

CITY OF DOVER

DOVER CONSERVATION COMMISSION – AGENDA

Meeting Type: Regular Meeting
Meeting Location: City Council Conference Room - 288 Central Avenue Dover NH
Meeting Date: Monday, May 8, 2023
Meeting Time: 5:30 pm

1. CALL TO ORDER AND ROLL CALL

2. CITIZEN’S FORUM

3. APPROVAL OF THE PRIOR MEETING MINUTES – April 10, 2023

4. OLD BUSINESS

5. NEW BUSINESS

- A. City of Dover Conditional Use Permit for Chinburg Development, LLC, (Agent: Civilworks New England), Assessor’s Map N, Lot 13-1, zoned R-40, located off of Oak Street and Gulf Road. Proposal is to construct a road and driveways, as well as the installation of drainage structures and systems with associated grading as part of a 12-lot open space subdivision, creating 11,956 square feet of impact to the Conservation District resulting from steep slopes in excess of 20%.
- B. City of Dover Conditional Use Permit for Chinburg Development, LLC, (Agent: Civilworks New England), Assessor’s Map N, Lot 13-1, zoned R-40, located off of Oak Street and Gulf Road. Proposal is to construct a road and driveways, as well as the installation of drainage structures and systems with associated grading as part of a 12-lot open space subdivision, creating 32,089 square feet of impact to wetland buffers.
- C. Dover Community Garden Group – Update and Funding Request
- D. Discussion on Indigenous Foraging Policy

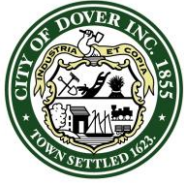
6. REPORT FROM THE CHAIR

- A. Review of Correspondence received from NH Department of Environmental Services

7. OTHER BUSINESS

- A. Update from Forest Management Subcommittee

8. ADJOURNMENT



CITY OF DOVER

DOVER CONSERVATION COMMISSION – MINUTES

Meeting Type: Regular Meeting
Meeting Location: City Council Conference Room - 288 Central Avenue, Dover, NH
Meeting Date: Monday, April 10, 2023
Meeting Time: 5:30 pm

MEMBERS PRESENT: Bill Hunt (Chair), Steve Fellows (Vice Chair), Robert Atwood (Secretary), Amy Kramer-Perry, Kristen Murphy, Abigail Lyon, Bruce Batchelder (Alternate), Jake Geddes (Alternate)

Absent (Excused): Jay Aube

STAFF PRESENT: Jackson Kaspari – Resilience Manager

OTHERS PRESENT: Councilor Lindsey Williams, Erik Saari

1. CALL TO ORDER AND ROLL CALL

The meeting was convened at 5:30 PM.

2. CITIZENS' FORUM: No citizens were present to speak during the forum. J. Kaspari read aloud an email from a local student who expressed concerns over invasive species in Dover and offered some suggestions to help address the problem. The Conservation Commission will plan a date to help deal with invasive species. This could be run in conjunction with one of the standing community cleanup days in May.

3. APPROVAL OF THE PRIOR MEETING MINUTES – March 13, 2023

A. Lyon moved to approve the March 13, 2023 minutes, K. Murphy seconded. Vote: 5 yes. 2 abstentions.

4. OLD BUSINESS: None

5. NEW BUSINESS:

- A.** City of Dover Conditional Use Permit for Tina Sawtelle, (Agent: Altus Engineering), Assessor's Map B, Lot 1-C, zoned R-40, located at 476 Sixth Street. Proposal is to construct a building addition in a previously developed area creating 773 square feet of overlapped impact to the Conservation District and wetland buffer. The overall impervious surface within the Conservation District and wetland buffer would be reduced by 165 square feet.

E. Saari was present to explain the application.

S. Fellows asked for clarification on the location of the pilings.

E. Saari pointed to the piling locations.

B. Hunt: The portion of the project related to the pilings will remain as is?

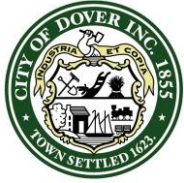
E. Saari: Yes, that is correct.

K. Murphy: Relevant to the date of the wetland delineation, has the wetland scientist been back on site to conduct an assessment since?

E. Saari: The Wetland Scientist did not return to the site but there was no snow at the time of the delineation and the wetlands are very well defined around the brook.

K. Murphy asked about the location of the roof drainage which was explained by E. Saari.

S. Fellows sought clarification for where the impervious surface was being reduced.



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E. Saari explained the numbers using the site plan and highlighted the area that was being replaced with a pervious surface.

A. Lyon: Could overflow be directed to the pervious area to provide opportunity for some treatment?

E. Saari: Since it's roof runoff it's considered to be clean although I can appreciate that point. My only concern is directing runoff behind the retaining wall which could pose a hazard.

S. Fellows endorsed the application. A. Kramer-Perry seconded. Vote: 7 yes.

B. Piscataqua Region Environmental Planning Assessment Grants – 2023 Request for Proposals

A. Lyon was present to explain the grant opportunity but noted she would recuse herself from the vote. J. Kaspari added that Strafford Regional Planning Commission (SRPC) would act as the fiscal agent for the grant and that the scope of work involves developing a natural resources inventory for Dover. This is something the Commission has been interested in.

S. Fellows endorsed the City partnering with the Strafford Regional Planning Commission to pursue funding through the PREPA grant for the development of a natural resources inventory.

K. Murphy seconded. Vote: 7 yes.

C. State License Reform Updates

J. Kaspari conveyed updates on the state license reform that were provided by the NHACC Director Barbra Richter. She thanked the Dover Conservation Commission for signing the letter, over 30 Commission signed on. All language repealing licenses for foresters, wetland scientists, soil scientists and landscape architects were removed from the two pending house bills. The feedback from NHACC was taken seriously.

6. REPORT FROM THE CHAIR

A. Review of Correspondence Received from NH Department of Environmental Services

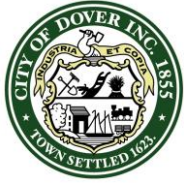
J. Kaspari: Eversource received their Alteration of Terrain Permit for the major maintenance project involving the transmission lines.

7. OTHER BUSINESS

A. Update from Forest Management Subcommittee

The Subcommittee will be meeting later in the month.

Eric Sanderson in Community Services is working on an RFP for 10 new street trees, with the goal of planting those this spring.



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8. ADJOURNMENT

A. Lyon motioned to adjourn. S. Fellows seconded. Vote: 7 yes.

The meeting was adjourned at 6:10 PM.

