

CITY OF DOVER - ORDINANCE

Posted: March, Day, 2025

Ordinance Number: O – yyyy.mm.dd -
Ordinance Title: Subdivision of Land Regulation Amendments
Chapter: 157

The City of Dover Ordains:

PURPOSE

The purpose of this ordinance is to amend Chapter 157 of the Code of the City of Dover, entitled Subdivision of Land Regulations, by updating the Code to reflect changes in the community and in land use regulations.

1. Chapter 157 of the Code of the City of Dover, entitled Land Subdivision Regulations, is hereby amended by revising Section 10, “Application Submittal and Review”, as follows:

Anyone desiring to subdivide a tract of land shall file an application with the Planning Board. Only complete applications will be reviewed by the Board.

A. To be considered complete an application shall:

(1) Be made on forms available at the Planning Board office.

(2) Include one electronic copy and ~~15~~ **6** copies of the preliminary plat layout and the plat construction detail sheets as more fully described in §§ **157-27** and **157-29**, respectively, in this chapter. Transmit a pdf of the subdivision plat via e-mail to dover-planning@dover.nh.gov. (Note: Only eight copies of the preliminary plat need to be submitted initially for review by the Technical Review Committee. However, ~~15~~ **6** copies are required for submission of the complete application to the Planning Board.)

[Amended 5-24-2016; 2-26-2019]

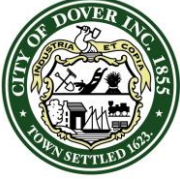
(3) Include a fee in an amount to be determined in accordance with the fee schedule outlined in § **157-53** of this chapter.

(4) Comply in all respects with Article **VIII** of this chapter, except where a waiver may be specifically authorized by the Planning Board.

(5) Be filed with the Director of Planning and Community Development at least 21 calendar days prior to a regularly scheduled meeting of the Board.

[Amended 1-14-2020]

(6) Be reviewed and evaluated by the Technical Review Committee as to the completeness of the information submitted by the applicant. Particular attention will be given to the arrangement, location and width of streets; topography and soil data; method of sewage disposal; water provision; on-site drainage; preservation of on-site vegetal elements; lot size and arrangement; the present and future development of adjoining lands; and conformity with the Master Plan and other relevant City ordinances. This review by the Technical Review Committee may be eliminated if, in the judgment of the Director of Planning and Community Development, such a review is not warranted. The Director shall provide a written explanation to the Planning Board for said elimination of this review.



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(7) Include special investigative studies, review of documents and other matters, if required for particular applications. Reasonable fees to cover the cost of such studies or reviews shall be charged to the applicant [RSA 676:4, I(g)].

2. Chapter 157 of the Code of the City of Dover, entitled Land Subdivision Regulations, is hereby amended by revising Section 16, “Application Submittal and Review”, as follows:

Anyone desiring to subdivide a tract of land under the minor subdivision classification shall file an application with the Planning Board in accordance with the following requirements, except for minor lot line adjustments and boundary agreements as noted in § 157-17 below. Only complete applications will be reviewed by the Board.

A. To be considered complete, an application shall:

(1) Be made on forms available at the Planning Board office.

(2) Include ~~15~~ 6 copies and an electronic copy of a final plat layout as described in § 157-28 of this chapter. Additional information/data may be requested by the Planning Board for the proper review of said minor subdivision.

(3) Include ~~15~~ 6 copies of the plat construction detail sheets, if appropriate, as described in § 157-36 of this chapter.

(4) Include a fee in an amount to be determined in accordance with the fee schedule contained in § 157-53 of this chapter.

(5) Be filed with the Director of Planning and Community Development at least 21 calendar days prior to a regularly scheduled meeting of the Board.

[Amended 1-14-2020]

B. Included with the application shall be the names and mailing addresses of all owners, applicants, and professionals assisting with the application. The Planning Department will create a list of the names and addresses of all abutters obtained from City records or the Strafford County Registry of Deeds not more than five calendar days before the date of filing for the applicants to review.

[Amended 1-14-2020; 7-27-2021]

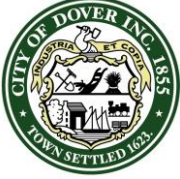
C. Where City sewer service is not available, the applicant shall provide evidence that all proposed lots are of a sufficient size to support individual waste systems as described in § 157-41.

