

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, June 10, 2024
Meeting Time: 5:30 pm

MEMBERS PRESENT: Bill Hunt (Chair), Steve Fellows (Vice Chair), Kristen Murphy, Amy Kramer Perry, Abigail Lyon, Russ Warnock (Alternate)

Absent (Excused):, Robert Atwood (Secretary), Jake Geddes

Absent (Unexcused):

STAFF PRESENT: Jackson Kaspari – Resilience Manager, Donna Benton- Planning Director

1. CALL TO ORDER AND ROLL CALL

The meeting was convened at 5:30 PM.

5. NEW BUSINESS:

A. City of Dover Conditional Use Permit and NHDES Standard Dredge and Fill Wetlands Permit for Benjamin Stockman, Assessor's Map L, Lot 43-A, zoned R-20, located at 165 Spur Road. The Conditional Use Permit proposal is to conduct shoreline erosion repair creating 398 square feet of overlapping permanent impact to the Conservation District and 50-foot wetland buffer. The NHDES Standard Dredge and Fill Wetlands Permit proposal is to replace a tidal docking structure, in addition to the erosion repair, creating 1,026 square feet of permanent impact and 1,688 square feet of temporary impact

Steve Haight, CivilWorks NE presented the item which is two applications- one to replace the dock and one for the stone sill at the base of the bank. He answered follow up questions from the Commission.

S. Fellows moved to endorse the Conditional Use Permit and NHDES Standard Dredge and Fill Wetlands Permit.

A. Kramer Perry seconded. Vote: U/A.

3. APPROVAL OF THE PRIOR MEETING MINUTES- May 13, 2024

R. Warnock moved to approve the minutes of May 13 as submitted. A. Lyon seconded. Vote: All in favor with S. Fellows abstaining

2. CITIZENS' FORUM

The Chair gave instructions for Citizens' forum

Leslie Wiedmann-Herd represented a group of neighbors and abutters regarding the proposal at 210 Tolend Rd. She gave history of conservation efforts that have been made on the property in the past. She summarized the input given about the project at a meeting they held in May. It is their understanding that TDR is to promote development where appropriate (with least conservation value) and to direct funds received from TDR to permanently protect lands with significant conservation value. The property in question falls in the latter category and should not be developed through TDR, but should be protected.

She asked the Commission to consider:

- the proposed development will destroy the NH prioritized habitat and disrupt the conservation corridor
 - consider requiring the developer to do an independent, ecological assessment to quantify the impacts
- with 50% of the property wetlands, there are concerns about the connector road and wetlands disruption
 - consider requiring the developer to protect the wetlands and not permit the road to cross over it
 - if the developer is willing, would the Commission consider purchasing a portion of the property as a conservation easement to protect the existing prioritized habitat

Leon LaPierre, 159 Emerald Ln, President of Indian Ridge HOA (49 homes) sent an email previously and highlighted the wildlife corridor that runs through there and the issue of an applicant being required to appear



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before the Conservation Commission for review and endorsement prior to the Planning Board review when seeking an environmental CUP for development through TDR. This ordinance is mandatory. As there is no CUP before the Commission, he believes tonight's agenda is out of order. He asked the Commission to table item 5B and have them come back and go through the process of endorsement of a CUP.

Natalie Carr, 220 Tolend Rd noted the wetlands that extend to abutting properties and listed various wildlife who live there. She encouraged the Commission to include those areas as wetlands. A 50' buffer is not enough.

J. Kaspari read into the record and summarized a few pieces of correspondence received to the office.

Citizens' Forum was closed.

Per request, J. Kaspari clarified what the board is being asked for tonight in regard to Item 5B noting what is requested is feedback on the applicant's proposed TDR concept. No formal stance or vote is being requested this evening. Planning Board has asked the Conservation Commission to weigh in with their comments before the application goes further. He expounded that staff is working on the issue- the order of steps are confusing on which group should approve which part of the project first and next.

Board discussion agreed the steps are not clear and a conceptual discussion is fine as long as there is subsequent consultation on any actual plans/ permits.

D. Benton explained the timeline of events for an applicant going through the planning/ TDR process and where the Conservation Commission falls within it so that they have all the materials they need for their review. Additional information was provided about the groups who have to review these applications.

R40 zoning specifics and development types, allowances and restrictions were reviewed and discussed by staff and the Commission.

J. Kaspari read from the R40 zone ordinance.

4. OLD BUSINESS:

None

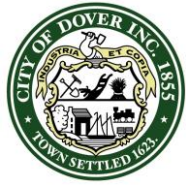
A. Kramer Perry departed at 6:30 pm.

