 CITY OF DOVER	CITY OF DOVER - ORDINANCE	
	Posted: XXXXXXXXXX	
	Ordinance Number:	O – yyyy.mm.dd -
	Ordinance Title:	Site Review Regulation Amendments
	Chapter:	153

The City of Dover Ordains:

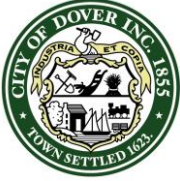
PURPOSE

The purpose of this ordinance is to amend Chapter 153 of the Code of the City of Dover, entitled Site Review Regulations, by updating the Code to reflect changes in New Hampshire state law relative to approval duration.

1. Chapter 153 of the Code of the City of Dover, entitled Site Review Regulations, is hereby amended by revising Section 9, “Expiration of Planning Board approval”, as follows:

“§ 153-9. Expiration of Planning Board approval.

- A. Planning Board approval shall be valid for ~~five~~ **seven** years from the date of said approval. If a building permit has not been issued within such time constraints, then said approval shall be considered null and void, except as provided below.
- B. The Planning Board may grant time extensions, not to exceed one year each.
 - (1) The applicant shall appear before the Planning Board and document that the following criteria are met:
 - (a) The proposed project is consistent with the City Master Plan.
 - (b) Surrounding conditions (i.e., traffic flow, school capacity, water/sewer demand) have not changed to the point of requiring reanalyzing of the proposed project.
 - (c) The proposed project complies with current City, state and federal regulations, ordinances and statutes.
 - (2) Notification of abutters shall be required of all first-time extension requests. Said notification shall be by certified mail and shall be at the expense of the applicant.
- C. Approved site plans shall be protected from future amendments in regulations and ordinances in accordance with RSA 674:39. In order to be protected under RSA 674:39, the owner shall have completed active and substantial development, which is defined as the construction of basic infrastructure to support the development, including foundation walls and footings, driveway and parking lot construction to a minimum of gravel base, utilities placed in underground conduits, construction of all drainage improvements, and installation of all erosion and sediment control measures. Substantial completion shall be deemed to have occurred when a certificate of occupancy for all buildings shown on the



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approved site plan has been issued by the Building Official, any parking lot improvements have been completed, and off-site improvements specified in the site plan approval have been completed or a surety has been provided to the City to ensure completion of all unfinished off-site improvements.”

2. Chapter 153 of the Code of the City of Dover, entitled Site Review Regulations, is hereby amended by revising Section 23, “Definitions”, as follows:

§ 153-23. Definitions.

“CONTIGUOUS — Any actual or proposed terrain land disturbance within ~~five~~ seven years before the terrain alteration activity for which a permit is sought begins or within ~~five~~ seven years after the terrain alteration activity ends shall be deemed part of the total project and included in the calculation of the amount of contiguous area disturbed.”