



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting, continued
Meeting Location: City Council Chamber's 288 Central Avenue
Meeting Date: **Tuesday, May 12, 2020**
Meeting Time: **7:00 pm**

IN RESPONSE TO THE COVID-19 CORONAVIRUS, AND IN ACCORDANCE WITH RECOMMENDATIONS BY STATE AND FEDERAL HEALTH OFFICIALS LIMITING PUBLIC GATHERINGS, THE PUBLIC IS ENCOURAGED TO TEMPORARILY ACCESS PUBLIC MEETINGS REMOTELY, INCLUDING CABLE TELEVISION AND ONLINE STREAMING, AND SUBMIT COMMENTS FOR PUBLIC HEARINGS AND CITIZEN'S FORUM IN WRITING BY EMAIL: PlanningBoard-All@dover.nh.gov OR POSTAL MAIL ADDRESSED TO: PLANNING DEPARTMENT, CITY OF DOVER, 288 CENTRAL AVENUE, DOVER, NH 03820. THE PUBLIC MAY ALSO SUBMIT COMMENTS BY LEAVING A VOICE MESSAGE AT: 516-MEET (6338). PRECAUTIONS IN PUBLIC MEETING ROOMS WILL INCLUDE LIMITING THE NUMBER OF PEOPLE TO 10, THE USE OF OVERFLOW SPACE IF NECESSARY, AND THE REMOTE PARTICIPATION BY SOME BOARD MEMBERS.

Members Present: Gina Cruikshank (Chair)

The following Board members called into the meeting: Dennis Ciotti (Councilor), Lisa McGunnigle (Alternate), Hayley Harmon (Vice Chair), Matt Sullivan, Dave White, Dave Landry, F. Torr, Jackson Kaspari, Ellen Brooks (Alternate); Erin Allgood (Alternate), Tom Clark

Members Not Present (excused): None

Members Not Present (un-excused): None

Staff Present: Christopher Parker, Assistant City Manager, David Carpenter, Community Development Planner

Chair G. Cruikshank called the meeting to order at 7:00 p.m. and noted item F will not be heard tonight and item G has been withdrawn by the applicant.

1. CITIZENS' FORUM

Citizens Forum Open. No one spoke and no comments were received to the office. *Citizens Forum Closed.*

2. APPROVAL OF THE PRIOR MINUTES

- April 28, 2020 Regular Meeting Minutes

Motion: F. Torr moved to approve the minutes as amended. Seconded by D. White.

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

3. OLD BUSINESS

- A. Public Hearing to consider amendments to Chapter 170, entitled "Zoning Ordinance" of the code of the City of Dover. Amendments include revising terms, syntax and numbering. The full text of the amendments is available through the Planning Department. View the amendments on the City's website at <https://bit.ly/2QBNiZq> or request a copy be emailed. This the third of 4 public hearings on these amendments.*

Public hearing opened.

No public spoke.

C. Parker noted no comments were received to the office regarding these amendments since the last meeting.



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Public Hearing Closed.

B. Public Hearing to consider amendments to Chapter 170, entitled "Zoning Ordinance" of the code of the City of Dover. Amendments include revising the Transfer of Development Right's Ordinance, creating an Alternative Energy Ordinance, creating a Gateway Zone from existing areas of the Office, Downtown Gateway, and other zones, eliminating the I-1 and B-1 zones, merging the B-3, B-4 and B-5 zones into a Commercial (C) zone, rezoning the I-2 zone to Commercial Manufacturing, merging the I-4 and ETP zones into an Innovative Technology (IT) zone and updating the Residential Commercial Mixed Use Overlay District. The full text of the amendments is available through the Planning Department. View the amendments on the City's website at <https://bit.ly/2QBNiZq> or request a copy be emailed. This the third of 4 public hearings on these amendments.*

C. Parker explained the amendments.

Public hearing opened.

The Chair read the following into the record:

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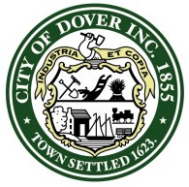
No public spoke.

C. Parker summarized the comments received. The board has received full copies of the comments.

- Mike Leary, 87 Oak St emailed & commented on the proposed Gateway Zone on Portland Ave.
- Mike Blumenthal, 11 Nute Rd called & commented on the proposed Gateway Zone on Dover Point.
- Joe Perelli, 35 New Rochester Rd emailed and suggested a rezone to have R-12 in that area.

