

City of Dover Conservation Commission

Minutes of the Monday, October 2, 2006 Meeting;

7. RE: Tax Map E, Lots 27, 27B & 27D, Considering an application for 171 Watson Road Holdings Corp (by T F Moran, Inc.) for an environmental review for a City of Dover Conditional Use Permit for proposed wetlands setback impacts associated with the construction of an 80-space parking lot for Measured Progress located off Education Way.

Chairman's Note: This is a revised plan for a project previously reviewed by the Commission at its July 2006 meeting. At that meeting, the Commission voted to **not** endorse the applications for a Conditional Use Application and the NHDES Dredge and Fill Permit for the following reasons:

1. Concerns related to the efficacy of the existing stormwater management system and its inability to accept additional discharges;
2. Poorly demonstrated need for the proposed wetlands impact. Other non-wetland areas are available and are designated as future parking areas in the overall multi-phase site development Master Plan;
3. Poorly demonstrated need for additional parking. From a planning perspective applicant is requesting double the amount of parking spaces specified in zoning requirements per square foot of office space. The applicant has not expressed a willingness to explore administrative measures to reduce parking demand such as ride share, subsidized bus or enhanced public transit service, staggered shift changes, or other mechanisms.

These recommendations were communicated to the Dover Planning Board on August 7, 2006 and the NHDES Site Specific Bureau relative to application #060725-02, and the NHDES Wetlands Bureau relative to application #2006-01772, on August 8, 2006. The applicant subsequently met with the Planning Board where that board requested modifications of the plan.

Discussion:

Present to discuss the application were Robert Kmetz of Measured Progress and Jeffrey Kevan, of T.F. Moran, the project manager. Mr. Kevan provided background on previous plans and how they came to the current plan with no direct wetlands impact (previous proposal requested filling of 7,042 square feet of wetlands). The current proposal has only wetlands setback impacts.

Chairman Fargo stated he was pleased to see that the new plans do not involve direct wetlands impact, as the previous plan had. He did find the parking space count to still be high despite the reduction in spaces from previous proposed plans. He stated he still has concerns regarding the efficacy of the existing stormwater management system.

Mr. Kevan stated there will be a retention pond and there is a grass swale before the wetlands. This past spring, despite the heavy rain there were no problems with the pond. The site is not within the shoreline protection area, as none of the proposed new development is within 250 ft of the river.

Chairman Fargo noted that there appears to be no upgrades to the current stormwater management. Mr. Kevan stated that they intend to improve the system, as well as maintain and work on the current system.

There was further discussion about the applicant's need for additional parking and their desire to locate such parking near the office buildings. Fargo reminded the Commission that the Planning Board would be responsible for evaluating the parking needs and justifications for more impervious surface at the site. Fargo attempted to narrow the discussions to the environmental effects of the proposed construction of some of the parking areas within wetlands setback areas. Fargo noted that the Commission had endorsed such encroachments in the past in the ETP zone (reference Churchill Medical on Venture Drive). Mr. Kevan indicated that his main purpose for coming before the Commission again was to get feedback on the proposed new configuration for the expanded parking lot. Mr. Kevan indicated that additional details would be developed relative to stormwater management for the new parking area. He wanted to get the Commission's buy-in to the proposed wetlands setback/buffer

encroachment.

Chairman Fargo made a motion to endorse the concept of constructing portions of the expanded parking area and roadways within wetlands setback areas. Bill seconded, all in favor.

City of Dover Conservation Commission

Minutes for July 10, 2006 Meeting

10. RE: Tax Map E, Lots 27, 27B & 27D, Considering an application for 171 Watson Road Holdings Corp (by T F Moran, Inc.) for an Standard NHDES Dredge and Fill Permit, and a City of Dover Conditional Use Permit, to fill 7,042 square feet of wetlands for the construction of a proposed a 50,000 square foot parking lot expansion. Construction is also proposed in areas within the City's fifty foot setback from wetlands.

