



**CITY OF DOVER**

## ZONING BOARD OF ADJUSTMENT - AGENDA

Meeting Type: Regular Meeting  
Meeting Location: **Council Chambers & Council Conference Room, City Hall**  
288 Central Ave., Dover, NH 03820  
Meeting Date: **Thursday, June 18, 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: [ZoningBoard-All@dover.nh.gov](mailto:ZoningBoard-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.

### 1. ATTENDANCE

### 2. APPROVAL OF MEETING MINUTES OF MAY 21, 2020

### 3. HEARINGS

- A. Z19-18 Applicant/Owner R. Craig Williams, 105 Middle Road (Take Map K, Lot 6), located in the Rural Residential (R-40) Zoning District, requests a variance from **Section 170-12.A** of the Zoning Ordinance to permit a two-family dwelling, where two-family dwellings are only permitted as a conversion of a single-family dwelling that existed before May 27, 1964, provided that there is at least 4,000 square feet of lot area per dwelling unit and each unit is a minimum of 500 square feet. The Applicant plans to demolish the existing pre-1964 dwelling.

### 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, May 21, 2020  
Meeting Time: 7:00 pm

The Chair read the following announcement:

GIVEN THE SOCIAL DISTANCING PRACTICES NEEDED TO SLOW AND CONQUER THE SPREAD OF THE COVID-19 CORONAVIRUS BEING RECOMMENDED BY OUR FEDERAL AND STATE HEALTH OFFICIALS, AND IN ACCORDANCE WITH THE DIRECTIVES ISSUED BY THE GOVERNOR OF OUR STATE TO LIMIT PUBLIC GATHERINGS, THE PUBLIC IS ENCOURAGED TO TEMPORARILY ACCESS PUBLIC MEETINGS OF THE CITY OF DOVER REMOTELY, INCLUDING WATCHING CABLE TELEVISION CHANNEL 22 AND ONLINE STREAMING ACCESSIBLE THROUGH THE CITY WEBSITE. WE HAVE ENSURED THAT DOVER CITIZENS CAN STAY INFORMED WHILE REMAINING IN THE COMFORT OF THEIR OWN HOMES BY OBSERVING MEETINGS REMOTELY. CITIZENS CAN ALSO REMAIN ENGAGED—WE ENCOURAGE COMMENTS ON SCHEDULED PUBLIC HEARINGS TO BE SUBMITTED EITHER IN WRITING BY EMAIL: ZONINGBOARD-ALL@DOVER.NH.GOV OR POSTAL MAIL: Planning Department, 288 CENTRAL AVENUE, DOVER, NH 03820. CITIZENS MAY ALSO SUBMIT COMMENTS FOR ANY SCHEDULED PUBLIC HEARING OR CITIZEN'S FORUM BY LEAVING A VOICE MESSAGE AT: 516-MEET (6338). ALL MESSAGES THAT ARE RECEIVED FROM CITIZENS BY THESE MEANS ARE PROMPTLY FORWARDED TO ALL MEMBERS OF THE ZONING BOARD AND WILL BE PUBLICLY ACKNOWLEDGED AS BEING RECEIVED AND WILL BE MAINTAINED WITH THE MEETING MINUTES.

### 1. ATTENDANCE

The board members introduced themselves, stated their current locations and that they agree to the terms of the video conference call.

**Members Present:** Chris Prior (Chair), Rich Onufry (Alternate), George Reagan, Nick Couturier, Anthony Sillitta (Alternate), Otis Perry (Vice Chair), James Burdin (Alternate)

**Members Absent (Unexcused):** Frank Landford

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

The Chair called the meeting to order at 7:01 PM and noted if a vote occurs tonight, Anthony Sillitta will be a voting member

### 2. APPROVAL OF MEETING MINUTES OF APRIL 16 AND APRIL 21, 2020

**Motion:** Otis Perry moved to approve the minutes of April 16 and April 21, 2020 as submitted. Seconded by Nick Couturier.

Roll Call Vote: Rich Onufry - yes, George Reagan - yes, Nick Couturier - yes, Otis Perry - yes, James Burdin - yes, Anthony Sillitta - yes, Chris Prior - yes

### 3. HEARINGS

- A. Z19-18 Applicant/Owner R. Craig Williams, 105 Middle Road (Take Map K, Lot 6), located in the Rural Residential (R-40) Zoning District, requests a variance from **Section 170-12.A** of the Zoning Ordinance to permit a two-family dwelling, where two-family dwellings are only permitted as a conversion of a single-family dwelling that existed before May 27, 1964, provided that there is at least 4,000 square feet of lot area per dwelling unit and each unit is a minimum of 500 square feet. The Applicant plans to demolish the existing pre-1964 dwelling.

Otis Perry noted he has not seen a sign posted on the site noting the application for variance.





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Meeting Date: **Thursday, May 21, 2020**  
Meeting Time: **7:00 pm**

The Chair noted that because of the way meetings are being held right now, the public hearing will be recessed tonight and we could recess it to the June meeting date to give public another month to be aware of the application.

Elena Piekut noted she asked the applicant this week and he said he has posted the sign. The requirement to post it is part of the board's operating rules- it's not part of the state requirements. If the sign is not already posted, recessing the public hearing until the June meeting is a good compromise.

The applicant, R. Craig Williams, noted the sign was posted Thursday morning and it is located to the left of the driveway at the entrance.

Otis Perry suggested the board ask the applicant to move the sign closer to the road since the purpose is to inform others in the neighborhood who aren't familiar with what's going on.

Applicant Craig Williams of 154 Middle Rd presented the application. He purchased this property to create a duplex. The costs of improving the home or replacing the home are similar, so if the variance is not granted, the structure will just be improved, but left in the same location near the road. If the variance is granted, the structure will be further back away from the road and built with energy efficiency. The new construction structure will meet all current codes and will be more attractive to the neighborhood and bring higher value to the neighborhood. The duplex is already allowed as long as he utilizes the same structure. The variance is to allow the duplex to be in a newly constructed building.

The Chair asked several questions of the applicant which were answered as follows.

July of 2016 is when the applicant acquired the lot. It was occupied by a resident with a life estate. The structure was fully functional and livable.

The water / winter events were explained: The resident was going to vacate the property, but then remained there a few months. Water had been released into the home over that time period- about 20,000 gallons of water. It was in the winter, so the water froze and the heat was turned off for safety.

The Chair stated the ordinance allows for an accessory dwelling. Why would that not work for the applicant?

The size limitation for an accessory structure would not work for his situation. He desires 1000-1500sq. ft. to each unit.

Otis Perry wondered what the plans are for the outbuildings on the property.

The applicant said some options are to demolish them all, or keep the center piece and demo the sides and redo the siding and doors.

The applicant stated this property would only house one duplex. It's only allowed because of the pre-1964 structure. He doesn't want the abutters to think multiple duplexes would be allowed. They would not.

*Public hearing was opened.*

No public was present to make any comments in person.



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, May 21, 2020  
Meeting Time: 7:00 pm

The Chair stated three email comments were received to the office regarding this case.

The Chair summarized them:

- The home has #130 on the mailbox, but #105 is on the application.
- Abutters have concerns that the whole tract will become two-family homes if this proposed use is granted.
- Some confusion about who was noticed and concerns about the variance being granted.

Elena Piekut noted she informed the folks that contacted the office about the meeting availability. She explained the procedure for noticing abutters of meetings. She also said she will update the poster with the June meeting date and give that to the applicant to take tonight.

### STAFF RECOMMENDATION:

Elena Piekut stated the Planning Department recommends granting the variance due to the property's uniqueness and extreme age. The following condition is proposed: The new principal structure shall be located in the same general vicinity as the existing single-family dwelling, but this condition should not be construed as granting relief from the front setback requirements.

She also noted the condition of the home and necessity for its demolition is not due to neglect by the owner, but by vandalism.

The home is very old and is grandfathered in to be allowed to have a two-family.

The new structure would be more conforming to setback regulations. The structure does not currently meet the 40' front setback.

Ms. Piekut will work closely with the building department to review the permit application to make sure the house location is placed in an appropriate spot per the condition.

Chair Prior stated originally he was concerned about granting this variance because it would create a fundamental change to the neighborhood, and to the ordinance. By granting this variance because it had fallen into disrepair could promote that practice by others. What he did not know until tonight was how the ownership of the property was transferred and how the damage might have occurred. He is still not quite sure if the application meets all of the criteria, but looks forward to the public comment and board discussion at the next meeting.

**Motion:** Otis Perry moved to defer the public hearing to June 18<sup>th</sup>. Seconded by Anthony Sillitta.

Roll Call Vote: George Reagan - yes, Nick Couturier - yes, Otis Perry- yes, Anthony Sillitta- yes, Chris Prior- yes

The Chair read the following:

New testimony can be provided on June 18<sup>th</sup> during the resumed public hearing. Abutters are able to call 603.516.6338 (516-MEET) and leave a voice mail, or email staff at [Dover-Planning@doover.nh.gov](mailto:Dover-Planning@doover.nh.gov) and their comments will be summarized into the record.

*The public hearing was recessed.*



CITY OF DOVER

## ZONING BOARD OF ADJUSTMENT - MINUTES

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### 4. OTHER BUSINESS

Elena Piekut noted the June meeting will occur at the City Hall. She explained some of the physical changes to the meeting room set up.

### 5. ADJOURN

**Motion:** Otis Perry moved to adjourn at 7:52pm. Nick Couturier seconded.

Roll Call Vote: Rich Onufry - yes, George Reagan - yes, Nick Couturier - yes, Otis Perry- yes, James Burdin- yes, Anthony Sillitta- yes, Chris Prior- yes

DRAFT

Elena Piekut  
Assistant City Planner  
Zoning Administrator  
City of Dover, NH  
288 Central Avenue  
Dover, NH 03820-4169  
e: [e.piekut@dover.nh.gov](mailto:e.piekut@dover.nh.gov)

June 8, 2020

Re: Zoning Variance 105 Middle Road

Dear Elena,

At the Zoning Board of Adjustment, I was asked for what was planned if the variance was not granted, as I believed the request was reasonable, meets the spirit and intent of the ordinance, and positively impacts the neighborhood and all abutters, I did not make a "Plan B" request. The Board's questions require this "Plan B" variance to now be requested. Although "Plan B" request meets all reasonable requirements for approval and should be granted, I hope this Plan B request is unnecessary and the requested variance which allows for the complete removal and rebuilding is approved. I believe both requests are reasonable and meet the intent, spirit, and letter to grant both variance requests.