DRAFT



City of Dover, New Hampshire CONDITIONAL USE PERMIT APPLICATION

[Revision Date: October 19, 2020]

Office Use Only	Project #:	_____	Date Received:	_____
	Amount Paid:	_____	Time Received:	_____

APPLICANT AND OWNER INFORMATION

Name of Applicant: Chinburg Development, LLC Telephone # 603-868-5995

Address of Applicant: 3 Penstock Way Newmarket, NH 03857

E-Mail Address: massia@chinburg.com

Name of Property Owner (if different from applicant): SAME AS APPLICANT Telephone # _____

Address of Property Owner: _____

PROPERTY INFORMATION

Assessor's Map # N Lot(s) # 13-1

Address of Property: Oak Street & Gulf Road

Zoning District(s) R-40 Overlay District(s) Conservation District

Existing Use of Property: Residential - Vacant

CONDITIONAL USE PERMIT INFORMATION

Type of Conditional Use Permit (Check All That Apply):

- | | | |
|---|---|--|
| ☒ Conservation District | ☐ RCM Use Overlay District | ☐ Gateway District |
| ☐ Groundwater Protection | ☐ Off-Street Parking and Loading | ☐ Alternative Treatment Center |
| ☐ Wetland Protection District | ☐ Central Business District | ☐ Heritage Residential District |

Describe Proposed Use or Activity That Requires Conditional Use Permit and Describe Any Impacts:

Impacts will be made to the 20% Steep Slope Areas to allow disturbances for road construction

and associated grading and drainage design. Total impacts to steep slope areas will be 11,956 s.f.,

of which 3,086 s.f. overlaps into the wetland buffer.

List Any Associated State or Federal Permits That Have Been or Will Be Applied For and Indicate Their Status: _____

NH DES Subdivision Approval - Pending

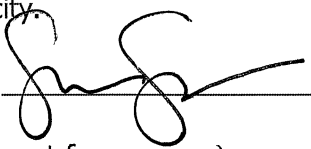
Name of Professional That Prepared Plans: Stephen J. Haight, PE - Civilworks New England

Address P.O. Box 1166 Dover, NH 03821 Telephone #: 603-749-0443

Professional License #: NH PE # 7978 E-mail address: shaight@civilworksne.com

SIGNATURES

I/We hereby submit this application to the City of Dover Planning Board and attest that to the best of my knowledge all of the information on this application form and in the accompanying application materials and documentation is true and accurate. As applicant or as agent, I attest that I am duly authorized to act in this capacity.

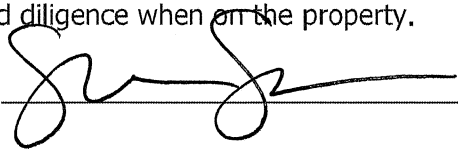
Signature of Property Owner:  Date: 22 FEB 2023

Signature of Applicant (if different from owner): _____ Date: _____

Signature of Agent: _____ Date: _____

AUTHORIZATION TO ENTER SUBJECT PROPERTY

I, and my successors, hereby authorize members of the Dover Planning Board, Planning Department and other pertinent City Departments and boards to enter my property for the purpose of evaluating this application, including performing inspections during the application phase, post-approval phase, construction phase and occupancy phase. It is understood that these individuals must use all reasonable care, courtesy, and diligence when on the property.

Signature of Property Owner:  Date: 22 FEB 2023

CITY OF DOVER CONDITIONAL USE LIST OF ABUTTERS

Pursuant to RSA 676:4, the State Law of New Hampshire, the City of Dover is required to notify the applicant, abutters (including holders of conservation easements), and any professional whose seal is on the plan, of the public hearing by certified mail, return receipt requested. Staff will provide the abutter information, while the applicant must provide accurate contact information for the owner, applicant and professional agents representing the project.

Owner:

TAX MAP	LOT #	PROPERTY OWNER	MAILING ADDRESS
N	13-1	Chinburg Development, LLC	3 Penstock Way Newmarket, NH 03857

Applicant (if different from owner):

APPLICANT NAME	APPLICANT COMPANY	MAILING ADDRESS

Surveyor and/or Engineer/Professional Agent:

NAME	COMPANY	MAILING ADDRESS
Stephen J. Haight, PE	Civilworks New England	P.O. Box 1166 Dover, NH 03821
Kevin McEneaney, LLS	McEneaney Survey Associates	24 Chestnut Street Dover, NH 03820
Damon Burt, CWS	Fraggle Rock Environmental, Inc.	38 Garland Road Strafford, NH 03884

Conservation Easement Holder:

TAX MAP	LOT #	NAME OF EASEMENT HOLDER	MAILING ADDRESS

CIVILWORKS NEW ENGLAND

181 WATSON ROAD P.O. BOX 1166 DOVER, NH 03821-1166

PHONE: 603.749.0443 FAX: 603.749.7348

CONDITIONAL USE PERMIT CRITERIA – CONSERVATION DISTRICT

20% Steep Slope Impacts

(a) The applicant shall demonstrate that the proposed use is essential to the productive use of land not in the district; is located and constructed to minimize any detrimental impact of such use upon the surface waters of other environmental sensitive areas, where it is physically impossible to locate such use on land not in the district; and economic advantage alone shall not be deemed a sufficient reason for such proposed use.

Due to the unique topography of the parcel impacts are unavoidable. The total proposed impacts to 20% steep slopes is 11,956 sf (note: 3,086 sf of steep slopes are also encompassed within the 50' wetland buffer) and limited to the improvements required for safe site access (upgrades to "Old Oak Street" a class VI gravel roadway), enhanced sight distance along Oak Street, stormwater management facilities and proposed home driveways.

All impacts have been designed to disturb as little of the 20% slopes as to the most practicable extent possible. The roadway and drainage systems use the slopes to minimize impacts with areas limited to just what is necessary for the construction of roadways, driveways, and stormwater management facilities. Detailed and extensive sediment and erosion control BMP's are incorporated into the plan set for construction and when construction is completed.

The Project Proponent and design team worked closely with the Planning Department and Technical Review Committee to balance the lot layout and roadway design with the unique topography of the parcel. Although the density calculations indicated that the parcel would support up to 14 house lots, through the extensive collaborative effort between Staff and the project team, the number of lots was reduced to 11 to best suit the property.

The applicant has demonstrated that the proposed use is essential to the productive use of land and is in general conformance with the Subdivision Regulations and Zoning Ordinance.

(b) A soil erosion and sedimentation control plan is submitted and followed to verify the planned avoidance of sediment pollutant runoff to bodies of water. This plan will address the following (if applicable), but not limited to:

- (i) Stabilization of exposed soils and soil stockpiles;*
Detailed erosion and sedimentation control BMP's have been designed into the plan and are shown on the plan set.
- (ii) Protection of steep slopes from erosion.*

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181 WATSON ROAD P.O. BOX 1166 DOVER, NH 03821-1166

PHONE: 603.749.0443 FAX: 603.749.7348

Impacts to steep slopes has been minimized as much as practicable with the design and erosion control BMP's are detailed on the drawings to mitigate erosion during and after construction.

(iii) Construction site water management.

A comprehensive and robust stormwater management and migration system has been designed to mitigate stormwater from the developed site.

(iv) Inspection and maintenance of runoff control measures (BMPS).

A comprehensive stormwater inspection and maintenance plan has been prepared and has been submitted along with the design plans.

(v) Minimization of land clearing.

This parcel is predominately a mowed hay field. Tree cutting where required has been minimized as much as has been practicable.

(vi) Stabilization of drainage ways.

The stormwater management system has been designed to mitigate impacts to the existing drainage ways after construction.

(vii) Installation of perimeter controls.

Erosion control BMP's (Silt Soxx TM) are shown throughout the project area and around proposed disturbed areas.

(viii) Installation of sediment trapping devices; and

Deep sump catch basins are the first sediment trapping BMP incorporated into the overall design along with pre-treatment swales and sediment forebay's at the detention ponds.

