

City of Dover
Department of Planning & Community Development
Standard Operating Procedures

Lot Restoration Application Processing

Purpose:

The State of New Hampshire legislature has approved HB 316, codified in RSA 674:39-aa. The Statute provides that lots “involuntarily merged” prior to September 29, 2010 shall be restored to their premerger status upon request of the owner provided the City cannot prove that the merger was voluntary. The Statute gives a deadline of December 31, 2021 for lots to be restored to the premerger status.

Procedure:

- **Receive Application**

1. An applicant submits the lot restoration application to the Planning or Assessing Office staff.
2. Staff receives the application and review to ensure all application items have been completed and included according to application requirements.
3. Date stamp all forms, reports, and plans.

- **Application Review Requirements**

1. Within five working days of the receipt of the application, Tax Assessing staff reviews relevant parcel files to identify if a voluntary lot merger form exists, or other document exists identifying that a merger was made at the request of a property owner.
→ If no documentation exists, the Tax Assessor signs the application.

2. Within five working days of the receipt of the application, Planning staff reviews relevant parcel files to identify if a condition of approval for either a planning board or zoning board action exists which voluntarily merged the lots.

➡ If no documentation exists, the Zoning Administrator signs the application.

- **File Creation Process**

1. A copy of the application shall be placed within the Tax Assessor’s property file for the parcel in question.

- **Application Follow-up Requirements**

1. Once the review of the application has concluded the applicant is notified.

➡ If documentation exists, the merger request cannot be forwarded to the City Council.

➡ If no documentation exists, the merger request is forwarded to the City Council in the form of a resolution.

2. If the application is forwarded to the City Council:

➡ Planning staff works with Legal staff to draft a resolution for the next available City Council meeting. The background for the resolution shall include all materials submitted in support of the application, as well as a copy of the application itself, signed by the Tax Assessor and Zoning Administrator.

➡ Legal staff notifies the City Clerk's office that the resolution has been drafted and has been placed in Treeno for processing and placement on the City Council agenda.

3. If the City Council denies the application, the applicant may appeal the decision to the Zoning Board of Adjustment, as per RSA 676.

4. If the City Council approves the application, Tax Assessing staff shall make the appropriate changes on the Tax Maps and Assessor records.