I will accept the Board granting either Plan A or Plan B. I believe the better alternative is allowing the demolition of the current structure and the reconstruction to meet or exceed all zoning and new building codes. As to where the approved duplex would be constructed, the replacement duplex will be constructed within 200 feet of the current location.

I hope this amended request is not necessary. The original variance requested requires the reconstruction to meet Dover R-40 setback requirements and new construction building regulations. Reconstruction of the existing building will require the existing building and additions to be significantly closer than the current zoning allows.

If the original variance is not approved and granted, please approve and grant the following variance if required:

Granting a waiver to the road side setback distances currently required by R-40 zoning, to allow the current building to remain, allow additional living space to be constructed, and allow the construction of garages at each side of the duplex, at a distance from the public right-of-way, "No closer than currently exists with the home."

Thank you,

A handwritten signature in blue ink that reads "R. Craig Williams". The signature is written in a cursive, flowing style.

R. Craig Williams  
154 Middle Road  
Dover, NH 03820  
603.742.7200



**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, May 21, 2020  
Meeting Time: 7:00 pm

**INTENT:** The Applicant requests a variance to permit a two-family dwelling.

**UNITS PROPOSED:** Two total, one new (existing single-family dwelling to be demolished)

**AGENDA ITEM #:** 3-A

**ZONING DISTRICT:** R-40

**FILE:** Z19-18

**APPLICANT/OWNER:** R. Craig Williams

**LOCATION:** 105 Middle Road (Tax Map K, Lot 6)

**ACREAGE:** 64.13 ac

**EXISTING LAND USE:**  
Single-family dwelling

**PROPOSED LAND USE:**  
Two-family dwelling

**SURROUNDING LAND USE:** Single-family dwellings, nursing home

**PREVIOUS ZBA ACTION:**  
None

**PLANNING BOARD APPROVAL REQUIRED:** No

**ATTACHMENTS:** Application, plan

**STAFF RECOMMENDATION:**  
Staff recommends granting the variance.

### BACKGROUND INFORMATION

The property subject to this variance request is an approximately 64-acre parcel located on both sides of Middle Road, with additional frontage on Back Road and Thornwood Lane. It is located in the Rural Residential (R-40) Zoning District. The house in question is located on the northeast side of Middle Road, close to the road. It is an 18<sup>th</sup>-century single-family home which has been unoccupied for some time and has sustained significant winter water damage.

The Applicant requests a variance to construct a two-family dwelling after demolishing the existing single-family dwelling.

### REASON FOR RECOMMENDATION

In the R-40 Zoning District, two-family dwellings are permitted only through the conversion of a single-family dwelling that existed prior to May 27, 1964 and provided there is enough land area and living area (see R-40 table, note 6). An additional, seldom-used provision also allows new two-family dwellings in mixed-use, open space subdivisions.

Additionally, per state statute, in every Zoning District where a single-family dwelling is permitted, the City is required to allow construction of an Accessory Dwelling Unit, meaning that all single-family dwellings can effectively contain two units. A two-family dwelling, however, may not also have an Accessory Dwelling Unit, and so the property owner relinquishes that right should the variance be granted.

Because the existing home dates to the 18<sup>th</sup> century, it qualifies for conversion to a two-unit building. However, it has been vacant for some time and in the process of being vacated, it suffered substantial damage. The house has already been gutted in anticipation of demolition, and the exterior does not retain the original character of an 18<sup>th</sup> century dwelling. The existing building is nonconforming to the 40' front setback required in the R-40 District.

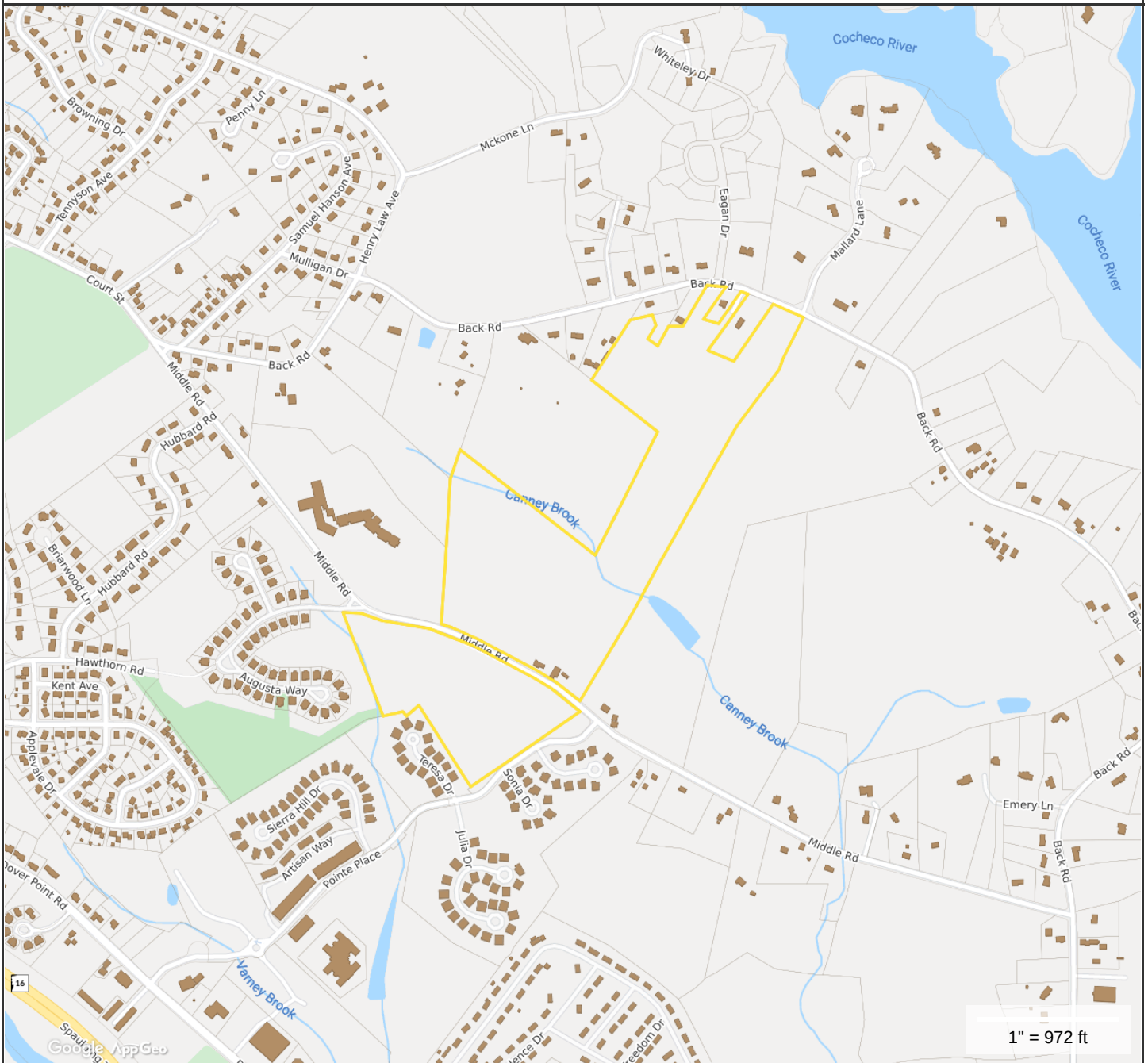
Consistent with the public interest and the purposes of the Zoning Ordinance, a new structure would conform with current setbacks and be required to meet the current building codes. Granting the variance is unlikely to have a negative effect on surrounding property values given that the existing condition is so poor. The property is unique in its extreme age. This renders it both suitable for conversion to a two-family dwelling due to being built before 1964, but unsuitable due to its age and condition. The structure predates zoning in Dover by nearly 200 years.

### STAFF RECOMMENDATION

Staff recommends that the Board open the public hearing, accept testimony, and make findings on each of the variance criteria. Staff supports granting the variance request with the following condition:

- 1) The new principal structure shall be located in the same general vicinity as the existing single-family dwelling. This condition shall not be construed as granting relief from the front setback requirement.



**Property Information**

**Property ID** K0006-000000  
**Location** 105 MIDDLE RD  
**Owner** CANNEY BROOK ENGINEERING AND CONSULTING  
**Land Use** 101

**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 10/18/2019  
Data updated Daily





City of Dover, New Hampshire  
**ZONING BOARD OF ADJUSTMENT APPLICATION**

[Revised April 7, 2017]

RECEIVED  
Planning Office

Office Use Only Case #:

219-18

Date Received:

OCT 23 2019

Amount Paid: \$

\_\_\_\_\_

Time Received:

Dover, New Hampshire

**APPLICANT/PROPERTY OWNER INFORMATION**

APPLICANT: R CRAIG WILLIAMS Phone # 603-742-7200

Address of Applicant: 154 MIDDLE ROAD DOVER NH 03820

E-Mail Address: canneybrook@comcast.net

PROPERTY OWNER (if different from applicant): SAME

Address: \_\_\_\_\_ Phone # \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

**PROPERTY/PARCEL INFORMATION**

Address: MIDDLE ROAD

Brief Directions: 150 YARDS NORTH OF THORPWOOD LANE

Zoning District: R-40 Assessor's Map # \_\_\_\_\_ Lot(s) # K 0006-00000

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

☒ Variance

from Section \_\_\_\_\_ of the Zoning Ordinance

☐ Physical Disability Variance (RSA 674:33-V)

from Section \_\_\_\_\_ of the Zoning Ordinance

☐ Special Exception

per Section \_\_\_\_\_ of the Zoning Ordinance

☐ Appeal of Administrative Decision

regarding Section \_\_\_\_\_ of the Zoning Ordinance

☐ Equitable Waiver

per Section \_\_\_\_\_ of the Zoning Ordinance

**DESCRIBE BRIEFLY YOUR PLANS FOR THE PROPERTY:**

ATTACHED

NOTE: The Rural Residential (R-40) District (See Footnote 6) allows conversion of single-family dwellings into 2-unit dwellings when the dwelling was constructed prior to May 27, 1964, the lot exceeds 4000 sq./ft. per and the dwelling exceeds 500 sq. ft per proposed unit. The dwelling is on a lot greater than 40,000 sq./ft. and the dwelling is approximately 2600 sq./ft. with 1704 sq./ft. 1<sup>st</sup> floor, 600 sq./ft. 2<sup>nd</sup> floor, and 350 sq./ft. 3<sup>rd</sup> floor.