5. NEW BUSINESS:

B. Conceptual discussion of a Transfer of Development Rights (TDR) application for Trittech Engineering, (Owner: Stonearch Development, LLC), Assessor's Map F, Lot 3, zoned R-40, located at 210 Tolend Road. Proposal is to purchase 33 TDR units (10 unrestricted and 23 size restricted) with a total of 53 units proposed. Should the Planning Board approve the TDR application, the project would then require approval of the following: City of Dover Site Plan, Conditional Use Permits, a NHDES Wetlands Permit and a NHDES Alteration of Terrain permit.

Bob Stowell, TriTech Engineering, presented the item.

He explained the property location and details of the proposed project including: curb cuts, number of units and size restrictions including ADUs, wetland impacts, proposed open space areas and conservation easements.



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They brought the proposal to the Planning Department and received feedback. They are looking for additional feedback from this Commission prior to moving the project forward.

Robert Baldwin, development team added information about the mixed housing options they are hoping to provide with this proposal. He explained the proposed size of the homes and described the ADUs in the walk-out basements of some units and additional details for the entire proposed project. He explained some of the feedback already received and the changes they are going to make to the plans.

The revised proposed plan was explained.

K. Murphy noted she is disappointed these plans were just being seen at the meeting for the first time and they weren't available to the public. If they are reasonable and true offers, have them available to the public. She asked for more information about why in one plan the ADUs were pre-built and in the next plan they are offered, but not built. This was described by the applicant.

Discussion ensued with agreement that the Commission will continue to ask any questions they have this evening with the intention to table the matter to the next meeting to allow for both a site walk and time for the public and the Commission to digest the new plan that was just presented tonight and give feedback and continued conceptual discussion at the next opportunity.

Continued discussion occurred relating to unit B options for open space vs conserved land; wetlands crossings/culverts/roadways; conservation easements on adjoining parcels; time of year wetlands were delineated; existing and proposed utilities locations.

Requests were made that in preparation for the next meeting review: snow storage information be provided; look at this property with the NH coastal viewer/ wildlife action plan/ corridors.

A. Lyon moved to continue the conceptual discussion to the July, 2024 meeting, that a site walk be scheduled before then and a request that the plans be made available as part of the packet in advance. R. Warnock seconded. Vote: U/A.

C. Introduction to Dover's UNH Sustainability Institute Urban Forestry Fellow- John DesRoches

J. Kaspari introduced him and noted the Planning Dept is happy to have him this summer. John explained what he will be working on in Dover this summer including street tree plan implementation, help with ideas, research and outreach for the pocket forest among other tasks.

Street tree discussion ensued.

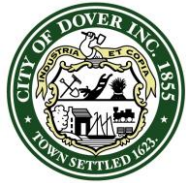
D. \$2,000 Conservation Fund Request to Support Open Lands Committee Outreach

J. Kaspari explained the request item and what it will go towards.

A. Lyon moved to authorize the \$2,000 expenditure to support Open Lands Committee outreach activities. S. Fellows seconded. Vote: U/A.

E. Native Species Discussion

The overarching agreement at the previous meeting was for this topic to remain in the purview of the Commission longer for review and development of a new set of language within a resolution for review. Staff and the



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Commission will research best practices and what other peer NH cities are doing for reference and continue to discuss this topic at upcoming meetings to work towards some sort of policy to put in place.

J. Kaspari explained the initial resolution draft is being withdrawn so more research can be done.

R. Warnock gave background information he provided to the research team and the direction we are heading.

F. Conservation and Open Space Chapter Update

J. Kaspari noted at the last meeting the committee reviewed the existing condition report and weighed mapping ideas for conservation areas. They are reviewing ways to have people interact with the content such as story maps rather than just having the information in a PDF.

6. REPORT FROM THE CHAIR

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

A potential wetlands violation is being reviewed after a resident complaint. Staff is working with NHDES on a response and letting the property owner know about the complaint so he can take action.

7. OTHER BUSINESS

B. Update from Forest Management Subcommittee

They haven't met since the last Conservation Commission meeting so they will get one scheduled.

J. Kaspari gave an update on the grant project/ FB Environmental status.

Additional conversation about the property for discussion tonight for item 5B occurred.

8. ADJOURNMENT

A. Lyon moved to adjourn. R. Warnock seconded. Vote: U/A

The meeting was adjourned at 7:40 PM.