(ix) Storm drain inlet protection

Inlet protection is shown on the design plans.

The subdivision design plans have been completed. The plans include locations and details for sediment and erosion control devices. Notes outlining construction sequencing, inspection maintenance and inspection procedures of erosion control and sediment controls, timing of control devices, spill prevention and control practices, winter construction notes, and typical City of Dover and NH Alteration of Terrain blasting notes (blasting is not anticipated, this is common when ledge is present).

(c) Necessary state and federal approvals have been applied for. Said permits shall be received prior to issuance of Conditional Use Permit by the Planning and Community Development Department.

A NHDES State Subdivision is required. No other state permits are required. approval.

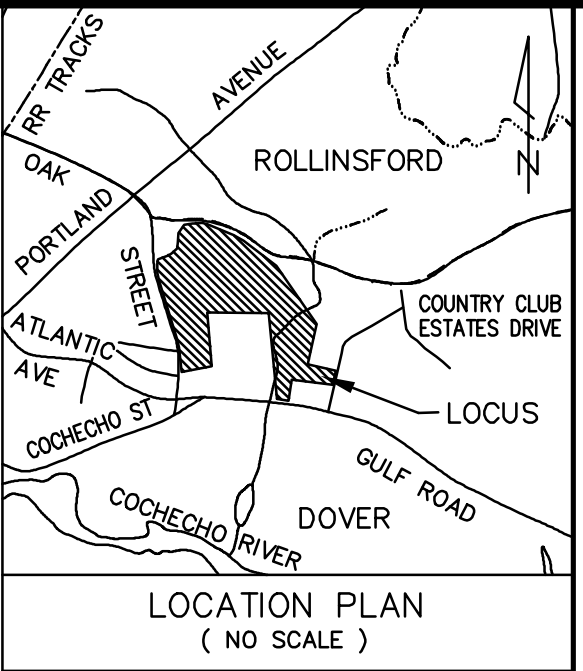
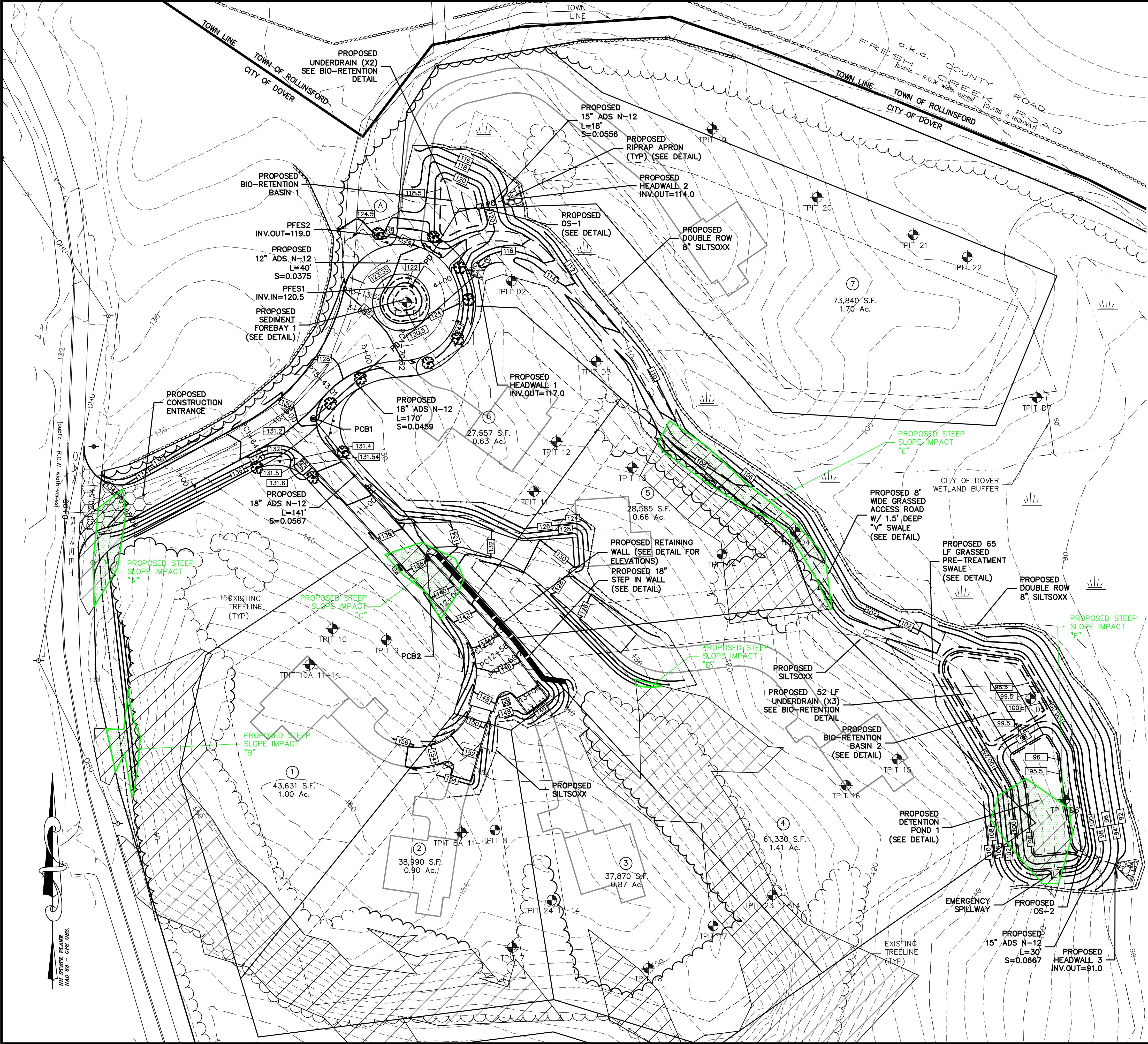
CIVILWORKS NEW ENGLAND

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(d) A written review by the Conservation Commission of the environmental effects of the proposed use upon the area in question has been submitted. The Commission's review shall address the following, but is not limited to:

- (i) Attempted avoidance of the impact.*
- (ii) Minimization of the impact.*
- (iii) Planned mitigation of the effects of the impact; and*
- (iv) Efficacy of the soil erosion and sedimentation control plan*



- NOTES:
1. PROVIDE INLET PROTECTION BARRIERS AROUND ALL EXISTING AND PROPOSED STORM DRAINAGE INLETS WITHIN THE WORK LIMITS AND AS SHOWN ON PLAN. MAINTAIN FOR THE DURATION OF THE PROJECT UNTIL PAVEMENT HAS BEEN INSTALLED AND UPSTREAM AREAS HAVE BEEN STABILIZED.
 2. NORTH AMERICAN GREEN EROSION CONTROL BLANKETS SHALL BE INSTALLED ON ALL SLOPES (SEE DETAIL).
 3. SILT BARRIERS SHALL BE INSTALLED AROUND THE PERIMETER OF EACH BUILDING LOT PRIOR TO COMMENCING EXCAVATION AND MAINTAINED UNTIL THE SITE IS STABILIZED.