## **PLANS FOR PROPERTY**

Plans for property are to convert a single-family R-40 dwelling into a duplex. It is expected that one side of the duplex will be occupied by family. This dwelling is on property adjacent to my home. My property encompasses approximately 90 acres in adjoining parcels on the east side of Middle Road.

Prior to commencing the conversion, the home suffered a catastrophic water and freeze event and is currently the interior has been removed for reconstruction. Following the removal of all interior finishes, the home was inspected and evaluated. The investigation determined the dwelling should be replaced.

As the home is located closer than the current required 40 foot road setback, the foundation is low headroom stone walls and dirt floor, and the structure does not and reconstructed will not meet International Residential Building Code requirements, the variance is requested to allow the dwelling to be completely replaced rather than reconstructed. The replaced dwellings will exceed all building setback requirements and exceed all building code requirements for new construction.

## **VARIANCE REQUIREMENTS**

### **A. Variance Requested**

A variance is requested from Sections 170-11 R-40 Use Regulations and 170-40 Uses of Land of the Zoning Ordinance to permit:

Demolition and new construction to replace the water and freeze damaged dwelling, with a front setback of more than 40-feet, compliant with the International Residential Building Codes, compliant with the New Hampshire Energy Code, and compliant with other applicable codes.

Reconstruction of the existing damaged dwelling can never meet dwelling setbacks, reasonable safety and health standards, or be compliant with the current residential building codes.

### **Vested Rights**

**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:**

The City of Dover has interpreted RSA 674:19 "Applicability of Zoning Ordinances. A zoning ordinance adopted under RSA:16 shall not apply to existing structures or to the



existing use of any building" to allow dwellings constructed prior to May 27, 1964 to be converted to 2 family dwellings.

The NH Court in *New London Land Use Assn v New London ZBA* 130 N.H. 510 (1998) found that allowing replacement with new technologies for the dwelling use without substantial impact on the neighborhood arises "naturally" (through evolution of new and better technologies). (see *Hurley v Town of Hollis*, 143 N.H. 567 (1999)).

Absence the variance, the dwelling will be reconstructed using deficient structural parts of the existing damaged dwelling. Refitting the existing dwelling will require the dwelling to remain closer to the road than permitted by new construction. New reconstruction will have reduced radon and moisture entry and promote increased health and safety. The structures will conform to current snow and wind loading structural standards. The new construction will exceed all energy standards. While a reconstructed dwelling would meet existing building standards, the new construction would exceed the current International Residential Code Standard. The City has determined the dwelling to be unsound.

Both the City and owner are desirous for the new/reconstructed dwellings to exceed setback requirements and the International Residential Building Code. Replacement is in the public interest in that the replacement will have more tax value, be environmentally healthier and safer for occupants, will have increased fire safety, will exceed current energy codes, and will require less energy, and will be more attractive to the neighborhood.

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

The Ordinance was adopted to promote the public welfare. Granting the variance will result in the dwelling being healthier and safer for the occupants, the dwelling will be more attractive for the city, neighbors and occupants, and dwellings will be more energy efficient. No homes are in direct view or within 400 feet of the dwelling. The petitioner home is the closest. The variance will positively impact the neighborhood.

This dwelling suffered a catastrophic water and freezing event which has required complete removal of all interior walls and finishes leaving only the external frame and exterior sheathing. As part of the remediation, damaged asbestos (Transite) siding and interior asbestos containing floor finishes were abated. The structure fails to approach current building codes requirements. Approval will result in the use of new technology, modern construction techniques, all new materials, and meeting new construction residential building codes.

As a result of the catastrophic water and freeze damage, the dwelling finishes and interior was removed to expose the extent of damage and deterioration which resulted in the determination that only complete replacement would result in a the dwelling environment being made healthy, safe, code compliant, and energy efficient. The proposed dwelling may be reconstructed without this variance, but the resultant dwelling would be inferior. Strict enforcement, absent the variance could require the reduced highway setback be maintained, continued use of the deficient foundation, high moisture levels in the home, reduced insulation in walls and ceilings, increased radon entry into the home, and the use of a substandard/non-code compliant dwelling frame.

**3. Granting the variance would do substantial justice because:**

Absent the variance the dwelling would will be reconstructed resulting in a poor structure with an unsafe and unhealthy interior environment. The finished dwelling would be less attractive than the replacement, current new residential constructions and energy codes would not be met, and the dwelling would remain closer to the highway. Granting the variance will allow the new construction to utilize modern construction methods and materials. Radon will be mitigated, moisture entry greatly reduced, moisture entry reduced, mold and mildew issues eliminated, the structure to be stronger, roofs, walls, stairs and other areas to be constructed to current codes. The lives of occupants will be improved.

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

This is a very large parcel. The area to the west is 27 acres of undeveloped land. This lot is part of the approximate 90 acres owned by the practitioner, undeveloped land to the north is more than 1000 feet, large fields and forest are to the east, and the petitioners properties extend more than 1000 feet to the south. The Thornwood Lane development to the south and located on the west side of Middle Road is more than 400 feet from the dwelling and shielded by buffer trees.

The new construction will have a general look like the new dwellings in the Thornwood Lane development. The new dwelling will be consistent with the modern construction of area homes. The Thornwood development contains single family and multifamily units. The density of the dwelling remains unchanged and is less dense than the area's new construction.

**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.**

**5. A. 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:

This pre-1767 dwelling was constructed prior to the May 27, 1964 zoning ordinance. R-40 Rural Residential Footnote 6 allows the current dwelling to be converted into 2, 3, or 4 units of 500sq/ft or more with 4000 sq./ft. per dwelling unit. Using the existing setback, dirt and fieldstone foundation, and the failed frame, the dwelling may be converted. The dwelling suffered a catastrophic water release and freeze event which caused catastrophic damage to the home. Absent this damage, the dwelling would have been converted without the complete replacement.

**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:

The ordinance may be interpreted in such away as to disallow the replacement of the existing catastrophically water/freeze damaged structure with a new structure employing modern technologies, methods, and materials. Strict interpretation would result in a significantly less healthy and safe dwelling.

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

The existing dwelling may be converted into more than 1 dwelling unit. Granting the variance allows the dwelling conversion to create substantially healthier, safer, more resilient living areas. Granting the variance allows use of modern materials, methods, and technologies. Granting the variance allow the road setback to be increased. Granting the variance serves the public welfare, is in the public interest, and to the extent that an impact exists, increases area property values.

**OR**

*If the criteria in subparagraph 5A above is not established, explain how, owing to special conditions of the property that distinguishes 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.*

As previously stated, the proposed conversion of the dwelling into a duplex is permitted by the zoning ordinance if the existing structure is utilized. Conversion of the existing dwelling as permitted was planned. A water release event caused extensive/catastrophic water and freeze damage rendering the home uninhabitable. Remediation including interior demolition revealed substantial structure damage which compromised the dwelling's reconstruction. Experts recommend demolition and replacement rather than reconstruction. The city has concurred.

This owner wishes to construct a duplex on the property. As a result of the water and freeze damage, it is unlikely that a lender will permit the structure's reuse with the deficient/damaged foundation and frame. Re-use of the existing foundation and frame cannot adequately control moisture and radon entry.

Strict adherence to the ordinance and reuse of the failed foundation and structure will result in a substandard dwelling. Use of modern construction materials, methods, and techniques is in the public interest and construction of the duplex which meets all residential building standards is desirable. Absent this variance, a duplex cannot be constructed which meets current health and safety standards.

# EQUITABLE WAIVER OF DIMENSIONAL REQUIREMENTS

***THIS SECTION TO BE COMPLETED BY EQUITABLE WAIVER APPLICANTS ONLY***

An Equitable Waiver of Dimensional Requirements is requested from Article \_\_\_\_\_ Section \_\_\_\_\_ of the Zoning ordinance to permit \_\_\_\_\_

1. Does the request involve a dimension requirement, not a use restriction?    yes    no

2. a) Explain how the violation has existed for 10 years or more with no enforcement action, including written notice, being commenced by the city **OR** b) explain how the nonconformity was discovered after the structure was substantially completed or after a vacant lot in violation had been transferred to a bona fide purchaser **AND** how the violation was not an outcome of ignorance of the law or bad faith but resulted from a legitimate mistake.

3. Explain how the nonconformity does not constitute a nuisance nor diminish the value or interfere with future uses of other property in the area.

4. Explain how the cost of correction far outweighs any public benefit to be gained.

**NOTE: The Board must find in the affirmative on all four questions or the request must be denied**



# APPEAL OF ADMINISTRATIVE DECISION

*THIS SECTION TO BE COMPLETED BY APPLICANTS APPEALING AN ADMINISTRATIVE DECISION ONLY*

Explain why you feel that the Administrative Official made an error in applying or interpreting the zoning ordinance in a particular case.

Lined area for text entry.

# **SPECIAL EXCEPTION REQUIREMENTS**

***THIS SECTION TO BE COMPLETED BY SPECIAL EXCEPTION APPLICANTS ONLY***

**A. General Special Exception Requirements (as set forth in §170-52.C.3 of the Zoning Ordinance)**

1. Explain how the requested use would be essential or desirable to the public convenience or welfare.

2. Detail how the requested use would not create undue traffic congestion or unduly impair pedestrian safety.

3. Describe how the requested use would not overload any public water, drainage or sewerage system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the City will be unduly subjected to hazards affecting health, safety or the general welfare.

