSED & EXISTING FREELINE
- ESTABLISHED CENTER LINE
- PROPOSED UNDERGROUND ELECTRIC
- S.G.C. SLOPED GRANITE CURB
- V.G.C. VERTICAL GRANITE CURB
- E.O.P. EDGE OF PAVEMENT
- S.L.C. SUBMINOR CONCRETE CURB
- E.L. EASEMENT LINE
- P.L. PROPERTY / BOUNDARY LINE

## NOTES:

- 1) THE INTENT OF THIS PLAN SET IS TO DEMONSTRATE THE SITE PLAN DESIGN OF A TREATMENT FACILITY
- 2) CURRENT OWNER: GOLF LANDS PROPERTIES LLC  
9 PARKVIEW DRIVE  
DOVER, NH 03800
- 3) THE PROJECT PARCEL IS LOT NO. 84-2, MAP 38 OF THE CITY OF DOVER TAX ASSESSMENT MAPS.
- 4) THE PROJECT PARCEL CONTAINS 1.11 ACRES OR 48,717 SQUARE FEET AREA OF LAND.
- 5) TITLE REFERENCE FOR THE PROJECT PARCEL IS THE STRAFFORD COUNTY REGISTRY OF DEEDS, (S.C.R.D.) BOOK NO. 4213, PAGE NO. 810.
- 6) LOCUS PARCEL IS SUBJECT TO EASEMENTS AS NOTED AND SHOWS AN ACCESS EASEMENT AS NOTED.
- 7) ZONING NOTES: B3 DISTRICT  
MINIMUM LOT SIZE: 20,000 SQUARE FEET  
MINIMUM FRONTAGE: 175 FEET  
BUILDING SETBACK (MEASUREMENTS):  
FRONT (EXISTING): 50 FEET (VARIANCE OBTAINED FOR 30')  
SIDE: 15 FEET  
REAR: 15 FEET  
MAXIMUM LOT COVERAGE: 50 PERCENT  
MAXIMUM BUILDING HEIGHT: 40 FEET
- 8) PROPERTY LINE INFORMATION HAS BEEN OBTAINED FROM A SURVEY PERFORMED BY BERRY SURVEYING & ENGINEERING IN SPRING 2013 WITH AN ERROR OF CLOSURE GREATER THAN 1 IN 10,000 UNDER NO STORM CONDITIONS.
- 9) THE SUBJECT PARCEL IS NOT LOCATED WITHIN AREAS DETERMINED TO BE WITHIN THE 0.5 PERCENT ANNUAL CHANCE FLOODPLAIN AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP NO. 3307020500 DATED MAY 17, 2005.
- 10) WETLANDS WERE DELINEATED BY DAMON BURT, CERTIFIED WETLAND SCIENTIST CERTIFICATE NUMBER 163, IN ACCORDANCE WITH CHAPTER 170:27.1 OF THE ZONING ORDINANCE, IN SPRING 2013.

N/A 8070 CENTRAL AVENUE LLC  
C/O THE ANANDHOSI COMPANIES  
1000 CLARK STREET STE 100  
MANCHESTER, NH 03101-1243  
TAX MAP 38, LOT 84-2  
S.C.R.D. BOOK 3878, PAGE 335

DOVER FILE NO. 814-35

| REVISION | DATE | DESCRIPTION |
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| PROPOSED VARIANCE SITE PLAN<br>DOVER, NH<br>GOLF LANDS PROPERTIES LLC<br>OFF CENTRAL AVE<br>DOVER, NH<br>TAX MAP 38, LOT 84-2 |
|-------------------------------------------------------------------------------------------------------------------------------|

|                                                                                                                                                                               |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| BERRY SURVEYING & ENGINEERING<br>338 SECOND STREET, SUITE 100<br>BARRINGTON, NH 03825 (508-486-3131)<br>SCALE: 1" = 20 FEET<br>DATE: AUGUST 27, 2019<br>FILE NO.: DB 2013-091 |
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|---------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <p><b>Property Information</b></p> <p>Property ID 38009-A00002<br/>Location CENTRAL AV<br/>Owner GULF LANDING PROPERTIES LLC<br/>Land Use 390</p> | <div data-bbox="743 1522 857 1633"></div> <p><b>MAP FOR REFERENCE ONLY<br/>NOT A LEGAL DOCUMENT</b></p> <p>City of Dover, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.</p> <p>Geometry updated 5/3/2019<br/>Data updated Daily</p> |  |
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