C. Parker noted the next meeting will be the fourth hearing for the two above items. Normally the amendments would be voted on at that time. He suggested he and the Chair have a discussion prior to the next meeting. If the stay at home order has been lifted, perhaps the board should act on the amendments at that meeting. He believes there should be an in-person opportunity for public comment and until that is possible, the amendments will remain posted, but the board will not act on them.

At the next meeting he would like the board to discuss the suggestions that have come in through public comment and board member opinions on the amendments in general.



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D. Landry suggested the public should have access to the presentation the board was able to see.

C. Parker stated the PDF is on the City website, but he will add a link to the video presentation.

Public Hearing Closed.

C. Public hearing on Proposed Amendments to the FFY15-20 Consolidated Plan & FFY19 Annual Action Plan. All persons wishing to speak on the Amendments are urged to attend.*

D. Public hearing on the Proposed CDBG FFY20-24 Consolidated Plan & FFY20 Annual Action Plan. All persons wishing to speak on either Plan are urged to attend.*

E. Public hearing on Proposed CARES Act Allocations from the first round of CARES Act disbursements to Local Jurisdictions. All persons wishing to speak on the Proposed CARES Act Allocations are urged to attend.*

C. Parker explained that this is the annual adoption of the Community Development Block Grant program as well as an additional change to the FY19 action plan and funds being received from the CARES act which HUD has suggested Dover roll into the FY19 action plan so we can get the funds to the community faster. In order to maintain health and safety, the applicants are not present, but D. Carpenter will summarize the applications and will be able to answer board questions. Staff can also contact the applicant if the board has any questions that D. Carpenter cannot answer.

D. Carpenter, Community Development Planner for Dover explained the amendments and action plan. Due to the COVID restrictions, staff advised that the Board would review the applications, and then if questions come up about an applicant, they can appear at the resumed public hearing on May 26th.

The proposal is a significant change to funding allocations due to HUD timelines and altered restrictions so the funds can be available to the organizations around July rather than not having them available until the fall.

Mr. Carpenter explained the three public services which will receive funds through this amendment. He explained where the funds will be allocated from.

T. Clark wondered if the ADA renovations at City Hall is put on hold, when would that project be back on the docket? Mr. Carpenter said it could be talked about with this board when the next cycle of funding comes in as to whether it qualifies for the funds and if the board wants to use it. Otherwise, it would be proposed next year at this time with the regular annual action plan funds.

D. Landry noted Community Partners is one of the public service applications and his wife is on the board of directors, but he does not believe there is any conflict of interest.

E. Allgood wondered how the new program Dover Housing Assistance will be administered. Mr. Carpenter stated the welfare department will administer that.

D. Ciotti wondered if the economic development item is new and if it is recurring or not. Yes, it is new and has been added this year rather than next because it qualifies under the funding restrictions.

Mr. Carpenter explained the funding for activities for the FFY20 action plan is using all regular funds- no CARES Act funds. He reviewed the FFY20 action plan for the board.



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Public hearing opened.

Applicants were allowed to speak at this time.

No public spoke.

C. Parker noted no comments were received to the office.

The Chair read the following into the record:

IN RESPONSE TO THE COVID-19 CORONAVIRUS, AND IN ACCORDANCE WITH RECOMMENDATIONS BY STATE AND FEDERAL HEALTH OFFICIALS LIMITING PUBLIC GATHERINGS, THE PUBLIC IS ENCOURAGED TO TEMPORARILY ACCESS PUBLIC MEETINGS REMOTELY, INCLUDING CABLE TELEVISION AND ONLINE STREAMING, AND SUBMIT COMMENTS FOR PUBLIC HEARINGS AND CITIZEN'S FORUM IN WRITING BY EMAIL: PlanningBoard-All@dover.nh.gov OR POSTAL MAIL ADDRESSED TO: PLANNING DEPARTMENT, CITY OF DOVER, 288 CENTRAL AVENUE, DOVER, NH 03820. THE PUBLIC MAY ALSO SUBMIT COMMENTS BY LEAVING A VOICE MESSAGE AT: 516-MEET (6338). PRECAUTIONS IN PUBLIC MEETING ROOMS WILL INCLUDE LIMITING THE NUMBER OF PEOPLE TO 10, THE USE OF OVERFLOW SPACE IF NECESSARY, AND THE REMOTE PARTICIPATION BY SOME BOARD MEMBERS.