**B. Specific Special Exception Requirements (as may be set forth in the applicable Table of Use)**

Explain how the proposal meets the specific special exception requirements as may be set forth in the Table of Use for the zoning district in which the subject property is located:

- A. \_\_\_\_\_
- B. \_\_\_\_\_
- C. \_\_\_\_\_
- D. \_\_\_\_\_
- E. \_\_\_\_\_
- F. \_\_\_\_\_

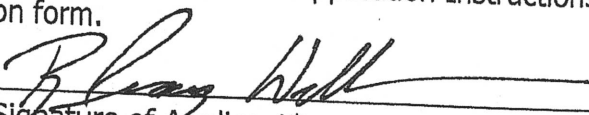
## SIGNATURE PAGE

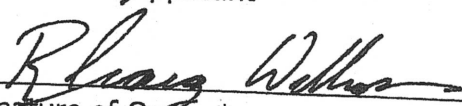
**THIS SECTION OF THE APPLICATION MUST BE COMPLETED BY ALL APPLICANTS**

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\*

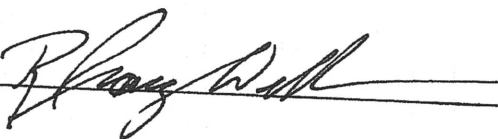
  
Signature of Owner\*

\*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: 10-22, 2019



# Rural Residential (R-40) District

Amended: 11-28-12 by Ord. No. 2012-11.14-24



## Permitted Uses

- ACCESSORY DWELLING UNIT
- ADULT DAY CARE [5]
- ASSEMBLY HALL
- Bank [5]
- Beauty and Barber Shop [5]
- BED and BREAKFAST
- CHILD CARE FACILITY
- CHILD CARE HOME
- Clinic
- CONSERVATION LOT
- Conversion of Existing Dwelling to Accommodate not more than 2 units [6]
- COUNTRY CLUB [7]
- Dwelling, 2 Family [8]
- Dwelling, 3 To 4 family [8]
- DWELLING, SINGLE FAMILY
- EDUCATIONAL INSTITUTION, K-12
- EXCAVATION [7]
- FARM [9]
- FARM ANIMALS FOR FAMILY USE, for non-commercial purposes, on lots containing a one or two family dwelling [10]
- Hospital
- MANUFACTURED HOUSING
- OFFICE [5] [11]
- PERSONAL SERVICE ESTABLISHMENT [5]
- PUBLIC RECREATION
- Public Utility
- Recreational Camp
- Retail Sale of Agricultural or Farm Products Raised on Site
- Theater [5]
- Veterinary Office, Animal Hospital or KENNEL [12]
- WHOLESALING of Farm Products [7]

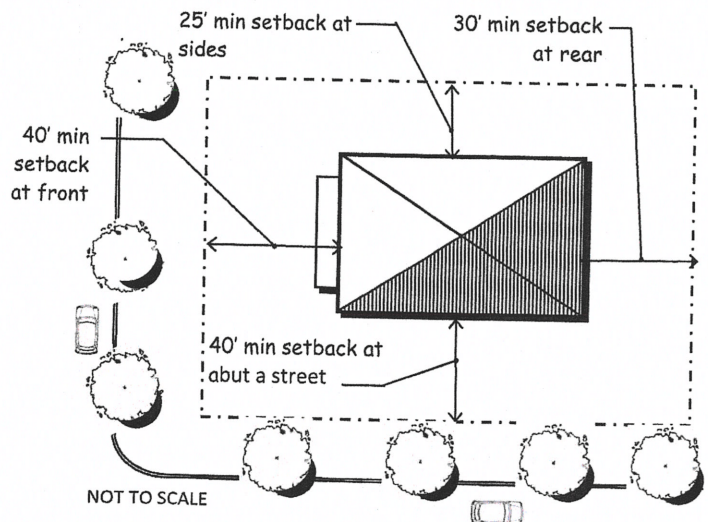
## Uses Permitted by Special Exception

- ASSISTED LIVING FACILITY
- CONGREGATE CARE FACILITY
- CONTINUING CARE COMMUNITY FACILITY
- EDUCATIONAL INSTITUTION, POST SECONDARY
- ELDERLY ASSISTED CARE HOME
- Helicopter Take Offs & Landings
- JUNKYARD
- MANUFACTURED HOUSING Park
- NURSING HOME

## Dimensional Regulations [1] [2]

| LOT                       |           |
|---------------------------|-----------|
| Minimum LOT Size [3] [4]  | 40,000 sf |
| Maximum LOT COVERAGE      | 10%       |
| Minimum FRONTAGE          | 150 ft    |
| PRINCIPAL BUILDING        |           |
| Front SETBACK             | 40 ft     |
| Abut a Street SETBACK     | 40 ft     |
| Side SETBACK              | 25 ft     |
| Rear SETBACK              | 30 ft     |
| OUTBUILDING/ACCESSORY USE |           |
| Front SETBACK             | 40 ft     |
| Abut a Street SETBACK     | 40 ft     |
| Side SETBACK              | 10 ft     |
| Rear SETBACK              | 10 ft     |
| HEIGHT OF BUILDING        |           |
| PRINCIPAL BUILDING        | 35 ft max |
| OUTBUILDING               | 35 ft max |

## Principal Building Placement



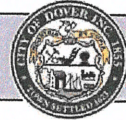
## Sign Regulations

| Size                  | R-40 District                                                                                 |
|-----------------------|-----------------------------------------------------------------------------------------------|
| Total signs permitted | 1                                                                                             |
| Total area permitted  | 16 sf<br>(customary home occupation sign 2 sf max, development identification SIGN 20 sf max) |
| Type                  |                                                                                               |
| FREESTANDING          | permitted<br>(10 ft setback required)                                                         |
| PROJECTING            | permitted                                                                                     |
| WALL/ Awning          | not permitted                                                                                 |
| Temporary             | not permitted                                                                                 |



# Rural Residential (R-40) District

Amended: 11-28-12 by Ord. No. 2012-11.14-24



## Footnotes

- [1] In the case of an Open Space Subdivision, in accordance with Article IV of Chapter 155 of the Code of Dover, the dimensional requirements shall be as specified in 155-22 of the Code of the City of Dover, 1983. [Added 6-10-87 by Ord. No. 13-87]
- [2] Refer to 170-13 and 170-14 for exceptions to lot size, frontage and setback requirements.
- [3] All land containing wetlands shall not be counted in determining the gross land area of a lot for the purposes of minimum lot size or minimum density requirements for residential uses. The minimum non-wetland portion of any newly created lot shall be contiguous. For the purposes of this calculation, wetlands shall include areas that meet the definition of wetland in the NH Code of Administrative Rules – Wt. 101.87 and the 1987 Federal Manual For Identifying Jurisdictional Wetlands. [Amended 1-22-2003 by Ord. No. 35]. Wetland buffers shall only be allowed to count for 40 percent of the minimum lot size required.
- [4] Refer to Chapter 155, Subdivision of Land, Article IV for the minimum lot size for a major Subdivision. In an R-40 district, any major subdivision must follow the procedures for an Open Space Subdivision (OSS). [Amended 1-22-2003 by Ord. No. 35]
- [5] Use is allowed as a commercial component to an Open Space Subdivision. (See 155.22 section 7). [Added 1-22-2003 by Ord. No. 35]
- [6] Any dwelling unit existing on or before May 27, 1964, may be converted, provided that the lot shall contain at least four thousand (4,000) square feet per dwelling unit and a minimum floor area of five hundred (500) square feet per dwelling unit.
- [7] Use is not allowed as a commercial component to an Open Space Subdivision. (See 155.22 section 7). [Added 1-22-2003 by Ord. No. 35]
- [8] Use is allowed when included within an Open Space Subdivision with commercial components. (See 155.22 section 7). [Added 1-22-2003 by Ord. No. 35]
- [9] FARM ANIMALS permitted, provided that the tract upon which such animals are kept shall support a minimum land area of one hundred thousand (100,000) square feet. In no instance shall the shelters used to contain said animals be closer than one hundred (100) feet from any property boundary.
- [10] Use is allowed on the portion of the lot that is behind the principal structure, provided the following standards are met: Chickens: No more than six (6) chickens and no roosters, with three (3) square feet of chicken coop and twenty (20) square feet of a fenced enclosure yard per chicken; all coops and enclosures shall be twenty (20) feet from any property line. Sheep or goats: one animal per 10,000 square feet of lot area, with a maximum of six (6) animals; ten (10) square feet of shelter and thirty (30) square feet of a fenced enclosure yard per animal; all shelters and enclosures shall be thirty (30) feet from any property line. [Amended 12-08-10 by Ord. No. 2010-10.27-13]
- [11] Permitted only if operated as a customary home occupation (Refer to definition in 170-6B)
- [12] Veterinary Office, Animal Hospital uses are allowed as a commercial component to an Open Space Subdivision. (See 155.22 section 7) . [Added 1-22-2003 by Ord. No. 35]. Shelters and runs used to house and/or contain animals shall be no closer than one hundred (100) feet from any property line and must support a minimum tract size of one hundred thousand (100,000) square feet. [Amended 8-1-90 by Ord. 8-90]

provisions stated below:

- A. In the R-40 District in areas not serviced by City water and sewer utilities at a density of one unit per 10,000 sq. ft. of land; in the R-40 District in areas serviced by City water and sewer utilities at a density of one unit per 7,500 sq. ft. of land;
- B. Provided that parking and service areas are screened from abutting residential uses.

### CONTINUING CARE COMMUNITY FACILITY:

- A. The facility shall be serviced by municipal sewer.
- B. The density per unit requirement is 7,500 square feet of lot area in the R-40 District.
- C. Parking lots and service areas are screened from abutting residential uses.
- D. The facility shall obtain a license from the State of New Hampshire.

**ELDERLY ASSISTED CARE HOME [Added 09-15-93 by Ord. No. 19-93]:** ELDERLY ASSISTED CARE HOME is allowed by Special Exception in accordance with the densities and provisions stated below:

- A. ELDERLY ASSISTED CARE HOMES larger than 6 bedrooms shall meet the following density requirements: In the R-40 District in areas not serviced by City water and sewer utilities at a density of one bedroom per 10,000 sq. ft. of land; in the R-40 District in areas serviced by City water and sewer utilities at a density of one bedroom per 7,500 sq. ft.
- B. Provided that parking and service areas are screened from abutting residential uses.
- C. Notwithstanding the above requirements, the maximum number of bedrooms and residents allowed in a facility may be increased provided the increase is found not to be detrimental to the surrounding properties and conforms with parking standards in Chapter 170-44 (Off Street Parking). Furthermore, any increase to an existing structure must be contained within or contiguous to the original structure. [Added 01-22-03 by Ord. No. 35-02]

**Helicopter Take offs and Landings:** Helicopter take offs and landings are allowed as a special exception subject to the following conditions:

- A. There shall be a distance of one thousand (1,000) feet between any existing residential structure and any proposed helicopter landing pad.
- B. Except in the case of an emergency, no helicopter take offs or landings shall occur between the hours of 9:00 p.m. and 7:00 a.m.
- C. The facility shall be accessory to the principal use located on the lot.
- D. All facilities shall be located and designed so that the operation thereof will not adversely affect adjacent residential areas, particularly with respect to noise levels.
- E. The conditions for granting a Special Exception, contained in Chapter 170-52-C(3), must also be satisfied

**JUNKYARD:** A JUNKYARD may only be permitted upon the determination that the property values of land adjacent to such use will not be compromised. Conditions may include but not be limited to the provision of adequate and properly maintained screening around land so used.