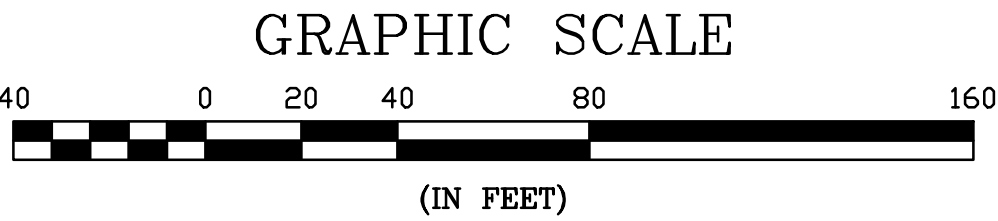
CITY OF DOVER 20% STEEP SLOPE IMPACTS:

20% STEEP SLOPES IMPACT "A":	1,505 SF
20% STEEP SLOPES IMPACT "B":	929 SF
20% STEEP SLOPES IMPACT "C":	1896 SF
20% STEEP SLOPES IMPACT "D":	68 SF
20% STEEP SLOPES IMPACT "E":	3,086 SF
(OVERLAPS WITH 50' WETLAND BUFFER)	
20% STEEP SLOPES IMPACT "F":	3530 SF
20% STEEP SLOPES IMPACT "G":	942 SF
(DRIVEWAY CONSTRUCTION FOR LOT 11)	
TOTAL:	11,956 SF

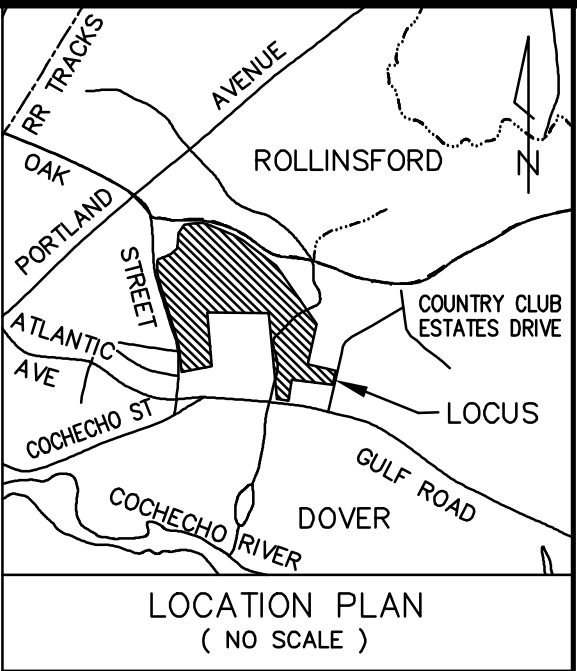
DRAINAGE SCHEDULE:

PCB1 (5' DIA./DOUBLE GRATE)
RIM=129.6
INV.IN=124.9
INV.OUT=124.8

PCB2 (4' DIA.)
RIM=137.7
INV.OUT=132.9



NOT FOR CONSTRUCTION FOR PERMIT USE ONLY		PLANNING FILE		NO.: SUBD-2023-0001		CIVILWORKS NEW ENGLAND		18 Watson Road, PO Box 1166 Dover, New Hampshire 03821 603.745.0443	
DATE: 5-2-23	SCALE: 1"=40'	DRAWN BY: CAD	DESIGN BY: JRG	APPROVED BY: JSH	PROJECT NO: 2074	FILE: SITE	NO.	REVISION	DATE
PROPOSED STEEP SLOPE EXHIBIT							APPLICANT: CHINBURG DEVELOPMENT, LLC 3 PENSTOCK WAY NEW MARKET, NH 03857		
PROJECT: EMERSON RIDGE AT JANETOS FARM OAK STREET DOVER, NH							EX-4		



- NOTES:
1. PROVIDE INLET PROTECTION BARRIERS AROUND ALL EXISTING AND PROPOSED STORM DRAINAGE INLETS WITHIN THE WORK LIMITS AND AS SHOWN ON PLAN. MAINTAIN FOR THE DURATION OF THE PROJECT UNTIL PAVEMENT HAS BEEN INSTALLED AND UPSTREAM AREAS HAVE BEEN STABILIZED.
 2. NORTH AMERICAN GREEN EROSION CONTROL BLANKETS SHALL BE INSTALLED ON ALL SLOPES (SEE DETAIL).
 3. SILT BARRIERS SHALL BE INSTALLED AROUND THE PERIMETER OF EACH BUILDING LOT PRIOR TO COMMENCING EXCAVATION AND MAINTAINED UNTIL THE SITE IS STABILIZED.

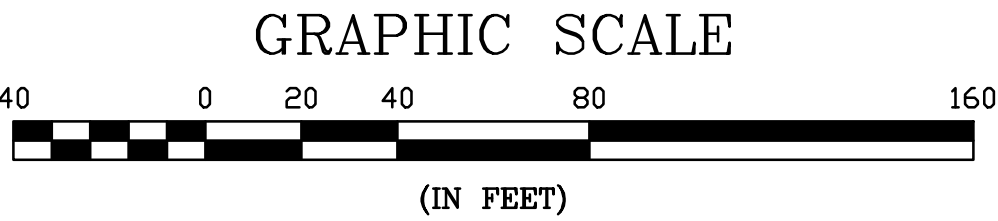
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(DRIVEWAY CONSTRUCTION FOR LOT 11)	
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PCB1 (5' DIA./DOUBLE GRATE)
RIM=129.6
INV.IN=124.9
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PCB2 (4' DIA.)
RIM=137.7
INV.OUT=132.9



NOT FOR CONSTRUCTION FOR PERMIT USE ONLY		PLANNING FILE		NO.: SUBD-2023-0001		CIVILWORKS NEW ENGLAND		18' Watson Road, PO Box 1166 Dover, New Hampshire 03821 603.745.0443	
DATE: 5-2-23	SCALE: 1"=40'	DRAWN BY: CAD	DESIGN BY: JRG	APPROVED BY: JRG	PROJECT NO: 21074	FILE: SITE	NO.	REVISION	DATE
PROJECT: EMERSON RIDGE AT JANETOS FARM AT OAK STREET DOVER, NH		APPLICANT: CHINBURG DEVELOPMENT, LLC 3 PENSTOCK WAY NEWMARKET, NH 03857		PROPOSED STEEP SLOPE EXHIBIT		EX-5			



City of Dover, New Hampshire

CONDITIONAL USE PERMIT APPLICATION

[Revision Date: October 19, 2020]

Office Use Only	Project #:	_____	Date Received:	_____
	Amount Paid:	_____	Time Received:	_____

APPLICANT AND OWNER INFORMATION

Name of Applicant: Chinburg Development, LLC Telephone # 603-868-5995

Address of Applicant: 3 Penstock Way Newmarket, NH 03857

E-Mail Address: massia@chinburg.com

Name of Property Owner (if different from applicant): SAME AS APPLICANT Telephone # _____

Address of Property Owner: _____

PROPERTY INFORMATION

Assessor's Map # N Lot(s) # 13-1

Address of Property: Oak Street & Gulf Road

Zoning District(s) R-40 Overlay District(s) Conservation District

Existing Use of Property: Residential - Vacant

CONDITIONAL USE PERMIT INFORMATION

Type of Conditional Use Permit (Check All That Apply):

- | | | |
|---|---|--|
| ☐ Conservation District | ☐ RCM Use Overlay District | ☐ Gateway District |
| ☐ Groundwater Protection | ☐ Off-Street Parking and Loading | ☐ Alternative Treatment Center |
| ☒ Wetland Protection District | ☐ Central Business District | ☐ Heritage Residential District |

Describe Proposed Use or Activity That Requires Conditional Use Permit and Describe Any Impacts:

Impacts will be made to the 50' Wetland Buffers to allow disturbances for road contruction and
associated grading and drainage design. Total impacts to wetland buffers will be 32,089 s.f., of
which 3,086 s.f. overlaps the 20% Steep Slope Area. There will be no direct impacts to wetlands.

