



CITY OF DOVER

DOVER CONSERVATION COMMISSION – MINUTES

Meeting Type: Regular Meeting
Meeting Location: First Floor Conference Room - 288 Central Avenue Dover NH
Meeting Date: Monday, August 8, 2011
Meeting Time: 5:30 pm

MEMBERS PRESENT: Bill Hunt (Chair), Marcia Gasses, Lauren Jacoby, Cora Quisumbing-King, Jim Sorbello, Ron Hebert (Alternate)

STAFF PRESENT: Steve Bird (City Planner), Christopher Parker (Planning Director)

OTHERS PRESENT: Zachary Taylor, Stephen McNally

The meeting was convened by Chair Hunt at 5:30 PM.

1. APPROVAL OF THE PRIOR MINUTES

Gasses moved to approve the July 11, 2011 minutes as presented, Quisumbing-King seconded. Vote: Unanimous

2. OLD BUSINESS

- A. Discussion regarding FY2012 municipal budget and Conservation Fund – Christopher Parker, Director of Planning and Community Development

Chris Parker was present to discuss the funding of a planning position. The City Council passed a resolution to have the first \$75,000 in current use penalty tax go to the general fund and the remainder to the Conservation Fund. However that can not go into effect until April 1, 2012 by state law. Parker asked for support to use the two years of Conservation Fund pledged by the Conservation Commission previously (\$45,316) this year. This would reduce the shortfall to \$29,684 and Parker asked if the commission would agree to cover any potential shortfall if the revenue from the current use penalty tax collected between April 1st and June 30th does not equal \$29,684. In 2010 the revenue during that time period was \$11,432.

Gasses wanted to get input on this issue from the Open Lands Committee before making any decisions. Hunt asked how soon a decision needed to be made. Parker did not want to wait until December. Gasses suggested waiting until after the OLC meeting and put this item on the September agenda. Sorbello motioned to table until the September meeting, Gasses seconded. Vote: Unanimous

Hunt asked Parker for a written summary of the issue and Parker stated that he would bring a memo with all the details back before the end of the meeting.

3. NEW BUSINESS

- A. NHDES Standard Dredge and Fill Permit for Portsmouth Christian Academy (Agent: Zachary Taylor, Riverside and Pickering Marine Contractors) Assessor's Map J, Lot 1C, zoned R-40, located at 20 Seaborne Drive.

Zachary Taylor was present to explain the proposal to impact 928 square feet of tidal wetland to construct a 6' x 30' fixed pier with an associated 8' x 11' ramp and 10' x 48' float along the Bellamy River. The ramps are six feet wide to accommodate students to carry canoes and kayaks on the ramp. Bird explained that a dock permit does not require a Conditional Use Permit.



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Hebert asked who reviews the impact on the channel. Taylor said that it is the Division of Ports and Harbors and the US Army Corps of Engineers. Quisumbing-King asked about the Natural Heritage Bureau review. Taylor explained the review process.

Sorbello moved to endorse the application, Hebert seconded. Vote: Unanimous

- B. City of Dover Conditional Use Permit and NHDES Permit by Notification for Berry Brook Condominium Association and Cynthia Dupuis (Agent: Stephen McNally, Greenman Pedersen, Inc.) Assessor's Map 30, Lot 19B, zoned I-1, located at 34-40 Ash Street.

Stephen McNally was present to explain the proposal to impact 995± sq. ft. of wetlands buffer to replace and partially relocate an existing timber wall with a new mechanically stabilized earth retaining wall with concrete facing within the Conservation District of Berry Brook. He presented two plan options. One that kept the retaining wall in the same location so that it would be easily permitted under the Permit by Notification (PBN) process, however this kept the wall over the large culvert owned by the City that contains Berry Brook. The second would relocate the wall away from the culvert and allow for easier maintenance by the City in the future. McNally stated that the wall needs to get fixed this year or it could collapse during the winter.

Gasses asked if any one involved with the restoration of Berry Brook had been consulted on this project. McNally said that he had talked with Dean Peschel, but that there was no funding for fixing this project. Bird confirmed that all construction equipment would remove the wall from behind and above the wall. McNally asked for support for the plan that keeps the wall in the same location to make sure that the work could be completed this year. He was not sure if the plan showing the relocated wall would qualify for the PBN. Gasses preferred the second plan with the relocated wall and if that plan did not qualify for the PBN, she supports the applicant filing a minimum impact application.