D. Preliminary plats are required for minor subdivisions.

3. Chapter 157 of the Code of the City of Dover, entitled Land Subdivision Regulations, is hereby amended by revising Section 17, “Application Submittal and Review”, as follows:

Anyone desiring to alter a lot line shall file an application with the Planning Board in accordance with the following requirements. Only complete applications will be reviewed by the Board.

A. To be considered complete, an application shall:



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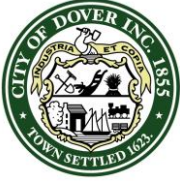
- (1) Be made on forms available at the Planning Board office.
- (2) Include ~~15~~ **6** copies and an electronic copy of a surveyed plat layout that contains the following information:
 - (a) Date, approximate true North point and scale.
 - (b) Name, address and signature of owner and stamp of registered New Hampshire surveyor.
 - (c) Names of owners of record of abutting properties or developments.
 - (d) Square footage within newly adjusted lot lines.
 - (e) Lot lines with accurate dimensions and bearings of a sufficient scale to determine readily the location, bearing and length of all lines.
 - (f) Zoning information and building setback lines for the zone.
 - (g) Location map.
 - (h) Existing structures.
- (3) Be filed with the Director of Planning and Community Development at least 21 calendar days prior to a regularly scheduled meeting of the Board. [Amended 1-14-2020]
- (4) Include a fee in an amount to be determined in accordance with the fee schedule contained in § 157-53 of this chapter.

B. Included with the application shall be the names and mailing addresses of all abutters as indicated in City records. The names of all abutters shall be obtained from City records or the Strafford County Registry of Deeds not more than five calendar days before the date of filing. In addition to the abutters list, three duplicate sets of adhesive mailing labels for all abutters shall be submitted for use by staff in preparing verified mailings. [Amended 1-14-2020]

C. Lots created under the cluster subdivision with lot lines method of open space subdivisions shall not be allowed to have lot line adjustments completed if the lot line adjustment would alter the area of open space approved at the time of subdivision.
[Amended 1-14-2020]

4. Chapter 157 of the Code of the City of Dover, entitled Land Subdivision Regulations, is hereby amended by revising Section 25, “Maintenance Guaranty,” as follows:

An irrevocable letter of credit to guaranty that all site work was properly done shall be posted by the applicant with the Community Services Department, which shall place the letter of credit with the City Treasurer. Such maintenance guaranty shall be in an amount of 2% of the estimated project cost prepared by the City Engineer, plus the full cost of replacement for all street trees and other landscaping required for ~~three~~ **two** years after a **final** certificate of completion is issued. If such repairs are needed and are not satisfactorily installed by the developer, then such guaranty shall be used to complete and/or install such improvements in accordance with the requirements specified herein.



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5. Chapter 157 of the Code of the City of Dover, entitled Land Subdivision Regulations, is hereby amended by revising Section 31, “Street Layout,” as follows:

A. The provisions of this section apply to the construction, reconstruction, alteration, surfacing or resurfacing of any street which intersects with the right-of-way of any City-owned, City-maintained way and/or other private way.

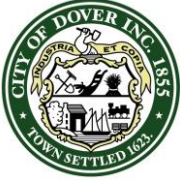
~~A. B.~~ Width, location and construction. Streets shall be of sufficient width (see Section 2, pages 3 and 4 of the City of Dover Construction Guidelines[1]), suitably located and adequately constructed to conform to the Master Plan and to accommodate the projected traffic and afford access for firefighting, snow removal and other road maintenance equipment. The arrangement of streets shall be such as to avoid imposing undue hardship on adjoining properties and shall be coordinated so as to comprise a convenient system. In the event a subdivision adjoins or includes an existing street which does not conform to widths as required by this chapter or by the Master Plan of the City of Dover, the developer shall dedicate sufficient land to bring such street into conformity. Subdivisions along one side of any such street or highway shall be required to dedicate 1/2 of the required extra width. [Amended 2-26-2019] [1] Editor's Note: The Construction Guidelines are on file in the City offices.

~~B. C.~~ Arrangement. The arrangement of streets and/or rights-of-way in a subdivision shall provide for the continuation of streets and/or rights-of-way of adjoining subdivisions and for the proper protection of such accessways into adjoining properties which are not yet subdivided, in order to make possible necessary fire protection, movement of traffic and the construction or extension, presently or when later required, of needed utilities and public services, such as sewer, water and drainage facilities. Continuations or extensions of existing streets and/or rights-of-way shall be of widths equal to or greater than those appurtenances now existing; provided, however, that such improvements conform to those standards contained in Subsection A. Where, in the opinion of the Planning Board, topographic or other conditions make such continuance undesirable or impractical, the above conditions may be modified.