List Any Associated State or Federal Permits That Have Been or Will Be Applied For and Indicate Their Status: _____

NH DES Subdivision Approval - Pending

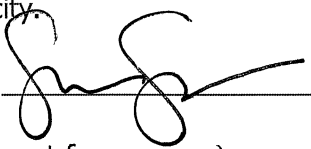
Name of Professional That Prepared Plans: Stephen J. Haight, PE - Civilworks New England

Address P.O. Box 1166 Dover, NH 03821 Telephone #: 603-749-0443

Professional License #: NH PE # 7978 E-mail address: shaight@civilworksne.com

SIGNATURES

I/We hereby submit this application to the City of Dover Planning Board and attest that to the best of my knowledge all of the information on this application form and in the accompanying application materials and documentation is true and accurate. As applicant or as agent, I attest that I am duly authorized to act in this capacity.

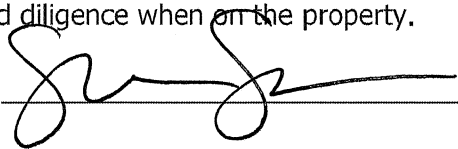
Signature of Property Owner:  Date: 22 FEB 2023

Signature of Applicant (if different from owner): _____ Date: _____

Signature of Agent: _____ Date: _____

AUTHORIZATION TO ENTER SUBJECT PROPERTY

I, and my successors, hereby authorize members of the Dover Planning Board, Planning Department and other pertinent City Departments and boards to enter my property for the purpose of evaluating this application, including performing inspections during the application phase, post-approval phase, construction phase and occupancy phase. It is understood that these individuals must use all reasonable care, courtesy, and diligence when on the property.

Signature of Property Owner:  Date: 22 FEB 2023

CITY OF DOVER CONDITIONAL USE LIST OF ABUTTERS

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Owner:

TAX MAP	LOT #	PROPERTY OWNER	MAILING ADDRESS
N	13-1	Chinburg Development, LLC	3 Penstock Way Newmarket, NH 03857

Applicant (if different from owner):

APPLICANT NAME	APPLICANT COMPANY	MAILING ADDRESS

Surveyor and/or Engineer/Professional Agent:

NAME	COMPANY	MAILING ADDRESS
Stephen J. Haight, PE	Civilworks New England	P.O. Box 1166 Dover, NH 03821
Kevin McEneaney, LLS	McEneaney Survey Associates	24 Chestnut Street Dover, NH 03820
Damon Burt, CWS	Fraggle Rock Environmental, Inc.	38 Garland Road Strafford, NH 03884

Conservation Easement Holder:

TAX MAP	LOT #	NAME OF EASEMENT HOLDER	MAILING ADDRESS

CIVILWORKS NEW ENGLAND

181 WATSON ROAD P.O. BOX 1166 DOVER, NH 03821-1166

PHONE: 603.749.0443 FAX: 603.749.7348

CONDITIONAL USE PERMIT CRITERIA – WETLAND PROTECTION DISTRICT

50' Wetland Buffer Impacts

(a) Practicable Alternative: There is no practicable alternative that would have a less adverse impact on the area.

Due to the unique topography of the parcel impacts are unavoidable. The total proposed impacts to the 50' wetland buffer is 32,089 sf (note: 3,086 sf of steep slopes are also encompassed within the 20% steep slope) and limited to the improvements required for proposed stormwater management facilities and a proposed home driveway. All impacts have been designed to disturb as little of the 50' wetland buffer as to the most practicable extent possible.

The Project Proponent and design team worked closely with the Planning Department and Technical Review Committee to balance the lot layout and roadway design with the unique topography of the parcel. Although the density calculations indicated that the parcel would support up to 14 house lots, through the extensive collaborative effort between Staff and the project team, the number of lots was reduced to 11 to best suit the property.

(b) Avoidance: The potential impacts have been avoided to the maximum extent practicable. The APPLICANT will demonstrate by plan and example that the proposed construction represents the least impacting alternative.

There are no wetland impacts proposed. Wetland buffers impacts are limited to grading and stormwater management and a section of 1 house driveway. The Project Proponent and design team worked closely with the Planning Department and Technical Review Committee to balance the lot layout and roadway design with the unique topography of the parcel. Although the density calculations indicated that the parcel would support up to 14 house lots, through the extensive collaborative effort between Staff and the project team, the number of lots was reduced to 11 to best suit the property.

(c) Minimization: Any unavoidable impacts have been minimized. No reasonable Alternative to the proposed construction exists which does not impact a wetland or which has less detrimental impact on a wetland. Design, construction and maintenance methods will be prepared by a registered engineer to minimize detrimental impacts to the wetlands and will include restoration of the site as nearly as possible to its original grade.

All wetland impacts have been avoided. Due to the unique topography of the parcel impacts are unavoidable. The total proposed impacts to the 50' wetland

CIVILWORKS NEW ENGLAND

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PHONE: 603.749.0443 FAX: 603.749.7348

buffer is 32,089 sf (note: 3,086 sf of steep slopes are also encompassed within the 20% steep slope) and limited to the improvements required for proposed stormwater management facilities and a proposed home driveway. All impacts have been designed to disturb as little of the 50' wetland buffer as to the most practicable extent possible.

Sediment and erosion control devices will be installed down slope of all disturbed areas during construction. Added protection, such as, double row siltsoxx TM will be installed along disturbed areas adjacent to wetlands and wetland buffers. The design plans outline these locations.

All disturbed areas within the 50' wetland buffer will be loamed and seeded with a native meadow seed mix (conservation mix).