Discussion

Jeff Kevan, of T.F. Moran, and John Woodman, of Measured Progress, were present to describe the proposed project. The site is an 80 acre parcel. The plan is to extend and loop a waterline between Measured Progress and Liberty Mutual, construct an emergency access road (both requested by the City of Dover), and construct a 50,000 square foot parking lot expansion. There has been an increase in staff in the newest office building. Measured Progress finds that additional parking is needed. The company wants to add parking to get to 488 parking spaces. Mr. Kevan stated that the project requires the filling of 7,042 square feet of wetlands for the construction of the parking lot expansion. He characterized the impacted wetlands as an area where current storm water run-off collects with little wildlife values as well. An improved drainage system has been designed and was outlined for the Commission. If possible, open bottom infiltration chambers would be used in infiltrate collected stormwater under the parking lot expansion area. The applicant has submitted a City of Dover Conditional Use Permit application and an NHDES Standard Dredge and Fill Permit application.

Tom Fargo stated that his first concern was that the site development has occurred in several phases. The proposed stormwater management for this expansion phase is being engineered as separate entity but is part of larger system. Tom stated that his observations suggest that the existing stormwater management system may not be operating properly. Tom has noted that the furthest downstream detention basin is filled to capacity for long periods after a rain event. This suggests that runoff from each successive rain immediately discharges to the Cochecho River with little or no treatment. Tom suggested that the stormwater management system should be evaluated for overall efficacy. Tom also noted that an NHDES Site Specific Permit should be applied for because a portion of the site falls within the Shoreland Zone associated with the fourth-order Cochecho River and more that 50,000 sq. ft. of disturbance is proposed.

Dean Peschel asked several questions related to the necessity of the proposed wetlands impact. First, why is the applicant not proposing to build the additional parking lot in an area where future lots were anticipated? Parking areas planned for future phases could be built and utilized now. Mr. Kevan and Mr. Woodman both stated that construction and use of parking areas associated with future building phases would hinder the construction of those phases and that employees would have to walk a greater distance to the office building in which they now work. Dean suggested that Measured Progress could provide transportation to shuttle employees to the more remote lots.

Dean next asked why the parking lot expansion could not be accommodated with a parking deck? This would eliminate the need for the wetlands filling. Mr. Kevan stated that construction of a parking deck would be uneconomical. Tom stated that Liberty Mutual is constructing a parking deck at their expansion site on the adjacent parcel. A deck may be expensive, but it is an option.

Marcia Colbath asked if other areas are available. The Commission briefly reviewed a copy of the multi-phase site development Master Plan. From this review it became clear that there were several areas where parking lots could be constructed with not wetlands impacts.

Tom stated that he agreed with Dean, Measured Progress could establish shuttle service or find some way to administratively deal with the current parking shortage, such as encouraging ride sharing, adjusting shift changes, etc. This spurred discussion about the need for additional parking. At one time it was suggested that the

parking was needed to cover overlapping shifts, then it was stated that the needed parking was due only to an increase in personnel. Ed Millman asked: What is the zoning standard for number of spaces per square feet of office space? It was revealed that Measured Progress is requesting twice the amount parking that the zoning regulations specify.

There was a consensus that the proposed wetlands impact could be avoided at this point. With continued growth, it may be appropriate to reevaluate justification for the proposed wetlands impact in the future. There are multiple measures available to accommodate the parking needs of current employees. The current plan to expand the parking area, as proposed, is a significant deviation from the overall multi-phase site development Master Plan.

Tom Fargo made a motion to not endorse the applications for a Conditional Use Application and the NHDES Dredge and Fill Permit for the following reasons:

- 1. Concerns related to the efficacy of the existing stormwater management system and its inability to accept additional discharges;**
- 2. Poorly demonstrated need for the proposed wetlands impact. Other non-wetland areas are available and are designated as future parking areas in the overall multi-phase site development Master Plan;**
- 3. Poorly demonstrated need for additional parking. From a planning perspective applicant is requesting double the amount of parking spaces specified in zoning requirements per square foot of office space. The applicant has not expressed a willingness to explore administrative measures to reduce parking demand such as ride share, subsidized bus or enhanced public transit service, staggered shift changes, or other mechanisms.**

The motion was seconded by Bill McCann and passed with unanimous approval.