~~C. D.~~ Local streets. Local streets (minor) shall be so arranged that their use by through traffic shall be avoided.

~~D. E.~~ Provision for future resubdivision. Where a tract is subdivided into lots substantially larger than the minimum size required in the zoning district in which a subdivision is located, the Planning Board may require that streets and lots be arranged so as to permit future resubdivision in accordance with the requirements contained in this chapter.

~~E. F.~~ Dead-end streets (culs-de-sac). The creation of dead-end or loop residential streets shall be encouraged whenever the Planning Board finds that such type of development will not interfere with normal traffic circulation in the area. In the case of dead-end streets, where needed or desirable, the Planning Board may require the reservation of a 30-foot-wide



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easement to provide for continuation of pedestrian traffic, emergency access ways and utilities to the next street. [Amended 7-27-2021]

F. G. Block size. Blocks in general shall not be less than 500 feet nor more than 1,200 feet in length. In general, no block width shall be less than twice the normal lot depth. In blocks which exceed 800 feet in length, the Planning Board may require the reservation of an easement through the block to provide for the crossing of pedestrian traffic and underground utilities where needed or desired and may further specify, at its discretion, that a paved footpath be included.

G. H. Intersections with collector or major arterial roads. Local (minor) or secondary street openings into such roads shall, in general, be at least 400 feet apart. Intersections of more than two streets at any one point shall not be allowed without Planning Board approval.

H. I. Street jogs. Street jogs with center-line offsets of less than 125 feet shall be avoided.

I. J. Angle of intersection. In general, all streets shall join each other so that for a distance of at least 100 feet, the street is approximately at right angles to the street it joins. No street shall intersect another street at an angle of less than 60°.

J. K. Reverse curves. A minimum tangent of 100 feet shall be required between reverse curves on arterial and collector streets.

K. L. Relation to topography. The street plan of a proposed subdivision shall bear a logical relationship to the topography of the property, and all streets shall be arranged so as to obtain as many of the building sites as possible at or above the grade of the streets. Grades of streets shall conform as closely as possible to the original topography.

L. M. Special treatment along major arterial streets. Where a subdivision abuts or contains an existing or proposed major arterial street, the Planning Board may require limited access streets, reverse frontage with screen planting contained in a nonaccess reservation along the rear property line, deep lots with rear service alleys or such other treatments as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.

6. Chapter 157 of the Code of the City of Dover, entitled Land Subdivision Regulations, is hereby amended by revising Section 32, “Street Design,” as follows:

A. The provisions of this section apply to the construction, reconstruction, alteration, surfacing or resurfacing of any street which intersects with the right-of-way of any City-owned, City-maintained way and/or other private way.



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A. B. Widths of rights-of-way. Streets shall be the following widths:

Type of Street	Minimum Right-of-Way (feet)	Minimum Pavement (feet)	
		Residential	Nonresidential
Arterial streets (major)	70	36	36
Collector streets	60	32	32
Local streets up to 5 lots	50	20*	28
Local streets 6 to 20 lots	50	24**	28
Local streets 21 or more lots	50	28***	28

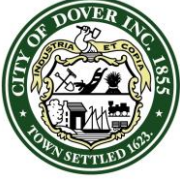
*No on-street parking will be allowed.

**Parking must be restricted to one side of the road only.

***The Planning Board may allow a reduction to 24 feet if the subdivision is designed to provide a 100-foot setback from the existing public right-of-way for any structures on the corner lots created at the intersection(s) of the proposed subdivision street and the existing public street.

B. C. Improvements. Streets shall be graded and improved with pavements, curbs and gutters, sidewalks, storm drainage facilities, water mains, sewers, streetlights and signs, street trees and fire hydrants, except where waivers may be requested, and the Planning Board may waive, subject to appropriate conditions, such improvements as it considers may be omitted without jeopardy to the public health, safety and general welfare. All streetlights, street trees, mailboxes, newspaper bins, trash receptacles, or any other type of obstruction shall be placed in the grass between the sidewalk and the curb. Pedestrian easements shall be improved as required by the City Engineer or designee. Such grading and improvements shall conform to the design specifications set forth in Articles VII and VIII.

C. D. Utilities. The Planning Board shall, whenever possible, require that underground utilities be placed in the street right-of-way to simplify location and repair of lines when they require attention. The subdivider shall install underground service connections to the property line of each lot within the subdivision for such required utilities before the street is paved.