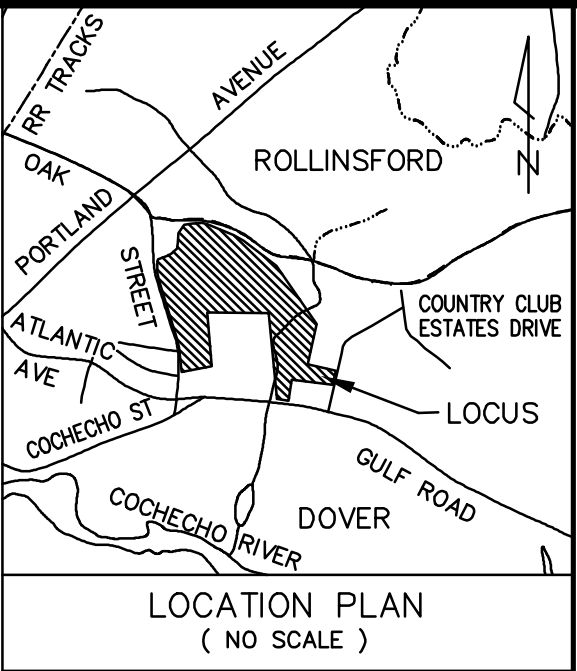
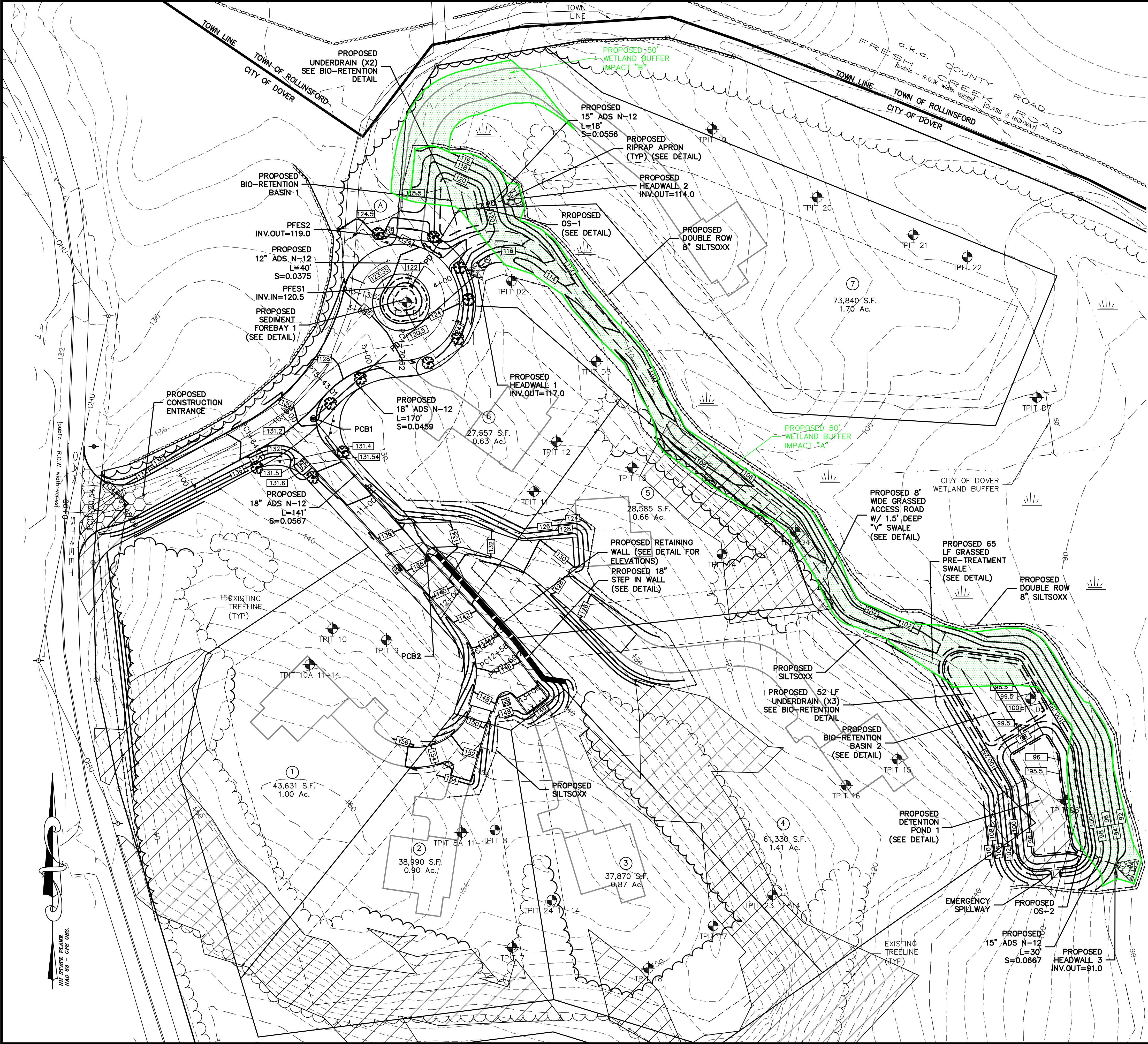
(d) Mitigation: If the APPLICANT is required by State rules to prepare a compensatory mitigation plan, the APPLICANT shall provide the Conservation Commission and PLANNING BOARD with one copy each of said plan for their review.

Mitigation is not required as there are no proposed wetland impacts.

(e)

Approval for the wetlands impact has been received from the NHDES Wetlands Bureau pursuant to Section G (3), below.

A wetland permit is not required as there are no proposed wetland impacts.



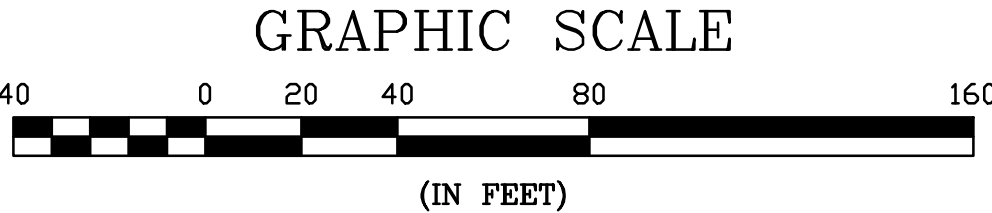
- NOTES:
1. PROVIDE INLET PROTECTION BARRIERS AROUND ALL EXISTING AND PROPOSED STORM DRAINAGE INLETS WITHIN THE WORK LIMITS AND AS SHOWN ON PLAN. MAINTAIN FOR THE DURATION OF THE PROJECT UNTIL PAVEMENT HAS BEEN INSTALLED AND UPSTREAM AREAS HAVE BEEN STABILIZED.
 2. NORTH AMERICAN GREEN EROSION CONTROL BLANKETS SHALL BE INSTALLED ON ALL SLOPES (SEE DETAIL).
 3. SILT BARRIERS SHALL BE INSTALLED AROUND THE PERIMETER OF EACH BUILDING LOT PRIOR TO COMMENCING EXCAVATION AND MAINTAINED UNTIL THE SITE IS STABILIZED.

CITY OF DOVER 50' WETLAND BUFFER IMPACTS:

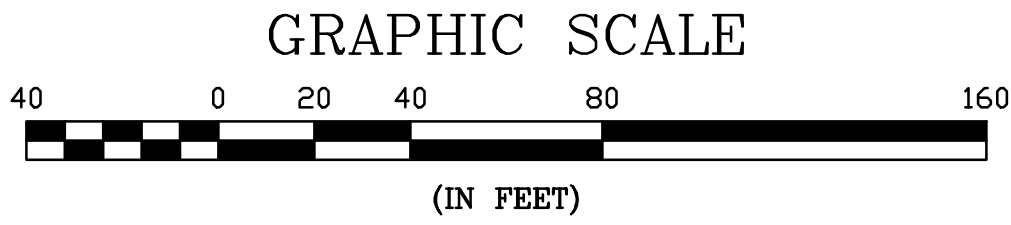
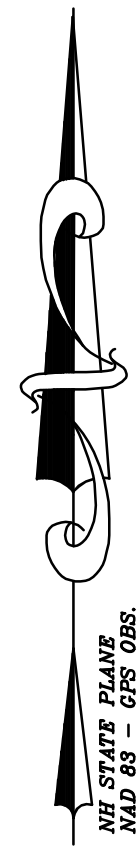
50' WETLAND BUFFER IMPACT "A": (3,086 SF OVERLAPS WITH 20% STEEP SLOPES)	26,524 SF
50' WETLAND BUFFER IMPACT "B": (DRIVEWAY CONSTRUCTION FOR LOT 7)	5,028 SF
50' WETLAND BUFFER IMPACT "C": (DRIVEWAY CONSTRUCTION FOR LOT 11)	537 SF
TOTAL:	32,089 SF

