

**City of Dover Conservation Commission**  
Minutes of the Monday, March 24, 2008 Meeting;  
5:30 pm, City Hall, Council Conference Room

Commission Members Present: Thomas Fargo, Chair; Bill McCann, Vice Chair; Marcia Colbath; Alban Lobdell; Chris Hunt; Jessica Hunt

Member Absent: Britt Schuman

City Representative: Dean Peschel, Environmental Projects Manager

1. RE: Tax Map E, Lot 66; Further consideration of an application by Jeannine and Monique Gagnon, 46 Whittier St., Dover (agent: Trittech Engineering, Inc.) for a City of Dover Conditional Use Permit to construct three 18-unit apartment building and 8 townhouse units partially within a wetland setback area. The proposed project is located adjacent to the Cochecho River near Addison Place off Whittier Street.

*(Note: The Commission previously reviewed this development plan at its September 10, 2007, January 7, and March 3, 2008 meetings. A site walk was held on Saturday, March 15, 2008 at 9:00AM.)*

An overview of the application was presented by Bob Stoll with the assistance of Barry Gier, both of Trittech Engineering. Also present was the developer, William Goldstein. The applicant most recently appeared before the Commission on March 3<sup>rd</sup>. At that meeting, two development schemes were reviewed, one with no impact to wetlands setback areas, the other with 3,000 square feet of proposed impact to a wetlands setback area to accommodate a turn around lane at the south end of the main parking lot. At the March 3<sup>rd</sup> meeting, a slight majority of the Commission favored the no-impact scheme, but a final decision was deferred until after the site walk that was held on March 15<sup>th</sup>.

Mr. Stoll described why the applicant is seeking the Commission's endorsement for the Conditional Use Permit (CUP) to impact the wetlands setback area. He also outlined the impact mitigation measures the applicant was willing to undertake to secure the endorsement of the Commission. The Commission discussed further the proposed development options. Chairman Fargo noted that if the no-impact development plan was preferred by the Commission, then the CUP would not be needed and the Commission would not be in a position to request the mitigation measures offered by the applicant.

**After further discussion, Chairman Fargo made a motion to endorse the application for the City of Dover Conditional Use Permit to impact 3,000 square feet of the wetlands setback area with the following conditions (with the concurrence of the applicant):**

- 1. The applicant will install and maintain plantings, as proposed, between the wetlands setback encroachment and the wetlands at the southern end of the parking-lot turn-around. The maintenance plan for these plantings will be incorporated in an Operations & Maintenance Plan for the storm water management system, and the storm water O&M Plan shall include annual inspection and reporting to the City's Environmental Division.**
- 2. The applicant will grant to the City of Dover a conservation easement on the open space areas as delineated on the site plan.**
- 3. The applicant will allow limited public access to the existing hiking trail along the Cochecho River and a trail access agreement will be incorporated into the conservation easement document.**

**The motion was seconded by Bill McCann. Thomas Fargo, Bill McCann, Marcia Colbath, and Alban Lobdell voted in favor, Chris Hunt and Jessica Hunt voted in opposition.**

2. New Business:

- Update on Berry Brook watershed management plan. Dean Peschel described the City's efforts to address water quality impairments and flooding issues in the Berry Brook watershed. This small watershed encompasses the area between Central Ave (the Miracle Mile segment) and Sixth Street, in the Horne Street School neighborhoods. The City has been working with the NHDES and a consultant to develop a watershed restoration plan. The plan will be presented at a neighborhood meeting on April 10, at 6:00 PM, at Horne Street School.
- Concerns of the Commission (Open Forum for Commission Members)
  - Bill McCann passed out a flier inviting members to a presentation by Maude Barlow at Portsmouth Library on April 1<sup>st</sup>, regarding international water rights.
  - Al Lobdel passed out a flier for a chorus event.

3. Adjournment: **Chairman Fargo made a motion to adjourn. Bill McCann seconded. All voted in favor.** Adjourned 6:15 pm.