

MINUTES
SPECIAL MEETING/WORKSHOP
DOVER CITY COUNCIL
COUNCIL CHAMBERS
APRIL 3, 2002
7:00 PM

1. ROLL CALL:

Members Present: Councilor Quigley, Mayor Pro Tem Taylor, Councilors Tweedie, Whitmore, Christenbury, Dunnington, Hindle, Hofemann and Mayor Nossiff present.

2. RESOLUTION:

- A. Resolution RE: Appropriation for FY03 Capital Improvements Program and Authorization for Bonding (REPLACEMENT). Sponsored by Mayor Alexander G. Nossiff, by Request.

Taylor moved, seconded by Tweedie to refer to a public hearing on April 10, 2002. Motion passed on a roll call vote of 8-0.

3. OTHER BUSINESS

The Mayor has been asked by Major Domingo to recognize the Gold Star Mothers here in Dover. There is a special Sunday set aside to recognize those mothers who have lost their sons in the wars and he would like proper recognition to be given to them this evening as well as on next Sunday.

Under other business he announced that he is appointing Whitmore to the Arena Commission as the Council liaison, also he appointed Tweedie to the Joint Fiscal Committee and Quigley to the Joint Building Committee. He also reminded everyone that all councilors are free to attend all meetings, Christenbury moved, seconded by Hindle to appoint. Motion passed on a roll call vote of 8-0.

The City Manager congratulated the city's environmental attorney, Attorney Peltonen, who has been recognized in NH Business magazine as the outstanding environmental attorney in the State of NH.

4. ADJOURNMENT

Hindle moved, seconded by Hofemann to adjourn. All in favor.

WORKSHOP

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The Mayor opened the workshop meeting on Cocheco River dredging update.

DISCUSSION RE:

**1. RIVERFRONT DEVELOPMENT AND COCHECO RIVER
DREDGING UPDATE**

Stancel proceeded to explain the Powerpoint presentation (see printout of slide show in folder of 4/3/2002) saying he has done this presentation so any times in the past few years. He continued there are approximately 15 acres of developable land. He explained the current uses of the waterfront. There are approximately 69 acres that are vacant or under utilized on the waterfront including the city's parcel.

In 1995, Captain John Honeywell of the Isle of Shoals Steamship Company wrote a letter in favor of the dredging so that the river can be used at times other than high tide. Also, Dover's main downtown area represents huge opportunities with the completion of the dredging of the river. He continued with the history of boat traffic on the Cocheco River. He stated through the years there have been no less than 9 studies of the river, all the studies included a public input in the process. There were several common recommendations in nearly all the studies including removing the old public works garage for the city parcel and the dredging of the river channel, etc.

Stancel asked Dana Lynch, from the Civil Engineering firm to explain the Charrette. Mr. Lynch gave his background. He also passed out a map of the waterfront master plan, (see folder). He proceeded to explain the map stating, this includes ideas of what the proposed redevelopment would involve, the proposed shops, etc. He continued, this presentation was first done in 1990. He brought the council forward with the history of the waterfront up to today. During the initial meetings it became apparent there was a vision so they defined these ideas and formed them into this Charrette which was completed by 1996. (see folder of 4/3/2002 for copy of Design Charrette) The goals are still the same. The Charrette meeting was held in the middle of July in 1995. He mentioned Paul Buckhurst, was the lead person who helped to design this Charrette and gave his credentials. After this brainstorming session, they came down to the two scenarios that he presented tonight. The most important thing that came out of this report was the design guidelines: 1. Low intensity concept and 2. Moderate intensity. Mr. Lynch stated, they touched upon 4 different categories: scale and land use, environmental quality, circulation and access, and management and development. Mr. Lynch thanked the Council for their time.

Steve Stancel continued with the slide show on public investments in the waterfront area and how the 1986 dredging project cost \$200,000. He then introduced Scott Myers, chair of DEDC. Mr. Myers explained their goals and the establishment and history of this committee. Myers explained their powers stating they are fairly broad in scope. He mentioned the upgrade to Henry Law Avenue and how it has been moved up into the 2004 CIP for reconstruction. He told of the condominiums that were defeated, then the Seacoast Aquarium folks, so where do we go from here. They have asked the Planning Board to seriously reconsider re-zoning the area as the first step. He listed the other projects that they will be involved in. Stancel stated this parcel is located in the urban core of the downtown area. Dean Peschel outlined some of the environmental issues on the property, as well as, the assorted studies that have been done on the property. He explained the Brownfields grant that had been obtained by the State of NH. Based on this work, we now have a very good picture of the environmental issues on River Street. He continued on other environmental issues. He explained about other companies that have helped define the

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issues. Then he summarized the investigations of the site. He stated the samples of the soil that have been contaminated and how the methane gas will prevent a building from being constructed on certain parts of the site because of these contaminants. It has not been decided how we will proceed. They will check on any groundwater contamination. Also, there is a groundwater management zone where they take samples and test the area; this testing will continue.

