

**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Posted: March 12, 2024

Ordinance Title: Land Subdivision Regulations Amendments  
Chapter: 157

1. Chapter 157 of the Code of the City of Dover, entitled Site Plan Review, is hereby amended by revising Section 60, "Definitions."

### "TECHNICAL REVIEW COMMITTEE

Shall be comprised of the Planning Board Chair, City Engineer, Fire and Rescue Chief, Police Chief, Building Official, Zoning Administrator, ~~Economic-Business~~ Development Director and Director of Planning and Community Development, who shall serve as Chair. All Committee members shall have a designated alternate available in their absence."

[Amended 7-27-2021]



CITY OF DOVER

## DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting  
Meeting Location: Council Chambers, City Hall, 288 Central Ave, Dover, NH.  
Meeting Date: **Tuesday, April 9, 2024**  
Meeting Time: **7:00 pm**

**Members Present:** Mark Speidel (Vice Chair), Kyle Pimental, Fergus Cullen (Councilor), Ken Mavrogeorge, Tom Clark, Jeff Sanborn (Alternate)

**Members Not Present (excused):** Gina Cruikshank (Chair), Jon Elliard, George DeBoer, Erinn Kaspari, Melina Gambino (Alternate)

**Members Not Present (un-excused):** None

**Staff Present:** Donna Benton, Director of Planning and Community Development and Dave Carpenter, Community Development Planner

M. Speidel called the meeting to order at 7 p.m and noted he would be chairing, K. Pimental would be Vice Chairing, and J. Sanborn would sit for E. Kaspari.

### 1. CITIZENS' FORUM

*Citizens Forum Open*

No one spoke

*Citizens Forum Closed*

### 2. APPROVAL OF THE PRIOR MINUTES

- March 12, 2024 Regular Meeting Minutes

**Motion** T. Clark moved to approve the regular meeting minutes of March 12, 2024 as submitted. Seconded by: J. Sanborn. Vote: U/A

### 3. OLD BUSINESS

A. Consideration and possible vote on the proposed Amendments regarding the make-up the Technical Review Committee, Chapter 153-6 (Site Plan Regulations). The full text of the amendments is available in the Planning Department & at [City of Dover, NH - Official Website](#) located under meeting materials and on the Planning Department page\*.

B. Consideration and possible vote on the proposed Amendments regarding the Technical Review Committee definition, Chapter 157-60 (Subdivision Regulations). The full text of the amendments is available in the Planning Department & at [City of Dover, NH - Official Website](#) located under meeting materials and on the Planning Department page\*.

**Motion** T. Clark moved to remove the item from the table. Seconded by: J. Sanborn. Vote: U/A

F. Cullen arrived at this time.

D. Benton explained the reason for the proposed amendments, procedures and next steps, and itemized each proposed change for the board.

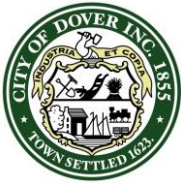
*Public hearing opened.*

No one spoke

*Public hearing closed.*

**Motion:** T. Clark moved to approve the proposed Amendments in Item A as presented regarding the make-up of the TRC. Seconded by: K. Mavrogeorge. Vote: U/A

**Motion:** T. Clark moved to approve the proposed Amendments in Item B as presented regarding the definition of the TRC. Seconded by: K. Mavrogeorge. Vote: U/A



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### 4. NEW BUSINESS

- A. Consideration and acceptance of an Amendment for Dover Housing Authority, Assessor's Map 33, Lot 1-A, zoned RM-U, located at 48 Whittier Street. (Proposal is to extend the building 8' towards Whittier Street and amend the architecture design). \*(WAIV-2024-0003)

D. Benton explained that the Board previously approved the applicant's proposal for a six-unit multi-family housing structure that includes four TDR units. The applicant now seeks to obtain an amendment to their approved site plan to reduce the front building setback to 10 feet, from the approved 18 feet, in order to extend the building 8 feet towards Whittier Street. This request is to support an increased footprint of the building from 1,768 square feet to 1,976 square feet, change the architecture and some minor site design changes.

The previous approval included a waiver granted for the 30' no-cut, no-disturb buffer which still applies. The applicant is seeking a waiver for aisle width to be 20', instead of 24', as required in Section 153-14.D(6)(b).

