



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, December 19, 2019
Meeting Time: 7:00 pm

1. ATTENDANCE

Members Present: Chris Prior (Chair), George Reagan (Vice Chair), Rich Onufry (Alternate), Nick Couturier

Members Absent (Excused): Otis Perry, Anthony Sillitta (Alternate), Frank Landford, James Burdin

Members Absent (Unexcused):

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

The Chair called the meeting to order at 7:02 PM.

2. APPROVAL OF MEETING MINUTES OF NOVEMBER 21, 2019

Motion: Nick Couturier moved to approve the minutes of November 21, 2019 as amended. Seconded by Rich Onufry. Vote: U/A with George Reagan abstaining.

3. HEARINGS

The Chair explained the ZBA meeting process.

A. Z19-20 Applicant DRVP Developers, LLC and Owner Gregory S. McCrone, Trustee of the Lois L. McCrone Irrevocable Trust, 239 Knox Marsh Road (Tax Map H, Lot 37-A), located in the Hotel/Retail (B-4) Zoning District, request a variance from Section 170-12.A of the Zoning Ordinance to permit residential uses (single-family dwellings and multi-family dwellings over non-residential) as part of a mixed-use development, where residential uses are not permitted in the B-4 District.

The Chair let the applicant know there are four board members present which is a quorum to hear the case, but three members will need to vote in favor of the variance for it to pass.

FX Bruton of Bruton and Berube represented the applicant and chose to move forward presenting the case. Robert Baldwin, applicant and Christopher Berry, project engineer were also present.

FX Bruton described the lot and the neighborhood and abutters. The shape of the lot and where its located make it unique.

The proposal is for single family homes as well as a mixed-use building with residential units above retail. There are also two office buildings proposed.

The developer is committed to providing this housing for low cost. One-bedroom units will be \$1000 and two-bedrooms will be \$1300 including heat and hot water. They are looking to build 12 single-family homes and 53 one or two-bedroom units. This is not as high as the maximum density allowed in the B3 zone.

FX Bruton addressed the variance criteria.

Rich Onufry expressed traffic concerns in that area.

George Reagan asked for clarification on the sizes and prices of the units. Robert Baldwin mentioned the 1400 sq. ft. single family homes will ideally be sold for \$300,000.

Chair Prior wondered about the handicap unit criteria and need for elevators if the units are on the first floor.

Christopher Berry stated this project would need to meet the fair housing act which means ADA accessibility needs to be available and this project has accounted for that on the first floor with 2-3 ADA-accessible units and availability in the rest of the building.



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Public hearing opened.

Richard Keyes, 251 Knox Marsh Rd is an abutter and expressed traffic concerns and stated the speed limit there is 50mph which is too high.

Chair Prior noted two emails that came in from the public regarding the case.

Alfred Demers, 21 Leathers Ln wondered about a different case and was asked by Chair Prior to speak to the Planning department staff.

STAFF RECOMMENDATION:

Elena Piekut stated the Planning Department supports granting the variance with some conditions:

- Limit the plan to what's presented tonight
- Deed restrict the houses to 1400 sq. ft.
- Propose a phasing plan for the construction to ensure the commercial aspects of the plan are completed

The applicant is aware of the conditions and does not object to them.

Public hearing closed.

George Reagan stated the project fits in well with the area and he is in favor of the mixed-use components.

Motion: Rich Onufry moved to approve the variance to permit residential use both single-family homes and multi-family units over the non-residential use with the three conditions drafted by staff. Nick Couturier seconded. Vote U/A

4. OTHER BUSINESS

Elena Piekut noted:

- Annual board meet and greet is January 14th at 5:30.
- If there are any zoning proposal changes, now is the time to bring them up so they can get on the Planning Board radar as they set their goals

George Reagan mentioned inclusionary zoning might be another avenue to take.

- Elections will take place in January for Chair and Vice Chair

5. ADJOURN

Motion: Nick Couturier moved to adjourn at 7:43 PM. Seconded by George Reagan. Vote U/A