DRAINAGE SCHEDULE:

PCB1 (5' DIA./DOUBLE GRATE) RIM=129.6 INV.IN=124.9 INV.OUT=124.8
PCB2 (4' DIA.) RIM=137.7 INV.OUT=132.9



NOT FOR CONSTRUCTION FOR PERMIT USE ONLY				PLANNING FILE				NO.: SUBD-2023-0001				CIVILWORKS NEW ENGLAND			
DATE: 5-2-23				SCALE: 1"=40'				DESIGN BY: JRG				PROJECT NO: 2074			
DRAWN BY: CAD				APPROVED BY: JSH				FILE: SITE				NO.			
REVISION				APPD				DATE				18' Watson Road, PO Box 1166 Dover, New Hampshire 03821 603.745.0443			
PROJECT:				APPLICANT:				EX-1				EMERSON RIDGE AT JANETOS FARM OAK STREET DOVER, NH			
PROPOSED 50' WETLAND BUFFER EXHIBIT				CHINBURG DEVELOPMENT, LLC 3 PENSTOCK WAY NEWMARKET, NH 03857											



- NOTES:**
1. PROVIDE INLET PROTECTION BARRIERS AROUND ALL EXISTING AND PROPOSED STORM DRAINAGE INLETS WITHIN THE WORK LIMITS AND AS SHOWN ON PLAN. MAINTAIN FOR THE DURATION OF THE PROJECT UNTIL PAVEMENT HAS BEEN INSTALLED AND UPSTREAM AREAS HAVE BEEN STABILIZED.
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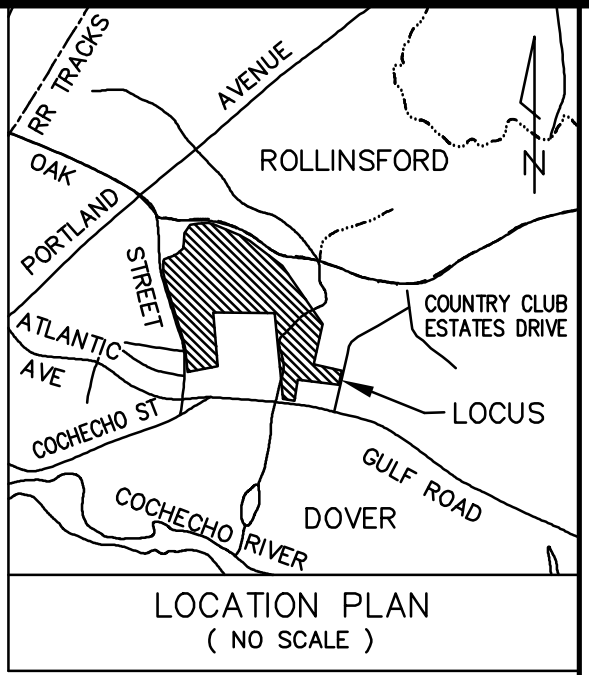
CITY OF DOVER 50' WETLAND BUFFER IMPACTS:

50' WETLAND BUFFER IMPACT "A": (3,086 SF OVERLAPS WITH 20% STEEP SLOPES)	26,524 SF
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TOTAL:	32,089 SF

DRAINAGE SCHEDULE:

PCB1 (5' DIA./DOUBLE GRATE)
RIM=129.6
INV.IN=124.9
INV.OUT=124.8

PCB2 (4' DIA.)
RIM=137.7
INV.OUT=132.9



PROPOSED 50' WETLAND BUFFER EXHIBIT		NOT FOR CONSTRUCTION FOR PERMIT USE ONLY	
		PLANNING FILE	
PROJECT:		NO.:	
APPLICANT:		NO.:	
EMERSON RIDGE DEVELOPMENT, LLC		CIVILWORKS NEW ENGLAND	
AT JANETOS FARM		18' Watson Road, PO Box 1166	
OAK STREET		Dover, New Hampshire 03821	
DOVER, NH		603.745.0443	
EX-2		DATE	DATE
		APP'D	DATE
		REVISION	DATE
		NO.	DATE

CIVILWORKS NEW ENGLAND

181 WATSON ROAD P.O. BOX 1166 DOVER, NH 03821-1166

PHONE: 603.749.0443 FAX: 603.749.7348

CONDITIONAL USE PERMIT NARRATIVE

Emerson Ridge at Janetos Farm is a proposed Open Space Subdivision off of Oak St. We have endeavored to create a balance and harmony between the existing site conditions, development of eleven homes, and the preservation of the key characteristics of the parcel. The proposed subdivision would successfully conserve more than 15 acres of land with a focus on preserving field areas, wetlands, and viewsheds. This project has been collaborative with the City of Dover from the start, and we have had many revisions to the plan set that you see before you in an effort to minimize our disturbance to the natural landscape. Our yield plan for this parcel would have allowed for 14 homes on conventional lots. For this open space subdivision, we have reduced the number of homes proposed to 11 to create a balance between the development and the conservation areas. This proposed development has no impact to wetlands but does have three impacts to the 50' wetland buffer which are described in more detail below. This proposed development also has impacts to steep slopes in different areas of the subdivision which are described in more detail below. The applicant and engineer have carefully evaluated and mitigated each impact as much as possible. These plans have been revised 19 times via input from the City of Dover Planning Staff and the Technical Review Committee.

Narrative for Steep Slope Impacts

- **Impact A & Impact B:** The steep slope impact for Area A is 1,505 sq ft and the steep slope impact for Area B is 929 sq ft which both involve alteration of steep slopes along Oak Street on this parcel to create sight distance for the proposed upgraded roadway. Using this area for road access allows us to use an existing disturbed area and have a minimized impact on other areas of steep slopes that exist on the parcel. These impacts have been minimized as much as possible and have been carefully curated to only cause impacts where necessary for the upgraded road entrance and the necessary sight distance. These impacts to the slopes will be properly designed and stabilized to minimize impact.
- **Impact C:** Proposed Impact C is a 1,896 sq ft impact to steep slopes for the shared private drive. Rather than individual driveways for each individual lot we carefully selected and combined shared driveways where applicable. We placed these shared driveways purposefully to minimize impact to the steep slope areas and combined driveways where applicable to ensure that impact was minimized. We have added a retaining wall to the shared driveway to reduce the potential grading impact in the steep slopes for these shared driveways. We have carefully placed this shared driveway to allow roadway infrastructure and future homesites to sit on the areas of the land that are most appropriate while protecting natural viewsheds along the ridge.
- **Impact D:** Proposed impact D is a 68 sq ft impact at the end of the shared driveway which is caused by driveway grading. This driveway has been placed to carefully cause the least impact. The small impact caused here is only for

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projected grading around the driveway area not for driveway construction. This minimal impact is projected for proper stabilization of the future driveway.