Christopher Berry, Berry Surveying and Engineering, represented the application noting the application was approved in 2022. The building style has changed- gotten longer- therefore the request to be closer to the roadway; some architectural features have been removed and some added; the color has changed, but the style is still the same general style as approved. The 20' aisle way was always part of the proposal, but recently realized a waiver is required for that.

**Motion:** T. Clark moved to accept the application and declared no regional impact. Seconded by: F. Cullen.  
Vote: U/A

*Public hearing opened.*

No one spoke

*Public hearing closed.*

Ryan Crosby, Executive Director of the Dover Housing Authority noted there are specific criteria to meet for funding which is why they had to increase the size of the units minimally and adjust the total building size. Funding is coming from the NH Housing Supportive Housing Initiative. This project is specifically for permanent housing for survivors of domestic violence in partnership with Haven.

#### **STAFF RECOMMENDATION - Waivers:**

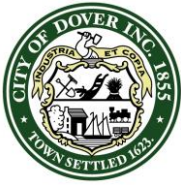
The applicant is requesting the Board grant the following waiver:

- Waiver from parking aisle width 153-14.D(6)(b)

§153-21 of the Site Plan Review Regulations states the "Planning Board may waive specific provisions of these regulations. The Planning Board may only grant a waiver if the Planning Board finds, by majority vote, that:

- (1) Strict conformity would pose an unnecessary hardship to the applicant and the waiver would not be contrary to the spirit and intent of the regulations; or
- (2) Specific circumstances relative to the subdivision, or conditions of the land in such site plan, indicate that the waiver will properly carry out the spirit and intent of the regulations."

Planning Staff finds the waiver requests for parking aisle width reasonable to reduce impervious surface and criterion 2 has been met.



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The Planning Department recommends the Planning Board vote to approve the waiver.

**Motion:** T. Clark moved grant the waiver and found the criteria of §153.21 have been met. Seconded by: F. Cullen  
Vote: U/A

### STAFF RECOMMENDATION – Site Plan:

Chapter 153-4 of the Site Review Regulations of the City Code provides for site review by the Planning Board of new construction of various types. This plan is consistent with those regulations.

The Planning Department recommends the Planning Board make findings and vote to approve the Site Plan with the following subsequent conditions as the plans meet the standards outlined:

### Subsequent Condition to Be Met Prior to Signing of Plans:

1. Revise plan to:
  - a. Combine architectural plan set with civil plan set.
  - b. Add owner’s signature
  - c. Add architect stamp and signature to Architectural Plan Set.
  - d. Update streetscape to correct curbing and provide for accessibility, add crosswalk, trees, mail kiosk, etc. to match plan

### Conditions to Be Met Prior to Building Permit:

2. Payment of the water/sewer fees at time or request of service.
3. Development agreement has been recorded.
4. Construction sign with hours of operation has been installed to the satisfaction of the City Engineer and Planning Director.

### Conditions to Be Met Prior to Occupancy:

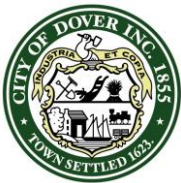
5. Issuance of Certificate of Occupancy.
6. Payment of Impact Fees as noted in the invoice attached to the Decision Letter, unless a decision is made to pause impact fees.
7. Surety or other form of security acceptable to the City is provide for any unfinished work.

**Motion:** T. Clark moved to approve the site plan with subsequent conditions and found the application to meet the required land use regulations. Seconded by: K. Mavrogeorge.

K. Pimental asked if the reason for the crosswalk to safely cross to the community trail. C. Berry explained the crosswalk isn’t changing, staff is asking for the streetscape to be updated to show all of those elements.  
Vote: U/A

- B. A Public Hearing for the purpose of receiving public input regarding the City’s CDBG program, the development of a new CDBG Consolidated Plan, and issues, needs and opportunities related to, but not limited to, efforts to Affirmatively Further Fair Housing, Economic Development, Public Improvements, Housing, Supportive Services and Transportation. Information received will be used to help develop Dover’s FY26-30 Consolidated Plan. The Consolidated Plan serves as the guiding document for identifying priority issues to be addressed through annual CDBG funding. \*

D. Carpenter explained that the City of Dover must create and adopt a five-year Consolidated Plan in order to implement the Community Development Block Grant (CDBG) program. To begin the process of creating the FY26-30 Consolidated Plan, a Public Hearing is held to receive public input regarding issues to be



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considered for inclusion in the FY26-30 Consolidated Plan. There will be additional opportunities for the public to provide input throughout the year.

