

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, August 14, 2023
Meeting Time: **5:30 pm**

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

Absent (Excused): Abigail Lyon, Jay Aube, Jake Geddes (Alternate)

STAFF PRESENT: Jackson Kaspari – Resilience Manager

OTHERS PRESENT: Anna Boudreau, Craig Lombard, Linda Welsh, Kevin Poulin, Damon Burt, Walter Woods

S. Fellows and A. Kramer-Perry arrived at 5:32 pm.

1. CALL TO ORDER AND ROLL CALL

The meeting was convened at 5:30 PM.

2. CITIZENS' FORUM

3. APPROVAL OF THE PRIOR MEETING MINUTES – June 12, 2023

R. Atwood moved to approve the June 12, 2023 minutes, K. Murphy seconded. Vote: 4 yes with 1 abstention.

4. OLD BUSINESS: None

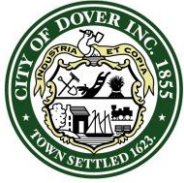
5. NEW BUSINESS:

- A.** Public Hearing, in accordance with RSA 36-A:5, for the purpose of receiving public input on a proposal to expend \$175,000 and an additional \$25,000 associated with a survey and transaction costs from the Conservation Fund to purchase a 10.29-acre conservation easement on the parcel located at 198 Blackwater Road. The parcel is known as Map A, Lot 23-1 and is owned by Mr. Craig Lombard and Mrs. Katherine Lombard. ***Conservation Commission vote to follow public hearing.***

J. Kaspari presented the background on the project explaining the reasons for wanting to protect it which include the protection of Blackwater Brook, proximity to existing conservation land, some of the highest ranked wildlife habitat in New Hampshire as well as prime farmland soils and soils of statewide importance. To help reach an agreement Conservation Funding would also be utilized to pay for a survey and the other transaction costs. Kaspari utilized maps to show the location and proximity to other protected lands.

A. Boudreau, Chair of the Open Lands Committee, explained that she's been working on these projects for many years and is excited this is being brought forward. She welcomed answering any questions.

Chair Hunt opened the public hearing.



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Linda Welsh, abutter of the property asked if the land will stay as open space or if there were any plans for development.

It was confirmed that the land will stay as open space.

S. Fellows asked if there is sufficient funding available. J. Kaspari reported that there is sufficient funding even with the two other projects that were recently authorized.

A. Kramer-Perry moved to authorize the expenditure from the Conservation Fund. S. Fellows seconded. Vote: 6 yes.

Craig Lombard provided some history on the property and stated that protecting the land means a lot to him and his family. He described some of the wildlife that he's experienced on the property.

- B.** City of Dover Conditional Use Permit for Stonearch Development Corporation, (Agent: Berry Surveying and Engineering), Assessor's Map E, Lots 65-1 and 65-A, zoned R-20, located between 53 and 65 Tolend Road and 22 Sun Hawk Lane. Proposal is for a 27 lot subdivision with 2 open space areas creating 20,850 square feet of permanent impact and 8,071 of temporary impact to wetland buffers.
- C.** City of Dover Conditional Use Permit for Stonearch Development Corporation, (Agent: Berry Surveying and Engineering), Assessor's Map E, Lots 65-1 and 65-A, zoned R-20, located between 53 and 65 Tolend Road and 22 Sun Hawk Lane. Proposal is for a 27 lot subdivision with 2 open space areas creating 2,156 square feet of permanent impact and 1,983 square feet of temporary impact to a wetland.

Items B and C were explained together by Kevin Poulin of Berry Surveying and Engineering. He walked the Commission through the project and presented how the proposal meets the conditional use permit criteria.

B. Hunt: Sun Hawk Lane is going to be enlarged?

K. Poulin: Yes, it will be enlarged to 20 feet in width to allow for access by fire apparatus.

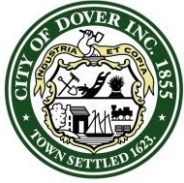
S. Fellows: Can you clarify the number of dwellings?