**MANUFACTURED HOUSING Parks:** MANUFACTURED HOUSING parks shall be subject to the following regulations:

- A. The proposed park must conform to the Manufactured Home Chapter of the Code (Ch. 126, Manufactured Home Parks)
- B. All plans for the proposed park must have been granted preliminary approval from the Dover Planning Board.
- C. A determination by the Zoning Board of Adjustment that the proposed MANUFACTURED HOUSING will not adversely affect overall land values in the neighborhood.
- D. A determination by the Zoning Board of Adjustment that the proposed MANUFACTURED HOUSING will not result in the creation of hazardous traffic conditions.

**NURSING HOME [Added 09-15-93 by Ord. No. 19-93]:** NURSING HOME is allowed as a Special Exception in accordance with the density and provisions stated below:

- A. In the R-40 District in areas not serviced by City water and sewer utilities at a density of one bedroom per 10,000 sq. ft. of land; in the R-40 District in areas serviced by City water and sewer utilities at a density of one bedroom per 7,500 sq. ft. of land;
- B. Provided that parking and service areas are screened from abutting residential uses.

## Special Exception Criteria

### ASSISTED LIVING FACILITY:

- A. The facility shall be serviced by municipal sewer.
- B. The density per unit requirement is 7,500 sf of lot area in the R-40 District.
- C. Parking lots and service areas are screened from abutting residential uses.
- D. The facility shall obtain a license from the State of New Hampshire.

**CONGREGATE CARE FACILITY [Added 09-15-93 by Ord. No. 19-93]:** CONGREGATE CARE FACILITY is allowed as a Special Exception in accordance with the density and

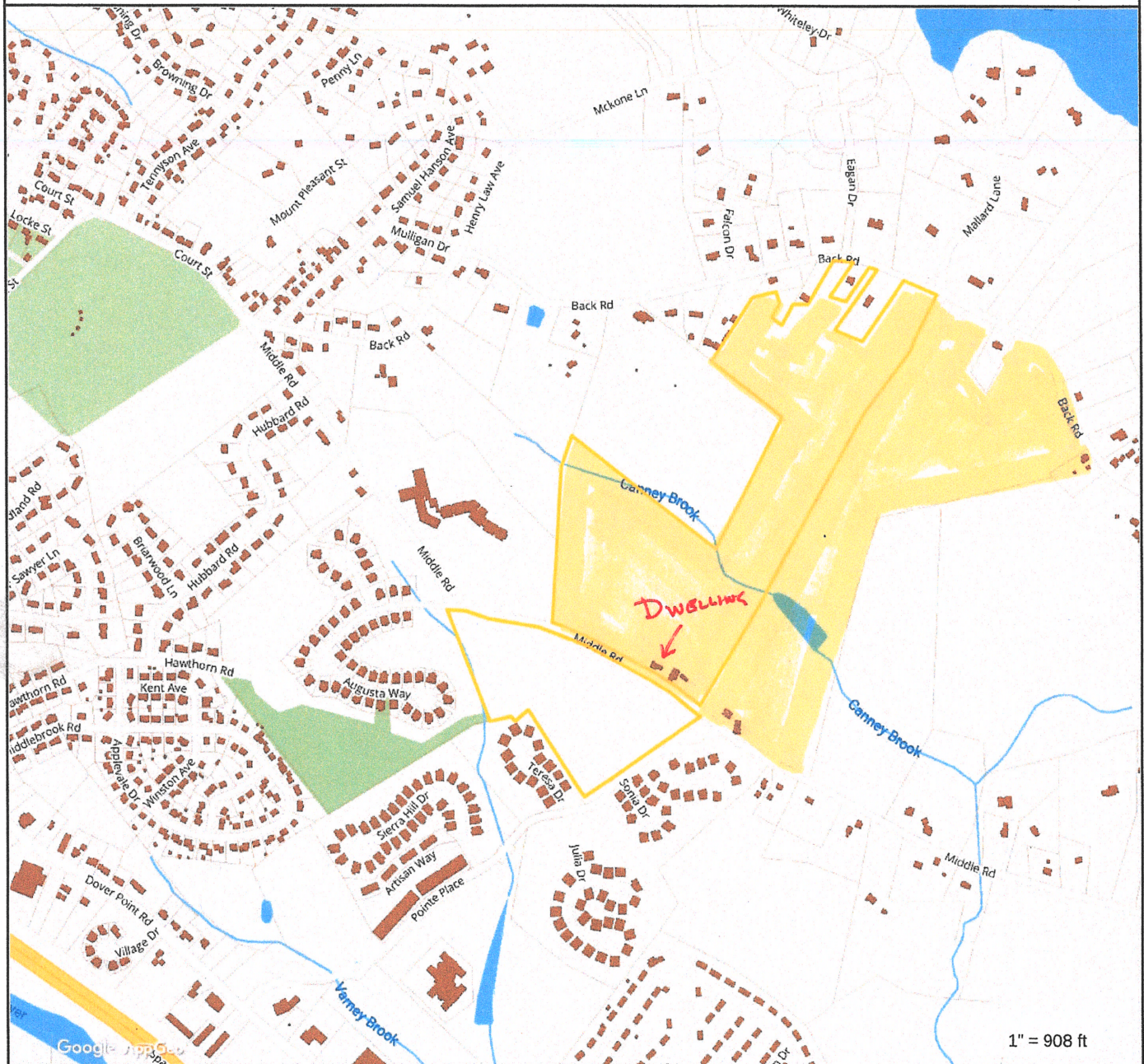








## Canney Brook II



1" = 908 ft

## Property Information

Property ID K0006-000000  
Location 105 MIDDLE RD  
Owner CANNEY BROOK ENGINEERING AND CONSULTING  
Land Use 101

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.

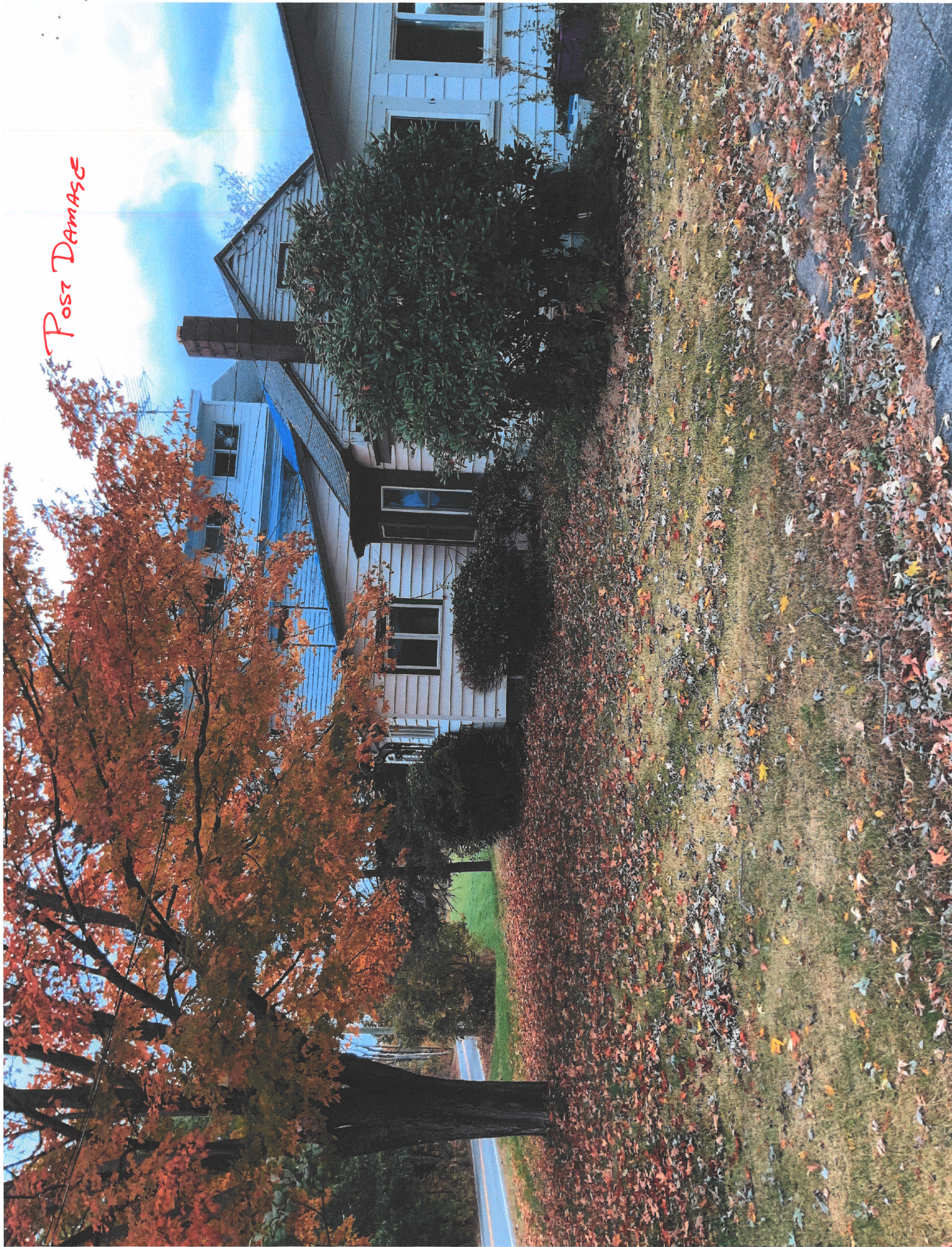
Geometry updated 10/18/2019  
Data updated Daily







