



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: City Council Chamber's 288 Central Avenue
Meeting Date: **Tuesday, March 24, 2020**
Meeting Time: **7:00 pm**

Members Present: Dennis Ciotti (Councilor), Gina Cruikshank (Chair), Matt Sullivan, Ellen Brooks (Alternate), Dave White

The following Board members called into the meeting: Tom Clark, Jackson Kaspari, Lisa McGunnigle (Alternate), Hayley Harmon (Vice Chair), Frank Torr, Erin Allgood (Alternate)

Members Not Present (excused): Dave Landry

Members Not Present (un-excused): None

Staff Present: Christopher Parker, Assistant City Manager

Chair G. Cruikshank called the meeting to order at 7:00 p.m. and stated E. Brooks will sit for Dave Landry. She announced that neither item on tonight's agenda will be completed tonight. The meeting will be recessed during the public hearing on both items and then resume Thursday, March 26 at 7 pm. New testimony can be provided on Thursday during the resumed public hearing. Abutters are able to call 603.516.6338 (meet) and leave a voice mail, or email staff at Dover-Planning@dover.nh.gov and their comments will be summarized into the record.

1. CITIZENS' FORUM

Citizens Forum Open.

Catherine Cheney, 9 Snow's Ct spoke in general about vernal pools. State law protects reptiles and larvae which may live in the vernal pools in the springtime. These species she listed need to breed in the vernal pool during that time before it dries up.

Citizens Forum Closed.

2. APPROVAL OF THE PRIOR MINUTES

- March 10, 2020 Regular Meeting Minutes

Motion: D. White moved to approve the minutes as submitted. Seconded by E. Brooks.

Roll Call Vote: T. Clark- yes, D. Ciotti- yes, G. Cruikshank- yes, M. Sullivan- yes, J. Kaspari- yes, E. Brooks- yes, H. Harmon- yes, D. White- yes, F. Torr- yes

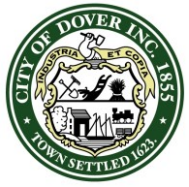
3. OLD BUSINESS

None.

4. NEW BUSINESS

A. Consideration and acceptance of a Site Review for Cochecho Country Club, Assessor's Map N, Lot 15, zoned R-40, and located at 145 Gulf Road. (Proposal is for the existing parking lots and access drive to be resurfaced as well as reconstruction of a new concrete pad and fencing for the existing dumpster area which will consist of 55,100 sq. ft. of paved area). *(P20-15)

C. Parker stated that the applicant is requesting the Board approve the amount of impervious surface being reclaimed and paved per the engineered plans and grant the waiver that not all of the requirements (including



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a survey of the full lot) be submitted as the subject area of the site is only about 1.5 acres of the 165.30 acre property.

This application was reviewed by the Technical Review Committee on February 27, 2020.

Steve Haight, Civilworks, NE represented the applicant and reviewed the project. Cochecho Country Club would like to repave the paved areas they have and also a gravel parking lot they have down by the pool and a cart staging area. The area along the building will be expanded by eight or nine feet. It will become two-way traffic and cart parking on the side. Everything that's paved around the building will be reclaimed, repaved and striped.

All the drainage is runoff from the pavement onto grassed area. There is nothing around it other than vegetation.

Motion: M. Sullivan moved to accept the item. Seconded by D. White.

Roll Call Vote: T. Clark- yes, D. Ciotti- yes, G. Cruikshank- yes, M. Sullivan- yes, J. Kaspari- yes, E. Brooks- yes, H. Harmon- yes, D. White- yes, F. Torr- yes

Public hearing opened. No One Spoke. Public Hearing was recessed.

Motion: M. Sullivan made a motion that the Board continue the application until March 26th. Seconded by D. White.

Roll Call Vote: T. Clark- yes, D. Ciotti- yes, G. Cruikshank- yes, M. Sullivan- yes, J. Kaspari- yes, E. Brooks- yes, H. Harmon- yes, D. White- yes, F. Torr- yes

The Chair noted new testimony can be provided on Thursday during the resumed public hearing. Abutters are able to call 603.516.6338 (meet) and leave a voice mail, or email staff at Dover-Planning@doover.nh.gov and their comments will be summarized into the record.

B. Consideration and acceptance of a Conditional Use Permit for STF Development Corp., Assessor's Map 32, Lot 35A, zoned R-12, and located on Snow's Court. (Proposal is for the construction of a single family dwelling within the 100' Conservation District adjacent to the Cochecho River. House would be 73' and site grading would be 61' from the river, with 4,600 sq. ft. of disturbance in the Conservation District. This Conditional Use Permit would also allow for construction within the flood zone.) *(P19-52)

F. Torr recused himself from this case. The Chair stated L. McGunnigle will sit for F. Torr.

C. Parker stated that the applicant is requesting a Conditional Use Permit to build a single-family home within 73' of the Cochecho River and within the flood zone. 75' is allowed by right by the building official or 100' by right with no special permits required. The home would be serviced by public water and sewer.

The Conservation Commission endorsed this application at their October 7, 2019 meeting with the condition that a vernal pools study be completed. The applicant had the study completed and found no vernal pools present.