K. Poulin: There will be 27 single family homes and a duplex.

K. Murphy: When were the wetlands delineated and were there vernal pools?

K. Poulin: It was delineated in the spring of 2021 and no vernal pools were found on site.

Per the request of B. Hunt, K. Poulin explained how the sloped will be stabilized.



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K. Murphy: Can you explain the features of the wetland in the crossing area as well as discuss the buried culvert?

K. Poulin: The culvert is filled on the bottom with six inches of dirt to act more like a natural crossing. The wetland type is a wooded wetland and it is not channelized. The high point of the wetland is at the crossing area to access the uplands.

There is a very large open space buffer around the project. There are approximately 25 acres that will be left for open space mostly on the western side. The existing foot trail will be provided as an easement to the City of Dover. The trail will be expanded along the river.

R. Atwood: How long is the trail approximately?

K. Poulin: It's approximately half a mile along the river.

The open space land will not be available for development.

S. Fellows: Is there a signage plan for the wetland buffer?

K. Poulin: Yes, there is. Signs will be installed to identify the wetland areas.

Discussion ensued about the effluent treatment areas. This proposal is below the lot loading and there is no well radius concern since there is municipal water supply. Any City approvals will be contingent upon NHDES.

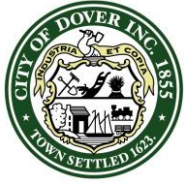
S. Fellows moved to endorse the Condition Use Permit for the wetland buffers under Item B. R. Atwood seconded. S. Fellows noted he appreciated the description that was provided, that the Sun Hawk lane changes were recommended by TRC and that selected entrance is a less impactful alternative. Vote: 6 yes.

S. Fellows moved to endorse the Conditional Use Permit for the wetland impact under Item C.

A. Kramer Perry seconded. Vote: 6 yes.

- D.** City of Dover Conditional Use Permit for Settlement on 6th, (Agent: Fraggie Rock Environmental), Assessor's Map B, Lot 5-2, zoned R-40, located at 27 Wildcat Drive. Proposal is for 142 square feet of wetland buffer impact associated with a foundation.

Damon Burt with Fraggie Rock Environmental was present to explain the application. A portion of the wetland on the subject property was inadvertently filled in. The foundation was placed closer to the wetland within the buffer area than it should have been. The applicant is working with NHDES on the wetland restoration. The plan was approved and the reports will be submitted to the Commission. D. Burt walked the Commission through how the project addressed the CUP criteria.



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Walter Woods explained some background on the development including an effort to maintain the mature trees within the subdivision. Three of the wetland flags were damaged or lost which caused the issue with the foundation being placed within the buffer. He stressed there are measures in place to make sure an issue like this does not happen again.

K. Murphy: Will the buffer be allowed to restore? What is the plan for behind the foundation. There will be a 30-foot yard area around the home.

Discussion ensued about how behind the foundation may be a disturbed buffer.

J. Kaspari noted that alteration of the surface within the wetland buffer would require a CUP for permanent impacts.

S. Fellows: Is there signage along the forested area?

W. Woods: Damon just reflagged the subdivision.

S. Fellows noted that there should be signage along the buffers.

K. Murphy stated that she feels the proposed lawn area should have been counted towards the proposed buffer impacts as it should be realistic for the eventual owner.

D. Burt explained that the wetland will be monitored for the next few years to satisfy NHDES as part of the restoration plan.

S. Fellows moved to endorse the Conditional Use Permit with the understanding that there will be no further development in the buffer and that wetland placards will be installed post restoration. K. Murphy seconded. S. Fellows voiced appreciation that the applicant approached the Commission about this issue and is willing to work with them on the discussed conditions.

Vote: 6 yes.

6. REPORT FROM THE CHAIR

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

J. Kaspari explained a letter of approval by NHDES for the NHDOT General Sullivan Bridge replacement project and said he would scan and share the letter with the Commission.

7. OTHER BUSINESS

A. Update from Forest Management Subcommittee

J. Kaspari provided an update discussing the street tree installation, pocket forest work and other ongoing efforts of the Subcommittee.

8. ADJOURNMENT

S. Fellows motioned to adjourn. A. Kramer-Perry seconded. Vote: 6 yes.

The meeting was adjourned at 7:04 PM.