Board members asked clarifying questions and gave opinions on the topic including:

- K. Pimental: allocation of funds- more funds to less projects vs less funds to more groups
- K. Pimental: advocated for weatherization projects
- M. Speidel: ancillary funding that supports housing such as needs for sporting equipment for families
- K. Mavrogeorge: business development- are solutions for gaps in community development being sought

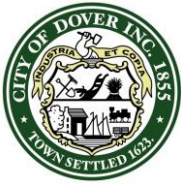
*Public hearing opened.*

No one spoke

*Public hearing closed.*

### 5. STAFF COMMENTS

- The Office of Planning and Development is holding their annual virtual conference on May 11. If anyone is interested in attending, let staff know.
- D. Benton shared information about the Conservation and Open Space Chapter update of the Master Plan as part of the First Five Minutes for Dover's Conservation and Open Space Priorities. The City, along with the project Steering Committee, is working with Resilience Planning & Design on the update. The purpose of this project is to ensure that the City's desire for conservation and open space lands is aligned with current environmental and community needs. The resulting chapter will then guide implementation efforts over the next decade along with the recently adopted Vision Chapter.
- Board Members are encouraged to share the webpage for the Master Plan update project on the City website, which features a feedback form, and to share and participate in the Natural Resource Inventory survey being conducted by SRPC.
- D. Benton shared that SRPC is also conducting a housing needs survey for Dover that Board Members are encouraged to participate in and share.
- TRCs since last meeting:
  - Site Review for Future Automation. LLC (Owners: DBIDA), Assessor's Map D, Lot 11-8, zoned IT, located at Quality Way. (Proposal is to construct a light manufacturing facility consisting of two buildings 24,000 s.f and 10,000 s.f, each with office space, and associated infrastructure.) (SITE-2024-0002)
  - Site Review for 17-19 Summer Street Properties, LLC, Assessor's Map 12, Lot 35-1, zoned HR, located at Locust Street. (Proposal is to build a 2,400 s.f. residential building consisting of (4) four, (2) two bedroom units, improved driveway access, parking, utilities and drainage improvements.) (SITE-2024-0003)
  - Amendment for Downtown Dover Storage, LLC, Assessor's Map 4, Lot 5, zoned CBD-G, located at 14 Broadway. (Proposal is to construct a 14,770 s.f. 4-story residential building with 38 units with revised covered parking and relocating internal staircase.) (WAIV-2024-0004)
  - Site Review for Stonefield Engineering & Design (Owners: Dover Retail Management, LLC & R W Realty Inc.), Assessor's Map 38, Lots 15-A and 15-B zoned Commercial, located at 1-3 Webb Place and Webb Place. (Proposal is for demolition of current building and constructing a 3,300-sf bank with a drive through ATM, (20) twenty parking spaces. One (1) related Conditional Use



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Permit application would also appear before the Planning Board. (SITE-2023-0011 & COND-2023-0054)

- TRCs coming up:
  - Conditional Use Permit for Granite State Gas Transmission, Unutil (Owners: Dover Point Cooperative, Inc), Assessor's Map M, Lot 47-C, zoned R-12, located at 1 Polly Ann Trailer Park. (Proposal is the replacement of gas pipe section that will cause 17,015 s.f of impacts to wetlands.) (COND-2024-0004)

### 6. MEMBER COMMENTS

- The Chair signed the following plans:
  - Lot Line Adjustment Porch Light Drive
  - Site Plan for new COAST facilities at 42 Sumner Dr.
  - Site Plan for VC Dover mixed-used development at 30 Grapevine Dr.
- The Chair will soon signed a Lot Merger form from 256-264 Central LLC.

### 7. ADJOURNMENT

**Motion:** K. Mavrogeorge moved to adjourn at 7:50pm. Seconded by K. Pimental. Vote: U/A