- **Impacts E & F:** Proposed impacts E & F are impacts caused by the proposed drainage system. The drainage options for this site have been carefully considered to provide the most effective treatment for this area while conscientiously minimizing impacts to the natural character of the land. Using the natural topography of the land to properly design the drainage areas, we selected an area that would have a minimized impact on the steep slopes and wetland buffers but a maximum impact on stormwater treatment and detention. The proposed drainage system near these impacts consists of open drainage of bioretention pond, a drainage swale underneath a 8' wide grassed access road, and second bioretention pond. These drainage areas have been artfully designed to provide stabilization of drainage areas, reduce erosion, and provide sediment control while avoiding impacts to wetlands and reducing impact to steep slopes through purposeful design.
 - **Impact E** is 3,086 sq ft and is in the area of the proposed swale and grassed access road. Though the steep slopes will be impacted in this location it is on the edge of the steep slope area and the majority of the steep slopes will be maintained, there will be restoration of grass planting in this area as well. Placing the drainage swale and access area in this location provides the minimum disturbance to the steep slope areas while still allowing us to have no impact in the man-made wetland.
 - **Impact F** is 3,530 sq ft and is an impact within the larger proposed bioretention pond on site. Placing the bioretention pond in this area allows us capture the drainage at the low point where the water naturally flows and treat it before it enters into the wetland system. Placing the drainage in this area is the best place suitable for drainage that allows for no disturbance of the wetland and minimized disturbance to the steep slope area.
- **Impact G:** Impact G is a 942 sq ft impact to steep slopes to allow for the driveway to proposed Lot 11 which will be off of Country Club Estates. This area for the driveway will provide the least impact to the 50' wetland buffer and the 20% steep slopes while still providing driveway access to the proposed home at this location.

Narrative for Wetland Buffer Impacts

- **Impact A:** Impact A constitutes a 26,524 sq ft impact to the 50' wetland buffer. This impact is primarily along the man-made portion of the wetland which is a narrow farm drainage swale. This impact is necessary to provide for the swale and access area for the proposed drainage system and will not cause any impact to the wetland area itself. This impact will ensure proper care of the stormwater and runoff onsite so that it can be treated properly prior to entering into the

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ground water and wetland system. This impact will be temporary as this area will be reclaimed with grass and used only occasionally for access and maintenance of the proposed bioretention pond. Using this area provides for a minimized impact to the wetland and instead impacts the wetland buffer while working with the natural topography of the land to minimize additional impacts to steep slopes.

- **Impact B:** Impact B is a 5,028 sq ft impact to allow for the driveway to proposed Lot 7. We have worked to place this driveway in an area that will have the least impact to wetland buffer and have avoided wetland impacts entirely for the driveway. This impact is at the very end of the manmade farm swale and the location of this buffer impact has been studied and designed specifically to minimize the impact to the wetland buffer while working with the constraints of the lot lines in this area.
- **Impact C:** Impact C is a 537 sq ft impact to allow for the driveway to proposed Lot 11 which will be off of Country Club Estates this area for the driveway will provide the least impact to the 50' wetland buffer and the 20% steep slopes while still providing driveway access to the proposed home at this location.

Recognizing Traditional Indigenous Foraging Rights on Town of Durham Public Lands

Adopted by the Durham Conservation Commission

April 24, 2023

The lands on which the Town of Durham, New Hampshire, now sit are the ancestral and unceded lands of the Pennacook-Abenaki people, with history of use by other Indigenous peoples as well.

Recognizing the historical mistreatment and contemporary marginalization of Indigenous peoples, the Town has engaged with Pennacook-Abenaki and other Indigenous leaders in a number of ways to recognize and recover Indigenous heritage.

One manifestation of this dialogue was adoption of the *Land, Water, and Life Acknowledgement* by the Durham Human Rights Commission. The *Acknowledgement* recognizes the longstanding connections of Indigenous peoples to the natural landscape, and pledges to help repair and support continuity of those connections. The Durham Conservation Commission subsequently adopted the *Acknowledgement* as well, which is now read at the opening of all meetings.

Following adoption of the *Acknowledgement*, the Conservation Commission began discussions among its members and with Indigenous leaders about ways to actualize the intentions conveyed. Indigenous leaders identified recognition of traditional foraging rights as a priority goal. These leaders see these foraging rights as a foundational element of their culture, an important way to maintain direct connections to the landscape, and a vehicle for educating future generations – both Indigenous and non-Indigenous alike – about traditional practices and relationships.

Both Indigenous leaders and the Conservation Commission recognize that continuing Indigenous foraging rights must respect the contemporary state of the natural landscape. Habitats have been lost, fractured, and altered; certain species have been lost or severely depleted; non-native species have become established; and nature now co-exists with substantial human development. Some Indigenous practices that were sustainable prior to colonization are no longer sustainable, although many still are.

Within this context, the Durham Conservation Commission adopts the following:

It shall be the policy of the Durham Conservation Commission to recognize and support Indigenous foraging rights on Town conservation lands, with the following guidelines:

- a) This policy applies to shrubs, flowers, grasses, fungi, and other productive non-animal species. Following the guidance of Indigenous leaders, plants and fungi should be gathered in the traditional Indigenous manner of never gathering more than the species can support, and gathering with reverence and respect.*
- b) Endangered species, threatened species, and species of conservation concern, whether plant, animal, fungi, or any other type of organism, shall remain within the natural landscape.*
- c) Hunting, trapping, fishing, and timber harvest are not part of this policy, although these activities are permitted when consistent with other Town, state, and federal policies. The Conservation Commission will work with members of the Indigenous community who are interested in conducting these traditional activities by identifying the relevant policies and management entities with whom to work.*
- d) Collecting bones, hides, shells, and feathers from animals found to be deceased is supported, unless possession is prohibited by state or federal statutes and regulations. Similarly, collection*

of fallen tree branches, leaves, seeds, and fruits is supported, unless from species of conservation concern for which replenishing the seedbank is important.

- e) Recognizing that Indigenous peoples have incorporated use of non-native species into their cultural practices as part of adaptation to a changing landscape, this policy supports use of those species. However, care should be taken to prevent unintended spread of those species through proper handling and storage.*
- f) In order to facilitate better understanding of ongoing Indigenous connections with the landscape by the Town, identify educational opportunities, and support inventory of natural resources on Town lands, Indigenous peoples acting on these rights are invited to notify the Chair of the Conservation Commission and/or the Land Stewardship Coordinator of their intent to forage and of any species collected.*
- g) This policy does not discriminate among Indigenous identities, recognizing that many places were historically used by multiple Indigenous communities over time but that historical land use is poorly documented. Furthermore, forced displacement has severed traditional connections with ancestral landscapes for many Indigenous peoples, and these connections need to be rebuilt in new ways. This policy is also not intended to convey an exclusive right to Indigenous peoples to access Durham Conservation land and does not supersede or modify any existing agreements, designations, or regulations concerning land within the Town of Durham.*

The Conservation Commission shall periodically review and revise this policy as needed in consultation with Indigenous communities, other Town bodies, state and federal agencies, and the public at large.