Post Damage







Close To Middle Road



From North Side Thorwood Lane - Tides Lanes  
towards Dwelling



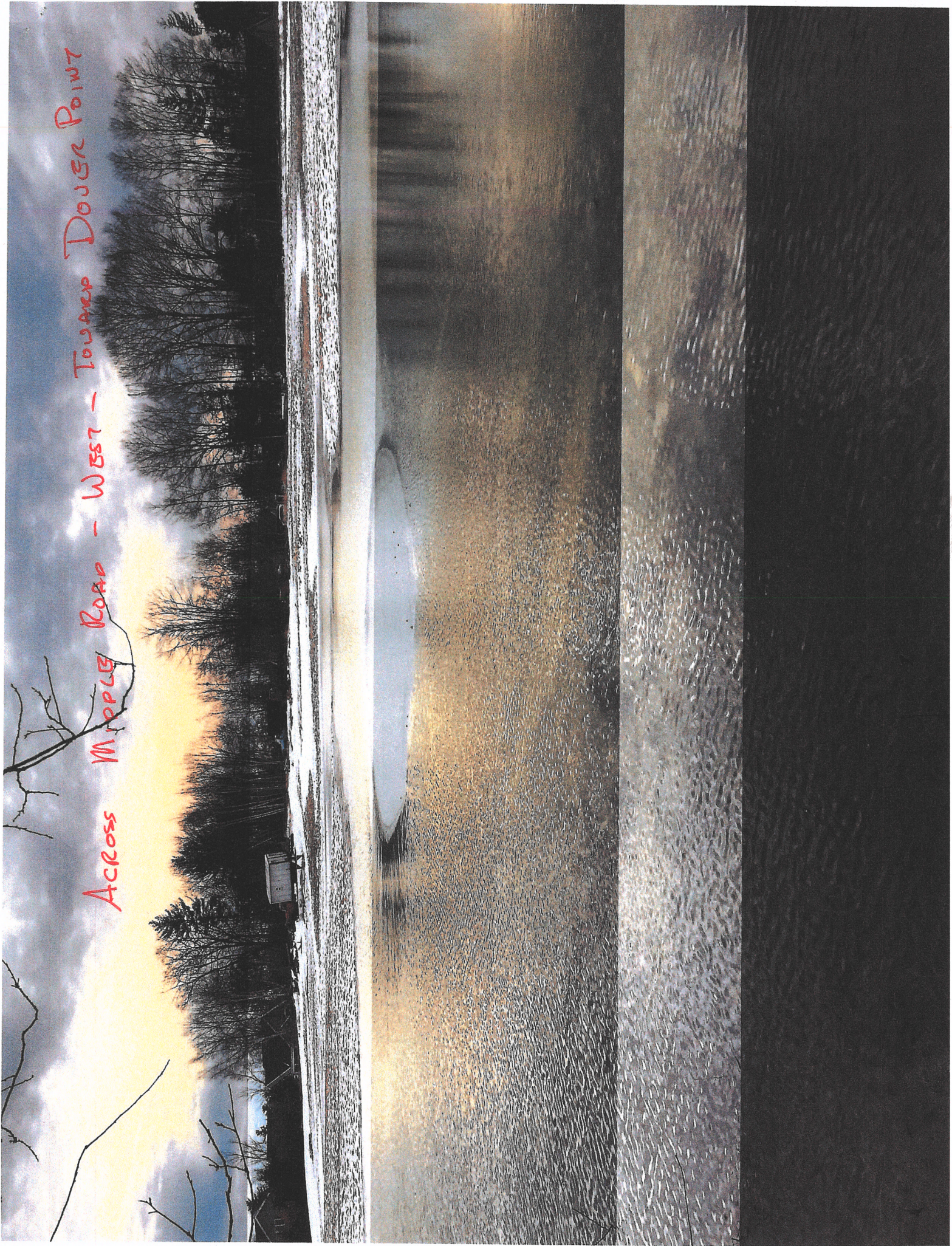


Across Middle Road - South - West  
Toward Thornwood Lane



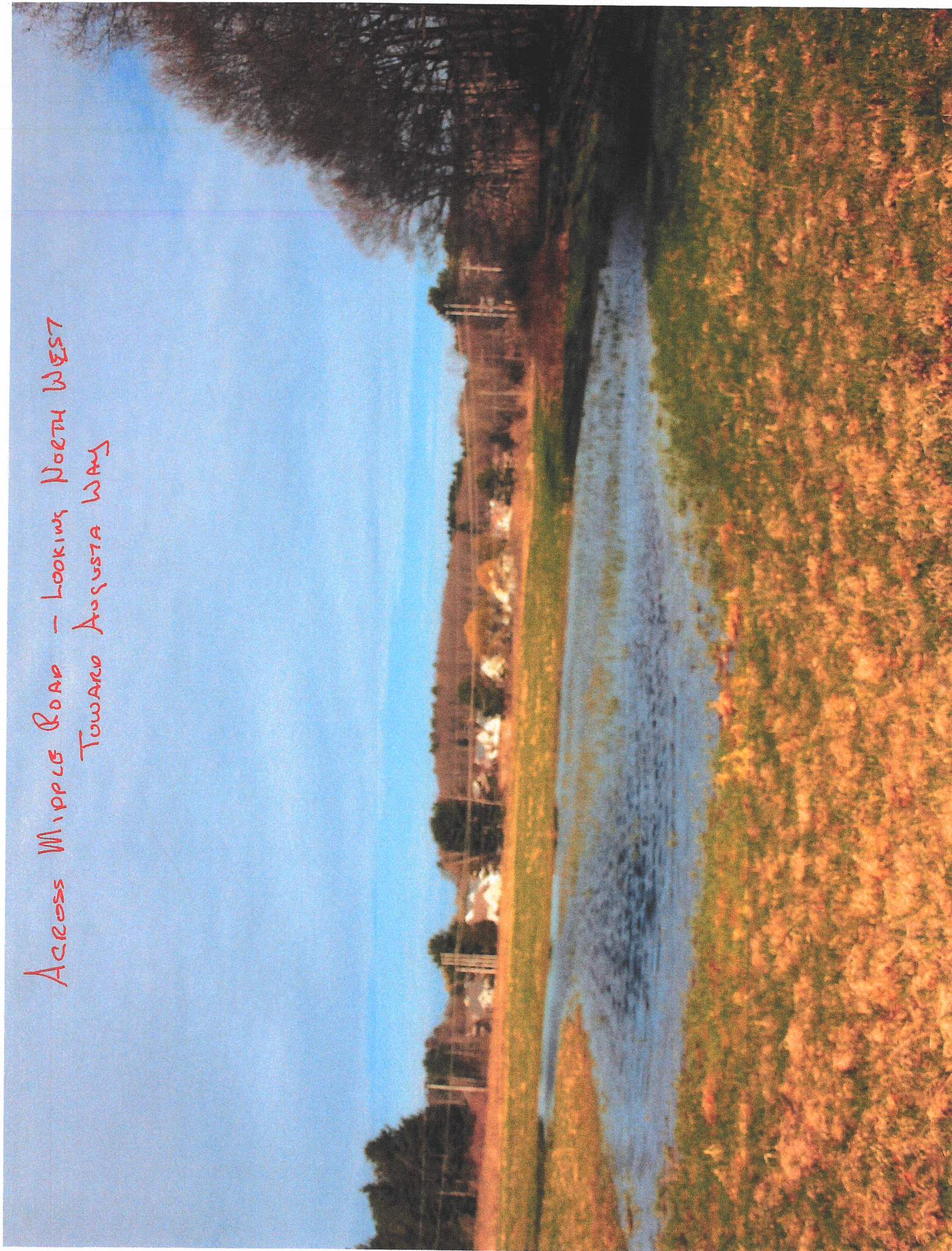


Across Maple Road - West - Toward Dover Point





Across Mipple Road - Looking North West  
Toward Augusta Way





From Dwellings  
Looking North





TAX MAP N LOT 208  
JOHN & PATRICIA FLYNN, TRUSTEES  
JOHN FLYNN & PATRICIA FLYNN  
LIV REV TRUSTS  
818 CENTRAL AVENUE  
DOVER, NH 03820  
V. 3425 P. 880

TAX MAP M LOT 2  
ANN T. & R. CRAIG WILLIAMS  
154 MIDDLE ROAD  
DOVER, NH 03820  
V. 3665 P. 6

TAX MAP N LOT 20C  
USA R. & FRANK X. PAMPREEN  
202 BACK ROAD  
DOVER, NH 03820  
V. 2582 P. 125

MALLARD  
LANE

BACK ROAD  
VARIABLE WIDTH, R.O.W.  
NO LAYOUT FOUND, BELIEVED TO  
BE A PUBLIC HIGHWAY BY  
PRESCRIPTION.

TAX MAP N LOT 19C  
THOMAS J. & SUZANNE M. VITTO  
186 BACK ROAD  
DOVER, NH 03820  
V. 2213 P. 771

ADDITIONAL ABUTTERS  
TAX MAP K LOT 6C  
STEVEN M. &  
DEBORAH A. BOURQUE  
147 BACK ROAD  
DOVER, NH 03820  
V. 2345 V. 295  
TAX MAP K LOT 6D  
BEATRICE M. &  
REGINALD H. FOGG  
143 BACK ROAD  
DOVER, NH 03820  
V. 780 V. 187

TAX MAP N LOT 19B  
RICARDO ANTONIA SANTANA  
SALLY SUAREZ ALVAREZ  
180 BACK ROAD  
DOVER, NH 03820  
V. 4545 P. 120

TAX MAP N LOT 19A  
ELANE M. & FRANK K. THURSTON  
174 BACK ROAD  
DOVER, NH 03820  
V. 812 P. 165

TAX MAP K LOT 6E  
MICHAEL D. VACCARELLO  
& MARIA A. NELSON  
53 BACK ROAD  
DOVER, NH 03820  
V. 4236 P. 974

TAX MAP K LOT 6F  
NORMAN J. JR. &  
SHARON J. HOULE  
137 BACK ROAD  
DOVER, NH 03820  
V. 3853 V. 370

TAX MAP K LOT 7A  
MICHAEL B. ROULEAU  
131 BACK ROAD  
DOVER, NH 03820  
V. 3526 V. 610

TRACT 6 OF  
V. 3837 P. 255  
40 ACS. BY DEED  
REMANANT AREA  
988,282 S.F.±  
22,287 ACS±  
(INCLUDING AREAS  
OCCUPIED BY THE OWNER  
OF LOT 6D - SEE INSET "A")

TRACT 7 OF  
V. 3837 P. 255  
5.5 ACS. BY DEED

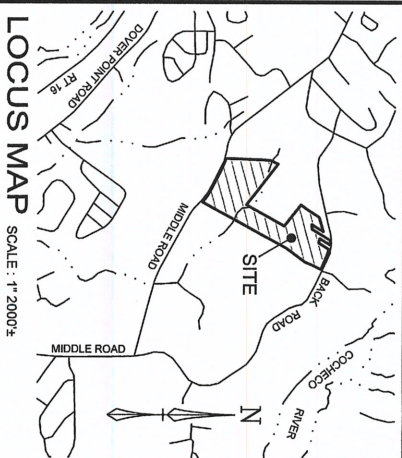
TAX MAP K LOT 6A  
BROADCAST LANE, LLC  
126 DANIEL STREET  
PORTSMOUTH, NH 03801  
V. 4419 P. 927

P/O TAX MAP K LOT 6  
2,202,691 S.F.±  
50,5668 ACRES±

TRACT 1 OF  
V. 3837 P. 255  
20 ACS. BY DEED  
REMANANT AREA  
771,980 S.F.±  
17,722 ACS±

CANNEY  
BROOK  
(APPROX.)