Stancel explained more on the dredging, then he introduced John Gilbert from Geolnsight, Inc. Mr. Gilbert pointed out maps on the wall explaining where the major dredging will be taking place in the river. The channel is a federally authorized channel so the Army Corps of Engineers is responsible for the dredging and they feel they do not need local or state approval for this process. The Corps asks that the sponsor for the project (the City in this case) be involved in obtaining approvals and maintains an active role. The port authority that owns the land underneath the channel is required to be the applicant. Mechanical dredging of the sediments will be placed on barges and transferred to a truck and transported to the spoil cell. Mr. Gilbert described the spoil cell. It will be placed where the spoils of the 1984-85 sediment were placed. The cell will be lined with a 60 mil polyethylene liner with a drainage system above it that is piped to the City's WWTP. Then a drainage layer plus more layers for vegetation to be placed with a warning barrier with signs warning not to dig here. This is in case anyone should ever forget. He explained the soil samples that have been retrieved from the river so far at this point. They are engaged in a review process consistent with the state. This should be complete by the end of the fiscal year (FY) or by the end of this September. So by winter of 2003 or 2004 the dredging can start.

Stancel introduced Steve Bird who went over the financial information for the project. He says if the money is not spent for this project during the year then this money goes away. So far the Army Corps of Engineers has spent \$755,000 plus. The real question is what is the ultimate cost to complete the project. The city is responsible for 20%, some of this can be in kind services (10%), the rest in funding. Stancel stated this concludes his presentation, he is looking forward to going forward with the project.

The Mayor has a question, in 1984 and 1985 a dredge was done and the soils were deposited on city owned land, this time we are taking far more precautions. He continued, first there is the jurisdiction issue and who should take authority. He also asked what is the roll of the Pease Development Authority. Third, it is his understanding that once we accomplish this dredging and we establish economic viability, would we automatically qualify every 7-10 years. Mr. Gilbert does not think we will need further dredging for 50 to 75 - maybe 100 years. The Mayor wanted to know if the testing has shown that the contaminants are so low below the contamination levels, therefore, the dredging does not require State jurisdiction.

Mr. Gilbert explained to the Mayor and the Council the concept. He says what is key is if contaminants are placed in the cell. It is straight common sense that we accomplished the dredging in 1984 and 1985 so obviously what we are dredging right now is that what was removed back then was tannery sediment.

Hofemann reads his statement of concerns, asking if we could take the dredged materials out to sea. Mr. Gilbert again said that ocean disposal has been tightened up and the pH samples are too high to do this. Also it would be impractical. There will be a 36" buffer between ground level and the container. Whitmore asked if we have resolved the DES issues as yet, she asked about the maintenance and life expectancy of the spoil cell. Mr. Gilbert says we met with the Wetlands Board in January and they have started responding to them. They do not have all the answers from DES as yet. If the site is left vegetated it must be mowed though. Overall it should be a

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minimal issue, the integrity is preserved for a very long time at least 30 to 40 years. This liner is the same technology that Waste Management is using only theirs is probably not as thick.

Christenbury says since 1970 we have had two 50-year storms and one 100-year storm due to the change of the damming of above stream. He continued children are exposed to more carcinogens in the home than they will be exposed to in that field. There is an issue of bedrock; bedrock does not grow. Will they be dredging to 7-feet or maybe just 5 or 6 feet because of the buildup? Mr. Gilbert says this concern is only in the upper narrows but they do expect to get to the 7-foot level even in that area. He also pointed out the most highly contaminated area is adjacent to George's Marina. If you look at the information from the 1998 Batelle Report, a final report of sampling and laboratory testing in support of environmental assessment of the Cocheco River, the levels fall off drastically as you go down river. This is not the highly contaminated area.

Dunnington says this process has been going on for about 10 years and why is it taking so long and number two, we are on record in support of this, what can we do to expedite this process. The City Manager says this is a new kind of process, we just need to continue with what the staff and attorneys are doing in the process. Before the beginning of May we should have crossed our last hurdle. Stancel says in terms of the dredging we are in hopes of getting state approval by May 1. We need to look at rezoning and the DEDC will start discussing the new proposals. We are looking at 18 to 24 months before the actual dredging starts. He continued on about the bridge over the Washington Street area, this project is in the state's 10-year plan. This is a significant task that has been accomplished. The City Manager says we have to come to closure on the development process. The DEDC will be looking on what we can do and what we can't build, he is less concerned about what we want down there. We want to be in control of the parcel. We will await the DEDC's decision.

Christenbury says it was George Maglaras' father that was the first one that had concerns over the environmental issues. This project has been well planned. This project has had numerous hours and studies put into it.

The Mayor concurs saying almost one million dollars worth of studies have been completed. There is not a city or a town that has neglected the waterfront as we have. The waterfront is a jewel. We are simply trying to recapture our heritage as a very proud ocean seaport. Many residents do not realize this. There are seals on a regular basis in the Dover landing area behind the Barn Tavern. We are not alone in trying to do this. We are trying to do what other cities are doing around the country. Dredging is nothing new; it has been going on for 150 years now.

Christenbury moved, seconded by Quigley to adjourn at 8:52 p.m. All in favor.

Judy Gaouette
CITY CLERK