



PLANNING BOARD

DOVER, MASSACHUSETTS

PRELIMINARY SITE PLAN REVIEW APPROVAL DECISION

Applicant: Thomas Heer

Site Address: 15 Park Avenue

Map/Lot: 6/103

I. BACKGROUND

Pursuant to Dover Zoning Bylaw Section 185-36, a preliminary site plan for this project was reviewed at a regularly scheduled Planning Board meeting held on December 9, 2024, and continued until January 6, 2025.

The owner, Thomas Heer, proposes to install a 36'x26' detached 3-car 1 ½ story garage on the southwest corner of the property. The existing shed on the property will need to be relocated.

The purpose of the garage is to store a collection of vintage cars and motorcycles together with the related spare parts, equipment, tools and other supplies.

The design and structure will be post & beam construction, with natural wood siding, 10/12 roof pitch and with twin shed dormers out front, in the style of a classic New England barn.

II. APPLICATION AND OTHER MATERIALS SUBMITTED TO THE BOARD

The Planning Board considered the application that included the following materials:

- (1) Application for Full Site Plan Review received November 6, 2024.
- (2) Site plan by Ronald Tiberi, PE, dated 10/31/24.
- (3) Letter from abutters received December 9, 2024
- (4) Letter from abutters and neighbors received January 6, 2025
- (5) Letter from John Dougherty dated January 6, 2025
- (6) Email from the Heers dated 12/30/24

III. FINDINGS

The Planning Board reviewed the application for compliance with the Site Plan Review Criteria of Section 185-36 E and made the following findings:

- a) Compliance with the requirements for lot size, frontage, lot coverage of buildings, height, parking and loading spaces, yards, and all other provisions of this Chapter;
The application complies with dimensional requirements for a garage.
- b) The location of driveway openings in relation to street traffic, and the convenience and safety of pedestrian, bicycle, and vehicular traffic to, from, and on the site;
The existing driveway will be expanded to the left with crushed stone to access the garage.
- c) The adequacy of arrangement and number of parking and loading spaces in relation to the proposed use of the premises;
The parking on the site is adequate but will be expanded with the addition of the garage.
- d) The arrangement and appearance of proposed new buildings, structures, colors and materials, or changes to the aspects of a site;
The proposed garage appears to be in-kind with the existing property and neighborhood.
- e) Provisions to protect surrounding premises against detrimental impacts;
It is unlikely the structure will have a detrimental impact on surrounding premises as it is consistent with the neighborhood and all Building Code Requirements apply.
- f) The relationship of structures, design aspects, and open spaces to the natural landscape, existing buildings, historic and architectural heritage, and other community assets;
The structure is designed consistent with the character of the neighboring structures. This construction will have impacts on the open space and natural landscape and should be mitigated through Stormwater Bylaw Ch. 159 review by the Department of Public Works
- g) Potential impacts on natural resources, including groundwater and open space;
The proposed garage will have impacts on natural resources and open space. The Site is subject to Stormwater Bylaw Ch. 159 review by the Department of Public Works. The site is at 13.5% impervious coverage and the additional 3.5% is designed to be recharged on site.
- h) Potential impacts on Town resources, including protective agencies, streets, and public spaces;
This proposed structure does not impact town resources.

- i) Harmony in architectural treatment and avoidance of incongruous or inappropriate character or architectural appearance and arrangement of buildings;
The proposed garage will require the relocation of the existing shed.
- j) Compliance with all other requirements of this Chapter.
The application will require review and approval by the Building Department.

IV. IMPORTANT ITEMS OF DISCUSSION

- a) There was discussion of concern about a full-time commercial car and truck repair business in operation in the three bays at 15 Park Avenue.
It has been confirmed with the owner that there is no business proposed at 15 Park Avenue.
- b) Concerns were raised about additional noise, and possible pollution to groundwater as well as welding during a drought.
There is no noise ordinance in Dover. The site is subject to review of Chapter 159 Stormwater review by the Town Engineer. Any concerns regarding fire or fire safety should be directed to the Fire Department at the appropriate time.
- c) The number of structures and lot coverage was discussed.
This site does currently meet lot coverage requirements, but, if not, any relief would be sought through the Building Department and the ZBA.
- d) There was concern that there would be insufficient setback from the yet unbuilt extension of Oakley Road as well as the setback.
The Town Planner and Building Department have confirmed that this plan meets zoning requirements. Any variance for setback requirements would be done through the Building Department or ZBA.
- e) There was concern about traffic.
There is no obvious increase in traffic from this application. Traffic and road safety are under the purview of the Chief of Police and DPW.
- f) Abutters had recommended the following conditions:
 - No commercial business
The applicant has stated this is not a business, they may have the opportunity to apply for one in the future if they so choose.
 - Under Article 1 – General Provision, Section 185 – Definitions – C. Use, Accessory
 - An accessory use or building is a use of land or building customarily incident to and located on the same premises with the use or building to which it is accessory, but shall not include: (1) Use of the premises to keep thereon more than 1 commercial vehicle, except in the case of a farm
 - No maintenance and repair of cars and trucks, including body work
Maintenance work on vehicles, including body work, is allowed at a residence
 - No excessive noise from car and truck work
There is no noise Bylaw in Dover.
 - An implemented plan for pollution control and possible fire danger, and
These are not requirements of Site Plan Review. Any additional runoff from the structure will be mitigated on site per DPW's Ch. 159 review and fire danger is the purview of the Fire Dept.

V. DECISION AND CONDITIONS

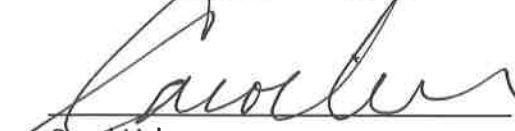
After considering the application and other materials submitted at its meeting of December 9, 2024, continued until January 6, 2025, the Board approved the plans entitled Proposed Garage Plan – 15 Park Avenue with the following conditions:

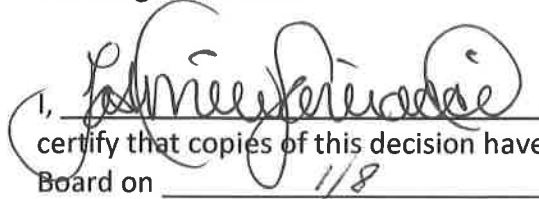
- (1) Prior to the issuance of a building permit, minor modifications to the Site Plan may be approved administratively by the Planning Board Chair.
- (2) Any future modifications to the site shall be reviewed and approved by the Planning Board.
- (3) The lighting on the site must not spill over onto any adjoining property.
- (4) The site is subject to review by the Board of Health.
- (5) The site is subject to approval by the Building Department.
- (6) The Site is subject to Stormwater Bylaw Ch. 159 review by the Department of Public Works

The vote was 4-1-0 as follows:

Carol Lisbon
Jody Shue
George Sidgwick
Bill Motley - No
Valerie Lin

PLANNING BOARD OF DOVER (acting under the Dover Zoning Bylaw, Section 185-46.1)

 1/8/25
Carol Lisbon Date
Planning Board Chair

I,  Jasmin Farinacci, Town Planner for the Town of Dover
certify that copies of this decision have been filed with the Dover Town Clerk and the Planning
Board on 1/8, 2025.