MATCH LINE



NOTES:

- 1) THE SUBJECT PARCEL IS KNOWN AS A PART OF LOT 6 ON THE CITY OF DOVER TAX MAP K. THE OWNERS OF RECORD ARE R. CRAIG WILLIAMS AND ANN T. WILLIAMS OF 154 MIDDLE ROAD DOVER, NEW HAMPSHIRE 03820. SEE SCRD V. 4401 P. 242, 245, 254, 257 & 280.
- 2) THE PRECEDING DEED CONVEYING THESE PARCELS IS V. 3837 P. 255, HELEN F. PRESTON TO HELEN F. PRESTON, TRUSTEE OF THE HELEN F. PRESTON REVOCABLE TRUST HELEN F. PRESTON PASSED AWAY MAY 4, 2015. HER SUCCESSOR TRUSTEE WAS GARY V. PRESTON WHO GRANTED THE 8 PARCELS OF THE PRECEDING DEED AS FOLLOWS:  
V. 4401 P. 242 - TRACT 1 TO R. CRAIG WILLIAMS  
V. 4401 P. 246 - TRACT 2 TO R. CRAIG WILLIAMS AND ANN T. WILLIAMS  
V. 4401 P. 254 - TRACT 3 TO R. CRAIG WILLIAMS  
V. 4401 P. 257 - TRACT 6 TO R. CRAIG WILLIAMS  
V. 4401 P. 260 - TRACT 7 TO ANN T. WILLIAMS  
SEE THE PLAN VIEW FOR THE APPROXIMATE LOCATION OF THESE TRACTS.  
NOTE: GARY V. PRESTON, TRUSTEE CONVEYED HIMSELF A PERSONAL LIFE ESTATE IN V. 4401 P. 242 LISTED ABOVE.
- 3) THE SUBJECT PARCEL IS ZONED R-40. MINIMUM LOT SIZE IS 40,000 SQ. FT., MINIMUM LOT FRONTAGE = 150'. SETBACKS ARE AS FOLLOWS: FRONT = 40', SIDE = 25' AND REAR = 30'. THE SETBACKS SHOWN ARE FOR REFERENCE ONLY, AND NEED TO BE VERIFIED WITH THE ZONING COMPLIANCE OFFICER.
- 4) THIS PLAN IS THE RESULT OF AN ACTUAL FIELD SURVEY PERFORMED BY THIS OFFICE IN NOVEMBER & DECEMBER OF 2011, JANUARY OF 2012, AND JUNE AND JULY OF 2016. I, JOSEPH M. WICHERT, NHLS #783, CERTIFY THAT THE WORK WAS PREPARED BY ME OR THOSE UNDER MY DIRECT SUPERVISION.
- 5) THE INTENT OF THIS PLAN IS TO SHOW THE BOUNDARY LINES OF THE SUBJECT PARCELS.
- 6) THE HORIZONTAL DATUM OF THIS PLAN IS NAD83 1983/96. THE VERTICAL DATUM IS NAVD-1988. BOTH WERE ESTABLISHED ON SITE USING ON SITE STATIC GPS OBSERVATIONS PERFORMED BY THIS OFFICE.
- 7) THE LOCATION OF UTILITIES SHOWN ON THIS PLAN ARE BASED ON THE LOCATION OF VISIBLE ABOVE GROUND FEATURES ONLY, AND PLANS OF RECORD ON FILE WITH THE CITY OF CONCORD. THE CONTRACTOR NEEDS TO FIELD VERIFY ALL UTILITIES PRIOR TO ANY CONSTRUCTION. THIS OFFICE DOES NOT GUARANTEE THE LOCATION AND ACCURACY OF THE UTILITY DATA. DIG SAFE SHALL BE CONTACTED 72 HOURS PRIOR TO COMMENCING ANY CONSTRUCTION (811).



RECEIVED  
Planning Office  
OCT 2 3 2019  
Dover, New Hampshire

BOUNDARY SURVEY PLAN FOR  
R. CRAIG WILLIAMS &  
ANN T. WILLIAMS  
TAX MAP K LOT 6  
130 MIDDLE ROAD & BACK ROAD  
DOVER, NEW HAMPSHIRE  
DATE: AUGUST 9, 2017  
SCALE: 1" = 100'

SURVEY PLAN BY:

802 AMHERST STREET  
MANCHESTER, NH 03104  
TEL: (603) 647-4282 OR 736-8203  
FAX: (603) 623-1910  
WEB: WWW.JMWILLS.COM

Joseph M. Wichert  
LLS, INC.

LAND SURVEYOR & SEPTIC SYSTEM DESIGNER

SHEET S1 SHEET 1 OF 2 F.B. 579 P. 2 JOB #2011148 2017

SYMBOL LEGEND

- IRON PIPE FOUND
- IRON ROD FOUND
- CONC OR GRAN BOUND
- DRILL HOLE
- ANGLE IRON
- UTILITY POLE
- × WATER VALVE
- ⊕ HYDRANT
- ⊕ SEWER MANHOLE
- ⊕ CONIFER TREE W/WIRE
- ⊕ DECIDUOUS TREE W/WIRE
- ⊕ FENCE POST
- ⊕ STONE WALL
- ⊕ WIRE FENCE
- ⊕ WIRE FENCE ON GROUND
- ⊕ STUMP W/WIRE

I CERTIFY THAT THIS PLAN IS THE RESULT OF AN ACTUAL FIELD SURVEY MADE WITH A TOPCON GPT 3103W. THE ERROR OF CLOSURE ON ALL LOT LINES WITHIN AND BORDERING THE SUBJECT PROPERTY IS BETTER THAN 1 IN 10,000.

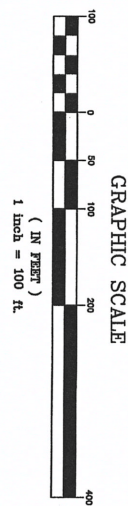
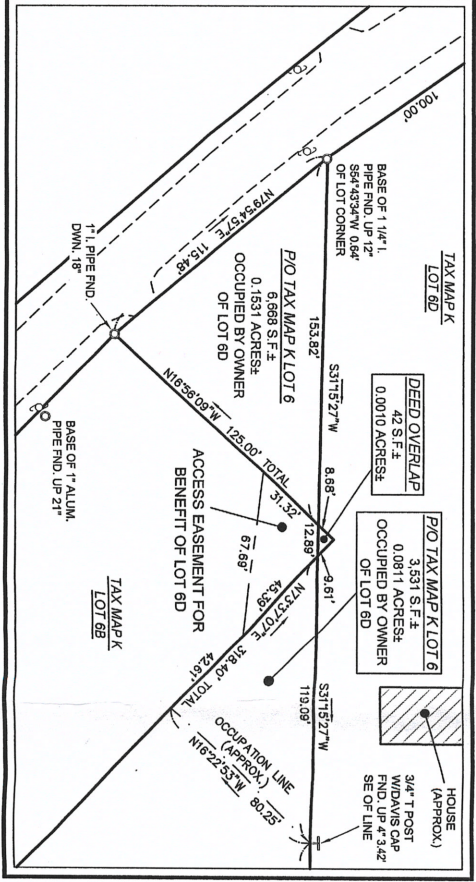
I CERTIFY THAT THIS SURVEY PLAN IS NOT A SUBDIVISION PURSUANT TO THIS TITLE AND THAT THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW WAYS ARE SHOWN.

I HEREBY CERTIFY THAT A COPY OF THIS PLAN HAS BEEN FILED WITH THE DOVER PLANNING BOARD IN ACCORDANCE WITH RSA 676:18(IV).

PREPARED BY  
JOSEPH M. WICHERT  
NOT FOR CONSTRUCTION

DATE

INSET "A"  
SCALE: 1" = 40'



| NO. | DATE   | ADD TRACT REMANANT DIMS & AREAS | BY  |
|-----|--------|---------------------------------|-----|
| 1   | 9/4/19 | ADD TRACT REMANANT DIMS & AREAS | SNK |

COPYRIGHT 2017 JOSEPH M. WICHERT, L.L.S., INC.