Public Hearing Closed.

Lisa McGunnigle (Alternate) joined the meeting at this time.

- F. Consideration and acceptance of a vote of the ability to do a Voluntary Open Space Subdivision for Lawrence E. & Cheryl J. Mulcahy, Assessor's Map D, Lot 20, zoned R-12, and located at 71 Glenwood Avenue. (7 new lots) *(P20-18)

Motion: D. White made a motion that the Board remove the application from the table. Seconded by H. Harmon.

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

C. Parker noted that the applicant no longer wishes to pursue the Open Space subdivision and is working on the Conventional Subdivision. They wish to be continued until June 23.

Motion: D. White made a motion that the Board continue the application until June 23. Seconded by D. Ciotti.

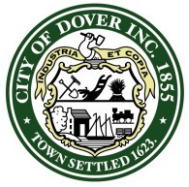
Roll Call Vote: T. Clark-yes, D. Ciotti-yes, G. Cruikshank-yes, J. Kaspari-yes, D. Landry- yes, D. White-yes, H. Harmon-yes, M. Sullivan-yes, F. Torr-yes

- G. Consideration and acceptance of a Conditional Use Permit for Revision Development, LLC, Assessor's Map 31, Lot 15, zoned CBD-G and located at 10 Grove Street. (Proposal is to convert 50 % of first floor office space to two residential units, within a four unit building where residential is not permitted on first floor). *(P20-23)

C. Parker noted that the applicant has withdrawn without prejudice.

- H. Consideration and acceptance of a Minor Lot Line Adjustment for Paula J. Lavoie, Trustee Lavoie Family Revocable Trust, (Owners: Lavoie Family Revocable Trust & 1110 Salmon Falls Road, LLC), Assessor's Map C, Lots 50C-2 & 50A-OPN, zoned R-40, and located at 96 Watson Road and Campfire Drive. *(P20-24)

Motion: D. White made a motion that the Board remove the application from the table. Seconded by F. Torr.



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

Public hearing opened.

No one spoke. Mr. Stowell, Trittech Engineering was available for questions.

No public comments were received for this case.

Public Hearing Closed.

C. Parker noted that the last meeting a question was raised about overhead wires, and the need for easements. These were noted in the deeds for the lots created in 1985, out of the parent lot.

STAFF RECOMMENDATION

Chapter 157-18 of the Land Subdivision Regulations of the City Code provides for the adjustment of lot lines of existing lots. The Planning Department believes this plan is consistent with those regulations and recommends that the Planning Board vote to approve with the following conditions:

Condition to Be Met Prior to the Signing of Plans:

1. The applicant shall provide the Planning Department with a digital version of the final plat
2. Provide revised HOA documents for Campfire Drive to Planning Department for review with consultation with the City's Legal Counsel. Once approved by staff, record at the Strafford County Registry of Deeds.
3. Submit CAD drawing acceptable to the City's Asset Management Administrator.
4. The applicant shall revise the plat to:
 - a. Add Planning file number P20-24 to the title block
 - b. Add signature and stamp of LLS
 - c. Add owners' signatures for recording at Strafford County Registry of Deeds.
 - d. Update note 19 to cite the portion of the Purchase and Sales Agreement requiring deeded access rights over Parcel "A" for the Campfire Cove residents to reach the open space.

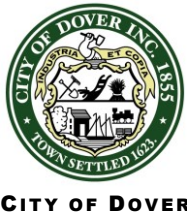
Motion: F. Torr made a motion that the Board approve the Minor Lot Line Adjustment with staff recommended conditions. Seconded by D. White.

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

4. NEW BUSINESS

- A. Consideration and acceptance of an Amendment to a Previously Approved Site Plan for Washington Street Mill, LLC, Assessor's Map 23, Lot 14, zoned CBD-General, located at 1 Washington St. (Proposal is to convert commercial space into 36 residential units with some site improvements) *(P17-46A)

C. Parker explained that on September 12, 2017 the Board approved converting 44,000 sq. ft. commercial area to 54 residential units. The applicant is back before the Board to request an additional 30,000 sq. ft. of commercial/office space be converted to 36 apartment units. There are not many changes proposed to the site except for adding 18 new striped parking spaces, moving plantings, and screening roof mechanicals.



