

City of Dover Conservation Commission
Minutes for February 7, 2005 Meeting
5:30 pm, City Hall, Council Conference Room

Members present: Tom Fargo, Chair; Marcia Colbath; Ed Millman; Bill McCann; Dona Layton; Susan Eisler (Alternate – voting)
Members absent: Alban Lobdell; Joyce El Kouarti
Also present: Dean Peschel, City of Dover Environmental Program Manager & staff liaison

1. Approval of minutes from January 3, 2005 meeting.

Susan Eisler moved, seconded by Marcia Colbath to approve the minutes. Ed. Millman moved to amend the minutes regarding the voting status of the Alternate, seconded by Susan Eisler. Minutes as amended approved with all in favor.

2. RE: Tax Map 10, Lot 3, Considering an application by Susan Andrews, Stephen Spiridonides, and Georgia Kiriapoulos, 7 Morin Street, Dover, (represented by Trittech Engineering) for an environmental review regarding a Conditional Use Permit to construct a driveway within an area with slopes greater than 20% (Dover Conservation District).

Discussion

Doug La Rosa, of Trittech Engineering (representing the owners) presented an overview of the plan. The proposal is to subdivide the existing lot into three lots, which would result in the construction of two new homes. Chairman Fargo asked Mr. La Rosa to explain who would be building the homes. Mr. La Rosa stated that the Dover Vocational & Technical (Vo-Tech) students would be building the homes. Marcia Colbath indicated that she would have to recuse herself from discussion and voting on this project because her husband's business often works on Vo-Tech homes.

The commission reviewed site plans that showed a proposed 12-foot driveway traversing the sloped area. Ed Millman asked if any wetlands or wetlands setback areas would be impacted? Mr. La Rosa responded that the closest wetland is some 400 feet from the proposed construction areas depicted by delineated building envelopes on the site plans.

Ed Millman moved, seconded by Susan Eisler to approve the Conditional Use Permit. The motion carried with all in favor and Marcia Colbath abstaining.

3. RE: Tax Map B, Lot 21, Considering an amended application by Carl and Elizabeth Feren Revocable Trust, 56 Wildwood Lane, Dover, for a Standard State of New Hampshire Dredge and Fill Permit to relocate previously-reviewed temporary wetland impact (now 11,556 square feet) for sewer line extension as part of the construction of a 32-unit Open Space Subdivision at the subject address. (*Chairman's Note: This amended application addresses concerns identified by the Commission during the October 4, 2004 meeting.*)

Discussion

Doug La Rosa, of Trittech Engineering (representing the owners) presented an overview of the plan. Also present to represent the owners was Attorney James Schulte and Barry Gier, with Trittech. The proposal is to relocate previously approved sewer line installation from the southern margin of the development parcel to land owned by Mary B. Merkley (within the former railroad bed). Attorney Schulte explained that an easement agreement with the Merkleys was pursued to address concerns of the Conservation Commission and is now essentially complete.

Ed Millman noted that the amount of temporary wetlands impact is greater than that proposed previously. Mr. La Rosa stated that the amount of impact is greater but the impact is located in a previously disturbed area (the railroad bed). Mr. LaRosa stated that Lenny Lord, of Carex Ecosystems, has mapped the wetlands in the former railroad bed. A wetland has apparently developed in the area due to runoff from the cul-de-sac at the end of Eric Drive. Chairman Fargo asked about existing cross culverts that convey water from the development site under the former railroad bed. These culverts would need to be replaced following sewer installation. Mr. Gier stated that there are three granite masonry culverts, two of which will be crossed by the sewer line. The plan is to replace these culverts with drainage pipe with similar hydraulic capacity.

Chairman Fargo noted that the proposed pedestrian right of way from the new end of the Boxwood Lane cul-de-sac had been repositioned from the southeast corner of the development parcel to an intersection with the land of Merkley much more remote from Eric Drive. Fargo stated that the desire is to provide pedestrian access between the new Boxwood Lane and Eric Drive cul-de-sacs. Discussion ensued regarding whose responsibility it would be to seek pedestrian access across the land of Merkley.

Mr. La Rosa asked the Commission for an opinion about reconfiguring the position of lot 29 from what was originally approved by the Planning Board. Such a reconfiguration would change the boundaries of the conservation easement area but wouldn't change the total acreage of the protected open space. The owners would like to situate the house on a knoll to get a better view of the surrounding open space. Mr. LaRosa explained that the repositioning would not encroach on the 50-foot setback from wetlands, just as the original plan had avoided such encroachments. Ed Millman suggested that greater distance should be preserved from the wetlands area to the west, since this area appears to have more value for wildlife, etc.

On a motion by Susan Eisler, seconded by Marcia Colbath, the Commission voted to endorse that amended application to NHDES Wetlands Bureau. The motion passed with all in favor.

A second motion was made by Susan Eisler, seconded by Dona Layton, to not object to the reconfiguration of Lot 29, as long as there is no net loss of the previously approved conservation area. The motion passed with all in favor.

4. New Business:

- Marcia Colbath requested that the Commission authorize an expenditure from the Conservation Fund to appraise a parcel of land. **Ed Millman moved, seconded by Marcia Colbath to go into Non-Public Session to discuss property acquisition.**
Roll Call Vote:

Marcia Colbath	yes
Ed Millman	yes
Susan Eisler	yes
Tom Fargo	yes
Bill McCann	yes
Dona Layton	yes

Motion Passed

The Commission entered Non-Public Session at 6:37 PM

NON-PUBLIC SESSION

Commission came back into Public Session at 6:42 PM.

Ed Millman moved, seconded by Dona Layton to approve an expenditure to obtaining an appraisal of the parcel of land discussed in non-public session. Motion carried with all in favor.

- Distribution and discussion of "NH Planning and Land Use Regulation" handbooks. Chairman Fargo briefly reviewed the conservation-related laws outlined in the handbooks. He suggested that members look up the conditions under which members should disqualify themselves from discussion and voting on issues brought before the Commission.

5. Adjournment:

On a motion by Susan Eisler, seconded by Dona Layton, with all in favor the meeting adjourned at 7:00 p.m.