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D. E. Utility easements. Where topography is such as to make impractical the inclusion of utilities within the street right-of-way, perpetual unobstructed easements at least 30 feet in width shall be provided with satisfactory access to the street. Easement of greater width may be required where more than one utility is located in the same easement. Wherever possible, easements shall be continuous from block to block. Such easements shall be cleared and graded where required.

E. F. No tree, shrub or building shall be placed or erected in any easement for utility or drainage purposes, except at the owner's risk as to all costs for demolition, removal or reconstruction or by arrangements made with the City Engineer and the Community Services Director. The proper authorities may have free access to and use of the easements at any time. Any planting of trees within the street right-of-way shall be in accordance with a plan approved by the Community Services Director.

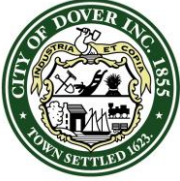
F. G. Curve radii at street intersections. Street right-of-way lines at intersections shall be rounded by curves of at least thirty-foot radius for local residential streets and at least thirty-five-foot radius for all other streets, unless otherwise specified by the Planning Board.

G. H. Grades. No local street grade shall be in excess of 8% and no collector street grade shall be in excess of 4%, except as otherwise approved by the Planning Board due to adverse topographic conditions. For adequate drainage, the minimum grade of any new street shall not be less than 0.5%. No street shall support a grade in excess of 3% within 75 feet of its point of intersection with any other street.

H. I. Changes in grade. All changes of grade shall be connected by vertical curves of such length and radius so as to provide smooth transition and proper sight distance.

I. J. Steep grades and curves; visibility of intersections. A combination of steep grades and curves shall be avoided. In order to provide visibility for traffic safety, that portion of any corner lot (whether at an intersection entirely within the subdivision or of a new street with an existing street) shall be kept cleared of all growth, except isolated trees, and obstructions above a level three feet higher than the center line of the street. If necessary, ground shall be excavated to achieve visibility.

J. K. Dead-end streets (culs-de-sac). Unless topography indicates a need for an alternative length, streets shall not be less than 500 feet nor exceed 1,000 feet in length and shall terminate in a cul-de-sac. The exact form of the cul-de-sac shall be aesthetically pleasing as well as functional. The right-of-way limits at the cul-de-sac shall be as necessary to ensure adequate property within which to properly maintain the area. The exact configuration and dimension of the cul-de-sac shall be approved by the Planning Board. Temporary dead-end streets, such as in phased construction, may require temporary turnaround facilities. Hammerhead designed dead-end streets are not acceptable for public roadways.



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K. L. Watercourses. Where a watercourse separates a proposed street from abutting property, provision shall be made for access to all lots by means of culverts or other structures of suitable design.

L. M. Where a subdivision is traversed by a watercourse, drainageway, channel or stream, there shall be provided, upon request, a stormwater easement or drainage right-of-way. In no case shall it be less than 30 feet in width.

M. N. If a roundabout is proposed for inclusion, a professional engineer with traffic engineering certifications must design the roundabout in conformance with "Roundabouts: An Informational Guide," as adopted and amended by the Federal Highway Administration.

- Chapter 157 of the Code of the City of Dover, entitled Land Subdivision Regulations, is hereby amended by revising Section 35, "Parks, Open Space and Natural Features," Subsection (E), Subsection (2) as follows:

Trees shall have a caliper of no less than 3 inches when planted. If the tree species is of a multi-stem variety, the trees must have at least 3 stems and be at least 6' tall.

- Chapter 157 of the Code of the City of Dover, entitled Land Subdivision Regulations, is hereby amended by revising Section 50, "Driveways," Subsection (B) as follows:

It shall be unlawful to construct, reconstruct, alter, surface or resurface any driveway, whether connected to a private or public way, in a manner which affects the size, elevation or grade of such driveway until the Community Services Director, or Designee, has reviewed and approved of such construction or alteration and has issued a written permit for such work. The Community Services Director, or Designee, may be able to grant waivers for driveways connecting to private roadways. No permit shall be required for any existing driveway, entrance or approach unless the grade, elevation, location or width of said driveway is changed. For purposes of this section, any driveway so constructed, reconstructed, altered, surfaced or resurfaced as indicated above which abuts or is clearly designed to provide access to a public way as defined by RSA 259:125 shall be presumed to be situated within the right-of-way.