Gasses moved to endorse the application for the relocated retaining wall plan, Sorbello seconded. Vote: Unanimous

- C. Request for expenditure from the Conservation Fund for Apple Harvest Day booth rental for Open Lands Committee.

Bird explained that the Open Lands Committee was once again requesting that the Conservation Commission approve an expenditure of \$75 from the Conservation Fund for the purpose of having a booth at the Apple Harvest Day on October 1, 2011.

Gasses moved to approve the expenditure, Quisumbing-King seconded. Vote: Unanimous

- D. Review of Proposed Amendments to Rules of Procedure

Bird explained that the Legal Counsel was working to make sure that all committees and boards had standard components so there is some consistency. This includes items such as purpose, function, minutes, staffing, etc. The Conservation Commission just amended the rules in December of 2010, so the rules are mostly up to date. There mostly formatting changes proposed for consistency. Bird



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reviewed the specific changes and said that if the members had no issues, this would be placed on the September agenda for adoption.

After a short discussion, Hunt asked that this item be placed on the September agenda.

4. REPORT FROM THE CHAIR

A. Report on Joint Meeting Held on July 19, 2011 with Master Plan Committee and Open Lands Committee

Hunt reported that five members were able to attend the joint meeting. It was a good meeting and they were able to provide feedback on future conservation goals. The master plan steering committee will be using this input to provide a blueprint for the next 5 to 10 years. Hebert stated that Quisumbing-King did a great job facilitating the meeting.

5. OTHER BUSINESS

Hebert stepped down from the Commission.

A. Update on Morrison Lane Conservation Easement Monitoring

Bird informed the Commission that he had sent a letter to the Association on July 19, 2011 acknowledging receipt of their letter of July 5, 2011 and asking for a timeline for addressing all of the issues. Charlie Alty had stopped in the Planning Office on August 4th to talk with Bird about the letter. He indicated that he is having difficulty getting a response from Bambi Miller of the Strafford County Conservation District in his efforts to schedule a meeting to discuss a conservation plan. Bird received an e-mail from Mr. Alty this afternoon and he provided copies. The members reviewed the e-mail. Bird said that with the budget cuts, the SCRD may not be able to do the work so he encouraged the association to seek advice from others on finding a firm that could do a management plan. One new thing in the e-mail is that they are consulting with their legal counsel. Hunt confirmed that there is no action necessary at this time and that we will continue to keep this as an agenda item.

Hebert rejoined the Commission.

A. Easement Monitoring Report from Conservation Land Stewardship Program for City Parcel on Garrison Road (Map J, Lot 3)

Bird explained that he had received a copy of an easement monitoring report from Stephen Walker on August 1, 2011 for the City parcel on Garrison Road. Bird showed a map of the property and explained that the report pointed out that there are No Hunting signs posted on the parcel by an abutter. The City should contact the abutter to determine the status of the area. Bird stated that we may want to look into having a surveyor locate the property lines so that conservation signs could be placed. Gasses said that we should only survey the lot lines that don't abut the Bellamy River Wildlife area. Bird agreed that we need to do a better job of promoting public access to the parcel. Bird will talk to some surveyors about how much a limited survey would cost.



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C SCCD Funding Request and OLC Recommendation

Bird distributed a letter from the SCCD Board of Directors requesting that Dover contribute \$9,602.34 to help fund the organization. The letter was sent to Barbara Lehocky of the OLC and they discussed it at their meeting on July 14th. The OLC voted to recommend that this not be funded. Gasses agreed with that recommendation. The consensus was that this was not an appropriate use of the Conservation Fund.

Gasses moved to place the letter on file, Quisumbing-King seconded. Vote: Unanimous

Hunt distributed a memo that he received from Christopher Parker regarding the request for using the Conservation Fund to support a planner position and asked the members to read it prior to the next meeting.

6. ADJOURNMENT

Gasses motioned to adjourn at 7:30 PM. Sorbello seconded. Vote: Unanimous