PLAN REFERENCES:

- 1.) SUBDIVISION PLAN FOR JONATHAN & JOYCE CHERRY AND ROBERT & JOANN ROULEAU, BACK ROAD, DOVER, N.H. LAST REVISED 4/28/99, PREPARED BY TRITECH ENGINEERING COMPANY, SCRD PLAN 56-5.
- 2.) RIGHT OF WAY PLAN OF MIDDLE ROAD & HAWTHORN ROAD FOR FREETRADE, INC., DOVER, N.H. LAST REVISED 9/4/90, PREPARED BY MEENEANEY SURVEY ASSOCIATES, SCRD PLAN 38A-72.
- 3.) MEADOWWOOD AT DOVER, AN ALTERNATIVE DESIGN SUBDIVISION, TAX MAP K, LOTS 48 AND 49A, MIDDLE ROAD, DOVER, STRAFFORD COUNTY, NEW HAMPSHIRE, LAST REVISED 3/29/00, PREPARED BY MEENEANEY SURVEY ASSOCIATES, SCRD PLAN 56-35, 36 & 37.
- 4.) PLAN OF LAND FOR LANGDON PLACE OF DOVER, MIDDLE ROAD, DOVER, N.H. DATED MAR. 1986, PREPARED BY NORWAY PLANS ASSOCIATES, INC., SCRD PLAN 47-48.
- 5.) BOUNDARY LINE ADJUSTMENT FOR CHANGING PLACES, LLC. & PRESTON FAMILY TRUST, MIDDLE ROAD AND THORNWOOD LANE, DOVER, N.H. LAST REVISED 6/28/13, PREPARED BY TRITECH ENGINEERING, SCRD PLAN 105-92.
- 6.) CONDOMINIUM SITE PLAN FOR PRESTON PLACE CONDOMINIUM, TERESA DRIVE & THORNWOOD LANE, DOVER, N.H. DATED 10/7/2013, PREPARED BY TRITECH ENGINEERING, SCRD PLAN 106-24.
- 7.) BOUNDARY LINE ADJUSTMENT PLAN, ELLIOTT ROSE COMPANY OF DOVER INC. & THORNWOOD HOLDINGS, LLC, DOVER POINT ROAD AND MIDDLE ROAD, DOVER, NEW HAMPSHIRE, LAST REVISED 3/6/07, PREPARED BY TRITECH ENGINEERING CORPORATION, SCRD PLAN 89-100.
- 8.) CONSERVATION EASEMENT PLAN, ELLIOTT ROSE COMPANY OF DOVER INC., DOVER POINT ROAD, MIDDLE ROAD AND THORNWOOD LANE, DOVER, NEW HAMPSHIRE, DATED JUNE 30, 2008, PREPARED BY TRITECH ENGINEERING CORPORATION, SCRD PLAN 94-096.
- 9.) LOT LINE ADJUSTMENT PLAN OF LAND FOR CLIPPER HOME AFFILIATES, MIDDLE ROAD AND BACK ROAD, DOVER, N.H. DATED 8/28/07, PREPARED BY CIVILWORKS ENGINEERS & SURVEYORS, SCRD PLAN 31A-124.
- 10.) PLAN OF LAND FOR CLIPPER HOME AFFILIATES, MIDDLE ROAD AND BACK ROAD, DOVER, N.H. DATED 5/9/87, PREPARED BY CIVILWORKS ENGINEERS AND SURVEYORS, SCRD PLAN 31-50.
- 11.) PLAN OF SUBDIVISION FOR CHRISTINE A. EVANS BURBY, BACK ROAD, DOVER, N.H. LAST REVISED 4/15/81, PREPARED BY K.E. MOORE & B.G. STAPLES LAND SURVEYORS, SCRD PLAN 23A-56.
- 12.) NORTHEAST UTILITIES TRANSMISSION LINE PLAN, MADBURY SS, COACHEO STREET SS, 118KV TRANSMISSION LINE MILE 6 M183, DATED 7/10, LAST REVISED 12/10 BY NORTHEAST UTILITIES, ON FILE AT EVERSOURCE.
- 13.) R.O.W. GRANITE STATE TRANSMISSION INC., SHEETS 1 & 2, DATED 1986, PREPARED BY GEORGE C. BENJAMIN, ON FILE AT T.F. MORAN, INC.

SYMBOL LEGEND

- IRON PIPE FOUND
- IRON ROD FOUND
- CONC OR GRAN BOUND
- DRILL HOLE
- ▲ ANGLE IRON
- UTILITY POLE
- W WATER VALVE
- W HYDRANT
- SEWER MANHOLE
- CONIFER TREE W/WIRE
- DECIDUOUS TREE W/WIRE
- FENCE POST
- STONE WALL
- WIRE FENCE
- WIRE FENCE ON GROUND
- STUMP W/WIRE

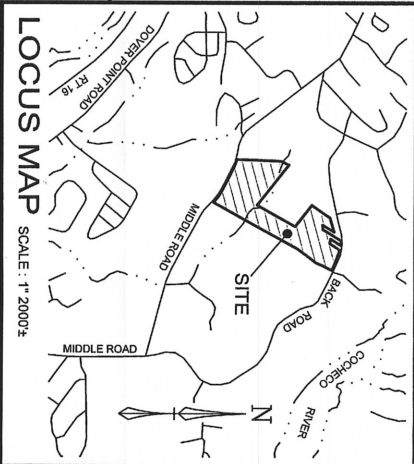
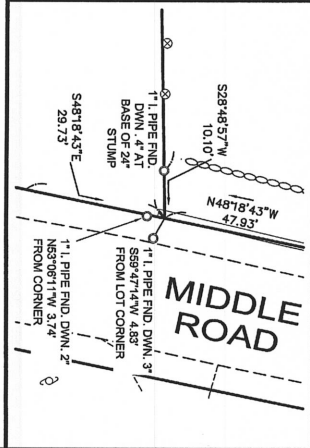
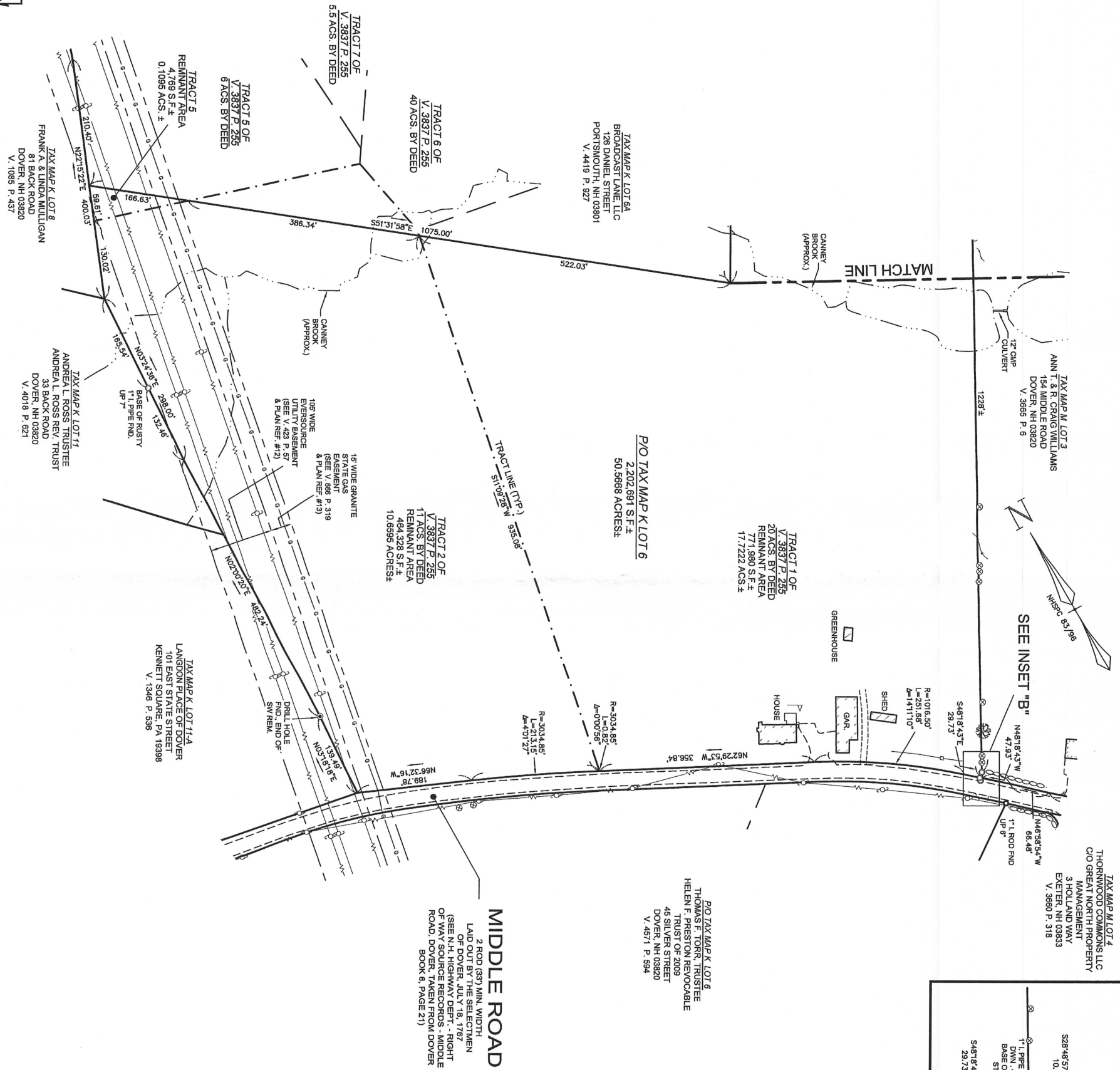
I CERTIFY THAT THIS PLAN IS THE RESULT OF AN ACTUAL FIELD SURVEY MADE WITH A TOPCON GPT 3103W, THE ERROR OF CLOSURE ON ALL LOT LINES WITHIN AND BORDERING THE SUBJECT PROPERTY IS BETTER THAN 1 IN 10,000.

I CERTIFY THAT THIS SURVEY PLAN IS NOT A SUBDIVISION PURSUANT TO THIS TITLE AND THAT THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW WAYS ARE SHOWN.

I HEREBY CERTIFY THAT A COPY OF THIS PLAN HAS BEEN FILED WITH THE DOVER PLANNING BOARD IN ACCORDANCE WITH RSA 676:18(IV).

DATE

PREPARED BY  
JOSEPH M. WICHERT  
NOT FOR CONSTRUCTION



| NO. | DATE   | ADD TRACT REMNANT DIM'S & AREAS | BY  |
|-----|--------|---------------------------------|-----|
| 1   | 9/4/19 | ADD TRACT REMNANT DIM'S & AREAS | SNK |

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BOUNDARY SURVEY PLAN FOR  
R. CRAIG WILLIAMS &  
ANN T. WILLIAMS  
TAX MAP K LOT 6  
130 MIDDLE ROAD & BACK ROAD  
DOVER, NEW HAMPSHIRE

DATE: AUGUST 9, 2017

SCALE: 1" = 100'

SURVEY PLAN BY:

802 AMHERST STREET  
MANCHESTER, NH 03104  
TEL: (603) 647-4282 OR 736-8203  
FAX: (603) 623-1910  
WEB: WWW.JMWLLS.COM

Joseph M. Wichert  
LLS, INC.

LAND SURVEYOR & SEPTIC SYSTEM DESIGNER

SHEET S2 SHEET 2 OF 2

F.B. 579 P. 2 JOB #2011148 2017