This application was continued at the March 10th meeting to allow the applicant's environmental scientist to be present. That person is not present tonight due to the coronavirus scenario. There might be an opportunity for that person to speak on Thursday when this case is continued.



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The applicant supplemented their materials with an example of a subdivision, which will create a conservation/passive recreation lot to be conveyed to the City, to preserve the non-single family home portion of the lot. The duplex that was proposed to the Conservation Commission in September was deemed too impactful, so the applicant has revised that to a single-family home which was endorsed by the Conservation Commission.

After the public comment at the last meeting, the applicant has stated to the staff that they are willing to still donate that land so that no further development will occur on the house site or on the remaining parcel.

C. Parker also clarified there are no transfer of development rights being used here.

Christopher Berry, Berry surveying and Engineering represented the applicant and reviewed the project. Mr. Berry explained the location of the lot and that it is a single-family lot that was purchased by the applicant as-is. The CUP is required to build on this lot because of it being in the conservation overlay district. The CUP overseen by this board is to make sure the lot is not overburdened by the proposal. The build area is as far from the river as possible on the lot. The proposal is also in the flood zone. Building in the flood zone is allowed if criteria are met. There is a flood way on the property, but they are not allowed to build there, and they are not proposing any building in the flood way.

He described the proposal as a slab-on-grade construction. There will be no living space or mechanicals on the bottom level. Those would be on the second and third story – out of the flood zone.

The proposal is also in the shore land protection zone. Low-impact development styles will be used on the site. They've reduced the driveway impact after conversations with staff.

He addressed vernal pools. A wetland scientist went out to delineate the river's edge and wetlands on site. No wetlands were found on the interior of the site. A vernal pool study was conducted after the meeting with the Conservation Commission. The wetland scientist can provide the board written comments or call in to the meeting Thursday if requested.

J. Kaspari wondered if the studies need to be conducted during the time of the year when the site is most impacted. He is concerned that the measurements were not taken at the appropriate dates and times of year.

He had some specific follow up questions which he asked all at once so they could be answered by the applicant afterwards.

He is concerned about building a home on this site. He is concerned for the homeowners who will live in this home which will be flooded on multiple occasions.

Mr. Berry addressed the questions. The delineations are not done at certain times of year, they are done throughout the year. He described the process of digging to perform the tests.

The board discussed the assessing term that this lot is buildable and if the lot being wooded is taken into account when making that decision. C. Parker said he can look into how that determination was made by the assessing department. When he looked into the records, the lot has always been buildable as far as he could find.

E. Brooks wanted to have clarification whether the portion of land is still to be donated back in this single-family proposal.

Mr. Berry stated the applicant is willing to subdivide the land and give a piece to the City.



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C. Parker noted there is a trail that people utilize- even though it's not an official easement. If the applicant donates that land to the City, the community could use it as conservation/ passive recreation area. At the time of these discussions last summer, the applicant was willing to improve that land by adding a canoe launch. The abutters did not want that put in, so it is currently not on the table. The applicant is still willing to donate that land to the City.

Motion: D. Ciotti moved to accept the item. Seconded by D. White.

Roll Call Vote: T. Clark- yes, D. Ciotti- yes, G. Cruikshank- yes, M. Sullivan- yes, J. Kaspari- yes, E. Brooks- yes, H. Harmon- yes, D. White- yes, L. McGunnigle- yes

Public hearing opened.

C. Parker summarized the public comments that were received to the office ahead of the meeting. The board has copies of all of the full comments and PDFs will be attached to the minutes.

Catherine Cheney, 9 Snow's Ct. stated the lot is on a high-water table. She believes the vernal pool can't be proven absent without doing a study in April/ May. She believes a vernal pool is present and that Stoney Ridge Environmental didn't follow the proper process for studying for vernal pools.

Public Hearing recessed.

Motion: M. Sullivan made a motion that the Board continue the application to March 26th. Seconded by D. White.

Roll Call Vote: T. Clark- yes, D. Ciotti- yes, G. Cruikshank- yes, M. Sullivan- yes, J. Kaspari- yes, E. Brooks- yes, H. Harmon- yes, D. White- yes, L. McGunnigle- yes

The Chair noted new testimony can be provided on Thursday during the resumed public hearing. Abutters are able to call 603.516.6338 (meet) and leave a voice mail, or email staff at Dover-Planning@doover.nh.gov and their comments will be summarized into the record.

The testimony submitted is only for new testimony- it is not a second chance to speak. It is an opportunity for anyone who hasn't spoken or testified.

D. Ciotti and J. Kaspari would like more information supplied on Thursday regarding when the form says the vernal pools need to be researched and when the research was done for this project.

Motion: At 8:00pm, D. Ciotti made a motion to recess the meeting until Thursday, March 26th at 7:00pm. D. White seconded.

Roll Call Vote: T. Clark- yes, D. Ciotti- yes, G. Cruikshank- yes, M. Sullivan- yes, J. Kaspari- yes, E. Brooks- yes, H. Harmon- yes, D. White- yes, F. Torr- yes