



**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, May 8, 2023  
Meeting Time: 5:30 pm

**MEMBERS PRESENT:** Bill Hunt (Chair), Kristen Murphy, Abigail Lyon, Jay Aube, Bruce Batchelder (Alternate), Jake Geddes (Alternate)

**Absent (Excused):** Robert Atwood (Secretary), Amy Kramer-Perry, Steve Fellows (Vice Chair)

**STAFF PRESENT:** Jackson Kaspari – Resilience Manager

**OTHERS PRESENT:** Councilor Lindsey Williams, Steve Height, Kathleen Blake

### 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.

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

K. Murphy moved to approve the April 10, 2023 minutes, A. Lyon seconded. Vote: 5 yes. 1 abstention.

**4. OLD BUSINESS:** None

### 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 11-lot open space subdivision, creating 11,956 square feet of impact to the Conservation District resulting from steep slopes in excess of 20%.

Steve Height with Civilworks New England presented information for Items A and B under New Business.

He reviewed the locations of the steep slope impacts and the reason for them. He walked the Commission through how the information addresses the CUP criteria for the Conservation District speaking to the sediment and erosion controls.

A. Lyon: Would the HOA hold the stormwater management permit?

S. Height: Yes, the HOA would have to be the holder of the permit.

A. Lyon: Could you please speak to the 100-year flood zone?

S. Height pointed to the location of the zone in proximity to an identified house lot.

A. Lyon moved to endorse the conditional use permit application given the avoidance and minimization of impacts. J. Aube seconded. Vote: 6 yes.



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- 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 11-lot open space subdivision, creating 32,089 square feet of impact to wetland buffers.

Steve reviewed the proposed wetland buffer impacts, noting locations and how the CUP criteria had been addressed per the CUP memo. He emphasized the design of the stormwater management system.

B. Hunt: Will there be modifications to the existing swale?

S. Height: No, the geometry of the swale will not be impacted.

B. Hunt: Will the HOA be involved with management of the swale and turf areas?

S. Height: Yes, they have to in accordance with the stormwater management plan.

K. Murphy: When were the wetlands delineated on the property?

S. Height: Last delineated on August 8, 2021.

J. Aube: Is there opportunity for buffer enhancement?

S. Height: There are areas that will be allowed to revegetate in accordance with the stormwater management plan which is approximately 1/3 of the buffer.

A. Lyon: Will signage be placed along property boundaries to ensure property owners are not mowing into the wetland areas?

S. Height: There is a note that requires wetland buffer placards to be installed.

J. Aube moved to endorse the conditional use permit application with a recommendation that some of the historically mowed fielded areas are allowed to revegetate. K. Murphy seconded.  
Vote: 6 yes.

- C.** Dover Community Garden Group – Update and Funding Request

Annie Macadam, one of the leaders of the Community Garden Group, presented an update on the group status to the Conservation Commission and explained the funding request.

A. Lyon: Do you have a sense for the demographics of the people that utilize the garden?



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A. Macadam: There are a good number of renters which was anticipated. A lot of people in the 20 – 40-year-old range.

B. Hunt: Have there been issues with vandalism?

A. Macadam: Not many issues other than the gate being messed with some.

B. Batchelder: How many people are on the wait list?

A. Macadam: There are five people on the wait list for the Garrison Hill Tower location.

J. Kaspari: Where is the DCGG with the 501(c)3 status?

A. Macadam: Recognized as such with the IRS but not with the state of New Hampshire. Still need to complete the State forms and plan to complete those within the next couple of months.

J. Kaspari explained that while the garden is definitely a great asset for the community, he reminded the Commission that there is no formal partnership and that the plots are used for private benefit. While funding these requests does fall within the scope of the Conservation Commission, he cautioned the Commission that processing purchase orders requires staff time.

Discussion ensued on this.

B. Hunt: Have you investigated any grant funding?

A. Macadam: There is a grant opportunity we could pursue through the New England Grassroots Fund.

The Commission discussed that authorization of this request will allow for the DCGG to get more established and pursue other funding sources in the future.

A. Lyon moved to authorize the use of \$5,300 from the Conservation Fund for the installation of a pergola and payment of utility expenses for one year. J. Geddes seconded. Vote: 5 yes. 1 no.

K. Murphy who voted no stated that she is not opposed to the garden but has discomfort about the use of Conservation Fund monies being used to cover utility costs.

### D. Discussion on Indigenous Foraging Policy

Kathleen Blake was present to explain the concept and introduce the policy that was adopted by the Town of Durham's Conservation Commission.

A. Lyon pointed out that the Commission should learn from the process that Durham went through and discuss any concerns.



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J. Kaspari explained that the staff recommendation surrounding this would be to adopt a policy regarding responsible foraging and that it's difficult to adopt an overarching indigenous policy due to pending supreme court litigation and specific provisions for each conservation tract.

K. Murphy discussed how NH has laws that protect landowners from liability if the land is open to public access. She stated her support.

B. Hunt stated that he is behind the intent philosophically but is concerned about the oversight and application.

### 6. REPORT FROM THE CHAIR

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

J. Kaspari reported that there was no correspondence to share.

### 7. OTHER BUSINESS

#### A. Update from Forest Management Subcommittee

S. Fellows was not present for the update. The Subcommittee will be meeting later in the month.

A. Lyon asked if the installation of the new street trees could be celebrated through an event.

K. Murphy shared that the Open lands Committee is hosting a pollinator garden event off of Tolend Rd. at Riverside Gardens on May 20<sup>th</sup> from 9 am – 11 am.

### 8. ADJOURNMENT

A. Lyon motioned to adjourn. J. Aube seconded. Vote: 6 yes.

The meeting was adjourned at 7:05 PM.