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The applicant has parking available off-site at nearby properties as well as the spaces on site and has provided copies of lease agreements for staff's review.

This application was reviewed by the Technical Review Committee on February 6, 2020 with follow-up reviews via email during the Governor's Executive Order.

Steve Haight, Civilworks, New England represented the applicant and reviewed the plan. They've added parking in the back and across from the front door. The industrial/ commercial tenant is vacating the property, so they plan to turn that area into residential.

J. Kaspari asked about the traffic study process. Mr. Haight explained they used the industry standard procedures.

E. Allgood noted her office is in that building. She also asked for some clarification on how many units have been added over the past couple of years, how many are being added with this proposal and how many parking spaces are being added. Mr. Haight and Mr. Parker clarified these numbers.

D. Landry wondered the reason for converting the commercial space into residential space. Mr. Haight said the owner is finding the demand for housing in those types of buildings is what is in demand.

C. Parker said the parking proposal is still being reviewed by staff. There may be some conditions suggested by staff at the next meeting.

L. McGunnigle noted an issue she had in that lot and that insurance companies consider that lot not a parking lot, but on-street parking because of the traffic going through.

Motion: D. Ciotti made a motion that the Board accept the application. Seconded by D. White.

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

Public hearing opened.

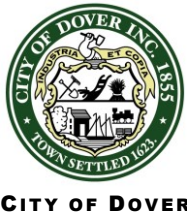
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No public spoke and no comments were received to the office.

The Chair read the following:

New testimony can be provided on May 26th 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.



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Public Hearing Recessed.

Motion: D. Ciotti made a motion that the Board recess the public hearing and table the application to May 26th. Seconded by F. Torr.

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

B. Consideration and acceptance of a Minor Lot Line Adjustment for First Street at Garrison, LLC, (Owners: First Street at Garrison, LLC, First Street at Chestnut LLC & City of Dover), Assessor's Map 6, Lots 3-1 & 9, zoned CBD-General, located on First Street and Chestnut Street. *(P20-27)

C. Parker explained the applicant is proposing to adjust the lot line between the two existing lots and the City's right-of-way.

Tract A is 497 s.f. and Tract B is 17 s.f. and both are added to the City's right-of-way to eliminate the encroachment of the sidewalk and bridge infrastructure. Tract C is 528 s.f. moving from lot 9 to lot 3-1. The City Council reviewed and authorized the City Manager to participate in the adjustment with the Right of Way on April 22, 2020.

Steve Haight, Civilworks, New England represented the applicant and reviewed the plan.

F. Torr wondered if cottage 1 is within the easement. Mr. Haight confirmed it is outside the easement.

Motion: F. Torr made a motion that the Board accept the application. Seconded by D. White.

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

Public hearing opened.

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No public spoke.

No comments were received for this case.

The Chair read the following:

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

C. Consideration and acceptance of the Recreation and Cultural Master Plan Chapter of the Master Plan

C. Parker explained the document needed some additional work, and would not be reviewed tonight.

5. STAFF COMMENTS

- TRC is occurring electronically, retail at Silver Square. Plans came in for additional phases at Pointe Place for TRC.
- Most staff are working remotely coming into the office one day a week but are going to resume coming in 2-4 days a week over the next few weeks. The City Manager is preparing a plan for resuming public access to City Hall.
- Dover Cares loan program (\$5,000) for small businesses: 3 have been disbursed and 3 more will be disbursed tomorrow. The remaining 9 or 10 applications are being reviewed.
- The applicant for Little Bay Marina is asking that the TDR fee be paid prior to receiving a building permit rather than prior to the signing of the plan as was approved by the board. It is over \$100,000 so the applicant is asking that the fee payment be pushed back. Staff is ok with that, but the board was asked for their opinions.
It was a condition of approval, so it will be put before the board at the next meeting.

6. MEMBER COMMENTS

- D. Ciotti wondered if projects are not coming through due to COVID 19. Mr. Parker noted there has been no delay to projects that are already in progress. He's hearing that banks are focusing on small businesses rather than large projects right now.

7. ADJOURNMENT

Motion: F. Torr made a motion to adjourn at 8:52 p.m. Seconded by D. Landry.

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